

The Paris Port State Control New Inspection Regime

The Paris MoU introduced the new port state control inspection regime on the 1st of January 2011. This New Inspection Regime (NIR) was developed by the Paris MoU (PMoU) following consultation with the industry on a mechanism to focus port State control inspections and to reward quality shipping.

The NIR was developed in cooperation with the European Union and with a significant contribution from EMSA and all of the member Authorities of the PMoU. The NIR requirements are aligned with the legislative requirements of the new EU Directive on Port State Control and with the national legislation of the PMoU Member States. Under the NIR quality ships will be rewarded with longer inspection intervals.

High risk ships will be subject to expanded inspections every 6 months. Ships with 3 or more detentions will be banned for minimum period of 3 months.

The New Target of Full Coverage

With the introduction of the NIR the PMoU will change its target of inspecting 25% of individual ships calling at each member State to a shared commitment for full coverage of inspecting all ships visiting ports and anchorages in the PMoU region as a whole.

Ship Risk Profile

The Target Factor will be replaced by the Ship Risk Profile. The Ship Risk Profile classifies ships into Low Risk Ships (LRS) and High Risk Ships (HRS). If a ship is neither Low Risk or High Risk it is classified as Standard Risk Ship (SRS).

The Ship Risk Profile is based on the following criteria, using details of inspections in the PMoU area in the last 3 years:

- type of ship;
- age of ship;
- performance of the flag of the ship, including undertaking Voluntary

IMO Member State Audit Scheme (VIMSAS);

- performance of the recognized organization(s);
- performance of the company responsible for the ISM management;
- number of deficiencies;
- number of detentions.

Low risk ships will be awarded with longer inspection intervals by port State control. Up to 36 months, compared to 6 months in the current system.

In order to qualify for "low risk ship" several criteria need to be met. With regard to flag the following will be decisive:

- Flag appears in the "White List" published in the annual report of the PMoU.
- Flag has informed the PMoU Secretariat that a final audit report including, where relevant, a corrective action plan has been drawn up in accordance with the "Framework and Procedures for the Voluntary IMO Member State Audit Scheme" (VIMSAS).

In practice this means that the flag has to write a letter to the PMoU Secretariat stating the above and enclosing as evidence the "Executive Summary" of the final audit report.

The secretariat will maintain on the PMoU public web site an up-to-date list of Flag States which meet the flag criteria for a low risk ship.

All ship types, regardless of age, can qualify for low risk ship. Other criteria are:

- High performance recognized organization (RO), as listed in annual report;
- RO recognized by one or more PMoU member States;
- High performance company;
- 5 or less deficiencies found during each inspection carried out in previous 36 months;
- and
- no detention within previous 36 months.

Low risk ships, in principle, may be inspected after 24 months and shall be inspected when calling at a PMoU port after 36 months.

Company Performance

The company performance criteria for the calculation of the Ship Risk Profile is a new parameter in the PMoU. The PMoU has established a formula which takes into consideration the deficiencies and detentions in the last 36 months of the company's fleet, based on the IMO company number and compares it to the

average of all vessels inspected in the PMoU to determine the performance level. The companies will be ranked into very low, low, medium and high. Any Refusal of Access (Ban) will have a negative impact on the ranking of the company.

Inspection Categories, Time Window, Selection Scheme and Inspection Types

recognising the rights of Port States to inspect foreign flagged ships in their ports at any time, the PMoU is introducing the following regime.

The NIR includes two categories of inspection, a periodic and an additional inspection.

Periodic inspections are determined by the time window. Additional inspections are triggered by overriding or unexpected factors depending on the severity of the occurrence.

Time Window

The time window is set according to the Ship Risk Profile as follows:

- HRS: between 5-6 months after the last inspection in the PMoU region;
- SRS: between 10-12 months after the last inspection in the PMoU region;
- LRS: between 24-36 months after the last inspection in the PMoU region.

The time span for the next periodic inspection re-starts after any inspection.

Selection Scheme

If the time window has passed a ship becomes Priority I. The ship will be selected for a periodic inspection.

When the time window opens a ship becomes Priority II. The ship can be selected for a periodic inspection.

If an overriding factor is logged against a ship it becomes Priority I irrespective of the time window and the ship will be selected for inspection.

If an unexpected factor is logged against a ship it becomes Priority II irrespective of the time window and the ship can be selected for inspection.

Before the window opens for any risk profile and there are no overriding or unexpected factor is logged, the ship has no priority status and member States are not obliged to perform an inspection on such ship but if deemed appropriate may still choose to do so.

Inspection Types (Initial, more detailed and expanded inspection)

The PMoU will not change the inspection types but will extend the expanded inspection to all ship types.

In case of a periodic inspection each ship with a HRS profile and each bulk carrier, chemical tanker, gas carrier, oil tanker or passenger ship older than 12 years will have to undergo an expanded inspection. Each ship with a SRS and LRS profile which is not one of the above mentioned ship types, will undergo an initial inspection or if clear grounds are established a more detailed inspection.

Any additional inspection shall be, at least, a more detailed inspection. If the ship has a HRS profile or is of one of the above mentioned ship types, the member State may decide to perform an expanded inspection instead.

Refusal of Access (Banning)

The PMoU will widen the banning for multiple detentions from certain ship types to all ship types and extend the flag from the black to the grey listed ones.

The banning criteria for the first and second ban will be amended as follows:

- If the ship flies a black listed flag it will be banned after more than 2 detentions in the last 36 months;
- If the ship flies a grey listed flag it will be banned after more than 2 detentions in the last 24 months.
- Any subsequent detention after the 2nd banning will lead to a ban, regardless of the flag.

Furthermore a time period until the banning can be lifted will be introduced which is as follows:

1. 3 months after the first ban;
2. 12 months after the second ban;
3. 24 months after the third ban;
4. permanent ban.

To lift the 3rd ban more stringent conditions are applied which have to be fulfilled before the 24 months has elapsed.

Reporting Obligations

With the NIR the PMoU has widened the arrival notifications. The former regime had already a 72 hour pre-arrival (ETA72) message in place. This was only relevant for a few ship types and only in case these were eligible for an expanded inspection. The ETA72 is now widened to all ships with a HRS profile and also to each bulk carrier, chemical tanker, gas carrier, oil tanker and passenger ship older than 12 years eligible for an expanded inspection.

Further, as previous, it is required that all ships provide a pre-arrival notification 24 hours in advance (ETA24).

Both the ETA72 and ETA24 notifications are obligations for the ship and shall be made to the Port State in accordance with their national arrangements.

A new reporting requirement which is introduced with the NIR is the notification of the actual time of arrival (ATA) and the actual time of departure (ATD) of all ships calling at all ports and anchorages in the PMoU region.

Implementation of New Information System

On 1st January 2011 the PMoU launched a new information system "THETIS".

To facilitate planning of inspections, the new system will be linked to the Port Call information systems of the PMoU Members which includes the SafeSeaNet (SSN) system for the EU Member States. This information from the port call information systems will provide information on ships in, or expected at, all ports of the PMoU.

THETIS will indicate which ships have priority for inspection and will allow the results of inspections to be recorded. Via THETIS these reports will be made available to all Port State control authorities in the PMOU.

THETIS will also interface with a number of other maritime safety-related databases including those of the recognized organizations, national information systems and other port State control regimes so as to exchange data and provide a full picture for the inspector. Inspection results will also be available through the PMoU website.

The European Maritime Safety Agency is responsible for the development, hosting and management of the system.