

Subject

New rules of the Paris MOU

# **ClassNK**

## **Technical Information**

No. TEC-0525  
Date 26 May 2003

To whom it may concern

On 12 May 2003, the Paris MOU announced that the new provisions of the Paris MOU (Paris Memorandum of Understanding on Port State Control) agreed last year will come into effect on 22 July 2003. Ship owners and ship management companies managing ships entering ports in the Paris MOU region are requested to pay due attention and instruct the subject ships accordingly.

A summary of the new provisions is as follows.

1. Mandatory Expanded inspection  
(Expanding the mandatory inspection for aged oil tankers, aged chemical/gas carriers, aged bulk carriers or aged passenger ships)
2. Mandatory inspection  
(Any ship with a target factor greater than 50 will be inspected if it is at least 1 months since the last inspection in the Paris MOU region.)
3. Refusal of access for certain ships  
(A ship registered to a flag on the Black List will be refused access to ports in the Paris MOU region taking into account the number of detentions since 22 January 2002.)
4. Recording of Charterers  
(Port State inspectors will record the charterer of a ship carrying liquid or solid bulk cargoes.)
5. VDRs  
(Confirming the proper functioning of voyage data recorders)

Regarding the details of the new provisions, such as the applicable ships, the necessity of notification in advance, etc., please refer to the attached Press Release or the Website of the Paris MOU ([www.parismou.org](http://www.parismou.org)). The black list of flags will be posted on the Website of Paris MOU shortly and the Target Factor of each ship can also be calculated on the Website.

For any other questions about the these matters, please contact:

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Attachment: Press release issued by Paris MOU (12 May 2003)

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# Press release

12 May 2003

## PARIS MOU ANNOUNCES NEW RULES FROM 22 JULY

### **Changes to Port State inspection agreed last year come into effect on 22 July 2003**

The Paris MOU, whose Committee is meeting in Dubrovnik, Croatia this week, is introducing tough rules to target high risk ships. Certain categories of ships from flags on the Black List will be banned after 2 or 3 detentions. Expanded inspection for older oil tankers, chemical and gas carriers, bulk carriers and passenger ships is mandatory after 12 months from the last expanded inspection.

In a move to target high risk ships, a ship with a Target Factor greater than 50 will be inspected after a month from the last inspection in the Paris MOU.

Banning rules are extended. A ship registered with a flag on the Black List will be refused access to ports in the MOU region -

- after the 2<sup>nd</sup> detention in 3 years if it is in the “very high risk” or “high risk” category on the Black List
- after the 3<sup>rd</sup> detention in 2 years if it is in a lower risk category on the Black List

Detentions from 22 January 2002 count towards a ban. To lift it the flag State and, where appropriate, class must certify that

the ship complies with required standards, and the ship must complete an expanded inspection at the owners expense.

Port State inspectors will record the charterer of a ship carrying liquid or solid bulk cargoes. Shipowners need to make sure that the information is available on board.

A ship required under international rules to carry a functioning voyage data recorder may be detained if it is found not to be functioning properly.

More details can be found on the Paris MOU website under "Changes" - [measures, including a decision to begin inspecting ships with ILO working and rest hours regime, from July 2003.](#)

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Notes to editors:

The 2001 Annual Report of the Paris MOU announced that “The increasing trend in operational deficiencies related to safety procedures is still continuing at an alarming rate. Since 1999 there has been an increase of 29%. Ships older than 15 years show over 11 times as many operational deficiencies as ships less than 5 years old.”

Port State Control is a check on visiting foreign ships to see that they comply with international rules on safety, pollution prevention and seafarers living and working conditions. It is a means of enforcing compliance where the owner and flag State have failed in their responsibility to implement or ensure compliance. The port State can require defects to be put right, and detain the ship for this purpose if necessary. It is therefore also a port State’s defence against visiting substandard shipping.

Regional Port State Control was initiated in 1982 when fourteen European countries agreed to co-ordinate their port State inspection effort under a voluntary agreement know as the Paris Memorandum of Understanding on Port State Control (Paris MOU). Current membership includes 13 EU countries plus Canada, Croatia, Iceland, Poland, Norway and the Russian Federation. The European Commission, although not a signatory to the Paris MOU, is also a member of the Committee.

Under the agreement each country undertakes to inspect 25% of individual foreign flagged ships visiting their ports, to pool inspection information and harmonise procedures. The co-ordinated effort results in inspection coverage of 90% to 100% of individual ships visiting the region.

Inspection reports are recorded on a central database SIRENAC located in St Malo - France, available for search and daily updating by MOU member countries. The Secretariat of the MOU is provided by the Netherlands Ministry of Transport, Public works and Water Management.

The Paris MOU has been a blueprint for the introduction of regional regimes of port State control in the Asia Pacific Rim (Tokyo MOU), Latin America (Viña del Mar), the Mediterranean, Caribbean and other emerging regional port State control regimes. Canada and Russia are members of both the Paris MOU and the Tokyo MOU.

For more information on the Paris MOU on Port State Control please consult our Internet Website on the following address:

[www.parismou.org](http://www.parismou.org)

## NEW REQUIREMENTS FROM 22 JULY 2003

The following is a summary of the new provisions of the MOU. For full details please consult the text of the MOU on this website

### Mandatory expanded inspection

This applies to the following ship types:

- Oil tankers over 3000GRT and over 15 years old
- Chemical and gas carriers over 10 years old
- Bulk carriers over 12 years old
- Passenger ships (except ro-ro ferries and HSC) over 15 years

These ships are eligible for an expanded inspection every 12 months

A ship must give 3 days notice of arrival to the MOU port where it becomes eligible to an expanded inspection or before leaving the previous port if the voyage is less than 3 days.

Arrangements for notifying the port state control authorities vary between member states. Owners are recommended to check with their port agents.

Failure to notify could result in additional delay to the ship while the expanded inspection is completed.

If the ship has a target factor of 7 or over the port state is required to complete the expanded inspection before the ship leaves port. However port states may for operational reasons, such as a ship's short stay in port, pass an inspection to the next port in the MOU.

A ship with a target factor under 7 will not normally be subjected to an expanded inspection but should continue to notify subsequent MOU ports until its target factor reaches 7 and a mandatory expanded inspection is carried out.

Details of the scope of an expanded inspection can be found at Section 8 of Annex 1 to the MOU. Attention is drawn to the requirement for an oil tanker that at least one ballast tank is inspected (section 8.3.3.5). Also on a passenger ship a fire drill and lowering at least one lifeboat is required (section 8.3.2.6 and 8.3.6.4).

All checks will be subject to their practical feasibility and safety.

#### Mandatory inspection

This applies to all ship types

A ship with a target factor greater than 50 will be inspected if it is at least 1 month since its last inspection in the Paris MOU region. A ship is not required to notify the port state of its arrival.

#### Refusal of access for certain ships

This applies to the following ship types:

- Oil tankers
- Chemical and gas carriers
- Bulk carriers
- Passenger ships

(note: there is no tonnage or age limitation)

A ship of one of these types which is registered with a flag on the Black List will be refused access to ports in the MOU region

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- after the 2<sup>nd</sup> detention in 3 years if it is in the “very high risk” or “high risk” category on the Black List
- after the 3<sup>rd</sup> detention in 2 years if it is in the “medium to high” or “medium” risk category on the Black List

Detentions from 22 January 2002 will count towards a ban.

To lift a ban the owner must address a formal request to the port state that imposed the ban. This must include a certificate from the flag State (not a recognised organisation) confirming that the ship complies with all convention requirements (including STCW and ILO). If the ship is classed the classification society must confirm that the ship complies with its rules.

The ship must also complete an expanded inspection at the owners expense at a port agreed by the port state that imposed the ban.

The black list of flags which applies between 1 July 2003 and 30 June 2004 can be found on page 18 of the 2002 Annual Report which will be posted on the website shortly.

### Recording of Charterers

Information on the initial charterer of a ship carrying liquid or solid bulk cargoes will be included in published information on inspections and detentions. Port State inspectors will be

required to record this information on their reports of inspection. Shipowners need to make sure that the information is available on board.

### VDRs

A ship required under international rules to carry a functioning voyage data recorder may be detained if it is not functioning properly. If it cannot be readily rectified the ship may be allowed to proceed to the nearest port where it can be rectified or required to rectify it with a maximum of 30 days.

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