

Notices to Members

No. 11 - The ISM Code & Club Cover

December 1997

Dear Sirs

The ISM Code & Club Cover

From the beginning of the next policy year the West of England is taking a further step in its continued commitment to loss prevention and safety management in general and to the International Safety Management (ISM) Code in particular.

At an Extraordinary General Meeting on 3 December 1997 the Club's Members decided that with effect from 20 February 1998 the Club's Rules would be amended to make it a condition of cover that entered vessels should maintain valid certificates as issued by their flag state, including certificates in respect of the ISM Code.

The new Rule 20 G reads:

G. Certification

Unless otherwise agreed in writing by the Managers, it is a condition of cover that every Member insured in respect of an insured vessel shall at all times maintain the validity of such statutory certificates as are issued in respect of such vessel by or on behalf of the state of the vessel's flag.

Unless the Committee otherwise determines no claim shall be recoverable from the Association in respect of events occurring during any period in which the validity of such certificates is not maintained.

The effect of the new Rule is that if a claim arises at a time when an insured vessel does not have valid flag state certificates, including ISM certificates, that claim will only be recoverable at the discretion of the Club's Board of Directors.

Guidance to Members

The Managers' Loss Prevention and Survey Department has for some time been providing advice and assistance to Members on preparation for ISM certification through safety management appraisals, document reviews and an ISM 'help-line'. They will continue to do so through and beyond the ISM certification deadlines the next of which arises on 1 July 1998.

In order to extend this service capability the Managers have decided to transfer Mark Borkett, an Associate from the Survey and Loss Prevention Department, to the Hong Kong office with effect from March 1998.

In the meantime reports from Members on progress towards meeting their ISM certification requirements have been welcomed by the Managers. From January 1998 onwards all Members will be asked what further progress has been made particularly in relation to those vessels which will require certificates by 1 July 1998.

Yours faithfully

**The West of England Ship Owners
Insurance Services Limited**
(As Managers)

P E SPENDLOVE
Managing Director