

## **PORT STATE CONTROL COMMITTEE INSTRUCTION 53/2020/06**

### **REFUSAL OF ACCESS (BANNING) PROCEDURE AND NOTIFICATION CHECKLIST**

This Guideline is solely drafted for the purpose of providing guidance to the PSCO in performing a PSC inspection on the subject matter. The Guideline does not restrict the PSCO in the scope of inspection or in using his/her professional judgement while performing the PSC inspection. Third parties cannot claim any rights based on this guideline with regard to the PSC inspection as performed by the PSCO.

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## **PART 1: PROCEDURE WHEN A SHIP IS ALLOWED TO SAIL TO A REPAIR YARD**

- 1.1. The flag State or recognized organization acting on behalf of the flag State must confirm that the ship is permitted to proceed to the *nearest available and appropriate* repair port and advise any conditions for the voyage (see form FUD 1 in Appendix 6). The conditions for release must be acceptable to the port State that may impose additional conditions.

### Definitions:

1. Available means the repair yard able to start the repairs normally within seven days from the arrival of the ship, and
2. Appropriate means the repair yard where follow up action can be taken, and
3. Repair port means the repair yard in/or closest to the port of detention or the port where the ship was authorized to proceed taking into account the cargo on board.

Note: If the mentioned conditions are fulfilled, the repair yard is not requested to be in the Paris MoU Region but, in such a case, the vessel will be liable for a re-inspection in the first PMoU port after the repairs.

- 1.2. The flag State or recognized organization acting on behalf of the flag State must also issue single voyage certificates or preferably endorse existing certificates. The voyage will be in ballast and exclude any commercial operations. Exceptionally, cargo already on board may be carried to the repair port, or specified intermediate ports, when it is safe to do so. These ports should be included in the conditions of release on FUD2 (Appendix 7) and be informed as well.
- 1.3. The company or master must provide written confirmation of a repair contract or supply of equipment as appropriate.
- 1.4. The agreed repair yard will be in a port in which follow-up action will be taken and before releasing the ship the PSCO should obtain confirmation from the relevant port State authority that the ship will be accepted and that they will adhere to the MoU communication procedure (see form FUD 1) (although the repair port is not required to be in the Paris MoU region, ports in the region are more able to comply with the procedure).
- 1.5. The master must be informed of the conditions of release. The master must also be advised that the ship may be banned if it does not comply with these conditions or does not call at the repair port (see form FUD 2).
- 1.6. The master must be informed that, as a condition of release, the detaining port must be notified by the port State control authority of the repair port in writing immediately that the ship has arrived at the agreed repair yard (see form FUD 2).

- 1.7. The PSC inspection form is to make clear to which port the ship is allowed to sail and its ETA.
- 1.8. The port State control authority of the repair port, the flag State and the recognized organization should be informed of the departure of the vessel and its ETA at the repair port (see form FUD 2).

## **PART 2: PROCEDURE IF A SHIP FAILS TO CALL AT AN AGREED REPAIR YARD**

- 2.1. If a ship fails to call at the agreed repair yard the ship is liable for banning. The decision to apply a ban is for the detaining port State, following confirmation that the ship has not called at the agreed repair yard or fails to comply with the conditions of release (including the notification required by paragraph 1.6 above) or has not otherwise complied with the detention order. In accordance with section 3.12.2 of the Memorandum, before denying entry the detaining State may request consultations with the flag State Administration of the ship.
- 2.2. When a ban is applied, the Maritime Authority of the banning State will advise the company that the ban is in place using standard letter at Appendix 1. This letter will be copied to the flag State, recognized organization(s), classification society(ies), Paris MoU members, Paris MoU Secretariat, European Commission, Secretariats of co-operating MoU's and USCG. The database manager must be informed through the information system.
- 2.3. Notification of a banned ship will appear on the ship's identification screen on the information system and the list of banned ships on the Paris MoU website will be updated simultaneously.
- 2.4. If any Authority receives information that a banned ship has changed name or company they must notify the banning State and the database manager. The banning State will then confirm the change to all MoU Authorities, the Paris MoU Secretariat and, if applicable, the EU Commission with a copy to EMSA. Furthermore all MoU Authorities will in turn notify their port authorities.
- 2.5. In the case of a ship banned for not complying with the conditions for a safe, single voyage to a repair yard a formal request by the company for the ban to be lifted must be made to the banning State. The ban may only be lifted following a re-inspection of the ship at the company's expense at an agreed port by PSCO's of the banning State or by PSCO's of another Paris MoU member State on request of the banning State and if evidence is provided to its satisfaction that the vessel fully complies with the applicable requirements of the International Conventions.
- 2.6. If the agreed port of re-inspection is in the Paris MoU region, the port State authority of that port may, with the agreement of the banning port State, authorise the ship to proceed thereto, and inspect the ship, for the sole purpose of verifying that the ship meets the conditions specified in paragraph 2.5. When the banning State and the company agree to re-inspect in a port outside the Paris MoU region, the company will consult with that port State to agree access and if so the company will send written confirmation to the banning State. The decision to lift the ban shall remain with the banning State.
- 2.7. All costs related to this inspection will be borne by the company.

- 2.8. If the re-inspection in paragraph 2.5 reveals that the ship does not fully comply, the ban will remain in place.
- 2.9. If the officer carrying out a re-inspection in paragraph 2.5 or 2.6 is not from the port State authority of the port where the ship is re-inspected and believes the ship is in a detainable condition then that port State authority is to be advised so that it may consider action to detain the ship. If the ship does not comply with the requirements the ban will not be lifted. However if the ship is in a port outside the jurisdiction of the PSCO, the PSCO has to inform the port State in question.
- 2.10. In order to have the ban lifted, the company must address a formal request to the port State authority of the Member State that imposed the ban. This request must be accompanied by:
  1. a document from the flag State administration showing that the ship fully conforms to all the provisions of the applicable international conventions. The document may be in the form of an official statement but it must be issued by the flag administration and not a recognized organization.
  2. a document from the classification society(ies) classing the ship that the ship conforms to the class standards stipulated by that society(ies). The classification society(ies) must also provide evidence that an on-board visit has taken place prior to issue of the document, if appropriate.
- 2.11. If the re-inspection provides evidence to the satisfaction of the banning State that the ship fully complies with all the requirements of the Conventions the ban will be lifted.
- 2.12. The company will be informed of the lifting of the ban by the banning State using the standard letter at Appendix 5. This letter will be copied to the flag State, recognized organization(s), classification society(ies), Paris MoU members, Paris MoU Secretariat, European Commission, Secretariats of co-operating MoU's and USCG. The database manager must be informed through the information system.
- 2.13. The information system will remove the notification from ship's identification screen. The ship will be removed from the banned list on the Paris MoU website simultaneously.
- 2.14. The company has a right of appeal against the banning in accordance with the port States own legislation.

### **PART 3: PROCEDURE IN THE CASE OF MULTIPLE DETENTIONS**

- 3.1 In determining whether the conditions described in Section 4 of the Memorandum are met the following rules apply:
1. a detention counted towards a previous ban will still count towards a new ban if it is within the specified period as described in 3.8.
  2. the flag of the ship at the time of the latest detention is used to determine the flag risk category. However if the ship changes to a lesser flag risk category or a non-targeted flag after the latest detention is issued the ban will still apply.
  3. the white, grey and black lists in the Paris MoU annual report are applicable from 1 July the following year until 30 June the next year.
- 3.2 The refusal of access order will only be issued at the time the detention is lifted.
- 3.3 The refusal of access will take effect as soon as the ship leaves the port or anchorage .
- 3.4 When a ban is applied, the Maritime Authority of the banning State will advise the company that the ban is in place using standard letter at Appendix 2, 3 or 4. This letter will be copied to the flag State, recognized organization(s), classification society(ies), Paris MoU members, Paris MoU Secretariat, European Commission, Secretariats of co-operating MoU's and USCG. The database manager must be informed through the information system.
- 3.5 Notification of a banned ship will appear on the ship's identification screen on the information system and the list of banned ships on the Paris MoU website will be updated simultaneously.
- 3.6 In order to have the ban lifted, the company must address a formal request to the port State authority of the Member State that imposed the ban. This request must be accompanied by:
3. a document from the flag State administration showing that the ship fully conforms to all the provisions of the applicable international conventions. The document may be in the form of an official statement but it must be issued by the flag administration and not a recognized organization. In accordance with 3.3 above, a document issued before release from the port will not lift the ban.
  4. a document from the classification society(ies) classing the ship that the ship conforms to the class standards stipulated by that society(ies). The classification society(ies) must also provide evidence that an on-board visit has taken place prior to issue of the document.

3.7 The ban may only be lifted following a re-inspection of the ship at an agreed port by PSCO's of the port State authority that imposed the ban or by PSCO's of another Paris MoU member State on request of the banning State and if evidence is provided to its satisfaction that the vessel fully complies with the applicable requirements of the International Conventions and the applicable time period has elapsed.

3.8 Following time periods are applicable:

1. 3 months after the first ban;
2. 12 months after the second ban;
3. 24 months after the third ban;

The third ban can only be lifted if following conditions are met before the 24 months period has passed:

1. ship flies a white listed flag;
2. statutory and classification certificates are issued by organization(s) recognized by one or more Paris MoU member States;
3. ship is managed by a high performance company, and
4. the conditions of 3.6 are met.

If the conditions under 3.8.3 are not met the ship will be permanently banned.

3.9 Any subsequent detention after the third ban shall result in the ship being permanently refused access (using the standard letter at Appendix 4).

3.10 If the agreed port of re-inspection is in the Paris MoU region, the port State authority of that port may, with the agreement of the banning port State, authorise the ship to proceed thereto, and inspect the ship, for the sole purpose of verifying that the ship meets the conditions specified in paragraph 3.7. When the banning State and the company agree to re-inspect in a port outside the Paris MoU region, the company will consult with that port State to agree access and if so the company will send written confirmation to the banning State. The decision to lift the ban shall remain with the banning State.

- 3.11 The re-inspection must consist of an expanded inspection that covers at least the relevant items of Guidance on type of inspection.
- 3.12 All costs related to this expanded inspection will be borne by the company.
- 3.13 A banned ship will not necessarily be in a category normally eligible for an expanded inspection. In addition it is possible that a re-inspection is made outside the normal jurisdiction of the port State. In these circumstances it will not be possible to record an expanded inspection in the information system. Instead the PSCO should insert a ship related message indicating the date and place where the re-inspection took place.
- 3.14 If the re-inspection in paragraph 3.10 reveals that the ship does not fully comply, the ban will remain in place.
- 3.15 If the officer carrying out a re-inspection in paragraph 3.10 is not from the port State authority of the port where the ship is re-inspected and believes the ship is in a detainable condition then that port State authority is to be advised so that it may consider action to detain the ship. If the ship does not comply with the requirements the ban will not be lifted. However if the ship is in a port outside the jurisdiction of the PSCO, the PSCO has to inform the port State in question.
- 3.16 If the expanded inspection provides evidence to the satisfaction of the banning State that the ship fully complies with all the requirements of the Conventions the ban will be lifted.
- 3.17 The company will be informed of the lifting of the ban by the banning State using the standard letter at Appendix 5. This letter will be copied to the flag State, recognized organization(s), classification society(ies), Paris MoU members, Paris MoU Secretariat, European Commission, Secretariats of co-operating MoU's and USCG. The database manager must be informed through the information system.
- 3.18 If any detention counting towards the ban is withdrawn the port State authority withdrawing the detention will immediately inform the port State which imposed the ban.
- 3.19 The company has a right of appeal against the banning in accordance with the port State national legislation.



## **APPENDIX 1 (ban notification in the case ship fails to call at an agreed repair yard or failed to comply with the detention order (jump detention) see 2.2)**

**To: Master and ISM Company of Banned Vessel**

**From: Banning State**

copy: **Flag State**  
**Recognized organization(s)**  
**Classification Society(ies)**  
**All MoU members**  
**MoU Secretariat**  
**European Commission**  
**Tokyo MoU**  
**Caribbean MoU**  
**Mediterranean MoU**  
**Black Sea MoU**  
**Riyadh MoU**  
**USCG HQ**

Dear Sir

### **REFUSAL OF ACCESS**

#### **Ship Name, Flag and IMO number**

The above named vessel which was detained in *(port)* on *(date)* left the port on *(date)* *without complying with the conditions determined by (the Competent Authority)\*/but failed to call at the repair yard in (port) as agreed.* \* delete as appropriate

*(Insert here any other relevant evidence/information if required)*

In accordance with Section 4.2 of the Paris Memorandum of Understanding on Port State Control, Article 21.4 of the EU Council Directive 2009/16/EC<sup>1</sup>, and the provisions of *(national legislation)* you are advised that the above named vessel will be refused access to any port and anchorages in the Paris MoU region<sup>2</sup>, except a port and anchorage of the ship's flag State, until you have provided evidence to the satisfaction of this administration that the ship fully complies with all applicable requirements of the Conventions.

Your attention is drawn to the provisions of Section 4.4 of the Paris MoU, Article 21.6 of Directive 2009/16/EC<sup>1</sup> which allow access to a specific port and anchorage in the event of force majeure or overriding safety considerations, or to reduce or minimise the risk of pollution or to have deficiencies rectified, provided that adequate measures to the satisfaction of the competent authority of such State have been implemented by the company or the master of the ship to ensure safe entry.

In order to have the refusal of access lifted you must address a formal request to this Administration. Your request must be accompanied by a document from the flag State administration confirming that the ship fully complies with all the provisions of the applicable

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<sup>1</sup> references to be used when applicable to the banning state

<sup>2</sup> The members of the Paris MoU are Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden, United Kingdom

international conventions. **This document must be issued by the Administration and not a recognized organization acting on its behalf.** (In addition you must include a document from the society classing the ship that the ship conforms to its class standards.)<sup>3</sup>

In order to satisfy this administration that the vessel complies with all relevant Conventions and **before the refusal of access is lifted** we require that the vessel is re-inspected to our satisfaction. If you wish the vessel to be re-inspected we will require adequate notice.

Please be advised that all costs related to the inspection for lifting the ban have to be borne by your company.

Please contact this office if you wish to proceed.

You have a right of appeal against this refusal of access order in accordance with [*insert national provisions*]

Yours faithfully

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<sup>3</sup> include if appropriate

## **APPENDIX 2 (ban notification in the case of multiple detention, see 3.4)**

**To: Master and ISM Company of Banned Vessel**

**From: Banning State**

copy: **Flag State**  
**Recognized organization(s)**  
**Classification Society(ies)**  
**All MoU members**  
**MoU Secretariat**  
**European Commission**  
**Tokyo MoU**  
**Caribbean MoU**  
**Mediterranean MoU**  
**Black Sea MoU**  
**Riyadh MoU**  
**USCG HQ**

Dear Sir

### **REFUSAL OF ACCESS ORDER**

#### **Ship Name, Flag and IMO number**

The above named vessel was detained in (*port*) on (*date*). This is the third detention in the Paris MoU region within the last 36/24\* months. The ship flies the flag of [ ] which is black/grey\*delete as appropriate on the current Paris MoU BGW list. Therefore under the provisions of section 4 of the Paris MOU, Article 16 of EU Council Directive 2009/16/EC<sup>1</sup> the ship will be refused further access to any port and anchorage in the Paris MoU region<sup>2</sup>, except a port and anchorage of the ship's flag State. This refusal of access will become applicable immediately after the ship is authorised to leave this port and anchorage.

As this is the first/second\* refusal of access order the period of the refusal of access will be 3/12 months.\* delete as appropriate

Your attention is drawn to the provisions of Section 4.4 of the Paris MoU, Article 21.6 of EU Council Directive 2009/16/EC<sup>1</sup> which allow access to a specific port and anchorage in the event of force majeure or overriding safety considerations, or to reduce or minimise the risk of pollution or to have deficiencies rectified, provided that adequate measures to the satisfaction of the competent authority of such State have been implemented by the company or the master of the ship to ensure safe entry.

In order to have the refusal of access lifted you must address a formal request to this Administration. Your request must be accompanied by a document from the flag State administration confirming that the ship fully complies with all the provisions of the applicable international conventions. **This document must be issued by the Administration and not**

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<sup>2</sup> The members of the Paris MoU are Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden, United Kingdom

**a recognized organization acting on its behalf.** (In addition you must include a document from the society classing the ship that the ship conforms to its class standards.) <sup>3</sup>

The refusal of access will only be lifted following a re-inspection of the ship at an agreed port by PSCO's of this Administration and if evidence is provided to its satisfaction that the ship fully complies with all the provisions of the applicable international conventions.

Please be advised that all costs related to the inspection for lifting the ban have to be borne by your company.

Please contact this office if you wish to proceed.

You have a right of appeal against this refusal of access order in accordance with [*insert national provisions*]

Yours faithfully

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<sup>3</sup> include if appropriate

### **APPENDIX 3 (ban notification in the case of a third ban, see 3.8.3)**

**To: Master and ISM Company of Banned Vessel**

**From: Banning State**

copy: **Flag State**  
**Recognized organization(s)**  
**Classification Society(ies)**  
**All MoU members**  
**MoU Secretariat**  
**European Commission**  
**Tokyo MoU**  
**Caribbean MoU**  
**Mediterranean MoU**  
**Black Sea MoU**  
**Riyadh MoU**  
**USCG HQ**

Dear Sir

#### **REFUSAL OF ACCESS ORDER**

##### ***Ship Name, Flag and IMO number***

The above named vessel was detained in (*port*) on (*date*). This is a subsequent detention after the second refusal of access order in the Paris MoU region. Therefore under the provisions of section 4 of the Paris MOU, Article 16 of EU Council Directive 2009/16/EC<sup>1</sup> the ship will be refused further access to any port and anchorage in the Paris MoU region<sup>2</sup>, except a port and anchorage of the ship's flag State. This refusal of access will become applicable immediately after the ship is authorised to leave this port and anchorage.

Your attention is drawn to the provisions of Section 4.4 of the Paris MoU, Article 21.6 of EU Council Directive 2009/16/EC<sup>1</sup> which allow access to a specific port and anchorage in the event of force majeure or overriding safety considerations, or to reduce or minimise the risk of pollution or to have deficiencies rectified, provided that adequate measures to the satisfaction of the competent authority of such State have been implemented by the company or the master of the ship to ensure safe entry.

As this is the third refusal of access order the period of the refusal of access will be 24 months, provided that before this period has elapsed, the following requirements are fulfilled:

- the ship flies a white listed flag;
- the statutory and classification certificates of the ship are issued by an organization(s) recognized by one or more Paris MoU member states, EU recognized organization(s)<sup>1</sup>;
- the ship is managed by a company with a high performance;
- the ship must comply with all the provisions of the applicable international conventions.

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<sup>1</sup> references to be used when applicable to the banning state

<sup>2</sup> The members of the Paris MoU are Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden, United Kingdom

Otherwise the refusal of access will become permanent.

In order to have the refusal of access lifted you must address a formal request to this Administration. Your request must be accompanied by a document from the flag State administration confirming that the ship fully complies with all the provisions of the applicable international conventions. **This document must be issued by the Administration and not a recognized organization acting on its behalf.** (In addition you must include a document from the society classing the ship that the ship conforms to its class standards.)<sup>3</sup>

The refusal of access will only be lifted following a re-inspection of the ship at an agreed port by PSCO's of this Administration and if evidence is provided to its satisfaction that the ship fulfils the above requirements and fully complies with all the provisions of the applicable international conventions.

Please be advised that all costs related to the inspection for lifting the ban have to be borne by your company.

Please contact this office if you wish to proceed.

You have a right of appeal against this refusal of access order in accordance with [*insert national provisions*]

Yours faithfully

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<sup>3</sup> include if appropriate

## **APPENDIX 4 (ban notification in the case of a fourth ban, see 3.9)**

**To: ISM Company**

**From: Banning Port State**

**copy: Flag State**  
**Recognized Organization(s)**  
**Classification Society(ies)**  
**All MoU Members**  
**MoU Secretariat**  
**EU Commission**  
**Tokyo MoU**  
**Caribbean MoU**  
**Mediterranean MoU**  
**Black Sea MoU**  
**Riyadh MoU**  
**USCG**

Dear Sir

### **PERMANENT REFUSAL OF ACCESS FROM THE PARIS MOU REGION**

#### ***Ship Name, Flag and IMO number***

The above named vessel was detained in (*port*) on (*date*). This is a subsequent detention after the third refusal of access order in the Paris MoU region. Therefore under the provisions of section 4 of the Paris MOU, Article 16 of EU Council Directive 2009/16/EC<sup>1</sup> the ship will be **permanently** refused further access to any port and anchorage in the Paris MoU region<sup>2</sup>, except a port and anchorage of the ship's flag State. This refusal of access will become applicable immediately after the ship is authorised to leave this port or anchorage.

Your attention is drawn to the provisions of Section 4.4 of the Paris MoU, Article 21.6 of EU Council Directive 2009/16/EC<sup>1</sup> which allow access to a specific port or anchorage in the event of force majeure or overriding safety considerations, or to reduce or minimise the risk of pollution or to have deficiencies rectified, provided that adequate measures to the satisfaction of the competent authority of such State have been implemented by the company or the master of the ship to ensure safe entry.

You have a right of appeal against this refusal of access order in accordance with [*insert national provisions*]

Yours faithfully

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<sup>1</sup> references to be used when applicable to the banning state

<sup>2</sup> The members of the Paris MoU are Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden, United Kingdom

**APPENDIX 5 (notification in the case of lifting of the ban, see 2.12 or 3.17)**

**To: ISM Company**

**From: Banning Port State**

**copy: Flag State**  
**Recognized Organization(s)**  
**Classification Society(ies)**  
**All MoU Members**  
**MoU Secretariat**  
**European Commission**  
**Tokyo MoU**  
**Caribbean MoU**  
**Mediterranean MoU**  
**Black Sea MoU**  
**Riyadh MoU**  
**USCG HQ**

Dear Sir

**LIFTING OF THE REFUSAL OF ACCESS**

**Ship Name, Flag and IMO number**

The refusal of access to Paris MoU ports and anchorages, issued on *(date)*, is now lifted.

All Paris MoU members have been informed.

Yours faithfully



**APPENDIX 6 – FUD 1**

**PORT STATE CONTROL**

**REQUEST FOR AGREEMENT TO PROCEED TO A REPAIR YARD**

**From:** (PSC office of (port)) fax:

**To:** (Port State Authority of repair yard)  
(Flag State Authority)

**cc:** (Recognized organization issuing the relevant certificates)

Ship Name ..... IMO No ..... Flag .....

Type of ship ..... Call sign ..... Year of keel laid .....

Gross Tonnage .....

Recognized Organization(s)..... Classification Society(ies).....

The above named vessel is detained in (port) but cannot rectify all deficiencies. The vessel has requested that the following deficiencies are repaired in (port).

Deficiencies that cannot be repaired  
in the present port

Suggested action:  
(including action at next port)

.....  
.....  
.....  
.....  
.....

**Before releasing the vessel this Authority requests:**

1 the PSC Authority for the port of [name] to confirm by fax if the above mentioned ship is permitted to call in that port and that a follow up inspection will be carried out;

2 the Flag State Authority (if necessary through its recognized organization) to confirm by fax that the above mentioned ship is permitted to proceed to (port) and any conditions for the voyage.

Reporting Authority .....

Office .....

Fax:

Tel:

Date:

Name & Signature

(duly authorized Port State Control Officer)

## APPENDIX 7 – FUD 2

### PORT STATE CONTROL

#### CONDITIONS OF RELEASE FROM DETENTION TO A REPAIR PORT

To the Master of vessel:

Ship Name ..... IMO No ..... Flag .....  
Type of ship ..... Call sign ..... Year of keel laid .....  
Gross Tonnage .....  
Recognized Organization(s)..... Classification Society(ies).....  
Company ..... Agents.....

Your vessel, which is currently detained in *(port)*, is authorized to proceed to *(port)* in *(country)* to rectify outstanding deficiencies subject to the following conditions:

FAILURE TO CALL AT THE REPAIR PORT OR TO COMPLY WITH THESE CONDITIONS MAY RESULT IN YOUR VESSEL BEING REFUSED ENTRY TO ALL PORTS AND ANCHORAGES IN THE PARIS MOU REGION<sup>2</sup>.

This provision is contained in section 4.2 of the Paris Memorandum of Understanding on Port State Control (Paris MoU), Article 21.4 of EC Directive 2009/16/EC<sup>1</sup>, and the provisions of *(national regulations)*.

**Any changes to the above conditions may only be made in consultation with the Office indicated below except in cases of force majeure.** In cases of deviations due to force majeure this Office should be informed as soon as practicable.

You must request the Port State Authority of the repair port to inform the office indicated below when the ship has arrived at the repair yard. No confirmation of the ship's arrival after the ETA indicated below will be considered evidence that the ship has not complied with the condition of release.

I confirm that I have received this notice ..... Name of Master [or representative]	..... Signature of Master [or representative]
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**Copy to:** *(Port State Control Authority of repair port)*  
*(Flag State Authority)*  
*(Recognized organization(s) issuing the relevant certificates)*  
*(Classification society(s) if different from R.O.)*  
*(Ship's agent)*  
*(Harbour master office)*  
Secretariat Paris MOU fax: 00 31 70 456 1599  
*(Port State Co-ordinator)*

**The Port State Control Authority of the port of [ ] is requested to advise the office indicated below WHEN THE SHIP ARRIVES OR IF THE SHIP DOES NOT ARRIVE AT THE EXPECTED TIME.**

<sup>1</sup> references to be used when applicable to the banning state

<sup>2</sup> The members of the Paris MoU are Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden, United Kingdom

**Date of departure and ETD from (port)**

.....

**Date of arrival and ETA in (port)**

.....

Reporting Authority .....

Office

Fax .....

Tel .....

Name & Signature

.....

.....

Date

(duly authorized Port State Control Officer)

## APPENDIX 8 – Graphic display multiple banning

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

