



SHIP SAFETY DIVISION International Safety Management (ISM)

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To: All shipowners, shipoperators, designated persons and masters of German ships

Subject: Port State Control (PSC)

Application: ships on international voyages

ISM-Code: 5.1.4 + 6.4 + 9 + 10.1

Remark: This circular has to be carried on board of ships on international voyages

The circular provides supplementary practical information and guidance on PSC inspections and the statistic of 2008.

1. Several conventions such as SOLAS, Load Line, MARPOL and STCW contain provisions for vessels to be inspected when they call at foreign ports to verify that the conditions of the vessel and its equipment comply with the requirements of international regulations and that the vessel is manned and operated in compliance with these rules.

2. It has to be considered that a Port State Control Officer (PSCO) has certain expectations concerning his attendance on board. That's why he should be welcomed and treated respectfully, fair, friendly and with courtesy during his stay on board to avoid interpersonal problems from the beginning. The master should ask for an opening and closing meeting if the PSCOs do not perform these meetings. In these meetings questions about the process of the PSC or possible ambiguities raised during the PSC can be discussed. A closing meeting should be carried out especially if there are questions about noted deficiencies and their legal reference. During the tour of the ship the PSCO should be accompanied by an officer. If deficiencies are noticed the officer should note them to make sure that on the one hand they will be rectified and on the other hand to have a possibility to verify the correctness of the PSC-report.

To familiarize the crew with the process of a PSC we recommend to inform the masters about relevant contents of IMO-resolution A787(19)¹ (Procedures for Port State Control).

¹ Revoked by IMO-resolution A882

3. If a ship has sustained an **accidental damage** on the ship's voyage to a port the following guidance should be considered in order to avoid a possible detention (Point 2.6.7 IMO-resolution A.787(19)):

- the See-BG and the recognized organization have to be notified.
- prior to entering the port, the master or company should submit to the Port State Authority details of the circumstances of the accident, the damage sustained and information about the notification to the flag state Administration or class society;
- appropriate remedial action has to be taken by the ship; and
- The Port State Authority ensures after having been notified of the completion of the remedial action, that deficiencies which are hazardous to the safety, health and pollution prevention have all been rectified.

4. Each deficiency found in the course of a PSC is to be considered as an ISM-related matter and should therefore be followed up with the aim to establish appropriate corrective actions. Improperly rectified deficiencies may be grounds for detention during the next PSC inspection.

5. **Detentions** have to be reported to See-BG according to flag state requirements (ISM-Circular 03-2007), even if the detention seems to be unjustified. Please send the PSC-report via email to: ism@see-bg.de

6. If the detention seems to be unjustified the Company could appeal against the detention on its own. Information about the deadline and procedure of appeals can be found on the websites of the MoUs.

In cases the Company disagrees with the detention and does not wish to appeal on its own, it can file a petition to the See-BG (mail to: ism@see-bg.de). The See-BG will assess the circumstances which have caused the detention and, if the grounds for detention seem unjustified, will file a request to the Port State Authority to reconsider the detention.

If the Port State Authority rejects the request there is the further possibility to send a request for review to the competent MoU secretariat. It is to be noted that the final opinion of the review panel members is not binding for the Port State.

7. Within the Paris MoU an expanded inspection is required for ships posing a high risk² every 12 months. The time line starts from the date of the last Expanded Inspection; even if afterwards an “Initial Inspection” or “More detailed Inspection” took place. The ship or Company has to report to the port the ship is calling at, that the ship is eligible for a Mandatory Expanded Inspection. Information must be provided 3 days before the expected time of arrival, or before leaving the previous port if the voyage is expected to take less than 3 days. When not fulfilling the reporting obligation the ship may risk delay due to the involved nature of the inspection and a penalty (fine). Please take note of detailed information on the Paris MoU website. ([expanded inspection information](#))

² oil tankers older than 15 years and with GT of 3000 and more; gas- and chemical tankers older than 10 years; bulk carriers older than 12 years; passenger ships older than 15 years (except those who are affected by Regulation 1999/35/EG)

Statistic 2008

Detentions:

In the year 2008 15 vessels flying the German flag were detained. The reasons for the detentions were deficiencies in the following areas: **MARPOL, ISM, SOLAS II-1, SOLAS II-2, SOLAS IV, SOLAS V and certificates.**

Deficiencies:

Compared to previous years there is an accumulation in certain areas. In the year 2008 a Concentrated Inspection Campaign „Safety of Navigation“ was performed.

Deficiency	2008	2007	2006
Safety of Navigation	164	140	153
Fire Safety Measures	128	112	176
Life Saving Appliances	113	96	98
Ship's certificates and documents	103	84	87
MARPOL Annex I	97	90	106
ISM related deficiencies	83	49	58
Stability, Structure and related equipment	62	70	97
Propulsion and auxiliary machinery	45	60	90

The See-BG verifies on a monthly basis all relevant PSC-databases and evaluates the deficiencies of ships under the German flag. The statistic of German ships is updated monthly and can be found on our website.

More information can be found on our website:

<http://www.see-bg.de/schiffssicherheit/isme/#psc>

Ship Safety Division