

	<b>CIRCULAR 2014-004</b>		
	<b>DEPARTMENT OF MARINE SERVICES AND MERCHANT SHIPPING (ADOMS)</b>		
	<b>PORT STATE CONTROL INSPECTION DEFECT REPORTING</b>	Ref	ADOMS Directors Directive 001-2014 and 001-2012

**Companies having registered their ships under the flag of Antigua and Barbuda,  
Ships registered under the flag of Antigua and Barbuda,  
Authorised Recognised Organisations (ROs)**

**Introduction.**

In order to improve the compliance of our vessels with International safety and environmental regulations it has been decided to bring in measures to try to more effectively utilize valuable information obtained from Port State Control Inspections.

Directors Directive 001-2014 Port State Control Reporting Directive 2014 has been issued in order to encourage better communication between all involved in safe management of our vessels.

In the event of a vessel being detained it is often an indication of a breakdown in the Safety Management of the vessel to a greater or lesser extent.

**Requirements**

From 1 September 2014 all Antigua and Barbuda flag vessels subject to Port State Control Inspections in addition to reporting detentions will be required to report when;

- Four (4) or more deficiencies are raised at a Port State Control Inspection
- Any deficiency is raised where its rectification requires an ISM audit. This shall also be reported to the Recognized Organization(s) responsible for the audits leading to the issuance of vessel SMC and company DOC.

This new requirement for companies to report inspections with more than four deficiencies recorded and any ISM related deficiencies has been introduced to improve communications between all involved in the safe management of ships under the Antigua and Barbuda Flag. It will enable contact to be made quickly between the appropriate persons in the event that a vessel has problems rather than wait for data to be promulgated by other means. It is expected that compliance with this requirement will be checked at Audits and Inspections together with the auditing of all relevant survey and inspection reports, from Flag State, Port State and recognized organizations.

The reporting requirements in the event of detention consolidate the requirements of various organizations involved in monitoring vessel performance and ensure they are all promptly made aware that a vessel where they have an involvement has been detained and can thus take appropriate action.

In the event of a detention If an ISM SMC audit requirement is recorded; this audit shall be conducted by the appropriate Recognized Organization (RO) with the results of this audit communicated to all RO's involved with the vessel and ADOMS. The scope of such audits will normally be full audits of the safety management system and thus shall address all elements of the ISM Code and all aspects of the management system's implementation on board.

The company will also be expected to take its own auditing measures.

As far as Flag State Inspections are concerned a Special Safety Inspection may also be required either immediately, where the attendance of a Flag State Inspector in addition to the Recognized Organization(s) is considered to be beneficial, or more usually at a later date where there is a need to confirm the effectiveness of the measures taken in order to prevent re-occurrence of detention. The interval for future Flag State Inspections (ASI's) will also normally be reduced in order to ensure the improved monitoring of the vessel concerned.

There may be circumstances where the record of the vessel is such that an additional DOC audit will also be required, if deemed necessary by ADOMS or the RO involved. Such an audit will always be required if a vessel is detained twice within a twelve month period.

In order to reduce the burden of this reporting requirement on companies and ships no format has been specified.

It is important that we strive to improve the PSC performance of Antigua and Barbuda flag vessels to ensure that unnecessary burdens are not placed on Seafarers and Ship operators due to perceived risk factors adopted by some organizations involved in the Shipping Industry.

PSC data is widely available from various sources and is monitored by ADOMS to identify areas for improvement which our Inspectors are able to promulgate to vessels when they visit. We expect our vessels to be compliant with International and National requirements at all times and thus they are at all times ready for inspection and should not get deficiencies; however we do of course recognize that management of ships is very complex and thus from time to time deficiencies will be found when a fresh pair of eyes looks at the operation as is the case with PSC inspections.

It must be emphasized that whenever problems occur with emergency systems ADOMS must be informed and appropriate arrangements agreed in order to ensure that an equivalent level of safety is maintained on board the vessel. Apart from the safety implications, failure to do so makes a vessel very liable to detention.

Whenever a vessel has been detained and is within the window for any statutory surveys arrangements must be made for these surveys to be carried out as soon as is practical within the following two weeks or before the close of the survey window whichever occurs first.

Owners are reminded of the reporting requirements which are contained in Directive 001-2012 and the Senior Officers Handbook;

In every case where:

- (i) A seafarer has suffered serious injury from any cause whatsoever,
- (ii) A seafarer has contracted an occupational disease associated with work on board a ship,
- (iii) A ship has been involved in a marine casualty which includes the following occurrences:
  - The death or serious injury to a person,
  - The loss of a person from a ship.
  - The loss, presumed loss or abandonment of a ship,
  - Material damage to a ship,
  - The stranding or disabling of a ship, or the involvement of a ship in a collision,
  - Material damage to marine infrastructure external to a ship that could seriously endanger the safety of the ship, another ship, or an individual, or
  - Severe damage to the environment, or the potential for severe damage to the environment brought about by the damage of a ship or ships.
- (iv) A ship has been detained by a Port State Control officer,
- (v) There has been an incident of pollution associated with the ship, or
- (vi) There has been a serious breach of security on board the ship.

The shipowner and the master shall ensure that the facts surrounding the incident are reported without delay to ADOMS.

As already stated the overall aim of the directive and circular is to improve communication between all involved and ensure more effective use of information with minimal duplication of effort. Failure to comply with reporting requirements may cause ADOMS to have to reassess the suitability of a Company to manage ships on the Antigua and Barbuda Register.

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