

MS 12/15

("By mail")

5<sup>th</sup> May 2015

To all Recognized Classification Societies

**RE: INSTRUCTIONS TO RECOGNIZED ORGANIZATIONA TO ENHANCE CONTROL  
OVER SAFEY STANDARDS OF FIJI SHIPS**

The Maritime Safety Authority of Fiji (MSAF); in its effort to enhance the control of safety standards of Fiji ships, issues the following instructions to its Recognized Organisations and expect such measures to be communicated by its Recognised Organisations to their respective offices worldwide, in order to achieve full and uniform implementation.

MSAF will be available to those tasked with implementing the instructions for any explanations or clarifications they may require.

All terms used are as defined in International Conventions for the implementation, of which relevant authorizations have been given to Recognized Organizations.



**MR JOHN V TUNIDAU  
ACTING CHIEF EXECUTIVE OFFICER**

# Measures to Enhance Flag State Control over Safety Standards of Fiji Ships

## **1. Change of Flag Surveys**

- 1.1 Regardless of whether the Company remains the same as before or a change occurs, no ship may be registered with any outstanding recommendation. In case a deviation from this policy is requested, it should always be referred to the MSAF for consideration and relevant instructions.
- 1.2 At the time of the change of flag, the extent of the surveys in respect of safety equipment shall be upgraded to that of a renewal survey with the addition of basic ILO items as prescribed in the check sheet in annex 1. The surveys for the statutory certificates other than the safety equipment, unless they fall within the windows (intermediate / periodical / renewal), shall be carried out to the extent of annual surveys.
- 1.3 The statutory survey reports for the change of flag surveys shall be made available the soonest possible to the MSAF.

## **2. Notification after Detention**

- 2.1 When a Fiji ship is detained, the Company managing the ship and or the Master of the ship are obliged to:
  - (a) Call immediately the Recognized Organization (RO) to perform surveys/audits as Required; and
  - (b) Notify within two working days from the detention date the MSAF and confirm compliance

## **3. Survey after detention**

- 3.1 When a Fiji ship is detained and the Recognized Organization (RO) is called to attend, the surveyor of the RO shall not limit his inspection to the deficiencies noted by Port State Control (PSC).
- 3.2 If the date of the detention falls within the  $\pm 3$  month's window for statutory surveys, they shall be conducted before the ship sails. In the case of renewal, periodical and intermediate surveys, they shall be conducted to the extent possible, except for safety equipment, radio and IOPP, which shall be completed before sailing. A time schedule for the completion of surveys at the next convenient port shall be set and they shall not be delayed until the end of the window.
- 3.3 If the date of the detention does not fall within the  $\pm 3$  months' window the RO surveyor, after clearing the PSC deficiencies, shall carry out a general examination of the ship and by using his/her professional judgment will decide whether extra surveys are required. In cases where the surveyor deems that a more thorough survey is required, the extent of the surveys will be in the scope of annual with the addition of basic ILO items as prescribed in the check sheet in annex 1.
- 3.4 In cases where the surveyor deems that more thorough surveys are required, he shall proceed as agreed for the change of flag when accompanied by a change of the Company the RO shall send to MSAF copies of the reports on such cases.

## **4. Surveys after PSC inspection with deficiencies identified, which did not warrant detention**



The RO should inform MSAF of such cases which are brought to their attention by PSC authorities. MSAF shall decide whether the case warrants further investigation. On the basis of the results of this investigation, the MSAF in consultation with the RO will decide on the future policy.

## 5. Outstanding Recommendations

In case a ship is burdened with recommendations imposed either by MSAF or PSC, these shall be communicated to the RO classing the ship and the latter shall ensure that they have been rectified according to the set schedule. Otherwise, the RO shall contact MSAF for a decision on the action to be taken.

## 6. International Safety Management (ISM)

- 6.1 On a PSC inspection report as a result of which the ship is detained, there may be an explicit reference to an ISM major nonconformity. In such case, an auditor of the auditing organization shall board the ship and perform an additional audit of the ship's SMS. The extent of this additional audit should be equivalent to the mandatory initial audit of the shipboard part of the SMS.
- 6.2 If, during the shipboard audit, it becomes apparent that problems also exist with the SMS of the company, an additional audit to the extent of the annual audit shall be performed for the Company.
- 6.3 If the detention order contains no explicit reference to ISM nonconformities, then the surveyor shall act as in paragraph 3 above (**Survey after detention**).
- 6.4 If the RO classing the ship and its auditing organization are different entities, and during the survey it becomes apparent that the SMS on board is not properly implemented then the surveyor should notify the ship's auditing organization and MSAF of the findings. In case the auditing organization, having assessed the findings, deems that an additional audit is necessary, it shall notify MSAF and proceed as soon as possible to conduct the additional audit of the SMS of the ship and inform MSAF and the RO classing the ship of the results.
- 6.5 If the RO classing the ship is also its auditing organization, then in case the RO having assessed the findings and deems an additional shipboard audit necessary, the RO shall notify MSAF immediately and proceed as soon as possible to conduct the additional audit of the SMS of the ship and inform MSAF of the results.
- 6.6 If a ship is justifiably detained twice within 12 months, then an additional shipboard audit in the scope of an initial audit shall be performed for the ship's SMS and an additional audit of the Company, in the scope of an annual audit no later than 30 days from the date of detention.
- 6.7 If a ship has been detained three times within a period of 24 months, all statutory certificates shall be suspended. In order to re-instate the certificates, renewal surveys should be carried out with no outstanding items or recommendations to the extent possible, and an additional shipboard audit in the scope of an initial audit shall be performed for the ship's SMS and an additional audit of the Company, in the scope of an annual audit no later than 30 days from the date of detention.
- 6.8 Furthermore, if a ship is detained for a fourth time within a period of 24 months, then the ship shall be deleted from the Fiji Registry and the DoC of the Company issued on behalf of the Republic of Fiji will be re-examined.
- 6.9 MSAF may amend any of the above instructions depending on the number and the nature of the identified deficiencies.

6.10 MSAF may participate in any of the above surveys/audits or may request for an occasional Flag State survey/audit, at the owners expenses.

## Annex 1

This checklist to be completed during surveys associated with Change of Flag and Port State Detentions of Fiji Flag Vessels

The said checklist should always be attached to the surveys reports which should be forwarded by the RO to MSAF.

	ILO Reference	YES	NO	N/A
1. The accommodations and spaces were generally examined in so far as practical and accessible including:				
a. Are all of the accommodation spaces being used for what they were intended for?	ILO 92, 133 and 147			
b. Are all of the accommodation rooms and spaces being kept clean and tidy?	ILO 92, 133 and 147			
c. Is adequate lighting is available throughout the accommodation?	ILO 92, 133 and 147			
d. If the accommodation heating system working (for vessel's operating in cold climates only)?	ILO 147			
e. Are the officers and crew sanitary facilities clean?	ILO 92, 133 and 147			
f. Are crew bathrooms, water closets and sinks operating properly?	ILO 92, 133 and 147			
g. Is water pressure available to the bathrooms and water closets?	ILO 92, 133 and 147			
h. Are cockroaches and other insects properly dealt with?	ILO 68 and 147			
i. Is hot and cold water available?	ILO 92, 133 and 147			
2. The Engine room and other machinery spaces were generally examined in so far as practical and accessible including:				
a. Are all engine room bilges clean and free of oil?				
b. Is the steering gear compartment clean and free of oil and garbage?	ILO 134 and 147			
c. Is the engine room clean (no accumulation of oily rags or garbage)?	ILO 134 and 147			
d. Are acetylene and oxygen bottles stored outside of the accommodation, engine room and other machinery spaces?	ILO 134 and 147			
e. Is paint and thinners stored outside of machinery spaces in designated storage rooms?	ILO 134 and 147			
3. The food and catering areas were generally examined in so far as practical and accessible including:				
a. Galley found clean and suitable for preparing food?	ILO 68 and 147			
b. Are crew provisions in satisfactory condition with no spoilage or unsanitary conditions 147 in stowage or galley?	ILO 68 and 147			
c. Refrigerated provisions storerooms found clean, of adequate size for the provisions, 147 and the refrigeration machinery considered capable of maintaining the provisions at adequate temperatures?	ILO 68 and 147			
d. Are drinking water taps in working condition?	ILO 68 and 147			
4. Is the machinery fitted with protective devices (guards) as considered necessary?	ILO 134 and 147			
5. Is the windlass and mooring winches in good order?	ILO 134 and 147			
6. Is the accommodation ladder in good working order and considered safe for use?	ILO 134 and 147			

Note: If any of the above was answered **NO**, contact your \_\_\_\_\_ for further guidance.

Remarks:

\_\_\_\_\_  
Surveyor