

1. INTRODUCTION

1.1 General

Paris MoU Port State Control Committee (PSCC) Instructions are drafted for the purpose of providing guidance to the Port State Control Officer (PSCO) in performing a Port State Control (PSC) inspection. They are the basis for harmonizing the practices of the Paris MoU inspection regime. However, the guidance contained in PSCC Instructions does not restrict the PSCO in the scope of inspection or in using their professional judgement while performing the PSC inspection.

PSCOs are expected to carry out their inspections in accordance with the [Code of Good Practice](#). The Code is to assist PSCOs in conducting their inspections to the highest professional level. PSCOs are central to achieving the aims of the Paris MoU. They are the daily contact of the Paris MoU with the shipping world. They are expected to act within the law, within the rules of their Government and in a fair, open, impartial and consistent manner.

The PSCO conducts an inspection of the ship, which is a sampling process and gives a snapshot of the vessel's condition at the time of the visit(s). The inspection report provides the ship's Master the relevant information on the result of the inspection including any detected deficiencies and the time limit for its rectification, in accordance with the PSCO professional judgement.

The inspection report does not constitute a declaration of seaworthiness nor is it a survey for the issuing, endorsing or renewal of statutory certificates.

1.2 Goals and Purposes

PSCC Instructions are intended to provide guidance on the harmonized conduct of PSC inspections, for compliance with the specific subject outlined and provide consistency regarding initial, more detailed and expanded inspections, deficiency identification and the application of control procedures.

Specific goals and purposes are mentioned under the applicable PSCC Instructions, if appropriate.

1.3 Applicability

PSCC Instructions apply to the subject matter, within the context of the applicable Relevant Instruments. Specific Convention application requirements (eg. tonnage, ship type, length, area) may be further outlined in the PSCC Instructions, if appropriate.

1.4 Relevant documentation

Paris Memorandum of Understanding and relevant PSCC Instructions and PSCirculars.

1.5 Definitions and Abbreviations

The PSCC Instruction containing "[Definitions and Abbreviations](#)" serves as general document and is to be used in conjunction with this Paris MoU document.

2. INSPECTION OF SHIP

2.1 Pre-Boarding Preparation

The PSCO should consult the information system ([THETIS](#)) to gain an overview of the previous inspection history of the ship including any outstanding deficiencies, and information from external databases available in THETIS, where appropriate.

2.2 Initial inspection

An initial inspection will be carried out if

- the flag State is a Party to at least those Relevant Instruments that the port State is, and
- there are no clear grounds for a more detailed inspection, including the absence of any [unexpected or overriding factors](#), and:

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- the ship is not a High Risk Ship or of a risk ship type (chemical tanker, gas carrier, oil tanker, NLS tanker, bulk carrier and passenger ship) older than 12 years old.

According MoU [Annex 9, section 2](#), the initial inspection will include :

- as a minimum and to the extent applicable, the examination of the documents listed in [Annex 10](#) of the Memorandum,
- the check of the overall condition and hygiene of the ship and,
- the verification of rectification of outstanding deficiencies, if any.

An initial inspection will include a visit to at least the following areas:

navigation bridge, accommodation and galley, decks including forecastle, , engine room, and, if accessible at the time of inspection cargo holds/areas .

An initial inspection may include functional tests but never an operational control.

2.3 Clear grounds

'Clear grounds' exist when the PSCO finds evidence which in their professional judgement warrants a more detailed inspection of the ship, its equipment or its crew. A clear ground is any evidence for believing that the condition of a ship or of its equipment or crew does not substantially meet the requirements of a Relevant Instrument.

Examples of "clear grounds" are listed in Annex 9 of the Memorandum, which includes unexpected and overriding factors.

More specific "clear grounds" on the subject matter can be found under the relevant applicable PSCC Instructions, if appropriate.

2.4 More detailed inspection

A more detailed inspection will be carried out if:

- prior to or during the inspection there are "clear grounds"
- or**
- the flag State is not a Party to all those Relevant Instruments that the port State is ("[no more favourable treatment](#)").
- outstanding deficiencies have not been rectified satisfactorily;

A more detailed inspection will, in addition to the items to be checked during an initial inspection, include an in-depth examination of as appropriate:

- the areas where clear grounds, including any overriding or unexpected factors are established;
- the areas subject to "no more favourable treatment", and;
- other areas at random from the [risk areas](#) as outlined in the Memorandum.

A more detailed inspection must include at least one [operational control](#).

Guidance on areas which may be included in a more detailed inspection but which are not covered by specific PSCC Instructions, can be found here.

Guidance on operational controls can be found here.

2.5 Expanded inspection

An [expanded inspection](#) (periodic inspection triggered by the inspection interval) will be carried out if the vessel is:

- a Risk Ship Type (Oil Tanker, Bulk Carrier, Passenger Ship, Gas Carrier, Chemical Tanker and NLS tankers) which are more than 12 years old, or
- a High Risk Ship (HRS)

An additional inspection triggered by an overriding or unexpected factor will reset the inspection interval. In case of an additional inspection on vessels of Risk Ship Type over 12 years old or High Risk Ship, the PSCO will decide, based on their professional judgment, to carry out a more detailed inspection or expanded inspection.

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An expanded inspection will, in addition to the items to be checked during an initial inspection, include a check of the overall condition, including the human element where relevant, in the [risk areas](#) as outlined in the Memorandum. A [PSCC Instruction](#) further outlines which specific items in these risk areas listed for each ship type must be part of an expanded inspection.. The inspector must use professional judgement to determine the appropriate depth of examination or testing of each specific item.

There might be exceptional instances where not all required items for an expanded inspection can be completed for valid reasons, such as weather or safety concerns. In those cases, such valid reasons, should be recorded in the “observations to inspection” box of the inspection report.

An expanded inspection may include a more detailed inspection, as appropriate.

2.6 Inspection Campaigns

Inspection campaigns focus on targeted areas during a specific time period. Campaigns are combined with, and in addition to, a regular inspection. Specific PSCO guidance is published for each campaign.

3. FOLLOW UP ACTION

3.1 Deficiencies

On the conclusion of an inspection, the Master of the ship is provided with a report of inspection, giving the results of the inspection. If deficiencies are found the PSCO must:

- decide on the appropriate action to be taken;
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 - decide if it is a ground for detention, ~~and in that case, if it is the RO responsibility;~~
 - Decide if it is the result of an accidental damage;
- decide if it is ISM related.

In principle all deficiencies should be rectified before the departure of the ship. This does not mean that every deficiency must be checked as rectified by the PSCO. However, depending on the criticality of the deficiency the PSCO may decide to give delay for rectification using appropriate action taken codes. In case of deficiencies the report of inspection will include references to the Relevant Instruments and details of any action to be taken.

Deficiencies that are both IMO and ILO related should preferably be registered under an IMO Relevant Instrument.

Footnotes in the texts of the relevant instruments referring to e.g. international standards, codes, guidelines and recommendations might not be mandatory requirements and therefore the PSCO should check before recording any deficiency on missing compliance with the recalled documents.

The [THETIS deficiency matrix](#) contains the list of available deficiency codes. Available action taken codes can be found in a [PSCC Instruction](#).

3.2 Deficiencies warranting detention

A [PSCC Instruction](#) sets out the procedures to be used if detainable deficiencies are found during the course of a ship inspection and include the main criteria for detention and application thereof. Specific PSCC Instructions may include examples of deficiencies warranting detention in the subject area.

Considering the fact that all deficiencies should, in principle, be rectified before the departure of the ship, in case of a detention ALL deficiencies should be marked as to be rectified before departure on the inspection report, at the first visit-inspection.

When all possible efforts have been made to rectify all deficiencies in the port of detention; for non-detainable deficiencies, the PSCO may alter the action code to allow the vessel to proceed to a port where any such deficiencies can be rectified, if appropriate as per PSCO professional judgement and Flag State actions.

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Where detainable deficiencies (including those as a result of accidental damage) cannot be remedied in the port of inspection, the Authority may allow the ship concerned to proceed to the nearest appropriate repair yard available according to specific PSCC instructions. In case of detainable deficiencies in accordance with MLC, 2006, the PSCO may allow the ship to leave the port according to the agreed plan of action in accordance with a specific [PSCC Instruction](#).

3.3 Equipment in excess of convention or flag State requirements

Equipment on board which is expected to be relied on in situations affecting safety or pollution prevention must be in operating condition. If such equipment is inoperative and is in excess of the equipment required by an appropriate convention and/or the flag State on their Records of Equipment, it should be repaired, removed or, if removal is not practicable, clearly marked as inoperative and secured. A deficiency may be raised by PSCO in order to achieve these requirements. Such a deficiency could not be a detainable one except when the equipment concerned directly and seriously affect safety of ship, crew or environment.

3.4 Certification of a ship on voluntary basis

There are situations where ships are voluntarily certified (ISM, MLC 2006) despite the fact that they are not required to comply depending on the ship particulars. In such a case, the PSCO should not record any voluntary certificate details nor raise any deficiency on the non-mandatory requirements for the specific vessel.

The particulars of the ISM Company shall not be recorded in Thetis as it affects the SRP calculation.

3.5 ISM deficiency

Any deficiency found during an inspection should be, individually or collectively considered by the PSCO, using their professional judgement, to indicate that either:

- a. these do not indicate a failure, or lack of effectiveness, of the implementation of the ISM Code; or
- b. there is a failure, or lack of effectiveness, of the implementation of the ISM Code;

If the PSCO considers a deficiency to be ISM related then that is the “clear grounds” to move to a more detailed inspection. It is important to note that a ship’s non-compliance with its own SMS is not a deficiency as the PSCO is not auditing.

Non-rectified outstanding deficiencies from a previous inspection should be considered by the PSCO, using their professional judgement, as a possible indication that there is a failure, or lack of effectiveness, of the implementation of the ISM Code. The same applies to repeated deficiencies from a previous inspection report, although the PSCO should consider the circumstances under which the repetition has taken place. Such circumstances may include inter alia the time-frame, crew and change of ISM company.

In both cases any deficiency raised should contain a reference to the previous same deficiency and include the date of that inspection so as to ascertain it is clear that it concerns a repeated or non-rectified outstanding deficiency.

An ISM (15150) deficiency can only be raised as a result of a more detailed or an expanded inspection.

For any follow-up actions, and further guidance. see [PSCC Instruction](#).

3.6 Accidental damage

Section 3.5 of the Memorandum set out the criteria to be fulfilled to apply accidental damage. If based on the professional judgement of the PSCO “accidental damage” is considered applicable, no detention order under Paris MOU should be issued and the associated deficiency(ies) recorded on the inspection report, requiring rectification before departure.

3.7 Suspension of inspection

In accordance with section 3.6 of the Memorandum, the PSCO may in exceptional circumstances suspend the inspection where:

- a. all applicable statutory certificates as defined in a [PSCC Instruction](#) are missing, expired or invalid, or

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- b. if as a result of a more detailed inspection, the overall condition of a ship and its equipment is found to be obviously sub-standard, with multiple detainable deficiencies across multiple ~~Convention~~ areas A [PSCC Instruction](#) further outlines the criteria and action to be taken.

4. REPORTING

4.1 Inspection report

The report of inspection should include the results of the inspection including references to the Relevant Instruments and details of any action to be taken. The Code of Good Practice sets out the principles to be applied with regard to clarifications to be provided to the Master on any findings and, if applicable, complaint procedures.

The “observation to inspection” box of the inspection report, should be used in case

- a. there are exceptional instances where not all specific required items for an inspection can be completed for valid reasons, such as weather or safety concerns.
- b. the inspection is halted for operational reasons (e.g. over night), or
- c. following a detention, multiple visits are paid to the ship and the result of such an additional visit warrants amendment of the latest inspection report, or
- d. in other instances based upon the professional judgment of the PSCO.

4.2 Items to be recorded

The format of the Paris MoU inspection report is laid down in a PSCC Instruction and consists of a part A and B. For part A, the various sections should be completed, as appropriate, using where applicable the standard action taken codes, which are grouped as follows:

- a. Deficiency Action Taken
- b. Inspection Action Taken
- c. Reporting Action Taken

4.3 Recording deficiencies

A deficiency is a condition found not to be in compliance with the requirements of the Relevant Instrument and the deficiency’s free text should reflect such non-compliance in a well written and unambiguous way. As a rule writing a deficiency is to describe the location, what it relates to and the condition (or Where + What + describe the condition). The deficiency should provide enough information that the crew of the ship, or a different PSCO attending at a next inspection, can identify the deficiency and understand the need to resolve it in the indicated timeframe.

The deficiency wording should not mandate how a deficiency is to be rectified. The role of the Port State is to identify the deficiency, while the implementation for its rectification is the responsibility of the ship and/or the Flag State Administration. The outcome of the rectification process must be acceptable for the port State. As a matter of practice multiple occurrences of the same issue may be combined into a single deficiency, provided that the deficiency code and associated convention reference cover all the combined issues.

4.4 Validation of inspection reports

Validation aims to assure the quality of reporting and enhance harmonisation. It should include a verification and confirmation of all procedural and technical aspects of the inspection, including mandatory items to be covered, other applicable Paris MoU procedures and the accurate and clear reporting of deficiencies. The validation process should also provide input for feedback and continuous improvement of both Paris MoU procedures as well as the professional development of PSCOs.

Validation should be carried out by an experienced PSCO, or any trained person with equivalent capacities, with, if feasible, no direct involvement in the inspection to be validated. If amendments are made to the report at the validation stage, it should be considered if the changes are substantial enough to require forwarding to the vessel for their records.