

**FOREWORD**

**I**nitiative by the various Maritime Authorities around the Indian Ocean region, to eradicate substandard shipping, resulted in the formulation of the Indian Ocean Memorandum of Understanding on PSC.

**O**nus to achieve the goal of the MOU rests with the Authorities involved in the MOU.

**M**ost of the Authorities have started implementing the port State control inspection in right earnest, inspite of various problems faced by them.

**O**verall PSC activities in the region is showing an uptrend. This demonstrates the commitment of the region to the promotion of maritime safety and preservation of the marine environment. The effort sends out a clear message that continued operation of substandard ships jeopardizing safety of shipping and environment will not be tolerated. The co-operation between the MOUs is also acting in this direction.

**U**ltimate objective of harmonized port State control activities throughout the world by means of co-operation between all the MOUs, does not appear to be a far-flung proposition.

W.R. Dernier  
Chairman  
Port State Control Committee

Bimalesh Ganguli  
Secretary  
IOMOU Secretariat

## **CONTENTS**

	<b>page</b>
<b>INTRODUCTION</b>	
History of the IOMOU .....	1
Purpose .....	1
IMO and ILO involvement .....	2
List of Signatories .....	2
List of Participating Members and Observers .....	2
 <b>ORGANISATIONAL STRUCTURE</b>	
Organigram .....	3
IOMOU Secretariat .....	4
Contact Details .....	4
 <b>THE COMMITTEE</b>	
A Description of its Work. Some objectives .....	5
 <b>TRAINING FOR PORT STATE CONTROL OFFICERS .....</b>	 <b>6</b>
 <b>PSC IN OTHER REGIONS .....</b>	 <b>6</b>
 <b>IOCIS / WEBSITE .....</b>	 <b>7</b>
 <b>STATISTICS .....</b>	 <b>8</b>

**LIST OF TABLES AND FIGURES**

		<b>page</b>
Table 1	Deficiencies by Type of Ship .....	9
Table 2	Deficiencies by Flag .....	10
Table 3	Deficiencies by Category .....	13
Table 4	Deficiencies by Classification Societies .....	14
Table 5	Comparison of Inspections and Deficiencies per Ship Type .....	15
Table 6	Comparison of Inspections and Detentions per Ship Type .....	16
Table 7	Comparison of Inspections and Detentions per Flag .....	17
Table 8	Comparison of Deficiencies by Categories .....	20
Table 9	Comparison of Inspections and Deficiencies per Classification Societies .....	21
Table 10	Comparison of Inspections and Detentions per Classification Societies .....	22
Figure 1	Average Deficiency by Type of Ship .....	23
Figure 2	Overall Percentage of Detention by Type of Ship .....	24
Figure 3	Deficiencies by Flag .....	25
Figure 4	Detentions by Flag .....	26
Figure 5	Deficiency Percentage by Category .....	27
Figure 6	Detention Percentage by Classification Societies.....	28
Figure 7	Comparison of Inspections per Ship Type .....	29
Figure 8	Comparison of Detentions per Ship Type .....	30
Figure 9	Comparison of Detentions per Flag .....	31
Figure 10	Comparison of Deficiencies by Categories .....	32
Figure 11	Comparison of Inspections per Classification Societies .....	33
Figure 12	Comparison of Detentions per Classification Societies .....	34
<b>MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL IN THE INDIAN OCEAN REGION</b>		<b>35</b>

## INTRODUCTION

### HISTORY OF THE IOMOU

The first preparatory meeting of the IOMOU was held in Mumbai on 13-17 October 1997 and was attended by representative from the Maritime Administrations of 22 countries in the Indian Ocean region. This meeting agreed that a regional agreement of cooperation on port State control should be established and prepared a first draft of a Memorandum of Understanding, the IOMOU.

Finalization of the Memorandum was achieved at the second preparatory meeting in Pretoria, South Africa between 1 and 5 June, 1998. The first meeting of the Committee was held in Goa, India from 20 to 22 January 1999. The text of the MOU was agreed to by Australia, Bangladesh, Djibouti, Eritrea, Ethiopia, India, Iran, Kenya, Maldives, Mauritius, Mozambique, Myanmar, Oman, Seychelles, South Africa, Sri Lanka, Sudan, Tanzania and Yemen.

### PURPOSE

The port State control system, aims to verify whether foreign flagged vessels calling at a port of a State, comply with applicable international maritime conventions. When vessels are found not to be in substantial compliance with applicable laws or relevant convention requirements, the PSC system imposes actions to ensure they are brought into compliance. Ships to be inspected are selected on the basis of criteria outlined in the Memorandum and a non-discriminatory policy is observed.

Under the Memorandum each Authority will establish and maintain an effective system of port State control. The ultimate goal, is to identify and eliminate substandard ships from the region.

## IMO AND ILO INVOLVEMENT

A representative of the IMO attended by invitation the Fourth Committee Meeting. He informed the Committee that the IMO was considering conducting further port State control courses in the region.

The ILO regrettably could not attend the Fourth Committee Meeting. However, the organisation made available, for the information of the members, a copy of the report on the outcomes of the 29<sup>th</sup> Session of the ILO Joint Maritime Commission.

The highlights of the paper were:

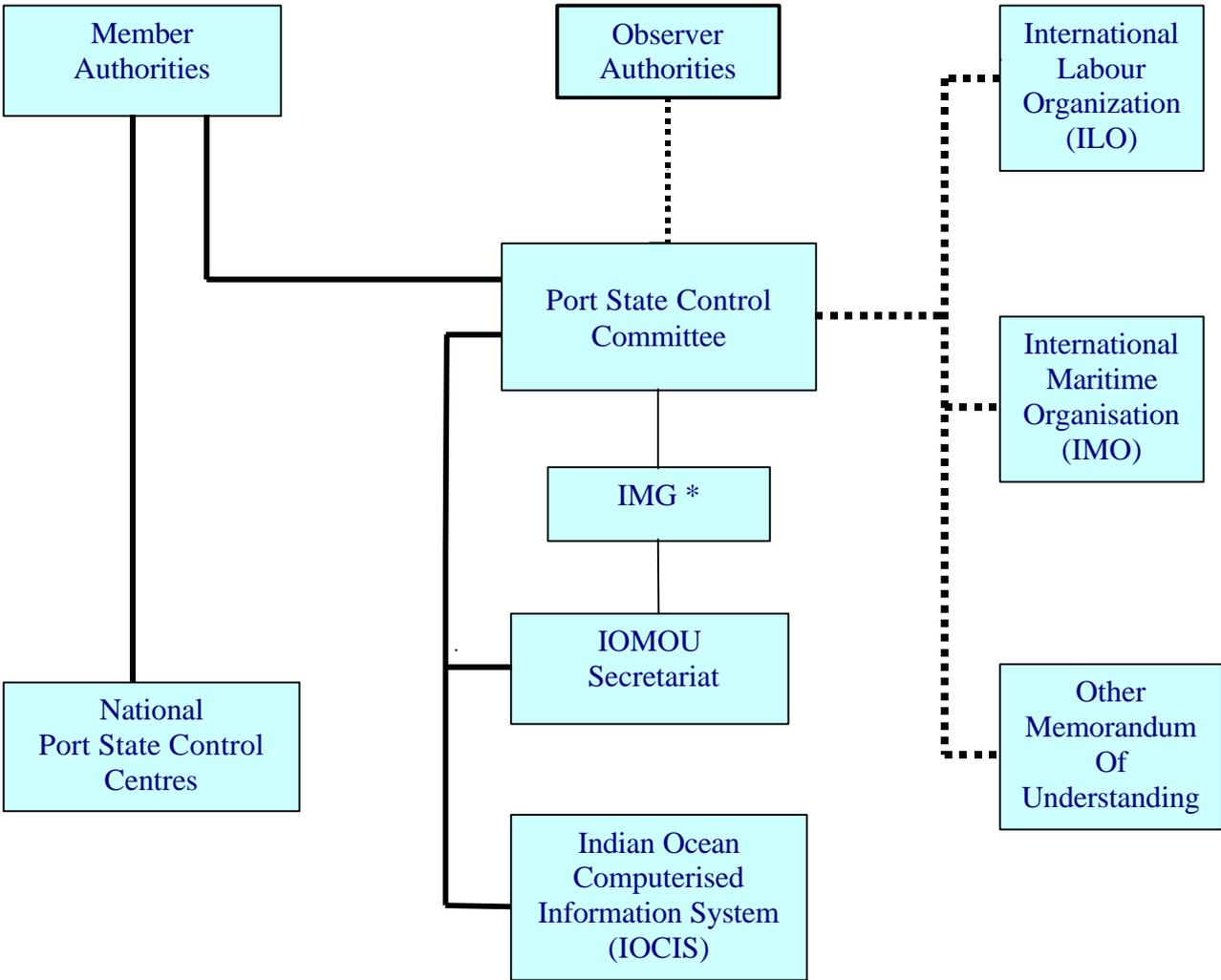
- (i) Review of relevant ILO maritime instruments;
- (ii) Updating of the ILO's minimum basic wage of able seamen;
- (iii) The impact on seafarers' living and working conditions of changes in the structure of the shipping industry; and
- (iv) Joint IMO/ILO ad hoc expert working group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers.

## LIST OF PARTICIPATING MEMBERS AND OBSERVERS

As at December 2001, there were ten countries which have become a party to the Memorandum. These are: **Australia, Eritrea, India, Iran, Maldives, Mauritius, Sri Lanka, South Africa, Sudan and Tanzania.**

**Ethiopia**, an originally involved member requested and was granted Observer status in October 2000.

**ORGANISATIONAL STRUCTURE OF THE IOMOU**



\* Inter-sessional Management Group

## IOMOU SECRETARIAT

The Indian Ocean Memorandum of Understanding Secretariat is based at Goa in India. The Secretariat is governed by and accountable to the Committee of the IOMOU on Port State Control. It services the Committee meetings and assists the Committee in its activities.

The IOMOU Secretariat is headed by the Secretary, Mr. Bimalesh Ganguli who is assisted by Office Assistant Ms. Nila Raikar.

## CONTACT DETAILS

Postal Address: The Secretary  
IOMOU Secretariat,  
Head Land, Sada,  
GOA - 403 804.  
INDIA.

Telephone : +91 832 520 931

Telefax : +91 832 520 045

Email Address: [iomou@goatelecom.com](mailto:iomou@goatelecom.com)

## THE COMMITTEE

The Committee of the IOMOU held its Fourth Meeting in Colombo, Sri Lanka from 3 September to 6 September 2001. The meeting was kindly hosted by the Sri Lanka Maritime Safety Authority.

The meeting under the chairmanship of Capt. W.R. Dernier, Executive Manager, Operations, South African Maritime Safety Authority was attended by representatives from the Maritime Authorities of Australia, India, Iran, Maldives, Mauritius, South Africa, Sri Lanka and Tanzania.

Important outcomes of this meeting included:

- ▶ □ Adoption of a number of amendments to the MOU, which had been proposed by Australia at the Second Meeting;
- ▶ □ The creation of an Inter-sessional Management Group which will represent the Committee during inter-session periods;
- ▶ □ Agreed on procedures for finalizing the establishment of an IT system for handling the regions PSC inspection data;
- ▶ □ Decision to host an internet web site;
- ▶ □ Developing a schedule of requirements for the training of PSCOs in the region;
- ▶ □ Election of the Chairman.

At the conclusion of the Meeting Capt. W.R. Dernier stood down at the end of his three year tenure and that Mr. M.J. Kinley of Australia was elected as the new Chairman.

It was agreed to hold the Fifth Meeting of the Committee in Iran.

## **TRAINING FOR PORT STATE CONTROL OFFICERS**

Unfortunately, during the year no training programmes could be organised.

## **P S C IN OTHER REGIONS**

Port State Control has been accepted globally as an effective means for combating sub-standard ships, promoting maritime safety and protecting the marine environment.

During the past six years, the number of regional MOUs has increased from three to eight, i.e. Asia-Pacific MOU; Black Sea MOU; Caribbean MOU; Indian Ocean MOU; Mediterranean MOU; Paris MOU; Vina del Mar Agreement and the West and Central African MOU.

The Tenth Meeting of the Asia Pacific MOU Port State Control Committee was held from 15 to 18 October 2001 in Tokyo, Japan, attended by the Secretary as an observer. The committee agreed to provide the test programme of APCIS for IOMOU.

The Fourth Meeting of the Mediterranean MOU on PSC Committee was held from 14 to 18 July 2001 in Valletta, Malta.

The First Meeting of the West & Central MOU on PSC Committee was held from 11 to 13 June 2001 in Abuja, Nigeria.

The Second Meeting of the Black Sea Port State Control Secretariat was held from 2 to 4 May 2001 in Varna, Bulgaria.

The Eighth Meeting of the Vina del Mar Agreement Secretariat was held from 3 to 5 September 2001 in Cancun, Mexico.

**IOCS / WEBSITE**

The Indian Ocean Memorandum of Understanding Computerised Information system is yet to be established. However, it is expected to provide the basic information regarding port State inspections in the region, in the web-site <http://www.iomou.org> to be hosted shortly.

## STATISTICS

A total of 5520 inspections were carried out in the year 2001. Deficiencies were noted during 2862 of these inspections, with the total number of deficiencies being 14644.

Serious deficiencies noted by PSCOs led to the detention of 291 ships. The detentions allowing for the rectification of the serious deficiencies prior to the ships departure. The overall detention percentage for the year being 5.3%. A reduction of 1.5% on the previous year (2000). Although it is early days to be able to determine a trend with certainty, the decrease in the detention percentage could be a measure of the effectiveness of the MOU in the region.

The information given in the following tables and charts represents the port State control activities of Australia, Bangladesh, Eritrea, India, Iran, Mauritius, Maldives, Sri Lanka, South Africa and Sudan.

It may be noted that Australia, being member of Asia Pacific MOU as well as Indian Ocean MOU, inform their activities regarding port State inspection to both the MOUs. Thus there may be a duplication of the information.

Table : 1.

### Deficiencies by Type of Ship

Type of Ship	No. of Inspections	No. of Ships with Deficiencies	No. of Deficiencies	No. of Detentions	Detention Percentage	Average No. of Deficiencies
Tank ship - Non specified	3	3	17	0	0	0.12
Ore/Bulk/Oil Carrier	2227	1325	6853	97	1.76	46.80
Crude Oil Tankship	21	1	1	0	0	0
Oil Tankship	573	224	1063	32	0.58	7.26
Gas Carrier - LPG	90	25	109	1	0.02	0.74
Gas Carrier - LNG	5	0	0	0	0	0
Chemical Tankship	139	66	220	14	0.25	1.50
Dry Bulk Carrier	266	118	627	7	0.13	4.28
Vehicle Carrier	115	65	291	1	0.02	1.99
Container Ship	377	136	580	24	0.43	3.96
Combination Carrier	22	8	22	0	0	0.15
Ro-Ro Container Ship	5	0	0	0	0	0
Ro-Ro Cargo Ship	54	24	130	1	0.02	0.89
Ro-Ro Passenger Ship	2	2	18	1	0.02	0.12
General Dry Cargo Ship	1312	689	3760	98	1.78	25.68
Refrigerated Cargo Carrier	45	28	130	0	0	0.89
Woodchip Carrier	59	37	130	2	0.04	0.89
Livestock Carrier	69	50	365	5	0.09	2.49
High Speed Passenger Craft	2	1	2	0	0	0.01
Passenger Ship	42	11	72	3	0.05	0.49
Heavy Load Carrier	8	3	13	1	0.02	0.09
Cable Laying Ship	1	0	0	0	0	0
Supply Ship	1	0	0	0	0	0
Research Vessel	2	0	0	0	0	0
Offshore Service Vessel	18	9	33	0	0	0.23
Multipurpose Ship	1	1	2	0	0	0.01
Barge Carrier	1	0	0	0	0	0
B.C. Cement Carrier	4	1	7	0	0	0.05
DSC or HSC Craft	1	1	3	1	0.02	0.02
Special Purpose Ship	15	10	44	1	0.02	0.30
Tug/Towing vessel	23	10	78	1	0.02	0.53
Miscellaneous	2	3	4	1	0.02	0.03
Other Type	15	11	70	0	0	0.48
<b>Total</b>	<b>5520</b>	<b>2862</b>	<b>14644</b>	<b>291</b>		

Table : 2

### Deficiencies by Flag

Flag	Total No. of Inspections	Total No. of Ships With Deficiencies	Total No. of Deficiencies	Total No. of Detentions
American Samoa	1	1	4	0
Azerbaijan	44	57	167	0
Antigua & Barbuda	52	5	115	3
Algeria	5	5	60	2
Bahamas	254	95	472	5
Bangladesh	5	2	7	0
Barbados	3	1	5	0
Belize	30	20	134	8
Bermuda	42	14	46	1
Brazil	2	2	10	0
Bolivia	9	5	68	2
Bulgaria	1	1	4	0
Bahrain	11	7	61	1
Comoros	2	2	10	1
China	111	38	182	1
Croatia	6	3	12	0
Cyprus	330	155	841	21
Colombia	2	2	5	0
Cayman Island	22	11	60	1
Channel Islands	2	1	7	0
Cambodia	17	14	87	5
Denmark	62	30	150	3
Estonia	2	1	2	0
Egypt	21	14	102	1
Eritrea	1	0	0	0
Ethiopia	2	0	0	0
Fiji	4	4	22	0
France	21	11	29	1
Georgia	15	10	100	5
Germany	31	12	51	4
Gibraltar	3	1	3	0
Greece	190	76	258	1
Guinea	1	1	20	1
Honduras	16	9	127	4
Hongkong	187	99	513	6
Ice Land	1	1	17	1
India	88	51	292	4
Indonesia	22	19	126	3
Ireland	1	1	5	0
Iran	44	37	293	5
Italy	27	16	55	3
Isle of Man	41	17	77	0
Japan	75	30	92	0
Jordan	2	0	0	0
Kuwait	23	9	32	1
Kyrgyzstan	1	1	1	0
Liberia	391	161	620	11

Table : 2 (Contd.)

### Deficiencies by Flag

Flag	Total No of Inspections	Total No. of Ships With Deficiencies	Total No. of Deficiencies	Total No. of Detentions
Luxembourg	1	1	2	0
Lebanon	10	0	0	0
Libya	1	1	19	1
Malaysia	78	53	352	5
Malta	295	141	739	24
Marshall Islands	47	24	76	1
Maldives	2	2	22	1
Mauritius	2	0	0	0
Madagascar	1	1	32	1
Myanmar	11	8	46	2
Netherlands	66	30	96	1
Netherlands Antilles	5	3	22	0
New Zealand	2	0	0	0
Norway	119	46	201	1
Nigeria	1	0	0	0
North Korea	10	10	149	8
Oman	1	1	7	1
Panama	1385	735	3388	67
Papua New Guinea	18	18	145	1
Philippines	116	78	352	2
Poland	2	2	5	0
Portugal	1	1	9	1
Pakistan	6	6	22	0
Qatar	18	2	19	1
Russian Federation	302	215	813	0
Romania	1	0	0	0
St. Helena	1	1	3	0
Samoa	1	1	9	0
St. Vincent & Grenadines	144	99	655	22
Saudi Arabia	24	6	25	6
Singapore	215	114	710	12
South Korea	63	45	311	7
Sweden	12	3	10	0
Switzerland	9	2	17	0
Seychelles	2	1	23	1
Sudan	4	1	2	1
Spain	1	1	4	0
Sri Lanka	5	2	10	0
Sao Tome	12	5	51	1
Syria	5	0	0	0
Taiwan	61	37	205	3
Thailand	40	23	180	3
Tanzania	2	1	11	0
Tonga	8	7	40	2
Turkmenistan	10	8	29	0
Turkey	90	43	352	7
Tunisia	1	1	9	1
United Arab Emirates	14	5	26	1

Table : 2 (Contd.)

### Deficiencies by Flag

<b>Flag</b>	<b>Total No of Inspections</b>	<b>Total No. of Ships With Deficiencies</b>	<b>Total No. of Deficiencies</b>	<b>Total No. of Detentions</b>
United Kingdom	39	9	38	1
Ukraine	3	1	3	0
United States of America	9	2	15	0
Vanuatu	19	14	56	0
Yemen	2	0	0	0
<b>Total</b>	<b>5520</b>	<b>2862</b>	<b>14644</b>	<b>291</b>



Table : 3

### Deficiencies by Category

Code	Nature Of Deficiencies	No. of Deficiencies	Percentage
0100	Ship's Certificate	561	3.83
0200	Crew	252	1.72
0300	Accommodation	591	4.04
0400	Food & Catering	236	1.61
0500	Working Spaces	116	0.79
0600	Life Saving Appliances	2238	15.28
0700	Fire Fighting Appliances	2019	13.79
0800	Accident Prevention	298	2.03
0900	Safety in General	1432	9.78
1000	Alarm Signals	48	0.33
1100	Cargo	139	0.95
1200	Load Lines	1378	9.41
1300	Mooring Arrangement	279	1.91
1400	Propulsion & Aux Mach.	568	3.88
1500	Navigation	1409	9.62
1600	Radio	1305	8.91
1700	Marine Poll. Annex I	644	4.40
1800	Tankers	17	0.12
1900	Marine Poll. Annex II	18	0.12
2000	SOLAS Operational Defects	627	4.28
2100	MARPOL Operational Defects	51	0.35
2200	Marine Poll. Annex III	3	0.02
2300	Marine Poll. Annex V	99	0.68
2500	ISM Related Deficiencies	218	1.49
2600	Bulk Carriers Additional Safety Measures	12	0.08
9800	Other Deficiencies	48	0.33
9801	Other Defects Clearly Hazardous to Safe Healthy Environment	5	0.03
9900	P&I Club Entry Certificate No Evidence of Entry	25	0.17
9901	Other Defects Not Clearly Hazardous to Safe Healthy Environment	8	0.05
	<b>Total</b>	<b>14644</b>	

Table : 4

### Deficiencies by Classification Societies

Classification Society	Abbreviation	No. of Inspections	No. of ships with Deficiencies	No. of Detentions*	Detention Percentage
American Bureau of Shipping	ABS	585	289	18	3.08
Bureau Veritas	BV	413	217	28	6.78
Biro Klasifikasi Indonesia	BKI	7	5	2	28.57
Bulgarski Koraben Registar	BKR	1	1	0	0
Belize Register of Shipping	BRS	4	3	3	75
Belize Maritime Bureau Incorporate	BMBI	2	2	2	100
China Classification Society	CCS	129	63	7	5.43
China Corporation Register of Shipping	CCRS	93	50	8	8.60
Croatian Register of Shipping	CRS	15	7	0	0
C.S. Czechoslovakia		2	2	0	0
Det Norske Veritas	DNV	558	246	15	2.69
Germanischer Lloyd	GL	375	147	25	6.67
Hellenic Register of Shipping	HR	30	18	7	23.33
Honduras International Naval Surveying & Inspection Bureau	HINSIB	3	3	1	33.33
International Register of Shipping		33	19	8	24.24
Inclamar Incorporate		3	1	1	33.33
Indian Register of Shipping	IRS	60	34	2	3.33
Isthmus Bureau of Shipping Classification Div.		2	2	1	50
International Naval Surveys Bureau	INSB	17	10	6	35.29
JOSON Register of Shipping		12	12	9	75
Korean Register of Shipping	KRS	169	107	7	4.14
Lloyd's Register of Shipping	LRS	896	420	48	5.36
Marine Bureau of Shipping		1	1	0	0
Nippon Kaiji Kyokai	NKK	1555	797	61	3.92
Panama Maritime Surveyors Bureau Inc.	PMSB	1	1	0	0
Panama Register Corporation	PRC	10	9	0	0
Polski Register Statkow	PRS	24	16	4	16.67
Phoenix Registry of Shipping		8	4	1	12.50
Registro Italiano Navale	RINA	85	50	13	15.29
Russian Maritime Register of Shipping	RMRS	390	304	5	1.28
Romanian Navale Register	RNR	6	4	2	33.33
Turkish Gov/NK		1	1	1	100
Turk Loydu Vakfi		4	3	0	0
Other-Not Classed		26	14	6	23.08
<b>Total</b>		<b>5520</b>	<b>2862</b>	<b>291</b>	

\* Note: Deficiencies for which a ship is detained may not necessarily be related to the matters covered by the certificates issued by the classification society

Table : 5

### Comparison of Inspections and Deficiencies per Ship Type

Type of Ship	Number of Inspections		Number of ships with Deficiencies	
	YEAR		YEAR	
	2000	2001	2000	2001
Tank ship - Non specified	28	3	24	3
Ore/Bulk/Oil Carrier	31	2227	15	1325
Crude Oil Tankship	0	21	0	1
Oil Tankship	432	573	192	224
Gas Carrier - LPG	97	90	39	25
Gas Carrier - LNG	0	5	0	0
Chemical Tankship	139	139	55	66
Dry Bulk Carrier	2361	266	1328	118
Vehicle Carrier	126	115	65	65
Container Ship	349	377	155	136
Combination Carrier	0	22	0	8
Ro-Ro Container Ship	0	5	0	0
Ro-Ro Cargo Ship	34	54	10	24
Ro-Ro Passenger Ship	0	2	0	2
General Dry Cargo Ship	1040	1312	502	689
Refrigerated Cargo Carrier	35	45	24	28
Woodchip Carrier	68	59	43	37
Livestock Carrier	82	69	57	50
High Speed Passenger Craft	0	2	0	1
Passenger Ship	39	42	18	11
Heavy Load Carrier	6	8	4	3
Cable Laying Ship	0	1	0	0
Supply Ship	1	1	1	0
Research Vessel	0	2	0	0
Offshore Service Vessel	0	18	0	9
Multipurpose Ship	0	1	0	1
Barge Carrier	0	1	0	0
B.C. Cement Carrier	0	4	0	1
DSC or HSC Craft	2	1	2	1
Special Purpose Ship	7	15	1	10
Tug/Towing vessel	24	23	15	10
Miscellaneous	0	2	0	3
Other Type	23	15	9	11
Vegetable Oil Tankship	5	0	4	0
Survey Vessel	2	0	0	0
Mobile Offshore Drilling Unit	16	0	11	0
Log Carrier	2	0	2	0
<b>Total</b>	<b>4949</b>	<b>5520</b>	<b>2576</b>	<b>2862</b>

Table : 6

### Comparison of Inspections and Detentions per Ship Type

Type of Ship	Number of Inspections		Number of Detentions	
	YEAR		YEAR	
	2000	2001	2000	2001
Tank ship - Non specified	28	3	15	0
Ore/Bulk/Oil Carrier	31	2227	7	97
Crude Oil Tankship	0	21	0	0
Oil Tankship	432	573	25	32
Gas Carrier - LPG	97	90	2	1
Gas Carrier - LNG	0	5	0	0
Chemical Tankship	139	139	8	14
Dry Bulk Carrier	2361	266	122	7
Vehicle Carrier	126	115	6	1
Container Ship	349	377	23	24
Combination Carrier	0	22	0	0
Ro-Ro Container Ship	0	5	0	0
Ro-Ro Cargo Ship	34	54	3	1
Ro-Ro Passenger Ship	0	2	0	1
General Dry Cargo Ship	1040	1312	105	98
Refrigerated Cargo Carrier	35	45	4	0
Woodchip Carrier	68	59	1	2
Livestock Carrier	82	69	0	5
High Speed Passenger Craft	0	2	0	0
Passenger Ship	39	42	0	3
Heavy Load Carrier	6	8	0	1
Cable Laying Ship	0	1	0	0
Supply Ship	1	1	0	0
Research Vessel	0	2	0	0
Offshore Service Vessel	0	18	0	0
Multipurpose Ship	0	1	0	0
Barge Carrier	0	1	0	0
B.C. Cement Carrier	0	4	0	0
DSC or HSC Craft	2	1	0	1
Special Purpose Ship	7	15	0	1
Tug/Towing vessel	24	23	5	1
Miscellaneous	0	2	0	1
Other Type	23	15	3	0
Vegetable Oil Tankship	5	0	4	0
Survey Vessel	2	0	0	0
Mobile Offshore Drilling Unit	16	0	1	0
Log Carrier	2	0	2	0
<b>Total</b>	<b>4949</b>	<b>5520</b>	<b>336</b>	<b>291</b>

Table : 7

### Comparison of Inspections and Detentions per Flag

Flag	Number of Inspections		Number of Detentions	
	YEAR		YEAR	
	2000	2001	2000	2001
Antilles, Netherlands	3	0	0	0
American Samoa	0	1	0	0
Azerbaijan	0	44	0	0
Antigua & Barbuda	36	52	0	3
Australia	1	0	0	0
Algeria	0	5	0	2
Belgium	2	0	0	0
Barbuda	1	0	0	0
Bahamas	243	254	5	5
Bangladesh	4	5	2	0
Barbados	5	3	1	0
Belize	32	30	9	8
Bermuda	38	42	0	1
Brazil	3	2	0	0
Bolivia	8	9	2	2
Bulgaria	5	1	1	0
Bahrain	2	11	1	1
Comoros	0	2	0	1
China	138	111	4	1
Croatia	10	6	1	0
Cyprus	328	330	27	21
Colombia	0	2	0	0
Cayman Island	14	22	0	1
Channel Islands	0	2	0	0
Cambodia	6	17	4	5
Denmark	66	62	3	3
Estonia	0	2	0	0
Egypt	21	21	2	1
Eritrea	0	1	0	0
Ethiopia	1	2	0	0
Fiji	3	4	0	0
France	21	21	3	1
Georgia	0	15	0	5
George Town	9	0	1	0
Germany	39	31	1	4
Gibraltar	1	3	0	0
Greece	172	190	8	1
Guinea	0	1	0	1
Honduras	16	16	10	4
Hongkong	163	187	6	6
Hungary	1	0	0	0
Ice Land	0	1	0	1
India	76	88	3	4
Indonesia	14	22	6	3

Table : 7 (Contd.)

### Comparison of Inspections and Detentions per Flag

Flag	Number of Inspections		Number of Detentions	
	YEAR		YEAR	
	2000	2001	2000	2001
Ireland	0	1	0	0
Iran	32	44	2	5
Italy	24	27	1	3
Isle of Man	31	41	0	0
Jamaica	7	0	3	0
Japan	61	75	0	0
Jordan	1	2	0	0
Republic of Korea	49	0	2	0
Kingstown	2	0	1	0
Kuwait	26	23	1	1
Kampuchea Republic	1	0	0	0
Kyrgyzstan	0	1	0	0
Liberia	401	391	15	11
Luxembourg	4	1	0	0
Lebanon	2	10	0	0
Libya	0	1	0	1
Malaysia	92	78	8	5
Malta	272	295	16	24
Marshall Islands	30	47	3	1
Maldives	1	2	0	1
Mauritius	3	2	2	0
Madagascar	1	1	0	1
Myanmar	3	11	1	2
Morocco	1	0	0	0
Netherlands	62	66	1	1
Netherlands Antilles	0	5	0	0
New Zealand	5	2	0	0
Norway	115	119	3	1
Nigeria	0	1	0	0
North Korea	0	10	0	8
Oman	0	1	0	1
Panama	1326	1385	60	67
Papua New Guinea	5	18	1	1
Philippines	116	116	6	2
Poland	1	2	0	0
Portugal	1	1	1	1
Pakistan	10	6	2	0
Qatar	7	18	3	1
Russian Federation	26	302	2	0
Romania	5	1	5	0
St. Helena	0	1	0	0
Samoa	0	1	0	0

Table : 7 (Contd.)

### Comparison of Inspections and Detentions per Flag

Flag	Number of Inspections		Number of Detentions	
	YEAR		YEAR	
	2000	2001	2000	2001
St.Vincent & the Gren	165	144	38	22
Saudi Arabia	29	24	1	6
Singapore	229	215	31	12
South Korea	8	63	0	7
Sweden	14	12	0	0
Switzerland	10	9	0	0
Seychelles	3	2	1	1
Sudan	0	4	0	1
Spain	0	1	0	0
Sri Lanka	3	5	0	0
Sao Tome	5	12	2	1
Syria	8	5	0	0
Taiwan	52	61	5	3
Thailand	56	40	1	3
Tanzania	1	2	1	0
Tonga	4	8	0	2
Turkeministan	0	10	0	0
Turkey	52	90	10	7
Tunisia	0	1	0	1
United Arab Emirates	24	14	1	1
United Kingdom	29	39	0	1
Ukraine	10	3	0	0
United States of America	3	9	0	0
Vanuatu	27	19	2	0
Vietnam	11	0	3	0
Yemen	1	2	1	0
<b>Total</b>	<b>4949</b>	<b>5520</b>	<b>336</b>	<b>291</b>

Table : 8

### Comparison of Deficiencies by Category

Nature of Deficiencies	Number of Deficiencies	
	YEAR	
	2000	2001
Ship's Certificates and Documents	512	561
Crew	282	252
Accommodation	401	591
Food & Catering	272	236
Working Spaces	92	116
Life Saving Appliances	2519	2238
Fire Fighting Appliances	2129	2019
Accident Prevention	126	298
Safety in General	1904	1432
Alarm Signals	66	48
Cargo	146	139
Load Lines	1505	1378
Mooring Arrangement	248	279
Propulsion & Aux Mach.	673	568
Navigation	1450	1409
Radio	976	1305
Marine Poll. Annex I	775	644
Tankers	50	17
Marine Poll. Annex II	11	18
SOLAS Operational Defects	320	627
MARPOL Operational Defects	56	51
Marine Poll. Annex III	1	3
Marine Poll. Annex V	95	99
ISM Related Deficiencies	298	218
Bulk Carriers Additional Safety Measures	0	12
Other Deficiencies	28	48
Other Defects Clearly Hazardous to Safe Healthy Environment	0	5
P&I Club Entry Certificate No Evidence of Entry	0	25
Other Defects Not Clearly Hazardous to Safe Healthy Environment	0	8
<b>Total</b>	<b>14935</b>	<b>14644</b>

Table : 9

### Comparison of Inspections and Deficiencies per Classification Societies

Classification Society	Number of Inspections		Number of ships with Deficiencies	
	YEAR		YEAR	
	2000	2001	2000	2001
American Bureau of Shipping	512	585	232	289
Bureau Veritas	419	413	207	217
Biro Klasifikasi Indonesia	8	7	8	5
Bulgarski Koraben Registrar	5	1	4	1
Belize Register of Shipping	5	4	5	3
Belize Maritime Bureau Incorporate	0	2	0	2
Bolivian Authority	1	0	1	0
Bureau Maritime Agency	1	0	0	0
China Classification Society	148	129	71	63
China Corpn Register of Shipping	70	93	46	50
Croatian Register of Shipping	14	15	10	7
C.S.Czechoslovakia	0	2	0	2
Det Norske Veritas	521	558	233	246
Flag State Georgia	1	0	1	0
Flag State Netherland Antilles	1	0	0	0
Germanischer Lloyd	343	375	165	147
Hellenic Registry	20	30	15	18
Honduras International Naval Surveying & Inspection Bureau	8	3	6	3
International Register of Shipping	12	33	6	19
Inclamar	0	3	0	1
Indian Register of Shipping	48	60	41	34
Isthmus Bureau of Shipping Classification Div	0	2	0	2
International Naval Surveys Bureau	20	17	19	10
JOSON Register of Shipping	4	12	4	12
Korean Register of Shipping	178	169	103	107
Lloyd's Register of shipping	913	896	478	420
Marine Bureau of Shipping	0	1	0	1
Nippon Kaiji Kyokai	1459	1555	770	797
Panama Maritime Surveyors Bureau Inc.	2	1	2	1
Panama Register Corporation	9	10	3	9
Polski Register Statkow	19	24	13	16
Pakistan Register of Shipping	1	0	1	0
PHOENIX Registry of Shipping	3	8	1	4
Registro Italiano Navale	110	85	64	50
Russian Maritime Register of Shipping	68	390	49	304
Romanian Navale Register	8	6	6	4
Turkish Register	5	0	4	0
Turkish Gov/NK	0	1	0	1
Turk Loydu Vakfi	0	4	0	3
Vietnam Register of Shipping	2	0	2	0
Other-Not Classed	11	26	6	14
<b>Total</b>	<b>4949</b>	<b>5520</b>	<b>2576</b>	<b>2862</b>

Table : 10

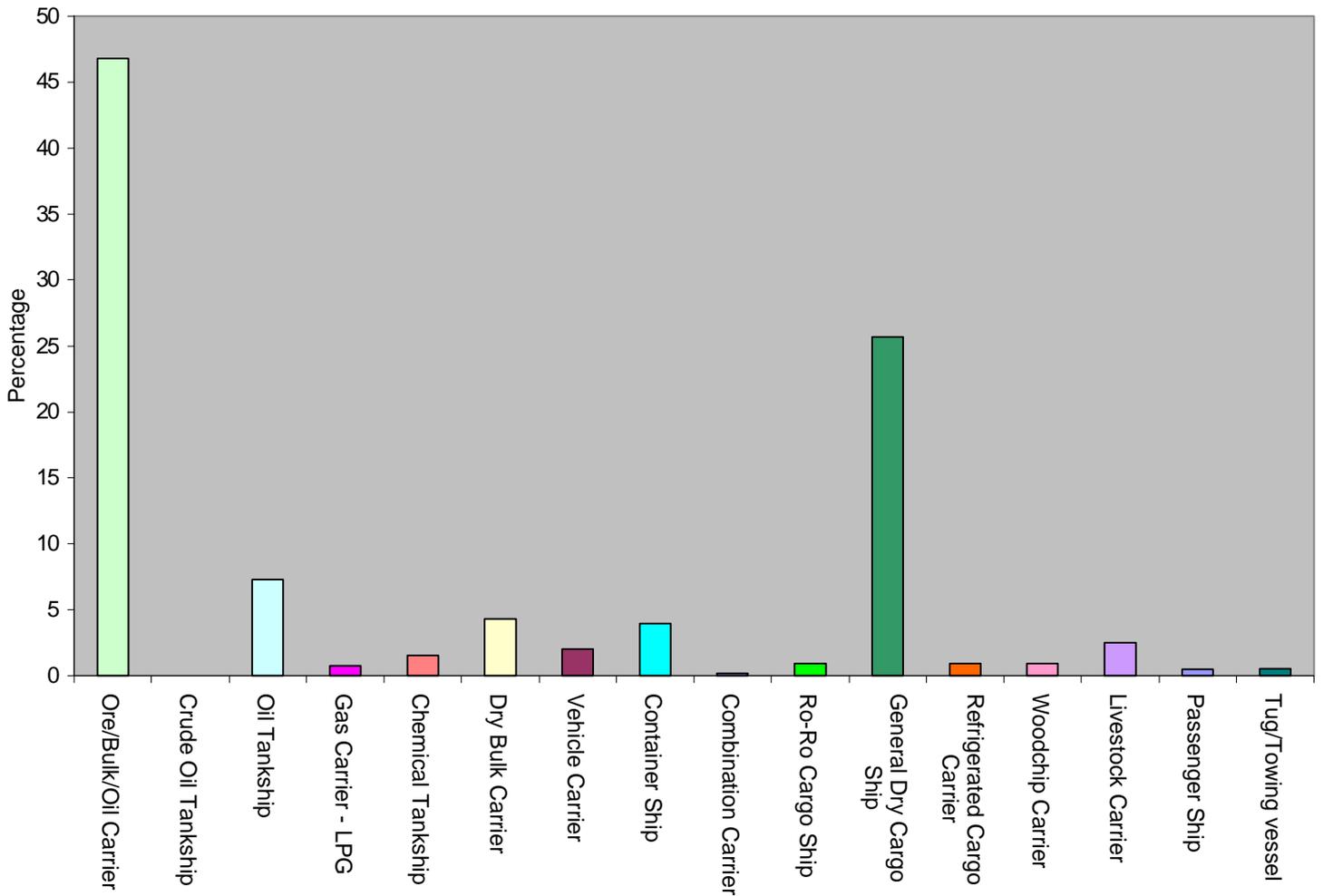
### Comparison of Inspections and Detentions per Classification Societies

Classification Society	Number of Inspections		Number of Detentions*	
	YEAR		YEAR	
	2000	2001	2000	2001
American Bureau of Shipping	512	585	24	18
Bureau Veritas	419	413	29	28
Biro Klasifikasi Indonesia	8	7	6	2
Bulgarski Koraben Registrar	5	1	1	0
Belize Register of Shipping	5	4	3	3
Belize Maritime Bureau Incorporate	0	2	0	2
Bolivian Authority	1	0	1	0
Bureau Maritime Agency	1	0	0	0
China Classification Society	148	129	15	7
China Corpn Register of Shipping	70	93	6	8
Croatian Register of Shipping	14	15	1	0
C.S.Czechoslovakia	0	2	0	0
Det Norske Veritas	521	558	22	15
Flag State Georgia	1	0	1	0
Flag State Netherland Antilles	1	0	0	0
Germanischer Lloyd	343	375	21	25
Hellenic Registry	20	30	8	7
Honduras International Naval Surveying & Inspection Bureau	8	3	5	1
International Register of Shipping	12	33	6	8
Inclamar Incorporate	0	3	0	1
Indian Register of Shipping	48	60	3	2
Isthmus Bureau of Shipping Classification Div	0	2	0	1
International Naval Surveys Bureau	20	17	8	6
JOSON Register of Shipping	4	12	3	9
Korean Register of Shipping	178	169	3	7
Lloyd's Register of shipping	913	896	52	48
Marine Bureau of Shipping	0	1	0	0
Nippon Kaiji Kyokai	1459	1555	77	61
Panama Maritime Surveyors Bureau Inc.	2	1	1	0
Panama Register Corporation	9	10	1	0
Polski Register Statkow	19	24	2	4
Pakistan Register of Shipping	1	0	0	0
PHOENIX Registry of Shipping	3	8	1	1
Registro Italiano Navale	110	85	13	13
Russian Maritime Register of Shipping	68	390	17	5
Romanian Navale Register	8	6	4	2
Turkish Register	5	0	1	0
Turkish Gov/NK	0	1	0	1
Turk Loydu Vakfi	0	4	0	0
Vietnam Register of Shipping	2	0	0	0
Other-Not Classed	11	26	1	6
<b>Total</b>	<b>4949</b>	<b>5520</b>	<b>336</b>	<b>291</b>

\* Note: Deficiencies for which a ship is detained may not necessarily be related to the matters covered by the certificates issued by the classification society

### Average Deficiency By Type of Ship

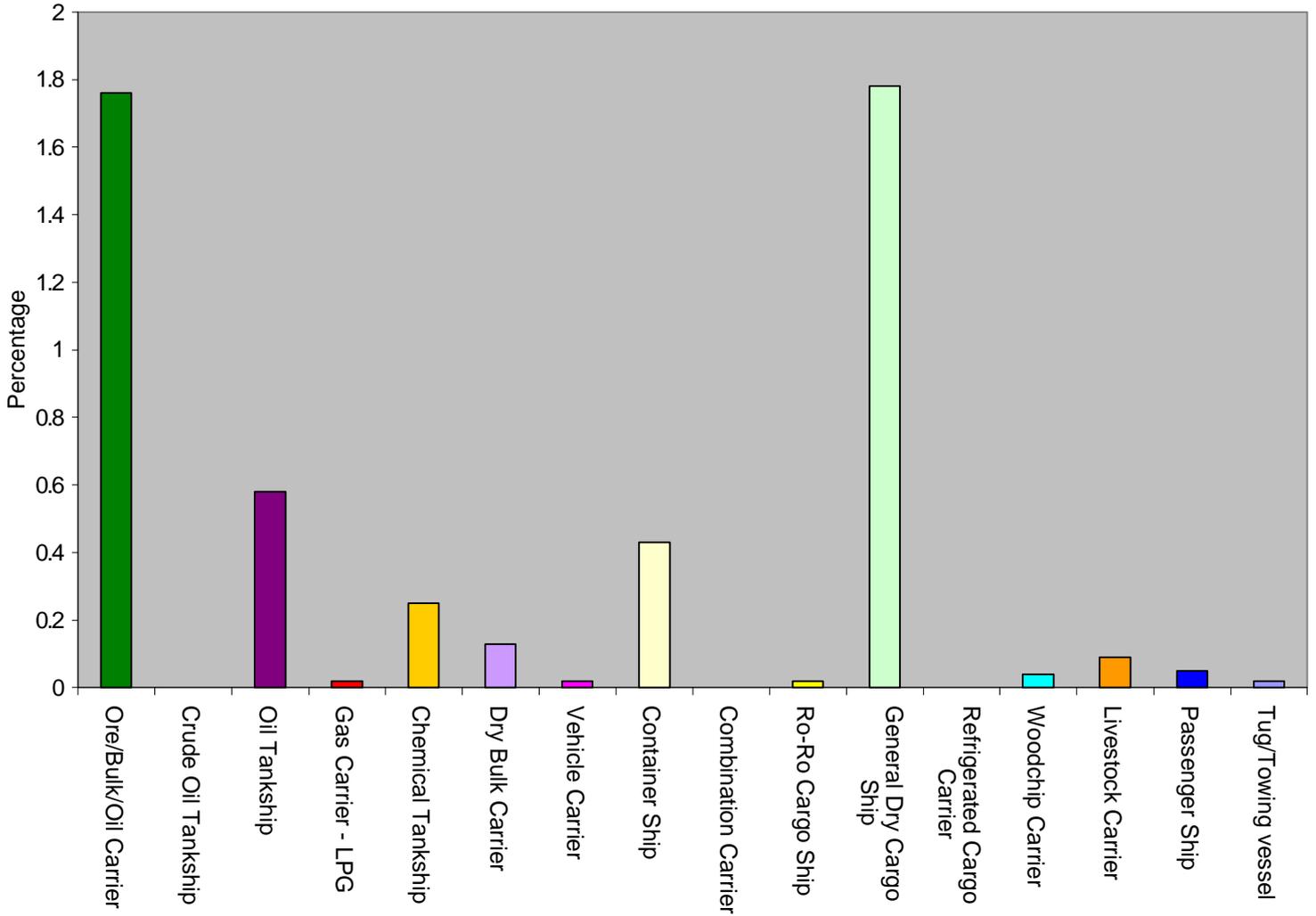
Fig. 1



This graph depicts 20 inspections and above / Type of Ship

### Overall Percentage of Detention By Type of Ship

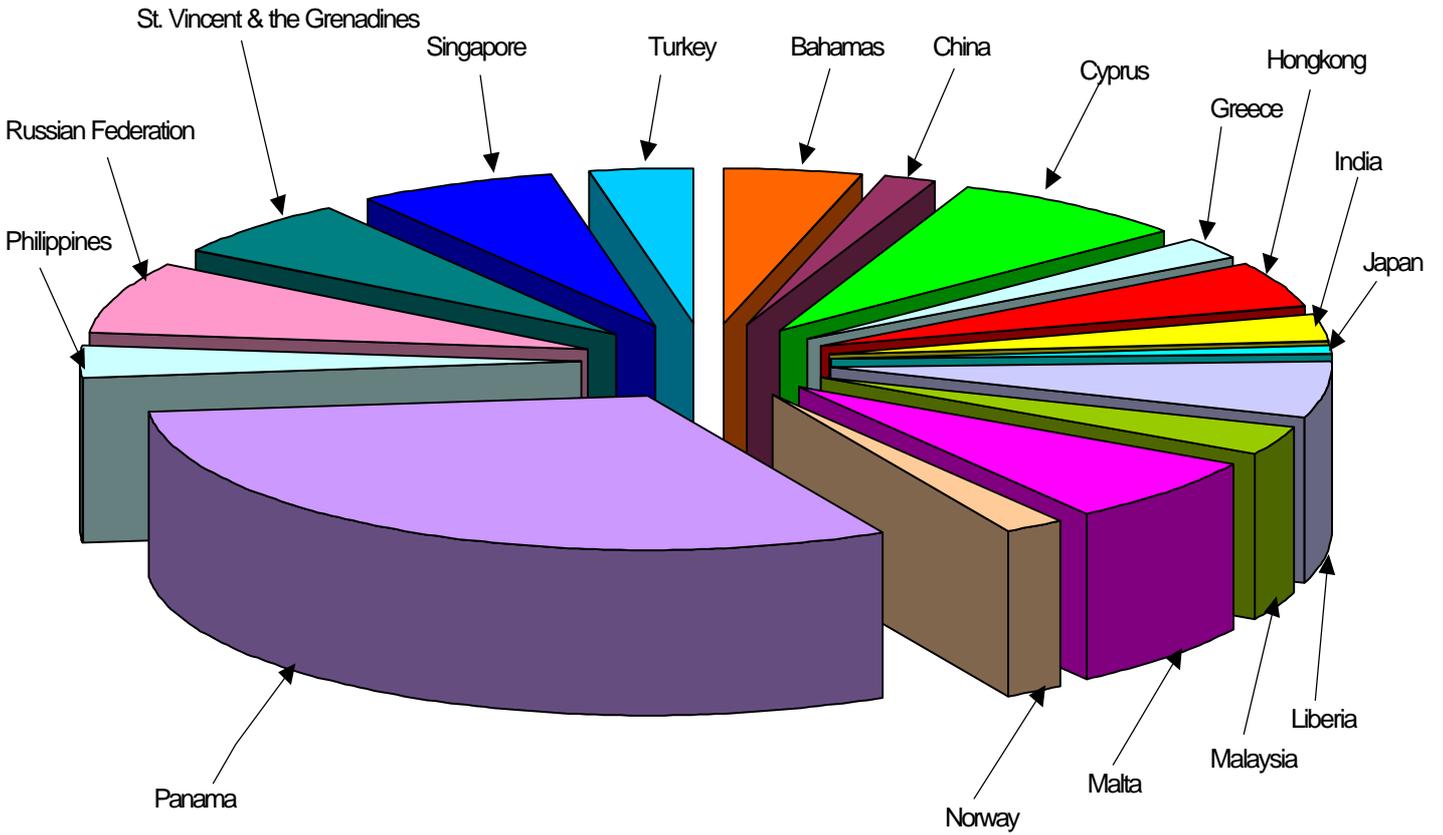
Fig. 2



This graph depicts 20 inspections and above / Type of Ship

### Deficiencies by Flag

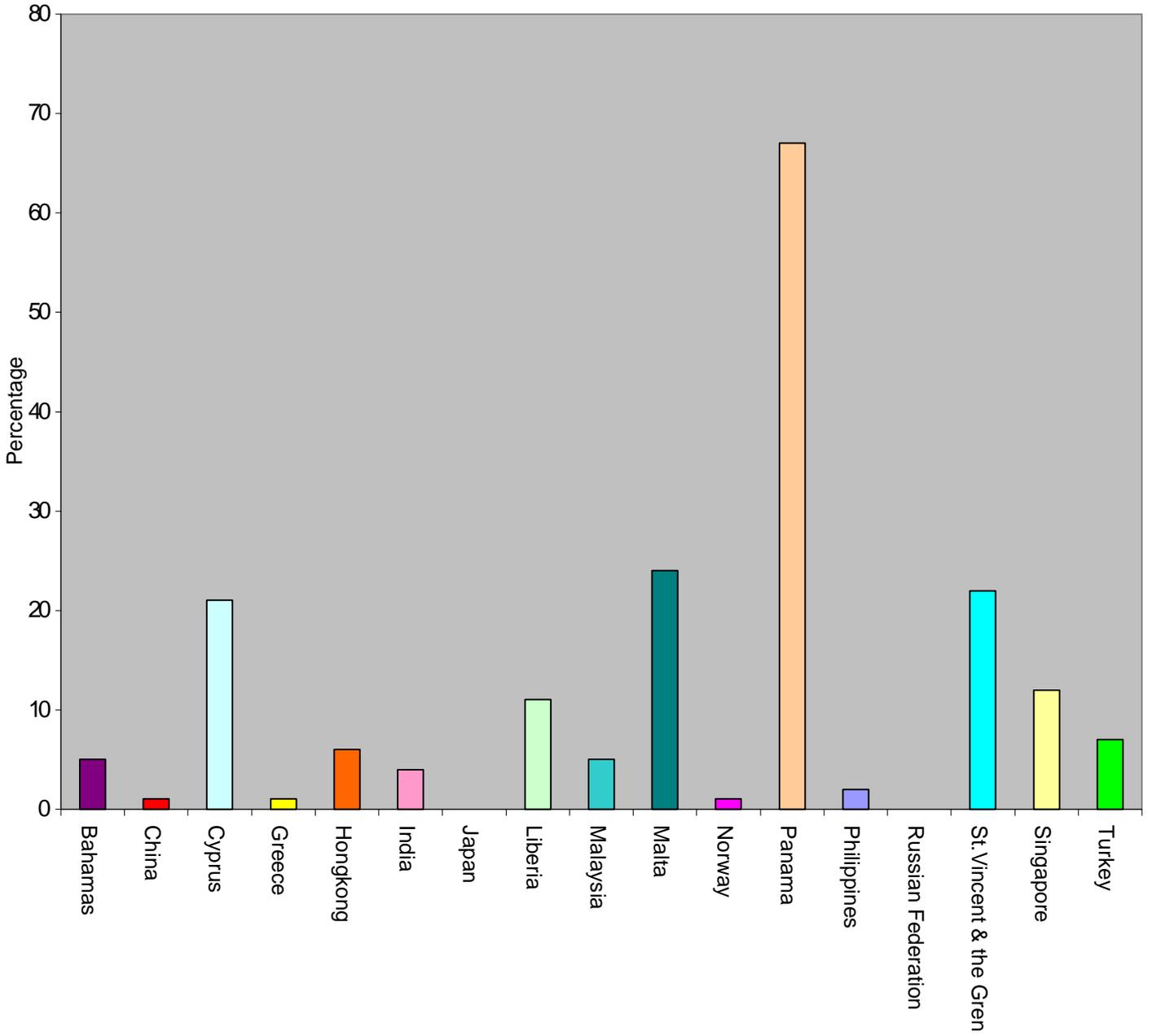
Fig. 3



This graph depicts 75 inspections and above / Flag

### Detentions by Flag

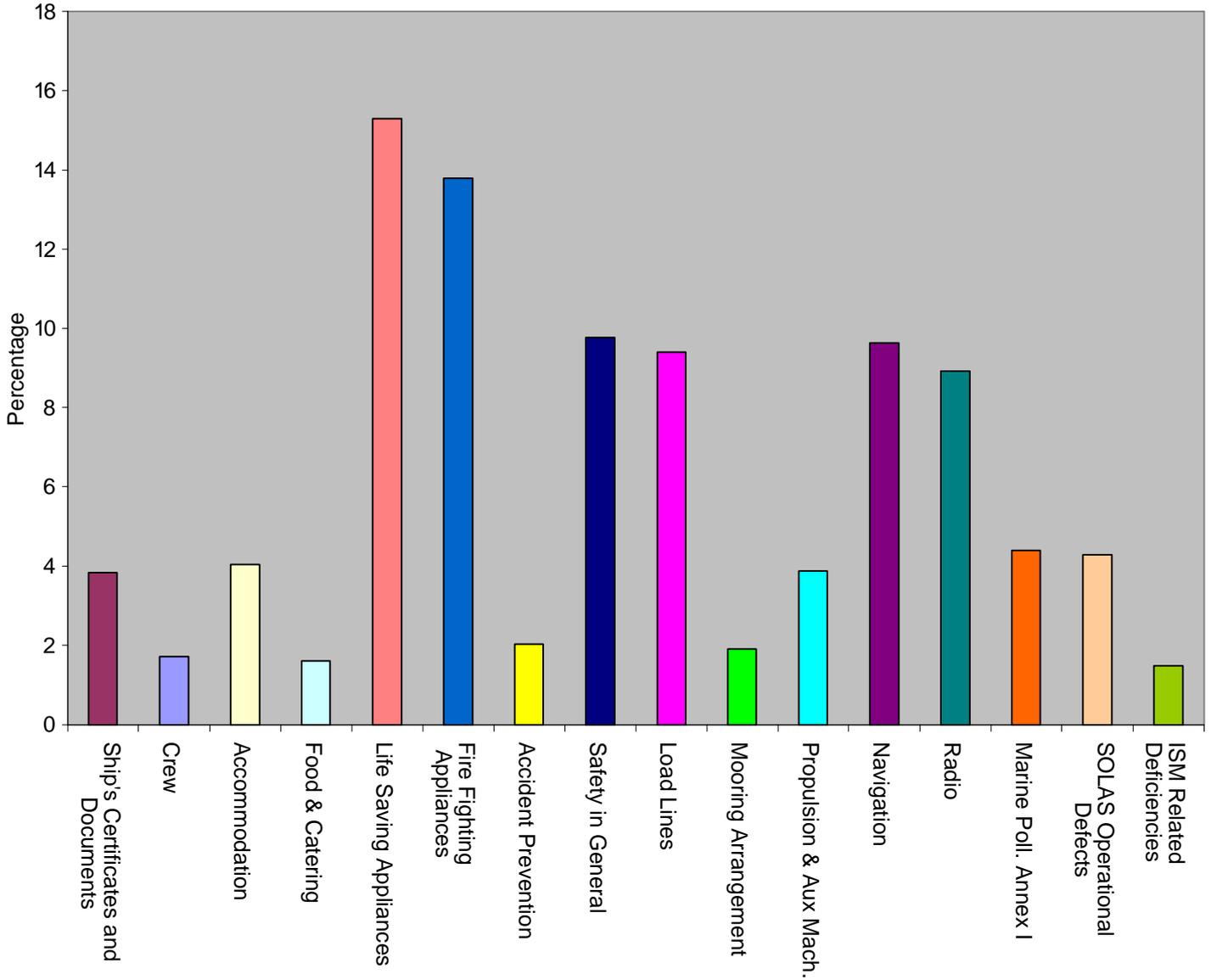
Fig. 4



This graph depicts 75 inspections and above / Flag

Deficiency Percentage By Category

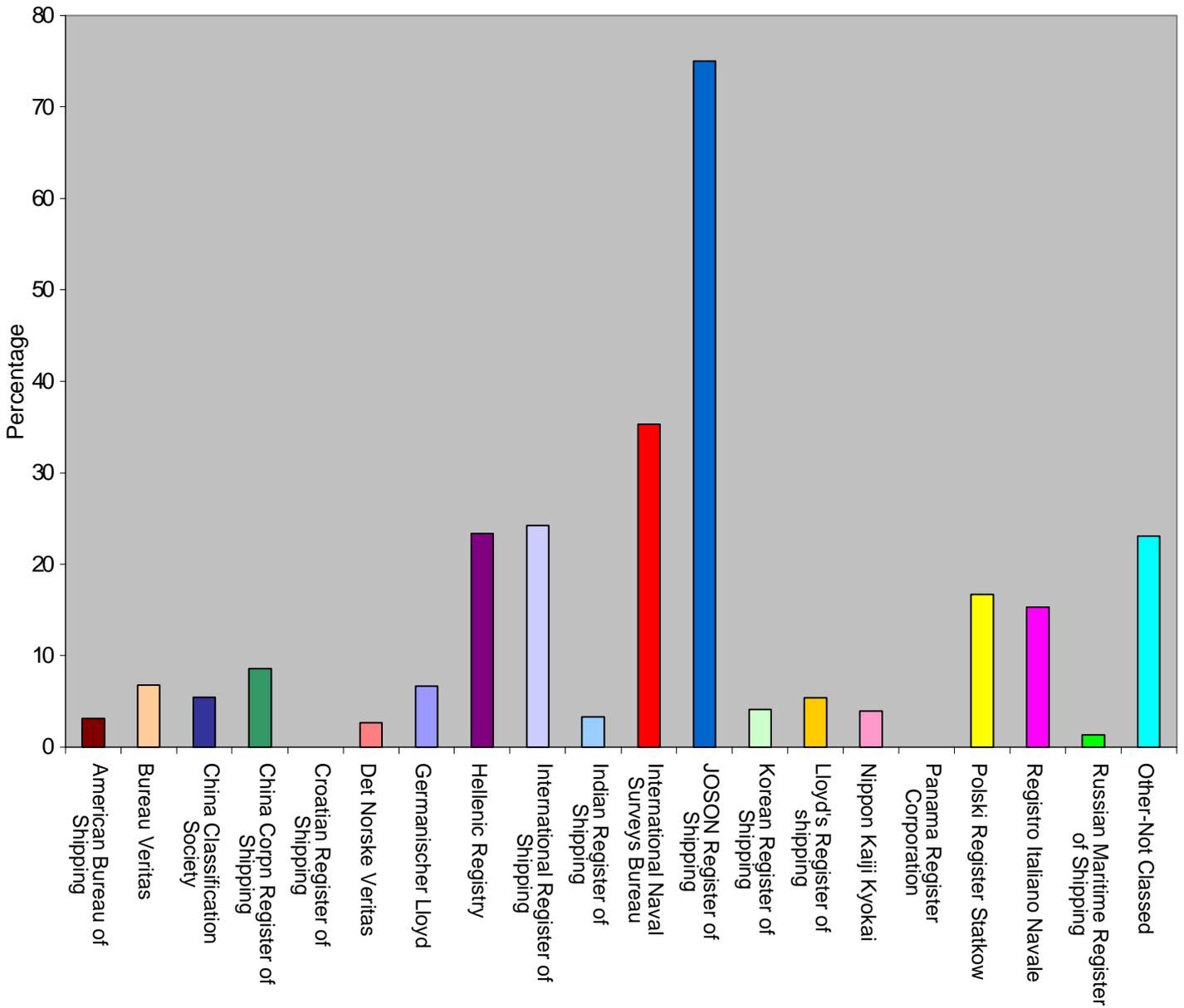
Fig. 5



This graph depicts deficiencies percentage 1.5 and above

### Detention Percentage By Classification Societies

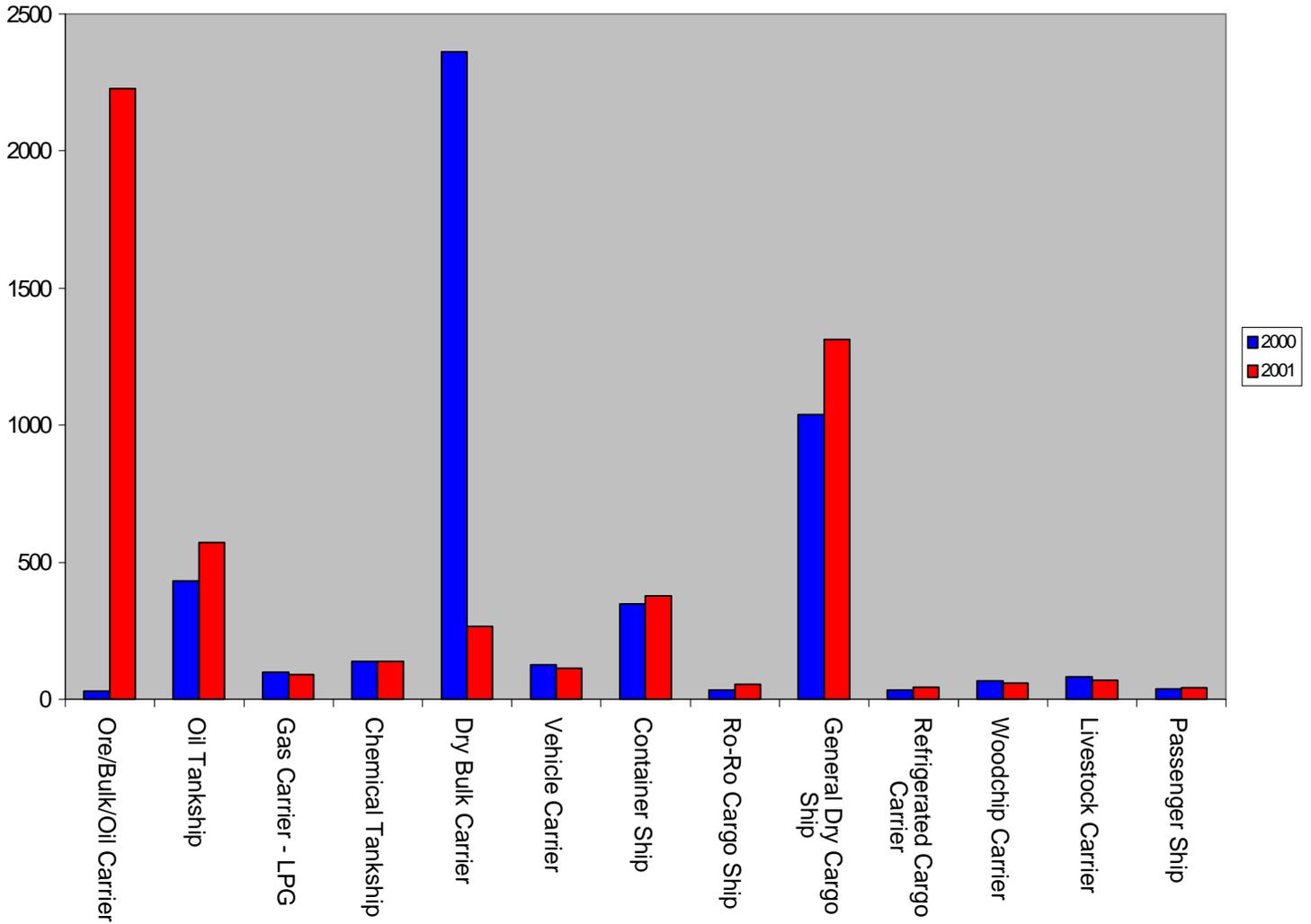
Fig. 6



This graph depicts inspections of 10 ships and above / Classification Society

Fig. 7

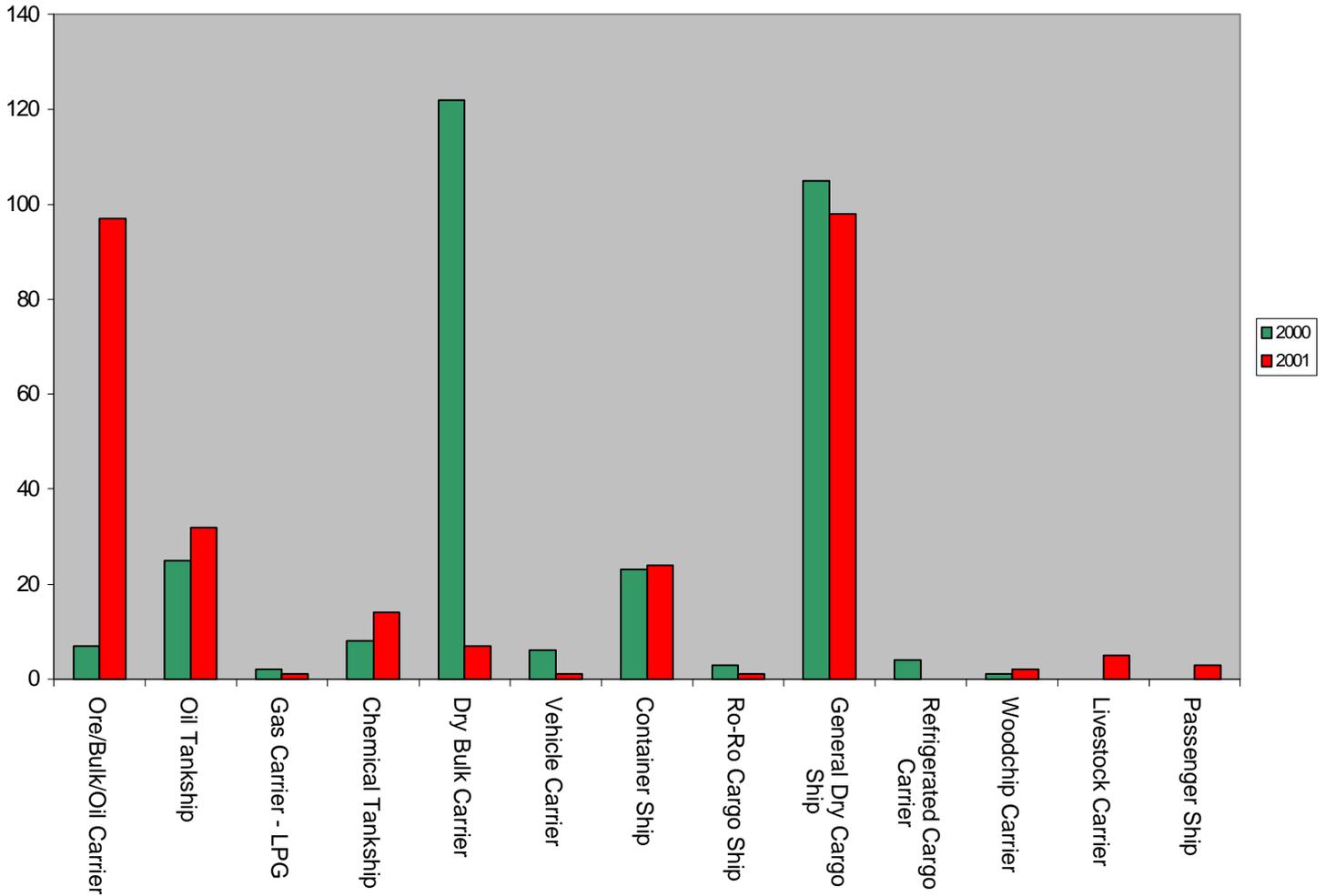
Comparison of Inspections per Ship Type



This graph depicts 30 inspections and above / Type of Ship

Fig. 8

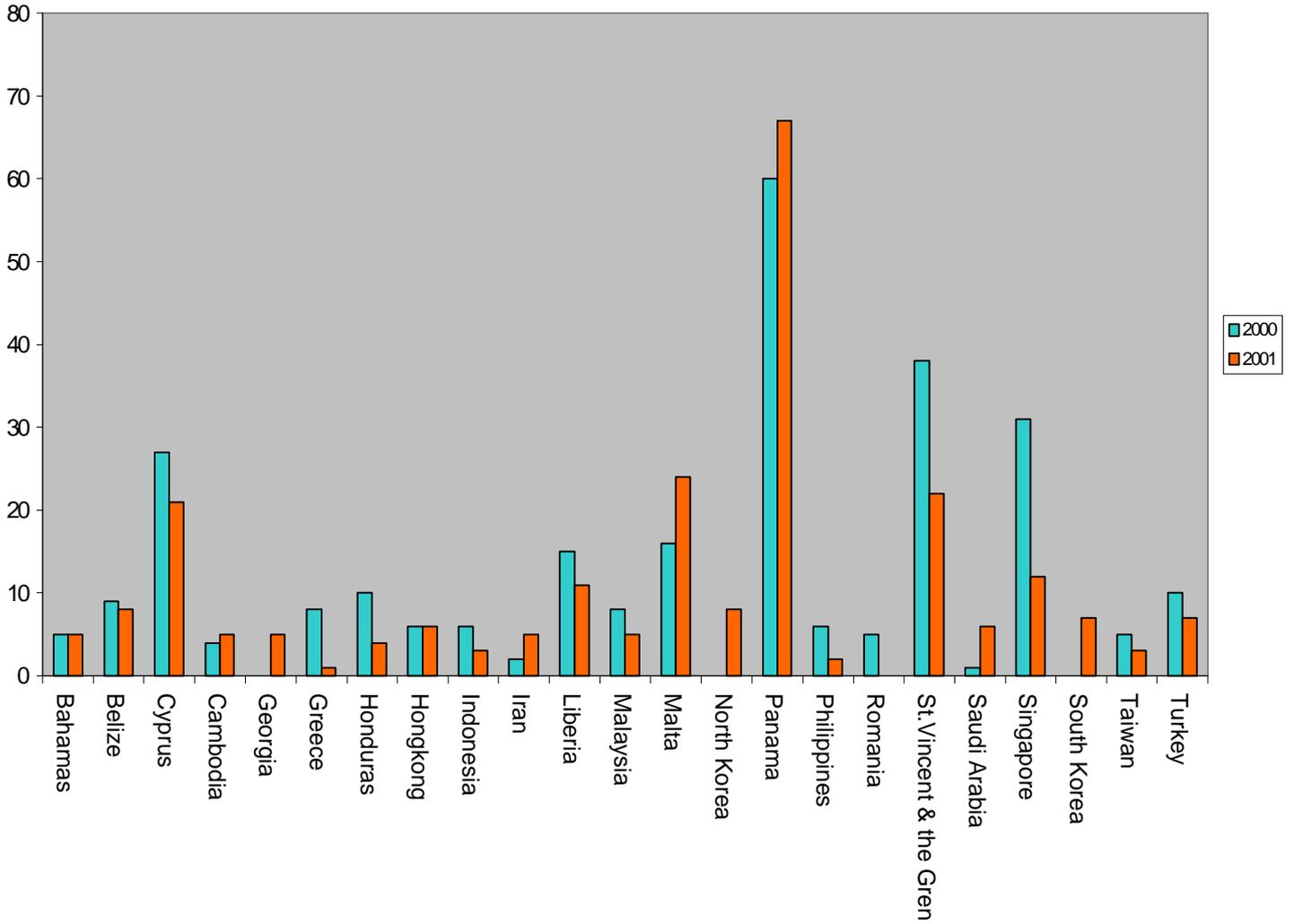
Comparison of Detentions per Ship Type



This graph depicts 30 inspections and above / Type of Ship

Fig. 9

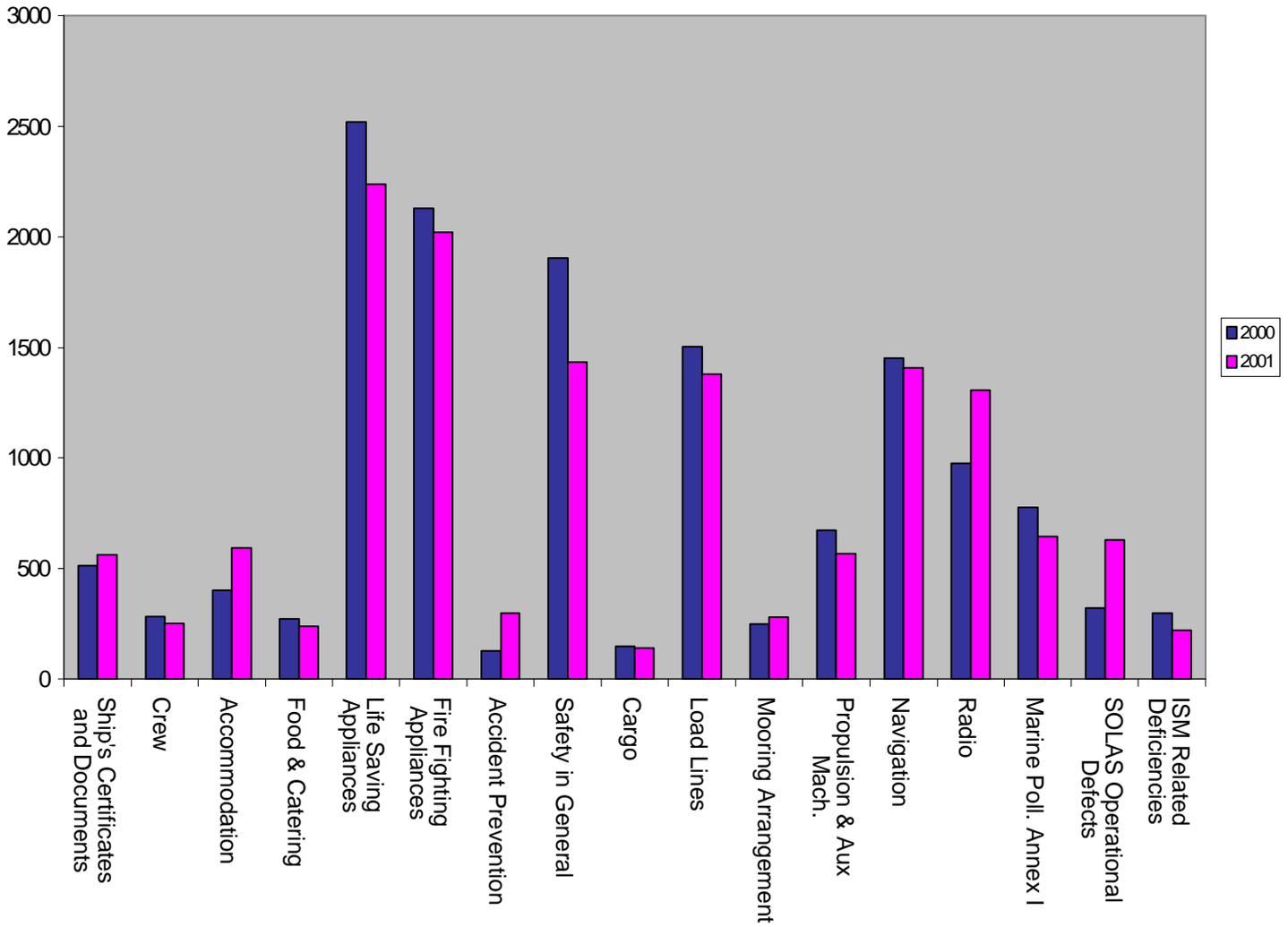
Comparison of Detentions per Flag



This graph depicts detentions of 5 and above either for 2000 or 2001

Comparison of Deficiencies by Categories

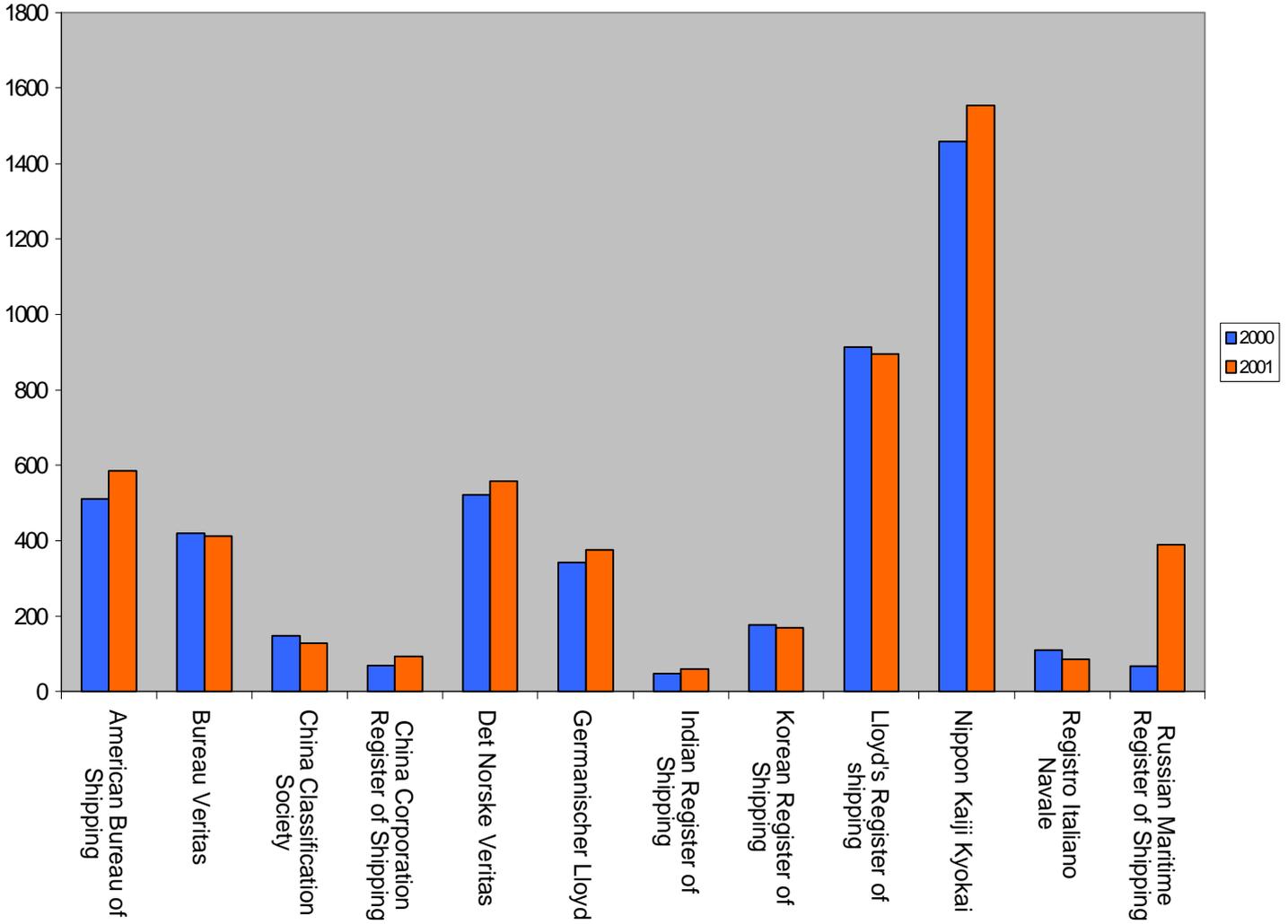
Fig. 10



This graph depicts deficiencies of 100 and above

**Comparison of Inspections per Classification Societies**

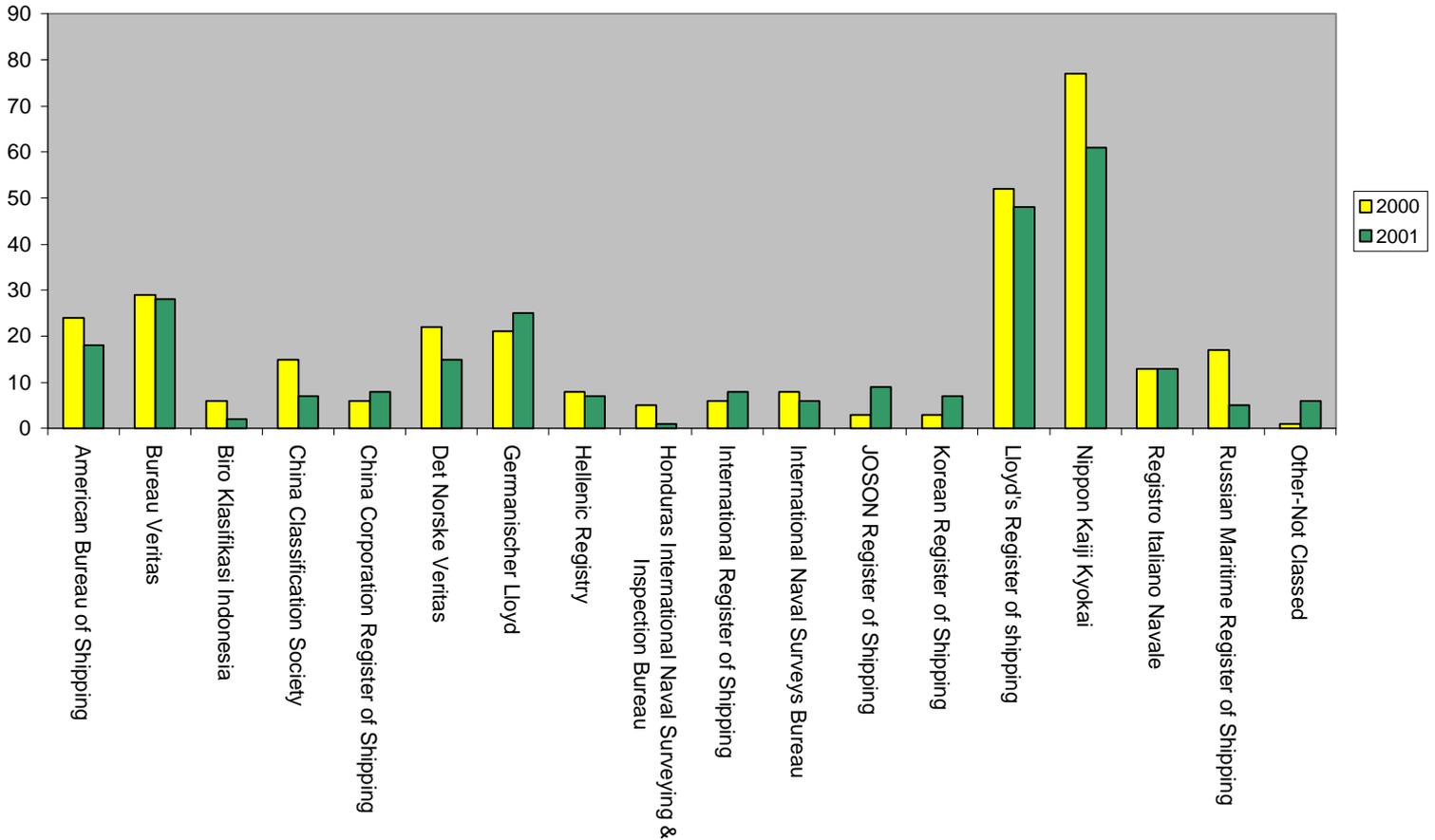
Fig. 11



This graph depicts inspections of 40 ships and above

Fig. 12

**Comparison of Detentions per Classification Societies**



This graph depicts detentions of 5 and above either for 2000 or 2001

**MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL  
FOR THE INDIAN OCEAN REGION \*\***

The Maritime Authorities\* of:

Australia  
Bangladesh  
Djibouti  
Eritrea  
Ethiopia ----- Observer  
India  
Iran  
Kenya  
Maldives  
Mauritius  
Mozambique  
Myanmar  
Oman  
Seychelles  
South Africa  
Sri Lanka  
Sudan  
Tanzania  
Yemen

Hereinafter referred to as “ the Authorities ”

Recognizing the need to increase maritime safety and the protection of the marine environment and the importance of improving living and working conditions on board ships;

Noting with appreciation the progress achieved in these fields, in particular by the International Maritime Organisation (IMO) and the International Labour Organisation (ILO) and mindful especially of IMO Resolution A682(17), concerning Regional Co-operation in the Control of Ships and discharge.

Mindful that the principal responsibility for the effective application of standards laid down in international instruments rests upon the authorities of the State whose flag a ship is entitled to fly;

Recognizing nevertheless that effective action by port States is required to prevent the operation of substandard ships;

Recognizing also the need to avoid distorting competition between ports;

-----  
\* Maritime Authorities are the national maritime administrations designated for the implementation of this Memorandum  
\*\* This text contains the first amendments adopted on 3 September 2001 with effective date on 3 November 2001.  
The Annexes to the MOU are not included.

Convinced of the necessity, for these purposes, of an improved and harmonized system of port State control and of strengthening co-operation and the exchange of information;

Have reached the following understanding:

#### Section 1 Commitments

- 1.1 Each Authority will give effect to the provisions of the present Memorandum and the Annexes thereto, which constitute an integral part of the Memorandum, and take all necessary steps to ratify/accede instruments relevant to the purposes of this Memorandum.
- 1.2 Each Authority will establish and maintain an effective system of Port State Control with a view to ensuring that, without discrimination as to flag, foreign merchant ships visiting the ports of its State comply with the standards laid down in the relevant instruments defined in section 2.
- 1.3 Each Authority will achieve, within a period of 3 years from the coming into effect of the Memorandum an annual total inspections corresponding to at least 10% of the estimated number of individual foreign merchant ships, hereinafter referred to as “ships”, which entered the ports of its State during the previous calendar year. The Committee established pursuant to Section 7.1 will monitor the overall inspection activity and its effectiveness throughout the region. The Committee will also adjust the target inspection rate based on experience gained and progress made in the implementation of the Memorandum of Understanding.
- 1.4 Each Authority will consult, co-operate and exchange information with the other Authorities in order to further the aims of the Memorandum.

#### Section 2 Relevant instruments

- 2.1 For the purposes of the Memorandum “relevant instruments“ are the following instruments:
  - The International Convention on Load Lines, 1966;
  - The International Convention for the Safety of Life at Sea, 1974 (SOLAS 74);
  - The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78);
  - The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW 78);
  - The Convention on the International Regulations for Preventing Collisions at Sea, 1972;
  - The International Convention on Tonnage Measurement of Ships, 1969;

- The Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention No. 147),

together with the Protocols and amendments to these conventions and related codes of mandatory status as and when they enter into force.

- 2.2 With respect to the Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention 147). Each Authority will apply the instructions in Annex 2 for the application of ILO publication "Inspection of Labour Conditions on board Ship: Guidelines for procedure".
- 2.3 Each Authority will apply those relevant instruments which are in force and to which its State is a Party. In the case of amendments to a relevant instrument, each Authority will apply those amendments which are in force and which its State has accepted. An instrument so amended will then be deemed to be the "relevant instrument" for that Authority.
- 2.4 When inspecting a ship flying the flag of a State not party to a Convention or to a "relevant instrument" as amended for the purposes of port State control, the Authorities which are party to such Convention or "relevant instrument", as amended, shall ensure that the treatment given to such ship and its crew is not more favourable than that given to ships flying the flag of a State which is party to that Convention or "relevant instrument".
- 2.5 In the case of non-convention sized ships, the Authorities will apply those requirements of the relevant instruments which are applicable and will to the extent that a relevant instrument does not apply take such action as may be necessary to ensure that those ships are not clearly hazardous to safety, health or the environment, having regard, in particular to Section 5 of Annex 2.

### Section 3 Inspection Procedures, Rectification and Detention \*

- 3.1 In implementing this Memorandum, the Authorities will carry out inspections which will consist of at least a visit on board a ship in order to check the validity of the certificates and documents and furthermore satisfy themselves that the crew and the overall condition of the ship, its equipment, machinery spaces and accommodation and hygienic condition on board, meet the provisions of the relevant instruments.
  - 3.2.1 Whenever there are clear grounds for believing that the condition of a ship or its equipment or crew does not substantially meet the requirements of a relevant instrument a more detailed inspection shall be carried out, including further checking of compliance with on-board operational requirements.
  - 3.2.2 Clear grounds exist when the Port State Control Officer (PSCO) finds evidence, which in his professional judgement warrants a more detailed inspection of the ship, its equipment and or its crew. The Authorities will regard as clear ground, inter alia; those set out in Annex 3.

-----  
\* Reference is made to IMO Assembly resolution A.787(19) on Procedures for port State control as may be amended by IMO.

- 3.2.3 Nothing in these procedures should be construed as restricting the powers of the Authorities to take measures within its jurisdiction in respect of any matter to which the relevant instruments relate.
- 3.2.4 The relevant procedures and guidelines for the inspection of ships specified in Annex 2 shall also be applied.
- 3.3 In selecting ships for inspection, the Authorities shall give priority to the following ships :
- Ships visiting a port of a State, the authority of which is a signatory to the Memorandum, for the first time or after an absence of 12 months or more;
  - Ships which have been permitted to leave the port of a State, the Authority of which is a signatory to the Memorandum, on the condition that the deficiencies noted must be rectified within a specified period, upon expiry of such period;
  - Ships which have been reported by pilots or port authorities as having deficiencies which may prejudice their safe navigation;
  - Ships whose statutory certificates on the ship's construction and equipment, have not been issued in accordance with the relevant instruments;
  - Ships carrying dangerous or polluting goods, which have failed to report all relevant information concerning the ship's particulars, the ship's movements and concerning the dangerous or polluting goods being carried to the competent authority of the port and coastal State;
  - Ships which have been suspended from their class for safety reasons in the course of the preceding six months.
- 3.4 The Authorities will seek to avoid inspecting ships, which have been inspected within the previous 6 months by other Authorities unless there are clear grounds for inspection. These procedures are not applicable to ships listed under clause 3.3, which may be inspected whenever the Authority deems appropriate.
- 3.5.1 Inspections will be carried out only by a person, duly authorised by its Authority to carry out port State inspections and responsible to that Authority, who fulfils the requirements of paragraph 3.5.3 and the qualification criteria specified in Annex 4.
- 3.5.2 The PSCO carrying out Port State Control may be assisted by a person with the required expertise when such expertise cannot be provided by his Authority.
- 3.5.3 The PSCO carrying out Port State Control and the person assisting him shall have no personal or commercial interest either in the port of inspection or in the ships inspected, nor shall the PSCO be employed or undertake work on behalf of non-governmental organizations which issue statutory and classification certificates or which carry out the surveys necessary for the issue of those certificates to ships.

- 3.5.4 Each PSCO shall carry a personal document in the form of an identity card issued by his authority indicating that the PSCO is authorised to carry out inspections. Reference is made to Annex 5.
- 3.6.1 On completion of an inspection the master of the ship shall be provided by the PSCO with a document in the form specified in Annex 6 to this Memorandum, giving the results of the inspection and details of any decision taken by the PSCO and of the corrective action to be taken by the master, owner or operator.
- 3.6.2 Each Authority will endeavour to ensure the rectification of all deficiencies detected. On the condition that all possible efforts have been made to rectify all deficiencies, other than those referred to in 3.6.3, the ship may be allowed to proceed to a port where any such deficiencies can be rectified. The provisions of 3.8.1 apply accordingly.

In exceptional circumstances where, as a result of the initial control and a more detailed inspection, the overall condition of a ship and its equipment, also taking the crew and its living and working conditions into account, are found to be substandard, the Authority may suspend an inspection.

The suspension of an inspection may continue until the responsible parties have taken the steps necessary to ensure that the ship complies with the requirements of the relevant instruments.

Prior to suspending an inspection, the authority will have recorded detainable deficiencies in the areas set out in Appendix 1 of IMO Resolution A.787(19) and ILO Convention deficiencies as appropriate.

In cases where the ship is detained and an inspection is suspended, the Authority will, as soon as possible, notify all responsible parties. The notification will include information about the detention. Furthermore, it shall state the inspection is suspended until the Authority has been informed that the ship complies with all relevant requirements.

- 3.6.3 In the case of deficiencies which are clearly hazardous to safety, health or the environment the Authority will detain the ship or will stop the operation in relation to which the deficiencies have been revealed. The detention order or the stoppage of the operation shall not be lifted until the hazard is removed, except under the conditions provided for in 3.8.1 below.
- 3.6.4 When exercising his professional judgement as to whether or not a ship should be detained, the PSCO shall be guided by the criteria set out in Annex 2.
- 3.7 In the event that a ship is detained, the Authority shall immediately notify the flag State concerned and its Consul or, in his absence, its nearest diplomatic representative of the action taken. Where relevant, the organisation responsible for the issue of the certificate(s) shall also be informed.

- 3.8.1 Where deficiencies which caused a detention as referred to in paragraph 3.6.3 cannot be remedied in the port of inspection, the Authority may allow the ship concerned to proceed to the nearest appropriate repair yard available, as chosen by the master and agreed to by the Authority, provided that the conditions determined by the Authority and agreed by the competent Authority of the flag State are complied with. Such conditions will ensure that the ship can proceed without risk to the safety and health of the passengers and crew, or risk to other ships, or without being an unreasonable threat of harm to the marine environment. In such circumstances the Authority will notify the Authority of the ship's next port of call, the parties mentioned in paragraph 3.7 and any other authority as appropriate. The authority receiving such notification will inform the notifying Authority of action taken.
- 3.8.2 If a ship referred to in paragraph 3.8.1 proceeds to sea without complying with the conditions agreed to by the authority of the port of inspection:
1. that Authority will immediately alert all other Authorities; and
  2. the ship will be detained at any port of the Authorities which have accepted the Memorandum, until the master has provided evidence to the satisfaction of the Authority of the port State, that the ship fully complies with all reasonable requirements of the relevant instruments.

If a ship referred to in paragraph 3.8.1 does not proceed to the nominated repair port, the Authority of the repair port will immediately alert port of inspection and it will inform IOMOU Secretariat to announce the other MOU's Secretariats.

- 3.9 The provisions of Section 3.7 and 3.8 are without prejudice to the requirements of relevant instruments or procedures established by international organisations concerning notification and reporting procedures relating to port State control.
- 3.10 When exercising control under the Memorandum, the Authorities will make all possible efforts to avoid unduly detaining or delaying a ship. Nothing in the Memorandum affects rights created by provisions of relevant instruments relating to compensation for undue detention or delay.
- 3.11 In case the master, owner or agent of the ship notifies the port State control Authorities prior to, upon arrival or whilst the vessel is in the port, of any damage, breakdown or deficiency to the ship, its machinery and equipment, which is intended to be repaired or rectified before the ship sails from that port, the detention should be issued only if deficiencies justifying detention are found after the master has given notification that the ship was ready for inspections. The same procedure applies when the port State control Authorities are notified that the ship is scheduled to be surveyed at the port with respect to flag, statutory or class requirements.
- 3.12 In exceptional circumstances, when a ship on its way to a specified repair yard needs to call at a port for temporary repairs for safety reasons, it may be allowed into that port. All commercial operations are forbidden, except the unloading of its cargo or bunkers if required for safety reasons. The ship may be allowed to proceed to the specified repair yard only if the flag State of the ship has issued statutory certificates to the ship restricting their

validity to that specific voyage, and the Port State is satisfied that such ship shall not pose undue risk to safety of ship, or to the environment or cause undue hardship to the crew.

- 3.13 The owner or the operator of a ship will have the right of appeal against a detention to higher administrative Authority or to the Court of competent jurisdiction, according to the law in each country. However, an appeal shall not cause the detention to be suspended.

Should an inspection reveal deficiencies warranting detention of a ship, all costs relating to inspections subsequent to the first shall be covered by the shipowner or the operator. The detention shall not be lifted until full payment has been made or a sufficient guarantee has been given for the reimbursement of the costs.

#### Section 4 Provision of Information

- 4.1 Each Authority will report on its inspections under the Memorandum and their results, in accordance with the procedures specified in Annex 8.
- 4.2 The Authorities will supply the following information to the Secretariat:
- a) Number of PSCOs working on their behalf on port State inspections;
  - b) Number of individual ships entering their ports during the calendar year.
- 4.3 Arrangements will be made for the exchange of inspection information with other regional organisations working under similar Memorandum of Understanding.

#### Section 5 Operational Violations

The Authorities will upon the request of another Authority endeavour to secure evidence relating to suspected violations of the requirements on operation matters of Rule 10 of the International Regulations for Preventing Collisions at Sea, 1972 and the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, relating thereto. In case of suspected violations involving the discharge of harmful substances, an Authority will, upon the request of another Authority, visit in port the ship suspected of such a violation in order to obtain information and, where appropriate, to take a sample of any alleged pollutant. In the cases referred to in this article, the requesting Authority should state that the Flag State of the ship has already been notified of the alleged violation.

#### Section 6 Training Programmes and Seminars

The Authorities will endeavour to establish appropriate training programmes and seminars.

Section 7 Organisation

- 7.1 A Committee composed of a representative of each of the Authorities that are party to the Memorandum will be established. A representative of the International Maritime Organisation and of the International Labour Organisation will be invited to participate without vote in the work of the Committee. Representatives of the maritime Authorities of other States of the Region and, subject to the provisions of Section 10, any other Organisation or Authority which the Committee may deem appropriate, may be accorded the status of observer without vote.
- 7.2 The Committee will meet once a year and at such other times as it may decide.
- 7.3 The Committee will :
- carry out the specific tasks assigned to it under the Memorandum;
  - promote by all means necessary, including seminars for surveyors, the harmonization of procedures and practices relating to the inspection, rectification, detention and the application of 2.4;
  - develop and review guidelines for carrying out inspections under the Memorandum;
  - develop and review procedures, including those related to the exchange of information;
  - keep under review other matters relating to the operation and the effectiveness of the Memorandum;
  - promote by all means necessary the harmonization of the operation and effectiveness of this Memorandum with those of similar agreements for other Regions;
  - adopt the budget and work out the contributions of every Party to the Memorandum.
- 7.4 Except where provided otherwise (in section 9), the Committee will take its decisions acting on simple majority.
- 7.4A To assist the Chairman and the Secretariat in the inter-sessional period, an Inter-Sessional Management Group will be established having as its terms of reference, functions and procedures for electing members, those as specified in Annex 11.
- 7.5 A Secretariat will be established in accordance with the following principles:
- a) the Secretariat will be a non-profit making body located in Goa, India;
  - b) the Secretariat will be totally independent from any maritime administration or organisation;

- c) the Secretariat will be governed by and be accountable to the Committee;
  - d) the Secretariat will have a bank account into which all dues and contributions are made;
  - e) the Secretariat will operate from the established bank account in accordance with the budget determined by the Committee;
  - f) the Secretariat will have a financial year commencing on 1<sup>st</sup> January.
- 7.6 The Secretariat, acting under the direction of the Committee and within the limits of the resources made available to it, will :
- prepare meetings, circulate papers and provide such assistance as may be required to enable the Committee to carry out its functions;
  - facilitate the exchange of information, carry out the procedures outlined in Annex 10 and prepare reports as may be necessary for the purposes of the Memorandum;
  - carry out such other work as may be necessary to ensure the effective operation of the Memorandum.
- 7.7 An Indian Ocean Computerised Information System (IOCIS) is established for the purpose of exchanging information on port State inspections, in order to:
- .1 make available to Authorities information on inspection of ships in other regional ports to assist them in their selection of foreign flag ships to be inspected and their exercise of port State control on selected ships: and
  - .2 provide effective information exchange facilities regarding port State control in the region.
  - .3 make worldwide coverage database with other MOU's
- 7.8 The function and operational procedures of the IOCIS are specified in "Annex 8."

## Section 8 Financial Mechanism

The costs of running the Secretariat and the Information Centre will be financed by:

- the financial contribution of Parties to the Memorandum; and
- gifts and subscriptions, if any, by donor countries or organisations.

Each party to the Memorandum undertakes to settle its financial contribution to the costs for running the Secretariat and the Information Centre, in conformity with the decisions and procedures adopted by the Committee.

Section 9 Amendments

- 9.1 Any Authority, which has accepted the Memorandum, may propose amendments to the Memorandum.
- 9.2 In the case of proposed amendments to sections of the Memorandum, the following procedure will apply:
- a) The proposed amendment will be submitted to the Secretariat at least eight weeks before the Committee meets.  
The Secretariat will circulate the proposed amendment to all the Authorities participating in the Memorandum at least six weeks before the Committee meets. Authorities have the right to indicate their acceptance or modification or objection to the proposed amendment to the Secretariat at least one week before the Committee meets.  
The Secretariat will table the acceptance, modification or objection before the Committee and the Committee will consider the submission in its deliberations.
  - b) Amendments will be adopted by a two-thirds majority of the representatives of the Authorities participating in the Memorandum. Each Authority is entitled to only one vote. If so adopted an amendment will be communicated by the Secretariat to the Authorities for acceptance.
  - c) An amendment so adopted will be deemed to have been accepted either at the end of a period of six months after adoption by the representatives of the Authorities in the Committee or at the end of any different period determined unanimously by the representatives of the Authorities in the Committee at the time of adoption.
  - d) An amendment will take effect 60 days after it has been accepted or at the end of any different period determined unanimously by the representatives of the Authorities in the Committee.
- 9.3 In the case of proposed amendments to Annexes of the Memorandum the following procedure will apply :
- a) the proposed amendment will be submitted through the Secretariat for consideration by the Authorities;
  - b) the amendment will be deemed to have been accepted at the end of a period of three months from the date on which it has been communicated by the Secretariat unless an Authority requests in writing that the amendment should be considered by the Committee. In the latter case the procedure specified in 9.2 will apply;
  - c) the amendment will take effect 60 days after it has been accepted or at the end of any period determined unanimously by the Authorities.

Section 10 Administrative Provisions

- 10.1 The Memorandum is without prejudice to the rights and obligations under any international Instrument.
- 10.2 A maritime authority of a State of the Region may accede to the Memorandum provided it complies with the criteria specified in Annex 9.
- 10.3 Authorities meeting the requirements specified in Annex 9 may become parties of the Memorandum by:
- a) signature without any reservations as to acceptance, or
  - b) signature subject to acceptance, followed by acceptance.

The Memorandum remains open for signature, at the Headquarters of the Secretariat from 5 June 1998 to 22 January 1999.

- 10.4 Acceptance or accession will be effected by a written communication by the Authority to the Secretariat.
- 10.5 The Secretariat will inform the Maritime Authorities who have signed the Memorandum of any signature or written communication, or of acceptance or accession and of the date on which such an event has taken place.
- 10.6 This Memorandum will enter into force for each Authority 90 days from the date of acceptance or accession.
- 10.7 Any maritime authority or organisation wishing to participate as an observer will submit in writing an application to the Committee and will be accepted as an observer subject to the unanimous consent of the representatives of the Authorities present and voting at the Committee meeting.
- 10.8 Any Authority may withdraw from the Memorandum by providing the Committee with 60 days notice in writing.
- 10.9 The English text is the official version of the Memorandum.