

When deficiencies are found which render the ship unsafe to proceed to sea or that pose an unreasonable risk to safety, health or the environment, the ship may be detained.

The PSCO will issue a notice of detention to the master.

The PSCO will inform the master that the ship's owner/operator has the right of appeal. Appeal notice details can be found on the reverse side of the notice of the detention form and are different in each of the Paris MoU member States.

For Paris MoU member States the particulars necessary to submit a National appeal are listed below:

Click on the member State for details.

- Belgium
- Bulgaria
- Canada
- Croatia
- Cyprus
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Iceland
- Ireland
- Italy
- Latvia
- Lithuania
- Malta
- Montenegro
- The Netherlands
- Norway
- Poland
- Portugal
- Romania
- Slovenia
- Spain
- Sweden
- United Kingdom of Great Britain and Northern Ireland

1. Belgium



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

Appeal against the decision on account of the Belgian Shipping Act	
The appeal shall be made to	Address
Maritime Board of Investigation. Voorzitter van de Onderzoeksraad voor de Scheepvaart	Griffie onderzoeksraad Hof van Beroep Waalse Kaai 37 2000 Antwerpen Belgium
Appeal against the decision on account of the Prevention of Pollution from Ships Act	
Staatssecretaris voor Mobiliteit	Koningsstraat 180 1000 Brussels Belgium

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	14		<input type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
The appeal shall be made within 14 days after the detention and shall be motivated in writing.

2. Bulgaria



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other: Each party with an interest	<input checked="" type="checkbox"/>

The appeal shall be made to	Address
Directorate "Maritime administration Varna"	Varna 9000 Bul. "Primorski" 5 Tel. + 359 52 / 684 922 e-mail: hm_vn@marad.bg
Directorate "Maritime administration Burgas"	Ul. "Kniaz A. Batenberg" 3 Tel. +359 56 / 875 775 e-mail: hm_bs@marad.bg

Deadline for submission	Days	Language		Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter	<input checked="" type="checkbox"/>
From notification of detention	14	Bulgarian	<input checked="" type="checkbox"/>	Fax	<input type="checkbox"/>
Other:			<input type="checkbox"/>		<input type="checkbox"/>

Other relevant information
<p>The appeal must be submitted to the Executive director of the Executive agency "Maritime administration" through the regional directorate of the Executive agency "Maritime administration", where the notice of the detention was issued.</p> <p>The decision for detention may be appealed directly to the court in accordance with the Administrative procedure Code of the Republic of Bulgaria, Article 148.</p> <p>The appeal must be submitted to the Regional Administrative court within the deadline of 14 days from the date of the acknowledgement of the notice of the detention.</p> <p>The appeal must be submitted through the regional directorate of the Executive agency "Maritime administration", where the notice of the detention was issued.</p> <p>An appeal shall not cause the detention to be suspended.</p>

3. Canada



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
National Vice-Chair	Marine Safety Transport Canada AMS Place de Ville, Tower "C". 11th floor, 330 Sparks Street Ottawa Ontario K 1A 0N8 Canada Fax: (613) 993-8196

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	30	French	<input checked="" type="checkbox"/>	Fax <input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information

The authorized representative of a vessel that is detained under section 222 of the Act may, within 30 days after the day on which notice of the detention order was served, apply to the Board's National Vice-Chair for a review of the order.

The National Vice-Chair shall assign the review to a Vice-Chair of the Board.

The Vice-Chair may confirm, rescind or vary the detention order and shall notify the Authorized representative of the Vice-Chairs' s decision.

4. Croatia

**The appeal shall be made by**

Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input type="checkbox"/>
Other: Party referred to in detention order	<input checked="" type="checkbox"/>

The appeal shall be made to	Address
See other relevant information box	See other relevant information box

Deadline for submission	Days	Language		Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter	<input checked="" type="checkbox"/>
From notification of detention	15		<input type="checkbox"/>	Fax	<input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>		<input type="checkbox"/>

Other relevant information

In accordance with the Maritime Code, article 178. and Regulation on Maritime Safety Inspection, article 62. paragraph 6 and 7.

The appeal is to be submitted through the inspection department in charge for a particular vessel. The appeal against Detention Order does not suspend its execution. The party is informed on this right on every Administrative Order (Detention form).

An independent body within the Minister's cabinet deals, at the second level, with all appeals received in the Ministry.

After the secondary ruling, the unsatisfied party has the right to initiate the legal procedure within the Court.

Note: Such procedure is in accordance with the general Law on Administrative Procedure of the Republic of Croatia.

5. Cyprus



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other: Representative in Cyprus	<input checked="" type="checkbox"/>

The appeal shall be made to	Address
See other relevant information box	See other relevant information box

Deadline for submission	Days	Language		Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter	<input checked="" type="checkbox"/>
From notification of detention			<input type="checkbox"/>	Fax	<input checked="" type="checkbox"/>
Other: 48 hours of working days after notification of detention	X		<input type="checkbox"/>		<input type="checkbox"/>

Other relevant information
<p>NOTICE TO THE MASTER AS TO THE RIGHT TO OBJECT AND TO FILE A HIERARCHICAL RECOURSE</p> <p>The decision of a surveyor (Port State Control Officer) to prohibit the sailing of a ship, pursuant to the provisions of Merchant Shipping Law on Port State Control (Law 95(I)/2011) of Republic of Cyprus, may be challenged by an objection brought forward before the Director by the operator of the ship, or his representative in Cyprus.</p> <p>The objection shall be exercised in writing within a deadline of 48 hours of working days as from the time of the delivery of the notification of the prohibition of sailing to the master in accordance with the provisions of Article 22(2). Any objection submitted shall not suspend the execution of the decision.</p> <p>The Director shall examine the objection and shall, after having heard the interested parties or having given them the opportunity to express their views in writing, issue a decision on it, pursuant to the subsection that follows, the latest within 48 hours of working days</p> <p>The Director may decide:</p>

- to confirm the challenged decision.
- to declare the challenged decision null and void
- to amend the challenged decision
- to issue a new decision in substitution for the challenged decision

and shall communicate the decision he issues to the person filing the objection, as well as to the master of the ship concerned

The operator of the ship or his representative in Cyprus may challenge by a hierarchical recourse to the Minister, any of the following decisions, concerning the ship and having been issued under this Law:

A hierarchical recourse before the Minister shall be exercised in writing within a deadline of 5 days from the service, of the notification of the challenged decision to the master of the ship.

The hierarchical recourse shall not suspend the execution of the decision.

The Minister shall examine the recourse and shall, after having heard the interested parties or having given them the opportunity to express their views in writing, issue a decision on it, pursuant to the subsection that follows, the latest within a deadline of 10 days.

The Minister may decide:

- to confirm the challenged decision.
- to declare the challenged decision null and void
- to amend the challenged decision
- to issue a new decision in substitution for the challenged decision.

and shall communicate the decision he issues pursuant to this sub-section, to the person filing the recourse, as well as to the master.

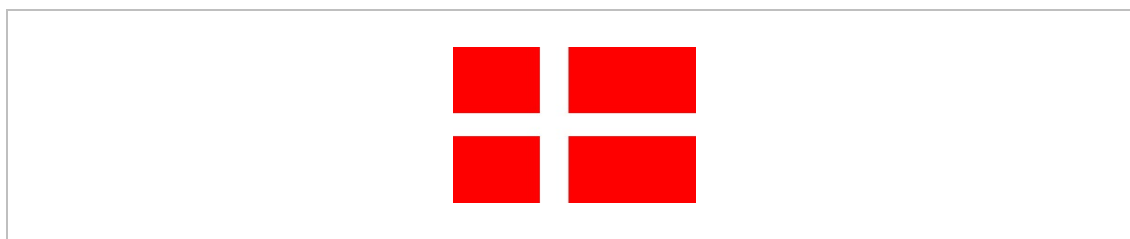
3. In all cases and notwithstanding the right to object before the DMS Director and /or the right to file an hierarchical recourse before the Minister (as described above), it is recalled that any administrative decision taken by the Competent Authority and /or any Port State Control Officer under Law 95(I)/2011 and in particular a decision imposing a prohibition of sailing (detention) and /or a prohibition of entry into a port of the Republic of Cyprus (refusal of access order) may be challenged for annulment under judicial review before the Supreme Court of Cyprus on a recourse made within seventy-five days in accordance with the provisions of Article 146 of the Constitution of the Republic of Cyprus .1

1 Article 146 of the Cyprus Constitution provides as follows :

“ 1. The Supreme Constitutional Court shall have exclusive jurisdiction to adjudicate finally on a recourse made to it on a complaint that a decision, an act or omission of any organ, authority or person, exercising any executive or administrative authority is contrary to any of the provisions of this Constitution or of any law or is made in excess or in abuse of powers vested in such organ or authority or person.

2. Such a recourse may be made by a person whose any existing legitimate interest, which he has either as a person or by virtue of being a member of a Community, is adversely and directly affected by such decision or act or omission.
3. Such a recourse shall be made within seventy-five days of the date when the decision or act was published or, if not published and in the case of an omission, when it came to the knowledge of the person making the recourse.
4. Upon such a recourse the Court may, by its decision-
 - (a) confirm, either in whole or in part, such decision or act or omission; or
 - (b) declare, either in whole or in part, such decision or act to be null and void and of no effect whatsoever; or
 - (c) declare that such omission, either in whole or in part, ought not to have been made and that whatever has been omitted should have been performed.
5. Any decision given under paragraph 4 of this Article shall be binding on all courts and all organs or authorities in the Republic and shall be given effect to and acted upon by the organ or authority or person concerned.
6. Any person aggrieved by any decision or act declared to be void under paragraph 4 of this Article or by any omission declared thereunder that it ought not to have been made shall be entitled, if his claim is not met to his satisfaction by the organ, authority or person concerned, to institute legal proceedings in a court for the recovery of damages or for being granted other remedy and to recover just and equitable damages to be assessed by the court or to be granted such other just and equitable remedy as such court is empowered to grant. ”

6. Denmark



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input type="checkbox"/>
Other:	<input type="checkbox"/>

Detention is in accordance with the Act of the Safety at Sea.	
The appeal shall be made to	Address
Danish Shipping Tribunal	Danish Appeals Boards Authority, Toldboden 2, DK-8800 Viborg anke@naevneneshus.dk
Detention is in accordance with the Act on Protection of the Marine Environment	
Danish Shipping Tribunal	Danish Appeals Boards Authority, Toldboden 2, DK-8800 Viborg anke@naevneneshus.dk

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	28		<input type="checkbox"/>	Fax <input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>	e-mail <input checked="" type="checkbox"/>

Other relevant information
<p>In Denmark a special Shipping Tribunal has been established in accordance with the Danish Act on Safety at Sea. The Tribunal can consider complaints against different decisions made by the Danish Maritime Authority, including the detention of a ship.</p> <p>The Tribunal consists of a chairman appointed by the Danish Minister of Economic and Business Affairs and a number of expert members. The chairman must be a High Court Judge and the members are nominated by the ship-owners' and the seafarers' organisations.</p> <p>Decisions made by the Danish Shipping Tribunal may be brought before a court of law.</p>

The relevant link for more information:

<http://www.dma.dk/AboutUs/Sider/TheShippingTribunal.aspx>

7. Estonia



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input type="checkbox"/>
Other: Representative of owner	<input checked="" type="checkbox"/>

The appeal shall be made to	Address
Estonian Transport Administration	Maritime Division Ships Unit Valge 4 - 11413 Tallinn Estonia Tel: +372 620 1200 email: ljo@transpordiamet.ee

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	30	Estonian	<input checked="" type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	email <input checked="" type="checkbox"/>

Other relevant information
<p>Appeal against the decision on account of the Estonian Maritime Safety Act shall be made by the owner or its representative concerned and shall be made to the Safety and Maritime Division of the Estonian Transport Administration,</p> <p>The appeal shall be made within 30 days after the detention.</p> <p>If the decision of the Administration does not satisfy a ship-owner or the representative thereof, he has the right to file a complaint to an administrative court.</p>

8. Finland



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other: party of Interest	<input type="checkbox"/>

The appeal shall be made to	Address
The Finnish Transport and Communication Traficom	Postal address: P.O.Box 320 00101 Helsinki, Finland. Visiting Address: Opastinsilta 12A, 00520 Helsinki Telephone: + 358 20 618 500 Fax: + 358 20 618 5095 E-mail: kirjaamo@traficom.fi

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	30	Finnish	<input checked="" type="checkbox"/>	Fax <input type="checkbox"/>
Other:		Swedish	<input checked="" type="checkbox"/>	E-mail <input checked="" type="checkbox"/>

Other relevant information
<p>A party may file a claim for rectification of this decision to the Finnish Transport and Communications Agency;</p> <p>Traficom. The claim for rectification shall be lodged within 30 days of being served with the notice of the decision, not including the date of service. The claim may be submitted by mail, electronic means or messenger.</p> <p>If the decision of the Traficom does not satisfy the party filing the claim, the party has right to file a complaint to the Administrative Court.</p>

9. France



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other: Vessel Representative	<input checked="" type="checkbox"/>

The appeal shall be made to	Address
Chief of Head of the ship safety center (port of inspection) or Ministry in charge for the seavessel centre	See relevant information box

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	15	French	<input checked="" type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	E-mail <input checked="" type="checkbox"/>

Other relevant information
<p>Appeal procedure</p> <p>Article 41-12 (Appel Procedure) of Decree on the safety of life at sea, pollution prevention, safety, security, and social certification of ships (Decree 84-810 of 30th August 1984 as amended) :</p> <ul style="list-style-type: none"> - Any appeal against a decision taken by a PSC Officer's shall be submitted to the head of the ship safety center of the port of inspection (address on the inspection report form); - Any appeal against a decision taken by the head of a ship safety center shall be submitted to the Minister in charge for the sea. ; - an appeal procedure concerning a banning decision is directly raised to Ministry in charge of the sea. <p>The appeals shall be submitted by the owner, the operator of the vessel or their representative, within fifteen clear days from the notification of the decision. They do not have suspensive effect.</p>

The address of the office in charge of appeal procedure raised to ministry in charge of the sea is:

Ministère de l'Environnement, de l'Energie et de la Mer
Direction générale des infrastructures, des transports et de la mer
Direction des Affaires Maritimes
Sous-direction de la sécurité et de la transition écologique des navires
Bureau STEN 3 (contrôle par l'Etat du port et contrôles environnementaux)
DGITM – DAM –SM3
Tour Séquoia
92055 La Défense Cedex – Paris
telephone +33 1 40 81 39 87
e-mail psc.france@developpement-durable.gouv.fr

10. Germany



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
BG Verkehr	Ottenser Hauptstr. 54 22765 Hamburg Germany

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention			<input type="checkbox"/>	Fax <input checked="" type="checkbox"/>
Other: relevant information box			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>A written appeal against the detention order may be lodged within one month of notification date. Such appeal should be addressed to the: BG Verkehr, Ottenser Hauptstr. 54, 22765 Hamburg, Germany. Fax +49 40 36137295 Email: psc@bg-verkehr.de In accordance with the provisions of Section 80(2)(4) of the Code of Administrative Procedure, any such appeal will not suspend the detention.</p>

11. Greece



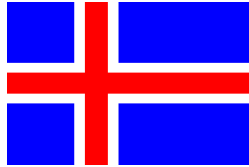
The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
Ministry of Maritime Affairs and Insular Policy-Safety of Navigation Directorate	Akti Vasiliadi Gate E2 Port Piraeus 185 10 Greece Fax: +30 213 1371561-2-3 dan@hcg.gr dan.d@hcg.gr

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	30		<input type="checkbox"/>	Fax <input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>	e-mail <input checked="" type="checkbox"/>

Other relevant information
<p>1. According to the provisions of Article 20 of the Presidential Decree 16/2011 (A'36) the owner / operator* has the right of appeal against a detention, in accordance with the provisions of Article 45 of the Hellenic Code of Maritime Law. The latter provides that the owner / operator* has the right of appeal to the Minister of Citizen's Protection within 30 days from the date of detention.</p> <p>2. Following the decision of the Minister the owner / operator* always keeps the right to address himself to an Administrative Court for further appeal on his case.</p> <p>* Or his representative.</p>

12. Iceland



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
Ministry of Transport and Local Government	Sölvhólgata 7 101 Reykjavík Iceland

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	90		<input type="checkbox"/>	Fax <input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>1. The official appeal procedures in Iceland are in Article 20 of Regulation No 816/2011, as amended. The master of a ship is informed of the right of appeal on the bottom of the Notice of Detention.</p> <p>2. Such an appeal should be addressed to the Ministry of Transport and Local Government. Appeals should be launched within 3 months of the Detention Notice.</p> <p>3. A detention or ruling of the Ministry of Transport and Local Government may be challenged in the district of Reykjavik</p>

13. Ireland



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
Pending port of detention See relevant information box	

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	7		<input type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>1. The owner/operator of a ship, or his or her representative in the State, may appeal against a detention decision taken by the Competent Authority but the lodging of such an appeal shall not cause the detention to be suspended.</p> <p>2. An appeal under this Regulation shall lie to the judge of the Circuit Court in whose Circuit the port in which the ship is detained is located and shall be made within 7 days of the commencement of the detention.</p> <p>3. On hearing an appeal under paragraph (1), the Court may confirm or vary the detention or allow the appeal.</p> <p>4. A decision of the Circuit Court on an appeal under paragraph (1) shall be final, save that, by leave of the Court, an appeal from its decision shall lie to the High Court on a specified question of law.</p>

14. Italy



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input type="checkbox"/>
Other: Owner Representative	<input checked="" type="checkbox"/>

The appeal shall be made to	Address
Tribunale Amministrativo Regionale (TAR)	As per Competent Regional Court address
Complaints	
Ministry of Infrastructures and Transport Italian Coast Guard Headquarters Safety of Navigation and Maritime Security Department	Viale dell'Arte, 16 00144 ROME (ITALY) E-mail: italy.psc@mit.gov.it; segreteria.reparto6@mit.gov.it

Deadline for submission	Days	Language	Submitted by	
From notification of release		Italian	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	60*	English	<input type="checkbox"/>	certified email <input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>	

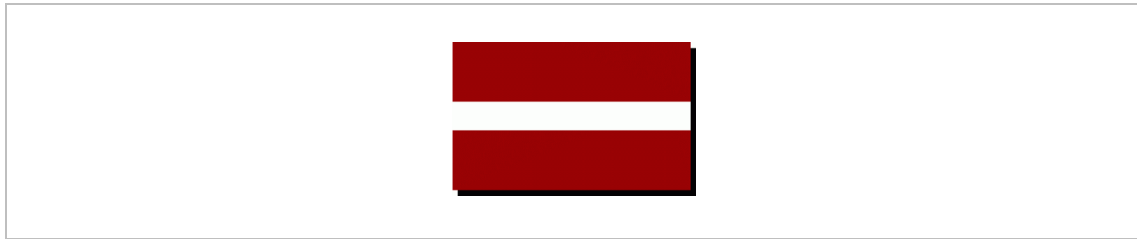
Other relevant information
<p>The right of appeal is foreseen by the article 25 of the National Decree n. 53 dated 24 March 2011 transposing EC Directive 2009/16 on Port State Control. This appeal procedure falls entirely under the responsibility of the jurisdictional authority.</p> <p>As indicated in the notice of detention – the ship's owner of the detained vessel or his representative in Italy can appeal against the detention order.</p> <p>The appeal has to be addressed to the competent "Tribunale Amministrativo Regionale" (TAR) within 60 days from the date of acknowledgment of the notice of detention.</p> <p>*This time limit is increased of 30 or 90 extra days if the complainant is located in another European country or outside Europe respectively.</p> <p>The decision of the above regional court can be appealed at the "Consiglio di Stato" within 60 days from the date of the acknowledgment of TAR decision.</p>

MECHANISM FOR HANDLING COMPLAINTS ON PSC INSPECTIONS

Any complaints concerning PSC inspections, including a detention reconsideration request, carried out in Italian ports are considered and replied by the Italian Coastguard – Safety of Navigation and Maritime Security Department.

All interested parties (ship owner, classification society, flag State, etc.) can address their complaint/reconsideration request to the main office in Rome within 30 days from the date of the acknowledgment of the PSC inspection and/or detention (English language).

15. Latvia



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
The director of Maritime Administration of Latvia.	Trijādības iela 5, Rīga, LV-1048, Latvia Phone: +371 67062101 Fax: +371 67860082

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	30		<input type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>The shipowner, ISM operator or master (as their representative) may contest the Maritime Safety Inspectorate's decision regarding the detention of the ship. Contest must be submitted in writing to the director of the Maritime Administration of Latvia within one month from the notification of detention.</p> <p>Decision made by the director of the Maritime Administration of Latvia can be appealed to the Administrative District Court (Baldones iela 1A, Rīga, LV-1007, Latvia) in accordance with the procedure prescribed by the Administrative Procedure Law</p>

16. Lithuania



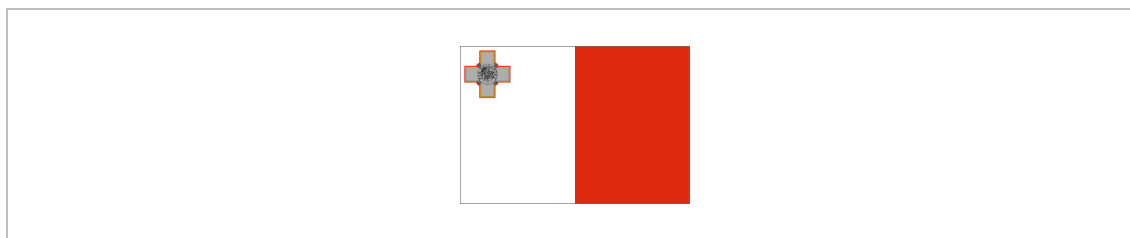
The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
The Director of Lithuanian Maritime Safety Administration.	J. Janonio str. 24 Klaipeda LT 92251 Lithuania. Fax. +370 46 469 600 e-mail msa@msa.lt

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	14		<input type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
1. Appeal against the ship detention shall be made by the ship's Master or ship owner / operator to the Director of Lithuanian Maritime Safety Administration.
2. The appeal shall be lodged in writing within fourteen (14) days after the ship detention.
3. Following the decisions of director of Lithuanian Maritime Safety Administration the ship-owner/operator may appeal against to an Administrative Court in accordance with the procedure set out by the Law on Administrative Proceedings.

17. Malta



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
Court of Appeal (Inferior Jurisdiction)	Registry, Courts of Justice, Republic Street, Valletta

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	20		<input type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>An appeal against a decision for detention or stoppage of operation or refusal of access may be made by means of an application before the Court of Appeal (Inferior Jurisdiction).</p> <p>An appeal for this purpose shall be filed within twenty days of the service of order of detention or stoppage of operation or the day of refusal of access, as the case may be, and shall be served on the Authority for Transport in Malta who shall reply thereto within ten days of notification.</p> <p>If the owner or the operator of a ship or his representative in Malta shows to the satisfaction of the Court that: the matter did not constitute a valid basis for the relevant inspector's opinion, and there were no reasonable grounds for the inspector to form that opinion, the Court may award the owner such compensation in respect of any actual loss suffered by him in consequence of the detention or stoppage of operation or refusal of access as it deems fit.</p> <p>The burden of satisfying the Court as to these matters, shall lie with the owner or the operator or his representative in Malta, as the case may be.</p>

The Court shall also have regard, in coming to its decision, to any matters not specified in the order of detention or stoppage of operation or refusal of access

Order that appears to it to be relevant as to whether the ship was not liable to be detained or refused access.

Where the Court decides, that the matter did not constitute a valid basis for the inspector's opinion, it shall either cancel the order of detention or refusal of access or shall affirm the order with such modifications as it may in the circumstances deem fit.

The Court shall include in its findings whether there was or not a valid basis for the order of detention or refusal of access.

18. Montenegro



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
Ministry of Capital Investments	Rimski trg 46, 85000 Podgorica
See other relevant information box	See other relevant information box

Deadline for submission	Days	Language	Submitted by	
From notification of release		Italian	<input type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	15	English	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other:			<input type="checkbox"/>	

Other relevant information
<p>In accordance with the Maritime Navigation Safety Law, article 188a and Law on Administrative Procedure, article 119 paragraph 1 and 2, article 121 paragraph 4.</p> <p>Article 188a: "An appeal may be lodged with the Ministry against the decision of the PSC officer. The appeal does not delay enforcement of the decision. The procedure and deadlines for filing an appeal are prescribed by the Law on Administrative Procedure."</p> <p>Article 119 paragraph 1 and 2: "The party has the right to appeal against the decision made in the first instance or when the decision was not made within the legally prescribed period, unless appeal is not allowed by law. An appeal against the first-instance decision of the ministry can only be filed when it is prescribed by law, as well as in the case of a legal matters in which an administrative dispute is excluded."</p> <p>Article 121 paragraph 4: "The appeal is filed within 15 days from the date of delivery of the decision, if no other deadline is prescribed by law"</p>

19. The Netherlands



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
Minister van Infrastructuur en Waterstaat c/o Inspecteur Generaal Inspectie Leef- omgeving en Transport Juridische zaken	P.O. Box 16191 2500 BD Den Haag, The Netherlands.

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	42	Dutch	<input checked="" type="checkbox"/>	Fax <input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information

In case of detention on account of the Port State Control Act or the Wet Voorkoming Verontreiniging door Schepen (Pollution Prevention Act) appeal can be made by any party interested to the Minister of Infrastructure and the Environment.

The Inspector-General shall send the appeal without delay to the Minister of Infrastructure and the Environment.

Appeals have to be duly signed and at least comprise the following information:

- a. Name, address and interest of appellant;
- b. Date of appeal;
- c. Date of detention and details of case against which the appeal is directed;
- d. Reasoning for lodging the appeal against the decision.

An appeal shall not cause the detention to be suspended.

The detention shall not be lifted until, according to the professional judgement of the officer of the Netherlands Shipping Inspectorate, all the deficiencies have been rectified and until full payment has been made or an authorized payment guarantee has been given for the reimbursement of the costs (if applicable).

20. Norway



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
Norwegian Maritime Authority	Smedasundet 50 A, Po Box 2222, N - 5509 Haugesund, Norway post@sdir.no

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	21		<input type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	e-mail <input checked="" type="checkbox"/>

Other relevant information
<p>According to Act of 16 February 2007 No. 09 relating to Ship Safety and Security and Act of 10 February 1967 relating to Public administration, decisions concerning detention can be appealed. The appeal shall be addressed directly to the Norwegian Maritime Authority.</p> <p>The time limit for lodging an appeal shall be three weeks from the date on which notification of the administrative decision has reached the party concerned. If notification is made by public announcement, the time limit for an appeal shall run from the date on which the administrative decision was first published.</p>

21. Poland



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
MINISTRY OF INFRASTRUCTURE Maritime Economy Department through the Director of Maritime Office having jurisdiction over the port of detention	Chalubinskiego Str.4/6 00-928 Warszawa POLAND

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	14	Polish	<input checked="" type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>The right of appeal is foreseen by article 53.3 of the Act of 18 August 2011 on Maritime Safety, as amended, which transposes EC Directive 2009/16 on port State control.</p> <p>The appeal procedure in general is established in the Code of Administrative Procedures. According to the provisions of the abovementioned Code and Act on Maritime Safety the appeal against the detention may be made, in writing, by the owner or the master of the vessel through the relevant Director of Maritime Office, within 14 days of the receipt of the document containing the Notice of Detention.</p> <p>The relevant Director of Maritime Office is:</p> <ul style="list-style-type: none"> - Director of Maritime Office in Gdynia (address: ul. Chrzanowskiego 10, 81-338 Gdynia, Poland) for the following ports: Gdynia, Gdansk, Ustka, Leba. - Director of Maritime Office in Szczecin (address: Pl. Batorego 4, 70-207 Szczecin, Poland) for the following ports: Szczecin, Swinoujscie, Police Darlowo, Kolobrzeg.

Director of Maritime Office shall send the appeal without delay to the MINISTRY OF INFRASTRUCTURE, Maritime Economy Department (address: Chalubinskiego Str. 4/6 00 - 928 Warszawa POLAND) who is obliged to consider the appeal within 30 days.

An appeal does not cause the detention to be suspended.

22. Portugal



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input type="checkbox"/>
Other: Flag or RO	<input checked="" type="checkbox"/>

The appeal shall be made to	Address
Diretor-Geral de Recursos Naturais, Segurança e Serviços Marítimos	DGRM Avenida de Brasília 1449-030 Lisboa Portugal

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	10		<input type="checkbox"/>	Fax <input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>1. The Flag State/RO and Company/Operator may appeal to the Diretor-Geral de Recursos Naturais, Segurança e Serviços Marítimos against the grounds of detention. This appeal will not cause the detention to be suspended. The burden of proof lies with the appealing entity.</p> <p>2. A formal appeal against the administrative decision of detention may be presented to the maritime court of Lisbon, without suspension of the detention (article 38th of decree-law nº.61/2012 of March the 14th).</p> <p>All Inspections involving the detention will be taxed. The detention will not be lifted until full payment has been made or a sufficient guarantee has been given.</p>

23. Romania



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input type="checkbox"/>
Other: ship's representative	<input type="checkbox"/>

The appeal shall be made to	Address
General Director of the Romanian Naval Authority. See relevant information box	Cladirea ANR, poarta nr.1, 900900 Constanta Port, Romania

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	30		<input type="checkbox"/>	Fax <input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>After the detention of a vessel, RNA (PSCO) shall inform the Master of that vessel about his right of appeal against the Notice of Detention.</p> <p>The national legislation states:</p> <ol style="list-style-type: none"> In case of detention on account of a Port State Control inspection, the Owner, the Operator or the ship's official representative in Romania has, as compensation, the right of appeal, as foreseen in art.20 of the government decision of 04/08/2010 transposing EC Directive 2009/16/EC on Port State Control, as amended. The appeal procedure is governed by the Law 554/2004, namely: submitting the complaint to the General Director of the Romanian Naval Authority, address: Cladirea ANR, poarta nr.1, 900900 Constanta Port, Romania, not later than 30 days, as the first action of the appeal; <p>- If the result of the decision taken by RNA is still not satisfactory, the Owner, the Operator or the ship's official representative in Romania has the right of appeal against</p>

the Notice of Detention to Constanta Court of Appeal not later than 6 months from the issuing date of the Notice of Detention.

3. The appeal procedure does not lead to the suspension of the detention

24. Slovenia



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
Ministry of infrastructure Slovenian Maritime Administration Maritime Inspection Division	Kidričeva 46 6000 Koper Slovenia Fax: +386 5 66 32 145

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	15	Slovenian	<input checked="" type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>1. In accordance with the Maritime Code, Article 198., and the General Administrative Procedure Act each party is allowed to submit the appeal against the inspector's decision within the deadline of 15 day. The party is informed on this right on every administrative decision. Any such appeal shall not suspend the execution of decision.</p> <p>2. The appeal shall be addressed to the Ministry of Infrastructure and lodged in writing or orally with the Slovenian Maritime Administration, Maritime Inspection Division.</p> <p>3. In accordance with the General Administrative Procedure Act the appeal shall be in Slovenian language.</p> <p>4. After the ruling of the Ministry of Infrastructure, the unsatisfied party has the right to lodge an application with the Administrative Court.</p>

25. Spain

**The appeal shall be made by**

Owner (IMO Identification number)	<input type="checkbox"/>
ISM Operator (IMO Company number)	<input checked="" type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to**Address**

Director General de la Marina Mercante	C/Ruiz de Alarcón 1, 20871, Madrid, Spain.
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Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	1 Month	Spanish	<input checked="" type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information

1. Against the detention final decision, which does not end the administrative proceedings, an appeal may be submitted, within one month, to the Director General de la Marina Mercante, according to article 121 and alike of the Spanish Law (Ley 39/2015 del Procedimiento Administrativo Común de las Administraciones Públicas) to the following official address:

Dirección General de la Marina Mercante,
C/Ruiz de Alarcón 1, 20871 -
Madrid, Spain

Articles 15 and 121 of the Ley 39/2015 require the appeal to be presented in Spanish.

2. Against the decision of the administrative appeal indicated above, which end the administrative proceedings according to article 114 of Law 39/2015, a new appeal may be submitted to the Spanish Administrative Courts, according to article 46 and alike of Spanish Law 29/1998, within two months in case of formal resolution or six months in case of administrative silence.

26. Sweden



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
The Administrative Court in Linköping	

Deadline for submission	Days	Language	Submitted by	
From notification of release		English	<input checked="" type="checkbox"/>	Letter <input checked="" type="checkbox"/>
From notification of detention	21		<input type="checkbox"/>	Fax <input type="checkbox"/>
Other:			<input type="checkbox"/>	<input type="checkbox"/>

Other relevant information
<p>Decisions regarding detentions may be appealed. The appeal shall be in writing, and you shall state which decision you are appealing and what you wish to change.</p> <p>The appeal shall be made to The Administrative Court in Linköping but sent to;</p> <p style="padding-left: 40px;">The Swedish Transport Agency, Maritime Department, SE-601 73 Norrköping, Sweden.</p> <p>The appeal shall reach the Swedish Transport Agency within 3 weeks after you were informed about the decision.</p> <p>The ruling of the administrative court can be appealed to an administrative court of appeal and later to the Supreme administrative court. Both of these courts must first grant a leave to appeal before they reconsider a case.</p> <p>Information on how to appeal the ruling of the administrative court is always provided with said ruling.</p>

27. The United Kingdom of Great Britain and Northern Ireland.



The appeal shall be made by	
Owner (IMO Identification number)	<input checked="" type="checkbox"/>
ISM Operator (IMO Company number)	<input type="checkbox"/>
Master	<input checked="" type="checkbox"/>
Other:	<input type="checkbox"/>

The appeal shall be made to	Address
MCA office issuing the detention order. relevant information box.	

Deadline for submission	Days	Language	Submitted by		
From notification of release		English	<input checked="" type="checkbox"/>	Letter	<input checked="" type="checkbox"/>
From notification of detention	21		<input type="checkbox"/>	Fax	<input checked="" type="checkbox"/>
Other:			<input type="checkbox"/>		<input type="checkbox"/>

Other relevant information
<p>Summary</p> <p>UK legislation provides for appeal and compensation for a master or owner against the issue of a notice of detention or refusal of access. The appeal is referred to an independent arbitrator for decision.</p> <p>The Maritime and Coastguard Agency (MCA) also operates a separate administrative procedure to investigate complaints on any aspect of service provided by the MCA. The complaint may be referred to an independent adjudicator if necessary.</p> <p>Appeal and compensation – detention under Port State Control</p> <p>A guidance note on appeal procedure is issued at the time of detention. A master or owner of a ship may appeal within 21 days against a notice of detention which has been served on the ground that the ship is dangerously unsafe or fails to comply with UK Merchant Shipping Acts. The right of appeal is contained in the Merchant Shipping Act 1995 and Merchant Shipping (Port State Control) Regulations 2011. The appeal does not suspend the detention.</p>

A single arbitrator is appointed by agreement between the parties, or if agreement cannot be reached by a Judge of the High Court. The arbitrator, who must meet qualification criteria specified in the Act, is required to decide whether there was or was not a valid basis for the detention, but may take account of matters not specified in the detention notice if considered relevant to the detention. The burden of satisfying the arbitrator that there were no reasonable grounds for detention lies with the owner.

If the arbitrator decides that there was not a valid basis for the inspector's opinion he must either cancel the detention or confirm it with a modification. Otherwise he must confirm it.

In claiming compensation for an invalid detention the owner must satisfy the arbitrator that any matter did not constitute a valid basis for the inspector's opinion and there were no reasonable grounds for the inspector to form that opinion. If satisfied the arbitrator will award the owner compensation for loss arising from detention of the ship as he thinks fit.

There is normally no appeal against the decision of the arbitrator. However if the Master or owner is concerned that the law was clearly incorrectly applied or the arbitration conducted unfairly he may take legal advice on whether the High Court would overturn the decision on those grounds.

A notice of appeal should be sent to the MCA office issuing the detention order.

Complaint procedure

The MCA has a complaints procedure that is published on our external website (www.dft.gov.uk/mca) if you are not satisfied with the service that you have received, which may include inspection and detention.

If you are not satisfied with the service from the MCA please get in touch with the person or section that you have been dealing with. They will be keen to put the matter right if they can. Contact details are available on the MCA website.

If you remain unsatisfied, you should write, including full details of previous correspondence, to our Chief Executive who will make sure that your complaint is thoroughly investigated.

The MCA aims to provide a full response within ten working days.

If you feel that your complaint has not been handled properly, you can ask us to refer the matter to an Independent Complaints Assessor appointed by the Department for Transport.

The role of the Assessor is to assess the manner in which the complainant's case or request has been handled and also the way in which a complaint has been dealt with.

Alternatively you can write to your Member of Parliament about your complaint, and ask him or her to refer it to the Parliamentary and Health Services Ombudsman.