

M.S. Notice 7 of 1998

Subject: Port State Control & Operational Inspections

Notice to Owners, Managers, Charterers, Surveyors, Masters, Deck & Engineer Officers and Ratings of merchant ships.

1. This notice is to be read along with provisions of Article X of STCW 1978, Regulation 1/4 of STCW amendments 1995 and IMO Resolution A.787(19) on procedures for Port State Control.
2. Attention is invited to this Directorate's instructions to various Mercantile Marine departments vide circular letter No.ENG/GIS-37(11)/94, dated the 29th January 1997 and quarterly meetings on Port State Control held with all shipowners starting from May 1997. It may be recalled that the contents of IMO resolution A.787(19) on procedures for Port State Control have been highlighted therein.
3. It may be further recalled that the Mercantile Marine Departments were advised to supply a copy of said IMO resolution to all surveyors (PSCOs). All the owners were likewise advised to supply a copy of this resolution to their ships.
4. It is once again emphasized that the concerned persons should go through the contents of the resolution on revised "Procedures for Port State Control" so that the administration surveyors carrying out the responsibilities of PSCOs are well acquainted with the stipulations therein and that the ship staff is properly prepared for the Port State Control Inspections.
5. Amongst various grounds given for more detailed inspections under Chapter 3 of the said IMO resolution, controls under the provisions of STCW Convention that can be exercised by the PSCOs are given under para 3.6.7 of IMO resolution and the same are reproduced below:-

Control exercised by the PSCO should be limited to the following:

1. verification that all seafarers serving on board, who are required to be certificated, hold an appropriate certificate or a valid dispensation, or provide documentary proof that an application for an endorsement has been submitted to the Administration;
2. verification that the numbers and certificates of the seafarers serving on board are in conformity with the applicable safe manning requirements of the Administration; and
3. assessment of the ability of the seafarers of the ship to maintain watchkeeping standards as required by the Convention if there are clear grounds for believing that such standards are not being maintained because any of the following have occurred:

3.1. the ship has been involved in a collision, grounding or stranding, or

3.2. there has been a discharge of substances from the ship when under way, at anchor or at berth which is illegal under any international convention, or

3.3. the ship has been manoeuvred in an erratic or unsafe manner whereby routing measures adopted by the Organization or safe navigation practices and procedures have not been followed, or

3.4. the ship is otherwise being operated in such a manner as to pose a danger to persons, property or the environment.

6. In appendix I to the said resolution deficiencies pertaining to the STCW Convention which may lead to the detention of a ship, have also been prescribed. These too are reproduced below:-

1. Failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the Administration.

2. Failure to comply with the applicable safe manning requirements of the Administration.

3. Failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the Administration.

4. Absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radio communications or the prevention of marine pollution.

5. Inability to provide for the first watch at the commencement of a voyage and for subsequent relieving watches persons who are sufficiently rested and otherwise fit for duty.

7. All concerned may be guided by the above for orderly completion of Port State Control inspections