



Antigua and Barbuda
Maritime Administration

Miscellaneous Circular
No. 2014-004
Rev 3
14 October 2021

SUBJECT: Port State Control Inspection Reporting and Flag State follow up

REFERENCE:

- (a) [Directive 001 - 2014](#) Port State Control Reporting Directive 2014
- (b) [Directive 001-2012](#) The Merchant Shipping (Reporting of Accidents) Directive 2012
- (c) International Maritime Organization (IMO) Assembly Resolution A.1138(31) Procedures for Port State Control 2019; and
- (d) International Labour Organization (ILO) Guidelines for port State control officers carrying out inspections under the Maritime Labour Convention, 2006.

TO: Ship-owners, operators, masters and officers of Antigua and Barbuda flagged ships, and recognized organizations

1. PURPOSE

This Circular provides all ADOMS' clients and relevant stakeholders with information on the requirement for reporting defects following a port State control inspection.

2. APPLICATION

This Circular applies to all Antigua and Barbuda flagged Ships.

3. BACKGROUND

Port State Control (PSC) is the inspection of foreign ships in national ports to verify that the condition of the ship and its equipment comply with the requirements of international regulations and that the ship is manned and operated in compliance with these rules. Many of the IMO's most important technical conventions contain provisions for ships to be inspected when they visit foreign ports to ensure that they meet IMO requirements.

To improve the compliance of our vessels with international safety and environmental regulations, it has been decided to bring in measures to try to more effectively utilize valuable information obtained from Port State Control Inspections.

Directive 001-2014 Port State Control Reporting Directive 2014 had been issued to encourage better communication between all involved in the safe management of our vessels.

In the event of a vessel being detained it is often an indication of a breakdown in the Safety Management of the vessel to a greater or lesser extent.

It is important that we strive to maintain a high standard and continuously improve the performance of Antigua and Barbuda flag vessels to ensure that the flag maintains its position on the White list of the various PSC regimes. This will also ensure that unnecessary burdens are not placed on seafarers and ship operators due to perceived risk factors adopted by some organizations involved in the Shipping Industry.

PSC data is widely available from various sources and is monitored by ADOMS to identify areas for improvement which our inspectors can promulgate to vessels when they visit. We expect our vessels to be always compliant with international and national requirements and thus should always be ready for inspection and should not get deficiencies; however, we do of course recognize that the management of ships is very complex and thus from time-to-time deficiencies will be found when a fresh pair of eyes looks at the operation as is the case with PSC inspections.

It must be emphasized that whenever problems occur with emergency systems, ADOMS must be informed and appropriate arrangements agreed to ensure that an equivalent level of safety is maintained on board the vessel and requisite *Temporary Permissions* from the flag State are issued if necessary. Furthermore, whenever circumstances require short term conditional certificates ADOMS must also be informed by the Recognised Organisation (RO). Apart from the safety implications, failure to do so makes a vessel liable to detention.

4. OBLIGATIONS AND GUIDANCE/RESPONSIBILITIES

1. PSC Inspection reporting and follow-up

1. All Antigua and Barbuda flag vessels subject to PSC Inspections will be required to report when:
 1. Four (4) or more deficiencies are raised at a PSC Inspection.
 2. Any deficiency is raised where its rectification requires an International Safety Management (ISM) audit. This shall also be reported to the Recognized Organization(s) responsible for the audits leading to the issuance of vessel ISM SMC and the company Document of Compliance (DOC).
 3. Such reports should contain details of any corrective actions undertaken and proposed. These reports shall be made readily available at vessel and company audits.
2. The requirement for companies to report inspections with more than four deficiencies recorded and any ISM related deficiencies has been introduced to improve communications between all involved in the safe management of ships under the Antigua and Barbuda Flag. It will enable contact to be made quickly between the appropriate persons if a vessel has problems rather than wait for data to be promulgated by other means. It is expected that compliance with this requirement will be checked during audits and inspections together with the auditing

of all relevant survey and inspection reports, from flag State, port State, and recognized organizations.

2. Follow up after the first PSC Detention in 24-month period

1. All Antigua and Barbuda flag vessels subject to Port State Control Inspections will be required to report to ADOMS when the vessel is detained at a port. The report shall consist of the following:
 1. A copy of the PSC Report (Form A and B)
 2. A copy of the Detention Notice.
 3. A brief description of actions taken or planned to rectify all deficiencies at the earliest opportunity.
 4. Supplementary PSC reports if any.
 5. Upon release from detention, a copy of the PSC release report.
2. The reporting requirements in the event of detention consolidate the requirements of various organizations involved in monitoring vessel performance and ensure they are all promptly made aware that a vessel where they have an involvement has been detained and can thus take appropriate action.
3. In the event of a detention if an ISM SMC audit requirement is recorded; this audit shall be conducted by the appropriate Recognized Organization (RO) with the results of this audit communicated to all RO's involved with the vessel as well as ADOMS. The scope of such audits will normally be full audits of the safety management system and thus shall address all elements of the ISM Code and all aspects of the management system's implementation on board.
4. Further additional ISPS audits and/or MLC inspections may be required depending upon the nature of the detainable deficiencies and the ship's inspection history.
5. The company is expected to treat the detention as a major non-conformity and deal with it in accordance with their Safety Management System and is also expected to take their own additional internal auditing measures.
6. As far as Flag State Inspections are concerned, a Special Safety Inspection may also be required either immediately, where the attendance of a Flag State Inspector in addition to the Recognized Organization(s) is considered to be beneficial, or more usually at a later date where there is a need to confirm the effectiveness of the measures taken in order to prevent re-occurrence of detention. The interval for future Flag State Inspections (FSI's) will also normally be reduced to ensure the improved monitoring of the vessel concerned.

7. There may be circumstances where the record of the vessel is such that an additional DOC audit will also be required, if deemed necessary by ADOMS or the RO involved.

8. Whenever a vessel has been detained and is within the window for any statutory survey, arrangements must be made for these surveys to be carried out as soon as is practical within the following two weeks or before the close of the survey window whichever occurs first.

3. Follow up after second PSC Detention in 24-month period

1. If a ship has, in the opinion of ADOMS, been justifiably detained twice within a period of 24 months, the following shall be completed in addition to the applicable requirements after the first detention in 24-month period:

1. An additional ISM SMC audit to the extent of initial audit to ascertain the effectiveness of the Safety Management System on board.
2. An additional ISM DOC audit to the extent of the annual audit not later than 30 days from the date of the detention.
3. The vessel will be eligible for enhanced monitoring through reduced intervals for future Flag State Inspections (FSI).

4. In the case of a third PSC Detention in 24-month period

1. If a ship has, in the opinion of ADOMS, been justifiably detained thrice within a period of 24 months, the ship will be specially examined to assess whether it remains acceptable for continued registration in Antigua and Barbuda. This may lead to owners being requested to find an alternative register or deletion of the ship from the Antigua and Barbuda register.

2. The DOC of the Company will be re-examined and further surveys, inspections, and audits of the Company and/or its ships may be required.

5. Other reporting requirements

1. Owners are reminded of the reporting requirements which are contained in Directive 001-2012 and the Senior Officers' Handbook.

2. Reporting is a requirement in every case where:

1. A seafarer has suffered serious injury from any cause whatsoever.
2. A seafarer has contracted an occupational disease associated with work on board a ship,
3. A ship has been involved in a marine casualty which includes the following occurrences:

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1. The death or serious injury to a person,
 2. The loss of a person from a ship,
 3. The loss, presumed loss or abandonment of a ship,
 4. Material damage to a ship,
 5. The stranding or disabling of a ship, or the involvement of a ship in a collision,
 6. Material damage to marine infrastructure external to a ship that could seriously endanger the safety of the ship, another ship, or an individual, or
 7. Severe damage to the environment, or the potential for severe damage to the environment brought about by the damage of a ship or ships.
4. A ship has been detained by a Port State Control officer.
 5. There has been an incident of pollution associated with the ship, or
 6. There has been a serious breach of security on board the ship.
3. The shipowner and the master shall ensure that the facts surrounding the incident are reported without delay to ADOMS.
 4. All reports and notifications are to be sent at the earliest opportunity to reporting@adomsiid.org

6. Flag State Inspections

1. ADOMS carries out flag State inspections (FSIs) to maintain standards and reduce risk of detention from PSC Officers.
2. Where a flag State inspector records deficiencies (under section 14) on his Report of Safety Inspection (Form FO-I 04), then the company is required to act on these and confirm close out.
3. By signing and stamping the report, the Master is acknowledging the deficiencies and that steps will be taken to address these.
4. The ADOMS' Inspection and Investigation Division (IID) receives the Inspection Report from the inspector, and after evaluation, prepares a summary of same which is forwarded to the ship. Depending upon the number of deficiencies and/or severity, a rectification notification from the company may be required.
5. It is expected that companies will address this through their Safety Management System.
6. In rare cases where a company/ship master does not address the deficiencies, then ADOMS will follow this up by contacting our RO's flag liaison officer. The service level agreement with our ROs covers this authorisation and action will be taken by our RO on any outstanding deficiencies, during their class/statutory survey work and by additional SMC audits, or at the company DOC audit, where necessary. Not all

deficiencies are class or statutory certification related and such instances will be dealt with on a case-by-case basis. It is the RO's responsibility to contact ADOMS when requests for extensions or changes to statutory certificates are received from the company/shipowner.

7. As already stated, the overall aim of the directive and circular is to improve communication between all involved and ensure the more effective use of information with minimal duplication of effort. Total failure to comply with reporting requirements may cause ADOMS to have to reassess the suitability of a Company to manage ships on the Antigua and Barbuda Register.

Issued by

Antigua and Barbuda
Department of Marine Services and Merchant Shipping
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