


Training Session

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The bottom half of the slide features a background image of a dark blue ocean with white-capped waves under a cloudy sky. A semi-transparent light blue rectangular box is overlaid on the right side of this image, containing the main title text.

**Introduction on
Directive 2009/21/EC
on compliance with
Flag State requirements and
relevant EMSA's activities**

**Directive 2009/21/EC
of the European Parliament and of the Council of 23 April 2009
on compliance with flag State requirements**

Programme

1. Preamble of the Directive.
2. Articles of the Directive
3. IMO Audit
4. Certified Quality Management System
5. Operational Activities to be certified
6. EMSA

1. Preamble of the Directive

(8)

In order to help Member States in further improving their performance as flag States, they should have their administration audited on a regular basis.



1. Preamble of the Directive

(9)

A quality certification of administrative procedures in accordance with the standards of the International Organisation for Standardisation (ISO)

or equivalent standards should further ensure a level playing field between administrations.



2. Articles of the Directive

1. Subject Matter
2. Scope
3. Definitions
4. Conditions for allowing a ship to operate upon granting the rights to fly the flag of a Member State
5. Detention of a ship flying the flag of a Member State
6. Accompanying measures
7. Flag State auditing process
8. Quality management system and internal evaluation
9. Reports
10. Committee procedure
11. Transposition
12. Entry into force
13. Addresses



2. Articles of the Directive

4. Conditions for allowing a ship to operate upon granting the rights to fly the flag of a Member State
5. Detention of a ship flying the flag of a Member State
6. Accompanying measures
7. Flag State auditing process
8. Quality management system and internal evaluation



2. Articles of the Directive

Article 4. Conditions for allowing a ship to operate upon granting the rights to fly the flag of a Member State

Requires you to inspect the vessel and review all documents including the ones from the losing flag.

And, if you are the losing flag, to provide all details to the new flag.



2. Articles of the Directive

Article 5.

Detention of a ship flying the flag of a Member State

Generally requires you to ensure that detained vessels are brought back in compliance.



2. Articles of the Directive

Article 6. Accompanying measures

Requires you to keep proper records of your ships.



2. Articles of the Directive

Article 7. Flag State auditing process

*Requires you to have
IMO audits at least
every seven years.*



2. Articles of the Directive

Article 8.

Quality management system and internal evaluation

*Requires you to have
a certified QMS of
operational activities.*



3. IMO Audit

Article 3 - Definitions

“IMO Audit” means an audit conducted in accordance with the provisions of Resolution A.974(24) adopted by the IMO Assembly on 1 December 2005.

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3. IMO Audit

Article 7

Flag State Auditing Process

Member States shall take the necessary measures for an IMO audit of their administration at least once every seven years, ..



3. IMO Audit

Article 7 - Flag State Auditing Process

This Article shall expire .. , if a mandatory IMO Member State Audit Scheme has entered into force.



4. Certified Quality Management System

Article 8.1 – QMS and Internal Evaluation

By 17 June 2012 each Member State shall develop, implement and maintain a quality management system for the operational parts of the flag State-related activities of its administration.

Such quality management systems shall be certified in accordance with the applicable international quality standards.

5. Operational Activities to be certified

IMO Res. 974 Article 7.4.2 ... minimum scope for an (IMO) audit:

- .1 jurisdiction;**
- .2 organization and authority;**
- .3 legislation, rules and regulations;**
- .4 promulgation of IMO mandatory instruments, rules and regulations;**
- .5 enforcement arrangements;**
- .6 control, survey, inspection, audit, verification, approval and certification functions;**
- .7 selection, recognition, authorization, empowerment and monitoring of recognized organizations, as appropriate, and of nominated surveyors;**
- .8 investigations required to be reported to IMO; and**
- .9 reporting to IMO, other Administrations, and organizations.**

5. EMSA



Questions?

