

Port State Control – Information Notice No. 4 of 2008

The purpose of this notice is to advise shipowners, operators, managers and Masters of Isle of Man registered ships of the following;

Flag State Endorsements & Proof of Application

Over the past several months there has been a steady increase in the number of deficiencies reported at Port State Control Inspections concerning the certification of Masters and Officers in respect of the issue of Flag State Endorsements as required by Regulation I/10 of the STCW Convention 1978 as amended 1995 (STCW 1995) - Recognition of Certificates –

Whereas most of these incidents have been recorded purely as a deficiency on an inspection report by the Port State Control Officer (PSCO) the deficiency can be considered as being a detainable deficiency

Further guidance on the application and requirements for Isle of Man Endorsements is available in Part 2 Masters and Officers of the Merchant Shipping (Manning & Training) Regulations 1996 as amended (SD 723/96)

As a reminder to all Operators and Isle of Managers;

- *“a Master or officer on whose behalf an operator or Isle of Man Manager has made an application for an endorsement shall be considered to be qualified during the first 30 days after joining a Manx ship if the application for an endorsement has been made to the Ship Registry but the endorsement has not yet been delivered to the ship”*

On receipt of an endorsement application at the Ship Registry the confirmation or “proof of application” for that endorsement is normally forwarded from the Ship Registry by way of fax or as an attachment by e-mail to the Isle of Man Manager or the operators crewing / personnel office. The fax or e-mail will contain a copy of the application letter which is stamped and endorsed by the Ship Registry as proof of application. This should be forwarded immediately to the vessel prior to that officer joining

An example of what Port State Control Officers have recently raised as deficiencies on Isle of Man registered vessels is provided below;

1. In Gladstone, Australia (PSC - Code 0270 – Endorsement by Flag State) - 2nd Engineer had no flag state endorsement or proof of application on board
2. In La Plata Roads, Argentina (PSC- Code 0221 – Certificates for Masters and Officers) - original endorsements for the following officers, 2nd Engineer, 3rd Engineer and 4th Engineer not available on board
3. In Houston, Texas, USA (PSC Code 0221 – Certificates for Masters and Officers) - Chief Officer and 3rd Officer no flag state endorsement or proof of application found on board. Ship given a Code 17 by USCG PSCO however, the Captain of the Port (COTP) was considering this deficiency as a detainable item.
4. In Bandar Khomeini, Iran (PSC Code 0270 – Endorsement by Flag State) – 2nd Officer flag state endorsement incorrect with national Certificate of Competency (CoC)

5. In Riga Latvia (PSC Code 0221 – Certificates for Masters and Officers) - Chief Engineer found with only a copy of Flag State endorsement and national CoC, no original documents on board.
6. In Brindisi, Italy, (PSC Code 0224 – Certificates for personnel on Tankers) - Gas Tanker specialisation training endorsements missing from Flag State Endorsement for Chief Officer, Chief Engineer and 2nd Engineer.
7. In Jacksonville, Florida, USA (PSC Code 0221 – Certificates for Masters and Officers) - the Chief Officer did not have a valid Flag State endorsement or any proof of application. USCG PSCO noted this deficiency as a detainable item. **(IOM Ship Registry fought this deficiency and had the detention overturned after a letter of protest to the COTP at Jacksonville Florida)**

Furthermore during routine audits and inspections our own Surveyors have recently discovered Officers without flag state endorsements or proof of application on board, one particular incident was shortly prior to the ships annual PSC inspection in Brazil.

As a reminder for ships Masters at an initial PSC inspection the Port State Control Officer will as a minimum and to the extent applicable, examine the following documents;

Minimum Safe Manning Document
Certificates issued in accordance with STCW Convention

Examples of “clear grounds” for a more detailed PSC inspection:

During examination of the certificates and documents referred to above, the PSCO discovers inaccuracies or the documents have not been properly kept or updated

Manning

The guiding principles for Port State Control of the manning of a foreign ship will be to establish conformity with;

The Flag State's safe manning requirements,
The International provisions as laid down in SOLAS 74, STCW 78 and IMO Res. A890 (21),
The provisions of ILO 147

If a ship is manned in accordance with a safe manning document issued by the flag state, the PSCO will accept that the ship is safely manned

Control under the provisions of STCW 78

Control exercised by PSCOs will be limited to the following inter alia;

Verification that all seafarers serving on board, who are required to be certificated hold an appropriate certificate or a valid dispensation, or provide documentary proof that an application for an endorsement has been submitted to the flag state administration;

Verification that the numbers and certificates of the seafarers serving on board are in conformity with the applicable safe manning requirements of the flag administration;
Application of main criteria

When deciding whether the deficiencies found in a ship are sufficiently serious to merit detention the PSCO will assess whether inter alia;

The ship has relevant and valid documentation

Detainable Deficiencies – General

The lack of valid certificates and documents as required by the relevant Convention instruments

Areas under STCW 78, inter alia

Failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the flag state Administration;

We therefore wish to urge Masters and operators of the importance to have available on board either an Isle of Man Endorsement, or proof of application as soon as an officer joins a ship

**Mark Bregazzi
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Isle of Man Ship Registry**