

SUB-COMMITTEE ON FLAG STATE
IMPLEMENTATION
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HARMONIZATION OF PORT STATE CONTROL ACTIVITIES

Measures implemented in order to improve compliance with safety and quality standards

Submitted by Belize

SUMMARY

<i>Executive summary:</i>	This document comments on document FSI 16/INF.10 on Flag Administrations targeted by the Paris MoU, Tokyo MoU and the United States and presents measures implemented by Belize in order to improve compliance with safety and quality standards
<i>Strategic direction:</i>	5.3 and 12.3
<i>High-level action:</i>	5.3.1 and 12.3.1
<i>Planned output:</i>	5.3.1.3 and 12.3.1.2
<i>Action to be taken:</i>	Paragraph 23
<i>Related documents:</i>	FSI 16/INF.10

INTRODUCTION

1 This document comments on document FSI 16/INF.10 (United States, Paris MoU and the Tokyo MoU) and is submitted in accordance with the provisions of paragraph 4.10.5 of the revised Guidelines on the organization and method of work of the MSC and the MEPC and their subsidiary bodies (MSC-MEPC.1/Circ.1).

2 As shown in document FSI 16/INF.10, the performance of Belize registered ships has improved considerably since 2001 when the Belize flag Administration was on the very high risk/targeted lists of the Paris MoU, the Tokyo MoU and the United States Coast Guard (USCG). In the case of the latter, Belize is now one of 13 flag Administrations which have qualified for the USCG's Quality Shipping for the 21st Century (QUALSHIP 21) Program. Also, during 2007, as the result of Belize continuing preventive/corrective actions, the detention rate for ships flying the flag of Belize (detentions v: inspections) in the Tokyo MoU dropped from 11.45% in 2006 to 9.39% in 2007. It is the Belize Administration's objective to be off the Black List of the Tokyo MoU and to attain the White Lists of all the aforementioned MoUs at the end of 2009.

MEASURES TO IMPROVE COMPLIANCE WITH SAFETY AND QUALITY STANDARDS

Registration

3 Applications for the registration of any ship are screened carefully. Specifically, the ship's port State control (PSC) record in all PSC regimes is checked as well as in the websites of Equasis and Sea-Web; the records of the owners and ISM operators in the Belize registry are checked as well as those of any other ships known to the Belize Administration as being owned/operated by them, whether they are registered with Belize or other registries; and the registration of a ship is declined if it was detained twice for serious structural deficiencies/poor

maintenance within a period of 12 consecutive months and/or if the record of the owners and/or ISM operators gives the Belize Administration grounds for concern. *Inter alia*, as the result of Belize criteria, the average age of the Belize fleet has dropped from 28 years in 2001 to 19 years in 2007.

Flag State inspections

4 In 2007, Belize subscribed to "AIS Live" which enables the Administration to track the movements of the cargo vessels flying the flag of Belize as well as those of potential new registrations and to ascertain their next ports of call so as to arrange, *inter alia*, flag State inspections. Also, all the fishing vessels flying the flag of Belize, including refrigerated cargo vessels which are engaged in the transportation of living marine resources are fitted with a Vessel Monitoring System (VMS).

5 Belize has increased the number of flag State inspectors from 67 in 2001 to 182 in 2007 in order to improve its inspection coverage worldwide and the frequency of flag State inspections from annual to two or more inspections in each period of 12 months, depending on the detention record of a particular ship and the findings of the Belize Administration during previous inspections. Belize has reviewed its flag State inspection report (check list) so as to render it more detailed and comprehensive.

6 Belize has intensified the monitoring of the performance of its flag State inspectors. Any PSC detainable deficiencies found within 3 months after a flag State inspection are attributed to the Belize inspector and may constitute grounds for warnings/dismissal.

Merchant Shipping Notices/Guidelines issued by the Belize Administration on PSC

7 Belize analyzes the PSC detentions of ships flying its flag each year and has issued Merchant Shipping Notice MSN-0033 to all owners, operators, recognized organizations (ROs) and flag State inspectors drawing particular attention to ships which have incurred detentions, the types of deficiencies which have been the cause of the majority of the detentions and instructing pro-active actions in their prevention e.g. the implementation of pre-arrival check lists.

8 Belize has issued Merchant Shipping Notice MSN-0030 to owners, operators and masters of all ships flying its flag reminding them of their important responsibilities under the relevant IMO/ILO Conventions, giving guidance on the conduct of PSC inspections by reference to IMO resolution A.787(19), as amended by resolution A.882(21), as well as the requirement of immediate notification by the owner/operator/master of a ship to the Belize Administration of any detention by a PSC Authority.

Recognized organizations (ROs)

9 The scope of the delegation of surveying responsibilities to ROs is restricted so as to require prior authorization from the Belize Administration for the issuance of any conditional/short term certificate - Technical Note TN-0003. Since 2003, Belize has cooperated with IACS in the pilot initiative for the formulation and implementation of measures to improve flag State performance. Consequently, in 2004, Belize issued Technical Notes TN-0010 and TN-0011 containing detailed instructions to ROs with regard to:

- .1 surveys after a PSC detention in circumstances where the detention was warranted and where it was not warranted; the reporting and rectification of deficiencies; and ISM failures;
- .2 restrictions on the postponement of renewal surveys. Such postponement can only be authorized by the Belize Administration in exceptional/special circumstances

and are conditional upon such surveys having commenced and proceeded to the maximum extent possible; and

- .3 instructions on the conduct of surveys by the same RO for the change of flag to that of the Belize Administration and in relation to existing outstanding recommendations; relating to the change of flag to that of the Belize Administration where there is also a change of RO, and regarding the change of RO whilst a vessel is registered with Belize.

10 In Merchant Shipping Notices MSN-0031 and 0032, Belize has addressed the issue of ISM failures including the reporting requirements for the RO of a ship in the case where the SMC is issued by another RO as well as where there is a transfer of ISM certification from one RO to another.

11 The performance of all organizations recognized by Belize is assessed on a quarterly basis as well as annually with specific reference to detentions of any ships surveyed by them and attributable to them as a result of a failure of any relevant survey carried out within a period of 3 months prior to the detention. The results of such assessments are notified to organizations recognized by Belize as necessary, but at least one per annum, together with Belize recommendations for improved performance.

12 Organizations recognized by Belize are audited by the Belize Administration together with an independent auditor, with priority being given to ROs whose ships are incurring detentions. Corrective actions are taken, as necessary, which, in some instances, have resulted in the withdrawal of Belize authorization or the restriction in the size, type, age and voyages of ships for which they are authorized to survey and certify on behalf of the Belize Administration as reflected in the IMO website (GISIS).

Preventive/corrective actions

13 Ships belonging to owners who, after appropriate warnings from Belize, fail to rectify serious deficiencies on their ships which are identified by Belize flag State inspectors and/or organizations recognized by Belize and/or PSC officers, are issued with Prohibition from Sailing Notices pending rectification of all outstanding non-compliances or are deregistered, depending on the nature of the non-compliance(s) and the level of the owner's/operator's co-operation.

14 Apart from the rectification of deficiencies, Belize has implemented a system of warnings and fines relating to PSC detentions and violations which take into consideration the nature and severity of the offence, the record of the owners/operators including any previous offences/violations and other relevant factors.

15 In the event of a PSC detention which is the consequence of a failure relating to a survey which is currently within the window period, Belize requests the relevant RO to perform this survey/audit immediately as well as any other surveys/audits which Belize may deem necessary. In case a Belize flag State inspector identifies any deficiencies which are within a scope of a survey which is already within the window period, Belize requests the responsible RO to conduct this survey immediately.

Incentives

16 Belize introduced the following rebates in order to encourage, with Belize own revenues, the attainment of Belize quality objectives. A ship which is trading (not laid up) and which is not the subject of any PSC detention for a continuous period of 12 months is entitled to a 25% rebate on the Annual Tonnage Tax due for the subsequent period of 12 months. After 2 or more

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continuous years of no PSC detentions, the rebate increases to 35%. In the event that a ship is detained by a PSC Authority, all rebates cease with effect from the date of such detention. A ship which has attained certification for the Green Award or the ISO 14001 Environmental Standard qualifies for a 15% rebate on the Annual Tonnage Tax for each year during which it holds a valid certificate relating thereto.

Quality Management System (QMS)

17 The Belize Administration's QMS is audited annually by an accredited body of the United States' ANSI-ASQ National Accreditation Board (ANAB) in accordance with the Quality System Standard ISO 9001-2000. The scope of Belize certification encompasses ship registration, endorsement certification of seafarers, statutory certification and fishing vessel administration.

Co-operation with PSC regimes

18 Belize Technical Department checks the websites of all PSC regimes on a daily basis in order, *inter alia*, to check the results of inspections and that the information shown is up to date as well as to establish whether any ship has been detained but the relevant PSC Authority has failed to notify the detention to the Belize Administration.

19 Belize has a policy of a close co-operation and dialogue with all PSC regimes in all matters relating to detentions. Also, representatives of Belize visit the offices of the USCG, Paris and Tokyo MoUs on a regular basis in order to discuss past detentions and to inform them of Belize preventive measures.

Fishing vessels

20 Belize is a member of all Regional Fisheries Management Organizations (RFMOs) worldwide in whose convention areas fishing vessels flying its flag are operating. Belize is represented at the FAO Expert Consultations on the Establishment of a Comprehensive Global Record of Vessels Engaged in Fishing Activities (fishing, transport and supply vessels), on combating IUU fishing and the proposed extension of PSC inspections to fishing vessels.

Conduct of PSC inspections

21 Belize would like to commend the PSC regimes for the valuable work which they, their respective member Administrations and their PSC officers are performing in the interests of safety and the protection of the environment.

22 In view of the rightful importance attributed internationally to the annual reports of the PSC regimes, compliance by PSC officers with resolution A.787(19) as amended by resolution A.882(21) and, in particular, with the provisions of chapter 2, section 2.3 which details the "clear grounds" for the conduct of "more detailed" inspections is critical in order to ensure a level playing field for the comparison of the performance of flag Administrations. It is Belize understanding that the fact that the ships flying the flag of a country are targeted in a PSC regime results in an increased frequency of PSC inspections in that PSC regime and not in any change in the methodology for the conduct of such inspections from that prescribed in the aforementioned resolutions which must be applied in a consistent and non-discriminatory manner.

ACTION REQUESTED OF THE SUB-COMMITTEE

23 The Sub-Committee is invited to consider the above information and take action as appropriate.
