



Human Environment and Transport
Inspectorate
*Ministry of Infrastructure and the
Environment*

The Netherlands Shipping Inspectorate

Analysis, Development and Accident
Investigation:
Hans Bogaerts Chief Inspector

March 10, 2014



Scope of presentation

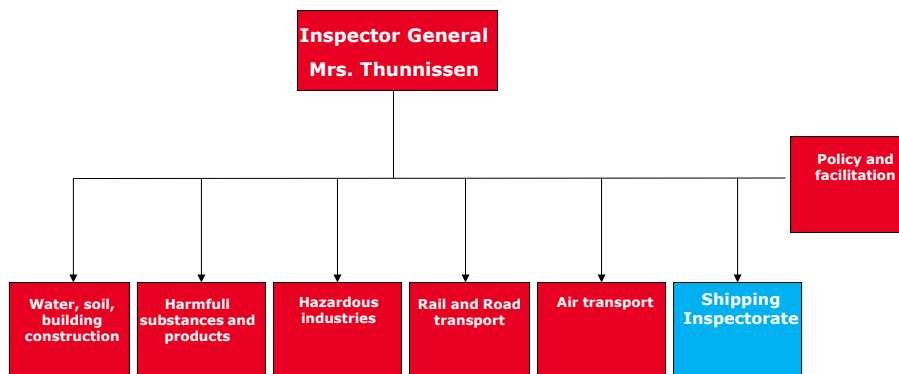
- The Netherlands Shipping Inspectorate, part of the H.E. & T. I..
- The Merchant fleet under Netherlands flag.
- Delegation of inspections and issue of certificates to RO's.
- A new agreement since 1-8-2006. Revised agreement in 2014.
- Scope of activities.
- Certification and Permits.
- Supervision of Recognized Organization
- Flagstate supervision.



Inspectie Verkeer en Waterstaat



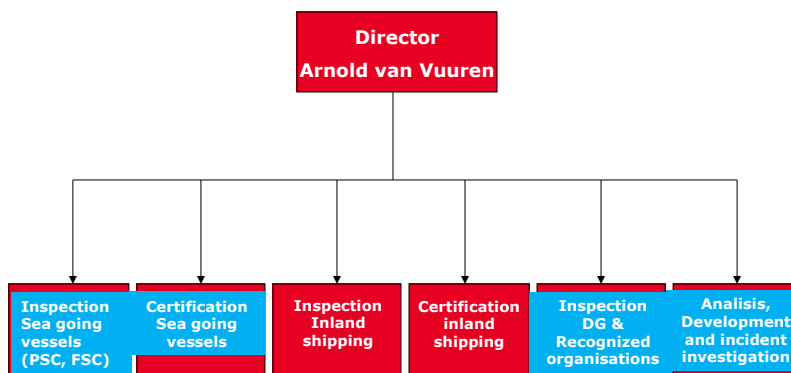
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The Netherlands shipping inspectorate



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The Merchant fleet under Netherlands flag

- In total appr. 1500 ships.
- Appr. 800 ships under the SOLAS defenition.
- Fleet composition:
 - General cargo, large part in short sea sector.
 - Container ships.
 - Passenger ships.
 - Ro-Ro passenger ships.
 - Tankers (oil, chemical and gas)
 - Dredgers
- -Special purpose/MODU
 - Tugs, tenders, suppliers, (work)pontoons
- - Heavy lift/ submersible ships
- - (Traditional) Sailing vessels
- - FPSO's



Delegetion of inspections



Example of the delegation in 2006:

	Initial	Renewal	Periodical	Intermediate	Annual (not passenger ships)	Additional
Load line	RO	RO			RO	SI
Equipment	SI RO bij overname	SI (RO)	SI (RO)		RO	SI
Radio	Telecom*	Telecom*	Telecom*			SI
Construction	RO	RO		RO	RO	SI
IO PP/ NLS	SI RO bij overname	SI (RO)	SI (RO)	RO	RO	SI
CO F	SI RO bij overname	SI (RO)		SI (RO)		SI
Seaworthines/ National Safety cert.	SI RO bij overname	SI (RO)	RO	RO	RO or Telecom	
DOC (ISM)	RO	RO	-	-	RO	SI / RO
SM C (ISM)	RO	RO	-	RO	-	SI / RO
ISSC (security)	RSO	RSO	-	RSO	-	SI / RO

Delegation of work to market parties was a political decision.
The scope of the authorizations is a continues proces with the RO's.



A new agreement with the RO's

- Agreement with: ABS, BV, DNV, GL, LR, NK and RINA acting as RO and RSO.
- Agreement signed on the 1st of June 2006, in force on the 1st of August 2006.
- In compliance with the "Guidelines for the authorization of organizations acting on behalf of the Administration, IMO Assembly resolution A.739(18) as amended by MSC 208(81) as the Annexes thereto , IMO Assembly resolution A.789(19) as amended and with the European Union's Council Directive 94/57 EC as amended.
- In Annex 1 to the agreement and the Appendix to Annex 1, the activities carried out by the Administration and the RO are clearly indicated.
- Annex 1 and the Appendix are part of our website.



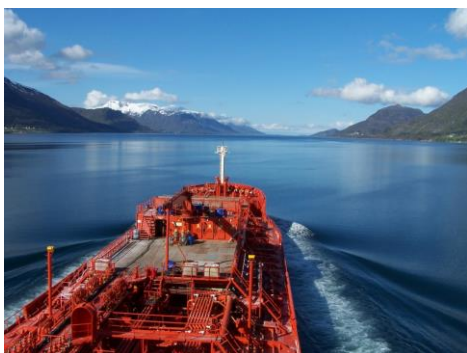
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Flag State activities

- Certification and Permits
- Supervision ROs
- Flag State supervision





Certification and Permits (Merchant Navy)

Content presentation

- Introduction
- Survey & Certification
- Legislation / EasyRules
- Specific ISM-information
- Areas of Special Attention for Registration
- National Instructions to RO's

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Survey & Certification

- **Part of Surveys and Certification by NSI**
- **Certificate of Registry, Minimum Safe Manning Document, Liability Certificates, Continuous Synopsis Record (non exhaustive)**

- **Part of Surveys and Certification, both for Convention- and non-Convention Vessels, delegated to RO's.**
(BV / LR/ GL / NKK/ RINA / ABS / DNV / national: RH
 - Safety (SOLAS)
 - Environmental (MARPOL)
 - LoadLines (LL)
 - ISM / ISPS
 - MLC
- **Exemptions.**
- **For more detailed info concerning delegation and other info, visit our website :**
www.ilent.nl, specific link:
www.ilent.nl/Images/Appendix%20to%20Annex%201_tcm334-318491.pdf

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Legislation / EasyRules

- Our regulatory framework has been published on our website using Easyrules. This includes International, European Community and National requirements
- In Easyrules the status of the regulations is also defined:
 - Mandatory regulation
 - Policy rule
 - Information
 - Instructions to Recognised Organisations



For more detailed information;

- Regulatory framework;

link www.ilent.nl/Images/Regulatory%20Framework%20EasyRules_tcm334-318495.pdf

- Easyrules;

link; <http://easyrules.ilent.nl/easyrulesweb/>

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Specific ISM-information

REGULATION (EC) No 336/2006 on the implementation of the International Safety Management Code (entry 24-03-2006)

Applies to the following types of ships and to companies operating them:

- cargo ships and passenger ships, flying the flag of a Member State, engaged on international voyages;
- cargo ships and passenger ships engaged exclusively on domestic voyages 1), regardless of their flag;
- cargo ships and passenger ships operating to or from ports of the Member States, on a regular shipping service, regardless of their flag;
- mobile offshore drilling units operating under the authority of a Member State.

1) domestic voyage' means a voyage in sea areas from a port of a Member State to the same or another port within that Member State

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Specific ISM-information

Cargo ships and passenger ships engaged exclusively on domestic voyages, for which this EC regulation is applicable:

- Seagoing Passenger vessel (Waddenzee) - yes,
- Recreational Fishing Vessels - yes,
- Traditional Sail Passenger Ships - No,
 - unless EU 2009/45 Class A, B
 - Some have voluntary ISM (light version)

Additional :

Incidentally foreign Administrations are formally requested to perform DOC Audit and Issue DOC on behalf of NSI.

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Areas of Special Attention for Registration



Document listing specific Netherlands' requirements such as non-exhaustive;

- Bareboat Registration
- Asbestos instruction
- Implementation SOLAS instruments and interpretations for non-SOLAS vessels
- Minimum UMS-requirements for non SOLAS vessels
- Instruction to RO's

Other items: Crew, Environment, Security, Medical, Cargo requirements, Maritime Labour Conditions

For more detailed information;

Easyrules; link; <http://easyrules.ilent.nl/easyrulesweb/>
see Instruction to RO's number 00.

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National Instructions to RO's

- 01 - NOT ISSUED
- 02 - Authorisation for non-convention surveys based on art 3.7 of the agreement
- 03 - Certification of lifting appliances and loose gear based on ILO 152
- 04 - Reducing engine power
- 05 - Permit art 2bis Ships Act
- 06 - **Transfer of ships to Netherlands' registry**
- 07 - Exemption for a single voyage of the requirements of SOLAS Chapter V, regulation 22.
- 08 - GMDSS requirements for radio installations on board Dutch flag vessels (Instructions)
- 09 - Periodic servicing and maintenance of lifeboats, launching appliances and on-load release
- 10 - No longer valid
- 11 - Manning surveys based on the HSSC Protocol 1988
- 12 - On-board training in the use of davit-launched liferafts
- 13 - Interpretations of MARPOL Annex IV
- 14 - Temporary reduction of the total number of persons on the PSSC of Dutch flag passenger vessels
- **15 - Reporting and procedure for non-compliance**
- 16 - Drainage requirements
- 17 - minimum UMS-requirements
- 18 - Application of the MED on board Dutch flag vessels
- 19 - Medical Oxygen Supply System
- 20 - New SOLAS regulation III/1.5
- 21 - No longer valid
- 22 - **Maritime Labour Convention 2006**
- 24 - **Ban on the use of Asbestos on board ships**



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Monitoring of the Recognised Organisations (RO) by the Netherlands Shipping Inspectorate (NSI)

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Supervision of Recognised Organisations

- **Background**
- **Set-up**
- **Implementation**
- **Execution**



Back ground

Political

- **Change in thinking of primary government task**
- **Efficiency government**
- **Efficiency for shipping companies and worldwide service, 24/7**



Back ground

- **Authorisation (further since June 2006)**
- **7 RO's (ABS, BV, DNV, GL, LR, NKK, RINA)**
- **Statutory activities (survey, plan approval and certification)**
- **Agreement (based on Res. A.739(18) and A.789(19)) and,**
- **Article 9 of Directive 2009/15/EC**
- **Complementary to supervision EMSA**
- **Factual guarantee of Ministerial responsibility**



Set-up

Ministerial responsibility is leading in the contract and the Inspection program set-up between the Government (NSI) and the Recognised Organisation (RO).

- **Goal:**
 - promoting and monitoring performance RO**
 - Execution of the agreement**
 - Promote the co-operation NSI – RO**



Implementation

- **Co-operation**
- **Information exchange**
- **Monitoring**
- **Inspection program**



Implementation

Co-operation between NSI and RO.

Good working relationship, professional. Key word is KNOWLEDGE

Change in attitude from NSI as RO. RO works "on behalf"

Confidentiality visa versa

3 times a year meeting RO's / Ship-owners associations/ shipyard associations

2 times a year only RO's

Information exchange

Data basis information exchange and access to inspections reports and certification.

Internal RO instruction should be available.

Flagstate requirement available on the website

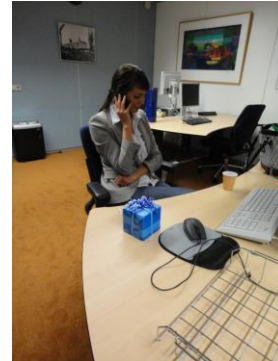


Implementation

Monitoring RO

Input from

- PSC
- Flag State program
- Certification services
- ISPS department
- Execution Inspection program
- NSI Detention investigation
- Point of interest



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Implementation

Inspection program (IP)

Yearly by NSI to inform RO of activities (transparency)

Content Inspection program (30 pages)

Introduction -> reason

Method -> type horizontal/vertical and office or product audit

Task -> type subject audit, and areas of special attention

Reporting -> procedure (MNC/NC/obs and reporting to EU)

Inspectie Verkeer en Waterstaat



Execution

Issue a Inspection program, yearly basis
Consist of why, how, scope and reporting procedure

Continuous development / improvement since August 2006

Basics

Office audits and product inspections

Office Procedures RO and implementation flag instruction
Product Reality check word wide (A.o. Sjanghai Qi dong shipyard
Daoda Heavy Industry Co Class DNV)

Both audits are essential for Supervision on class



Example

During office audit 2011.

The policy and the numbers of writing non-conformities or observation during an ISM or ISPS audit

It is noted by NSI, after reviewing several ISM/ISPS reports that few remarks are written after an ISM/ISPS audit. A NSI analyze on detained Dutch ships in 2010 indicate that almost 40% of the deficiencies is ISM related.

BV also carried out an investigation on this subject this year. The conclusion is that 1.6 remarks are written during an ISM/ISPS audit. BV perceive that the commercial market, especially the oil majors do not accept any remark anymore on a ship, without taking into account the content of the remark! NSI and BV agreed that this is a worldwide negative trend.

2012

Electric Quick closing valves, black out. Project management.

2011/2012

Owner with bad retention rate. (Related to ISM)

NSI put owner on special supervision/inspection regime.

This means that the owner shall present a plan for acceptance to NSI and RO that consist of the root cause of the detentions and a step by step plan how to change this negative situation to a good performing company. NSI join the RO to carry out the DoC audit and other steps which are necessary

This is good for the flag, RO and company performance



Flag State supervision

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Necessity

➤ Flag State Control, BECAUSE...

- ☐ Responsibility continuous compliance regulations (Ships Act since 1909)
- ☐ Further delegation to ROs, less actual visits of ships
- ☐ Signals of non-compliance manning and labour conditions
- ☐ Obligations arising from international legislation (EU – PRF etc.)
- ☐ Port State Control meant as a "safety net" to catch substandard ships. Flag State primarily responsible

➤ Why change?

- ☐ Changed vision "Responsible shipping"
- ☐ Policy letter 2008: Risk based supervision
- ☐ 'Fewer burdens, greater effectiveness'
- ☐ Impossible to supervise everything (cutbacks)
- ☐ New means and methods

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Goals

- Main goals
 - A view of the overall level of safety and environmental compliance in the Dutch merchant shipping field;
 - Compliance with obligations by parties under supervision, within 'acceptable' limits;
 - Compliance with Flag State obligations.
- Secondary goals
 - Less burden for 'high' and more burden for 'low' performing shipowners
 - Increase the number of 'high' performing shipowners
 - Less accidents and pollution
 - Lowering the worldwide inspection burden



Main principles flag State Control program

- Enhanced monitoring of every 'Low' and 'Very Low' performing shipping companies (extensive inspection on board, in combination with a company audit);
- Random inspections in the case of 'Medium' and 'High' performing shipping companies (standard inspection on board at 20% and 10% of the companies respectively).
- Monitoring of Dutch shipping companies of which no Company Performance is known (blind spot: at least 10% of the ships of a company will be inspected in order to clear the blind spot).
- Additional inspection items (ISM, rest hours, manning etc)
- Adjustments based on signals:
 - Supervision ROs
 - Accidents
 - Other inspection partners
 - Etc.



Company performance PMOU (2008-2010)

PMOU 2008-2010	≥ 10 ships	2 / 9 ships	1 ship	Total
High	14	41	67	122
Medium	13	24	34	71
Low		8	11	19
Very Low		2		2
Total	27	75	112	214

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PMOU and contra-indications

Contra- Indication Information Company Performance Paris MoU	None	Very low	Low	Medium	High
None	Blind spot	Overriding priority in blind spot	Overriding priority in blind spot	To be included in Medium random inspection	To be included in Medium random inspection
Very Low			Very Low performance monitoring regime	Very Low performance monitoring regime	Low performance monitoring regime
Low		Low performance monitoring regime		Low performance monitoring regime	Low performance monitoring regime
Medium		Overriding priority in random inspection	Overriding priority in random inspection		To be included in High random inspection
High		Overriding priority in random inspection	Overriding priority in random inspection	To be included in High random inspection	

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CP PMOU and contra-indication large shipping companies

Reders	Schepe n per reder	Perf_P	Insp%_P	Perf_T	Insp%_T	Perf_U	Insp%_U	Perf_A	Insp%_A	Perf_V	Insp%_V
		Blind	8%	Blind	0%	Blind	0%	Blind	0%	Blind	0%
		Blind	0%	Blind	0%	Blind	0%	Blind	0%	Blind	0%
		Blind	0%	Blind	0%	Blind	0%	Blind	0%	High	20%
		Blind	5%	Blind	0%	Blind	0%	Blind	0%	Blind	0%
		Blind	4%	Blind	0%	Blind	0%	Blind	0%	Blind	0%
		High	83%	High	25%	Medium	42%	Blind	0%	High	25%
		High	100%	Blind	0%	Blind	0%	Blind	0%	Medium	60%
		High	24%	Blind	3%	Blind	0%	Blind	0%	High	14%
		High	100%	Blind	0%	Blind	8%	Blind	0%	Medium	64%
		High	98%	Blind	0%	Medium	47%	Blind	0%	Medium	30%
		High	80%	High	73%	Very Low	100%	High	27%	Blind	7%
		High	100%	Medium	79%	Medium	93%	Low	36%	High	29%
		High	100%	Blind	0%	Blind	0%	Blind	0%	High	47%
		High	100%	Blind	0%	Medium	20%	Blind	0%	High	60%
		High	13%	Blind	0%	Blind	0%	Blind	0%	Blind	0%
		High	93%	Low	71%	Medium	84%	Low	64%	Medium	11%
		High	13%	Blind	0%	Blind	0%	Blind	0%	Blind	3%
		High	95%	Medium	16%	Low	73%	Blind	5%	Very Low	27%
		High	100%	Blind	5%	Medium	15%	Blind	5%	High	70%
		Medium	68%	Medium	32%	Medium	26%	Blind	0%	Blind	5%
		Medium	100%	Blind	0%	Blind	7%	Blind	0%	Medium	86%
		Medium	15%	Blind	8%	Blind	0%	Blind	0%	Blind	0%
		Medium	89%	Blind	9%	Medium	27%	Blind	0%	Low	27%
		Medium	100%	Blind	0%	Blind	0%	Blind	0%	High	71%
		Medium	88%	Blind	0%	Low	24%	Blind	0%	Low	47%
		Medium	78%	Blind	6%	Blind	0%	Blind	0%	Low	22%
		Medium	100%	Blind	0%	Blind	0%	Blind	0%	Low	54%
		Medium	27%	Low	64%	Low	64%	Blind	9%	Blind	0%
		Medium	100%	High	60%	Medium	50%	Blind	0%	Very Low	30%
		Medium	91%	Blind	0%	Medium	18%	Blind	0%	High	18%
		Medium	34%	Blind	6%	Blind	0%	Blind	6%	High	14%
		Medium	92%	Blind	0%	Blind	0%	Blind	0%	High	17%

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Focus large shipping companies

Reders	Schepe n per reder	Perf_P	Insp%_P	Perf_T	Insp%_T	Perf_U	Insp%_U	Perf_A	Insp%_A	Perf_V	Insp%_V
		High	80%	High	73%	Very Low	100%	High	27%	Blind	7%
		High	100%	Medium	79%	Medium	93%	Low	36%	High	29%
		High	95%	Medium	16%	Low	73%	Blind	5%	Very Low	27%
		Medium	89%	Blind	9%	Medium	27%	Blind	0%	Low	27%
		Medium	88%	Blind	0%	Low	24%	Blind	0%	Low	47%
		Medium	78%	Blind	6%	Blind	0%	Blind	0%	Low	22%
		Medium	100%	Blind	0%	Blind	0%	Blind	0%	Low	54%
		Medium	27%	Low	64%	Low	64%	Blind	9%	Blind	0%
		Medium	100%	High	60%	Medium	50%	Blind	0%	Very Low	30%

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Inspections

Three different types of inspection:

- Standard Inspection (including additional inspection items)
- Special Inspection
- Extensive Inspection
- (Reporting signals - inspection)

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Type of inspection Company Performance	Standard inspection (incl additional inspection items)	Special inspection (priorities)	Extensive inspection
High Performance	Random inspection (10%)	X	
Medium Performance	Random inspection (20%)	X	
Blind spot	Prioritisation	X	
Low Performance	X	X	X (verification)
Very Low Performance	X	X	X (in combination with audit of shipping company)

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ISM during flag State Control inspections

Standard inspection:

- Does the ships personnel receive relevant information on the Safety Management System (SMS) in a working language or languages understood by them (ISM, chapter 6.6)?
- Is a planned maintenance system in place and properly implemented? (ISM, chapter 10)?
- Are programmes for drills and exercises in place, are they properly executed and in compliance with relevant rules and regulations (ISM, chapter 8.2)?

Extensive inspection:

- Greater focus on the SMS
- Relation with Company
- Some cases combination with audit Company
- Inspection and supervision aimed at improving level of compliance company (and consequently ship)

Monitoring

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Intervention strategy

- Clear and uniform enforcement vs. professional judgement
- Based on systematics of ParisMoU
- Strategy incorporated in Inspection module



- Revocation/suspension of licences
- Criminal penalties
- Administrative penalties
- Publication
- Warning
- Recommendation
- Agreements with industry
- Rewards
- Information

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Questions?



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The end

