



Merchant Marine Notice MMN-25-005

Title: CRITERIA FOR ATTRIBUTING PORT STATE CONTROL
DETENTIONS TO RECOGNIZED ORGANIZATIONS

To: Recognized Organizations, Recognized Security Organizations,
Deputy Registrars

Issuance Date: 23 May 2025

Revision No.:

MMN Superseded: [MSN-0012](#)

1. REFERENCE

- Resolution A.1185(33): Procedures for Port State Control.
- TD-IMM-GOB001-25: IMMARBE Occasional Survey Program
- IMO Resolution A.739(18): Guidelines for the Authorization of Recognized Organizations Acting on Behalf of the Administration.
- MMN-25-006: Requirements for Handling Port State Control Inspections and Detentions

2. REVOKED

- 2.1. [MSN-0012](#) Existing Criteria for Attributing Port State Control Detentions to Recognized Organizations

3. DEFINITIONS

- 3.1. FS – Flag State
- 3.2. FSI – Flag State Inspection
- 3.3. RO – Recognized Organization
- 3.4. PSC – Port State Control



4. INTRODUCTION

- 4.1. Port State Control (PSC) detentions serve as a critical measure to ensure compliance with international maritime safety and environmental regulations. To uphold the standards of vessels flying the Belize flag, the Belize Administration has established clear criteria for attributing PSC detentions to Recognized Organizations (ROs) regardless of if the PSC report indicating (RO related). These ROs, acting on behalf of the flag state, play a pivotal role in issuing statutory certificates and conducting surveys. However, when deficiencies lead to detentions, accountability must be assessed to determine whether the RO failed in its oversight responsibilities.
- 4.2. This document outlines the specific circumstances under which detentions will be attributed to ROs, including cases involving missing or improperly maintained equipment, structural deficiencies, and failures in ISM Code implementation. It also defines scenarios where detentions will not be linked to ROs, such as voyage-related damage or minor missing items. Additionally, the policy details Belize's targeted approach for monitoring ROs with poor performance, including intensified inspections, audits, and potential restrictions on delegated authority.

5. PURPOSE

- 5.1. The purpose of this MMN is to establish clear and consistent criteria for attributing Port State Control (PSC) detentions to Recognized Organizations (ROs) acting on behalf of the Belize Registry, ensuring accountability for deficiencies related to statutory surveys and certifications. By defining the circumstances under which detentions are linked to ROs, this policy promotes rigorous compliance with international maritime standards, enhances the safety and reliability of Belize-flagged vessels, and maintains the integrity of the flag state's oversight system.

Note:

- 5.2. All ROs are reminded that they are required to immediately notify the Administration of any PSC Detention known to them and must provide the Administration with copies of the Forms A and B of the detention report.
- 5.3. Any RO that wilfully conceals information regarding PSC detentions shall be subject to punitive measures outlined in subsection 9 of this notice, as well as any additional measures deemed appropriate by the Administration.

6. APPLICATION

- 6.1. This MMN applies to all Recognized Organizations (ROs) authorized to conduct statutory surveys and issue certificates on behalf of the Belize Registry.

7. CIRCUMSTANCES FOR THE ATTRIBUTION OF DETENTIONS TO RECOGNIZED ORGANIZATIONS.

- 7.1. Detentions will be attributed to the RO if:



Statutory Certification Failures

- 7.1.1. Statutory certificates were not issued/endorsed by the RO, *unless* the Belize Registry received prior written notification from the RO that the survey was not conducted, or certificates would not be issued.
- 7.1.2. An example may include cases where a vessel is detained for lacking a valid Statutory Certificate, and the RO failed to notify the Belize Registry that the certificate was refused due to unresolved deficiencies or;
- 7.1.3. An RO issues a Load Line Certificate without verifying watertight door operability, leading to a detention for defective doors.

Failures to implement IMMARBE Occasional Survey Programme resulting in a detention.

- 7.1.4. Vessels included in the Occasional Survey Programme should be inspected once every six (6) months. ROs are to ensure that these inspections are completed.
- 7.1.5. Should a vessel be detained and it is noted that the occasional survey was not completed by the due date without any notice to flag. The detention will be attributed to the RO due to non-compliance with flag requirements.

Detentions Within 90 Days of RO Survey

- 7.1.6. If the vessel is detained within 90 days of surveys performed by an RO, and it is concluded that the RO had not exercised due professionalism and skill in conducting the surveys/audits. Flag consideration for attribution may include but is not limited to:
 - a) Equipment deficiencies (missing or improperly maintained).
 - b) Serious wastage or structural defects missed during the RO's recent Statutory Survey.
 - c) Failure to systematically implement ISM Code requirements.
 - d) Missing or expired items with no RO notation during recent surveys.
 - e) No evidence of maintenance records for critical machinery, despite the RO issuing a DOC/SMC audit 90 days prior.
 - f) Items being unchecked during the RO's annual survey. Example, fire extinguishers with expired hydrostatic tests (5+ years overdue) found during PSC inspections.

8. CIRCUMSTANCES WHEN A DETENTIONS MAY NOT BE ATTRIBUTED TO A RECOGNIZED ORGANIZATIONS.

- 8.1. Detention may not be attributed to the RO in the following circumstances.

Operational Failures

- 8.1.1. Deficiencies arising from crew negligence (e.g., improper use of equipment, failure to follow procedures).



8.1.2. Lack of crew training or drills (e.g., unconducted fire drills, mishandling of safety systems).

Documentation Issues Unrelated to Surveys

8.1.3. Missing or expired crew certificates which could not be verified during surveys, audits (e.g., STCW endorsements, medical fitness certificates).

8.1.4. Inaccurate or outdated ship records (e.g., garbage record books, oil record books) unless linked to RO certification.

Temporary or Emergency Conditions

8.1.5. Breakdowns or malfunctions occurring after the last RO survey (e.g., engine failure, sudden electrical faults).

8.1.6. Emergency repairs or temporary fixes pending completion (if documented and justified).

Third-Party or External Factors

8.1.7. Cargo-related issues (e.g., improper stowage, shifting cargo) unless tied to structural defects overlooked by the RO.

8.1.8. Delays in spare parts delivery or external servicing (e.g., awaiting replacement lifeboat parts).

Flag State-Specific Requirements

8.1.9. Non-compliance with Belize-specific regulations not covered by RO statutory surveys (e.g., administrative reporting failures).

9. PUNITIVE MEASURES

9.1. ROs with significant attribution of detentions may be targeted for withdrawal of recognition under the following Criteria.

- a) ROs with the highest number of PSC detentions attributed to them;
- b) ROs with significant deficiencies identified during Flag or Port State inspections;
- c) ROs with overall poor performance in Administration reviews and MoU annual reports.

9.2. In lieu of automatic withdrawal of recognition, the Administration may consider the following enforcement actions to be applied to underperforming or targeted ROs:

- a) Increased FSI on vessels certified by targeted ROs;
- b) Enhanced RO audits for compliance with IMO Resolutions MSC.349(92) and MEPC.237(65) RO Code and IMMARBE Agreement concerning delegation of authority;
- c) Restrictions in the delegation of authority granted by the Administration to conduct Statutory Services.
- d) Any other measure the Administration may consider necessary in the circumstances.



10. RIGHT TO APPEAL

10.1 Recognized Organizations (ROs) may appeal a detention attribution if they believe the Administration's decision was based on:

- a. Incorrect or incomplete information in the PSC report.
- b. Misinterpretation of survey records or certification conditions.
- c. Exceptional circumstances (e.g., hidden defects, post-survey damage).

10.2 The RO must submit a written appeal within 30 calendar days of receiving the detention attribution notice. Required documentation for appeal:

- a. Detailed corrective action report (if applicable).
- b. Supporting evidence (e.g., survey records, photos, class records, PSC correspondence).
- c. A technical justification explaining why the deficiency should not be attributed to the RO.

10.3 Upon receipt of an appeal, IMMARBE's technical committee will evaluate the facts and provide a final position within 30 days of appeal submission as follows:

- i. Uphold the attribution (if evidence confirms RO oversight failure).
 - ii. Overturn the attribution (provided the RO proves that it was not at fault).
- 10.4 Successful appeals will not count against the RO in future evaluations.

11. REQUIREMENTS

The Administration encourages all Recognized Organizations to review and comply with the contents of this Notice and to ensure that its provisions are considered when conducting survey/audit on behalf of IMMARBE.

IMMARBE appreciates your cooperation and assistance.

This notice was issued in Belize City, Belize, on 23 May 2025.

A handwritten signature in purple ink, appearing to read "E. Simon".

Eng. Eduardo Simon
Director of Technical and Seafarer Services
IMMARBE

A handwritten signature in black ink, appearing to read "Paul Gersok".

Mr. Paul Gersok
Managing Director
IMMARBE

Any queries related to this Notice shall be directed to
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