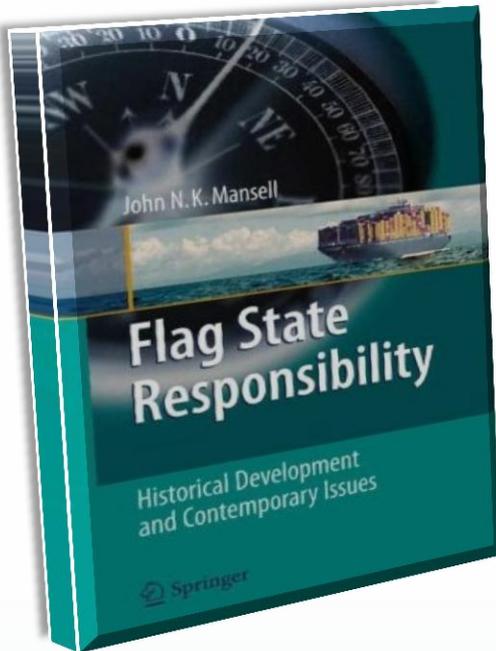


## **The Directive 2009/16**

1

Training  
on Practical aspects for  
PSC & ROPAX Vessels  
**Lisbon 28-29 June 2012**



## Flag State main responsible for ships' safety

(Survey and Certification of ships according to the International Conventions)

Port State as the  
2<sup>nd</sup> line of defence



To verify the compliance of the vessel with the “relevant instruments”:



Load Lines 1966 and  
Protocol 1988



SOLAS 1974 and  
Protocols 1978 - 1988



MARPOL 73/78 and  
Protocols 1978 - 1997



STCW 78/95



COLREG 72



Bunkers Convention  
2001



Tonnage 1969



ILO No147 and Protocol  
1996



Civil liability for oil  
pollution - CLC 92



Anti-fouling Convention  
(AFS 2001)

## Relevant Instruments (Art. 2)

### Directive 2009/16/EC

- Load Lines, 1966 (+Prot. 88)
- SOLAS, 1974 (+ Prot. 78 and 88)
- MARPOL 73/78 (+ Prot. 97)
- STCW 78/95
- COLREG 72
- Tonnage, 1969
- ILO No 147 (+ Prot. 1996)
- CLC, 1992

### PMoU

- Load Lines, 1966 (+Prot. 88)
- SOLAS, 1974 (+ Prot. 78 and 88)
- MARPOL 73/78 (+ Prot. 97)
- STCW 78
- COLREG 72
- Tonnage, 1969
- ILO No. 147 (+ Prot. 1996)
- CLC, 1969 (+ Prot. 1992)
- **AFS, 2001**
- **Civil Liability for Bunker Oil Pollution Damage, 2001**
- **Maritime Labour Convention ?**
- **Ballast Water Convention ?**

## Port State Control in IMO and ILO Conventions

### Solas I/19

Check validity of the certificates

If "clear grounds", actions to ensure the **vessel does not sail until** it can do so without danger for ..... the ship and her crew

### Marpol Art 5(2)

Check validity of the certificates

If "clear grounds" actions to ensure the **vessel does not sail until** it can do so without .....presenting unreasonable threat to the marine environment

### Load Lines Art 21

Check validity of the certificates  
Check the vessel is not overload

The port State is authorized to ..... ensure the **vessel does not sail until** it can do so without danger for the ship and her crew

### STCW Art X - Reg I/4

Verify that crews are certified as required  
Assess the crews' ability to perform their duties

To detain the vessel if: .....

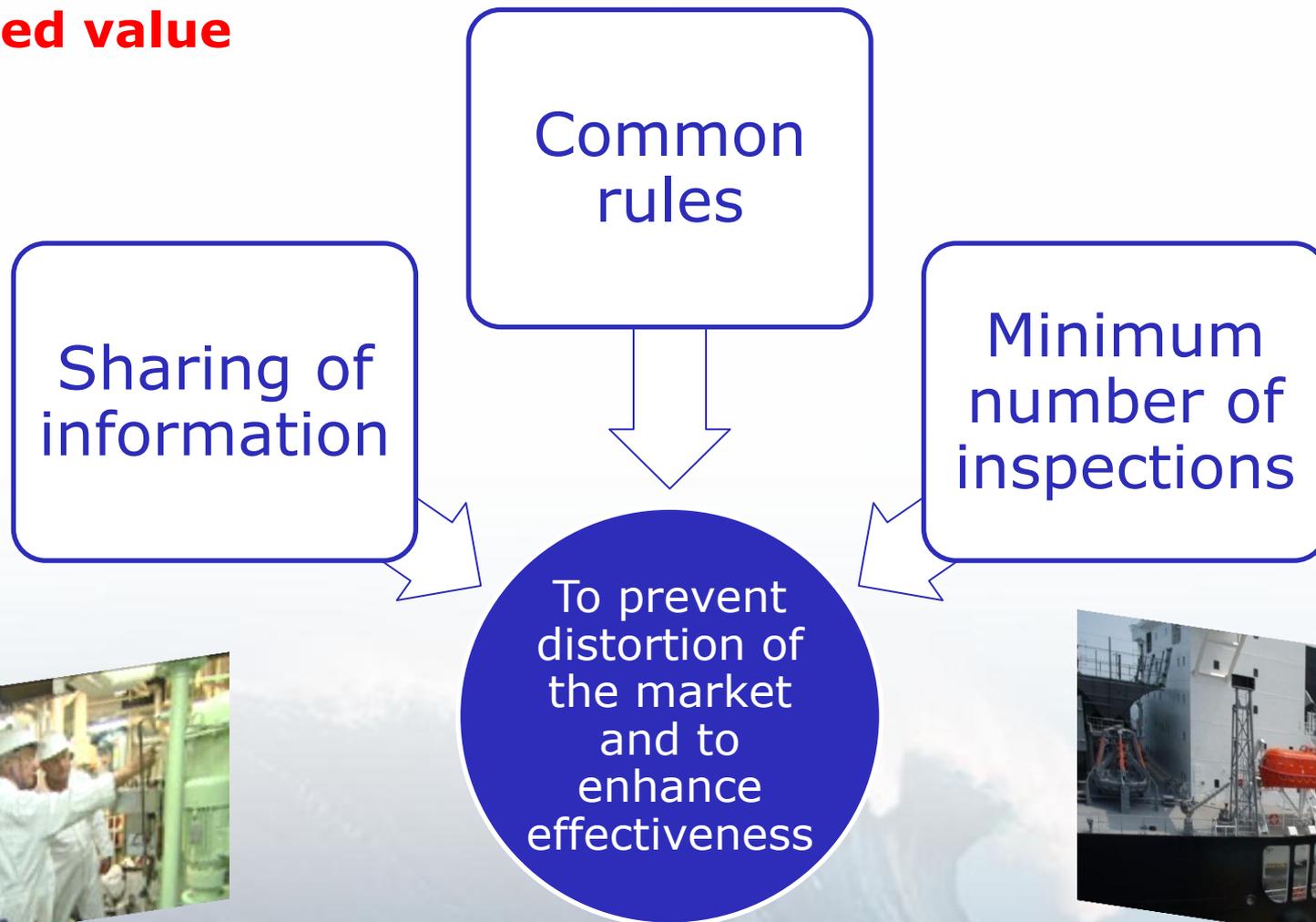
### ILO 147 Art 4

If obtain evidence that the ship does not conform to the standards laid down by the convention

..... take measures necessary to rectify any conditions on board which are clearly hazardous to safety or health

## PMOU (and other regional agreements on PSC)

### Added value



## Paris MOU (and other regional agreements on PSC)

LIMITS



On voluntary basis

Limited or no supervision

No sanctioning system for those not applying procedures

Overcame through the European legislation on PSC

## **PURPOSE OF THE EU LEGISLATION (Directive 2009/16/EC)**

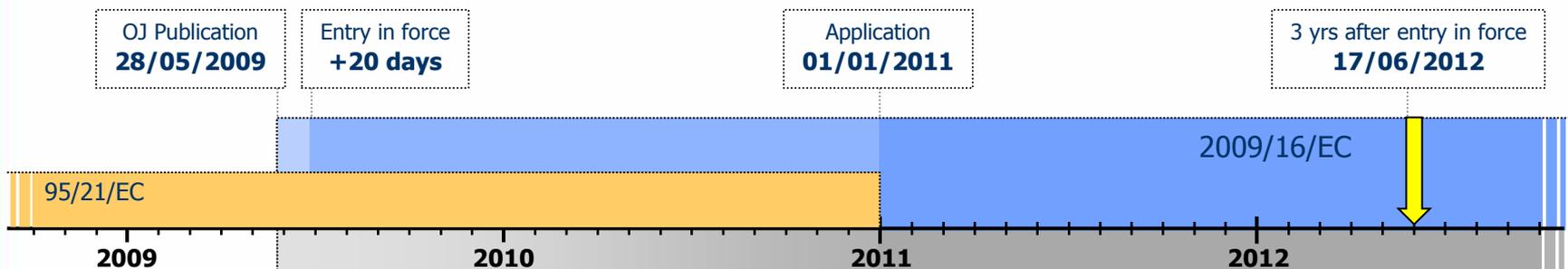


To reduce sub-standard shipping in EU waters by subjecting them to more frequent inspections

Without any undue burden on good ships and operators

guarantying a good coverage at regional level

# Start-up of the 2009/16/EC Directive



◆ **START COLLECTING** (95/21 still in force) ◆ **START APPLYING** (Considering < 3 yrs)

- RoRo Pax PoO
- Detentions on all Ship Types
- Detentions on Grey List Flags
- **Company performance**

- **Banning**
- **Ships Risk Profile (PI and PII)**
- **Regional Commitment**
- **MS Fair Share**

Full implementation with no restrictions

## Other relevant legislation (Art. 33)

- Common Model for PSCO's Identity Cards: Dir. 96/40/EC (Art. 22.4)
- Specific Items to be verified during Expanded Inspections: COM Reg. No 428/2010 (Art. 14.4)
- Calculation of Flag State Performance: COM Reg. No 801/2010 (Art. 10.3)
- Calculation of Company Performance: COM Reg. No 802/2010 (Art. 10.3)
- Starting on **17/06/2012**, EMSA will publish the list of companies whose:
  - performance during the previous 36 months has been very low, for a period of at least 3 months on a continuous basis
  - performance during the previous 36 months has been low or very low, for a period of at least 3 months on a continuous basis
  - performance during the previous 36 months has been low

## Other relevant Administrative provisions (Art. 4 and 34)

- MSs shall maintain appropriate Competent Authorities (Art. 4)
- Staff available to perform the duties of the Directive: (Art. 4.2)

- MARPOL investigations

- Security

- Shipowners Insurance for maritime claims: Dir.2009/20/EC

- AFS/Ballast Water Sampling?

- System of Penalties (Art. 34)



## Other aspects for Member States

- Definition of 'Night Time' (Art. 2)
- Ship calls at anchorage
  - Definition
  - Inclusion (or not) in the Inspection Share (Art. 5.3)
  - Definition of 'Short Stay' (Art. 8.3.b)
- Stoppage of Operation (Art. 19.2)
- Information on inspection transferred to THETIS ASAP (Art. 24.3)
- Provision of ship call information to THETIS (Art. 24.2)

# PSC in the European legislation

Differences with  
international procedures

Mandatory minimum criteria for PSCOs

Criteria for targeting ships for inspection

Obligation to inspect (fair share)

Types of inspections

Cost of the inspection

Ban for multiple detentions

Measurement of performance (Flag, Class Company)

Publication of data

# PSC in the European legislation

## Minimum criteria for inspectors (PSCO's) – Art. 22



Appropriate theoretical knowledge and practical experience acquired through documented training programme



CoC according STCW II/2 or CoC according STCW III/2 and 5 years working experience (two of which as deck or engine officer)



Naval architect and 5 years working experience



Relevant university degree or equivalent training



One year as flag State surveyor



Ability to communicate orally and in writing in the English language

# PSC in the European legislation

Criteria for targeting ships for inspection



Criteria for  
targeting ships  
for inspection

## NIR: Ship Risk Profile (Art. 10)

- Generic Factors

- Type of Ship
- Age of Ship
- Flag
- RO
- Company

- Historical Factors

- Deficiencies
- Detentions



**HRS** – High Risk Ship

**SRS** – Standard Risk Ship

**LRS** – Low Risk Ships

(SRP is recalculated on a daily basis)

## **NIR: How will a Ship be HRS? (Annexes I – II)**

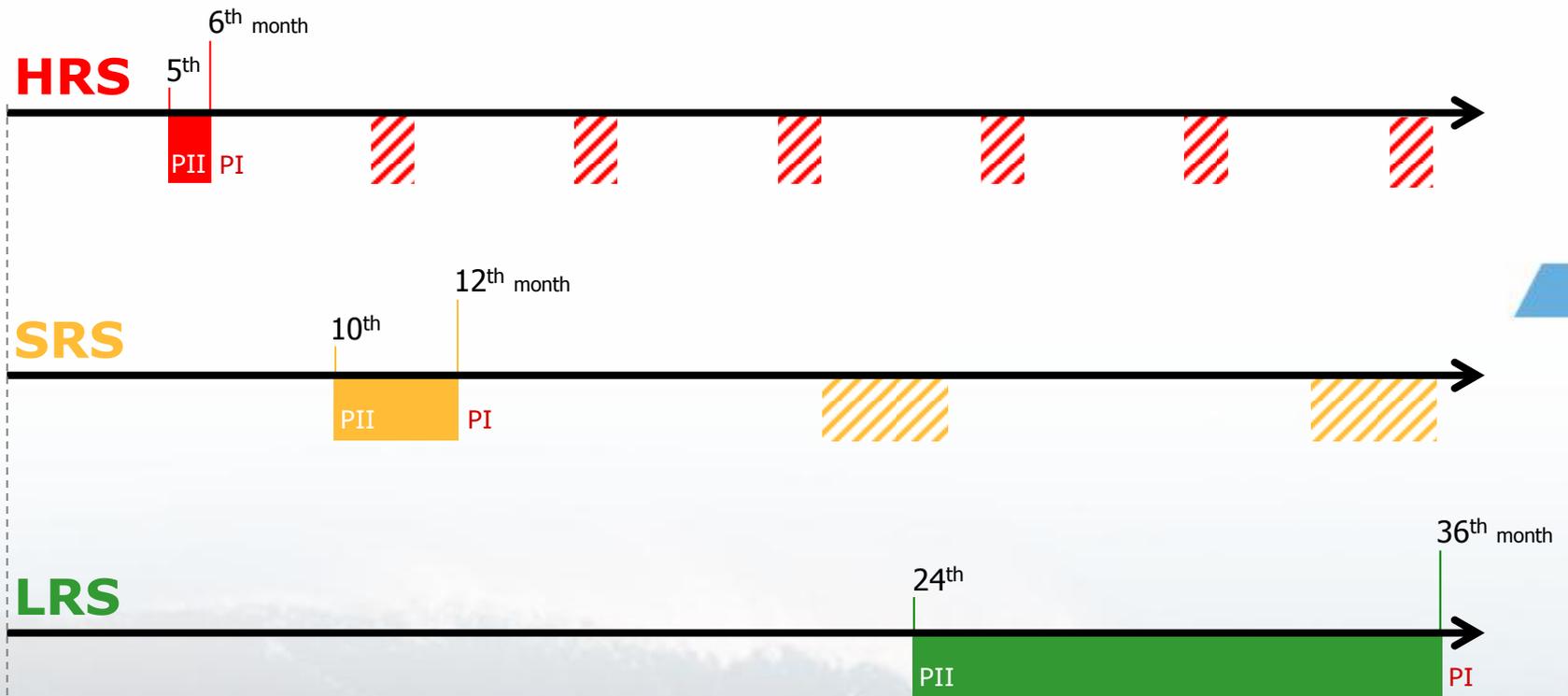
- HRS have Weighting points  $\geq 5$ 
  - Ship Type 2 points  
Chemical, Gas, Oil, Bulk or Passenger Ship
  - Ship Age > 12 yrs 1 point
  - VHR, HR, and MR to HR Flag 2 points
  - MR Flag 1 point
  - Very Low or Low RO Performance 1 point
  - Very Low or Low Company Performance 2 points
  - Detentions in previous 36 months  $\geq 2$  1 point

**Example: Oil Tanker, HR Flag and Low RO performance.**

## **NIR: How will a Ship be LRS? (Annex II)**

- Generic Factors
  - Ship Type and Age have no influence
  - Flag is **White** and **IMO-Audit + CAP**
  - RO is **(EU) Recognised** and **High Performance**
  - Company is **High Performance**
- Historical Factors
  - **5 or Less deficiencies** in each inspection in previous 36 months
  - **No detentions** in previous 36 months
  - Has been inspected in previous 36 months

## NIR: SRP Inspection Window (Annex I)



Date of last  
Inspection

# NIR: Inspection Priority (Annex I)



Inspection Window

If not inspected within Window, ship becomes

Priority II

Priority I

Ship **may** be inspected

Ship **must** be inspected

... MS still may inspect outside the regime!

20

But...

Overriding Factors

Priority I

Unexpected Factors

Priority II

# PSC in the European legislation



Fair  
Share

## **NIR: Fair Share (Art. 5)**

How many ships MSs have to Inspect per year?

- 1<sup>st</sup>** Calculate Regional Commitment
- 2<sup>nd</sup>** Calculate MS Inspection Share

# NIR: Fair Share

1<sup>st</sup> - Calculate Regional Commitment

|             | Nº. of Inspections (PI + PII + Missed PI) |         |         |
|-------------|---|---------|---------|
|             | Year -3                                   | Year -2 | Year -1 |
| <b>MS A</b> | 1,200                                     | 1,400   | 1,300   |
| <b>MS B</b> | 600                                       | 780     | 740     |
| <b>MS C</b> | 400                                       | 380     | 360     |
| <b>MS D</b> | 600                                       | 650     | 620     |
| Sum         | 2,800                                     | 3,210   | 3,020   |
| Average     |   | 3,010   |         |

Regional Commitment

# NIR: Fair Share

## 2<sup>nd</sup> – Calculate MS Inspection Share

REGIONAL  
COMMITMENT  
(FROM PREVIOUS SLIDE)

|                | Number of individual ships calling (*) |         |         | Average | %  | 3,010 | Share |
|----------------|--|---------|---------|---------|----|-------|-------|
|                | Year -3                                | Year -2 | Year -1 |         |    |       |       |
| <b>MS A</b>    | 5,800                                  | 5,300   | 5,400   | 5,500   | 51 | 3,010 | 1,535 |
| <b>MSB</b>     | 1,600                                  | 1,400   | 1,800   | 1,600   | 15 |       | 452   |
| <b>MSC</b>     | 1,200                                  | 1,500   | 1,300   | 1,333   | 12 |       | 361   |
| <b>MSD</b>     | 2,400                                  | 2,600   | 2,200   | 2,400   | 22 |       | 662   |
| <b>Sum</b>     | 11,000                                 | 10,800  | 10,700  |         |    |       |       |
| <b>Average</b> | 10,833                                 |         |         |         |    |       |       |

(\*) Calls at anchorage shall not be counted unless otherwise specified by MS concerned

## **NIR: What if can't Postpone neither Inspect? (Art. 6)**

Counts as a Miss for Member State!

- MS can miss up to 5% of PI **HRS**
- MS can miss up to 10% of PI **SRS/LRS**

## NIR: But if... (Art. 7)

Member States' ports can be called by:

PI ships > Inspection Share → **Over-burdened**

PI + PII ships < Inspection share → **Under-burdened**

## **NIR: But if... (Art. 7)**

- **Overburdened!?**

- Inspect **PI** = Inspection Share
- MS can miss up to **30%** of **PI**

- **Under-burdened!?**

- Inspect **all PI** (can still miss 5% HRS and 10% SRS/LRS)
- MS comply doing at least **85%** of **PII**

# Fair Share

## Fair Share – Examples “30% rule”

- MS A fair share is **1000** inspections, but it receives **1200 PI** ships. Which is the obligation?  
**1000** ships must be inspected because the **30% = 360** ships. But the minimum obligation is **1000** ships and **not  $1200-360=840$**  < than the original commitment
- MS B fair share is **1000** inspections but it receives **1600 PI** ships. Which is the obligation?  
**1120** ships must be inspected because the **30% = 480** ships. But the overall obligation exceeds the 1000 ships thus not **1000** but  **$1600-480=1120$**  > than the original commitment (30% is in total)

## NIR: Postponement Possibilities for PI Ships (Art. 8)

PI Ship will call at MS A



Paris MoU Region



- Same MS
- Different Port
- Within 15 days

- Calling Port outside PMoU
- Return to Same MS (...)
- Within 15 days

(...)

- Other PMoU MS
- Agreed in advance
- Within 15 days



## When can a MS Justify a Miss? (Art. 8(2), (3))

- a) There is risk to the safety of inspectors, the ship, crew, port, or to the environment → Port
- b) The ship call takes place only during night time → Port
- c) Ship at anchorage + a)
- d) Ship at anchorage + b)
- e) Ship at anchorage + the ship is inspected in the Paris MOU region within 15 days
- f) Ship at anchorage + the call is too short for the inspection to be carried

## When can a MS Justify a Miss? (Art. 8(2), (3))



... and the reason for missing the inspection is recorded in THETIS.

# PSC in the European legislation



Types of  
inspections

Art. 13

# PSC in the European legislation

## The inspection (in principle)

Initial

- Ship's certificates
- Walk Thorough
- verify whether outstanding deficiencies have been rectified



More Detailed

- In case of clear grounds
- In the areas of the clear grounds and others
- Operational controls
- + Certificates in all cases

# PSC in the European legislation

## Types of inspections

### Expanded Inspection (Art. 14)

Eligible:

- High Risk Ships
- PAX, OT, Gas and CHEM, BC older than 12
- Ships re-inspected following a refusal of access

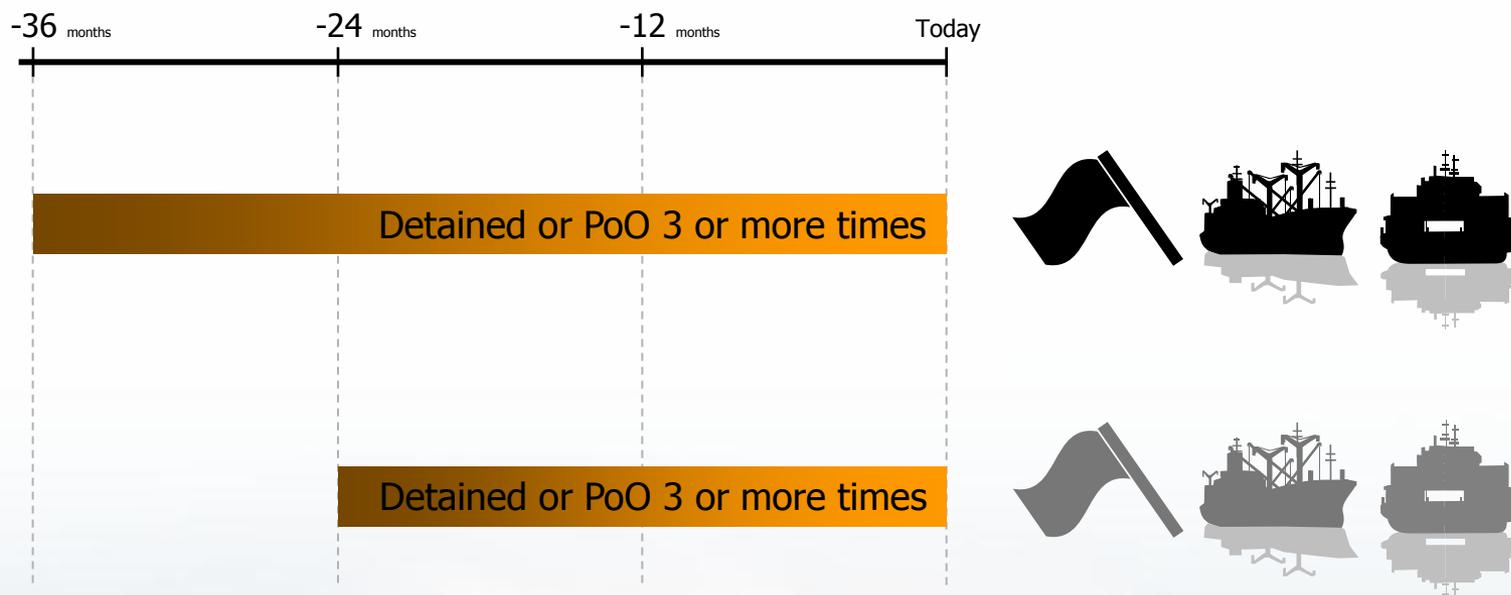
Scope of inspection set out in Annex VII

## PSC in the European legislation



**Ban for  
multiple  
detentions**

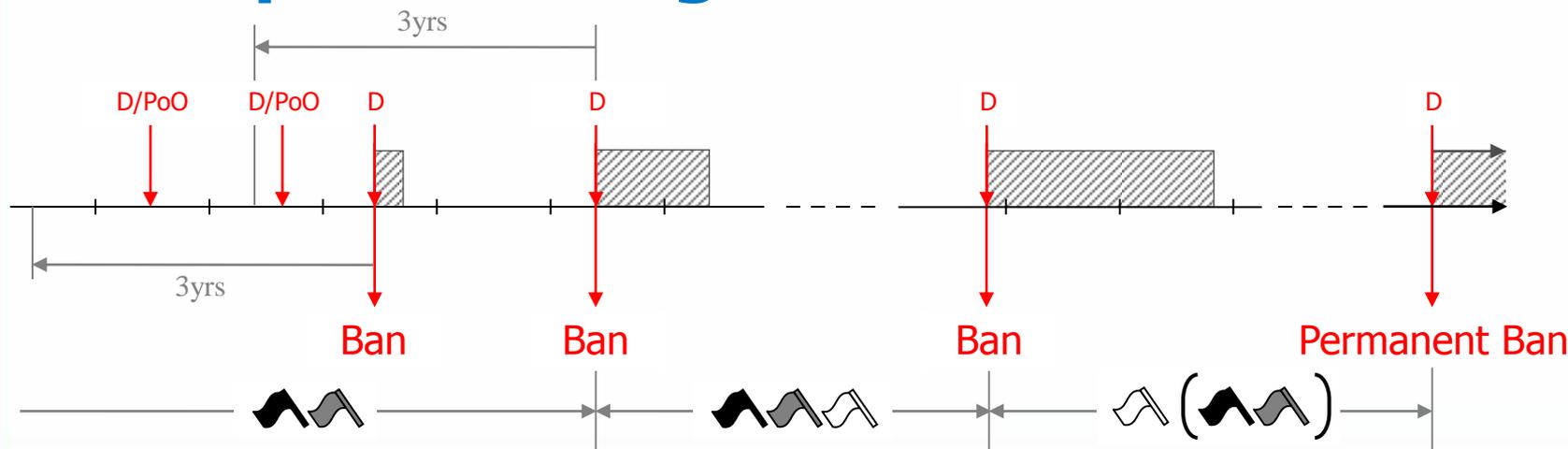
## NIR: Refusal of Access (Banning) – Art. 16



OR...

- Jump detentions
- Fail to call to agreed repair yard

# Multiple Banning (Example for Black Flag. Grey Flag is 2 yrs)



Ship Banned 1<sup>st</sup> time after 3 detentions/PoO in 3 years

Ban can be lifted after **3** months

Ship Banned 2<sup>nd</sup> time after 3 detentions/PoO in 3 years

Ban can be lifted after **12** months

Ship Banned 3<sup>rd</sup> time if detained

Ban can be lifted after **24** months if:

- **White Flag +**
- **RO EU Recog. +**
- **HP Company**

**Or Permanent Ban**

Permanent Banned if detained

## PSC in the European legislation



Measurement  
of  
performance

# NIR: How to know Flag Performance?

- Consult Paris MoU website [www.parismou.org](http://www.parismou.org)
- Calculated taking in account previous 36 months
- Calculated each year
- Also covered by implementing Regulation

### Black List

| Rank | Flag                           | Inspections | Detentions | Black to Grey Limit | Grey to White Limit | Excess Factor |
|------|--------------------------------|-------------|------------|---------------------|---------------------|---------------|
| 80   | Korea, Democratic People's Rep | 308         | 101        | 30                  | 10                  | 7.80          |
| 79   | Bolivia                        | 30          | 14         | 30                  | 10                  | 7.15          |
| 78   | Albania                        | 300         | 78         | 25                  | 10                  | 6.97          |
| 77   | Cambodia                       | 448         | 63         | 40                  | 10                  | 4.52          |
| 76   | Slovakia                       | 280         | 51         | 25                  | 10                  | 4.18          |
| 75   | Georgia                        | 622         | 140        | 15                  | 10                  | 3.84          |
| 74   | Sierra Leone                   | 131         | 26         | 15                  | 10                  | 3.45          |
| 73   | St Kitts and Nevis             | 198         | 28         | 15                  | 10                  | 3.20          |
| 72   | Syrian Arab Republic           | 170         | 31         | 15                  | 10                  | 3.05          |
| 71   | Honduras                       | 84          | 16         | 10                  | 10                  | 2.94          |
| 70   | Cambodia                       | 500         | 84         | 15                  | 10                  | 2.65          |

### Grey List

| Rank | Flag                  | Inspections | Detentions | Black to Grey Limit | Grey to White Limit | Excess Factor |
|------|-----------------------|-------------|------------|---------------------|---------------------|---------------|
| 51   | Dominica              | 138         | 14         | 10                  | 4                   | 1.54          |
| 50   | Algeria               | 123         | 12         | 14                  | 3                   | 0.83          |
| 49   | Morocco               | 106         | 16         | 17                  | 5                   | 0.68          |
| 48   | Ithiopia              | 228         | 18         | 21                  | 9                   | 0.55          |
| 47   | Bulgaria              | 310         | 23         | 30                  | 14                  | 0.58          |
| 46   | Kazakhstan            | 105         | 6          | 12                  | 3                   | 0.53          |
| 45   | Turkey                | 182         | 126        | 140                 | 112                 | 0.44          |
| 44   | Austria               | 34          | 2          | 5                   | 0                   | 0.44          |
| 43   | Dominican Republic    | 34          | 2          | 5                   | 0                   | 0.44          |
| 42   | Taiwan, China         | 37          | 2          | 6                   | 0                   | 0.42          |
| 41   | Costa                 | 269         | 12         | 25                  | 6                   | 0.42          |
| 40   | Cook Islands          | 44          | 2          | 6                   | 0                   | 0.32          |
| 39   | Korea, Republic of    | 189         | 11         | 20                  | 7                   | 0.32          |
| 38   | Lithuania             | 210         | 10         | 20                  | 12                  | 0.30          |
| 37   | Latvia                | 136         | 7          | 16                  | 4                   | 0.33          |
| 36   | Saudi Arabia          | 53          | 2          | 7                   | 0                   | 0.26          |
| 35   | France Islands        | 106         | 6          | 12                  | 3                   | 0.24          |
| 34   | Poland                | 174         | 6          | 18                  | 6                   | 0.24          |
| 33   | Malaysia              | 96          | 6          | 11                  | 2                   | 0.25          |
| 32   | Romania               | 44          | 1          | 6                   | 0                   | 0.18          |
| 31   | Tunisia               | 48          | 1          | 10                  | 0                   | 0.17          |
| 30   | Antilles, Netherlands | 162         | 43         | 84                  | 40                  | 0.18          |
| 29   | Japan                 | 62          | 1          | 8                   | 1                   | 0.08          |

### White List

| Rank | Flag                      | Inspections | Detentions | Black to Grey Limit | Grey to White Limit | Excess Factor |
|------|---------------------------|-------------|------------|---------------------|---------------------|---------------|
| 35   | Slovenia                  | 77          | 1          | 4                   | 1                   | 0.00          |
| 37   | Iraq, Islamic Republic of | 242         | 10         | 24                  | 10                  | -0.50         |
| 36   | Estonia                   | 171         | 6          | 18                  | 6                   | 0.00          |
| 35   | Israel                    | 36          | 0          | 6                   | 0                   | 0.00          |
| 34   | United States of America  | 181         | 6          | 10                  | 7                   | -0.13         |
| 33   | Russian Federation        | 2062        | 153        | 211                 | 185                 | -0.17         |
| 32   | Finland                   | 102         | 4          | 10                  | 6                   | -0.25         |
| 31   | Cayman Islands, UK        | 360         | 14         | 36                  | 16                  | -0.46         |
| 30   | Malta                     | 4418        | 202        | 347                 | 254                 | -0.49         |
| 29   | India                     | 146         | 3          | 17                  | 2                   | -0.63         |
| 28   | Yamutu                    | 128         | 2          | 14                  | 4                   | -0.92         |
| 27   | Bahamas                   | 81          | 11         | 35                  | 16                  | -0.73         |
| 26   | Kiribati, UK              | 608         | 31         | 76                  | 50                  | -0.70         |
| 25   | Belgium                   | 184         | 1          | 8                   | 1                   | -0.83         |
| 24   | Cyprus                    | 2100        | 65         | 312                 | 167                 | -0.85         |
| 23   | Portugal                  | 530         | 13         | 47                  | 27                  | -1.02         |
| 22   | Anguilla and Barbuda      | 4502        | 155        | 348                 | 204                 | -1.04         |
| 21   | Slovi                     | 203         | 4          | 20                  | 11                  | -1.10         |
| 20   | Liberia                   | 3438        | 101        | 285                 | 215                 | -1.18         |
| 19   | Hong Kong, China          | 1180        | 33         | 95                  | 58                  | -1.03         |
| 18   | Greece                    | 1557        | 40         | 126                 | 62                  | -1.23         |
| 17   | Bahamas                   | 3603        | 100        | 275                 | 227                 | -1.26         |
| 16   | Luxembourg                | 184         | 1          | 17                  | 6                   | -1.30         |
| 15   | Norway                    | 2626        | 63         | 206                 | 162                 | -1.35         |
| 14   | Iran                      | 1210        | 34         | 102                 | 78                  | -1.41         |
| 13   | Marshall Islands          | 1820        | 34         | 131                 | 97                  | -1.42         |
| 12   | Netherlands               | 2032        | 65         | 220                 | 182                 | -1.43         |
| 11   | Philippines               | 180         | 1          | 10                  | 7                   | -1.25         |
| 10   | Denmark                   | 1271        | 23         | 104                 | 74                  | -1.46         |
| 9    | Main Isls of UK           | 503         | 16         | 76                  | 25                  | -1.51         |
| 8    | Singapore                 | 667         | 19         | 84                  | 56                  | -1.57         |
| 7    | Finland                   | 587         | 7          | 52                  | 33                  | -1.56         |
| 6    | Germany                   | 1248        | 16         | 102                 | 72                  | -1.58         |
| 5    | United Kingdom            | 1882        | 24         | 136                 | 100                 | -1.67         |
| 4    | Sweden                    | 1001        | 11         | 84                  | 55                  | -1.73         |
| 3    | China                     | 350         | 1          | 27                  | 12                  | -1.75         |
| 2    | Bermuda, UK               | 300         | 1          | 20                  | 13                  | -1.79         |
| 1    | France                    | 318         | 1          | 30                  | 14                  | -1.81         |

# PSC in the European legislation

## Measurement of performances

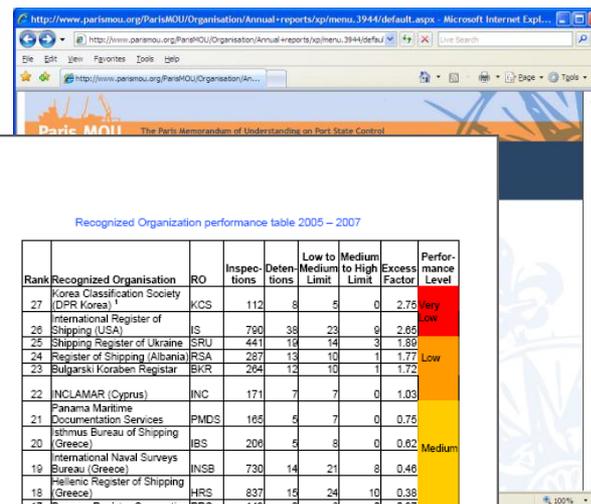
### RECOGNIZED ORGANIZATIONS:

Divided in 4 categories: **High – Medium – Low – Very Low/ performance**

New categories published yearly (1 July) by taking into account the number of inspections and class related detentions in the previous 36 months

# NIR: How to know RO Performance?

- Consult Paris MoU Website [www.parismou.org](http://www.parismou.org)
- Calculated taking in account previous 36 months
- Calculated each year
- RO Performance is the RO, not the Class
- Paris MoU calculation, not the EU Directive



Recognized Organization performance table 2005 – 2007

| Rank | Recognized Organisation                               | RO   | Inspections | Delinquencies | Low to Medium Limit | Medium to High Limit | Excess Factor | Performance Level |
|------|---|------|-------------|---------------|---------------------|----------------------|---------------|-------------------|
| 27   | Korea Classification Society (DPR Korea) <sup>1</sup> | KCS  | 112         | 8             | 5                   | 0                    | 2.76          | Very Low          |
| 26   | International Register of Shipping (USA)              | IS   | 790         | 38            | 23                  | 9                    | 2.65          | Low               |
| 25   | Shipping Register of Ukraine                          | SRU  | 441         | 19            | 14                  | 3                    | 1.80          |                   |
| 24   | Register of Shipping (Albania)                        | RSA  | 287         | 13            | 10                  | 1                    | 1.77          |                   |
| 23   | Bulgarski Korabni Registar                            | BKR  | 264         | 12            | 10                  | 1                    | 1.72          |                   |
| 22   | NCLAMAR (Cyprus)                                      | INC  | 171         | 7             | 7                   | 0                    | 1.03          | Medium            |
| 21   | Panama Maritime Documentation Services                | PMDS | 165         | 5             | 7                   | 0                    | 0.76          |                   |
| 20   | Isthmus Bureau of Shipping (Greece)                   | IBS  | 206         | 5             | 8                   | 0                    | 0.62          |                   |
| 19   | International Naval Surveys Bureau (Greece)           | INSB | 730         | 14            | 21                  | 8                    | 0.46          |                   |
| 18   | Hellenic Register of Shipping (Greece)                | HRS  | 837         | 15            | 24                  | 10                   | 0.38          | High              |
| 17   | Panama Register Corporation                           | PRC  | 143         | 2             | 5                   | 0                    | 0.37          |                   |
| 16   | Croatian Register of Shipping                         | CRS  | 307         | 4             | 11                  | 2                    | 0.28          |                   |
| 15   | Polski Rejestr Statkow                                | PRS  | 1018        | 13            | 28                  | 13                   | 0.00          |                   |
| 14   | China Corporation Register of Shipping                | CCRS | 78          | 0             | 4                   | 0                    | 0.00          | High              |
| 13   | Indian Register of Shipping                           | IRS  | 148         | 0             | 5                   | 0                    | 0.00          |                   |
| 12   | INAVE Portuguesa                                      | IP   | 75          | 0             | 4                   | 0                    | 0.00          |                   |
| 11   | Korean Register of Shipping                           | KRS  | 598         | 5             | 18                  | 6                    | -0.19         |                   |
| 10   | Russian Maritime Register of Shipping                 | RMRS | 7080        | 50            | 161                 | 122                  | -1.11         |                   |
| 9    | China Classification Society                          | CCS  | 520         | 2             | 23                  | 6                    | -1.29         |                   |
| 8    | Lloyd's Register (UK)                                 | LR   | 12036       | 70            | 255                 | 232                  | -1.36         |                   |
| 7    | Nippon Kaiji Kyokai                                   | NKK  | 5623        | 28            | 137                 | 100                  | -1.37         |                   |
| 6    | Turkish Lloyd   | TL   | 1144        | 3             | 31                  | 18                   | -1.41         |                   |
| 5    | Bureau Veritas (France)                               | BV   | 10108       | 46            | 228                 | 176                  | -1.42         |                   |
| 4    | American Bureau of Shipping (USA)                     | ABS  | 4848        | 18            | 113                 | 80                   | -1.50         |                   |
| 3    | Registro Italiano Navale                              | RINA | 2647        | 6             | 65                  | 41                   | -1.64         |                   |
| 2    | Germanischer Lloyd                                    | GL   | 13271       | 30            | 292                 | 238                  | -1.73         |                   |
| 1    | Det Norske Veritas                                    | DNV  | 11170       | 21            | 248                 | 196                  | -1.77         |                   |

<sup>1</sup> formerly Register of Shipping

## NIR: How can a Company be High Performance?

- Must have **Deficiency Index** below average

$$\text{Deficiency Ratio} = \frac{\text{No. of deficiencies(*) in ALL inspections in ALL Ships}}{\text{No. of inspections in ALL Ships}} \quad (\text{in last 36 months})$$

(\*) each ISM deficiency counts as 5.

- Must have **Detention Index** below average

$$\text{Detention Ratio} = \frac{\text{No. of detentions of ALL Ships}}{\text{No. of inspections in ALL Ships}} \quad (\text{in last 36 months})$$

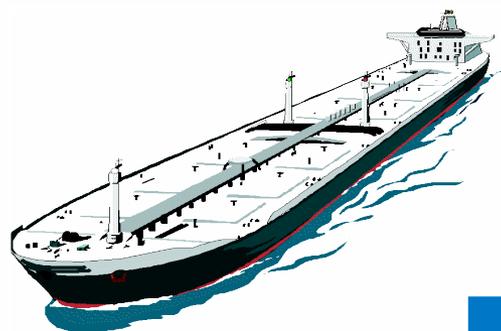
Only possible if no  
banning of any of  
the ships in last 36  
months

# NIR: Company Performance

| Detention Index | Deficiency Index | Company Performance |
|-----------------|------------------|---------------------|
| Above Average   | Above Average    | Very Low            |
| Above Average   | Average          | Low                 |
| Above Average   | Below Average    |                     |
| Average         | Above Average    |                     |
| Below Average   | Above Average    |                     |
| Average         | Average          |                     |
| Average         | Below Average    | Medium              |
| Below Average   | Average          | High                |
| Below Average   | Below Average    |                     |

If no Inspections, Company Performance is Medium

# PSC in the European legislation



Publication  
of data

# PSC in the European legislation

## Publication of data



THETIS (PMOU database) includes **a public area** with data of inspections

On EMSA website - all bans  
**(including those because of jumped detention or repair yard not reached by the ship as agreed)**

PMoU will include the performance of Companies (low and very low) while EQUASIS website will remain unchanged.

# THETIS PSC Database

THETIS

- Home
- Current detentions
- Preventions of operation
- Refusal of access
- Inspections**
- Ship Risk Profile

Public Site Inspection Portlet(1.5.2.1@24.01.2011\_14:51)

Search ↑

IMO Number\*

Classification Society

Type of inspection

Name

RO performing statutory work

Port State

Flag

ISM company number

Port of inspection

Type

Period

 To 

Result

- Detention
- Prevention of operation
- Refusal of access (Ban)

Gross Tonnage

 To 

Inspection regime

- Port State Control
- RO-RO Ferries And High Speed Passenger Craft (Ropax)

Number of deficiencies

Age

 To 

Duration of detention

Search Reset

## PSC in the European legislation

### Cost of the inspection (Art. 28)



The cost of PSC inspections is on the port State unless a ship is detained

In such case there is the obligation on the MSs to charge the ship-owner with the whole cost of the inspection

## *Interrelation with other EU Legislation - Article 25*

### **Exchange of information and cooperation**

— .....information concerning ships which have failed to notify any information according to the requirements of this Directive, and to [Directive 2000/59/EC](#) of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues and [Directive 2002/59/EC](#), as well as, if appropriate, with [Regulation \(EC\) No 725/2004](#).

— information concerning ships which have proceeded to sea without having complied with [Articles 7 or 10 of Directive 2000/59/EC](#).

## Port State Control



Questions?