



PROCEDURE FOR PORT STATE CONTROL AND FLAG STATE INSPECTION

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Developed by: Jose A. Perez Samper	Approved by: Doris Oro de Torrijos
Position: Principal Surveyor	Position: General Manager
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AMENDMENT RECORD

Version N°	Date of modifications entry into force	Amended Pages	Relation between amended Paragraph.



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1. Objectives.

The purpose of this Procedure is to provide guidance and corrective/preventive actions to be taken when a ship certified by ICS Class is detained by the Port State Control (PSC) or Flag State Administration (FSA). This Procedure also establishes additional measures for reducing detentions during the statutory surveys and improve the performance of ships certified by ICS Class. This Procedure complies with Resolution A. 1155(32)-Procedure for Port State Control, 2021, as may be amended.

2. Application.

- .1 This Procedure applies to ships having the statutory certification provided by ICS Class.
- .2 This Procedure applies to ships falling under the provisions of:
 - .1 the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS 1974);
 - .2 the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS PROT 1988);
 - .3 the International Convention on Load Lines, 1966, as amended (LL 1966);
 - .4 the Protocol of 1988 relating to the International Convention on Load Lines, 1966, as amended (LL PROT 1988);
 - .5 the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the 1978 and 1997 Protocols, as amended (MARPOL);
 - .6 the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW 1978);
 - .7 the International Convention on Tonnage Measurement of Ships, 1969, as amended (TONNAGE 1969);
 - .8 the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001 (AFS 2001);
 - .9 the Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended (COLREG 1972);
 - .10 the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC 1969);
 - .11 the Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage, 1969, as amended (CLC PROT 1992);
 - .12 the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (BUNKERS 2001);
 - .13 the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004, as amended (BWM 2004); and
 - .14 the Nairobi International Convention on the Removal of Wrecks, 2007 (NAIROBI WRC 2007).
- .3 This Procedure is also applied to ships engaged in domestic service in countries which the flag Administration has authorized to ICS Class to act on its behalf.
- .4 For ships below convention size, the provisions established in Annex 1 of this Procedure shall be followed.
- .5 It needs to be emphasized that, in the context of the language of this Procedure, the word "shall" when used, mean that the relevant provision is mandatory.
- .6 This Procedure shall enter into force on **20 April 2023**.



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3. Scope.

- .1 This Procedure shall be applied by the Marine Division and designated Surveyors when ICS Class is notified that a ship under its certification has been detained by PSC or FSA.

4. Relevant documentation.

- .1 The following documentation is relevant for the control of the Procedure:
 - .1 ICS Class Quality Management System (QMS).
 - .2 IMO Code for Recognized Organizations (RO Code).
 - .3 IMO Resolution A.1155 (32): Procedure for Port State Control, 2021.
 - .4 IMMARBE MSN-0010: Instructions to ROs on PSC detentions and surveys.
 - .5 IMMARBE MSN-0012: Existing criteria for attributing PSC detentions to ROs.
 - .6 IMMARBE Paris MOU Policy- TD-IMM/GOB 001/17.
 - .7 IMMARBE Circular Letter N°. TD-IMM-GOB001-19: Vessels operating in the Tokyo MOU and Occasional Survey Program for detained vessels operating in the area.
 - .8 PMA MMC-176: ISM Additional verifications and declarations endorsement.
 - .9 PMA MMC-201: Correction of deficiencies found in ASI Inspections.
 - .10 PMA MMC-379: Procedure for Port State Control (PSC).
 - .11 PMA MMC-380: Measurements to reduce PSC detentions on Panamanian Vessels (March 2023), as amended.
 - .12 PMA Resolution No. 106-019-DGMM (February 07, 2023, as amended).
 - .13 Tokyo MOU-Criteria for attribution of RO responsibility.
 - .14 Paris MOU- Criteria for the responsibility assessment of recognized organizations.
 - .15 IACS N°. 8 Procedure for responding to PSC.

5. Responsibilities.

- .1 The Marine Division is responsible for ensuring compliance with the provisions established in this Procedure.
- .2 The Marine Division is responsible for a permanent verifying of MOU's websites to follow the status of the ships certified by ICS Class in relation with the PSC interventions.
- .3 The Marine Division is responsible for determining the corrective actions to be taken on a detained ship.
- .4 The Marine Division is responsible for instructing Surveyors when a ship attended by them has been detained.
- .5 The Surveyors, following the instructions given by the Marine Division, are responsible for ensuring compliance with the provisions established in this Procedure when a ship attended by them has been detained.
- .6 The Surveyors are responsible for handling of the detained ships that have been attended by them, including the investigation, reporting, analysis and determination of the root-cause of each deficiency found, and the implementation of the required corrective and preventive actions to avoid future detentions of the ship.
- .7 The Marine Division is responsible for evaluating the results and effectiveness of corrective actions carried out on a detained ship.
- .8 The Marine Division is responsible for determining the root-cause of a ship detention.
- .9 The Marine Division is responsible for determining the responsibility of ICS Class in a ship detention.
- .10 The Marine Division is responsible for closing the ship's detention and reporting the results to the flag Administration concerned.



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6. Terms and definitions.

- .1 **Additional Survey:** A survey to verify the correction of the deficiencies found by a PSCO on a detained ship.
- .2 **Clear grounds:** Evidence that the ship, its equipment, or its crew do not correspond substantially with the requirements of the relevant conventions or that the Master or crew members are not familiar with essential shipboard procedures relating to the safety of ships or the prevention of pollution. Examples of clear grounds are included in Annex 2 of this Procedure.
- .3 **Detainable deficiency:** Deficiency which is considered to endanger the people onboard, the stability or integrity of the ship, the cargo or is likely to cause pollution.
- .4 **Detention:** Intervention action taken by PSC or FSA when the condition of the ship or its crew does not correspond substantially with the applicable Conventions to ensure that the ship will not sail until it can proceed to sea without presenting a danger to the ship or persons on board, or without presenting an unreasonable threat of harm to the marine environment, whether or not such action will affect the normal schedule of the departure of the ship.
- .5 **General Examination of the ship:** An examination implemented by IMMARBE to check all ship's conditions as far as practicable related to construction, security, pollution prevention, maritime safety, maritime labor and compliance with all national and international regulations applicable to Belizean flagged ships. The scope of this examination is equivalent to a mandatory Annual Survey.
- .6 **Minor deficiency:** It is an observed situation which does not prevent the ship from proceeding to sea as it is not considered to pose a danger to the ship, the environment or persons on board within the timeframe given for its rectification.
- .7 **Nearest appropriate and available repair yard:** A port where follow-up action can be taken, and it is in, or closest to, the port of detention or the port where the ship is authorized to proceed taking into account the cargo on board.
- .8 **Occasional Survey Program:** A program of surveys implemented by IMMARBE for all Belizean flagged ships, regardless of age, detained twice in the Tokyo MOU area within a period of twelve (12) months.
- .9 **Occasional Survey:** An occasional survey shall cover all conditions as far as practicable relating to construction, security, pollution prevention, maritime safety, living condition, maritime labor and compliance with all national and international regulations applicable to the ship; in other words, the scope will be equivalent to mandatory Annual Surveys. If deficiencies are found during this survey, they need to be rectified before departure of the ship from the inspection port, unless an extension is granted by the flag Administration concerned due to exceptional circumstances.
- .10 **PSC Initial inspection:** A visit on board a ship to check the validity of the relevant Certificates and other documents, the overall condition of the ship, its equipment and its crew.
- .11 **PSC More detailed inspection:** An inspection conducted when there are "clear grounds" as defined under 6.2 above.
- .12 **Port State Control Officer (PSCO):** A person duly authorized by the competent authority of a Party to a relevant convention to carry out PSC inspections, and responsible exclusively to that Party.



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- .13 **Stoppage of an operation:** Formal prohibition against a ship to continue an operation due to an identified deficiency or deficiencies which, singly or together, render the continuation of such operation hazardous.
- .14 **Surveyor involved in the ship's detention:** Surveyor or Auditor who completed the last mandatory survey or verification (audit) on the ship before its detention.

7. Identification of a substandard ship.

- .1 In general, a ship is regarded as substandard if the hull, machinery, equipment or operational safety and the protection of the environment is substantially below the standards required by the relevant Conventions or if the crew is not in conformity with the safe manning document, owing to, inter alia:
 - .1 the absence of principal equipment or arrangement required by the Conventions;
 - .2 non-compliance of equipment or arrangement with relevant specifications of the Conventions;
 - .3 substantial deterioration of the ship or its equipment;
 - .4 insufficiency of operational proficiency, or unfamiliarity of essential operational procedures by the crew; and
 - .5 insufficiency of manning or insufficiency of certification of seafarers.
- .2 If these evident factors as a whole or individually pose a danger to the ship or persons on board or present an unreasonable threat of harm to the marine environment if it were allowed to proceed to sea, it shall be regarded as a substandard ship.

8. Detention of ships and detainable deficiencies.

- .1 During inspection, the PSCO shall assess whether the ship and/or crew, throughout its forthcoming voyage, is able to:
 - .1 navigate safely;
 - .2 safely handle, carry and monitor the condition of the cargo;
 - .3 operate the engine-room safely;
 - .4 maintain proper propulsion and steering;
 - .5 fight fires effectively in any part of the ship if necessary;
 - .6 abandon ship speedily and safely and effect rescue if necessary;
 - .7 prevent pollution of the environment;
 - .8 maintain adequate stability;
 - .9 maintain adequate watertight integrity;
 - .10 communicate in distress situations if necessary; and
 - .11 provide safe and healthy conditions on board.
- .2 If the result of any of these assessments is negative, taking into account all deficiencies found, the ship shall be strongly considered for detention. A combination of deficiencies of a less serious nature may also warrant the detention of the ship.
- .3 For assisting Surveyors in carrying out the statutory certification of a ship, and in order to reduce the risk of detention of such ship during the relevant statutory surveys, as required in Section 17 below, in Annex 3 of this Procedure there is a list of deficiencies, grouped under relevant Conventions and/or Codes, which are considered to be of such a serious nature that they may warrant the detention of the ship involved (detainable deficiencies, see definition 6.3 above). This list is not considered exhaustive but is intended to give examples of relevant items.



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9. Criteria for attribution of RO responsibility.

- .1 The RO responsibility is assessed only relating to detainable deficiencies that are:
 - .1 Covered by a statutory certificate that has been issued or endorsed by the RO with a date of survey; and
 - .2 The RO has carried out the last statutory survey or verification (audit) for the relevant Certificates.
- .2 The criteria for attribution of RO responsibility in accordance with the provisions of each flag Administration in particular, are established in Annexes 4, 5 and 6 of this Procedure, as appropriate.

10. General provisions for attendance of a detained ship.

- .1 Compliance with this Procedure shall ensure:
 - .1 That the corrective actions carried out on a detained ship are accepted by the Port State Authorities or the flag Administration concerned, as appropriate; and
 - .2 That the corrective actions carried out on a detained ship are effective to avoid further detentions.
- .2 ICS Class shall co-operate during the PSC inspection by:
 - .1 Liaising with PSC authorities to ensure that Surveyors are called in as appropriate when deficiencies related to class and statutory matters are found.
 - .2 Liaising with PSCOs to ensure uniformity of interpretation and application of class and statutory requirements.
 - .3 Providing PSCO, upon request, with background information, extracts from reports pertinent to the inspection, and details of outstanding conditions of class and statutory items.
 - .4 Liaising with the flag Administration in accordance with prior agreement, and the owner's representative and/or Company, in order to ensure that both parties are fully aware of actions being taken that affect safety-related matters of either a class or statutory nature.
- .3 Any request received from PSC or FSA to attend on board a detained ship, shall be dealt with both promptly and positively by ICS Class in order to:
 - .1 Assist in the rectification of reported deficiencies or other discrepancies, and/or
 - .2 Review proposed action with respect to SMS non-conformities.
- .4 To attend on board a detained ship shall be nominated a Surveyor or Auditor, as required, other than the one who carried out the last statutory survey or verification (audit) prior the detention of the ship. Hereinafter referred to as "Attending Surveyor".
- .5 The attending Surveyor shall be duly experienced and qualified to comply successfully the provisions and actions required by this Procedure, including his ability to communicate in English language with the key crew, where required.
- .6 Before attending the detained ship the attending Surveyor shall inform the Company, either directly or through the owner's representative, of the purpose of his visit.
- .7 The attending Surveyor shall assist the Master/Shipowner/Company to adopt the relevant remedial actions until the ship is released. He also shall recommend the specific follow up actions to be undertaken with regard to still pending deficiencies and date of fulfillment.
- .8 The attending Surveyor in carrying out all duties, shall:
 - .1 Observe the Code of Ethics of ICS Class.
 - .2 Comply with the provisions of this Procedure using his professional judgement.
 - .3 Consult the Marine Division as deemed appropriate.



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- .9 The attending Surveyor shall not limit the inspection or audit to the deficiencies found on board by the PSC or FSA . As applicable, and regardless the scope of the inspection or audit, the attending Surveyor shall conduct a general examination of the ship focused on the detainable deficiencies specified in Annex 3 of this Procedure grouped under relevant Conventions and/or Codes.
- .10 Based on the results of the inspection or audit completed on board, the attending Surveyor shall determine:
 - .1 If the ship, from the point of view of safety of life and pollution prevention, has restored the necessary technical condition and it is fit for the service for which it is intended, and seafarers are qualified and fit for their duties;
 - .2 If the ship is regarded as substandard in accordance with Section 7 above; and
 - .3 The level of risk that the ship will be detained again within a period of 90 days after the completion of the inspection or audit.
- .11 When a ship is regarded as substandard in accordance with Section 7 above, or its risk level to be detained in the next 90 days is high, the attending Surveyor shall immediately inform the Maritime Division before completing the inspection or audit. The Marine Division, in turn, shall determine the additional measures that shall be taken. The flag Administration concerned shall be informed accordingly.
- .12 All detainable deficiencies found in a ship shall be fully rectified prior to the ship's departure from the port of detention. However, where deficiencies cannot be remedied at the port of detention for a justified reason, the ship could proceed to the nearest appropriate and available repair yard (see definition 6.7 above) under the following conditions:
 - .1 Appropriate technical and safety measures shall be implemented and accepted by the PSC to ensure safely navigation of the ship;
 - .2 The concerned flag Administration shall be informed about the situation of the ship and the measures taken on board;
 - .3 The attending Surveyor shall impose the class/statutory conditions that are required, as appropriate, and
 - .4 In all cases, the seaworthiness of a ship that is found with detainable deficiencies or with outstanding class/statutory conditions, shall be previously authorized by the flag Administration concerned.
- .13 When a major non-conformity associated with the ISM Code is pointed out in a detained ship, the attending Surveyor shall follow the procedure established in Annex 2 of the Technical Instructive PO02-TI07.
- .14 When a failure associated with the ISPS Code is pointed out in a detained ship, the attending Surveyor shall follow the procedure established in Section 19 of the Technical Instructive PO02-TI08.
- .15 When a deficiency associated with the MLC, 2006 is pointed out in a detained ship, the attending Surveyor shall follow the procedure established in Annex 1 of the Technical Instructive PO02-TI09.
- .16 The applicable Forms that shall be used by the attending Surveyor to conduct the survey or audit on a detained ship, as required, are specified in Section 21 below.



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11. Identification and notification of a detained ship.

- .1 The identification and monitoring of detained ships shall be carried out permanently by the Marine Division through the following sources of information, fundamentally:
 - .1 Port State Authorities.
 - .2 Port State Control Authorities.
 - .3 Flag Administrations Authorities.
 - .4 Shipowners and Companies.
 - .5 ICS Class-Inspection Offices and local Surveyors.
 - .6 MOU's Websites.
- .2 In order to identify detained ships, the Inspection Offices and local Surveyors shall maintain a permanent contact and effective relations with the ships attended by them, their shipowners, Companies and the Port State Authorities. When an Inspection Office or local Surveyor identified a detained ship, it shall immediately proceed as follows:
 - .1 Notify the detention to the Marine Division and the Operation Department.
 - .2 Provide the Marine Division with the PSC Report of Inspection (both Form A and B).
- .3 In order to identify detained ships, the Marine Division shall carry out a daily checking of the information provided by the MOU's Websites.
- .4 When a detained ship has been identified in accordance with paragraphs 11.2 and 11.3 above, the Marine Division shall immediately proceed as follows:
 - .1 Notify the detention to the flag Administration concerned.
 - .2 Notify the detention to the Surveyor involved in it (see definition 6.14 above).
 - .3 Request the PSC Report of Inspection to the Surveyor involved in the detention.
 - .4 Evaluate the nature of the deficiencies pointed out with special attention to detainable deficiencies, and all available information about the ship and its detention. Any class condition, statutory condition or recommendation imposed against the ship, in accordance with the ship's survey status, shall also be verified and considered.
 - .5 Nominate the Surveyor to attend the detained ship in accordance with the provisions established in paragraph 10.4 above.
 - .6 Provide the attending Surveyor with instructions and remedial actions to be taken in accordance with Sections 12, 13 and 14 below, as appropriate.
 - .7 Record the detention in the following records, as appropriate:
 - .1 PO02-P05/R1- Port State Control-Detention Control (Annex 8).
 - .2 PO02-P05/R2- Flag State Administration-Inspection Control (Annex 9).
- .5 When the attending Surveyor receives the necessary instructions from the Marine Division, including the corrective actions to be taken in accordance with Sections 12, 13 and 14 below, as appropriate, he shall immediately proceed as follows:
 - .1 Co-operate with PSCO in accordance with paragraph 10.2 above.
 - .2 Coordinate with the ship to comply with the corrective actions instructed by the Marine Division.
 - .3 Comply with the general provisions established in Section 10 above. Special attention shall pay to deficiencies associated with the ISM Code in accordance with paragraph 10.13 above.
- .6 If the shipowner/Company does not notify to ICS Class the detention of a ship, then ICS Class reserves the right to suspend or cancel the classification of that ship and/or invalidate the applicable statutory certificates prior agreement with the flag Administration concerned.



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12. Corrective and preventive actions on detained Belizean ships.

12.1 Ships detained in the Tokyo MOU areas.

- .1 The Marine Division shall report the detention of the ship to the IMMARBE/Technical Department including a proposal for the corrective and preventive actions to be taken in accordance with Scenarios specified below, as appropriate, to avoid recurrences. The PSC Report of Inspection (Form A and B) shall be submitted to IMMARBE.
- .2 **Scenario N°. 1:** If the date of the detention falls within the \pm 3 months window for the statutory surveys other than the Renewal Surveys, the following actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 12.1.7 below.
 - .2 Complete the statutory surveys.
 - .3 Apply the Scenario N°.4, when applicable. Only applicable when the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity
- .3 **Scenario N°. 2:** If the date of the detention falls within the 3 months prior to the due date of the Renewal Surveys, the following actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 12.1.7 below.
 - .2 Carry out the Renewal Surveys to the extent possible, except for safety equipment and radio, which shall be completed. A time schedule for the completion of surveys at the next convenient port shall be set and their completion shall not be delayed until the end of the window.
 - .3 Apply the Scenario N°.4, when applicable. Only applicable when the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity.
- .4 **Scenario N°. 3:** If the date of the detention does not fall within the \pm 3 months window for statutory surveys, the following actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 12.1.7 below.
 - .2 Carry out a General Examination of the ship, including the verification of ILO and ISM items listed in the Appendix 1 and 2 of IMMARBE MSN-0010. The general examination shall be completed in accordance with paragraph 12.1.8 below.
 - .3 Apply the Scenario N°.4, when applicable. Only applicable when the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity.
 - .4 Using his professional judgment, the attending Surveyor shall decide if any in-depth survey is required. In cases where the Surveyor deems that in-depth surveys are required, a safety equipment Renewal Survey and Annual Surveys for the other statutory certifications are to be carried out.
- .5 **Scenario N°. 4:** When a ship is detained and the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity, the following actions shall be completed before the ship sails from the detention port:



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- .1 Conduct a SMC Additional Verification. The extent of this verification shall be:
 - .1 Equivalent to the mandatory Initial Verification of the shipboard part of the SMS: In case the major non-conformity is identified within twelve months or less from the date of the Initial/Renewal Verification or less than six months prior to the Renewal Verification, or
 - .2 Equivalent to the mandatory Intermediate Verification of the shipboard part of the SMS: In case the major non-conformity is identified twelve months or more from the date of the Initial/Renewal Verification or more than six months prior to the Renewal Verification.
- .6 **Scenario N°. 5:** If a ship operating inside the Tokyo MOU areas is justifiably detained twice within a 12-month period, the following actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 12.1.7 below.
 - .2 Include the ship in the Occasional Survey Program. The occasional survey program shall be conducted in accordance with paragraph 12.1.9 below.
 - .3 Conduct a SMC Additional Verification. The extent of this verification shall be equivalent to the mandatory Intermediate Verification.
 - .4 Conduct a DOC Additional Verification. The extent of this verification shall be equivalent to the mandatory Annual Verification.
- .7 The additional survey to verify the correction of the deficiencies shall be completed in accordance with the following provisions:
 - .1 The additional survey shall be carried out using the Survey Report for Additional Survey for correction of deficiencies of the ship inspected by Port State Control (PSC) or Flag State Administration (FSA) specified in Section 21 below.
 - .2 The additional survey shall not be limited to deficiencies found by PSC. The additional survey shall also be focused on most frequent detainable deficiencies listed in Annex 7 of this Procedure.
 - .3 During the additional survey the provisions of paragraph 12.1.10 below shall be complied with.
 - .4 The additional survey shall be supported with a Photo Report, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. This Report shall include photos/videos of the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as it deems necessary by the attending Surveyor. The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.
 - .5 If deficiencies are found during the additional survey, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by IMMARBE due to exceptional circumstances in accordance with paragraph 12.1.11 below.
- .8 The general examination of the ship, including the verification of ILO and ISM items, shall be completed in accordance with the following provisions:
 - .1 The general examination shall be carried out using the Survey Report for General Examination on detained Belizean ships specified in Section 21 below.
 - .2 The verification of ILO and ISM items shall be carried out using the Check Sheet / Checklist, as appropriate, specified in Section 21 below.



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- .3 The scope of the general examination shall cover all conditions as far as practicable/to the extent possible, related to construction, security, pollution prevention, maritime safety, maritime labor and compliance with all national and international regulations applicable to the ship; in other words, the scope will be equivalent to mandatory Annual Surveys.
- .4 The general examination shall be supported with a Photo Report, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. This Report shall include photos/videos of the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as it deems necessary by the attending Surveyor. The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.
- .5 If deficiencies are found during the general examination, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by IMMARBE due to exceptional circumstances in accordance with paragraph 12.1.11 below.
- .9 The Occasional Survey Program shall be conducted in accordance with the following provisions:
 - .1 The occasional survey program shall be applied for a period of twenty-four (24) months starting from the date of the second detention of the ship in the 12-month period with the intention to minimize the risk of further detentions.
 - .2 The occasional survey program shall include:
 - .1 Carry out an Occasional Survey.
 - .2 Issuance of the Statement of Compliance for Occasional Survey Program.
 - .3 The occasional survey shall be performed by the RO that issued the statutory certificates; in case that the ship is holding statutory certificates issued by different RO, the occasional survey shall be carried out by the RO that issued the Cargo Ship Safety Construction Certificate, Load Line Certificate, Cargo Ship Safety Equipment Certificate, or the Passenger Ship Safety Certificate.
 - .4 The occasional survey shall be carried out using the Survey Report for Occasional Survey to reduce PSC detentions specified in Section 21 below.
 - .5 The scope of the occasional survey shall cover all conditions as far as practicable/to the extent possible, related to construction, security, pollution prevention, maritime safety, maritime labor and compliance with all national and international regulations applicable to the ship; in other words, the scope will be equivalent to mandatory Annual Surveys.
 - .6 The occasional survey shall be completed with a Photo Report and supporting evidence of the inspection, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. The survey report for occasional survey specified in paragraph 12.1.9.4 above, shall be supplemented by photos/videos and evidence of the inspection carried out on the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as deemed necessary by the attending Surveyor, but including the following surveyed items:



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- .1 Main Engine (also photograph leaks and visible damage).
- .2 Main Generators (also photograph visible leaks and damage).
- .3 Emergency Generators (also photograph visible leaks and damage).
- .4 Machine room (general cleaning).
- .5 Sewage treatment plant (general condition and alarms).
- .6 Incinerator (ignition evidence).
- .7 Purifiers (cleanliness condition of the area where they are located).
- .8 Oil Water Separator.
- .9 Tests of the alarm panel in the control room of bilge machines.
- .10 Main and auxiliary steering arrangements.
- .11 Emergency fire pump and photos of hoses that show the pressure.
- .12 Ventilation for the machinery spaces, including opening and closing mechanism and its condition.
- .13 Smoke detector test and the equipment used for the test.
- .14 Lifeboats and rescue boat, including their engines in operating condition.
- .15 Condition of hatch covers and their closing devices.
- .16 Freeboard mark.
- .17 Inspections carried out on the fire-fighting and life-saving appliances by Companies authorized by the RO or the Administration.
- .18 Photos of the non-conformities closed by the Company in case the ship has been reported by PSC with deficiencies or detentions.

Note: The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.

- .7 If deficiencies are found during the occasional survey, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by IMMARBE due to exceptional circumstances in accordance with paragraph 12.1.11 below.
- .8 The occasional survey will be valid for six (6) months and can be advanced with the purpose to make it concurrent with the annual, intermediate or renewal survey, but it may not be delayed for these same reasons. This means that, if the ship is still trading to ports within the Tokyo MOU, and the occasional survey was carried out more than six months ago, a new occasional survey shall be carried out.
- .9 Upon satisfactory completion of the occasional survey, the Statement of Compliance for Occasional Survey Program specified in Section 21 below shall be issued valid for six (6) months from the completion date of the occasional survey on which the Statement of Compliance is based.
- .10 Once the occasional survey has been satisfactorily completed, the Marine Division shall notify IMMARBE prior to the ship's departure to a port located within a country member of the Tokyo MOU. The Statement of Compliance for Occasional Survey Program supplemented by the Survey Report for Occasional Survey to reduce PSC detentions, shall be submitted directly to the IMMARBE/Technical Department.
- .11 The shipowners/Companies are under obligation to request the occasional survey ahead of time to ICS Class. It is the obligation of ICS Class to notify the shipowners/Companies the need to conduct such occasional survey under the conditions established in this Section.



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- .12 When the occasional survey is requested by the shipowner/Company for any reason, ICS Class cannot avoid the responsibility to carry out this survey.
- .13 IMMARBE will recommend disciplinary actions against ICS Class if a ship is detained within the Tokyo MOU jurisdiction immediately after an occasional survey has been completed.
- .10 All detainable deficiencies pointed out by the PSC (see definition 6.3 above) shall be totally rectified before the departure of the ship from the detention port. However, where deficiencies cannot be remedied at the port of detention, and under the PSC acceptance and authorization, the ship may proceed to the nearest appropriate and available repair yard (see definition 6.7 above) under the conditions set out in paragraph 10.12 above and taking into account that, in all cases, the seaworthiness of a ship that is found with detainable deficiencies or with outstanding class/statutory conditions, shall be previously authorized by the flag Administration concerned.
- .11 If deficiencies are found during the additional survey, the general examination of the ship or during the occasional survey, they need to be totally rectified before the ship's departure from the port of survey. However, where deficiencies cannot be remedied at the port of survey, the following procedure shall be met:
 - 1 Relevant existing full-term certificates shall be withdrawn prior authorization granted by IMMARBE Administration.
 - .2 Conditional certificates shall be issued in accordance with Section 9 of Technical Instructive PO02-TI10- Surveys and Certificate under the HSSC, as appropriate.
 - .3 If the ship satisfactorily rectifies the detainable deficiencies, the conditional certificates issued shall be withdrawn and the corresponding full-term certificates will be restored.
- .12 After ship's releasing from detention, the attending Surveyor shall provide to ICS Class-Operation Department with the following documentation supporting the corrective and preventive actions carried out on the ship, as applicable:
 - .1 PSC Report of Inspection (Form B) with the deficiencies closed out by the PSC Officer (with Action taken 10).
 - .2 PSC Notice of Release of the ship, if issued.
 - .3 Survey Report for Additional Survey for correction of deficiencies of the ship inspected by PSC or FSA.
 - .4 Survey Report for General Examination on detained Belizean ships.
 - .5 Check sheet for survey of ILO items.
 - .6 Checklist for verification of ISM items.
 - .7 Survey Report for Occasional Survey to reduce PSC detentions.
 - .8 Statement of Compliance for Occasional Survey Program issued.
 - .9 Documentation related to SMC Additional Verification.
 - .10 Documentation related to DOC Additional Verification.
 - .11 Documentation related to statutory surveys.
 - .12 Photo Report of the additional survey in accordance with paragraph 12.1.7.4 above.
 - .13 Photo Report of the general examination in accordance with paragraph 12.1.8.4 above.
 - .13 Photo Report of the occasional survey in accordance with paragraph 12.1.9.6 above.
 - .14 Other relevant documentation as required by the Marine Division or IMMARBE/ Technical Department for each particular case.



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12.2 Ships detained in the Paris MOU areas.

- .1 The Marine Division shall report the detention of the ship to the IMMARBE/Technical Department including a proposal for the corrective and preventive actions to be taken in accordance with paragraph 12.2.2 below, to avoid recurrences. The PSC Report of Inspection (Form A and B) shall be submitted to IMMARBE.
- .2 If a ship operating inside the Paris MOU areas is detained, the following actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 12.2.4 below.
 - .2 Include the ship in the Occasional Survey Program. The occasional survey program shall be conducted in accordance with paragraph 12.2.5 below:
 - .3 Conduct a SMC Additional Verification in accordance with the provisions established in paragraph 12.2.3 below. Only applicable when the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity.
- .3 When a ship is detained and the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity, the following actions shall be completed before the ship sails from the detention port:
 - .1 Conduct a SMC Additional Verification. The extent of this verification shall be:
 - .1 Equivalent to the mandatory Initial Verification of the shipboard part of the SMS: In case the major non-conformity is identified within twelve months or less from the date of the Initial/Renewal Verification or less than six months prior to the Renewal Verification, or
 - .2 Equivalent to the mandatory Intermediate Verification of the shipboard part of the SMS: In case the major non-conformity is identified twelve months or more from the date of the Initial/Renewal Verification or more than six months prior to the Renewal Verification.
- .4 The additional survey to verify the correction of the deficiencies shall be completed in accordance with the following provisions:
 - .1 The additional survey shall be carried out using the Survey Report for Additional Survey for correction of deficiencies of the ship inspected by Port State Control (PSC) or Flag State Administration (FSA) specified in Section 21 below.
 - .2 The additional survey shall not be limited to deficiencies found by PSC. The additional survey shall also be focused on most frequent detainable deficiencies listed in Annex 7 of this Procedure.
 - .3 During the additional survey the provisions of paragraph 12.2.6 below shall be complied with.
 - .4 The additional survey shall be supported with a Photo Report, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. This Report shall include photos/videos of the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as it deems necessary by the attending Surveyor. The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.



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- .5 If deficiencies are found during the additional survey, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by IMMARBE due to exceptional circumstances in accordance with paragraph 12.2.7 below.
- .5 The Occasional Survey Program shall be conducted in accordance with the following provisions:
 - .1 The occasional survey program shall be applied for a period of twenty-four (24) months starting from the date of the second detention of the ship in the 12-month period with the intention to minimize the risk of further detentions.
 - .2 The occasional survey program shall include:
 - .1 Carry out an Occasional Survey.
 - .2 Issuance of the Statement of Compliance for Occasional Survey Program.
 - .3 The occasional survey shall be performed by the RO that issued the statutory certificates; in case that the ship is holding statutory certificates issued by different RO, the occasional survey shall be carried out by the RO that issued the Cargo Ship Safety Construction Certificate, Load Line Certificate, Cargo Ship Safety Equipment Certificate, or the Passenger Ship Safety Certificate.
 - .4 The occasional survey shall be carried out using the Survey Report for Occasional Survey to reduce PSC detentions specified in Section 21 below.
 - .5 The scope of the occasional survey shall cover all conditions as far as practicable/to the extent possible, related to construction, security, pollution prevention, maritime safety, maritime labor and compliance with all national and international regulations applicable to the ship; in other words, the scope will be equivalent to mandatory Annual Surveys.
 - .6 The occasional survey shall be completed with a Photo Report and supporting evidence of the inspection, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. The survey report for occasional survey specified in paragraph 12.2.5.4 above, shall be supplemented by photos/videos and evidence of the inspection carried out on the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as deemed necessary by the attending Surveyor, but including the following surveyed items:
 - .1 Main Engine (also photograph leaks and visible damage).
 - .2 Main Generators (also photograph visible leaks and damage).
 - .3 Emergency Generators (also photograph visible leaks and damage).
 - .4 Machine room (general cleaning).
 - .5 Sewage treatment plant (general condition and alarms).
 - .6 Incinerator (ignition evidence).
 - .7 Purifiers (cleanliness condition of the area where they are located).
 - .8 Oil Water Separator.
 - .9 Tests of the alarm panel in the control room of bilge machines.
 - .10 Main and auxiliary steering arrangements.
 - .11 Emergency fire pump and photos of hoses that show the pressure.
 - .12 Ventilation for the machinery spaces, including opening and closing mechanism and its condition.
 - .13 Smoke detector test and the equipment used for the test.



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- .14 Lifeboats and rescue boat, including their engines in operating condition.
- .15 Condition of hatch covers and their closing devices.
- .16 Freeboard mark.
- .17 Inspections carried out on the fire-fighting and life-saving appliances by Companies authorized by the RO or the Administration.
- .18 Photos of the non-conformities closed by the Company in case the ship has been reported by PSC with deficiencies or detentions.

Note: The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.

- .7 If deficiencies are found during the occasional survey, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by IMMARBE due to exceptional circumstances in accordance with paragraph 12.2.7 below.
- .8 The occasional survey will be valid for six (6) months and can be advanced with the purpose to make it concurrent with the annual, intermediate or renewal survey, but it may not be delayed for these same reasons. This means that, if the ship is still trading to ports within the Tokyo MOU, and the occasional survey was carried out more than six months ago, a new occasional survey shall be carried out.
- .9 Upon satisfactory completion of the occasional survey, the Statement of Compliance for Occasional Survey Program specified in Section 21 below shall be issued valid for six (6) months from the completion date of the occasional survey on which the Statement of Compliance is based.
- .10 Once the occasional survey has been satisfactorily completed, the Marine Division shall notify IMMARBE prior to the ship's departure to a port located within a country member of the Paris MOU. The Statement of Compliance for Occasional Survey Program supplemented by the Survey Report for Occasional Survey to reduce PSC detentions, shall be submitted directly to the IMMARBE/Technical Department.
- .11 The shipowners/Companies are under obligation to request the occasional survey ahead of time to ICS Class. It is the obligation of ICS Class to notify the shipowners/Companies the need to conduct such occasional survey under the conditions established in this Section.
- .12 When the occasional survey is requested by the shipowner/Company for any reason, ICS Class cannot avoid the responsibility to carry out this survey.
- .13 IMMARBE will recommend disciplinary actions against ICS Class if a ship is detained within the Tokyo MOU jurisdiction immediately after an occasional survey has been completed.
- .6 All detainable deficiencies pointed out by the PSC (see definition 6.3 above) shall be totally rectified before the departure of the ship from the detention port. However, where deficiencies cannot be remedied at the port of detention, and under the PSC acceptance and authorization, the ship may proceed to the nearest appropriate and available repair yard (see definition 6.7 above) under the conditions set out in paragraph 10.12 above and taking into account that, in all cases, the seaworthiness of a ship that is found with detainable deficiencies or with outstanding class/statutory conditions, shall be previously authorized by the flag Administration concerned.



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- .7 If deficiencies are found during the additional survey or occasional survey, they need to be totally rectified before the ship's departure from the port of survey. However, where deficiencies cannot be remedied at the port of survey, the following procedure shall be met:
 - 1 Relevant existing full-term certificates shall be withdrawn prior authorization granted by IMMARBE Administration.
 - .2 Conditional certificates shall be issued in accordance with Section 9 of Technical Instructive PO02-TI10- Surveys and Certificate under the HSSC, as appropriate.
 - .3 If the ship satisfactorily rectifies the detainable deficiencies, the conditional certificates issued shall be withdrawn and the corresponding full-term certificates will be restored.
- .8 After ship's releasing from detention, the attending Surveyor shall provide to ICS Class-Operation Department with the following documentation supporting the corrective and preventive actions carried on the ship, as applicable:
 - .1 PSC Report of Inspection (Form B) with the deficiencies closed out by the PSC Officer (with Action taken 10).
 - .2 PSC Notice of Release of the ship, if issued.
 - .3 Survey Report for Additional Survey for correction of deficiencies of the ship inspected by PSC or FSA.
 - .4 Survey Report for Occasional Survey to reduce PSC detentions.
 - .5 Statement of Compliance for Occasional Survey Program issued.
 - .6 Documentation related to SMC Additional Verification.
 - .7 Photo Report of the additional survey in accordance with paragraph 12.2.4.4 above.
 - .8 Photo Report of the occasional survey in accordance with paragraph 12.2.5.6 above.
 - .9 Other relevant documentation as required by the Marine Division or IMMARBE/ Technical Department for each particular case.

12.3 Ships detained outside the Tokyo and Paris MOU areas.

- .1 The Marine Division shall report the detention of the ship to the IMMARBE/Technical Department including a proposal for the corrective and preventive actions to be taken in accordance with Scenarios specified below, as appropriate, to avoid recurrences. The PSC Report of Inspection (Form A and B) shall be submitted to IMMARBE.
- .2 **Scenario N°. 1:** If the date of the detention falls within the \pm 3 months window for the statutory surveys other than the Renewal Surveys, the following corrective actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 12.3.7 below.
 - .2 Complete the statutory surveys.
 - .3 Apply the Scenario N°.4, when applicable. Only applicable when the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity.
- .3 **Scenario N°. 2:** If the date of the detention falls within the 3 months prior to the due date of the Renewal Surveys, the following corrective actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 12.3.7 below.
 - .2 Carry out the Renewal Surveys to the extent possible, except for safety equipment and radio, which shall be completed. A time schedule for the completion of surveys at the next convenient port shall be set and their completion shall not be delayed until the end of the window.



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- .3 Apply the Scenario N°.4, when applicable. Only applicable when the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity.
- .4 **Scenario N°. 3:** If the date of the detention does not fall within the \pm 3 months window for statutory surveys, the following corrective actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 12.3.7 below.
 - .2 Carry out a General Examination of the ship, including the verification of ILO and ISM items listed in the Appendix 1 and 2 of IMMARBE MSN-0010. The general examination shall be completed in accordance with paragraph 12.3.8 below.
 - .3 Apply the Scenario N°.4, when applicable. Only applicable when the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity.
 - .4 Using his professional judgment, the attending Surveyor shall decide if any in-depth survey is required. In cases where the Surveyor deems that in-depth surveys are required, a safety equipment Renewal Survey and Annual Surveys for the other statutory certifications are to be carried out.
- .5 **Scenario N°. 4:** When a ship is detained and the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity, the following corrective actions shall be completed before the ship sails from the detention port:
 - .1 Conduct a SMC Additional Verification. The extent of this verification shall be:
 - .1 Equivalent to the mandatory Initial Verification of the shipboard part of the SMS: In case the major non-conformity is identified within twelve months or less from the date of the Initial/Renewal Verification or less than six months prior to the Renewal Verification, or
 - .2 Equivalent to the mandatory Intermediate Verification of the shipboard part of the SMS: In case the major non-conformity is identified twelve months or more from the date of the Initial/Renewal Verification or more than six months prior to the Renewal Verification.
- .6 **Scenario N°. 5:** If a ship operating outside the Tokyo and Paris MOU areas is justifiably detained twice within a 12-month period, the following corrective actions shall be completed before the ship sails from the detention port:
 - .1 Apply Scenarios No. 1, 2 and 3 specified above, as appropriate.
 - .2 Conduct a SMC Additional Verification. The extent of this verification shall be equivalent to the mandatory Intermediate Verification.
 - .3 Conduct a DOC Additional Verification. The extent of this verification shall be equivalent to the mandatory Annual Verification.
- .7 The additional survey to verify the correction of the deficiencies shall be completed in accordance with the following provisions:
 - .1 The additional survey shall be carried out using the Survey Report for Additional Survey for correction of deficiencies of the ship inspected by Port State Control (PSC) or Flag State Administration (FSA) specified in Section 21 below.
 - .2 The additional survey shall not be limited to deficiencies found by PSC. The additional survey shall also be focused on most frequent detainable deficiencies listed in Annex 7 of this Procedure.
 - .3 During the additional survey the provisions of paragraph 12.3.9 below shall be complied with.



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- .4 The additional survey shall be supported with a Photo Report, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. This Report shall include photos/videos of the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as it deems necessary by the attending Surveyor. The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.
- .5 If deficiencies are found during the additional survey, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by IMMARBE due to exceptional circumstances in accordance with paragraph 12.3.10 below.
- .8 The general examination of the ship, including the verification of ILO and ISM items, shall be completed in accordance with the following provisions:
 - .1 The general examination shall be carried out using the Survey Report for General Examination on detained Belizean ships specified in Section 21 below.
 - .2 The verification of ILO and ISM items shall be carried out using the Check Sheet / Checklist, as appropriate, specified in Section 21 below.
 - .3 The scope of the general examination shall cover all conditions as far as practicable/to the extent possible, related to construction, security, pollution prevention, maritime safety, maritime labor and compliance with all national and international regulations applicable to the ship; in other words, the scope will be equivalent to mandatory Annual Surveys.
 - .4 The general examination shall be supported with a Photo Report, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. This Report shall include photos/videos of the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as it deems necessary by the attending Surveyor. The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.
 - .5 If deficiencies are found during the general examination, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by IMMARBE due to exceptional circumstances in accordance with paragraph 12.3.10 below.
- .9 All detainable deficiencies pointed out by the PSC (see definition 6.3 above) shall be totally rectified before the departure of the ship from the detention port. However, where deficiencies cannot be remedied at the port of detention, and under the PSC acceptance and authorization, the ship may proceed to the nearest appropriate and available repair yard (see definition 6.7 above) under the conditions set out in paragraph 10.12 above and taking into account that, in all cases, the seaworthiness of a ship that is found with detainable deficiencies or with outstanding class/statutory conditions, shall be previously authorized by the flag Administration concerned.
- .10 If deficiencies are found during the additional survey, the general examination of the ship or during the occasional survey, they need to be totally rectified before the ship's departure from the port of survey. However, where deficiencies cannot be remedied at the port of survey, the following procedure shall be met:



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- 1 Relevant existing full-term certificates shall be withdrawn prior authorization granted by IMMARBE Administration.
- .2 Conditional certificates shall be issued in accordance with Section 9 of Technical Instructive PO02-TI10- Surveys and Certificate under the HSSC, as appropriate.
- .3 If the ship satisfactorily rectifies the detainable deficiencies, the conditional certificates issued shall be withdrawn and the corresponding full-term certificates will be restored.
- .11 After ship's releasing from detention, the attending Surveyor shall provide to ICS Class-Operation Department with the following documentation supporting the corrective and preventive actions completed on the ship, as applicable:
 - .1 PSC Report of Inspection (Form B) with the deficiencies closed out by the PSC Officer (with Action taken 10).
 - .2 PSC Notice of Release of the ship, if issued.
 - .3 Survey Report for Additional Survey for correction of deficiencies of the ship inspected by PSC or FSA.
 - .4 Survey Report for General Examination on detained Belizean ships.
 - .5 Check sheet for survey of ILO items.
 - .6 Checklist for verification of ISM items.
 - .7 Documentation related to statutory surveys.
 - .8 Documentation related to SMC Additional Verification
 - .9 Documentation related to DOC Additional Verification.
 - .10 Photo Report of the additional survey in accordance with paragraph 12.3.7.4 above.
 - .11 Photo Report of the general examination in accordance with paragraph 12.3.8.4 above.
 - .12 Other relevant documentation, as required by the Marine Division or IMMARBE/ Technical Department for each particular case.

13. Corrective and preventive actions on detained Panamanian ships.

13.1 Corrective actions.

- .1 In accordance with MMC-380, ICS Class is responsible for the handling of detentions, including the investigation, analysis and determination of deficiencies root-cause, recommendations including preventive/corrective actions and follow actions to avoid future occurrence of major detentions. In order to avoid delays to the ship involved, all the information generated from this process shall be sent to PMA/PSC Section (psc@amp.gob.pa) as soon as possible.
- .2 The Marine Division shall report the detention to the PMA/PSC Section (psc@amp.gob.pa) with a proposal for the corrective actions to be taken in accordance with Scenarios specified below, as appropriate, to avoid recurrences. The PSC Report of Inspection (Form A and B) shall be submitted to PMA/PSC Section.
- .3 **Scenario No. 1:** Applicable to ships detained in US Coast Guard, Paris MOU, Australian Maritime Safety Authority and China Maritime Safety Administration areas.
 - .1 The Master or the shipowner/Company, using the format "Correction of Deficiencies Report" Form (F-27), specified in Annex 1 of the MMC-380, shall inform to PMA/PSC Section the correction of deficiencies found during the PSC inspection. A copy of this Report (Form F-27) shall be delivered to the attending Surveyor.



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- .2 The Master or the shipowner/Company, using the format "Correction of Deficiencies Report" Form (F-27), specified in Annex 1 of the MMC-380, shall submit to PMA/PSC Section evidence that demonstrates the corrections of the deficiencies pointed out in the PSC Inspection Reports in the last twelve (12) months. A copy of this Report (Form F-27) shall be delivered to the attending Surveyor.
- .3 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 13.1.7 below.
- .4 SMC Additional Verification with an initial scope.
Note: This additional verification cannot be started without prior authorization granted by PMA in written. This additional verification shall be conducted within a period not exceeding fifteen (15) days counted from the written authorization granted by PMA. If there are non-conformities, follow-up shall be given, and if a follow-up verification is required, it shall be carried out within a period of no more than three (3) months from the additional verification.
- .5 DOC Additional Verification with an initial scope.
Note: This additional verification will only be carried out if it is required and authorized by PMA taking into account the provisions established in paragraph 13.1.6.2 below. This additional verification shall be conducted within a period not exceeding fifteen (15) days counted from the written authorization granted by PMA. If there are non-conformities, follow-up shall be given, and if a follow-up verification is required, it shall be carried out within a period of no more than three (3) months from the additional verification.
- .6 A flag inspection may be carried out by a flag inspector appointed by the General Directorate of Merchant Marine of the PMA to verify the general conditions of the ship.
- .7 Any other measure that the General Directorate of Merchant Marine of the PMA deems necessary depending on the case.
- .8 For ships detained by the US Coast Guard, paragraph 13.1.4 below shall be followed.
- .4 When a ship is detained by the US Coast Guard, the additional survey, the SMC additional verification, and the DOC additional verification required in scenario No.1 above, shall be carried out by the attending Surveyor together with a Flag State Inspector who will be appointed by the General Directorate of Merchant Marine of the PMA.
- .5 **Scenario No. 2:** Applicable to ships detained in areas not included in Scenario No.1.
 - .1 The Master or the shipowner/Company, using the format "Correction of Deficiencies Report" Form (F-27), specified in Annex 1 of the MMC-380, shall inform to PMA/PSC Section the correction of deficiencies. A copy of this Report (F-27) shall be delivered to the attending Surveyor.
 - .2 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 13.1.7 below.
 - .3 Conduct a SMC Additional Verification.
Note: This additional verification is only applicable when the PSCO explicitly requires a SMC Additional Verification in the PSC Report of Inspection. This additional verification cannot be started without the requirements and prior authorization granted by PMA in accordance with paragraph 13.1.6 below.
 - .4 Conduct a DOC Additional Verification.
Note: This additional verification will only be carried out if it is required and authorized by PMA in accordance with paragraph 13.1.6 below.



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6. Based on the result of the technical evaluation of the General Directorate of Merchant Marine of the PMA, the following actions may be required and authorized by PMA:
 - .1 SMC Additional Verification with an initial scope. This additional verification shall be conducted within a period not exceeding fifteen (15) days counted from the written authorization granted by PMA. If there are non-conformities, follow-up shall be given, and if a follow-up verification is required, it shall be carried out within a period of no more than three (3) months from the additional verification.
 - .2 DOC Additional Verification with an initial scope. This additional verification will be carried out on those Companies that register three (3) or more detentions in the history of their fleet in a period of twenty-four (24) months. This additional verification shall be conducted within a period not exceeding fifteen (15) days counted from the written authorization granted by PMA. If there are non-conformities, follow-up shall be given, and if a follow-up verification is required, it shall be carried out within a period of no more than three (3) months from the additional verification.
- .7 The additional survey to verify the correction of the deficiencies shall be completed in accordance with the following provisions:
 - .1 The additional survey shall be carried out using the Survey Report for Additional Survey for correction of deficiencies of the ship inspected by Port State Control (PSC) or Flag State Administration (FSA) specified in Section 21 below.
 - .2 The additional survey shall not be limited to deficiencies found by PSC. The additional survey shall also be focused on most frequent detainable deficiencies listed in Annex 7 of this Procedure.
 - .3 During the additional survey the provisions of paragraph 13.1.8 below shall be complied with.
 - .4 The additional survey shall be supported with a Photo Report, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. This Report shall include photos/videos of the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as it deems necessary by the attending Surveyor. The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.
 - .5 If deficiencies are found during the additional survey, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by PMA due to exceptional circumstances in accordance with paragraph 13.1.9 below.
- .8 All detainable deficiencies pointed out by the PSC (see definition 6.3 above) shall be totally rectified before the departure of the ship from the detention port. However, where deficiencies cannot be remedied at the port of detention, and under the PSC acceptance and authorization, the ship may to proceed to the nearest appropriate and available repair yard (see definition 6.7 above) under the conditions set out in paragraph 10.12 above and taking into account that, in all cases, the seaworthiness of a ship that is found with detainable deficiencies or with outstanding class/statutory conditions, shall be previously authorized by the flag Administration concerned.
- .9 If deficiencies are found during the additional survey, they need to be totally rectified before the ship's departure from the port of survey. However, where deficiencies cannot be remedied at the port of survey, the following procedure shall be met:



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- 1 Relevant existing full-term certificates shall be withdrawn prior authorization granted by PMA.
- .2 Conditional certificates shall be issued in accordance with Section 9 of Technical Instructive PO02-TI10- Surveys and Certificate under the HSSC, as appropriate.
- .3 If the ship satisfactorily rectifies the detainable deficiencies, the conditional certificates issued shall be withdrawn and the corresponding full-term certificates will be restored.
- .10 PMA may also be monitoring constantly the ICS Class performance through the result of PSC inspections and where RO responsibility has been detected; it could be sanctioned on a case-by-case basis, according to the internal malpractice procedures.
- .11 After ship's releasing from detention, the attending Surveyor shall provide to ICS Class-Operation Department with the following documentation supporting the corrective actions carried out on the ship, as applicable:
 - .1 PSC Report of Inspection (Form B) with the deficiencies closed out by the PSC Officer (with Action taken 10).
 - .2 PSC Notice of Release of the ship, if issued.
 - .3 Correction of Deficiencies Report (Form F-27) in accordance with paragraphs 13.1.3.1 or 13.1.5.1, as appropriate.
 - .4 Correction of Deficiencies Report (Form F-27) in accordance with paragraphs 13.1.3.2.
 - .5 Survey Report for Additional Survey for correction of deficiencies of the ship inspected by PSC or FSA.
 - .6 Documentation related to SMC Additional Verification.
 - .7 Documentation related to DOC Additional Verification.
 - .8 Photo Report of the additional survey in accordance with paragraph 13.1.7.4 above.
 - .9 Other relevant documentation as required by the Marine Division or PMA Department for each particular case
- .12 The documentation listed in paragraph 13.1.11 above, shall be submitted to the Navigation and Maritime Safety Department of the General Directorate of Merchant Marine of the PMA within a period of no more than fifteen (15) days after the completion date of the last survey or verification.
- .13 The Survey Report for Additional Survey for correction of deficiencies of the ship inspected by PSC or FSA completed by the attending Surveyor is accepted by PMA/PSC Section as corrective actions.

13.2 Preventive actions.

- .1 In accordance with paragraphs 6.1.1 and 6.1.2 of PMA MMC-380, and when required and authorized only by the General Directorate of Merchant Marine of the PMA, the Panamanian ships specified below, regardless of their year of construction, shall be subject to an Occasional Survey with the intention to reduce the PSC detentions. The occasional survey shall be completed in accordance with paragraph 13.2.2 below.
 - .1 Each ship that is at risk of being detained due to the fact that its history of Port State Control inspections in the last twenty-four (24) months evidencing a breach on the applicable international regulations.
 - .2 Each ship older than fifteen (15) years of construction and considered with a high-risk factor by the US Coast Guard, Paris MOU and the Tokyo MOU.



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- .2 The occasional survey shall be completed in accordance with the following provisions:
 - .1 The occasional survey shall be carried out by the RO that issued the SMC certificate.
 - .2 For ships specified in paragraph 13.2.1.2 above, the occasional survey shall be completed prior to arrival or at the time of arrival to the US Coast Guard, Paris MOU, Australian Maritime Safety Authority and China Maritime Safety Administration areas.
 - .3 The occasional survey shall be carried out using the Survey Report for Occasional Survey to reduce PSC detentions specified in Section 21 below.
 - .4 The scope of the occasional survey shall cover all conditions as far as practicable/to the extent possible, related to construction, security, pollution prevention, maritime safety, maritime labor and compliance with all national and international regulations applicable to the ship; in other words, the scope will be equivalent to mandatory Annual Surveys.
 - .5 The occasional survey shall be completed with a Photo Report and supporting evidence of the inspection, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. The survey report for occasional survey specified in paragraph 12.1.9.4 above, shall be supplemented by photos/videos and evidence of the inspection carried out on the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as deemed necessary by the attending Surveyor, but including the following surveyed items:
 - .1 Main Engine (also photograph leaks and visible damage).
 - .2 Main Generators (also photograph visible leaks and damage).
 - .3 Emergency Generators (also photograph visible leaks and damage).
 - .4 Machine room (general cleaning).
 - .5 Sewage treatment plant (general condition and alarms).
 - .6 Incinerator (ignition evidence).
 - .7 Purifiers (cleanliness condition of the area where they are located).
 - .8 Oil Water Separator.
 - .9 Tests of the alarm panel in the control room of bilge machines.
 - .10 Main and auxiliary steering arrangements.
 - .11 Emergency fire pump and photos of hoses that show the pressure.
 - .12 Ventilation for the machinery spaces, including opening and closing mechanism and its condition.
 - .13 Smoke detector test and the equipment used for the test.
 - .14 Lifeboats and rescue boat, including their engines in operating condition.
 - .15 Condition of hatch covers and their closing devices.
 - .16 Freeboard mark.
 - .17 Inspections carried out on the fire-fighting and life-saving appliances by Companies authorized by the RO or the Administration.
 - .18 Photos of the non-conformities closed by the Company in case the ship has been reported by PSC with deficiencies or detentions.

Note: The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.



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- .6 If deficiencies are found during the occasional survey, they need to be rectified before departure of the ship from the port of survey, unless an extension is granted by PMA due to exceptional circumstances in accordance with paragraph 13.2.3 below.
 - .7 Upon satisfactory completion of the occasional survey, the Declaration of Compliance for Occasional Survey specified in Section 21 below shall be issued valid for six (6) months from the completion date of the occasional survey on which the Declaration of Compliance is based.
 - .8 The Declaration of Compliance for Occasional Survey supplemented by the Survey Report for Occasional Survey to reduce PSC detentions, shall be submitted to the Navigation and Maritime Safety Department of the General Directorate of Merchant Marine of the PMA in a period not exceeding five (5) days from the completion of the occasional survey.
 - .3 If deficiencies are found during the additional survey, they need to be totally rectified before the ship's departure from the port of survey. However, where deficiencies cannot be remedied at the port of survey, the following procedure shall be met:
 - .1 Relevant existing full-term certificates shall be withdrawn prior authorization granted by PMA.
 - .2 Conditional certificates shall be issued in accordance with Section 9 of Technical Instructive PO02-T110- Surveys and Certificate under the HSSC, as appropriate.
 - .3 If the ship satisfactorily rectifies the detainable deficiencies, the conditional certificates issued shall be withdrawn and the corresponding full-term certificates will be restored.
 - .4 Upon completion of the occasional survey, and in a period not exceeding three (3) days from the completion of the survey, the attending Surveyor shall provide to ICS Class-Operation Department with the following documentation:
 - .1 Survey Report for Occasional Survey to reduce PSC detentions.
 - .2 Declaration of Compliance for Occasional Survey issued.
 - .3 Photo Report of the occasional survey in accordance with paragraph 13.2.2.5 above.
 - .4 Other relevant documentation as required by the Marine Division or PMA for each particular case.
 - .5 The documentation listed in paragraph 13.2.4 above, shall be submitted to the Navigation and Maritime Safety Department of the General Directorate of Merchant Marine of the PMA in a period not exceeding five (5) days from the completion of the occasional survey.
- 14. Corrective and preventive actions on detained ships, which are not Panamanian or Belizean ships.**
- .1 The Marine Division shall report the detention to the flag Administration concerned with a proposal for the corrective and preventive actions that shall be taken in accordance with the provisions specified below, as appropriate, to avoid recurrences. The PSC Report of Inspection (Form A and B) shall be submitted to the flag Administration.
 - .2 Where a ship is detained, regardless the RO attendance is required or not by the PSC, the following actions shall be completed before the ship sails from the detention port:
 - .1 Carry out an Additional Survey to verify the correction of the deficiencies. The additional survey shall be completed in accordance with paragraph 14.3 below.
 - .2 Conduct a SMC Additional Verification with an intermediate scope. Only applicable when the PSC Inspection Report makes explicit reference to an ISM Code major non-conformity.



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- .3 Other relevant actions as required by the Marine Division or the flag Administration concerned for each particular case.
- .3 The additional survey to verify the correction of the deficiencies shall be completed in accordance with the following provisions:
 - .1 The additional survey shall be carried out using the Survey Report for Additional Survey for correction of deficiencies of the ship inspected by Port State Control (PSC) or Flag State Administration (FSA) specified in Section 21 below.
 - .2 The additional survey shall not be limited to deficiencies found by PSC. The additional survey shall also be focused on most frequent detainable deficiencies listed in Annex 7 of this Procedure.
 - .3 During the additional survey the provisions of paragraph 14.4 below shall be complied with.
 - .4 The additional survey shall be supported with a Photo Report, as appropriate, of the areas/items surveyed to confirm compliance with the applicable requirements and to reflect the reality of the technical condition of the ship. This Report shall include photos/videos of the Hull, Main Deck, Mooring Stations, Cargo Spaces, Navigational Bridge, Accommodations, Machinery Spaces and other areas/items surveyed as it deems necessary by the attending Surveyor. The content of the Photo Report shall be in compliance with Technical Notice TN 04-2022.
 - .5 If deficiencies are found during the additional survey, they need to be rectified before departure of the ship from the detention port, unless an extension is granted by the flag Administration concerned due to exceptional circumstances in accordance with paragraph 14.5 below.
- .4 All detainable deficiencies pointed out by the PSC (see definition 6.3 above) shall be totally rectified before the departure of the ship from the detention port. However, where deficiencies cannot be remedied at the port of detention, and under the PSC acceptance and authorization, the ship may to proceed to the nearest appropriate and available repair yard (see definition 6.7 above) under the conditions set out in paragraph 10.12 above and taking into account that, in all cases, the seaworthiness of a ship that is found with detainable deficiencies or with outstanding class/statutory conditions, shall be previously authorized by the flag Administration concerned.
- .5 If deficiencies are found during the additional survey, they need to be totally rectified before the ship's departure from the port of survey. However, where deficiencies cannot be remedied at the port of survey, the following procedure shall be met:
 - .1 Relevant existing full-term certificates shall be withdrawn prior authorization granted by the flag Administration concerned.
 - .2 Conditional certificates shall be issued in accordance with Section 9 of Technical Instructive PO02-T110- Surveys and Certificate under the HSSC, as appropriate.
 - .3 If the ship satisfactorily rectifies the detainable deficiencies, the conditional certificates issued shall be withdrawn and the corresponding full-term certificates will be restored.
- .6 After ship's releasing from detention, the attending Surveyor shall provide to ICS Class-Operation Department with the following documentation supporting the corrective and preventive actions completed on the ship, as applicable:
 - .1 PSC Report of Inspection (Form B) with the deficiencies closed out by the PSC Officer (with Action taken 10).
 - .2 PSC Notice of Release of the ship, if issued.



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- .3 Survey Report for Additional Survey for correction of deficiencies of the ship inspected by PSC or FSA.
- .4 Documentation related to SMC Additional Verification.
- .5 Photo Report of the additional survey in accordance with paragraph 14.3.4 above.
- .6 Other relevant documentation as required by the Marine Division or the flag Administration concerned for each particular case.

15. Evaluation of the corrective and preventive actions carried out on a detained ship. Determination of the root-cause of the ship's detention. Determination of the ICS Class responsibility as RO.

- .1 The Marine Division is responsible for:
 - .1 Evaluating the corrective and preventive actions carried out on the ship.
 - .2 Determining the root-cause of the ship's detention.
 - .3 Determining the ICS Class responsibility in the ship's detention.
- .2 The Marine Division shall evaluate the documentation provided by the attending Surveyor supporting the corrective and preventive actions completed on the ship in accordance with paragraphs 12.1.12, 12.2.8, 12.3.11, 13.1.11, 13.2.4 and 14.6 above, as appropriate. As a result of this evaluation, the Marine Division shall determine:
 - .1 The conformity and effectiveness of the actions completed on the ship;
 - .2 The root-cause of the ship's detention attributable to ICS Class responsibility;
 - .3 The responsibility of the Surveyor/Auditor involved in the ship's detention (see definition 6.14 above); and
 - .4 The required preventive actions to minimize the risk of future detentions.
- .3 To facilitate the evaluation of detention by the Marine Division, and after completing the required actions on the ship, the attending Surveyor shall determine and document the following information in the Survey Report for Additional Survey for correction of deficiencies of the ship inspected by PSC or FSA:
 - .1 Action taken for permanent repair or rectification of each deficiency, including the Surveyor's comments with the root-cause of each deficiency categorized "as ground for detention" (detainable deficiency identified with Action taken 30).
 - .2 Detailed comment on each item surveyed requiring further actions (pending deficiencies), if any.
 - .3 Appropriate corrective actions for the correction of the pending deficiencies and the date of fulfillment of these actions, if any.
- .4 To determine the responsibility of the ICS Class as RO, and the responsibility of the Surveyor involved in the ship's detention (see definition 6.14 above), shall only be considered those deficiencies that, alone or in combination, justify the detention of the ship.
- .5 The responsibility of the ICS Class as RO, and the responsibility of the Surveyor involved in the ship's detention, shall be determined in accordance with the criteria specified in Annex 4 to 6 of this Procedure, as appropriate. The criteria specified in paragraphs 15.6 and 15.7 below, shall also be considered.
- .6 Regardless to the criteria specified in Annex 4 to 6, any serious deficiency in relation with the maintenance of the ship and equipment categorized by the PSCO as ground for detention, shall be attributed to the Surveyor/Auditor if the completion date of the mandatory survey/verification (audit) carried out by him is less than 90 days counted from the date of the ship's detention.



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- .7 Regardless to the criteria specified in Annex 4 to 6, where a detention highlights serious deficient items that have been subject to ICS Class survey/verification (audit) within the previous 90 days, depending on the seriousness of the deficiency; the responsibility will be attributed to the Surveyor/Auditor who carried out the last mandatory survey/verification (audit).
- .8 When it is concluded that ICS Class as RO, and the Surveyor involved in the ship's detention, have responsibilities in said detention, the Marine Division shall take the suitable actions to avoid new recurrences, bad practices and non-conformities. In this sense, the most effective preventive actions to be taken are the following:
 - .1 Continual improvement of the documented information required to carry out the classification and statutory certification on ships (Rules, Procedures, Technical Instructives, Survey Reports, Verification Lists, etc.) in accordance with the relevant Conventions and/or Codes, the flag Administrations requirements and similar IACS designs.
 - .2 Continual training of the Surveyors and Auditors.
 - .3 Reducing the risk of the ship's detention during the statutory surveys required by IMO Conventions in accordance with Section 17 below.
 - .4 Adoption of disciplinary measures against the Surveyor/Auditor with proven responsibility in the ship's detention due to his bad performance during the last mandatory surveys/verification (audit) carried out on the ship before its detention in accordance with paragraph 15.9 below.
- .9 The disciplinary measures that will be adopted against a Surveyor/Auditor with proven responsibility in the detention of a ship, are the following:

PSC detention	Disciplinary measures
One detention.	Warning letter.
Two detentions in the last 12 months.	Suspension letter (6 months of suspension).
Three detentions in the last 12 months.	Cancellation letter (permanent cancellation).

16. Closure of the ship's detention and report results to the flag Administration.

- .1 The Principal Surveyor of the Marine Division is responsible for closing the ship's detention and reporting the results to the flag Administration concerned.
- .2 To close the detention of a ship by the PSC, the following records shall be completed:
 - .1 P02-P05/R1-Port State Control- Detention Control (Annex 8).
 - .2 P02-P05/R3- Port State Control- Detention Evaluation Report (Annex 10).
- .3 To close the detention of a ship by the flag Administration, the following records shall be completed:
 - .1 P02-P05/R2-Flag State Administration- Inspection Control (Annex 9).
 - .2 P02-P05/R4- Flag State Administration- Inspection Evaluation Report (Annex 11).
- .4 To close the detention of a ship, the Marine Division shall provide the flag Administration concerned with the following documentation to support the corrective and preventive actions completed on the ship, as appropriate:
 - .1 PSC Notice of Release of the ship, if issued.
 - .2 PSC Report of Inspection (Form A and B) stating the following information:
 - a) Deficiencies rectified (Action taken 10).
 - b) Deficiencies pending to be rectified or only partially repaired, if any.



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- c) Responsibility of the RO with the deficiencies found.
- d) Remarks, if any.
- e) Release date of the ship from the detention port.
- .3 The documentation provided by the attending Surveyor to support the corrective and preventive actions completed on the ship in accordance with paragraphs 12.1.12, 12.2.8, 12.3.11, 13.1.11, 13.2.4 and 14.6 above, as appropriate.
- .4 Evidence of the disciplinary measures adopted against the Surveyor/Auditor with proven responsibility in the ship's detention in accordance with paragraph 15.9 above, if any.
- .5 Flag State Administration- Inspection Evaluation Report.
- .6 Port State Control- Detention Evaluation Report.

17. Additional measures for reducing detentions during the statutory surveys.

- .1 The preventive measures specified below are intended to reduce the risk of detention of the ship during all statutory surveys required by IMO Conventions: Initial, Annual, Intermediate, Periodical and Renewal.
- .2 The preventive measures specified below shall be carried out by the attending Surveyor during the statutory surveys specified in paragraph 17.1 above, as appropriate, without additional cost for the shipowner/operator.
- .3 The preventive measures to reduce the risk of detention of the ship during the statutory surveys shall include:
 - .1 Determining if the ship is of Interest to the PSC interventions in accordance with paragraphs 17.4 below.
 - .2 Completing the statutory surveys in accordance with paragraphs 17.6 and 17.7 below.
 - .3 Determining if the ship is a High-Risk ship to be detained by the PSC in accordance with paragraph 17.8 below.
- .4 Before commencing the statutory surveys, the attending Surveyor shall determine if the ship may be of interest to the PSC interventions based on the following criteria:
 - .1 First time being in the region in the past year; or
 - .2 Ship has not been inspected in the last 6 months; or
 - .3 Deficiencies were found at last PSC inspection; or
 - .4 Ship has been detained in the last 12 months.
- .5 If the ship is considered of interest to the PSC interventions in accordance with paragraph 17.4 above, the attending Surveyor shall fully review the Report of Inspection of the last PSC inspection available on board. The deficiencies recorded as ground for detention, if any (action taken 30), shall be thoroughly examined.
- .6 The statutory surveys shall be completed in accordance with Section 11 of the Technical Instructive PO02-TI10-Surveys and Certificates under the HSSC based on Resolution A. 1156(32), as amended.
- .7 In addition to paragraph 17.6 above, the statutory surveys shall be completed in full-compliance with the following provisions:
 - .1 The detainable deficiencies listed in Annex 3 of this Procedure shall be specially considered. If any of these deficiencies is found during the statutory surveys, the relevant survey cannot be completed and closed.
 - .2 The check items of the relevant Survey Reports for Load Line, SOLAS and MARPOL certification, that are related to the most frequent detainable deficiencies listed in Annex 7 of this Procedure, shall be thoroughly examined.



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- .8 Based on the results of the statutory surveys in accordance with paragraphs 17.6 and 17.7 above, the attending Surveyor shall determine if the ship shall be considered a High-Risk ship to be detained by the PSC using the following criteria: If any of detainable deficiencies listed in Annex 3 of this Procedure is found during the statutory surveys, then the ship shall be considered a High-Risk Ship to be detained by the PSC. In this case, the provisions established in the paragraph 17.9 below shall be followed.
- .9 When the ship is considered as a High-Risk Ship to be detained, the attending Surveyor shall proceed in accordance with the following provisions:
 - .1 All detainable deficiencies found shall be permanently repaired or rectified in the port of survey. No interim or full-term certificate can be issued or endorsed.
 - .2 If the detainable deficiency found is not permanently repaired or rectified in the port of survey or temporarily compensated either as agreed between ICS Class and the flag Administration concerned in their agreement, no interim or full-term certificate can be issued or endorsed.
 - .3 In cases where the condition of the ship or its equipment does not comply with the requirements of an International Convention, the flag Administration concerned may authorize ICS Class to issue a Conditional Certificate. Conditional certificates shall be issued in the case where the ship has deficiencies which shall be corrected before an interim or full-term certificate can be issued or endorsed. Conditional certificates shall be issued in accordance with Section 8.3 of the Technical Instructive PO02-TI10.
- .10 If the ship is considered as of Interest to the PSC interventions or High-Risk ship to be detained by the PSC in accordance with paragraphs 17.4 and 17.8 above respectively, the preventive measures adopted during the statutory surveys for reducing detentions in accordance with paragraphs 17.5 and 17.9 above, as appropriate, shall be reported by the attending Surveyor in Section 16 of the Survey Report for the issuance of the Cargo Ship Safety Construction Certificate (CSSC).
- .11 For Belizean flagged ships, Section 9 of the Technical Instructive PO02-TI02 shall also be complied with.

18. Appeal process against Port State Control deficiencies/detentions.

- .1 According to Resolution A.1155(32)- Procedures for Port State Control, 2021, paragraph 2.3.11, as amended, the Company or its representative have a right of appeal against a detention taken by the authority of a port State. The appeal shall not cause the detention to be suspended. The PSCO shall properly inform the Master of the right of appeal and relevant procedures in the case of detention.
- .2 It is recommended before initiating a formal appeal process, try to find in first instance, the best practical way to resolve concerns directly with the Port State Control Officer (PSCO) if it is possible; maintaining for all the interesting parties a respectful environment and good behavior at all times.
- .3 In order to present formal appeal, it is important to understand the national appeal procedure of the relevant flag State Administration, which in the majority of the MOU is clearly established; the format to be used, the deadline for submission, contact points, among others.

National appeal.

- .4 The ship owner or operator generally has the right to appeal against a PSC detention decision to higher administrative Authority or to the Court of competent jurisdiction, according to the law in each country.



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- .5 An appeal is generally made by the Company, the Owner or the Master direct to the PSC authority involved.
- .6 The flag State Administration is generally not involved in the formal appeal process but may provide, on request, a supporting statement for appeals where there are grounds to believe that the detention is not justified.
- .7 ICS Class, as RO involved in the ship's detention, shall have ready and available all the necessary information, documentation and statements, as appropriate, to be presented to the relevant flag State Administration and/or MOU at the moment of the formal appeal, as evidence and supporting documentation.
- .8 Where the PSC authority's appeal procedure requires the appeal to be made by the flag State, the relevant flag State Administration will usually appeal only where the detention is considered unjustified or inappropriate in the circumstances. In these cases, the Company will be required to provide its consent to the appeal before the appeal is lodged.
- .9 A positive outcome of a national appeal will lead to the PSC detention being deleted from the PSC regime database.
- .10 PSC authorities generally have their own national appeal procedure, which shall be provided to the Master with the notice of detention.
- .11 There are time limits for the filing of an appeal and it shall be noted that the time limits vary between MOUs and between PSC authorities within the same MOU.

Complaint.

- .12 When a disagreement cannot be resolved within a reasonable time, or in cases where no appeal is made, Companies may present a complaint to the relevant flag State Administration. The flag State Administration may then approach the PSC authority to ask it to reconsider its position.
- .13 The flag State Administration will proceed only in cases where the evidence supporting the complaint has sufficient merit. Companies are therefore expected to present a robust case to ensure that the complaint has the best chance of success.

Detention review procedure.

- .14 In cases where an owner or operator declines to use the official national appeal procedure but still wishes to dispute a PSC detention, most of the PSC regimes still grant the opportunity for a detention review.
- .15 The flag State Administration is not directly involved in the review process but shall be made aware of the Company's intention to request a review. The flag State Administration will review the PSC report and will provide guidance and advice on how to prepare the request. The flag State Administration will also provide a supporting statement to explain why the detention is deemed not valid or justified.
- .16 If the review is denied or fails, a further request for review may be made to the MOU secretariat and to the relevant MOU Review Panel (where established; not all MOUs have a detention review panel).
- .17 The review panel considers the facts of the case and delivers an opinion which may lead to the Port State reconsidering its decision, however it shall be noted that the Port State is under no obligation to reconsider.
- .18 Paragraphs 18.19 to 18.28 below provide a summary of the most important information related to the appeal procedures of the Paris, Tokyo and Black Sea MOUs in whose areas the ICS Class fleet operates.



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Paris MOU appeal procedure.

- .19 When deficiencies are found which render the ship unsafe to proceed to sea or that pose an unreasonable risk to safety, health or the environment, the ship may be detained. The PSCO will issue a notice of detention to the Master.
- .20 The PSCO will inform the Master that the ship's owner/operator has the right of appeal. Appeal notice details can be found on the reverse side of the notice of the detention form and are different in each of the Paris MOU member States.
- .21 In case an owner or operator declines to use the official National appeal procedure but still wishes to complain about a detention decision, such a complaint shall be sent to the flag State Administration or the RO, which issued the statutory Certificates on behalf of the flag State.
- .22 The flag State Administration (or R.O prior flag State Administration authorization) may ask the port State to reconsider its decision to detain the ship. If the flag State Administration or the R.O disagrees with the outcome of the investigation as mentioned above, a request for review may be sent to the Paris MOU Secretariat.

Tokyo MOU appeal procedure.

- .23 In accordance with the provisions of the Memorandum, the Company of a ship or its representative will have a right of appeal against a detention taken by the Authority of the port State. The PSCO shall properly inform the Master of the right of appeal.
- .24 The shipmaster shall be advised to use the official National procedure if they wish to appeal against a detention order.
- .25 For member Authorities of the Tokyo MoU, the particulars necessary to submit a national appeal are listed in Appeal Procedures of Member Authorities of the Tokyo MOU.

Black Sea MOU appeal procedure.

- .26 Section 3.14 of the Black Sea MOU states that —the owner or the operator of a ship will have the right of appeal against a detention decision to higher administrative Authority or to the court of competent jurisdiction, according to the law in each country. However, an appeal shall not cause the detention to be suspended.
- .27 Owners or operators shall be advised to use official national procedure according the national jurisdiction of the country where the detention order was issued, if they wish to appeal against a detention order.
- .28 For Black Sea MoU member States, the particulars necessary to submit a national appeal are listed in Detention Appeal Procedures of Member Authorities of the Black Sea MOU.

19. Follow-up and measurement of the results.

- .1 The results of applying this Procedure are monitored, measured, analyzed and evaluated by the Marine Division by verifying the performance and results of the following activities:
 - .1 Identification of the substandard ships.
 - .2 Identification of the ships of interest for PSC interventions.
 - .3 Application of the criteria for attributing PSC detentions to RO responsibility.
 - .4 Implementation of the corrective and preventive actions on the detained ships.
 - .5 Identification of the root-cause of the detentions.
 - .6 Determination of the ICS Class responsibility as RO.
 - .7 Effectiveness of the preventive measures adopted for reducing detentions.
 - .8 Closure of the detentions and reporting results to the flag Administrations concerned.



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20. Follow-up and measurement resources.

- .1 The results of applying this Procedure are monitored, measured, analyzed and evaluated by the technical personnel of the Marine Division with due competence and authorization for this purpose.
- .2 The results of the monitoring, measurement, analysis and evaluation of the activities regulated in this Procedure, which is carried out by the technical personnel of the Marine Division, are verified, validated, approved and released by the Principal Surveyor of such Division.

21. Applicable Forms.

- .1 Survey Report for Additional Survey for correction of deficiencies of the ship inspected by Port State Control (PSC) or Flag State Administration (FSA) (2023/04).
- .2 Survey Report for General Examination on detained Belizean ships (2023/04)- Applicable to Belizean ships only.
- .3 Check sheet for survey of ILO items (2012/09)- Applicable to Belizean ships only.
- .4 Checklist for verification of ISM items (2012/09)- Applicable to Belizean ships only.
- .5 Survey Report for Occasional Survey to reduce PSC detentions (2023/04)- Applicable to Belizean and Panamanian ships only.
- .6 Statement of Compliance for Occasional Survey Program (2023/04)- Applicable to Belizean ships only.
- .7 Declaration of Compliance for Occasional Survey (2023/04)- Applicable to Panamanian ships only.
- .8 Forms to carry out additional verification and inspection related to the ISM Code, ISPS Code and MLC, 2006, when required.

22. Documented information revoked.

- .1 PO02-P05-Procedure for Port State Control and Flag State Inspection, Version 05 (09-2022).
- .2 Survey Report for Additional Survey for correction of deficiencies of the ship inspected by Port State Control (PSC) or Flag State Administration (FSA) (2010/01).
- .3 Checklist for General Examination / Occasional Survey Program (2019/03)- Applicable to Belizean ships only.
- .4 Statement of Compliance for Occasional Survey Program (2019/03)- Applicable to Belizean ships only.
- .5 Section 13 was amended to establish the Additional Measures adopted by the Panama Maritime Authority through Merchant Marine Circular MMC-380 to reduce PSC detentions on Panamanian ships.

23. Records.

- .1 PO2-P05/R1 Port State Control-Detention Control.
- .2 PO2-P05/R2 Flag State Administration-Inspection Control.
- .3 PO2-P05/R3 Port State Control-Detention Evaluation Report.
- .4 PO2-P05/R4 Flag State Administration-Inspection Evaluation Report.



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24. Annexes.

- .1 Annex 1-Ships below convention size.
- .2 Annex 2-Examples of clear grounds.
- .3 Annex 3-Detainable deficiencies.
- .4 Annex 4-Criteria for attribution of RO responsibility for Belizean flagged ships.
- .5 Annex 5-Criteria for attribution of RO responsibility for Panamanian flagged ships.
- .6 Annex 6-Criteria for attribution of RO responsibility for ships other than Belizean and Panamanian flagged ships.
- .7 Annex 7-Most frequent detainable deficiencies.
- .8 Annex 8-Port State Control-Detention Control.
- .9 Annex 9-Flag State Administration-Inspection Control.
- .10 Annex 10-Port State Control-Detention Evaluation Report.
- .11 Annex 11-Flag State Administration-Inspection Evaluation Report.



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Annex 1

SHIPS BELOW CONVENTION SIZE

1. In the exercise of their functions, PSCOs shall be guided by any Certificates and other documents issued by or on behalf of the flag Administration. In such cases, the PSCOs shall limit the scope of inspection to the verification of compliance with those Certificates and documents.
2. To the extent a relevant instrument is not applicable to a ship below convention size, the PSCO's task shall be to assess whether the ship is of an acceptable standard in regard to safety and the environment. In making that assessment, the PSCO shall take due account of such factors as the length and nature of the intended voyage or service, the size and type of the ship, the equipment provided and the nature of the cargo.
3. The ships below convention size that are detained shall be treated by the Marine Division on a case-by-case basis following the flag Administration requirements and the further actions required by the PSCO under the authority vested by the authorities of the port.
4. The provisions established in Section 11 may be applied to the extent possible and practical.



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Annex 2

EXAMPLES OF CLEAR GROUNDS

1. The absence of principal equipment or arrangements required by the relevant Conventions;
2. Evidence from a review of the ship's Certificates that a Certificate or Certificates are invalid;
3. Evidence that certificates and documents required by the relevant conventions are not on board, incomplete, not maintained or are falsely maintained;
4. Evidence from the PSCO's general impressions and observations that serious hull or structural deterioration or deficiencies exist that may place at risk the structural, watertight or weathertight integrity of the ship;
5. Evidence from the PSCO's general impressions or observations that serious deficiencies exist in the safety, pollution prevention or navigational equipment;
6. Information or evidence that the master or crew is not familiar with essential shipboard operations relating to the safety of ships or the prevention of pollution, or that such operations have not been carried out;
7. Indications that key crew members may not be able to communicate with each other or with other persons on board;
8. The emission of false distress alerts not followed by proper cancellation procedures; and
9. Receipt of a report or complaint containing information that a ship appears to be substandard.



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Annex 3

DETAINABLE DEFICIENCIES

(Grouped under relevant Conventions and/or Codes)

1. Areas under LL 1966 and LL PROT 1988.

- .1 Significant areas of damage or corrosion, or pitting of plating and associated stiffening in decks and hull effecting seaworthiness or strength to take local loads, unless proper temporary repairs for a voyage to a port for permanent repairs have been carried out.
- .2 A recognized case of insufficient stability.
- .3 The absence of sufficient and reliable information, in an approved form, which by rapid and simple means enables the master to arrange for the loading and ballasting of his ship in such a way that a safe margin of stability is maintained at all stages and at varying conditions of the voyage, and that the creation of any unacceptable stresses in the ship's structure are avoided.
- .4 Absence, substantial deterioration or defective closing devices, hatch closing arrangements and watertight/weathertight doors.
- .5 Overloading.
- .6 Absence of, or impossibility to read draught mark and/or Load Line Marks.
- .7 The means of freeing water from the deck not in satisfactory or operational condition.

2. Areas under SOLAS 1974.

- .1 Failure of proper operation of propulsion and other essential machinery, as well as electrical installations.
- .2 Insufficient cleanliness of engine room, excess amount of oily-water mixtures in bilges, insulation of piping including exhaust pipes in engine room contaminated by oil, and improper operation of bilge pumping arrangements.
- .3 Failure of the proper operation of emergency generator, lighting, batteries and switches.
- .4 Failure of the proper operation of the main and auxiliary steering gear.
- .5 Absence, insufficient capacity or serious deterioration of personal lifesaving appliances, survival craft and launching and recovery arrangements.
- .6 Absence, non-compliance or substantial deterioration to the extent that it cannot comply with its intended use of fire detection system, fire alarms, fire-fighting equipment, fixed fire extinguishing installation, ventilation valves, fire dampers, quick-closing devices.
- .7 Absences, substantial deterioration or failure of proper operation of the cargo deck area fire protection on tankers.
- .8 Absences, non-compliance or serious deterioration of lights, shapes or sound signals.
- .9 Absences or failure of the proper operation of the radio equipment for distress and safety communication.
- .10 Absences or failure of the proper operation of navigation equipment, taking the provisions of SOLAS regulation V/16.2 into account.
- .11 Absence of corrected navigational charts, and/or all other relevant nautical publications necessary for the intended voyage, taking into account that electronic charts may be used as a substitute for the charts.



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Annex 3 (Continued)

- .12 Absence of non-sparking exhaust ventilation for cargo pump rooms.
 - .13 Serious deficiencies in the operational requirements related to:
 - .1 Bridge operation.
 - .2 Cargo operation.
 - .3 Operation of machinery.
 - .4 Manuals, instructions, etc.
 - .5 Oil and oily mixtures from machinery space.
 - .6 Loading, unloading and cleaning procedures for cargo spaces of tankers.
 - .7 Dangerous goods and harmful substances in packaged form.
 - .8 Garbage.
 - .9 Sewage.
 - .10 Air pollution prevention.
 - .11 Muster list.
 - .12 Communication during drills.
 - .13 Search and rescue plan.
 - .14 Fire and abandon ship drills.
 - .15 Fire drills.
 - .16 Abandon ship drills.
 - .17 Enclosed space entry and rescue drills.
 - .18 Emergency steering drills.
 - .19 Damage control plan, SOPEP or SMPEP.
 - .20 Fire control plan.
 - .14 Number, composition or certification of crew not corresponding with safe manning document.
 - .15 Non implementation or failure to carry out the enhanced survey programme in accordance with SOLAS regulation XI-1/2 and the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code), as amended.
 - .16 Absence or failure of a voyage data recorder (VDR), when its use is compulsory.
- 3. Areas under the IBC Code (Ships carrying dangerous chemicals in bulk).**
- .1 Transport of a substance not mentioned in the Certificate of Fitness or missing cargo information.
 - .2 Missing or damaged high-pressure safety devices.
 - .3 Electrical installations not intrinsically safe or not corresponding to the Code requirements.
 - .4 Sources of ignition in hazardous locations.
 - .5 Contraventions of special requirements.
 - .6 Exceeding of maximum allowable cargo quantity per tank.
 - .7 Insufficient heat protections for sensitive products.
 - .8 Pressure alarms for cargo tanks not operable.
 - .9 Transport of substances to be inhibited without valid inhibitor certificate.



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4. Areas under the IGC Code (Ships carrying liquefied gases in bulk).

- .1 Transport of a substance not mentioned in the Certificate of Fitness or missing cargo information.
- .2 Missing closing devices for accommodations or service spaces.
- .3 Bulkheads not gastight.
- .4 Defective air locks.
- .5 Missing or defective quick-closing valves.
- .6 Missing or defective safety valves.
- .7 Electrical installations not intrinsically safe or not corresponding to the Code requirements.
- .8 Ventilators in cargo area not operable.
- .9 Pressure alarms for cargo tanks not operable.
- .10 Gas detection plant and/or toxic gas detection plant defective.
- .11 Transport of substances to be inhibited without valid inhibitor certificate.

5. Areas under MARPOL Annex I.

- .1 Absence, serious deterioration or failure of proper operation of the oily-water filtering equipment, the oil discharge monitoring and control system or the 15 ppm alarm arrangements.
- .2 Remaining capacity of slop and/or sludge tank insufficient for the intended voyage.
- .3 Oil Record Book not available.
- .4 Unauthorized discharge bypasses fitted.
- .5 Failure to meet the requirements of regulation 20.4 or alternative requirements specified in regulation 20.7.
- .6 Oily bilge water and/or oil residue accumulated in machinery spaces.

6. Areas under MARPOL Annex II.

- .1 Absence of Procedures and Arrangement Manual (P and A Manual).
- .2 Cargo is not categorized.
- .3 No cargo record book available.
- .4 Unauthorized discharge bypass fitted.

7. Areas under MARPOL Annex III and dangerous goods carriage requirements.

- .1 Absence of a valid Document of Compliance for carriage of dangerous goods (if required).
- .2 Absence of a Dangerous Cargo Manifest or detailed stowage plan before departure of the ship.
- .3 Stowage and segregation provisions of the IMDG Code chapters 7.1, 7.2, 7.4, 7.5 and 7.6 are not met.
- .4 Ship is carrying dangerous goods not in compliance with the Document of Compliance for carriage of dangerous goods of the ship.
- .5 Ship is carrying damaged or leaking dangerous goods packages.
- .6 Ship's personnel assigned to specific duties related to the cargo are not familiar with those duties, any dangers posed by the cargo and with the measures to be taken in such a context



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8. Areas under MARPOL Annex IV.

- .1 Absence of valid International Sewage Pollution Prevention Certificate.
- .2 Sewage treatment plant not approved and certified by the flag Administration.
- .3 Failure of sewage treatment plant.
- .4 Ship's personnel not familiar with disposal/discharge requirements of sewage.

9. Areas under MARPOL Annex V.

- .1 Absence of the garbage management plan.
- .2 No Garbage Record Book available.
- .3 Ship's personnel not familiar with disposal/discharge requirements of garbage management plan.

10. Areas under MARPOL Annex VI.

- .1 Absence of valid International Air Pollution Prevention Certificate (IAPP Certificate) and where relevant Engine International Air Pollution Prevention Certificates (EIAPP Certificates) and Technical Files.
- .2 A marine diesel engine, with a power output of more than 130 kW, which is installed on board a ship constructed on or after 1 January 2000, or a marine diesel engine having undergone a major conversion on or after 1 January 2000, which does not comply with the NOX Technical Code 2008, as amended.
- .3 The sulphur content of any fuel oil used on board ships exceeds the limit of 0.5% m/m on and after 1 January 2020.
- .4 The sulphur content of any fuel used on board exceeds 0.1% m/m while operating within a SOX emission control area as per the provisions of regulation 14.
- .5 Emission reduction by equivalent arrangements are not met.
- .6 An incinerator installed on board the ship on or after 1 January 2000 does not comply with requirements contained in appendix IV to the Annex, or the standard specifications for shipboard incinerators developed by the Organization (resolution MEPC.244(66)).
- .7 Ship's personnel are not familiar with essential procedures regarding the operation of air pollution prevention equipment
- .8 Absence of valid IEEC (International Energy Efficiency Certificate).
- .9 Absence of a Statement of Compliance related to fuel oil consumption reporting on board.

11. Areas under STCW 1978.

- .1 Failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the flag Administration.
- .2 Failure to comply with the applicable safe manning requirements of the flag Administration.
- .3 Failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the flag Administration.
- .4 Absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radiocommunications or the prevention of marine pollution.
- .5 Inability to provide for the first watch at the commencement of a voyage and for subsequent relieving watches persons who are sufficiently rested and otherwise fit for duty.



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12. Areas under AFS 2001.

- .1 Absence of a valid International Anti-Fouling System Certificate or a Declaration on Anti-Fouling System.
- .2 Sampling proves it is non-compliant within the port's jurisdiction.

13. Areas under ILO Conventions concerning crew accommodation.

- .1 Insufficient foods for voyage to next port.
- .2 Insufficient potable water for voyage to next port.
- .3 Excessively unsanitary conditions on board.
- .4 No heating in accommodation of a ship operating in areas where temperatures may be excessively low.
- .5 Excessive garbage, blockage by equipment or cargo or otherwise unsafe conditions in passageways/accommodations.
- .6 Working and Living Conditions (MLC, 2006).

14. Areas which may not warrant a detention, but where, for example, cargo operations have to be suspended.

Failure of the proper operation (or maintenance) of inert gas systems, cargo related gear or machinery shall be considered sufficient grounds to stop cargo operation.



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Annex 4

CRITERIA FOR ATTRIBUTION OF RO RESPONSIBILITY (For Belizean flagged ships)

1. If the ship is detained within 90 days of any applicable survey performed by a RO, the following detainable deficiencies or ISM Code non-conformities will be attributed to the RO:
 - .1 Equipment deficiencies (e.g., missing or improperly maintained equipment).
 - .2 Serious wastage or structural deficiencies.
 - .3 Lack of effective and systematic implementation of any requirement of the ISM Code.
 - .4 Absence of highly pilferable equipment missing in large quantities. (Nautical Charts and Publications as defined by SOLAS Reg. V/27 are not considered as pilferable items).Notwithstanding the aforementioned limitation of 90 days from the date of survey, IMMARBE reserves the right to attribute the detention to a RO in respect of a survey carried out more than 90 days ago whenever the condition of the ship and the deficiencies identified during a PSC inspection are of a long-standing nature.
2. The following detainable deficiencies will be attributed to the RO regardless of the time elapsed from the last applicable survey:
 - .1 Equipment that was outdated or not serviced at the time of the last survey (e.g., expired flares, not serviced fire extinguishing systems).
 - .2 Long standing, serious wastage of structural deficiencies.
3. Circumstances for not attributing detentions to RO.
 - .1 Voyage damage, unless other RO related deficiencies are noted during the course of the PSC Inspection.
 - .2 Missing a small quantity of highly pilferable equipment, such as fire hose nozzles or fire extinguishers.
 - .3 Manning issue.



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Annex 5

CRITERIA FOR ATTRIBUTION OF RO RESPONSIBILITY (For Panamanian flagged ships)

1. PMA accepts the RO responsibility criteria of the Tokyo MOU and Paris MOU.
2. **For ships detained in Tokyo MOU area:**
 - .1 A detainable deficiency is associated with the RO if it is:
 - .1 A serious structural deficiency including corrosion, wastage, cracking and buckling unless it is clear that the deficiency has occurred since the last survey conducted by the RO; or
 - .2 A serious deficiency in equipment or non-structural fittings (such as fire main, airpipes, cargo hatches, rails, masts, ventilation trunks/ducts, accommodation and recreational facilities etc.) and it is less than ninety (90) days since the last survey conducted by the RO, unless it is clear that the deficiency has occurred since the last survey conducted by the RO; or
 - .3 A serious deficiency in equipment or non-structural fittings which clearly would have existed at the time of the last survey; or
 - .4 A serious deficiency associated with out-of-date equipment which was out-of-date at the time of the last survey; or
 - .5 A missing approval or endorsement of Plans and Manuals if required to comply with the provisions for issuance of statutory certificates which clearly would have existed at the time of the last survey; or
 - .6 A major non-conformity where there is clear evidence of a lack of effective and systematic implementation of a requirement of the ISM Code and there is clear evidence that it existed at the last audit conducted by the RO provided that the audit took place within the last ninety (90) days. It may also include operational drills and operational control and there is clear supporting evidence of failure; or
 - .7 A detainable MLC-deficiency where there is clear evidence of a lack of implementation of a requirement of the MLC Code with respect to the accommodation and recreation facilities detailed in Regulation 3.1 in Title 3 and that it existed at the last inspection conducted by the RO.
 - .2 A detainable deficiency is not associated with the RO if it is:
 - .1 The result of accidental or voyage damage, or
 - .2 Missing equipment that is likely to have been stolen except when it is a large quantity and the PSC inspection is taking place within 90 days since the last survey conducted by the RO; or
 - .3 An expired certificate unless the certificate was improperly issued by the RO following a survey conducted on behalf of the flag State.
3. **For ships detained in Paris MOU area:**
 - .1 Only those deficiencies which, alone or in combination, warrant detention will be evaluated to determine RO responsibility.
 - .2 Equipment deficiencies will only be RO associated where equipment is covered by a RO survey or where RO has issued certification.
 - .3 Accidental damage suffered on a ship's voyage to a port will not be RO related.
 - .4 Serious wastage or other structural deficiencies not caused by voyage damage will be listed as a RO responsibility.



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- .5 Outdated equipment will not be associated with the RO unless outdated at the time of the last survey conducted by RO.
- .6 Absence of highly pilferable equipment will generally not be listed as a RO responsibility- unless a large quantity is missing, and inspection is taking place within 90 days of the last survey conducted by RO.
- .7 Expired statutory certificates will not be associated with the RO unless the certificates were not endorsed or were improperly issued by the RO following a survey conducted on behalf of the flag State.
- .8 Manning issues, other than those referred to in point 10, whether conducted in accordance with SOLAS or STCW, will not be listed as RO responsibility.
- .9 A time limit of 90 days from the last survey carried out by the RO will generally be placed on equipment deficiencies, unless apparent that the deficiency is such that it would have existed at the time of the relevant survey conducted by RO.
- .10 Failure of human factor issues related to operational drills and tests and other manning issues where required and undertaken will be associated with RO responsibility only when the RO issued the relevant certificate.
- .11 Deficiencies in the ISM Safety Management System shall be class-related only when the RO has issued the DOC and/or SMC, whichever is relevant, and if there is clear evidence that the lack of effective and systematic implementation of a requirement of the ISM Code existed at the last audit conducted by the RO.



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Annex 6

CRITERIA FOR ATTRIBUTION OF RO RESPONSIBILITY (For ships other than Belizean and Panamanian flagged ships)

Unless otherwise provided by the flag Administration concerned, the following criteria shall apply:

1. For ships detained in Tokyo MOU area or Latin-America Agreement area (Vina del Mar), the criteria specified in Annex 5 above, paragraph 2, shall apply.
2. For ships detained in Paris MOU area, the criteria specified in Annex 5 above, paragraph 3, shall apply.



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Annex 7

MOST FREQUENT DETAINABLE DEFICIENCIES

The most frequent of PSC deficiencies were issued in:

1. WATER / WEATHERTIGHT CONDITION.

- .1 Ventilator, air pipes, casings: Multiple ballast tanks air vent closing arrangement defective. The forecastle store room and cargo hold vents have been found holed due to heavy corrosion.
- .2 Manholes/Flush scuttles: The main deck manhole covers of ballast and fuel tanks had a large number of missing nuts and studs. Manhole cover of ballast tank was holed.

2. STRUCTURAL CONDITION.

- .1 Bulkheads corroded and holed: The bulkheads between cargo holds were corroded. In usual cases, excessive corrosion may be found in the following locations:
 - At the mid-height and at the bottom of the bulkheads. The structure may look in deceptively good condition but in fact may be heavily corroded. The corrosion is created by the corrosive effect of cargo and environment, in particular when the structure is not coated;
 - Bulkhead plating adjacent to the shell plating;
 - Bulkhead trunks which form part of the venting, filling and discharging arrangements between the topside tanks and the hopper tanks;
 - Bulkhead plating and weld connections to the lower/ upper stool shelf plates and inner bottom; and
 - In way of weld connections to topside tanks and hopper tanks.
- .2 Cargo holds bottom holed: It was noted that cargo holds bottom were holed to Double bottom and side ballast tanks. The marine environment, the humid atmosphere due to the water vapour from the cargo in cargo holds, and the high temperature on deck and hatch cover plating due to heating from the sun may result in accelerated corrosion of plating and stiffeners
- .3 Decks corroded: Main deck forward of cargo hold coaming was found severely corroded and holed.
- .4 Ballast tanks frames corroded: The ballast tanks frames were found corroded and holed. The water in ballast tanks often has a high potential to corrode steel – if left unchecked. For instance, it may have high salinity and/ or contain corrosive chemicals. Ballast tanks often make up the largest area of the steel structure of a marine vessel. If they are not fully protected, they start to corrode, degrading operational safety, efficiency and service life.
- .5 Winch opening cargo holds covers-foundation corroded: The winch opening for cargo holds covers found corroded.
- .6 Cargo and other hatchways: The main deck cargo holds, and other hatch covers & coamings were found corroded and in poor condition. More specifically, almost half of the securing cleats were missing, and the rest were found in poor condition.
- .7 Bulkhead-corrosion: The CO2 room bulkhead, on aft main deck, found heavy corroded and holed.
- .8 Doors: The door to accumulator room on boat deck, and the doors to superstructure both sides on main deck, were corroded through in low part.



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3. FIRE SAFETY.

- .1 Malfunctioning of fire doors and openings in the fire-fighting division: The engine room and paint storeroom access self-closing doors were inoperative due to malfunctioning of self-closing devices and were back lashed in open position. Also, all self-closing fire doors on board were not closing properly.
- .2 Fire dampers: Both ventilation flaps on board were in a bad condition.
- .3 Fire-fighting extinguishing installation: The paint store sprinkler system was found inoperative.
- .4 Fire detection: The fire control detection system was found inoperative.
- .5 Fire pumps and its pipes: Fire pumps were found inoperative due to missing parts There was water leakage from fire line.
- .6 Fire hoses: The fire hoses have been found broken and/or holed and one hose was missing.
- .7 Emergency escape breathing device and disposition: The EEBD has been found on tank top close to an emergency exit without any IMO indication and not in accordance with fire plan
- .8 Fire Control Plan: The fire control plan found on board not responding to the real situation. Fire-fighting equipment and lifesaving equipment for bridge were not stored according to the fire plan. In the engine room a bulkhead dividing workshop was found.
- .9 Means of control (opening, pump) machinery spaces: The quick closing valve of a tank was found inoperative.
- .10 Personal equipment for fire safety: Fireman outfit locker not indicated on the fire plan. One set found in forecastle store without breathing apparatus.

4. LIFE-SAVING APPLIANCES.

- .1 Emergency equipment for two-way communication: The battery of the emergency equipment for 2-way communication was found expired.
- .2 Bridge distress flares: The ship's distress flares were found expired.
- .3 Ventilation: Most of the inlet and outlet ventilations on main deck were highly corroded with structural damage and ventilations hatches didn't close tightly or couldn't open due to corrosion.
- .4 Lifeboats: The lifeboats have not been found properly maintained since the lifeboat was found in very poor condition, the hooks severely damages and it was not possible to release the boat in case of emergency. The free-fall L/B engine failed to be started by the battery in use.
- .5 Stowage and provision of lifeboats: The lifeboat davit, winch, brake electric panel, sheaves and all structural members of launching arrangements have been found in very poor condition and severely corroded.
- .6 Launching arrangement for survival craft: Davit launching system for liferaft found inoperative with no lifting hook fitted.
- .7 Operation of life saving appliances: The crew was not familiar with operation of launching arrangements for rescue boat and liferaft davit.
- .8 Rescue boats: Lifeboat/ rescue boat wooden rudder was damaged. The engine of rescue boat failed to start during testing.
- .9 Inflatable liferafts: The davit launchable liferaft, according to the Safety Equipment, was not available on board.



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- .10 Lifejackets including provision and disposition: The life jackets were deteriorated and were not type approved.
- .11 Distress flares: The rocket parachute flares have been found expired on board.
- .12 Muster list: The muster list was not posted.

5. ENVIRONMENTAL PROTECTION.

- .1 Oil filtering equipment: Automatic discharge stopping device and oil filtering equipment alarm in engine room found malfunction.
- .2 Sewage treatment plant: The dosage pump for sewage treatment plant out of control.

6. SAFETY OF NAVIGATION.

- .1 Charts + Electronic charts (ECDIS): Found expired or not updated for trading area.
- .2 Voyage Data Recorder (VDR / S-VDR): Found malfunctioning.
- .3 Gyro Compass: Found inoperative.
- .4 Nautical publications: No nautical publications were provided.
- .5 Echo sounder: Found malfunctioning.
- .6 LRIT: Conformance test was not reflecting the actual ship's operating conditions.

7. EMERGENCY SYSTEMS.

- .1 Emergency fire pump and its pipes: Unable to pressurize the fire mains. The emergency fire pump and fire line could not be tested due to the forward isolation valve which was stuck in close position and the fire line was not ready for use.
- .2 Emergency lighting, battering and switches: Steering gear room emergency exit without any emergency light. There is no emergency light at the F.E. stations on board. There is no emergency light at the muster station. Lack of emergency light over the launching instruction of liferafts and lifeboats.
- .3 Emergency generator: Not connecting automatically to the emergency switchboard.

8. ALARMS.

- .1 Main engine oil mist detection alarm: Found inoperative.
- .2 Steering gear lub oil level alarm: Found inoperative.
- .3 Main engine fuel leakage alarm: Found inoperative

9. PROPULSION AND AUXILIARY MACHINERY.

- .1 Auxiliary engine: Found inoperative.
- .2 Propulsion main engine: The main propulsion engine M.E. has failures that do not allow it to work efficiently (e.g., failures do not allow works more than half ahead/astern (50%)).

10. ISM RELATED DEFICIENCIES (Non-conformities).

- .1 Maintenance level and crew performance: One or more deficiencies in the above categories may be seen as evidence of a failure of the Safety Management System on board and are likely to trigger a detainable deficiency towards ISM (ISM related deficiency).
- .2 Awareness of personnel with their tasks, duties and responsibilities.
- .3 Familiarization and training of personnel with essential safety procedures.



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- .4 Rescue boat drill.
- .5 Launching drill for free-fall lifeboat.
- .6 Fire drill.
- .7 Abandon ship drill.

11. CERTIFICATES AND DOCUMENTATION (SHIP AND CREW).

- .1 Ballast Water Management Plan was missing.
- .2 Continuous Synopsis Record and application document for change were not onboard.
- .3 The lifeboat 5 yearly load test certificate was missing.
- .4 The medical certificates were missing.
- .5 Seafarers' employment agreement was not properly filled out.

12. MLC, 2006 CONDITIONS OF EMPLOYMENT.

- .1 The report of the payment of wages to the crew was not confirmed for some months.



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Annex 8

PORT STATE CONTROL-DETENTION CONTROL

PO2-P05/R1

Year: _____
Flag: _____

Content of the table:

1. Consecutive number of the detained ships.
2. Ship name.
3. Ship IMO N°.
4. Detention information source.
5. Detention date.
6. Detention place.
7. Instructions date to Inspection Office/surveyor/auditor.
8. Actions taken.
9. Ship release date.
10. Detention attributable to ICS Class responsibility (Y or N).
11. Surveyor responsible of the detention, if applicable.
12. Disciplinary actions taken against the surveyor responsible, if required.
13. Closing date of detention and report to FSA.
14. Comments, when required.



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Annex 9

FLAG STATE ADMINISTRATION-INSPECTION CONTROL

PO2-P05/R2

Year: _____
Flag: _____

Content of the table:

1. Consecutive number of the inspected ships.
2. Ship name.
3. Ship IMO N°.
4. Inspection information source.
5. Inspection date.
6. Inspection place.
7. Instructions date to Inspection Office/surveyor/auditor.
8. Actions taken.
9. Detention attributable to ICS Class responsibility (Y or N).
10. Surveyor responsible of the detention, if applicable.
11. Disciplinary actions taken against the surveyor responsible, if required.
12. Closing date of detention and report to FSA.
13. Comments, when required.



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Annex 10

PORT STATE CONTROL DETENTION EVALUATION REPORT

PO2-P05/R3

1. Ship particulars.

Name of ship:		Type of ship:	
IMO number:		Call sign:	
Flag of ship:		Year keel laid:	
Particulars of Company:			

2. Information on the detention.

Detention information source:	
Notification date of detention:	
Name of reporting authority:	
Date of detention:	
Place of detention:	
Date of release from detention:	
Previous detention, date/place, if available:	
Previous detention attributed to ICS Class, (Y or N):	

3. Last statutory surveys and audits completed by ICS Class before detention.

Type of survey/audit	Completion date	Place	Surveyor/Auditor

4. Relevant information on PSC Report of Inspection (Form B).

Total number of deficiencies pointed out:	
Total number of detainable deficiencies pointed out (with Action code 30):	
Total number of detainable deficiencies identified as "responsible RO":	



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Annex 10 (Continued)

5. Detainable deficiencies by categories.

Nature of deficiency	Number of deficiencies per category	Deficiency N°. and Code, according to PSC Report of Inspection
Documents		
Ship certificates		
Crew certificates		
Structural conditions		
Water/Weathertight conditions		
Emergency systems		
Radio communications		
Cargo operations including equipment		
Fire safety		
Alarms		
Safety of navigation		
Life-saving appliances		
Dangerous goods		
Propulsion and auxiliary machinery		
Living conditions		
Working conditions		
Minimum requirements for seafarers		
Conditions of employment		
Accommodation, recreational facilities, food and catering		
Health protection, medical care, social security		
Anti-Fouling		
Ballast Water		
MARPOL Annex I		
MARPOL Annex II		
MARPOL Annex III		
MARPOL Annex IV		
MARPOL Annex V		
MARPOL Annex VI		
ISM		
ISPS		
Other		



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6. Description of detainable deficiencies identified as “Responsible RO”.

7. Relevant information on the action taken.

Survey/Audit carried out	Completion date	Attending Surveyor/Auditor

8. Comments and recommendations from the attending Surveyor/Auditor.

9. Root causes of the detention no attributable to ICS Class.

10. Root causes of the detention attributable to ICS Class, where applicable.

11. Surveyor involved in the ship’s detention and his responsibility, where applicable.

12. Measures to avoid recurrences.

Conformed by: _____
(Full name/signature)

Approved by: _____
(Full name/signature)

Closing date of detention: _____
(Day, Month, Year)



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Annex 11

FLAG STATE ADMINISTRATION INSPECTION EVALUATION REPORT

PO2-P05/R4

1. Ship particulars.

Name of ship:		Type of ship:	
IMO number:		Call sign:	
Flag of ship		Year keel laid:	
Particulars of Company:			

2. Information on the inspection.

Inspection information source:	
Notification date of inspection:	
Authority who carried out the inspection:	
Name of FSA inspector:	
Type of FSA inspection:	
Inspection date:	
Inspection place:	
Ship release date:	

3. Last statutory surveys and audits completed by ICS Class before inspection.

Type of survey/audit	Completion date	Place	Surveyor/Auditor

4. Relevant information on FSA Report of Inspection.

FSA Report of Inspection N°.	
Total number of deficiencies pointed out:	
Total number of deficiencies that warrant detention:	
Total number of deficiencies attributable to RO responsibility:	



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Annex 11 (Continued)

5. Deficiencies that warrant detention by categories.

Nature of deficiency	Number of deficiencies per category	Deficiency N° and Code, according to FSA Report of Inspection
Documents		
Ship certificates		
Crew certificates		
Structural conditions		
Water/Weathertight conditions		
Emergency systems		
Radio communications		
Cargo operations including equipment		
Fire safety		
Alarms		
Safety of navigation		
Life-saving appliances		
Dangerous goods		
Propulsion and auxiliary machinery		
Living conditions		
Working conditions		
Minimum requirements for seafarers		
Conditions of employment		
Accommodation, recreational facilities, food and catering		
Health protection, medical care, social security		
Anti-Fouling		
Ballast Water		
MARPOL Annex I		
MARPOL Annex II		
MARPOL Annex III		
MARPOL Annex IV		
MARPOL Annex V		
MARPOL Annex VI		
ISM		
ISPS		
Other		



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6. Relevant information on the action taken.

Actions taken	Completion date	Acting surveyor/auditor

7. Comments and recommendations from the attending Surveyor/Auditor.

8. Root causes of the detention no attributable to ICS Class.

9. Root causes of the detention attributable to ICS Class, where applicable.

10. Surveyor involved in the ship's detention and his responsibility, where applicable.

11. Measures to avoid recurrences.

Conformed by: _____
(Full name/signature)

Approved by: _____
(Full name/signature)

Closing date of detention: _____
(Day, Month, Year)