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PORT STATE CONTROL INSPECTIONS

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AMSA- Australian Maritime Safety Authority

AMS- The Automated Manifest System

AIS- Automatic Identification Systems

APCIS–Asia-Pacific Computerized System

BW- Ballast Water

BWM – Ballast Water Management

BWMS- Ballast Water Management System

CERCLA- Compensation and Liability Act

CG-Coast Guard

CIC – Concentrated Inspection Campaign

CMIC–Caribbean Maritime Information Center

COC – Certificate of Compliance

COFR-Certificate of Financial Responsibility

COTP-Captain of the Port

DRP-Detention Review Panel

EEZ- Exclusive Economic Zone

EU–European Union

HRS – High Risk Ship

IACS–International Association of Classification Societies

ILO–International Labor Organization

IMO – International Maritime Organization

ISM–International Safety Management

ISO – International Organization for Standardization

ISMWG-Intersessional Management Working Group

ISPS–International Ship & Port Facility Security Code

MARPOL–International Convention for the Prevention of Pollution from Ships

MLC – Maritime Labour Convention

MSA- Measurement Systems Analysis

MoU– Memorandum of Understanding NIR – New Inspection Regime

OPA90- Oil Pollution Act of 1990

PSC - Port State Control

PCSO – Port State Control Officer

R.O. – Recognized Organization

SOLAS–International Convention for the Safety of Life at Sea

SRP – Ship Risk Profile

SRS–Standard Risk Ship

STCW-International Convention Standards of Training, Certification And Watchkeeping for Seafarers

STCW- Standards of Training, Certification and Watchkeeping

TMSA – Tanker Management Self - Assessment

TONNAGE- The International Convention on Tonnage Measurement of Ships

USCG – U.S. Coast Guard

VRP-Vessel Response Plans

ABSTRACT

Regular surveys and inspections of ships are conducted to ensure their safety and seaworthiness. As shipping laws become more stringent each year, ocean-going vessels must undergo a series of inspections to meet minimum requirements for continued navigation. The main objective of this dissertation is to analyze the external inspections performed on ships to ensure the safety of the ship, crew, ports and environmental protection and sustainability. The primary types of inspections are as follows: the Flag Inspections, the Port State Control, the Vetting Inspections, the Classification Society, the TMSA and the Green Award Inspections. The emphasis would be on the port state control inspection process, when, how and why countries formalized this process, as did the general concepts underlying it. These inspections were designed to supplement flag state implementation, but experience has shown that they may be very successful. PSC authorities from different countries sign MoUs to establish a framework for cooperation and coordination when inspecting foreign-flagged vessels that visit their ports. By collaborating and sharing information, PSC authorities can target higher-risk vessels more effectively and ensure consistent enforcement of international maritime regulations. Port state control acts as a safety net, to determine low-quality ships. Port State Control plays a critical role in safeguarding the marine environment by ensuring that ships adhere to international environmental regulations and standards while visiting foreign ports. By holding non-compliant ships accountable, it helps minimize the impact of shipping activities on marine ecosystems and coastal communities.

Key Words: Port State Control, Inspection, Safety net, MoUs, Foreign Ports.

ΠΕΡΙΛΗΨΗ

Προκειμένου να διασφαλιστεί η ασφάλεια και η αξιοπλοΐα στα πλοία πραγματοποιούνται τακτικοί έλεγχοι και επιθεωρήσεις. Καθώς οι κανονισμοί στη ναυτιλία γίνονται κάθε χρόνο αυστηρότεροι, τα ποντοπόρα πλοία οφείλουν να υποβάλλονται σε μια σειρά επιθεωρήσεων για να πληρούν τις ελάχιστες απαιτήσεις για τη συνέχιση της ναυσιπλοΐας. Ο κύριος στόχος της παρούσας διατριβής είναι να αναλύσει τις εξωτερικές επιθεωρήσεις που πραγματοποιούνται στα πλοία για τη διασφάλιση της ασφάλειας του πλοίου, του πληρώματος, των λιμένων και της προστασίας και βιωσιμότητας του περιβάλλοντος. Οι κύριοι τύποι επιθεωρήσεων είναι οι εξής: οι Επιθεωρήσεις του Κράτους Σημαίας, ο Κρατικός Έλεγχος Λιμένα, το Vetting, ο Νηογνώμονας, το TMSA και τα Green Awards. Η έμφαση θα δοθεί στη διαδικασία κρατικής επιθεώρησης του κράτους λιμένα, πότε, πώς και γιατί οι χώρες επισημοποίησαν τη διαδικασία αυτή, καθώς και στις γενικές έννοιες που τη διέπουν. Αυτές οι επιθεωρήσεις σχεδιάστηκαν για να συμπληρώσουν την εφαρμογή της σημαίας του κράτους μέλους, αλλά η εμπειρία έχει δείξει ότι μπορεί να είναι πολύ επιτυχείς. Οι αρχές των κρατικών ελέγχων λιμένα από διάφορες χώρες υπογράφουν Μνημόνια Συνεργασίας για τη δημιουργία ενός πλαισίου συνεργασίας και συντονισμού κατά την επιθεώρηση πλοίων με ξένη σημαία που επισκέπτονται τα λιμάνια τους. Μέσω της συνεργασίας και της ανταλλαγής πληροφοριών, οι αρχές των κρατικών ελέγχων λιμένα μπορούν να στοχεύουν αποτελεσματικότερα τα σκάφη υψηλότερου κινδύνου και να διασφαλίζουν τη εφαρμογή των διεθνών ναυτιλιακών κανονισμών. Ο έλεγχος του κράτους του λιμένα λειτουργεί ως δίχτυ ασφαλείας για τον εντοπισμό των πλοίων χαμηλής ποιότητας. Ο έλεγχος από το κράτος λιμένα διαδραματίζει κρίσιμο ρόλο στη διαφύλαξη του θαλάσσιου περιβάλλοντος, διασφαλίζοντας ότι τα πλοία τηρούν τους διεθνείς περιβαλλοντικούς κανονισμούς και πρότυπα κατά την επίσκεψή τους σε ξένους λιμένες. Με την απόδοση ευθυνών στα πλοία που δεν συμμορφώνονται, συμβάλλει στην ελαχιστοποίηση των επιπτώσεων των ναυτιλιακών δραστηριοτήτων στα θαλάσσια οικοσυστήματα και τις παράκτιες κοινότητες.

Λέξεις κλειδιά: Έλεγχος κράτους λιμένα, επιθεώρηση, δίχτυ ασφαλείας, Μνημόνια συννενόησης, ξένα λιμάνια.

1. INTRODUCTION

1.1 HISTORICAL DEVELOPMENT

Ships have long been examined in various ways by port authorities across the globe, but such inspections were first carried out in a systematic manner with precise norms and regulations following the adoption of the Paris Memorandum of Understanding in July 1982.The origins of port state control inspections in their current form may be traced back to 1978 and the grounding of the “Amoco Cadiz”(tanker) off the coast of Brittany. The grounding resulted in the spill of about 220.000 tons of crude oil, which wreaked havoc on the ecosystem. The catastrophe was attributed to poor monitoring of the ship's mechanical condition, insufficient crew training, and inadequacies in what is known as safety management on board. The event sparked a massive public uproar calling for considerably tighter regulatory measures to ensure the safety of all local ships as well as foreign flagged vessels. This public pressure eventually resulted in the signing of a memorandum of understanding on port state management by fourteen European countries in Paris in January 1982. The Memorandum of Understanding went into effect on July 1, 1982, and it covered the safety of life at sea, ship pollution prevention, as well as living and working conditions on board.

According to International Law, the shipowner/operator bears the obligation for complying with the provisions of international treaties, but the flag state administration bears the responsibility for enforcing compliance, a challenging undertaking. This is especially true when a ship does not visit the flag state's ports on a regular basis. This difficulty, while mitigated in part by assigning inspectors at foreign ports and/or authorizing recognized organizations (classification societies) to work on the administration's behalf, remains.

It was resolved to conduct unannounced inspections of foreign flagged commercial ships calling at ports of the Paris MoU member nations to help administrations in assuring continuous oversight of the ship's compliance with international agreements and to supplement the steps already taken by the flag state. The PSC inspections were a success, as the number of ships with major flaws fell year after year. Recognizing this accomplishment, the IMO required its members to adopt regional agreements comparable to the Paris MoU in 1991. Such regional agreements, sometimes known as "MoUs," ensure that as many ships as possible are examined without being slowed down by superfluous inspections. These are now the regional accords in place throughout the world, with the United States maintaining its own. These MoUs are:

- Paris MoU (Europe and the north Atlantic region)
- Tokyo MoU (Asia and the Pacific region)
- Acuerdo de Vina del Mar MoU (Latin America region)
- Caribbean MoU (Caribbean region)
- Abuja MoU (West and Central Africa region)

- Black sea MoU (Black sea region)
- Mediterranean MoU (Mediterranean Region)
- Indian Ocean MoU (Indian Ocean Region)
- Riyadh MoU(Kingdom of Bahrain, State of Kuwait, Sultanate of Oman, State of Qatar, Kingdom of Saudi Arabia and United Arab Emirates)
- The United State Coast Guard maintains the tenth PSC regime.

I. WORLD-WIDE PORT STATE CONTROL

Source: Port State Control A three-tiered approach Dr. Raphaël Baumler World Maritime University Malmö - Sweden

A diagram of the world with nations participating in Port State Control highlighted. Signatories of the Paris MOU are in blue, while signatories of the Tokyo MOU are in red. Both Canada and Russia are signatories to both: Canada's Atlantic ports and Russia's Baltic ports comply with the Paris MOU, while both Canada's

and Russia's Pacific ports comply with the Tokyo MOU.

1.2 PORT STATE CONTROL

According to IMO official website “Port State Control (PSC) is the inspection of foreign ships in national ports to verify that the condition of the ship and its equipment comply with the requirements of international regulations and that the ship is manned and operated in compliance with these rules. Many of IMO's most important technical conventions contain provisions for ships to be inspected when they visit foreign ports to ensure that they meet IMO requirements.” (IMO, n.d.). In order to adhere to the international rules and conventions set forth by maritime authorities, all vessels operating in international waters are required to maintain specific standards. Achieving this standard necessitates collaborative efforts among the states, the shipping company and the ship's master (the term "ship master" refers to the individual who holds the highest rank and assumes overall responsibility for the safe and efficient operation of a vessel, typically a ship or a boat. The ship master is also commonly known as the "captain" or "master mariner"). To ensure that the condition of foreign ships is well above the acceptable level, ships are inspected when calling at international ports. This inspection of foreign ships is called port state control (PSC).

In order to protect the marine environment and to promote the safety of life and property at sea with regard to oceangoing ships, a number of international standards and conventions, including the SOLAS Convention, MARPOL Convention (MARPOL is a significant international treaty designed to prevent marine pollution from ships by regulating the discharge of pollutants into the sea, including oil, chemicals, sewage, and garbage) and the International Load Line Convention, have been put into place. Although it is the fundamental duty of the flag State and the ship's owner to see that these requirements are followed, flag state oversight is frequently insufficient. The crews of ships and other parties frequently lack the necessary skills and experience, which can all-too-often have a negative effect on safety. With the main goals of enhancing ship safety and getting rid of subpar ships, PSC was established as a proactive complement to the role of flag States. Once a ship has arrived in port, this entails conducting inspections of a variety of aspects, such as the safety of people and property onboard, the prevention of pollution by the ship, and the living and working conditions onboard.

The national authorities in a port state will monitor all ships sailing outside territorial waters to ensure that the ship's equipment and state of repair comply with international conventions. A ship must be manned and operated in accordance with these regulations. Port state control officers (PSCOs) who are representatives of each nation's national port authority conduct inspections. Numerous IMO conventions include clauses requiring ships to undergo inspections when they dock in foreign ports to make sure they comply with IMO regulations. Detentions may result from disobedience. IMO resolution A.1052(27) (Revised Guidelines for the Onboard Operational Use of Shipborne Automatic Identification Systems

(AIS)) contains instructions on how port state control should be conducted(Installation of Maintenance, Transmitting information, Privacy and Security, Training and awareness, Compliance and Enforcement). The goal of the resolution is to ensure consistency in how these inspections are conducted and to acknowledge.

The types of inspections are: initial inspection, more detailed inspection, expanded inspection and concentrated inspection campaign.

1.2.1 INITIAL INSPECTION

A port state control inspection on board a ship typically kicks off with at the very least a review of the ship's credentials. The PSCO will perform a general visual inspection to ensure that the overall state of the ship reflects a good standard of maintenance, in addition to verifying the validity of the pertinent certificates and other documents. The ship's various equipment, the navigational bridge, the decks, including the forecastle, the cargo holds and areas, the engine room, and the pilot transfer arrangements will all be subject to a visual inspection. The PSCO will provide the ship's master with a clean inspection report (form A) if it is determined that the ship is complying. The inspection report will include a deficiencies found section if any deficiencies have been found. The PSCO will begin a more thorough inspection while taking into account the instructions in IMO Resolution A.1052(27) if it becomes clear during the initial inspection on board that the ship, its equipment, or its crew do not substantially comply with requirements. The information about the specific ship, along with the findings of the inspection, will be stored in the main database. Each MoU has its own database, to provide an example, Lisbon, Portugal is home to the Paris MoU database.

Clear grounds

In case, during the initial inspection, a Port State Control Officer (PSCO) has substantial reasons to suspect that the ship's condition or its equipment significantly deviates from the details in the certificates or that the master or crew lack familiarity with critical shipboard procedures, a more comprehensive inspection will be conducted. The PSCO should promptly inform the master of the evident grounds for the extended inspection. Upon notification, the master may then request their presence on board by contacting the relevant staff or, where appropriate, the recognized organization responsible for issuing the certificate.

Examples of circumstances that could be deemed to be "clear grounds" to conduct a more thorough inspection are given in IMO Resolution A. 1052(27), *the Procedures for port state control*."Clear grounds" to carry out more thorough inspections consist of:

- the lack of essential components or arrangements required by the relevant standards
- evidence that a certificate or certificates are obviously invalid from a review of the ship's certificates.

- evidence that the necessary paperwork is not on board, is missing, is not maintained, or is falsely maintained.
- evidence of severe hull or structural deterioration or flaws that could jeopardize the ship's structural, watertight integrity.
- evidence of serious flaws in the navigational, pollution prevention, or safety equipment
- information or proof that the master or crew are not knowledgeable about crucial shipboard procedures related to ship safety or pollution prevention, or that these procedures have not been carried out.
- signs that certain members of the crew may be unable to communicate with one another or other passengers.
- the sending of erroneous distress signals without using the appropriate cancellation techniques
- receiving a report or complaint mentioning that a ship seems to be below par.

This list is not all-inclusive, and the PSCO may discover additional circumstances that meet the definition of "clear grounds".

1.2.2 MORE DETAILED INSPECTIONS

A more detailed inspection will look at the ship's design, equipment, crewing, and living and working environments. It will also go much further than a visual inspection in ensuring compliance with on-board operational procedures. Its goal is to examine all PSCO-identified aspects of the crew conditions and the ship's overall condition. The length of more thorough inspections will depend on the amount of time available, the shortcomings discovered during the initial inspection, the number of PSCOs present, and other elements. The inspection will concentrate on the primary areas of concern, but it frequently extends to ensure that the crew can perform essential shipboard tasks. A control on adherence to on-board operational requirements may be included in the control procedures if the PSCO has reason to believe that the crew exhibits insufficient proficiency in that area. As a general rule, inspections shouldn't cause a ship to be delayed, interfere with cargo operations, or otherwise affect activities that might be deemed risky. Such issues ought to be brought up by the master to the PSCO. It is advised that the master always maintains a friendly and helpful attitude when interacting with the PSCO.

1.2.3 CONCENTRATED INSPECTION CAMPAIGN (CIC)

PSC regimes discovered there are particular areas in which serious deficiencies are repeatedly observed while analyzing the data collected during PSC inspections. Nearly all MoUs decided to start Concentrated Inspection Campaigns (CIC), which concentrate on these areas and will be in addition to the regular PSC inspection, in order to address this issue and ensure compliance with new Convention

requirements that may have recently come into force. These campaigns are carried out concurrently with a PSC inspection and typically employ a different additional checklist that focuses on the particular CIC campaign item. The CIC lasts for two to three months on average, and it is not unusual for the parties to the different MoUs to work together and start a CIC on the same topic. A port state control regime may decide to inspect foreign ships in its ports on its own initiative, at another party's request or based on information about the ship provided by that party, a crew member, a professional body, an association, a trade union, or any other person interested in the safety of the ship, its crew, and passengers, or the preservation of the marine environment. It is challenging for a ship to make special preparations for an inspection because PSC inspections are unannounced. Therefore, a ship should always be ready for an inspection. Previous inspection campaigns have concentrated on the following areas MLC, 2006, Structural Safety and Load Lines, Cargo Securing Arrangements, Tanker Damage Stability, Crew Familiarization for Enclosed Space Entry, Harmful Substances Carried in Packaged Form, STCW Hours of Rest, Lifeboat, Launching Arrangements, Propulsion and Auxiliary Machinery, Safety of Navigation, Fire Safety Systems and ISM Code.

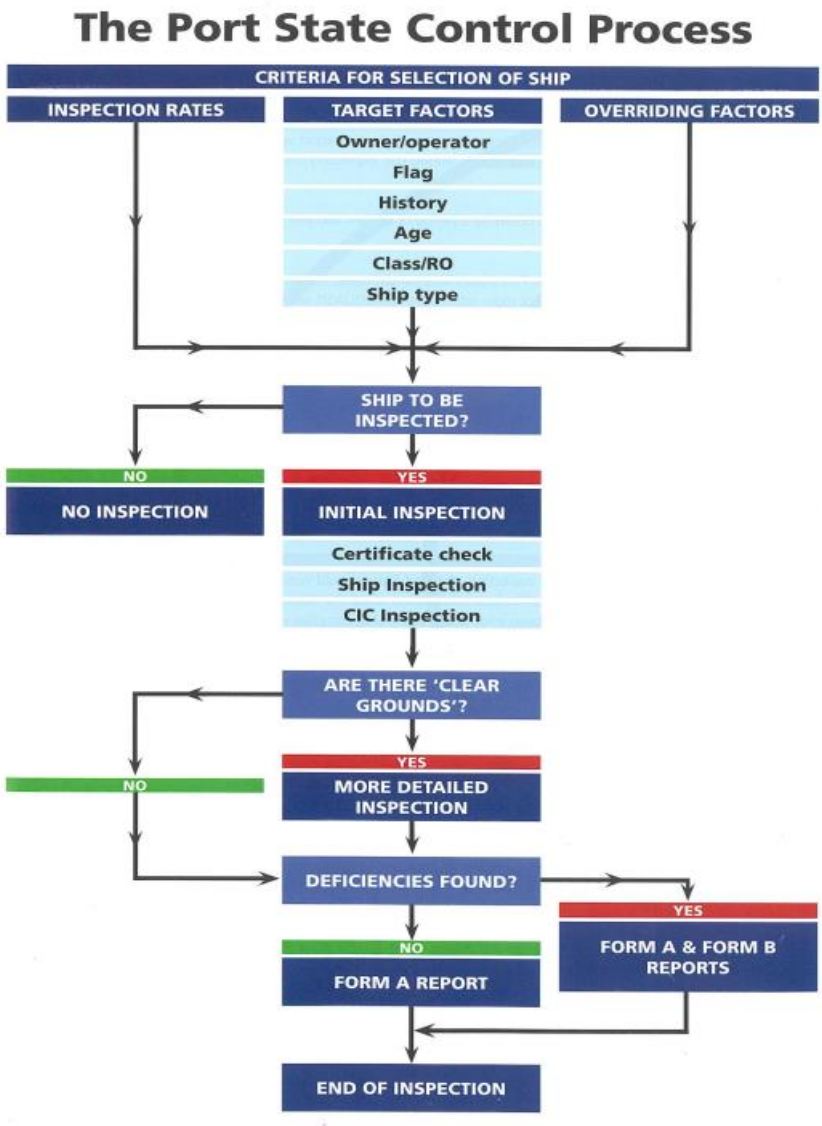
The Tokyo and Paris Memoranda of Understanding (MoU) on Port State Control Member Authorities will jointly initiate a Concentrated Inspection Campaign (CIC) focused on Fire Safety. This initiative serves two primary purposes: Raising awareness among ship crews and owners regarding the significance of fire safety measures. Ensuring that vessels adhere to fire safety regulations stipulated in the relevant International Maritime Organization (IMO) instruments. The duration of this inspection campaign spans three months, commencing from September 1, 2023, and concluding on November 30, 2023. The campaign will specifically scrutinize aspects related to fire safety in conjunction with the routine Port State Control inspections. Each ship will undergo a single inspection as part of this CIC during the campaign period. Port State Control Officers (PSCOs) will employ a predefined questionnaire to evaluate compliance with fire-fighting systems and equipment requirements. They will also assess the familiarity of the ship's master and crew members with fire safety operations and verify the proper maintenance and functioning of equipment.

In instances where deficiencies are identified, actions taken by the port State may vary. This could range from recording the deficiency and instructing the ship's master to rectify it within a specified timeframe to detaining the vessel until serious deficiencies have been addressed. In cases of detention, the Tokyo and Paris MoU websites will feature the publication of the ship's details in their monthly detention lists. The outcomes of the campaign will be meticulously analyzed, and the findings will be presented to the governing bodies of both MoUs, with the possibility of submission to the International Maritime Organization (IMO).

1.2.4 THE PORT STATE CONTROL INSPECTIONS

A Port State Control regime may decide to inspect foreign ships in its ports on the following grounds: the initiative of the port state itself; a request from, or based on information about, a ship provided by another party; information about a ship provided by a member of the crew; a professional body, an association, a trade union, or any other person with an interest in the safety of the ship, its crew, and passengers; or the protection of the marine environment. It is challenging for a ship to make special preparations for an inspection because PSC inspections are unannounced. Therefore, a ship should always be ready for an inspection. The flowchart shows an overview of the Port State Control inspection procedure.

II. THE PORT STATE CONTROL PROCESS



Source: Guide to Port state Control, NYK Intertanco, p. 17

1.3 PORT STATE CONTROL INSPECTIONS REPORTS

After an inspection, the Master should be given a report outlining any findings and a list of any corrective actions that need to be taken by the Master or company. If there were no deficiencies found during the inspection, the report will be given in "Form A." If the PSC found any deficiencies during the inspection, "Form B" will be included with "Form A" in the report. Future Port State Control inspections should have access to these reports, which should be kept on board for at least two years. These reports will be entered into the internal database of the Port State, the database of the MoU, and the databases of the MoUs that support EQUASIS.

1.4 SUSPENSION OF AN INSPECTION

The PSCO may decide to halt the inspection in exceptional cases where a more thorough inspection reveals that a ship's general condition, its equipment, and the crew's living conditions are obviously subpar. This implies that the PSCO had to have noted detainable deficiencies before suspending an inspection. The suspension would remain in effect until the PSCO-identified deficiencies were fixed and the ship complied with the relevant instruments as directed. If an inspection is suspended, the Port State must immediately inform the Flag State of the suspension. This notification should state that the inspection is suspended until that authority has been notified that the ship complies with all pertinent requirements and should include details about the detention.

1.5 PROFESSIONAL QUALIFICATIONS AND CONDUCT OF PSCOS

The standards of integrity, professionalism, and transparency that all PSCOs involved in or connected to Port State Control inspections shall adhere to are set forth in all MoUs as a Code of Good Practice. All of these codes of good conduct adhere, in whole or in large part, to the standards set forth by port state control officers. PSCOs who meet the Port State's qualifications and approval must conduct a PSC inspection. The PSCO should be a seasoned officer with Flag State surveyor certification who can speak English with the crew. A PSCO is required to carry a personal identification card, which the Port State has issued and which certifies the PSCO's authority to conduct the Port State Control inspection.

1.6 TARGETING FACTORS

PSC authorities use targeting factors to ensure that inspections are concentrated on those ships thought to be below standard and set targets on inspection rates to ensure a minimum but indicative number of ships are inspected.

	III. TARGET INSPECTION RATE
Paris MoU	The Scope, frequency and priority of inspections are determines on the basis of a ship's risk profile
Vina del Mar Agreement	20% six-month inspection rate per country
Tokyo MoU	80% annual regional inspection rate
Caribbean MoU	15% annual inspection rate per country within 3 years
Mediterranean MoU	15% annual inspection rate per country within 3 years
Indian Ocean MoU	10% annual inspection rate per country within 3 years
Abuja MoU	15% annual inspection rate per country within 3 years
Black Sea MoU	75% annual regional inspection rate
Riyadh MoU	15% annual inspection rate per country within 3 years
USCG	100% annual inspection rate per vessel, safety risk and ISPS risk matrix applied to all arriving ships

(source IMO)

Port states make use of a variety of techniques to find suitable ships for inspection. These include regional and national reporting protocols that aid in locating and mapping ship movements in the area. International databases like EQUASIS, to which most MoUs are linked, provide historical inspection data on all seagoing ships, while regional databases like the Thetis database of the Paris MoU help regional members identify which ships are eligible for inspection in accordance with the specific regional MoU rules.

The MoUs recognized that there are some specific characteristics that can help identify ships whose operation in their territorial waters is considered a risk as the concept of PSC inspections matured over time. Criteria were created using these specific traits to determine which ships should be chosen for inspection. These qualities include ship type (some ships may pose a special risk due to the nature of their

cargo), ship age (some MoUs target older ships), and ship flag (ships of flag states whose detention ratios exceed the average detention ratios of all flag states can expect to be especially targeted). Additionally, the Classification Society, the ship's prior histories and the owner (detention and deficiencies of every ship in a fleet owned by a company). These traits are thought to have a direct impact on how well a ship performs and is maintained. Methodologies for MoUs have been developed using scoring systems that give each of the identified criteria a score and produce a targeting factor. The Paris MoU assigns ships an overall targeting factor, whereas the US Coast Guard (USCG) has developed a boarding priority matrix for the purpose of calculating a targeting factor. Different regimes have different systems. The websites for each Port State region provide information on the targeting criteria they employ.

1.7 OVERRIDING FACTORS

A ship may be targeted for inspection for a variety of other reasons that can take precedence over the targeting regime, independent of the aforementioned targeting factors. These are referred to as overriding factors. Additionally, overriding factors may allow the inspector to conduct a more thorough inspection right away. The following overriding factors, for instance, are listed in the Paris MoU as being serious enough to warrant an additional inspection. Depending on how serious the overriding factor is, additional inspections may be either more in-depth or expanded inspections. Some serious overriding factors are ships reported by another member state, ships involved in a collision, grounding, or other incident while en route to port, ships accused of allegedly violating the rules regarding the discharge of hazardous materials or effluents, ships that have been maneuvered in an unsafe or erratic way that violates IMO routing regulations or safe navigational practices, and ships that have been suspended from service or removed from their class.

After an inspection, the Master should be given a report outlining any findings and a list of any corrective actions that need to be taken by the Master or company. If no flaws were found during the inspection, "Form A" of the report will be given. The report "Form A" will also include Form B if the PSCO noted any deficiencies during the inspection. Future Port State Control inspections should have access to these reports, which should be kept on board for at least two years. These reports will be entered into the internal database of the Port State, the database of the MoU, and the databases of the MoUs that support EQUASIS.

The PSCO may decide to halt an inspection in exceptional cases where a more thorough inspection reveals that the general state of a ship, its equipment, and the crew's living conditions are obviously subpar. This implies that the PSCO had to have noted detainable deficiencies before suspending an inspection. The suspension would last until the PSCO's findings were corrected and the ship met the specifications of the pertinent instruments, as specified. If an inspection is put on hold, the port state must immediately inform the flag state of the suspension. This notification should state that the inspection is suspended until that

authority has been notified that the ship complies with all pertinent requirements and should include details about the detention.

1.8 DEFICIENCIES AND DETENTIONS

A deficiency will be issued if the PSCO discovers during an inspection that a ship is not in compliance with a convention's requirements. If the PSCO decides a ship is unsafe to sail or has serious deficiencies, the ship will be detained.

Deficiencies

A master must make sure he fully comprehends the PSCO's justification of the deficiencies mentioned in the report and the steps that must be taken to address these deficiencies in the timeframe specified using Form B. This is crucial if a deficiency results in a detention. The deficiencies as they are listed on the Port State Control (Form B) should be accurately reflected in the PSCO's explanations. This is crucial if a deficiency results in a detention. The deficiencies as they are listed on the Port State Control report (Form B) should be accurately reflected in the PSCO's justifications. The Master should clarify any discrepancies before accepting the report. If the deficiencies relate to statutory survey items, in particular if the ship is impounded, the master should notify his company ashore and contact the classification society. Classification Societies are typically authorized to handle statutory surveys on behalf of the flag state.

Typically, there are three ways to address deficiencies. However, the Master should make an effort to fix any issues as soon as possible, ideally before the ship sets sail. Before the ship sets sail, fix deficiencies. Before the ship departs, the PSCO could inspect. In the following port, fix any deficiencies. Next port will be notified by PSCO. Correct deficiencies in 14 days or, if they are related to ISM, in 3 months. Note, that these deficiencies will be marked as outstanding, and the ship can anticipate being the focus of future inspections. If the ship has been given permission to sail despite deficiencies not having been fixed, the Master must take the necessary steps to fix them within the predetermined time frame. Reports on deficiency rectification should be returned to the port state conducting the inspection or to a regional PSC regime for their records. For official closure in the PSC report, the correction of deficiencies will be verified by a Port State Authority of the same MoU.

Detentions

A PSCO will almost certainly decide to detain a ship if it finds that a deficiency poses a risk to the environment or could seriously jeopardize the safety of the ship or its crew. If issued, a detention order would outline the conditions under which the ship could be released from detention. A ship being detained is a serious matter. To rectify the situation and hasten the release of the vessel, the Master should communicate with his crew on land and any other interested parties. It should be noted that the ship may

be responsible for paying any expenses the Port State incurs in order to re-inspect the ship. No detention order should be issued due to such accidental damage if a ship arrives at a port with any equipment malfunctioning, missing, or damaged, or with any damage to the ship that may have happened on the ship's passage to that port, provided that a notification has been made to the Flag State Administration, the designated surveyor, or the Recognized Organization. The Master or Company has informed the Port State Authority of the details of the accident, the damage incurred, and the information regarding the required action from the Flag State Administration/Recognized Organization prior to entering a port.

Additionally, the ship is taking the necessary corrective action to the satisfaction of the port state authority, and after being informed that the corrective action has been completed, the port state authority has made sure that "deficiencies" that were obviously dangerous to safety, health, or the environment have been fixed. The Master is responsible for making sure that the deficiencies that result in a detention and the steps necessary to fix them are fully understood. The Master may ask for the ship to sail to another port or a suitable repair yard in exceptional cases where deficiencies that result in a detention cannot be repaired or rectified in the port of inspection.

Such requests will have to be made in coordination and cooperation with the Flag Administration and Class Society, who will provide the necessary regulatory support. The Master must make sure the ship can reach its new location safely while taking into account the safety of the crew, other ships, and potential damage to the marine environment. The Port State may require written confirmation from the Flag State that corrective action has been taken to facilitate the required repairs/rectifications before permitting the ship to sail. If the ship's departure is approved, it must abide by the terms established by the flag state, the port state authority, and the ship. The inspecting Port State will immediately notify the authorities at the following Port State Authority so they can take the necessary action.

According to Paris MoU Annual Report there were 17,289 inspections conducted in total in 2022. Similar to what it was in 2019: 17,908. The inspections conducted in 2020 (13,168) and 2021 (15,401) demonstrate a return to normalcy. A ship will be impounded until the deficiencies are fixed if they pose a clear risk to the working or living conditions on board, or to the safe and environmentally friendly operation of ships. In order to account for the fact that some ships are detained more than once a year, detention rates are expressed as a percentage of the total number of inspections rather than the total number of individual ships inspected.

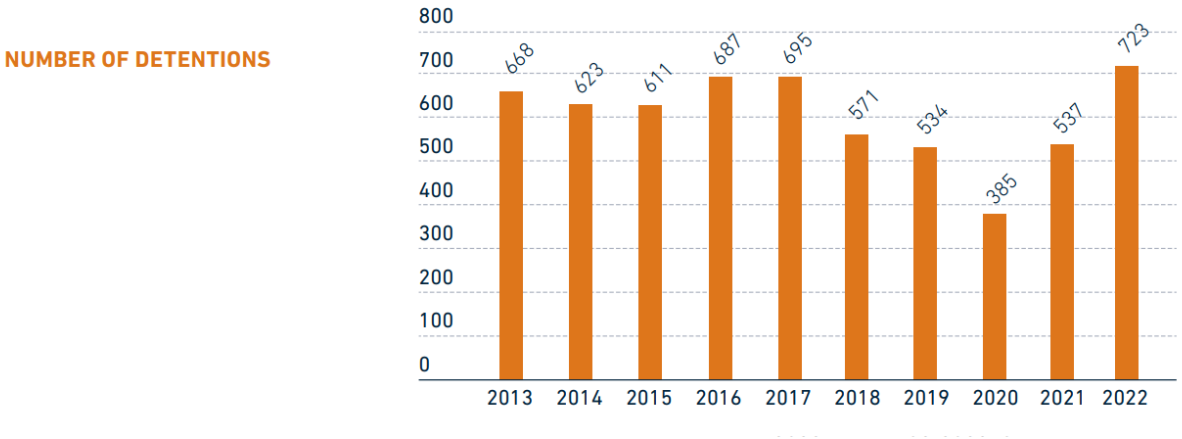
The number of detentions has significantly increased from 534 to 723 detentions compared to 2019. This increase causes the detention percentage to rise significantly to 4.18%, the highest proportion in ten years.

In terms of ship types, the top 3 detention rates in 2022 were tugs, 6.5%, general cargo/multipurpose ships, 6.8%, and livestock carriers, 7.9%. With only 1 detention out of 8 inspections, the category of tankers carrying toxic liquid substances (NLS tankers) shows a 12.5% failure rate. Only 1 detention out of 14

inspections results in a percentage of 7.1% for the general category "other."

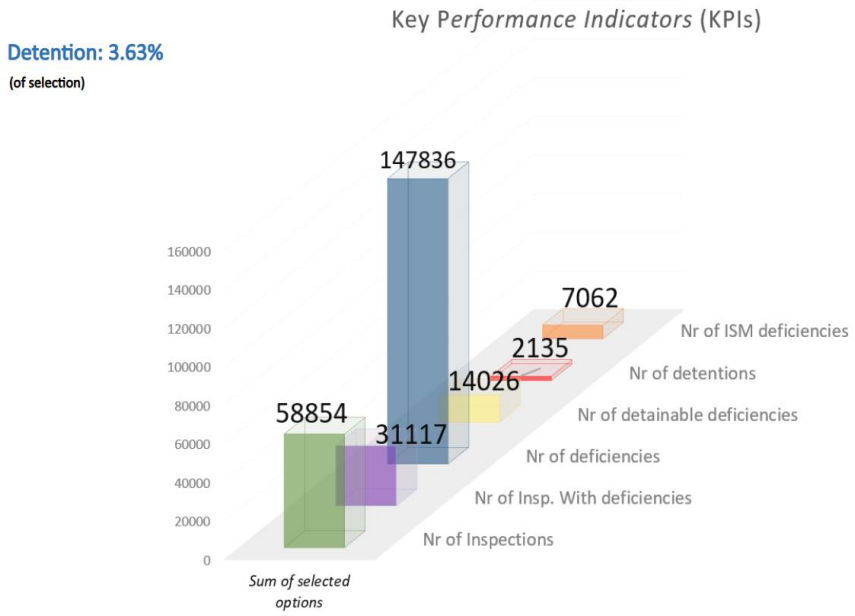
With a total of 87 detentions in 2021, Novorossiysk, Russia, emerged as the most challenging port. Antwerp, Belgium, with 35 detentions, and Port Hedland, Australia, with 29 detentions, were the second and third ports in terms of the total number of detentions.

IV. NUMBER OF DETENTIONS FOR 2022



Source: Paris MoU, Port State Control 40 years of harmonisation Annual Report 2022, p. 22

V. INSPECTIONS RESULTS, KPI'S (2020-2023)



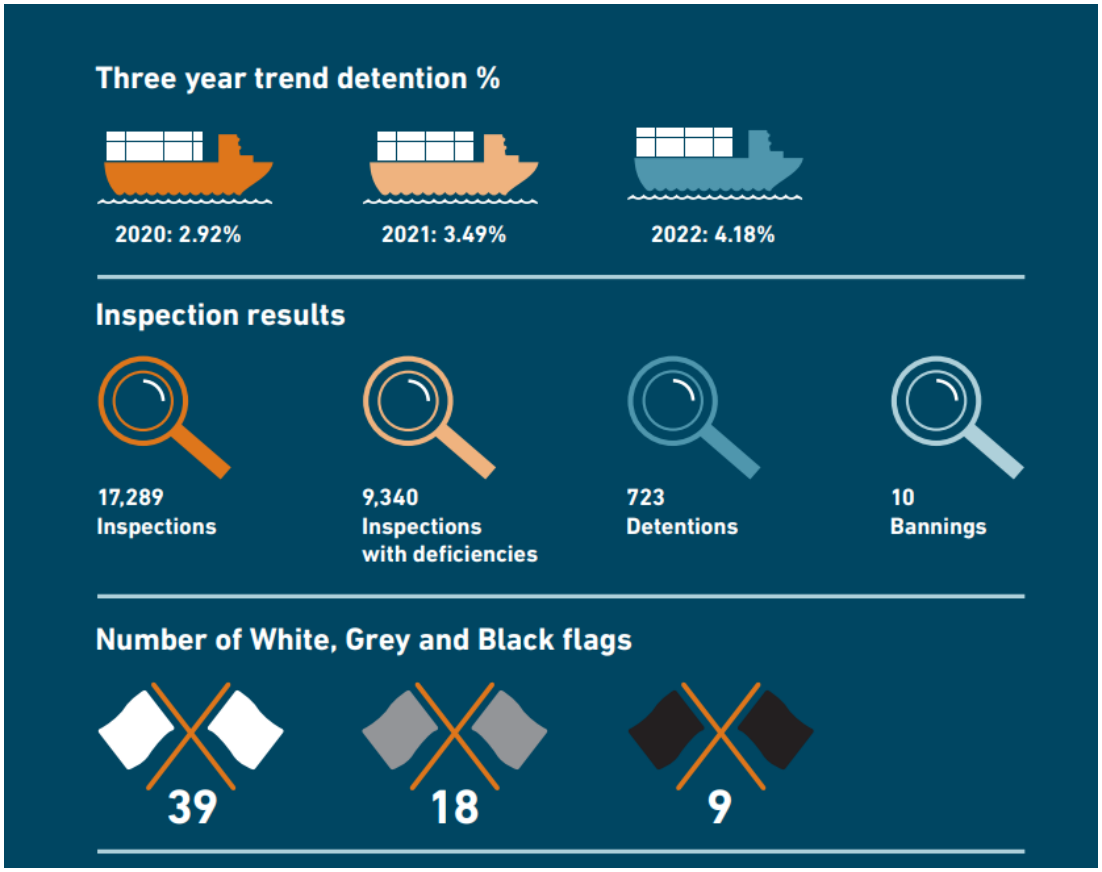
	Nr of Inspections	Nr of Insp. With deficiencies	Nr of deficiencies	Nr of detainable deficiencies	Nr of detentions	Nr of ISM deficiencies
Sum of selected options	58854	31117	147836	14026	2135	7062

Source: Paris MoU

In the above chart, we observe, for the years 2020-2023, for all types of vessels and all flags, the following metrics: the number of inspections, the inspections with deficiencies, the number of deficiencies,

the number of detainable deficiencies, the number of detentions, and the number of ISM (International Safety Management) deficiencies.

VI. THREE YEAR TREND DETENTION



Source: Paris MoU, Port State Control 40 years of harmonisation Annual Report 2022, p. 7

Detention appeals

The PSCO should also notify the Master of the ship's right to appeal a detention order when one is issued. A detention may be appealed by the Master or a company representative. It should be noted that filing an appeal won't result in the detention being suspended right away. Each MoU specifies the detention process for appealing a decision. Alternatively, the Master or company may appeal the detention order directly with the Port State using the official national procedure, if one is available. It should be noted that some Port States have a shorter appeals window than what is specified in the MoU. As a result, the Master or company will have to choose between appealing to the Port State and the MoU. In some cases, it might be possible to appeal to the MoU after first appealing to the Port State. It should be noted that a detention order usually won't automatically be lifted after an appeal.

1.9 GENERAL GUIDE TO MASTERS

Expect an inspection to be conducted and the ship to be ready because Port State inspections are unexpected. Port State Authorities schedule inspections differently depending on the target area and regional requirements. The ship may not be inspected for a number of reasons. For example, the port may not be in a convenient location for the PSCO to travel, such as a remote or private terminal, or the ship's schedule may not fall within the inspection window due to right time or holidays. The last PSC inspection might have taken place less than six months ago, or the ship's risk profile might not fit the targeting matrix.

1.9.1 PREPARATION FOR A PSC INSPECTION

The following recommendations ought to be incorporated into a ship's routine working procedures to guarantee that it is always prepared for an inspection. The appropriate statutory certificates must always be on hand for inspection by the Master. The Master should make sure that the Maritime Labour Convention is properly addressed and that procedures and records for managing hours of work and rest are in place and open for inspection. On port state control inspections, a number of organizations, including P&I clubs, have released guidelines and checklists. Companies should also publish their own checklists and procedures for the crew members of ships to follow. No matter the procedures or checklists that are used, the Master should make sure that the checklists are double-checked. Companies should make sure the checklist provided by the Memorandum of Understanding (MoU) for that CIC is available on board and that these are duly completed if the port or region is subject to an ongoing Concentrated Inspection Campaign (CIC). It should be remembered that the local community, as well as the geographical and/or political situation with regard to environmental issues, may influence the focus areas for specific Port States. As a result, you might need to pay close attention to the Polar Code or Low Sulphur regulations.

1.9.2 THE PSC INSPECTION PROCESS

A PSCO should carry an identity card issued by the Port State to identify the authority to conduct the Port State Control inspection. A PSCO should also be an experienced officer qualified as a Flag State surveyor and be able to communicate with the crew in English. In keeping with the ISPS Code, ship staff, specifically the gangway watch, should courteously request and examine the PSCOS identification and inform the PSCO of the company's needs in the event of an emergency and the use of personal protective equipment (PPE). Any bags carried by the PSCO should have their contents declared, and the gangway watch should inspect them. After that, the PSCO should be led to the Master. The Master and crew must always act in a professional manner.

A preliminary meeting between the Master and the PSCO, as well as any other pertinent officers and/or crew members, is recommended. It is at this meeting that the Master should obtain a general

understanding of the PSCO's plans for conducting the inspection, which will help the Master plan and allocate resources for the inspection. The ship's certificates and documentation are vetted during the initial inspection. The next step is a visual inspection of areas crucial to the ship's safe operation so that the PSCO can determine whether the ship is in compliance with those certificates and assess the general state of the ship, its equipment, and its crew.

A more thorough inspection is conducted if certification is invalid or if there are compelling reasons to believe that the ship, its machinery, or its crew may not be substantially in compliance with the relevant Convention requirements. Reports of prior Port State inspections and the correction of any deficiencies (if any) should also be easily accessible to the PSCO. The Master should make arrangements for requested equipment to be prepared for the inspection and operated if necessary while the PSCO examines the ship's paperwork and certificates.

A PSC inspection should not include any other inspections, such as ship vetting, audits, or Class surveys. The Port State inspection needs to receive your undivided attention. The ship's manning levels, current operations, and any other concerns that might compromise the safety of the ship should all be taken into consideration by the Master during the inspection. The Master should additionally talk about and clarify to the PSCO the effects of any ongoing operations, such as testing of the emergency equipment, that might have an impact on the inspection. Depending on the ship's characteristics and the ongoing activities, certain tests and exercises, such as the testing of Emergency Shut Down systems, might not be feasible. This information must be communicated clearly to the Port State Control Officer (PSCO) during the initial meeting. The Captain has the authority to intervene if the inspection poses a safety risk to the crew or the ship's secure operation.

In the opening meeting, the Captain may be asked to verify if all equipment on the ship is functioning properly and if there are any known issues. If the Captain affirms that all equipment is in good working order and the ship is fit for sea, any deficiencies discovered that were not previously communicated to the PSCO will be recorded as such, along with the appropriate code.

It's important to note that it is not mandatory to have all crew members on board to facilitate a Port State Control inspection. According to Regulation 2.4.2 of the Maritime Labour Convention (MLC) 2005, seafarers are entitled to shore leave for their well-being and in accordance with their job requirements. Therefore, planning crew shore leave should ensure that there are enough personnel on board to safely operate the ship during both regular activities and inspections.

The PSCO should always be accompanied during the visual inspection of the ship by a responsible officer. The officer must have a thorough understanding of the ship and the necessary keys to enter any potentially restricted areas. It is advised to assign a second crew member to help the visual inspection proceed smoothly. Any questions the PSCO may have that may result in potential deficiencies should be directed to the officer for clarification. If the escorting officer has any questions, they should ask the Master

to answer them. When conducting the inspection, the PSCOs are expected to use their professional judgment in deciding the scope of the inspection and the steps that must be taken in response to any found deficiencies. Any discrepancies discovered during the inspection must be discussed right away with the ship's staff, and if it is possible, the problem should be fixed right away.

1.9.3 CONCLUDING AN INSPECTION

After the inspection is finished, a closing meeting is required to be held. During the first meeting, this should be decided upon with the PSCO. Before completing the inspection report, the Master should discuss any findings and potential deficiencies with the PSCO and should make sure that all questions are answered. The PSCO should be given space and time to complete the report. Wherever possible, it is recommended that the opening and closing meetings take place on the Bridge.

The report includes:

1. Form A to signify that an inspection was conducted, and,
2. Form B if any errors are found.

To make sure there are no discrepancies between the report and the feedback from the ship's officers, the Master should discuss the report with the PSCO and the officers/crew that escorted the PSCO. Any shortcomings that may have been noted must be fully understood by the Master. Before the closing meeting is over, if there are any deficiencies that can be fixed, they should be done so that the PSCO can either mark them as fixed or remove them from the inspection report.

The Master should inquire about the contact information for the PSC office because it might be necessary to call the inspector back to ensure that any deficiencies have been corrected before the ship departs. To the point of disembarkation, the PSCO needs to be escorted. The Master should always act professionally and handle any disagreements regarding any noted deficiencies calmly and patiently in the event that they cannot be resolved. The Master may add his comments before signing the report, if this has been agreed upon with the PSCO. Most MoUs continue to operate a detention review panel. Therefore, a detention or observation may be appealed if the Master and/or company believe that it is unjustified.

VII. REPORT OF INSPECTION IN ACCORDANCE WITH IMO PORT STATE CONTROL PROCEDURES (FORM A)

Report of Inspection in accordance with IMO Port State Control procedures (Form A)*

(FORM A)

(Reporting authority)
(Address)
(Telephone)
(Telefax)

Copy to: Master
Head office
PSCO

If ship is detained, copy to:
Flag State
IMO
Recognised Organisation, if applicable

1	Name of reporting authority	**2**	Name of ship .....
3	Flag of ship	**4**	Type of ship .....
5	Call sign	**6**	IMO number .....
7	Gross tonnage	**8**	Deadweight (where applicable) .....
9	Year of build	**10**	Date of inspection .....
11	Place of inspection	**12**	Classification Society .....

13 Date of release from detention** .....

14 Particulars of ISM company (details or IMO Company Number)** .....

15 Relevant certificate(s)**

	a) Title	b) Issuing authority	c) Dates of issue and expiry
1	.....	.....	.....
2	.....	.....	.....
3	.....	.....	.....
4	.....	.....	.....
5	.....	.....	.....
6	.....	.....	.....
7	.....	.....	.....
8	.....	.....	.....
9	.....	.....	.....
10	.....	.....	.....
11	.....	.....	.....
12	.....	.....	.....

d) Information on last intermediate or annual survey**

	Date	Surveying authority	Place
1	.....	.....	.....
2	.....	.....	.....
3	.....	.....	.....
4	.....	.....	.....
5	.....	.....	.....
6	.....	.....	.....
7	.....	.....	.....
8	.....	.....	.....
9	.....	.....	.....
10	.....	.....	.....
11	.....	.....	.....
12	.....	.....	.....

16	Deficiencies	No	Yes (see attached FORM B)	
17	Penalty imposed	No	Yes	Amount: .....
18	Ship detained	No	Yes ***	
19	Supporting documentation	No	Yes (see annex)	

Issuing office ..... Name .....
(duly authorised PSCO of reporting authority)

Telephone .....

Telefax ..... Signature .....

This report must be retained on board for a period of two years and must be available for consultation by Port State Control Officers at all times.

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* This inspection report has been issued solely for the purposes of informing the master and other port States that an inspection by the port State, mentioned in the heading, has taken place. This inspection report cannot be construed as a seaworthiness certificate in excess of the certificate the ship is required to carry.

** To be completed in the event of a detention.

*** Masters, ship owners and/or operators are advised that detailed information on a detention may be subject to future publication.

Source: Guide to Port state Corntrol, NYK Intertanco, p. 127-128

VIII. REPORT OF INSPECTION IN ACCORDANCE WITH IMO PORT STATE CONTROL PROCEDURES (FORM B)

Report of Inspection in accordance with IMO Port State Control procedures (Form B)

FORM B

(Reporting authority)
(Address)
(Telephone)
(Telefax)

Copy to: Master
Head office
PSCO

If ship is detained, copy to:
Flag State
IMO
Recognised Organisation, if applicable

2 Name of ship ..... **6** IMO number .....

10 Date of inspection ..... **4** Place of inspection .....

21 Nature of deficiency[1]	Convention[2]	**22** Action taken[3]
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

Name .....
(duly authorised PSCO of reporting authority)
Signature .....

1. This inspection was not a full survey and deficiencies listed may not be exhaustive. In the event of a detention, it is recommended that full survey is carried out and all deficiencies are rectified before an application for re-inspection is made.
2. To be completed in the event of a detention.
3. Actions taken include, i.e.: ship detained/released, Flag State informed, Classification Society informed, next port informed.

Source: Guide to Port state Corntrol, NYK Intertanco, p.129

IX. PSC CODES FOR DEFICIENCIES/DETENTION

PSC Codes for Deficiencies / Detention

Most Port State Control Authorities and MoUs list their detention/deficiency codes on their respective websites. It is therefore encouraged that these codes are checked directly with each MoU website to ensure that the information is as up to date as possible.

Deficiency Codes are publicly available and can be accessed at the following links.

MOU	Links
Tokyo	http://www.tokyo-mou.org/publications/tokyo_mou_deficiency_codes.php
Paris	https://www.parismou.org/publications-category/pmou-deficiency-codes
Black Sea	http://www.bsmou.org/downloads/reference/BS_MOU_deficiency_codes.zip

Action codes

Each deficiency is commonly given in a codified form in the inspection report, called "action code". The descriptions of "action taken" most frequently used are:

CODE 0

Definition: No action taken.

CODE 10

Definition: Deficiency rectified.

Application: This code is used when a noted deficiency has been verified by PSCO found to be rectified.

CODE 12

Definition: All deficiencies rectified.

Application: This code is used when all (not most) the deficiencies listed in the inspection report are checked and found to be rectified.

CODE 15

Definition: To be rectified at next port.

Application: This code is used when a deficiency cannot be remedied in the port of inspection. In such case, the Port State authority may allow a ship to proceed to another port, if appropriate under conditions as determined by the port of inspection.

If PSCO decides to allow rectification of a deficiency at the next port, the next port is informed immediately (code 15 + code 40).

In case the deficiency is a detainable deficiency (code 30 + code 15) and cannot be rectified in the port of detention, the code 45 (next port informed to re-detain) is used at the end of the report.

CODE 16

Definition: To be rectified within 14 days.

Application: This code is used in case of minor deficiency, which, to the professional judgement of the PSCO, is not hazardous to safety, health or the environment and does not require immediate follow-up.

CODE 17

Definition: To be rectified before departure.

Application: This code is used in case the nature of a deficiency requires rectification before the ship proceeds and the PSCO has informed the master accordingly (it is up to the professional judgement of PSCO to decide, on a case by case basis, if he has to return to the ship to check personally if the respective deficiency has been rectified).

If during a second inspection the deficiency is found to be rectified, this must be noted in the report in the following way: Draw a strike (/) through code 17 and write behind it code 10 (deficiency rectified).

If in the judgement of the PSCO the nature of the deficiency does not justify/require a second inspection. Action taken code 17 shall be a point of attention to the next port of call. Master to notify the inspecting Port State authority (in some cases via the local agent) of the rectification prior departure and keep the confirmation as evident.

CODE 18

Definition: To be rectified within three months.

Application: This code is used for ISM non-conformities related deficiencies. A non-conformity means an observed situation where the objective evidence indicates the non-fulfilment of a specific requirement.

CODE 19

Definition: Rectify major non-conformity before departure.

Application: This code is used for ISM major non-conformity. Major non-conformities have to be rectified before departure. A major non-conformity means an identifiable deviation which poses a serious threat to personnel or ship safety or a serious risk to the environment and requires immediate corrective action. Also, the lack of effective and systematic implementation of a requirement of the ISM Code is also considered a major nonconformity.

CODE 26

Definition: Competent Security Authority informed.

Application: Used to note when Competent Security Authority was informed.

CODE 30

Definition: Ship detained.

Application: This code is used when there is deficiency with clear ground for detention.

A code 30 deficiency should in principle be followed by a code 10 (deficiency rectified), to indicate that the deficiency has been rectified.

If a detainable deficiency has been rectified by a temporary or provisional repair or substitution of equipment: Code 30/80. In such case, there should be indication when a full/definitive repair is to be carried out.

CODE 35

Definition: Ship allowed to sail after detention.

Application: Used when PSCO decided that the detention can be lifted.

CODE 36

Definition: Ship allowed to sail after re-detention.

Application: When a follow-up detention is lifted, the second port has to use code 36 instead of 35, unless additional detainable deficiencies are found.

CODE 40

Definition: Next port informed.

Application: PSCO of the "next port" shall board the ship to check deficiencies to be rectified. PSCO of the "next port" may carry out an additional inspection.

CODE 45

Definition: Rectify detainable deficiencies at next port (next port to re-detain).

Application: Used in case when a second port is involved in the continuation or follow-up of a detention.

CODE 46

Definition: To be rectified at agreed repair port.
Application: Used to note the agreed rectification.

CODE 47

Definition: As in the agreed Class condition.
Application: Used to note condition received from Class.

CODE 48

Definition: As in the agreed Flag State condition.
Application: Used to note dispensation received from Flag State.

CODE 50

Definition: Flag State/ Consul informed.
Application: When a ship has been detained, the respective Port State authority shall notify the Flag State / Consul. Flag State must be notified of every individual detention.

CODE 55

Definition: Flag State consulted.
Application: Used whenever the Flag State is consulted with regard to relevant deficiencies.

CODE 70

Definition: Classification Society responsibility in case of detainable deficiency
Application: Classification Society contacted or informed about a Class-related deficiency.

CODE 80

Definition: Temporary substitution.
Application: Temporary/provisional substitution or repair of equipment or exemption granted, limit date for definitive repair must be indicated.

CODE 81

Definition: Temporary repair carried out.
Application: Temporary repair granted, limit date for definitive repair must be indicated.

CODE 85

Definition: Investigation of contravention of discharge provision (MARPOL).
Application: Self-explanatory.

CODE 95

Definition: Letter of warning issued.
Application: Self-explanatory.

CODE 96

Definition: Letter of warning withdrawn.
Application: Self-explanatory.

CODE 99

Definition: Other / Master instructed to...
Application: Code 99 is used if it is impossible to code an action taken with the existing codes.

PSC MoU Deficiency Codes

The five digits deficiency codes were implemented in January 2012 and standardised throughout the MoUs. The codes represent the area/category of the deficiency and assist in identification and analysing the area of concerns.

Source: Guide to Port state Corntrol, NYK Intertanco, p.118-120

2. PORT STATE CONTROL AND REGIONALS MoUs

The majority of nations in the world now acknowledge the value of PSC. The signing of Memoranda of Understanding, or MOUs, that aim to promote and realize more effective PSC for a given region is the result of regional cooperation among port States. In 1982, the first such pact was signed in Paris. The following table, which only includes member states, lists the MOUs that have been signed since that time regarding the implementation of PSC regimes in a total of nine global regions.

X. PSC MoUs

Name of Agreement	Member States
Paris MoU (European and North Atlantic region)	Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, Slovenia, Spain, Sweden, the United Kingdom
Tokyo MOU (Asia-Pacific region)	Australia, Canada, Chile, China, Fiji, Hong Kong, Indonesia, Japan, Republic of Korea, Malaysia, the Marshall Islands, New Zealand, Panama, Papua New Guinea, Peru, the Philippines, the Russian Federation, Singapore, Thailand, Vanuatu, Viet Nam
Latin American Agreement (Latin-American region)	Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, Guatemala, Honduras, Mexico, Panama, Peru, Republic of Dominica, Uruguay, Venezuela
Caribbean MOU (Caribbean region)	Antigua and Barbuda, Aruba, Bahamas, Barbados, Belize, Cayman Islands, Cuba, Curacao, France, Grenada, Guyana, Jamaica, the Netherlands, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago
Mediterranean MoU (Mediterranean region)	Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Tunisia, Türkiye
Indian Ocean MOU (Indian Ocean region)	Australia, Bangladesh, Comoros, Eritrea, France (La Reunion), India, Kenya, Maldives, Mauritius, Mozambique, South Africa, Sri Lanka, Sudan, Sultanate of Oman, Tanzania, Yemen
Black Sea MOU (Black Sea region)	Bulgaria, Georgia, Romania, the Russian Federation, Türkiye, Ukraine

Abuja MoU (West and Central Africa region)	Angola, Benin, Cape Verde, Republic of Congo, Cote D'Ivoire, Gabon, The Gambia, Ghana, Republic of Guinea, Guinea Bissau, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, Togo
Riyadh MoU (Arab States of the Gulf)	Kingdom of Bahrain, Kingdom of Saudi Arabia, State of Kuwait, State of Qatar, State of United Arab Emirates, Sultanate of Oman

Source: Guide to Port state Corntrol, NYK Intertanco, p.121

2.1 PORT STATE CONTROL- PARIS MOU

The organization, which consists of 27 participating maritime Administrations, manages the North Atlantic basin from North America to Europe as well as the waters of the European coastal States. Through a coordinated system of port state control, the goal is to end the operation of subpar ships. The Paris MoU ports conduct about 18000 inspections on board foreign ships each year to make sure they adhere to international safety, security, and environmental standards and provide crew members with suitable living and working conditions. The fundamental tenet of the MoU is that the shipowner or operator bears primary responsibility for adhering to the standards outlined in the international maritime conventions. The Flag State is still in charge of ensuring this compliance. The Port State Control Committee is the Paris MoU's executive body. Representatives from the 27 participating maritime authorities and the European Commission make up this group. The Port State Control Committee convenes annually or more frequently as needed. In addition to representatives of cooperating maritime authorities and other regional agreements on port state control, observers from the International Maritime Organization (IMO) and the International Labor Organization (ILO) attend meetings of the Port State Control Committee. Technical bodies established within the organization provide assistance to the Committee as it deals with policy, financial, and administrative issues. The MoU Advisory Board (MAB), in particular, oversees the Secretariat or the Paris MoU in between Port State Control Committee meetings to help the committee concentrate on key issues.

A ship risk profile (SRP) will be assigned to each ship in the information system. The scope of the inspection, the interval between inspections, and the priority of the ship will all be determined by this SRP. Risk ratings for ships are high, standard, or low. Based on general and historical criteria. The risk profile of a ship is updated every day, taking into account changes in the more dynamic factors like age, the previous 36 months of data, and company performance. Additionally, recalculation happens following each inspection and whenever the relevant performance tables for flag and Recognized Organizations change. Based on general and historical parameters, all ships in the information system are classified as either high, standard, or low risk. High Risk Ships (HRS) are vessels that satisfy requirements totaling five weighting

points or more. Low Risk Ships (LRS) are vessels that have undergone at least one inspection within the last 36 months and satisfy all of the requirements of the Low Risk Parameters. Neither HRS nor LRS ships are Standard Risk Ships (SRS). Additionally, recalculation takes place following each inspection and whenever the relevant performance tables for flag and R.O.s are modified. All ships in a company's fleet that were detained or found to have "deficiencies" while that company served as the ship's ISM Company are included in calculations of company performance.

Companies are given performance ratings of very low, low, medium, or high. A running 36-month period is used as the basis for the daily calculation. There is no minimum required for inspections, but a business with no inspections in the previous 36 months will be given a "medium performance." The aforementioned overriding factors are deemed to be serious enough to warrant a Priority I additional inspection. For instance, ships reported by another Member State that do not include unanticipated factors, ships that collide, ground, or strand while traveling to a port, ships that are suspected of breaking the rules regarding the discharge of harmful substances or effluents, ships that have been maneuvered in an unsafe or erratic way, or ships that haven't adhered to safe navigational practices and procedures. Additionally, ships that cannot be identified in the database and ships that have been suspended or withdrawn from their class due to safety concerns since the most recent PSC inspections. The frequency of periodic inspections is based on the risk profile of the ship. An inspection may be required between routine inspections due to overriding or unexpected circumstances.

An Additional Inspection falls under this category of inspection. The following time frames govern when ships are subject to periodic inspection: for HRS, between 5 and 6 months following the most recent inspection in the Paris MoU region; for SRS, between 10 and 12 months following the most recent inspection in the Paris MoU region; and for LRS, between 24 and 36 months following the most recent inspection in the Paris MoU region. Both routine inspections and additional inspections are taken into account. As a result, following another inspection, the time period for the subsequent periodic inspection restarts. There are two priorities in the selection process. Priority I ships require inspection because either the inspection window has passed or another circumstance is more important. Ships of Priority II may be inspected if they fall within the time frame during which the port state determines that the presence of an unexpected factor justifies an inspection. Every ship's priority and level of selection will be displayed in the information system. Unexpected factors may point to a serious threat to the environment or to the safety of the ship and crew, but the Authority's professional judgment will determine whether it is necessary to conduct an additional inspection. These factors include ships reported by pilots or relevant authorities, who may have received information about a ship's navigation from vessel traffic services, ships that failed to comply with reporting requirements, ships reported with outstanding "deficiencies," previously detained ships (three months after the detention), and ships reported by the captain, crew members, or any other individual or organization with a legitimate stake in the ship's safe operation.

Also included are ships that have been operated in a way to make them dangerous, ships that have reported issues with their cargo, particularly noxious or dangerous cargo, and ships where it has come to light from a reliable source that their risk parameters differ from those that have been recorded, increasing the risk level. Additionally, ships with certificates issued by organizations that were previously recognized by the Paris MoU but whose recognition has been revoked since the last inspection in the Paris MoU region. In the Paris MoU Annual Report, a fresh White, Grey, and Black list will be released each year. The "White, Grey, Black (WGB) list" covers the entire gamut, from high-quality flags to flags that perform poorly but are still deemed to be at high or very high risk. It is based on the total number of detentions and inspections for flags with at least 30 inspections over a rolling three-year period. A selection of ships will be made each day for a Port State Control inspection in the area. PSCO's consult the main computer database known as "THETIS" to make such selection easier. The European Maritime Safety Agency (EMSA), which hosts this information system, notifies the national PSC authorities of which ships need to be inspected.

The information system also provides information on ship specifics and reports of prior inspections conducted within the Paris MoU region.

2.1.1 WHITE, GREY AND BLACK LIST

The White, Grey, and Black Lists are part of the Paris Memorandum of Understanding (Paris MoU) on Port State Control. The flags on the "White List" are regarded as being of the highest caliber and are acknowledged for adhering to global maritime standards. The likelihood of detention during port state inspections is lower for ships flying the flags of nations on the White List.

The flags on the Grey List are not yet regarded as being on par with those on the White List. Compared to ships on the White List, ships flying these flags might be subject to more frequent inspections. Flags on the Black List are regarded as being of low quality and not adhering to international maritime standards. Ships flying the flags of nations on the Black List are more likely to be stopped for inspection and may even be forbidden entry into some ports. The criteria used to classify flags into these lists are based on a variety of criteria, including the performance of ships registered under a particular flag as well as the compliance of the ship with international conventions (such as SOLAS and MARPOL). These lists are intended to discourage the use of flags associated with subpar ships and to encourage shipowners and operators to register their vessels under high-quality flags. This in turn helps the maritime sector perform better in terms of safety, security, and the environment.

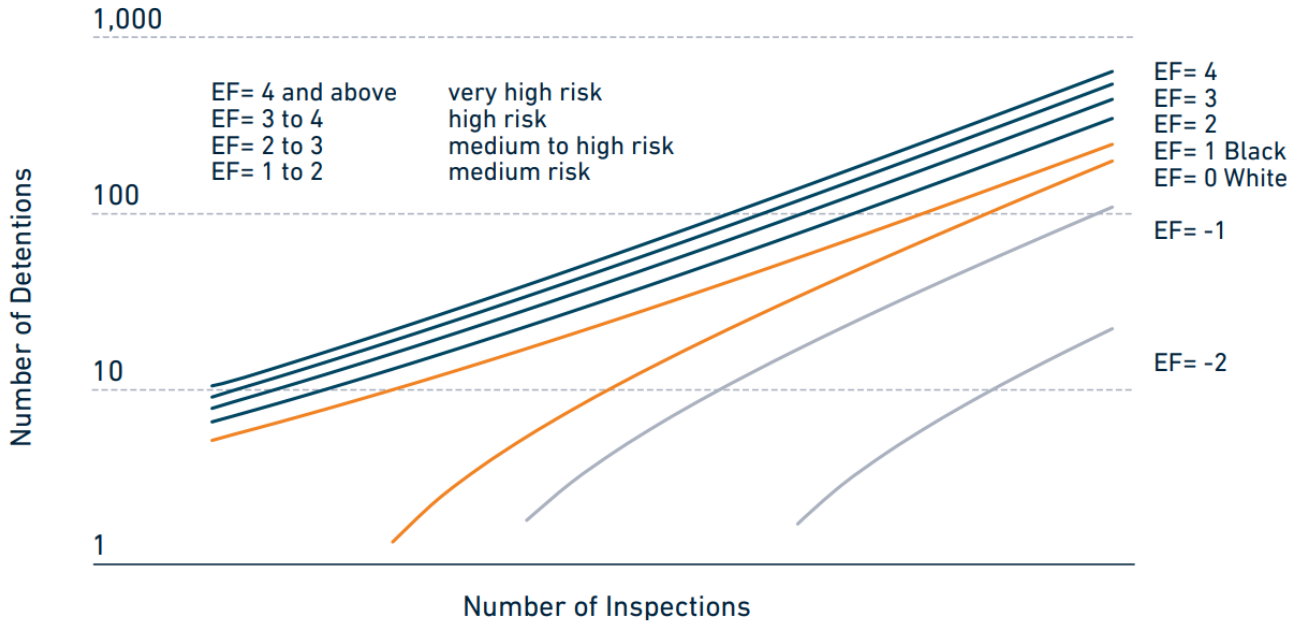
In the Paris MoU Annual Report, a new White, Grey, and Black list is released each year.

The "White, Grey, and Black (WGB) list" covers the entire gamut, from high-quality flags to low-performing, high- or very high-risk flags. For flags with at least 30 inspections during the period, it is based on the aggregate number of inspections and detentions over a rolling 3-year period.

A common statistical formula is used to determine each Flag's performance, and certain values have been fixed in accordance with the Paris MoU's agreed-upon policy. The system has two limits, the "black to grey" limit and the "grey to white" limit, each with a unique formula. A Flag will appear on the Grey List when its total number of detentions falls in the middle of the two. For sample sizes of 30 or more inspections over a three-year period, the formula is applicable.

You can easily change the target and run the calculation again to sort results on the Black or White List. Flags that continue to hover above this second target are worse than flags that do not. As many improvements as needed can be made by repeating this process. The maximum detention rate is still 100%, of course. The excess factor (EF) is added to level the playing field between the flags' performances. One complete EF-point of difference corresponds to each incremental or decremental step. The EF thus serves as a gauge for how frequently the yardstick must be adjusted and recalculated. The flags can be arranged by excess factor once the excess factor for each flag has been determined. The last column of the White, Grey, or Black List contains the excess factor. The yardstick (target) has been set at 7%, and the increment and decrement sizes have been set at 3%. The system is represented graphically below, and it demonstrates the direct correlations between the quantity of inspected ships and the quantity of detentions. As the "black to grey" or "grey to white" limit, both axes are logarithmic.

XI. WHITE,GREY AND BLACK LIST



Source: Paris MoU, Port State Control 40 years of harmonisation Annual Report 2022, p. 52

XII. WHITE LIST

WHITE LIST

RANK	FLAG	INSPECTIONS 2020-2022	DETENTIONS 2020-2022	BLACK TO GREY LIMIT	GREY TO WHITE LIMIT	EXCESS FACTOR
WHITE LIST						
1	Denmark	1,121	9	93	64	-1.87
2	Italy	802	7	69	44	-1.79
3	Greece	617	5	54	32	-1.77
4	Netherlands	2,536	39	199	156	-1.67
5	Norway	1,572	23	127	93	-1.65
6	Singapore	1,601	27	129	95	-1.57
7	Finland	338	4	32	15	-1.43
8	Cyprus	2,023	43	161	122	-1.43
9	Belgium	179	1	19	6	-1.41
10	United Kingdom	659	12	57	35	-1.36
11	Bahamas	1,646	37	133	98	-1.36
12	Turkey	580	11	51	30	-1.29
13	Sweden	287	4	28	12	-1.26
14	Hong Kong (China)	1,583	40	128	94	-1.24
15	Japan	153	1	16	5	-1.24
16	Cayman Islands (UK)	320	5	30	14	-1.23
17	France	227	3	23	9	-1.16
18	Marshall Islands	4,703	145	358	300	-1.16
19	Gibraltar (UK)	409	8	38	20	-1.15
20	Malta	3,710	114	286	234	-1.14
21	Luxembourg	222	3	22	9	-1.13
22	Lithuania	93	0	11	2	-1.09
23	Bermuda (UK)	135	1	15	4	-1.07
24	Ireland	132	1	15	4	-1.04
25	Liberia	4,569	156	349	291	-1.04
26	Portugal	1,473	45	120	87	-1.03
27	United States	128	1	14	4	-0.99
28	China	200	3	20	8	-0.99
29	Russian Federation	832	24	71	46	-0.98
30	Faroe Islands	219	4	22	9	-0.90
31	Antigua and Barbuda	1,712	61	138	102	-0.87
32	Barbados	538	16	48	27	-0.82
33	Isle of Man (UK)	340	9	32	16	-0.78
34	Germany	522	16	47	26	-0.78
35	Estonia	74	0	9	1	-0.77
36	Spain	142	4	15	4	-0.14
37	Latvia	120	3	13	3	-0.12
38	Poland	36	0	6	0	0.08
39	Thailand	33	0	5	0	0.10

Source: Paris MoU, Port State Control 40 years of harmonisation Annual Report 2022, p. 25

XIII. GREY LIST-BLACK LIST

GREY LIST

RANK	FLAG	INSPECTIONS 2020-2022	DETENTIONS 2020-2022	BLACK TO GREY LIMIT	GREY TO WHITE LIMIT	EXCESS FACTOR
GREY LIST						
40	Croatia	64	1	8	1	0.05
41	Saudi Arabia	61	1	8	0	0.07
42	Korea, Republic of	89	3	11	2	0.14
43	Morocco	46	1	7	0	0.17
44	Saint Vincent and the Grenadines	266	14	26	11	0.19
45	India	41	1	6	0	0.21
46	Panama	5,472	366	415	351	0.23
47	Iran, Islamic Republic of	47	2	7	0	0.31
48	Lebanon	40	2	6	0	0.37
49	Switzerland	35	2	5	0	0.42
50	Philippines	126	9	14	4	0.52
51	Belize	195	16	20	7	0.68
52	Egypt	40	4	6	0	0.69
53	Cook Islands	122	11	14	3	0.74
54	Palau	216	19	22	8	0.79
55	Azerbaijan	41	5	6	0	0.83
56	Saint Kitts and Nevis	140	14	15	4	0.88
57	Ukraine	57	7	8	0	0.91

BLACK LIST

RANK	FLAG	INSPECTIONS 2020-2022	DETENTIONS 2020-2022	BLACK TO GREY LIMIT	RISK	EXCESS FACTOR
BLACK LIST						
58	Tanzania, United Republic of	125	14	14		1.01
59	Comoros	282	28	27		1.07
60	Sierra Leone	186	20	19	Medium	1.11
61	Vanuatu	290	30	28		1.21
62	Albania	55	8	7		1.24
63	Togo	325	44	31		2.19
64	Algeria	68	13	9	Medium to High	2.64
65	Moldova, Republic of	229	38	23		2.92
66	Cameroon	93	22	11	Very High Risk	4.25

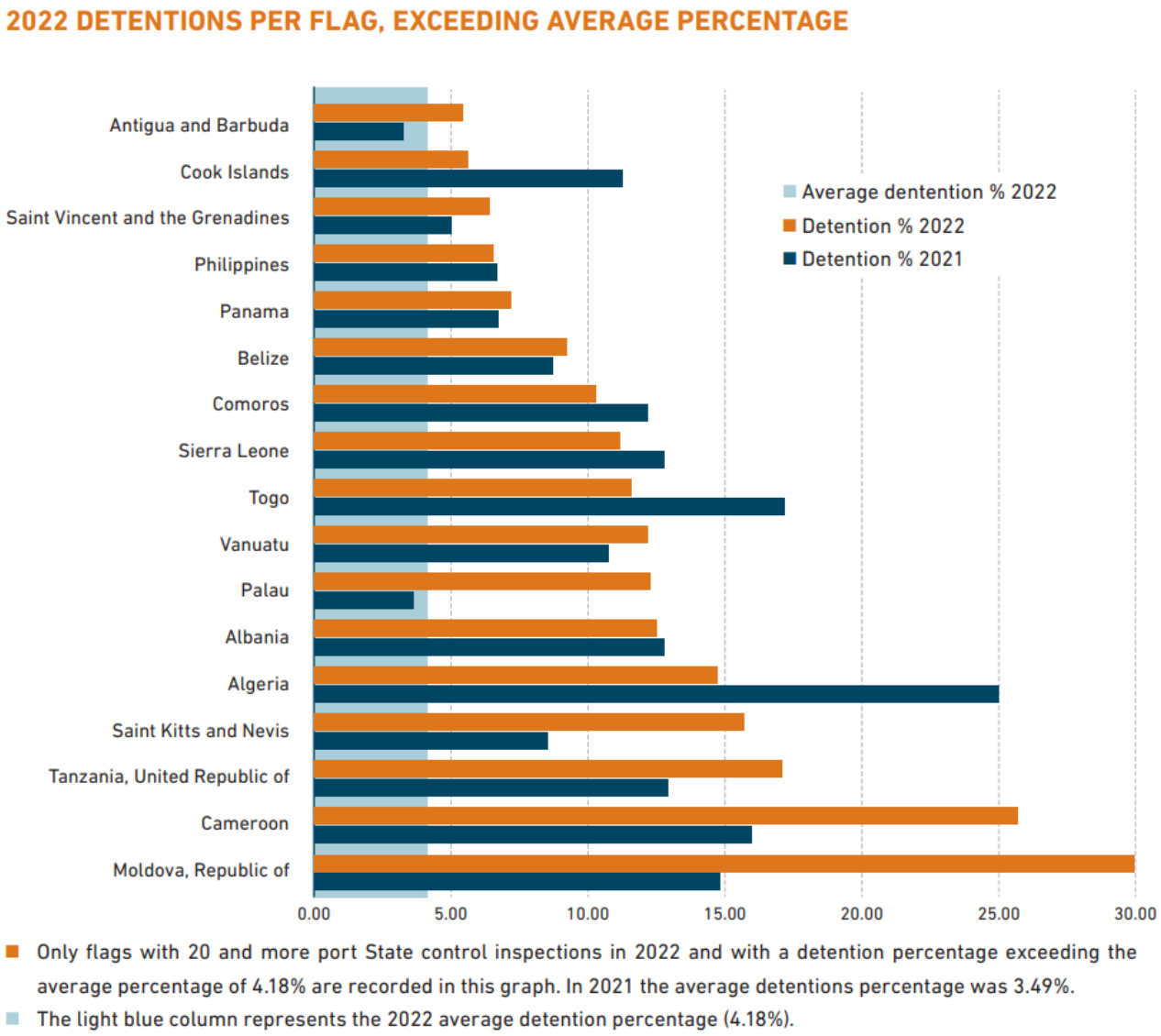
Source: Paris MoU, Port State Control 40 years of harmonisation Annual Report 2022, p. 26, 29

The white, grey, and black lists of flags maintained by the Paris MoU also revealed a slight decline in shipping quality. The list status is determined using rolling data spanning three years and at least thirty inspections. White-list flags decreased by one from 2021 to 39, while black-list flags increased by nine

from 7 to 9 in 2022. Cameroon, Moldova, Algeria, Togo, Albania, Vanuatu, Sierra Leone, Comoros, and Tanzania are among the nine. Some of them have played a significant role in flagging the so-called "dark fleet" of tankers that transport banned oil from countries like Iran, Venezuela, and Russia. Among them are Sierra Leone, Togo, and Cameroon.

St Kitts and Nevis—which is on the grey list but was among the top five flags for detentions in 2022—dropped several ships that were under the management of India's Gatik Ship Management due to concerns about possible sanctions violations connected to Russian oil shipments. Due to the Covid-19 pandemic, there had been two years of decreased activity before the inspections in 2022 signaled the return to normal. Canada and twenty-six European coastal states are parties to the Paris MoU agreement. Russia's incursion into Ukraine has resulted in its current suspension from the organization.

XIV. 2022 DETENTIONS PER FLAG, EXCEEDING AVERAGE PERCENTAGE



Source: Paris MoU, Port State Control 40 years of harmonisation Annual Report 2022, p. 37

General reporting Obligations (24 ETA)

A ship must report 24 hours (24 ETA) in advance of arriving at a port or anchorage in the Paris MoU region, or earlier if the voyage is anticipated to take less than 24 hours, before departing the prior port or anchorage. Therefore, this pre-arrival notification needs to be shared with every port the ship calls in the Paris MoU region. The ship is only required to comply with the 72 hours reporting obligation (72 ETA) when an expanded inspection is overdue.

Reporting obligations for ships due for an expanded inspection (72 ETA)

Ships scheduled for an expanded inspection must report 72 hours (72 ETA) prior to entering a port or anchorage within the Paris MoU region, or earlier if the voyage is anticipated to be shorter than 72

hours, before departing the previous port or anchorage. The port authority must receive the following information: ship identification (name, flag, IMO or MMSI number), port of destination, estimated time of arrival (ETA), estimated time of departure (ETD), and anticipated length of call. Tanker configuration (single hull, single hull with SBT, double hull), ballast tank and cargo volume and nature, as well as the state of the tanks (full, empty, or inert). Some extra information that must provided are planned activities at the port or anchorage of destination (loading, unloading, and other), planned statutory survey inspections, significant maintenance and repair work to be done while in the port of destination, and the date of the most recent exported inspections in the Paris MoU region are some additional details that must be provided.

The Paris MoU does not impose age restrictions on ships. The Ship Risk Profile calculation incorporates appropriate weighting, and all vessels older than 12 years will have a higher weighting. The efficient execution of the Paris Memorandum of Understanding is the responsibility of the Secretariat. The Secretariat participates in numerous working groups and arranges international gatherings. Additionally, it is in charge of information exchange and acts as a first point of contact for the member States and outside contacts. The Dutch Inspector General is directly in charge of the Secretariat, which has its headquarters in The Hague. The MoU Advisory Board and the member States oversee the Secretariat's content management. One of these member states is the Netherlands. The Port State Control Committee annually approves the Secretariat's separate budget.

2.2 PORT STATE CONTROL- TOKYO MOU

One of the busiest regional Port State Control (PSC) organizations in the world is the Tokyo MoU. Twenty Asia-Pacific member Authorities make up the organization. The main goal of the Tokyo MoU is to create an effective Port State Control regime in the Asia-Pacific region by coordinating the efforts of its members and eliminating substandard shipping to advance maritime safety, safeguard working and living conditions on board ships, and protect the marine environment. Ship risk profile-Information Sheet of the new inspection regime (Nir).

The Tokyo MoU Committee adopts the Black, Grey, and White list for Flag State performance each year after taking into consideration the inspection and detention history from the previous three calendar years, which is then published in the Annual Report.

The Tokyo MoU's most recent data will be used to determine the status of VIMSAS' completion. The organizations listed on the website that have been recognized by at least one Tokyo MoU member authority are known as Recognized Organizations of the Tokyo MoU. The Tokyo MoU Committee adopts the performance of all Recognized Organizations as published in the Annual Report each year, taking into consideration the inspection and detention history over the previous three calendar years. Company performances consider all ships in a company's fleet whose detention and "deficiency" histories occurred

while that company served as the ship's ISM company. Companies are given performance ratings of very low, low, medium, or high. A running 36-month period is used as the basis for the daily calculation. No minimum number of inspections is required to qualify, with the exception that a company with no inspections in the previous 36 months will be given a "medium performance." The Tokyo MoU does not impose age restrictions on ships. Under the NIR, appropriate weighting is taken into account when calculating the ship risk profile, and all vessels older than 12 years will have a higher weighting point.

The following ships will be given overriding priority for inspection, regardless of the NIR. Unless the relevant Authority deems the report or complaint to be manifestly unfounded, ships that have been the subject of reports or notifications by another Authority, reports or complaints from the master, a crew member, or any other person or organization with a legitimate interest in the ship's safe operation, the living and working conditions on board, or the prevention of pollution, are also subject to this rule. Ships that have been granted permission to leave a port of a State whose Authority is a signatory to the Memorandum as long as the "deficiencies" noted must be corrected after a certain amount of time has passed. Additionally, ships that have "deficiencies" that could endanger their safe navigation, ships carrying hazardous or polluting cargo, and ships that have neglected to provide all pertinent information to the port and coastal state's competent authority regarding the ships' particulars, the ship's movements, and the hazardous or polluting cargo being carried. Additionally, ships whose detention "deficiencies" cannot be fixed in the port of inspection leave without making the agreed-upon corrections. Lastly, ships that the Committee has occasionally designated as deserving of priority inspections.

2.3 PORT STATE CONTROL- VINA DEL MAR MOU

Resolution No. 5 of the 6th Meeting of the Operative Network for Regional Cooperation among Maritime Authorities of South America, Cuba, Mexico, and Panama (ROCRAM), held on November 5, 1992, adopted the Latin American Agreement on Port State Control of Vessels. Since this was the first developing region to reach this kind of operational agreement, Argentina, Brazil, Colombia, Chile, Ecuador, Mexico, Panama, Peru, Uruguay, and Venezuela were the original signatories to the Agreement. As a result, a significant international step was made. The Agreement, which is currently made up of fifteen Maritime Authorities, was gradually signed by additional member States, including Cuba (1995), Bolivia (2000), Honduras (2001), Guatemala (2012), and the Dominican Republic (2012).

Its main spirit and goal are based on the commitment made by the regional maritime authorities to uphold an effective inspection system that ensures that all foreign ships visiting their ports abide by the rules established by international conventions, without regard to flag. The Committee of the Agreement and the Secretariat are the two primary constituents of its structure. The Information Center (CIALA) is a part of the latter. The maritime administrations of Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, Guatemala, Honduras, Mexico, Panama, Peru, Dominican Republic, Uruguay, and Venezuela are

a part of the Latin American Vina del Mar agreement.

There are no age restrictions on ships as long as they meet the Relevant Instruments' mandatory certificate standards. Maintain an effective and uniform system of inspections to ensure that foreign ships operating in the area adhere to the safety standards outlined in the IMO Conventions. The Maritime Authorities inspect at least 20% of all incoming vessels into their ports each year. The same six-month period between inspections is not extended unless "deficiencies" are found, the vessel is carrying dangerous goods, it is a passenger ship, or it is a bulk carrier. Each inspector can view the priority factor (also known as the risk matrix) online, which is displayed by the Vina del Mar Agreement Information Centre (CIALA).

2.4 PORT STATE CONTROL- CARIBBEAN MOU

On February 9, 1996, nine States signed the Memorandum of Understanding on Port State Control in the Caribbean Region in Christ Church, Barbados. Since then, there are now fifteen countries that are members of the organization: Antigua and Barbuda, Aruba, The Bahamas, Barbados, Belize, The Cayman Islands, Cuba, Curacao, Grenada, Guyana, Jamaica, The Netherlands, St. Christopher and Nevis, Suriname, Trinidad and Tobago. The only other Associate Member is France. Anguilla, Bermuda, The British Virgin Islands, Dominica, Haiti, St. Lucia, St. Vincent and the Grenadines, Sint Maarten, and Turks and Caicos Islands are among the countries that are part of the Observer. The Caribbean Port State Control Committee of the CPSCC serves as the CMoU's executive body. It is led by a Chairman and a Vice Chairman and is made up of representatives from every Member State. The Secretariat's primary goal is to carry out the daily administrative tasks associated with the CMOU. It acts as a focal point and thus makes it easier for Members, Observers, the IMO, other PSC regimes, and affiliated organizations to exchange information. The Secretary is tasked with representing the CMoU at various meetings throughout the year. It is in charge of planning all meetings, workshops, and seminars of the CMoU. 15% of foreign ships that call at the ports of the Member States will be inspected, according to their commitment. The Caribbean Cargo Ship Safety (CCSS) Code and the Code for Safety of Small Commercial Vessels (SCV) were developed for the region's many non-conventionally sized vessels because of the nature of the area.

2.5 PORT STATE CONTROL- MEDITERRANEAN MOU

It was announced that a cooperation project funded by the E.C under the auspices of the IMO and ILO had begun as part of the global effort to improve maritime safety and prevent pollution, as well as within the activities of the Euro-Med conference, which was held in Barcelona on November 28, 1995. This declaration was created in accordance with STCW 95 and the desire of the international community to activate the Port State Control System for countries in the southern and eastern Mediterranean. The PSCO will consider the following factors when using its professional judgment to decide whether or not to detain a ship. Timing: Regardless of how long the ship will be in port, ships that are deemed unsafe to

leave port will be detained after the initial inspection. The other is criterion, where a ship will be held up if its deficiencies are serious enough to warrant a PSCO returning to it to ensure that they have been fixed before it sets sail. The PSCO's need to return to the ship classifies the deficiencies as being of a serious nature. However, it does not always impose this obligation. It implies that the Authority will confirm that the deficiencies have been fixed before departure in some manner, preferably by making another visit.

The PSCO will evaluate whether the deficiencies found in a ship are serious enough to warrant detention and whether the ship has the minimum safe manning document-required number of crew members and relevant, valid documentation. The PSCO will determine during the inspection whether the ship and/or crew are capable of safe navigation throughout the upcoming voyage, safe handling, carrying, and monitoring of the cargo condition throughout the upcoming voyage, safe engine room operation, and maintaining proper propulsion and steering. In addition, if the ship and/or crew are capable of doing so, they should be able to safely and quickly abandon ship in order to carry out rescue operations as well as prevent environmental pollution. Additionally, if they can maintain adequate stability, maintain adequate watertight integrity, communicate in emergency situations, provide safe and healthy conditions on board, and provide the most data possible in the event of an accident as provided by the voyage date recorder. The ship should be strongly considered for detention if the outcome of any of these assessments is unfavorable, taking into account all "deficiencies' ' discovered. The detention of the ship may also be necessary due to a number of less serious "deficiencies." There is no upper age limit. Weighting points are assigned to vessels older than 10 years for their targeting factors.

2.6 PORT STATE CONTROL- INDIAN OCEAN MOU

Goa, India serves as the home of the IOMOU Secretariat. The IOMOU Committee on Port State Control oversees the secretariat and is responsible to it. It facilitates committee meetings and supports the committee's operations. The ultimate objective is to locate and remove inferior ships from the area. The IOMOU was established in order to create a standardized system of ship inspection with the goal of getting rid of the operation of foreign flag merchant ships that were operating below par while visiting the Indian Ocean region. In the IOMOU ports, over 6000 inspections of foreign ships are carried out yearly. The authorities will conduct inspections, at a minimum involving a visit on board a ship, to verify the legitimacy of the certificates and documents and to confirm that the crew and the general condition of the ship, including its machinery, equipment, living quarters, and hygienic conditions, comply with the requirements of the relevant instruments. A more thorough inspection must be conducted, along with a further examination of compliance with on-board operational requirements, whenever there are compelling reasons to suspect that the state of a ship, its equipment, or its crew does not substantially comply with the requirements of a relevant instrument. The Authorities must give priority to ships visiting a port of a State whose government is a signatory to the Memorandum for the first time or after an absence of at least a year

when choosing which ships to inspect. Additionally, ships that have been given permission to leave a port in a state whose authority is a signatory to the Memorandum on the condition that any deficiencies noted must be corrected after the expiration of a certain amount of time. ships that have been flagged by port authorities or pilots as having "deficiencies" that could compromise their safe navigation. ships for which the relevant instruments have not been followed when issuing the statutory certificates on the ship's construction and equipment. Additionally, ships transporting hazardous or polluting goods that have neglected to provide the competent authority of the port and coastal State with all pertinent information regarding the ship's particulars, the ship's movements, and the hazardous or polluting goods they are transporting Additionally, ships that have had their membership in their Class suspended for safety reasons within the previous six months. Unless there are compelling reasons for inspection, the authorities will try to avoid inspecting ships that have recently undergone inspection by another authority within the last six months. The Indian Ocean MoU currently employs the ship targeting system to find subpar ships. The IOMOU Committee is, however, in the process of putting in place a New Inspection Regime. Another important point to keep in mind is that IOMOU has no restrictions on the age of vessels.

2.7 PORT STATE CONTROL- BLACK SEA MOU

The Governments of Black Sea States decided to launch a unified system of port state control through the adoption of a Memorandum of Understanding on Port State Control in the "Strategic Action Plan for the Rehabilitation and Protection of the Black Sea" adopted at the Ministerial Conference held in Istanbul in 1996 due to the importance of shipping in the region's trade and the sensitivity of the Black Sea basin and its coastline to environmental damage. Representatives of the Maritime Authorities of Bulgaria, Georgia, Romania, the Russian Federation, Turkey, and Ukraine completed and signed the Memorandum of Understanding on Port State Control in the Black Sea Region (BS MoU) in Istanbul, Turkey, on April 7, 2000. Six countries currently participate in the BS MoU, some of which have two or more memberships. These countries include Bulgaria, Romania, and the Russian Federation, which are also parties to the Paris and Tokyo MoUs. The MED MoU also has a connection to Turkey. The Organization gives the synchronization of Port State Control practices around the world a lot of consideration. As a result, the BS MoU has been accepted as an observer to several regional PSC agreements, including the Vina Del Mar Agreement, the Paris MoU, the Tokyo MoU, the Mediterranean MoU, and the Indian Ocean MoU. To ensure that foreign ships visiting Black Sea ports are seaworthy, do not pose a pollution risk, provide a healthy and safe environment, comply with relevant international regulations, and fall under the purview of the member Authorities' national governing laws and regulations, PSC inspections are conducted to the highest level of harmonisation with the leading MoUs in general and the Paris MoU in particular. An agreement for cooperation was reached with IMO as an Intergovernmental Organization in order to further strengthen cooperation with it. This agreement enables the BS MoU (and other MoUs) to submit papers

and attend IMO meetings on its own behalf. The IMO's "Implementation of IMO Instruments" (III) subcommittee meetings are attended by the BS MoU, which presents its reports there.

It was decided to implement the Ministerial Declaration's provisions as much as possible in the Black Sea region and to work with both the Paris and Tokyo MoUs in the implementation, despite the fact that the BS MoU was only an observer to the second Joint Ministerial Conference of the Paris and Tokyo MoUs. The BS MoU launched an internet website containing general information on MoU, regularly updated detention list, in order to provide industry with the MoUs news, procedures, and inspection results. In order to further harmonize its current risk-based targeting and inspection system, which was put into operation in 2007, with the leading memoranda, namely the Paris MoU and Tokyo MoU, to the highest level, the BS MoU introduced a New Inspection Regime for the selection of ships on January 1st, 2016. In order to clearly indicate the order of priority in the selection of ships for inspections, the BS MoU New Inspection Regime, BS-IR (2016), combines the Ship Risk Profile and Time Windows. Black Sea Information System (BSIS) computes and displays outputs of the ship risk profile, time window, and ship priority inspections records of member authorities stored in the BSIS for members to use when selecting ships for inspections. The outputs are made available at the MoU website at ship search database.

The Ship Risk Profile has taken the place of the previous targeting factor matrix under the BS MoU New Inspection Regime, BS-IR (2016). This will categorize every ship in the BSIS information system as either high, standard, or low risk based on general and historical parameters. High Risk Ships (HRS) are vessels that satisfy requirements totaling five weighting points or more. Low Risk Ships (LRS) are vessels that have undergone at least one inspection within the last 36 months and satisfy all of the LRS parameters. Ships that are neither LRS nor HRS are referred to as Standard Risk Ships (SRS).

The selection scheme determines the scope, frequency, and priority of inspections based on the Ship Risk Profile. The frequency of periodic inspections is based on the risk profile of the ship. An inspection may be required between routine inspections due to overriding or unexpected circumstances. An Additional Inspection is the term used to describe this class of inspections. The following time windows are when periodic inspections of ships are due. For the HRS, 2-4 months after the most recent inspection in the BS MoU region, for the SRS, 5-8 months, and for the LRS, 9-18 months after the most recent inspection in the BS MoU region.

The time period for the following periodic inspection begins after an additional inspection because additional inspections and periodic inspections both count equally. Based on ship priorities, candidates are chosen for inspection. The BSIS assigns ships the following priorities. Priority I ships, for which the inspection window has passed its expiration date or there is an overriding factor, must be inspected. Priority II ships may be examined if the inspection falls within the time frame or if there is an unforeseen circumstance. The ship has no priority status if no overriding or unexpected factors are logged before the window for any risk profile opens, and member States are not required to inspect such a ship even though

they may choose to do so if they deem it necessary. Both periodic inspections and additional inspections are taken into account. As a result, following another inspection, the time period for the subsequent periodic inspection restarts.

2.8 PORT STATE CONTROL-ABUJA MOU

One of the nine regional and one national Memorandum of Understanding established in accordance with IMO Resolution A. 682 of 1991 is the Memorandum of Understanding on Port State Control for the West and Central African Region, commonly referred to as the Abuja MoU. A Cooperative Agreement between the organization and the IMO governs its operations. As an intergovernmental organization made up of the maritime administrations of nations bordering Africa's Atlantic coast, the Abuja MoU was founded on October 22nd, 1999. The main task of the Abuja Memorandum of Understanding is to create a system of uniform Post State Control procedures and practices for all the member States of the region in order to end the operation of substandard shipping within the region and ensure maritime safety, security, protection from pollution of our marine environment, and improvement of working and living conditions for ship crews. There are no restrictions on vessel age under the Abuja MoU. For ships older than 12 years, an expanded inspection based on a ship risk profile matrix will be performed. The following are taken into account when choosing which ships to inspect. Ships arriving at a port for the first time or returning after a 12-month or longer absence in a state whose authority is a signatory to the Memorandum. Ships that have been given permission to leave the port of a state whose authority has signed the memorandum under the condition that any deficiencies noted must be fixed after a certain amount of time has passed.

Ships that have been flagged by port authorities or pilots as having deficiencies that could compromise their safe navigation. Also included in this category are ships whose statutory certificates regarding their construction and equipment have not been issued in accordance with the pertinent documents. Additionally, ships transporting hazardous or polluting materials that have neglected to provide the competent authority of the port and coastal state with all pertinent information regarding the ship's particulars, the ship's movements, and the hazardous or polluting materials being transported. the ships that, over the course of the six months prior, were suspended from their Class for safety reasons.

2.9 PORT STATE CONTROL- RIYADH MOU

Six nations—Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates—signed the Riyadh Memorandum of Understanding on Port State Control in the Gulf Region in June 2005 at a meeting in Riyadh. The Riyadh Memorandum of Understanding (MoU) is a contract to ensure efficient, safe, and safe shipping in the Gulf region's maritime jurisdictions. A Secretariat and Information Center were to be established in Oman, according to the Riyadh MoU. The Secretariat will also have an information center where data on ships will be recorded and shared.

Although there isn't a targeting matrix in the RIYADH MoU right now, the committee members talked about and took this into consideration. At this time, there are no age restrictions for vessels specified in the RIYADH MoU. All member states adhere to their respective domestic laws when it comes to detention review procedures or legal appeal processes. The factors that will lead to a detention should also be mentioned. These conditions should be taken into account before detaining a ship. Length and nature of the intended journey or service, whether the deficiency poses a threat to the ship, the people on board, or the environment, and whether or not crew rest breaks are being observed as needed, size, type, equipment, and cargo characteristics of the ship. Whether a Dech or Engineer Officer is absent in accordance with any exceptional provisions authorized by the Flag State, the absence should not be cause for detention.

3. PORT STATE CONTROL INSPECTIONS

3.1 PORT STATE CONTROL INSPECTIONS IN AUSTRALIA

Based on the calculated risk profiling system, AMSA targets ships. Ships are categorized into "priority groups" according to the "risk factor" calculation, which considers a number of factors. Each group has a different target inspection rate.

XV. RISK FACTOR

Priority Group	Risk factor (Probability of detention)	Target Inspection Rate
Priority 1	6 or Higher	80%
Priority 2	4 or 5	60%
Priority 3	2 or 3	40%
Priority 4	0 or 1	20%

Source: Guide to Port state Corntrol,NYK Intertanco, p. 66

Passenger ships are priority 1 and are eligible for inspection every six months. Single-hull tankers (SH) are subject to inspection three times per month with a 100% inspection target. Another important thing to keep in mind is that there are no age restrictions beyond what is required by applicable international conventions. An inspector will use a Ship Inspection Record (SIR) book, which contains some guidelines and all necessary forms, when conducting an inspection. Selected offices may use a computer-based SIR book, which provides the same data and forms as the hard copy book using a notebook computer and specialized software.

PSC inspections are carried out by AMSA in accordance with international standards and within

the bounds of its authority. A set of "Instructions to Inspectors" and a "Ship Inspection Manual" that are based on the requirements and resolutions of the International Maritime Organization (IMO) and the International Labour Organization (ILO) for international conventions serve as inspectors' guides. The retention of all shipboard personnel to facilitate a PSC inspection is not an AMSA requirement. The MLC 2006 has been ratified by Australia, and Masters/Operators are reminded to abide by MLC Regulation 2.4.2, which states that "Seafarers shall be granted shore leave to benefit their health and well-being and with the operational requirements of their positions." The Inspector first performs a preliminary inspection during a PSC inspection. This entails going on board to make sure the ship has all the required legal certificates and paperwork. In order to determine whether the ship is in compliance with those certificates and to assess the general state of the ship, its equipment, and its crew, they also inspect areas crucial to the ship's safe operation.

A more thorough inspection is carried out if certification is invalid or if there are compelling reasons to believe that the ship, its machinery, or its crew may not be substantially in compliance with the requirements of the relevant convention. A fee of A$272 per hour is charged for this at the moment. A "Form A" is filled out for each inspection to show that the inspection was completed. A "Form B" is also filled out when "deficiencies" are noted. The pocket-sized guidelines, list of certificates, and inventory of equipment will serve as the foundation for the initial inspection that the AMSA Inspector conducts.

It's important to keep in mind that the recommendations and lists are not all-inclusive, but they are meant to serve as the framework for an initial inspection sufficient to spot potentially unseaworthy vessels. Even though there is a limited amount of it, the equipment listed below, for instance, represents the equipment in nearly 90% of all detentions. The Master will typically make arrangements for requested equipment to be ready for inspection and testing during the physical inspection of the vessel while the Inspector examines the documentation and certificates for the vessel. The majority of equipment pieces don't need to be prepared for emergency use for very long, but the crew of the ship always makes sure to carry out any equipment tests in a way that ensures everyone's safety.

The Inspector may carry out a more thorough inspection if there are good reasons to do so. This could involve a more thorough expansion of the inspection or it could be restricted to a specific component of the ship or piece of equipment, depending on the situation. When conducting the inspection, determining the scope of the inspection, and determining the necessary course of action in response to identified "deficiencies," the AMSA Inspectors use their professional judgment. AMSA is a sizable organization divided into a number of divisions, and within each division, a number of groups. Each division, as well as each group within a division, is held accountable for specific duties. Each group includes subject-matter experts.

3.2 PORT STATE CONTROL INSPECTIONS IN CHINA

The Maritime Safety Administration of the People's Republic of China (China MSA), which is under the Ministry of Transport, is the competent authority to carry out the administration of shipping safety and maintain the national sovereignty in accordance with the Maritime Traffic Safety Law of the People's Republic of China, the Marine Environment Protection Law of the People's Republic of China, and other related laws and regulations. In order to ensure compliance with international conventions and to stop the operation of substandard ships, MSA plays crucial roles in Flag State implementation and as the Port States.

The inspections' focus has shifted from ship safety and pollution prevention to ship security and Long Range Identification & Tracking (LRIT), and from ship hardware to ship operations and management. As a group China, a signatory to the Tokyo MoU and a member of the IMO Council, strictly complies with its port state obligations, monitors foreign ships in its territorial waters, and uses PSC to encourage Flag States to adhere to international treaties. China faithfully upholds its Flag State obligations as a signatory to numerous maritime conventions, exercises jurisdiction over and control over ships flying the China flag, and works to ensure that Chinese fleets abide by international conventions.

Beyond the requirements of applicable international conventions, there are no age restrictions. The ship must abide by China's regulations for managing old ships. On the basis of the NIR of the Tokyo MoU, China targets ships. The target factors are the ship risks profiling and inspections window. The ship master is required to notify the local MSA through the agent or directly to the local VTS center of any shipboard incidents or critical equipment failures that could endanger human life or the safety of the ship and harm the environment. When the visiting PSCOs board the ship, the ship Master must show them the documentation to show that the ship has taken all necessary corrective action.

PSC inspections are carried out by MSA in accordance with international standards and within the bounds of its authority. The International Maritime Organization's (IMO) and the International Labour Organization's (ILO) requirements and resolutions are the basis for a set of "Instructions to Inspectors" and a "Ship Inspection Manual," which serve as guidelines for inspectors. The retention of all shipboard personnel to facilitate a PSC inspection is not a requirement of the MSA. As a result of China's ratification of the MLC 2006, Masters/Operators must be aware of MLC Regulation 2.4.2, which states that "Seafarers shall be granted shore leave to benefit their health and well-being and with the operational requirements of their positions."

The Inspector first performs an initial inspection during a PSC inspection. This entails going on board to make sure the ship has all the required legal certificates and paperwork. In order to determine whether the ship is in compliance with those certificates and the general condition of the ship, its equipment, and its crew, they also inspect areas crucial to the ship's safe operation. A more thorough

inspection is carried out if certification is invalid or if there are compelling reasons to believe that the ship, its machinery, or its crew may not be substantially in compliance with the requirements of the relevant convention.

A "Form A" is filled out for every inspection to show that the inspection was completed. A "Form B" is also filled out when deficiencies are noted. The MSA Inspector will use the list of certificates and equipment as the foundation for the initial inspection when using the pocket-sized guidelines. It's important to keep in mind that the recommendations and lists are not all-inclusive, but they are meant to serve as the framework for an initial inspection sufficient to spot potentially unseaworthy ships. The Master usually makes arrangements for requested equipment to be ready for inspection and testing during the physical inspection of the vessel, while the Inspector examines the vessel's paperwork and certificates.

Since they are designed for emergency use, the majority of equipment items don't need much preparation, but the crew of the ship always performs equipment tests in a way that ensures everyone's safety. The Inspector may carry out a more thorough inspection if there are good reasons to do so. This could involve a more thorough expansion of the inspection or it could be restricted to a specific component of the ship or piece of equipment, depending on the situation. If any of the following conditions apply, a more thorough inspection may be carried out: flaws or the presence of inherent dangers in safety, pollution prevention, security, and the standard of the work and living environment on board the ship, which were found during the inspection process.

Additionally, no report of correction of prior "deficiencies" as required by the PSC reports to TOKYO MOU or as required by China MSA to conduct in-depth inspection, even if there are obvious signs of serious issues with the ship's safety management system, involved in collision or pollution incident. When conducting the inspection, determining the scope of the inspection, and determining the necessary action to be taken in response to identified deficiencies, the MSA Inspectors use their professional judgment.

The Asia Pacific Memorandum of Understanding on Port State Control (Tokyo MoU), which China MSA is a signatory to and an active participant in, would essentially follow the same CIC. In any case, MSA is well known for having their own areas of concern and focus inspection, particularly in relation to third party complaints. Environment, ECDIS, and MLC are a few of the areas that need attention.

3.3 PORT STATE CONTROL INSPECTIONS IN THE UNITED KINGDOM

Ships visiting UK ports and anchorages must adhere to UK and international safety regulations, which are monitored by the Maritime and Coastguard Agency (MCA). According to a risk-based targeting matrix, the agency will inspect foreign-flagged ships calling at UK ports and anchorages in accordance with the directive on Port State Control (PSC) and membership in the Paris MoU on PSC. The PSCO will use these criteria, timing, and criteria when using professional judgment to determine whether or not a ship

needs to be detained. Timing refers to the fact that ships that are deemed unsafe to leave port will be held upon initial inspection, regardless of how long they will remain there.

If the deficiencies on a ship are serious enough to warrant a PSCO returning to the ship to ensure that they have been fixed before the ship sails, the criteria state that the ship will be detained. The PSCO's need to return to the ship classifies the deficiencies as being of a serious nature. It does not, however, impose this requirement in every circumstance. It implies that the Authority will confirm that the deficiencies have been fixed before departure in some manner, preferably by making another visit. The PSCO will evaluate whether the deficiencies found in a ship are serious enough to warrant detention and whether the ship is manned with the minimum number of crew members required by the Minimum Safe Manning Document or an equivalent. The PSCO will determine during inspection whether the ship and/or crew can navigate safely throughout the upcoming voyage. The ship will be strongly considered for detention if the outcome of any assessments is negative, taking into account all deficiencies discovered. The detention of the ship may also be necessary due to a number of less serious deficiencies.

Additionally, expanded inspections of vessels are permitted. The following ship types are subject to expanded inspections when they are up for a routine port state inspection. ships that have been flagged as having a high ship risk profile in the database for the Paris Memorandum of Understanding. Over-12-year-old bulk carriers, over-12-year-old passenger ships, and over-12-year-old oil, gas, or chemical tankers. These ships are required to give a UK port 72 hours' notice of their arrival.

According to the Paris MoU's established procedures, inspections are targeted at specific ships. Based on the ship's age, type, flag, RO, company performance, inspection history, and detention history, a risk profile is assigned to it. The assigned Risk profile determines how frequently inspections are conducted. Every six months for high risk (HR), every twelve months for standard risk (SR), and every three years for low risk (LR) ships. At the times specified above, ships are given priority I and require inspection. At 5, 10, and 24 months for HR, SR, and LR, respectively, ships become priority II and are eligible for inspection. No-priority ships are ineligible for inspection. Ships with a dominant or unanticipated factor, however, might be subject to an additional inspection.

There were some ships which have been detained in UK port in January 2021. The vessel name POSEIDON with Iceland flag and the LIVA GRETA vessel with Latvia flag. The first one belongs to Neptune EHF company and the second one to Regulus SIA company. Both of them have white listed flags, nevertheless the UK port detained them. That shows that all flags are inspected and there are consequences when the ship doesn’t follow the regulations. LIVA GRETA, had nine deficiencies with two grounds for detention, launching arrangements for rescue boats and ISM. On the other hand POSEIDON had ten deficiencies with two grounds for detention, hull damage impairing seaworthiness and fire pumps. According to Paris MoU annual report 2021 the top 2 deficiencies were ISM and Fire doors/openings in fire-resisting divisions. Surveyors from the Maritime and Coastguard Agency inspect ships flying foreign

flags in UK ports. A deficiency may be reported if a ship is discovered to be in violation of any applicable convention requirements. The ship will be held if any of their flaws are so severe that they must be fixed before leaving. There are five core values for UK maritime that are said to "underpin the work". These ideals include:

• A high-end brand that never sacrifices safety
• A well-rounded set of objectives.
• A dedication to an approach based on rules
• A United Kingdom that is truly global.
• A true collaboration between business and government.

3.4 PORT STATE CONTROL INSPECTIONS IN THE USA

The Port State Control (PSC) program of the Coast Guard ensures that foreign-flagged ships operating in US waters abide by all relevant international treaties, US laws, and US regulations. PSC exams concentrate on those vessels most likely to be substandard, based on identified risk factors, in an effort to reduce deaths and injuries, loss of or damage to property or the marine environment, and the disruptions to maritime commerce. PSC inspectors check vessels for adherence to US and international standards. To ensure proper operation, systems for security, firefighting, lifesaving, and pollution prevention equipment are examined. The vessel's structure and engineering tools are also checked for compliance. The Coast Guard imposes controls until the substandard conditions have been corrected and the vessels have been brought into compliance when it identifies vessels that are not in substantial compliance with applicable laws or regulations. These controls may include limiting the movement of the vessel, limiting cargo operations, refusing entry into the port, ejecting the vessel from the port, or detaining the vessel in accordance with IMO conventions. The PSC program aims to find and remove unsafe ships from US territorial waters. US law mandates that foreign tank vessels carrying oil, gas, and chemicals be inspected at least once a year in addition to the risk-based vessel targeting and examination program.

The Coast Guard issues a Certificate of Compliance (COC) following successful completion of an exam. This certificate is valid for two years and includes a mid-period (annual) examination requirement. The COTP will forbid vessels from conducting cargo operations if they do not have a current COC or if they are more than three months past the anniversary of their COC annual exam date. To prevent further delays in US ports, tanker owners are encouraged to request a COC exam for the COTP up to two months prior to expiration. When resources allow and the inspection is deemed to be advantageous to both the Coast Guard and the ship's management, non-US tankships may be examined abroad. Tanker managers may request an overseas exam directly from the USCG offices if the vessel is current on user fees, intends to conduct cargo operations in US waters within that year, and is in a foreign port covered by Coast Guard Activities Europe or Far East Activities (this covers most of Europe, Africa, and Asia).

The Coast Guard is aware that the vessel's age is an important consideration when evaluating the vessel. The scoring regime actually has a lower targeting factor for vessels that are less than 10 years old. The targeting factor score is increased by the most points for vessels older than 25 years. The Coast Guard has concentrated on developing methods to recognize subpar vessels as part of its efforts to end substandard shipping. Nevertheless, all foreign-flagged vessels are inspected at least once a year regardless of the score they receive in our targeting matrix. This gives the well-run, high-quality ship few incentives. Numerous vessels—hundreds, perhaps thousands—are run ethically and frequently have few or no "deficiencies." Under our current policies, vessels that meet higher-quality standards are examined at intervals that are almost identical to those of vessels that meet lower-quality standards. The dedication to quality and safety displayed by these high-caliber vessels deserves recognition and reward.

3.4.1 QUALSHIP 21

As a result, the Coast Guard launched a program on January 1st, 2001, to identify high-quality ships and offer incentives to promote quality operations. QUALSHIP 21 stands for quality shipping for the twenty-first century. The QUALSHIP 21 E-Zero Program was introduced by the US Coast Guard's Office of Commercial Vessel Compliance and officially launched on July 1, 2017. The E-Zero program is a new component of the QUALSHIP 21 program that aims to honor ships that have consistently adhered to environmental compliance while also exhibiting a strong commitment to environmental stewardship.

The "E-Zero" designation, a new addition to the QUALSHIP 21 program, designates a vessel as having no environmental deficiencies or violations. The E-Zero designation will be given to QUALSHIP 21 ships that have consistently adhered to environmental compliance and have gone above and beyond the requirements of QUALSHIP 21 in their commitment to environmental stewardship. The overall QUALSHIP 21 program, which is voluntary, honors foreign ships that have shown the greatest dedication to upholding strict adherence to U.S. and international safety, security, and environmental regulations. Between July 1 and December 1, 2017, all current QUALSHIP 21 ships that are up for renewal will be automatically evaluated for eligibility. The USCG welcomes shipping companies to submit applications so that the E-Zero designation can be added to current certificates for reissuance for all other QUALSHIP 21 ships that currently meet the E-Zero requirements. Before making a port call to the US, a tank vessel manager should take into account some additional US requirements. For example, tank vessels with pump rooms must have their pump rooms certified gas free by a marine chemist prior to an annual COC exam in order to permit a secure examination of the pump rooms. The obligation to pay for water pollution is another requirement.

To cover the owner's liability under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Oil Pollution Act of 1990 (OPA 90), vessels must have a vessel certificate of financial responsibility (COFR). Vessel response plans (VRPs) are another prerequisite. An

approver VRP is required for any vessels designed to transport oil in bulk as cargo or cargo residue. Ballast water management and the International Safety Management Code (ISM) are two additional requirements.

First tank vessels are required to include with each notice of arrival for the US the dates of issuance for their company's DOC, the vessel's SMC, and the name of the Flag or Recognized Organization that issued the ISM Certificates. Infractions of the ISM code will prevent a ship from entering US waters. Vessels that are discovered to be out of compliance in US ports will be told to leave US waters. All ships with tanks for ballast water that operate in American waters must use one of the following techniques to manage their ballast water requirements. 1) Install and use a BW management system (BWMS) that has received Coast Guard approval. 2) Before releasing BW, perform a full BW exchange 200 nautical miles from any shore, unless the vessel is required to use an approver BWMS. 3) Provided the schedule does not specify that the vessel needs a BWMS that has received CG approval. The CG will permit the operator/master of a vessel that cannot realistically meet the requirements to discharge BW in locations other than the Great Lakes and the Hudson River north of the George Washington Bridge if the vessel retains BW onboard and its voyages do not take it into waters 200 nautical miles or greater from shore for a sufficient amount of time. 4) Use a BW management system that has been installed on board before the ship is required to comply with the BWMS and has been approved by a foreign flag administration. A letter of acceptance from the CG to the manufacturer must be onboard before using an AMS. A vessel will need to comply with the BW exchange requirements up until such letter is loaded onboard. 6) Vessel does not discharge BW into US waters (which include the territorial sea out to 12 nautical miles from the base line). 5) Use only fresh water from a US public water system (PWS).

Regardless of whether a vessel operated outside the EEZ, there are mandatory reporting and recordkeeping requirements for all vessels with ballast water tanks that are headed for ports or locations within the United States. The US Coast Guard must receive a signed copy of the following information from the vessel's master, owner, operator, person in charge, or agent. Copies of this data must be kept on board the ship for a minimum of two years. Name, type, IMO, number, flag, owner, gross tonnage, call sign and agent, last port, arrival port and date, and next port are the specifics of this information. Additionally, the amount of ballast water on board in total, the number of tanks used for ballast, and whether or not it will be discharged, exchanged, or managed differently. Additionally, the total number of tanks in ballast, whether a ballast water management plan is present, whether a copy of the IMO regulations is present, as well as the location, date, volume, and temperature of ballast at the time each tank was loaded. If an alternative management strategy is used, a description of it, the reasons why, the specifics of the exchange, such as the volume exchanged, the location, the date, the percentage of the tank volume exchanged, and the sea level at the time of exchange. Additionally, each tank's ballast water discharge location, date, volume, and salinity.

The rest of the requirements that a tank vessel manager should consider before making a US port

call are 7) mandatory ship reporting system and 8) appeal process. On July 1, 1999, two mandatory ship reporting systems went into effect in an effort to lessen the risk of ship strikes against endangered North Atlantic right whales off the East Coast of the United States. Under a new code of federal regulations, both systems were implemented into American regulations. WHALESNORTH, the northern system, is always in use and affects boats headed for Boston, Massachusetts, as well as those in the immediate area. Between November 15 and April 16, the WHALESSOUTH southern system, which affects ships along a 90-mile stretch of the East Coast in Florida and Georgia, is in operation. When a ship enters an area that is subject to a reporting system, it is required to report to the shore-based authority. Vessels will get a reply message acknowledging their entry into the system, as well as details on the dangers of running into right whales, where to get seasonal right whale advisories, and tips on how to lower the likelihood of running into one. Any directly impacted party who wishes to contest the legitimacy of, or their affiliation with, a decision or action made by a U.S. Coast Guard PSC officer should adhere to the appeal process, as outlined in the Code of Federal Regulations. All operational controls that are not associated with the work of recognized organizations and their issuance of a detention should be appealed first to the responsible Captain of the Port (COTP) or Officer in Charge of Marine Inspection (OCMI). Requests for reconsideration of appeals may be sent to the relevant District Commander if one is dissatisfied with a COTP/OCMI decision on appeal. If the ship representative objects with the decision, there is an option to escalate the appeal to the Commandant of the Coast Guard's office of commercial vessel compliance. The Commandant holds the highest authority to make a final decision on appeals. They will carefully review the case, taking into account any new information not previously presented in the initial appeal. At each level of consideration, there is an opportunity to present fresh arguments and provide additional evidence to support why an appeal should be upheld.

4. CODE OF GOOD PRACTICE FOR PORT CONTROL OFFICERS

The PSCOs should exercise professional judgment when performing their duties, keep in mind that a ship is also a place of residence for its crew, and avoid excessively disturbing their downtime or personal space. The PSCO should also follow any housekeeping regulations on the ship, such as removing work clothes and dirty clothes, and treat everyone on board with respect. They shouldn't base their decisions on the crew's race, gender, religion, or nationality. He should respect the authority of the Master or his deputy, act professionally but firmly when necessary, never become threatening, abrasive, or dictatorial, and never use language that could offend others. He should also expect to be treated with courtesy and respect. For the conduction of inspections comply with all health and safety regulations set forth by the ship and its management, such as the wearing of personal protective equipment, and refrain from acting or causing to act in any way that might jeopardize the safety of the PSCO or the ship's crew.

Additionally, follow all ship security guidelines and wait to be shown around the ship by a responsible individual. At the beginning of the inspection, PSCO must show their identification cards to the Master or the owner's representative. If the inspection was prompted by a report or complaint, however, they must not reveal the identity of the complainant when explaining the reason for the inspection. Another responsibility is to consistently and professionally apply PSC procedures and convention requirements, and to interpret them realistically when necessary, rather than attempting to mislead the crew, for example by asking them to do things that are against the Conventions. Also, ask the crew to perform operational tasks like drills and show how the equipment works rather than conducting their own tests. They must consult others, publications, the flag Administration, or the Recognized Organization when they are unsure of a requirement or their findings rather than making an ill-informed decision.

Another responsibility is to accommodate the operational requirements of the port and the ship, clearly communicate the inspection's findings to the Master, ensure that the Master understands the report of inspection, and provide the Master with a legible and thorough report of inspection before departing the ship. When there are disagreements, they must handle them calmly and patiently, inform the Master of the complaints procedure in place if the issue cannot be resolved in a reasonable amount of time, and inform the Master of their right to appeal and any applicable procedures in the event of detention. In terms of integrity, the PSCO inspector should be impartial and free from any financial ties to the ports, the ships they inspect, or the businesses that operate there. For instance, the PSCOs shouldn't occasionally work for companies that operate ships in their ports or have a stake in the repair businesses that are located there. They ought to have the freedom to decide based solely on the results of their investigations, not on any commercial considerations of the port. Always abide by their administrations' rules when it comes to accepting gifts and favors, such as meals on board. Firmly reject any attempts at corruption, and notify the maritime Authority of any obvious cases. They must regularly update their technical knowledge and refrain from abusing their position of authority for personal or professional gain.

5. DETENTION APPEAL AND REVIEW PROCEDURES

5.1 PARIS MOU DETENTION REVIEW PANEL PROCEDURE

The owner or operator of a ship, or his representative in the State in question, will have a right to appeal against a detention decision made by the Authority of that State, according to Section 3.12 of the Paris MoU text. The detention won't be suspended due to an appeal. The Authority will appropriately notify the ship's master of their right to appeal. If a business owner or operator wants to appeal a detention order, they are advised to follow the official national procedure. The document titled "National appeal procedure Paris MoU member States" contains a list of the national appeal processes for member states of the Paris MoU. The Paris MoU public website has this document posted. The Flag State or the Recognized

Organization (if authorized to act for the Flag State) should be contacted in the event that an owner or operator chooses not to appeal a detention decision through the national process. Then, the Flag State or Recognized Organization may request that the Port State rethink its choice to hold the ship in custody. In these situations, the Port State should look into the choice and let the Flag State or the R.O. know the results. If the Port State decides to change its mind, it should also let the Paris MoU Secretariat and database manager know. A request for review may be sent to the Paris MoU Secretariat if the Flag State or the Recognized Organization disagrees with the conclusion of the investigation as described above. Only the Flag State or the R.O. may make this request, which must be made within 120 days of the date the vessel was released from detention. All pertinent information about the detention in electronic form and in the English language should be provided along with such a request. Please use the submission form. The Secretariat will establish a "Review Panel" made up of itself and four MoU Authorities upon request, with the possible exception of the port- and flag states involved. Based on the data provided by the Flag State and/or the Recognized Organization and the Port State, the Review Panel will evaluate the procedural and technical aspects of the inspection. Correspondence specifics are kept as an internal matter. Within 30 days of accepting the request, the Secretariat will compile a summary of the Review Panel's findings and inform the Flag State or the Recognized Organization, as appropriate, the Port State, and the MoU Advisory Board. The Port State will be asked to reevaluate its decision if the Review Panel's opinions concur with those of the Flag State or Recognized Organization in their complaint. Although the Review Panel's conclusions are not legally enforceable, they may serve as justification for the Port State to update its already-input inspection data and notify the Secretariat and the database manager accordingly. Regarding the action taken by the Port State, the secretariat will, as appropriate, inform the Flag State or Recognized Organization.

5.2 TOKYO MOU DETENTION REVIEW PANEL PROCEDURES

The company of a ship or its representative will have the right to appeal against a detention ordered by the Authority of the Port State in accordance with the provisions of the Memorandum. The master should be properly informed of their right to appeal by the Port State Control officer. If the shipmaster wants to contest a detention order, they should be advised to follow the established national procedure.

The Flag State or the Recognized Organization (acting on behalf of the Flag State) should be contacted if an owner or operator chooses not to use the official procedure but still wants to protest a detention decision. Then, the Flag State or the Recognized Organization may request that the Port State rethink its choice to hold the ship in custody. In these situations, the Port State must look into the choice and report its findings to the Flag State or the Recognized Organization. The Asia Pacific Computerized Information System (APCIS) Manager and the Secretariat should both be notified if the Port State decides to reverse its decision. Within 120 days of the date the detainee was released from custody, the Flag State or the Recognized Organization may submit a request for review to the Secretariat if they disagree with

the decision. All pertinent information about the detention should be provided along with the request in electronic form (email) and in English. A "Detention Review Panel" made up of three Authorities chosen alphabetically, excluding the Port and Flag State, will be established by the Secretariat. The Port State will be informed of the review request and invited to submit any pertinent data by the Secretariat. Based on the data provided by the Flag State and/or the Recognized Organization and the Port State, the Panel will evaluate the procedural and technical aspects of the inspection. The panelists will submit their feedback electronically. The Secretariat will draft a final summary of the Panel's recommendations and, as necessary, inform the Flag State or the relevant organization. The Panel and the Port State's correspondence in detail will be kept as an internal matter. The Port State will be asked to reevaluate its choice if the Panel's opinions concur with those of the Flag State or the Recognized Organization. Although the Panel's conclusions are not legally enforceable, they may serve as justification for the Port State to update its already-included inspection data in the APCIS and to notify the Secretariat and the APCIS Manager accordingly. The Panel's recommendation was ineligible as a basis for receiving monetary compensation. The Flag Stage or the Recognized Organization, as appropriate, will be informed by the Secretariat of the Port State's action.

5.3 CHINA DETENTION REVIEW PANEL PROCEDURES

According to national administrative review regulations, a challenge to the detention decision may be made within 60 days of the detention date to the relevant regional MSA offices, which include some port offices that delivered the notice of the detention. The regional MSA office, which is in charge of monitoring the caliber of PSC inspections, will review the appeal and issue a ruling within 60 days of the appeal's acceptance. If the person filing the appeal disagrees with the decision made by the regional MSA office, they may send their appeal to the head office for further review. The appeal could also be sent straight to China MSA's headquarters. The regional MSA in charge of initial review will receive the appeal, though, before the head office returns its decision to the qualified appeal maker. If the party in question disagreed with the outcome of the administrative review, they may file an appeal with a People's Court in accordance with the applicable national laws.

5.4 MEDITERRANEAN MOU REVIEW PANEL/APPEAL PROCEDURES

The owner or operator of a ship will have the right to appeal against a detention decision to a higher administrative Authority of the Court of Competent Jurisdiction in accordance with the law in each country, according to Section 3.12 of the Med MoU memorandum. An appeal, however, will not result in the detention being suspended. If an owner or operator wants to appeal a detention order, they are advised to follow the official Authority's procedure. The following are listed in the document titled "Med MoU Member States Basic Appeal Procedures": State appeals processes under the Med MoU. A complaint regarding a detention decision should be sent to the Flag State or the Recognized Organization (if it is

authorized to act on behalf of the Flag State) in the event that an owner or operator chooses not to use the Authority's official appeal procedure. Then, the Flag State or Recognized Organization may request that the Port State rethink its choice to hold the ship in custody. In these situations, the Port State must look into the choice and report its findings to the Flag State or the recognized organization. If the Port State chooses to defer making a decision, it must also let the Med MoU Secretariat and database manager know. Within 90 days of the date of detention, the Flag State or the Recognized Organization may submit a request for review to the Med MoU Secretariat if they disagree with the findings of the investigation mentioned above. Any information pertaining to the detention should be provided in electronic form and in the English language along with such a request. The Secretariat will establish a "Review Panel," which will be made up of the Secretariat acting as Coordinator and the three MoU Authorities that have been requested, excluding the Port and Flag State, in an alphabetical rotating fashion.

The Port State will be informed of the review request and invited to submit pertinent information in electronic format by the Secretariat. Based on the data provided by the Flag State and/or the Recognized Organization and the Port State, the Review Panel will evaluate the procedural and technical aspects of the inspection. Members of the Review panel deliver their recommendations to the Secretariat. Should more information be needed, the Secretariat will make arrangements for all Review Panel members to receive it. Correspondence specifics are kept as an internal matter. The majority opinion is reflected in the Review Panel's conclusions. Informing the Flag State or the Recognized Organization, as necessary, the Port State, and the MoU advisory Board, the Secretariat will compile a summary of the Review Panel's findings. The Port State will be asked to reevaluate its decision if the Review Panel's opinion concurs with the Flag State's or the Recognized Organization's complaint. Although the Review Panel's conclusions are not legally binding, they might serve as justification for the Port State to update its already-input inspection data and notify the Secretariat and the database manager accordingly. Regarding the action taken by the Port States, the Secretariat will, as appropriate, inform the Flag State or Recognized Organization. The Review Panel's conclusions were inadmissible as a basis for receiving monetary compensation.

5.5 INDIAN OCEAN MOU INDEPENDENT DETENTION REVIEW PANEL

The owner or operator of a ship will have the right to appeal against a detention to a higher administrative Authority or the court of competent jurisdiction, in accordance with the law of each country, according to Section 3.13 of the Indian Ocean MoU. An appeal, however, will not release the suspended from their detention. Owners or operators should first use the official national processes of the specific Indian Ocean MoU member country (Port State) that issued the detention notice if they wish to appeal a detention decision. Owners or operators should begin the appeal process within 30 days of the date of detention, or as instructed by the specific member country, or within the timeframe required. Owners or operators who choose not to appeal a detention decision through the port state's formal channels should

instead send a detailed letter of complaint to the vessel's flag state or recognized organization, depending on whether the latter is permitted to represent the flag state. Then, the Flag State or recognized organization may request that the Port State rethink its choice to hold the ship in custody. In these situations, the Port State should look into the decision to detain and report their findings to the Flag State or their recognized organization. Informing the Indian Ocean MoU Secretariat and arranging for a correction to the PSC data stored on the Indian Ocean Computerized Information System (IOCIS) are both required if the Port State decides to reverse the decision.

5.6 BLACK SEA MOU DETENTION REVIEW PANEL PROCEDURES

The owner or operator of a ship will have the right to appeal against a detention decision to a higher administrative authority or the court of competent jurisdiction, in accordance with the law of each country, according to Section 3.12 of the BS MOU. These Guidelines are intended to establish a uniform process for owners and operators who choose to exercise their right of appeal in accordance with Section 3.12 of the Memorandum. In order to appeal a detention order, owners or operators must follow the official national procedure set forth by the national jurisdiction of the nation where the order was issued. The Flag State or the recognized organization (if authorized to act for the Flag State) should be notified if the operator or ship-owner chooses not to use the official appeal procedure but still wishes to object against the detention order. After the detention has been released, the Flag State or the Recognized Organization has the right to request that the Port State reconsider its decision to detain the ship in accordance with the national laws of the nation where the detention order was issued. The MOU website's National Arrangement on PSC in the Black Sea Region provides basic details about Member States' national appeals processes. In these situations, the Port State must look into the choice and report its findings to the Flag State or the Recognized Organization. The BSIS Manager and the BS MOU Secretariat should also be informed if the Port State decides to reverse its decision.

5.7 ABUJA MOU DETENTION

The owner or the operator of a ship or his representative in the state concerned will have a right of appeal against a detention decision taken by the authority of that state," the Abuja MoU Memorandum states. The detention won't be suspended due to an appeal. The authority will appropriately notify the ship's master of their right to appeal. These guidelines are meant to establish a uniform process for when an owner or operator makes use of their right to appeal. If owners or operators want to appeal a detention order, they should be advised to use the official national procedure. A complaint about a detention decision should be sent to the Flag State or the recognized organization (if authorized to act on behalf of the Flag State) if the owner or operator chooses not to use the official procedure but still wants to do so. Then, the Flag State or Recognized Organization may request that the Port State rethink its choice to hold the ship in custody. In

these situations, the Port State must look into the choice and report its findings to the Flag State or the Recognized Organization. The Information System Manager and the Secretatiat should also be informed if the Port State decides to reverse its decision. If the Flag State or the Recognized Organization is not pleased with the Port State's response, they may request, through the Abuja MoU Secretariat, that a Detention Review Panel look into the situation. All pertinent information about the detention should be provided along with the request in electronic (email) format and in English. A "Detention review panel" (DRP) made up of the Secretariat and the four MoU Authorities that were requested, excluding the Port and Flag State, will be established. Until the review case is resolved, the panel members won't be identified. The Secretary should now inform the Chairman of the appeal's receipt as well as the members of the Detention Review Panel.

Additionally, the Secretariat will invite the Port State to submit pertinent information in electronic format (email) and will notify the Port State of the request for review via email or fax (along with a copy of the complaint letter). The DRP will continue the review based on the data provided by the Flag State and/or recognized organization if the Port State does not respond within ten days. The Secretariat will also notify the port state concerned with the decision to detain the ship of the request for a review and will ask that port state to provide all pertinent documentation at that time. Based on the data provided by the Flag State and/or the Recognized Organization and the Port State, the DRP will take into account the procedural and technical aspects of the inspection. Within 15 days, the DRP members will email the Secretariat their responses in accordance with the checklist. To ensure that each panel member receives the same information, the Secretariat should be contacted if a member needs more. If there are disagreements among the DRP opinions, the Secretariat will distribute a preliminary summary in order to reach a consensus. If there is a disagreement among panel members, the outcome of the request for review will be decided by the majority. Within 30 days of accepting the request, the Secretariat will draft a summary of the DRP's recommendations and, as necessary, notify the Flag State or the recognized organization of the review's findings. The summary of opinions will be given to the port states and the Intersessional Management Working Group (ISMWG). Copies will be delivered to DRP participants. The DRP and the Port State's correspondence in detail will be kept as an internal matter. The Port State will be asked to reevaluate its decision if the DRP's opinions support the Flag State or Recognized Organization complaint. Although the DRP's conclusions are not legally binding, they may serve as justification for the Port State to update its inspection data that has already been entered into the information system and to notify the Secretariat and the information system manager accordingly. The Secretariat will, as necessary, inform the Flag State or other recognized organization of the Port State's action. The ISMWG and DRP members will receive copies to finish their files. If the Port State decides that keeping the detainees in custody is still justified after reviewing the Panel's findings. Detention will continue to be authorized. The panel lacks the authority to overturn the Port State's judgment. In order to improve the harmonization of inspections, the Secretariat

will prepare an ongoing summary of the review's results and status for each ISMWG meeting as well as an anonymous (members of the DRP's identities and individual findings are not included) summary of the closed cases. The Abuja MoU Committee Meeting will receive an annual report from the ISMWG on the DRP's activities.

5.8 AUSTRALIAN DETENTION REVIEW PANEL PROCEDURES

Every effort is made to prevent unjustified ship detention or delay. The Administrative Appeals Tribunal Act of 1975 permits a legal review of the decision to detain a ship. On the detention form itself, the review process is described in detail. However, AMSA is aware that a lot of the questions an Owner or Manager wants answered can be answered or explained satisfactorily through a message exchange. Each Form A and B includes the contact information for the AMSA Manager Ship Inspection to enable such a conversation. The Manager, Ship Inspection, is in charge of this informal review procedure. There are only two fundamental criteria that must be met for the review to be effective. The applicable legislative requirement was either misunderstood by the AMSA PSCO or improperly applied by the AMSA PSCO. Australian law precedent indicates that the review will probably find the PSCO's decision to be justified if, at the time of the inspection, a defect existed that caused the ship to not comply with the requirement (and the defect was not disclosed to the PSCO prior to the inspection commencing). Additionally, a precedent for a code 17 vs. code 30 has been established. If the vessel is substandard or unseaworthy at the time of the inspection, a code 30 is the only code that can mandate a follow-up inspection under Australian law.

5.9 UNITED KINGDOM DETENTION REVIEW PROCEDURES

The Master or Owner of a ship that is being held in custody in the UK has the right to challenge the holding in court. When issuing the detention notice, a copy of the "Right of Appeal" information is given to the Master. The owner/master has 21 days to submit an arbitration request to the MCA. The owner/Flag State may also use the Paris MoU Review Panel procedure, in which case a panel of five Paris MoU signatories will evaluate the situation and issue a decision regarding whether the detention was legal in terms of procedure. The Port State is not obligated by the choice to end a detention.

5.10 VINA DEL MAR MOU DETENTION REVIEW PANEL PROCEDURES

The Vina del Mar Agreement Text's Section 3.15, which reads, "The Company or its Representative have the right to appeal against the detention order issued by a Port State Control Authority," specifies the general procedure for reviewing appeals. The suspension of the detention should not result from the appeal. The existence of the right to appeal will be duly reported to the master by the Port State Control officer. The PSC officer of the corresponding Maritime Authority should properly inform the ship's master of the

right to appeal the detention as well as the specific steps required by their Maritime Authority. If the ship Owner or Operator wishes to voice their disapproval of the detention without directly appealing this measure to the Port State Control, they may do so by submitting their complaint to the Administration or a recognized organization acting as their representative, who may then ask the Port State Control to reevaluate the decision to detain the vessel. In such a situation, the Port State Control is required to examine the decision, look into the circumstances, and report the findings to the Administration or recognized organization.

The Agreement Secretariat and the CIALA Database Manager must also be notified if the Port State Control decides to reconsider and change their decision. A summary of the cases received during the period between Committees' revision of appeals will be prepared by the Agreement Secretariat for each Committee. In order to capitalize on the experiences and harmonize the inspection procedures among the member Authorities of the Vina del Mar Agreement Committee, the Agreement Secretariat will also publish a report of the case on the private website of the Agreement (without identifying those involved).

6. RESULTS

Mainly even though there are many different MoU's the concept remains the same. We need our ships and sea's to be secured as much as the crew and the employees of the shipping companies. For this reason it is essential to follow the instructions and the regulations of the Port State Control to its absolute form. Some of the differences/similarities are the bellow:

6.1 DIFFERENCES

Port State Control (PSC) Memoranda of Understanding (MoUs) share a common objective of promoting maritime safety, safeguarding the marine environment, and enhancing seafarers' working conditions. Nevertheless, variations exist among the different MoUs, encompassing:

Geographical Scope: Each MoU focuses on a specific geographic region, varying in the number of ports, geographical size, and types of vessels visiting those ports. For instance, the Paris MoU concentrates on European coastal states and the North Atlantic region, while the Tokyo MoU covers the Asia-Pacific region.

Inspection Emphasis: While core inspection criteria are based on international conventions and regulations, some MoUs might emphasize specific areas of inspection based on regional challenges.

Detention Rates: The percentage of inspected ships detained can differ among MoUs due to factors such as inspection thoroughness, enforcement policies, and ship compliance levels in the region.

Regional Priorities: Certain MoUs may prioritize specific concerns that are prevalent in their respective

regions. For example, the Indian Ocean MoU may concentrate on issues related to fishing vessels, while the Caribbean MoU might prioritize inspections of cruise ships due to high cruise traffic.

Collaboration and Engagement: MoUs often collaborate with other regional organizations, sharing information and harmonizing practices. The extent of cooperation with other entities may vary among MoUs.

Transparency in Reporting: MoUs vary in their frequency and level of transparency when reporting inspection outcomes and detention statistics. Some MoUs publish detailed annual reports, while others offer limited public information.

Training and Capacity Building: MoUs may differ in their focus on training and capacity building for port state control officers, impacting inspection quality and consistency across regions.

It's crucial to recognize that despite these differences, all MoUs ultimately strive to enhance maritime safety and environmental protection through effective port state control inspections. The exchange of information and best practices among MoUs contributes to a more cohesive and globally efficient port state control system.

6.2 SIMILARITIES

While various Port State Control (PSC) Memoranda of Understanding (MoUs) may exhibit differences due to regional factors and priorities, they also share several fundamental similarities:

Common Goal: All MoUs have a unified objective of promoting maritime safety, preventing marine pollution, and ensuring compliance with international maritime regulations. Their mission is to safeguard the marine environment and improve seafarers' safety and working conditions.

Inspection Standards: Although there might be some regional variations in emphasis, the core inspection criteria primarily rely on international conventions and regulations, particularly those established by the International Maritime Organization (IMO).

Port State Control Inspections: Each MoU conducts port state control inspections on foreign-flagged vessels that visit their ports. These inspections aim to verify the ships' adherence to international standards and regulations.

Detention Authority: In case of significant safety, environmental, or labor-related deficiencies during inspections, all MoUs possess the power to detain the vessel until identified issues are rectified to ensure the safety of the ship, its crew, and the marine environment.

Cooperation and Information Exchange: MoUs frequently collaborate with other regional and international maritime organizations to share information, best practices, and synchronize their port state control activities. This collaborative approach fosters a more cohesive and efficient system.

Training and Capacity Development: Many MoUs prioritize training and capacity building for their port

state control officers, ensuring consistent and proficient inspection practices.

Reporting Transparency: MoUs regularly publish reports on their inspection activities, including detention rates and significant findings. These reports enhance transparency and provide valuable data for analysis and improvement.

Enforcement and Compliance: All MoUs focus on enforcing international regulations and ensuring that ships visiting their ports comply with safety, environmental, and labor standards.

Despite regional variations, the fundamental principles and objectives of PSC MoUs are aligned to enhance maritime safety and protect the marine environment globally. The collaboration among different MoUs strengthens the overall effectiveness of port state control activities and contributes to the safety and sustainability of international shipping.

7. EQUASIS

An online database called Equasis (Electronic Quality Shipping Information System) offers data on ships and businesses engaged in international shipping. Ship owners, charterers, port administrations, maritime insurers, and regulators are just a few of the stakeholders in the maritime industry who use it. Equasis provides comprehensive information on specific ships, including technical details, ownership, management, classification society, and flag state.

7.1 EQUASIS AND ITS IMPORTANCE

1. Ship Information: Equasis provides comprehensive information on specific ships, such as their technical details, ownership, management, classification society, and flag state.

2. Company Information: It offers details on the businesses that own, manage, and operate ships. This includes their history, contact information, and any affiliated companies.

3. Performance Records: Equasis also contains information about incidents, detentions, and inspections that pertain to a ship's performance. This information aids in determining a ship's safety and adherence to global maritime laws.

4. Transparency and Accountability Equasis encourages transparency and accountability in the maritime sector by making this information available to the general public. This motivates businesses to uphold strict safety and compliance standards.

5. Risk Assessment: Using Equasis, stakeholders can evaluate the risk connected to a specific ship or shipping firm, including charterers and insurers. Making informed choices about renting or insuring ships requires knowledge of this.

6. Port State Control: When ships enter a particular port, port state authorities may need to inspect

them or give them more scrutiny. To identify and track these ships, they use Equasis. This makes it easier to ensure that ships follow global safety and environmental standards.

7. Regulatory Compliance: Equasis supports regulatory agencies and business associations in ensuring that rules governing international shipping, such as those established by the International Maritime Organization (IMO), are followed.

8. Safety Improvement: Equasis helps the maritime industry's ongoing effort to raise safety standards by offering a platform for exchanging data on vessel performance. It encourages companies to rectify issues and maintain high safety levels.

9. Efficiency in Due Diligence: Equasis streamlines the due diligence procedure for parties involved in renting, buying, or contracting ships. It offers a trustworthy source of data for determining the suitability and dependability of a ship or shipping firm.

10. Equasis helps stakeholders identify and steer clear of ships or businesses with a history of noncompliance or safety issues, thereby preventing substandard shipping practices.

In conclusion, Equasis is essential to improving the maritime industry's transparency, safety, and compliance. All parties involved in shipping operations have access to this useful resource, which enables them to make more informed choices and improve the security and effectiveness of the world's maritime transportation network.

8. INTERTANKO GUIDE TO PORT STATE CONTROL 2021

Port State Control (PSC) is the process of inspecting foreign ships in national ports to ensure that they are manned and operated in accordance with international regulations and that their equipment and state-of-repair complies with those requirements. Many of the IMO's most significant technical conventions include clauses requiring ships to undergo inspections when they arrive at foreign ports to make sure they comply with IMO regulations. Owners, Class Societies, and the Flag State are ultimately responsible for maintaining a ship's standards, but Port State Control (PSC) offers a "safety net" to spot ships that aren't up to par and has proven to be very successful in the past. The Paris Memorandum of Understanding (MoU), which went into effect in Europe in 1982, was the result of the first PSC agreement to identify and exclude substandard ships, which was drafted in response to the Amoco Cadiz incident in March 1978. There are now nine regional agreements on Port State Control in effect, which cover Europe and the north Atlantic (Paris MoU); Asia and the Pacific (Tokyo MoU); Latin America (Acuerdo de Viña del Mar); the Caribbean (Caribbean MoU); West and Central Africa (Abuja MoU); the Black Sea region (Black Sea MoU); the Mediterranean (Mediterranean MoU); the Indian Ocean (Indian Ocean MoU); and

the Persian Gulf (Riyadh MoU). The tenth PSC regime is still in place with the United States Coast Guard. Although the shipping industry has advanced significantly and is still doing so, incidents indicate that some ships continue to evade detection. PSC focuses on these ships through data sharing and improved inspector training to boost their skills and better focus their efforts. The membership of INTERTANKO has long understood the importance of properly operated and maintained tankers and has developed standards to ensure its own high standards. Along with the membership requirements, the Association and its vetting committee helped owners by creating a guide to the vetting process, which offers guidance on both the commercial and PSC vetting processes for tankers.

By compiling details on various PSC regimes, their procedures, and advice created by INTERTANKO's Vetting Committee into one document, this new publication that is solely focused on Port State Control seeks to improve the performance of all ship types, not just tankers. The information in this publication and the advice it offers will help shore-based employees and ship crews understand PSC systems, prepare for inspections, and lessen the number of infractions that could result in detention.

9. CONCLUSION

Shipowners, flag States, and other pertinent industry stakeholders are primarily responsible for maintaining the ship's compliance with international standards. The emergence of the PSC regime is a result of the failure of flag States and shipowners to uphold their obligations. PSC is in no way accountable for the safety standards of foreign ships and serves only as a backup to flag State enforcement. It does not absolve flag States, owners, and other relevant industry players of the obligation imposed by international law to perform their duties properly and responsibly.

In the recent past, PSC's legal foundation and operating procedures were established. If PSC is done on a regional basis, its effectiveness can be increased. The world maritime community now recognizes the PSC regime as a more and more effective means of achieving safe, secure, and efficient shipping on clean oceans as a result of the development of regional PSC MoUs. As of now, the PSC regime has had some success raising the bar for shipping safety. The PSC regime is much less successful in accomplishing its objective, though. There is still a lot of work to be done to improve the PSC regime. Promoting global uniformity of the PSC regime, increasing transparency through increased information sharing between and within regions, strengthening PSCO recruitment and training, and stepping up the targeting system were all actions taken to increase the effectiveness of PSC. The IMO and PSC committees of MoUs can play active roles in ensuring that all of these actions are taken in a uniform and globally harmonized manner. In a nutshell, the PSC regime works, but there are some difficulties. Stakeholders still need to make significant efforts to increase its effectiveness. The ultimate objective is to establish efficient, safe, and safe shipping on clean oceans, one of the oldest industries in human history.

In conclusion, Port State Control (PSC) inspections are critical to ensuring maritime safety, protecting the marine environment, and encouraging compliance with international shipping regulations. These inspections are performed on foreign-flagged vessels visiting port states by maritime authorities of port states. The primary goal of PSC inspections is to identify and correct unsafe shipping practices, ensuring that ships and their crews meet the necessary standards for safe navigation and environmental protection. Maritime authorities can use PSC inspections to ensure that a ship is in compliance with various international conventions and regulations, including the International Convention for the Safety of Life at Sea (SOLAS), the International Convention for the Prevention of Pollution from Ships (MARPOL), and others. Inspections focus on areas such as navigational safety, crew qualifications, pollution prevention measures, and the vessel's and its equipment's condition. PSC inspections serve as a deterrent to substandard shipping practices by holding non-compliant ships accountable and taking appropriate action against them. This encourages shipowners and operators to maintain high safety, environmental, and operational standards. PSC inspections also promote regional and international cooperation among maritime authorities. Memorandums of Understanding (MoUs) between port states encourage information exchange, capacity building, and coordinated efforts to address common shipping industry challenges. Through PSC inspections, port states' collective efforts have significantly improved maritime safety, reduced marine pollution, and protected marine ecosystems. Regular PSC inspections ensure that ships adhere to international standards, lowering the risk of accidents and environmental incidents.

PSC inspections, however, are not a stand-alone solution. They supplement other regulatory measures, flag state responsibilities, and industry initiatives aimed at improving maritime safety and environmental protection. Collaboration, research, and technological advancements must be maintained in order to improve the effectiveness of PSC inspections and ensure a safer and more sustainable shipping industry. Finally, Port State Control inspections are an essential mechanism for promoting safe and environmentally responsible shipping practices around the world, helping to protect the marine environment and the lives of seafarers and passengers on board.

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