

**ANNUAL REPORT**

**ON**

**PORT STATE CONTROL**

**IN THE ASIA-PACIFIC REGION**

**2000**

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## FOREWORD

We are pleased to present the **Annual Report on Port State Control in the Asia-Pacific Region 2000**.

In recent years, port State control has been acknowledged world-wide as an important and effective means for eradicating substandard shipping. The establishment and operation of the Memorandum of Understanding on Port State Control in the Asia-Pacific Region (Tokyo MOU) demonstrated the commitment of the region to the promotion of maritime safety and preservation of the marine environment and sent out a clear message that continued operation of substandard ships jeopardizing safety of shipping and protection of marine environment would not be tolerated.

This annual report outlines developments and activities on port State control in the Asia-Pacific region in 2000. Further, the report also includes the statistical data and analysis of the results of port State control inspections conducted by member Authorities of the Tokyo MOU during the year 2000.

The ultimate objective of port State control is to eliminate the operation of substandard ships so as to improve maritime safety and protection of the marine environment. The Port State Control Committee of the Tokyo MOU and the member Authorities will, as a matter of importance, enhance port State control activities in the region and, at the same time, promote harmonization on port State control procedures by further strengthening training, exchange and co-operation programmes to achieve more effective operation of the Memorandum.

K. M. Varghese  
Chairman  
Port State Control Committee

Yoshio Sasamura  
Secretary  
Tokyo MOU Secretariat

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## OVERVIEW

### GENERAL INTRODUCTION

The Annual Report on Port State Control in the Asia-Pacific Region is published under the auspices of the Port State Control Committee of the Memorandum of Understanding on Port State Control in the Asia-Pacific Region (Tokyo MOU). This annual report is the sixth issue and covers port State control activities and developments in the year 2000.

The Memorandum was concluded in Tokyo on 1 December 1993 and has been signed by the following 18 maritime Authorities in the Asia-Pacific region: Australia, Canada, China, Fiji, Hong Kong (China), Indonesia, Japan, Republic of Korea, Malaysia, New Zealand, Papua New Guinea, Philippines, Russian Federation, Singapore, Solomon Islands, Thailand, Vanuatu and Vietnam. The Memorandum came into effect on 1 April 1994.

In accordance with the provisions of the Memorandum, those Authorities which have signed and formally accepted the Memorandum would become full members. Currently, the Memorandum has 17 full members, namely: Australia, Canada, China, Fiji, Hong Kong (China), Indonesia, Japan, Republic of Korea, Malaysia, New Zealand, Papua New Guinea, Philippines, Russian Federation, Singapore, Thailand, Vanuatu and Vietnam. The Authorities of Brunei Darussalam, Chile and Solomon Islands are participating in the Memorandum as

observers.

The main objective of the Memorandum is to establish an effective port State control regime in the Asia-Pacific region, through co-operation and harmonization, to eliminate substandard shipping so as to promote maritime safety, to protect the marine environment and to safeguard working and living conditions on board.

The Port State Control Committee established under the Memorandum monitors and controls the implementation and on-going operation of the Memorandum. The Committee consists of representatives of the maritime Authorities which have adopted the MOU and observer representatives from the United States Coast Guard, the International Maritime Organization (IMO), the International Labour Organization (ILO), the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Paris MOU. The Secretariat of the Memorandum is located in Tokyo, Japan.

For the purpose of the Memorandum, the following instruments are the base for port State control activities in the region:

- the International Convention on Load Lines, 1966;
- the Protocol of 1988 relating to the International Convention on Load Lines, 1966;

- the International Convention for the Safety of Life at Sea, 1974, as amended;
- the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974;
- the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974;
- the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating thereto;
- the International Convention on Standards for Training, Certification and Watchkeeping for Seafarers, 1978, as amended;
- the Convention on the International Regulations for Preventing Collisions at Sea, 1972;
- the International Convention on Tonnage Measurement of Ships, 1969; and
- the Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention No. 147).

Asia-Pacific region in the elimination of substandard shipping and the promotion of maritime safety and protection of the marine environment in the region.

Each year since 1996 the Tokyo MOU has attained and maintained annual regional inspection rates of over 50%, surpassing the primary regional annual target inspection rate as provided in the Memorandum. In order to further enhance port State control activities and extend inspection coverage, the Port State Control Committee has adopted an amendment to the Memorandum to increase the regional annual target inspection rate from 50% to 75%. The new target will be a long term objective to be achieved gradually. Another important development during the year has been the adoption of the criteria for membership, which provides qualitative requirements for member Authorities to establish appropriate and effective port State control systems at national levels. Further, as a matter of priority, the Tokyo MOU will continue its efforts and give more emphasis on harmonization and co-operation in order to further improve the port State control activities in the region and to achieve more effective operation of the Memorandum.

On completion of intensive development and testing, the new information system (APCIS2000) commenced operation on 1 January 2000 as scheduled. The new system, located in Vladivostok, Russian Federation, provides an effective and efficient means for exchanging information in the region and will accept and store full details of port State inspections conducted by member Authorities. The successful development of the new system is appreciated by the Port State Control Committee and the Authorities. Meanwhile, the new system has attracted the

## REVIEW OF YEAR 2000

After years of operation and development, the Tokyo MOU has achieved significant progress on implementation of the Memorandum and has become one of the most active port State control regimes around the world. The success of the Tokyo MOU is proof of the commitment and endeavour of the



interest of newly established MOUs that have not yet developed their information systems. With the approval of the Port State Control Committee, the software of the system will be provided to the Black Sea MOU as the basis for their information system development.

The technical co-operation activities under the Tokyo MOU have been further enhanced by the new programme of fellowship training which was initiated in 2000. In accordance with the integrated strategic plan for training and exchange of port State control officers in the Asia-Pacific region, there are five types of technical co-operation activities implemented currently, i.e. basic training course, expert mission training, fellowship training, PSCO exchange programme and port State control seminars. With the common aim of promoting port State control activities in the region, each activity of the technical co-operation programme also provides specific emphasis to the areas of training, harmonization and knowledge update. Implementation of the technical co-operation programmes have enhanced the quality of activities of the Tokyo MOU considerably. It will be further strengthened and improved in the future so as to promote closer co-operation and achieve

more effective operation of the MOU.

### THE PORT STATE CONTROL COMMITTEE

In the year 2000, the Port State Control Committee had two meetings, i.e. the eighth meeting in February and the ninth meeting in November respectively.

The eighth meeting of the Port State Control Committee was held in Singapore from 21 to 24 February 2000. The meeting was organized by the Maritime and Port Authority of Singapore. Mr. Trevor Rose, Manager, Ship Inspection Programs, Australian Maritime Safety Authority, chaired the meeting. This eighth session of the Committee was attended by representatives of the member Authorities of Australia, Canada, China, Hong Kong (China), Japan, Republic of Korea, Malaysia, New Zealand, Philippines, Russian Federation, Singapore, Thailand, Vanuatu and Vietnam, and observers from the Authority of Brunei Darussalam, the United States Coast Guard, the International Labour Organization, the Secretariats of the Paris MOU and the Indian Ocean MOU.



The eighth Committee meeting, Singapore, February 2000.

The Port State Control Committee adopted the fourth set of amendments to the Memorandum on adjustment of regional annual target inspection rate from 50% to 75% and inclusion of the qualitative criteria for membership as the new annex. These amendments became effective on 1 November 2000. For the purpose of attaining more effective operation of the Memorandum and resolving important

ISM Code, the Committee decided to organize another concentrated inspection campaign on the ISM Code compliance during the period July - September 2002. This campaign will take place concurrently with the one planned by the Paris MOU. The Committee took note of the preliminary results of the concentrated inspection campaign on GMDSS requirements which ran from October to December 1999



The ninth Committee meeting, Nadi, November 2000.

issues raised during intersessional periods, the Committee decided to establish the MOU Standing Working Group (SWG) to facilitate the work of the Committee. The SWG would carry out its functions through internet forum correspondence.

The Committee considered a further analysis of the results of the concentrated inspection campaign on ISM Code compliance, conducted from July to September 1998. For facilitation of the full implementation of the

and agreed to consider the final report of the campaign at its next session.

The Committee decided to revise the Port State Control Manual so as to incorporate the amended IMO port State control procedures and other recent developments to maintain the Manual up-to-date. For better assessment of performance of recognized organizations and providing guidance to port State control officers, the Committee adopted the guidelines for the responsibility assessment of the

recognized organizations.

The Committee noted with satisfaction the successful completion of the five-year training project under which a total of 216 port State control officers from 14 Authorities had received training. The Committee expressed congratulations to the Russian Federation, the host Authority of the information System, for the development and launching of the new APCIS system on schedule.

Furthermore, the Committee also discussed and made decisions on the following issues:

- review of the list of follow-up actions stemming from the Joint Ministerial Declaration;
- approval of arrangements for the on-going and new technical co-operation

of technical co-operation activities;

- provision of the Tokyo MOU PSC data to the European Quality of Shipping Information System (EQUASIS); and
- establishment of a mutual information exchange between the APCIS system and the SIRENAC system of the Paris MOU.

The Port State Control Committee met in Nadi, Fiji, on 13 - 15 November 2000 for its ninth meeting. The Fiji Islands Maritime Safety Administration hosted this meeting. The meeting was chaired by Mr. K. M. Varghese, Assistant Director/Shipping Division, Hong Kong Marine Department. The ninth meeting of the Committee was attended by representatives of member Authorities of China, Fiji, Hong Kong (China), Japan, Republic of Korea, Malaysia, Philippines,



The ninth Committee meeting, Nadi, November 2000.

programmes and guidelines for evaluation

Russian Federation and Vietnam.



At the meeting, the Committee considered the application for observer status by the Authority of Chile and agreed to accept Chile as an observer to the Tokyo MOU. The Committee considered the proposals for further amendments to the Memorandum. In order to give more thorough consideration to the amendments, the Committee decided to defer its final decision and adoption to the next meeting.

The Committee considered the report of the concentrated inspection campaign on GMDSS requirements which was conducted during the period October - December 1999. Based on the analysis of the campaign, the most frequent GMDSS non-compliance found was a lack of the necessary knowledge and skill in operating the GMDSS equipment by personnel on board. In this regard, the Committee agreed that inspection of the GMDSS requirements should be continued and, in particular, the GMDSS related operational requirements should be checked vigorously.

The Committee considered the matter of the development of a ship targeting system under the Tokyo MOU. The Committee established an inter-sessional group, led by the Republic of Korea, to pursue this matter further. The inter-sessional group would prepare proposals on the development of the ship targeting system based on a study of the targeting systems used by the Paris MOU and the United States Coast Guard.

The Committee considered and approved the revised lists of codes and convention references. The Committee further considered the amendments to be incorporated in the revised Port State Control Manual. For

facilitating the task of the revision of the Manual, the Committee set up a correspondence group, under the leadership of Hong Kong, to finalize the revision of the Manual at the earliest opportunity.

The Committee elected Mr. K. M. Varghese, Assistant Director/Shipping Division, Hong Kong Marine Department, as the new Chairman of the Committee. The Committee expressed its sincere appreciation to Mr. Trevor Rose of Australia for his excellent leadership as the Chairman during the previous meetings.

The tenth meeting of the Committee is scheduled in autumn 2001 in Japan.

**ASIA-PACIFIC COMPUTERIZED  
INFORMATION SYSTEM (APCIS)**

For reporting and storing port State inspection results and facilitating exchange of information in the region, in accordance with the Memorandum, a computerized database system, the Asia-Pacific Computerized Information System (APCIS), has been established.

Preceded by the eighth and ninth meetings of the Port State Control Committee, the seventh and the eighth meetings of the Regional Database Managers (DBM) was held on 18 - 19 February 2000 in Singapore and on 10 - 11 November 2000 in Nadi, Fiji, respectively. Dr. Vitali Kliuev, Manager, Asia-Pacific Maritime Information and Advisory Services, chaired both the meetings. The important agenda of the DBM meetings was concerned with the consideration and discussion of matters regarding the establishment and operation of the information system and matters relating to the exchange of information in the region.

At these meetings, it was announced that the new APCIS system had been launched on 1 January 2000 and the majority of the member Authorities had connected to the system. The Regional Database Managers considered the documentation of the new APCIS system and made recommendations thereon to the Committee for approval. For the purpose of monitoring the operation of the new system and evaluation of proposals on system enhancement, the DBM meeting, with the approval of the Committee, established an Advisory Group on Information Exchange to carry out the tasks.

Furthermore, the DBM meeting discussed the revised codes lists, data validation rules and procedures for action taken codes. The meeting also gave consideration to the provision of data to the EQUASIS and exchange of information with the Paris MOU and the United States Coast Guard. The proceedings of and recommendations from the DBM meeting were reported to and approved by the Committee consequently.

#### TRAINING AND SEMINARS FOR PORT STATE CONTROL OFFICERS

Implementation and organization of various technical co-operation activities is one the most important elements of success of the Tokyo MOU. For promotion of activities and harmonization on port State control in the region, the Port State Control Committee adopted a strategic plan for training and exchange of port State control officers



Training course for PSC officers

immediately after the inception of the MOU. The successful implementation of the technical co-operation programmes has enhanced port State control activities in the region tremendously and should continue to contribute to the effective operation of the Memorandum and promote harmonization of port State control throughout the region in the long term.

After completion of the five-year training project in 1999, it was apparent that there were still some training needs remaining. For this purpose, the Port State Control Committee decided to continue the basic training scheme for some more years. In line with this arrangement, the Secretariat, in co-operation with the Government of Japan, organized the tenth basic training course at the Overseas Shipbuilding Cooperation Centre (OSCC), the training institute, in Yokohama, Japan, from 11 to 27 October 2000. Nine port State control officers from different Authorities attended this training course.



Training course for PSC officers

In preparation for the training course, the training textbook was revised to include newly adopted requirements and provisions of the relevant conventions and amended IMO Port State Control Procedures. Before attending the intensive classroom course, trainees were encouraged to pre-study the textbook and other relevant materials and to have some on-board inspection practices in their home country. During the three-week training period, trainees received comprehensive lectures on port State control provisions and procedures, regulations and requirements of conventions. In addition to the in-house lectures, on-the-job training exercises and technical visits were also arranged for trainees during the period. Experts from OSCC, Nippon Kaiji Kyokai, American Bureau of Shipping, Hong Kong Marine Department, the Oil Companies International Marine Forum (OCIMF),

Ministry of Transport of Japan and the Secretariat delivered lectures and presentations at the training course.

On 20 - 22 September 2000, the seventh seminar for port State control officers was held in Vladivostok, Russian Federation, at the kind invitation of the Russian Maritime Administration. The seminar was attended by port State control officers from the Authorities of Canada, China, Hong Kong (China), Indonesia, Japan, Republic of Korea, Malaysia, Papua New Guinea, Russian Federation, Thailand and Vietnam.

The major topics assigned to the seminar were GMDSS requirements, harmonized system of survey and certification (HSSC) and practical use of the APCIS system. During the seminar, presentations were given on GMDSS requirements, results of the concentrated



Training course for PSC officers





The seventh seminar for PSC officers

inspection campaign on GMDSS requirements and principles and requirements of the HSSC. Further, demonstration and explanations were provided on procedures and new functions of the APCIS2000 system. As the standing programme for the seminar, an on-board inspection exercise was conducted and a discussion of the findings was also carried out during the seminar.

In the year 2000, the new technical co-operation programme, fellowship training, was initiated. The aim of the fellowship training is to provide port State control officers with the opportunity to receive practical training on port State control procedures and skills. Under the fellowship training scheme, port State control officers of PSC developing Authorities are sent to PSC advanced Authorities to obtain practical training for a period of three weeks. Two fellowship training courses were organized in 2000. The Authorities of Australia and Canada received eight port State control officers from the Authorities of Indonesia, Malaysia, Solomon Islands and Vietnam and provided the

practical training.

In addition to the basic training course and fellowship training activities, three expert mission training programmes were organized during the year. Experts from Australia, Canada and Hong Kong conducted the training in Port Klang, Penang (Malaysia) and in

Shenzhen (China) respectively. Continuous progress has also been made in the port State control officer exchange programme. Four further port State control officer exchange missions among the Authorities of Australia, Canada, Hong Kong (China), Japan and New Zealand were implemented in 2000.

**PORT STATE CONTROL  
IN OTHER REGIONS**

Following the conclusion of the Memorandum of Understanding on Port State Control in the Black Sea, the regional port State control systems in operation became eight around the world, i.e. Paris MOU, Acuerdo de Viña del Mar Agreement, Tokyo MOU, Caribbean MOU, Mediterranean MOU, Indian Ocean MOU, the West and Central Africa MOU and the Black Sea MOU.

The thirty-third meeting of the Paris MOU Port State Control Committee was held from 9 to 12 May 2000 in Southampton, United Kingdom. In the wake of the ERIKA disaster,

the Paris MOU Committee decided to undertake a concentrated inspection campaign on oil tankers during the period September - November 2000. The Committee also agreed to conduct a concentrated inspection campaign on cargo securing from March to May 2001. Further, the Committee adopted the revised ship targeting factor to give more weighting to the poorest performing flag States and agreed to include a black, grey and white list of flag States in the Annual Report. The Committee accepted the Authority of Iceland as a full member and this brings the number of members of the Paris MOU to 19 Authorities. During the meeting, the Committee also held an open session with representatives of the industry to discuss matters of mutual interest. Representative from the Tokyo MOU Secretariat participated in the Paris MOU Committee meeting.

The Committee of the Latin American Agreement on Port State Control, Acuerdo de Viña del Mar, met for its seventh meeting on 16 - 18 August 2000 in Panama City, Panama. At the meeting, consideration was given to the matter of new procedures for inspection of ships, guidelines for port State control officers, bulk carrier safety and inclusion of ILO Convention No.147 as the relevant instrument. In addition, the Committee of Viña del Mar also considered training of port State control officers as one of the major items on the agenda at the meeting.

The Caribbean MOU Port State Control Committee held its fifth meeting in Georgetown, Guyana, from 8 to 10 November 2000. At the meeting, the important issues on the agenda were implementation of the IMO Port State Control Procedures (Resolution A.787(19)), the report and matrix on strengthening maritime safety administrations, establishment

and operation of the information system and the Caribbean Cargo Ship Safety Code.

The maritime Authorities in the Black Sea area held the final preparatory meeting on 4 - 7 April 2000 in Istanbul, Turkey, for the purpose of establishment of a port State control agreement in the region. At the meeting, the Memorandum of Understanding on Port State Control for the Black Sea Region (Black Sea MOU) was concluded and signed by the Authorities of Bulgaria, Georgia, Romania, Russian Federation, Turkey and Ukraine. The Secretariat will be based in Istanbul, Turkey, and the information center will be located in Novorossiysk, Russian Federation. The first meeting of the Port State Control Committee took place on 13 - 15 December 2000 in Istanbul, Turkey. The major issues discussed were rules of procedures of the Committee, development of the PSC Manual, training and seminar for port State control officers, establishment of an information system and administrative matters.

#### RECENT DEVELOPMENT WITHIN IMO

As a step to support regional port State control agreements and promotion of co-operation and harmonization on port State control globally, IMO convened a workshop for regional port State control agreement Secretaries and Directors of information centers from 7 to 9 June 2000 at the IMO headquarters. Representatives of the Paris MOU, Viña del Mar Agreement, Tokyo MOU, Caribbean MOU, Mediterranean MOU, Indian Ocean MOU, the West and Central African MOU and the Black Sea MOU as well as United States Coast Guard attended the workshop. During the workshop, the matters of co-operation among regional port State control agreements and harmonization of port



State control procedures were discussed and a list of recommendations was made. A Contact Group of Information Exchange (HIE), co-ordinated by the United States Coast Guard, was established to further study inter-regional information exchange and to explore the possibility of harmonizing the PSC coding system.

A number of important amendments to the SOLAS Convention were adopted by IMO in 2000. Among others, the new requirements for carriage of voyage data recorders (VDRs) and automatic identification system (AIS) were introduced under the amendments to Chapter V of SOLAS. Secondly, a new High-Speed Craft Code was adopted to provide requirements for newly built high-speed craft. The new HSC Code will be mandatory under SOLAS Chapter X. Furthermore, the requirements on fire safety under Chapter II-2 of SOLAS have been revised to incorporate the substantial changes introduced following the serious fire casualties in recent years and to make the newly developed International Code for Fire Safety Systems (FSS Code) mandatory. The above mentioned amendments are under tacit acceptance procedures and will enter into force on 1 July 2002.

Upon completion of the work of assessment of reports on implementation of the 1995 STCW Convention by the Parties, IMO published the long-awaited list of countries giving full and complete effect to the convention, the so-called STCW White List. The white list contains 71 member States and one Associate member that met the criteria for inclusion in the list. Countries not on the white list face the fact that seafarers' certificates issued by them may not be accepted by others who are on the list. Moreover, ships flying flags of such

countries will probably be given higher priority for port State control inspections.

The harmonized system of survey and certification (HSSC) adopted under the 1988 Protocols to the SOLAS and Load Lines Conventions and under the amendments to the MARPOL 73/78 Convention became effective on 3 February 2000. The harmonized system introduced unified types and intervals of surveys with the necessary flexibility for arranging surveys so that the problems caused by different survey dates and intervals between surveys could be reduced.

Following the ERIKA accident, extensive debate and discussion took place within the IMO to explore measures to improve the safety of oil tankers. As a result, the proposal to amend regulation 13G of MARPOL 73/78 to accelerate the phase-out of single-hull oil tankers was agreed in principle and will be put on the table for adoption in 2001. The proposed arrangement on the phase-out of single-hull tankers breaks tankers into three categories and provides two alternative schemes for implementation, for final decision at the next meeting of the MEPC.

In addition, the work on the development of measures aimed at eliminating substandard ships has been initiated at the IMO. A preliminary list of a wide range of measures was proposed by a working group. The list contains measures relating to uniform and effective implementation of rules and regulations; technical requirements regarding ship design, construction, repair, surveys and certification; human element and operational requirements; and improvement on port State control. Moreover, the ISM Code will come into full effect on 1 July 2002. All ships subject to the 1974 SOLAS Convention must comply

with the ISM Code requirements on/from that date. Actions were also taken by the IMO to facilitate full and effective implementation of the ISM Code.

## PORT STATE CONTROL UNDER THE TOKYO MOU, 2000

### INSPECTIONS

In 2000, 16,034 inspections were carried out on ships registered in 94 countries. Figure 2 and Table 2 shows number of inspections carried out by the member Authorities of the Tokyo MOU. During the inspections, 10,628 ships were found with deficiencies. Since the total number of individual ships operating in the region was estimated at 24,537\*, the inspection rate in the region was approximately 65% in 2000 (see Figure 1).

Information on inspections according to ships' flag is shown in Table 3.

Figures summarizing inspections according to ship type are set out in Figure 3 and Table 4.



Ships inspected according to classification societies are shown in Table 5.

### DETENTIONS

In case a ship was found that its conditions, equipment and crew did not substantially conform with the standards set out in the relevant instruments, and such deficiency would present danger to the ship or persons on board or an unreasonable threat of harm to the marine environment, the ship would be detained to correct the situation before it is allowed to sail.

In 2000, 1,101 detentions were warranted to ships registered in 53 countries because of serious deficiencies found on board. The rate for detention compared to the inspections carried out was about 6.87%. Figure 4 shows the detention rate by flags where at least 20 port



\* Sum of the numbers of individual ships which visited the ports of the region during the first and second half of the year (the figure was provided by LMIS).

State inspections were involved and where detention rate was above the average regional rate. Figure 5 gives the detention rate by ship type.

## DEFICIENCIES

All conditions on board found by the port State control officers not in compliance with the requirements of the relevant instruments were recorded as deficiencies and requested to be rectified.

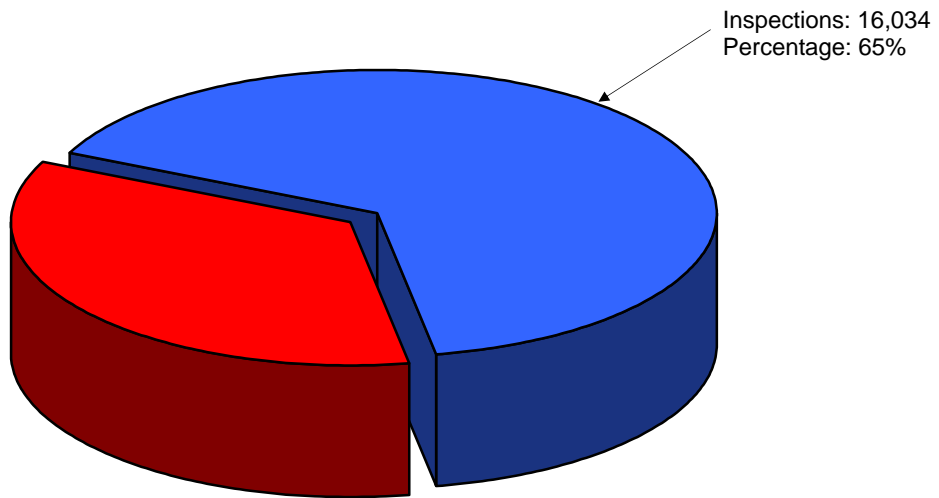
A total of 58,435 deficiencies were recorded in 2000. The deficiencies found are categorized and shown in Figure 6 and Table 6.

It is noted that 11,774 deficiencies were found in life-saving appliances and 8,758 deficiencies in fire safety measures. Deficiencies of these two categories were about 35% of the total number of deficiencies.

## OVERVIEW OF PORT STATE CONTROL RESULTS 1994 – 2000

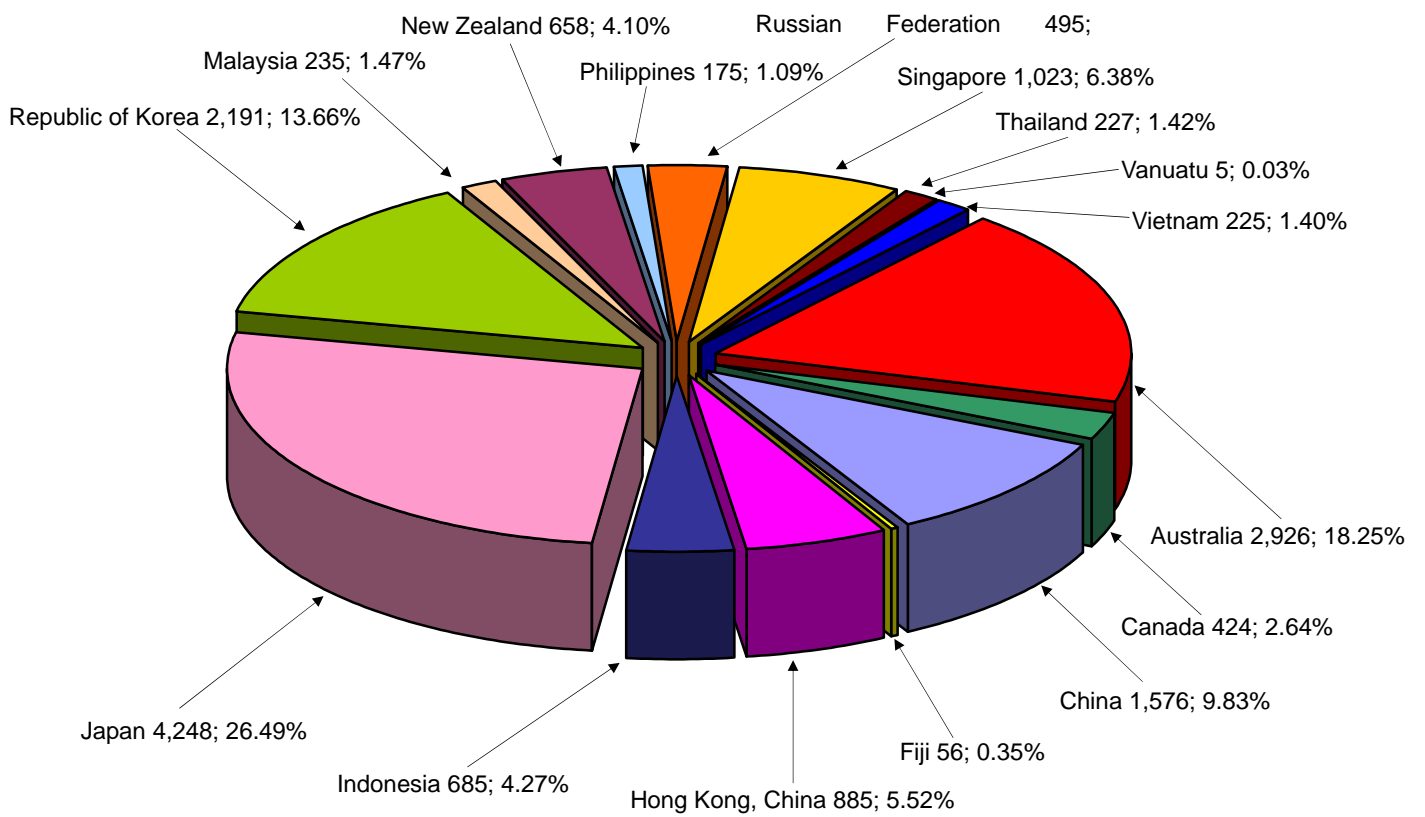
Figures 7-12 show the comparison of port State inspection results for 1994 - 2000. These figures indicate continuous improvements in the port State control activities in the region over the past seven years.

**Figure 1: INSPECTION PERCENTAGE**



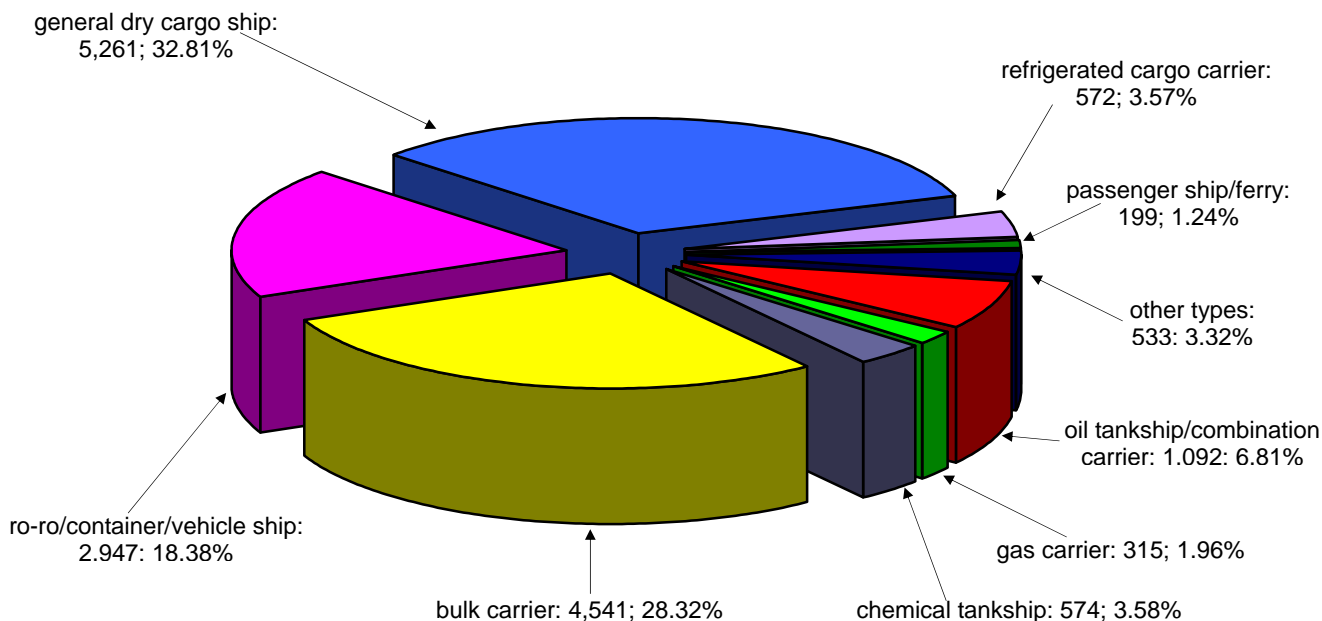
Total individual ship visits: 24,537

**Figure 2: PORT STATE INSPECTIONS - CONTRIBUTION BY AUTHORITIES**

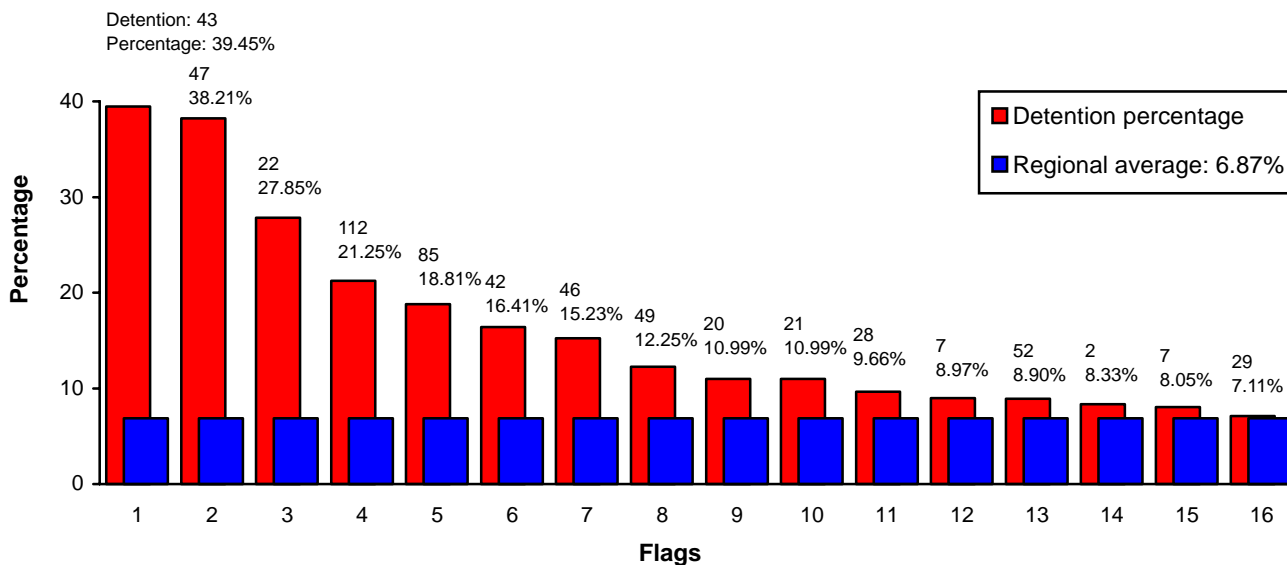


**Total inspections: 16,034**

**Figure 3: TYPE OF SHIP INSPECTED**



**Figure 4: DETENTIONS PER FLAG**

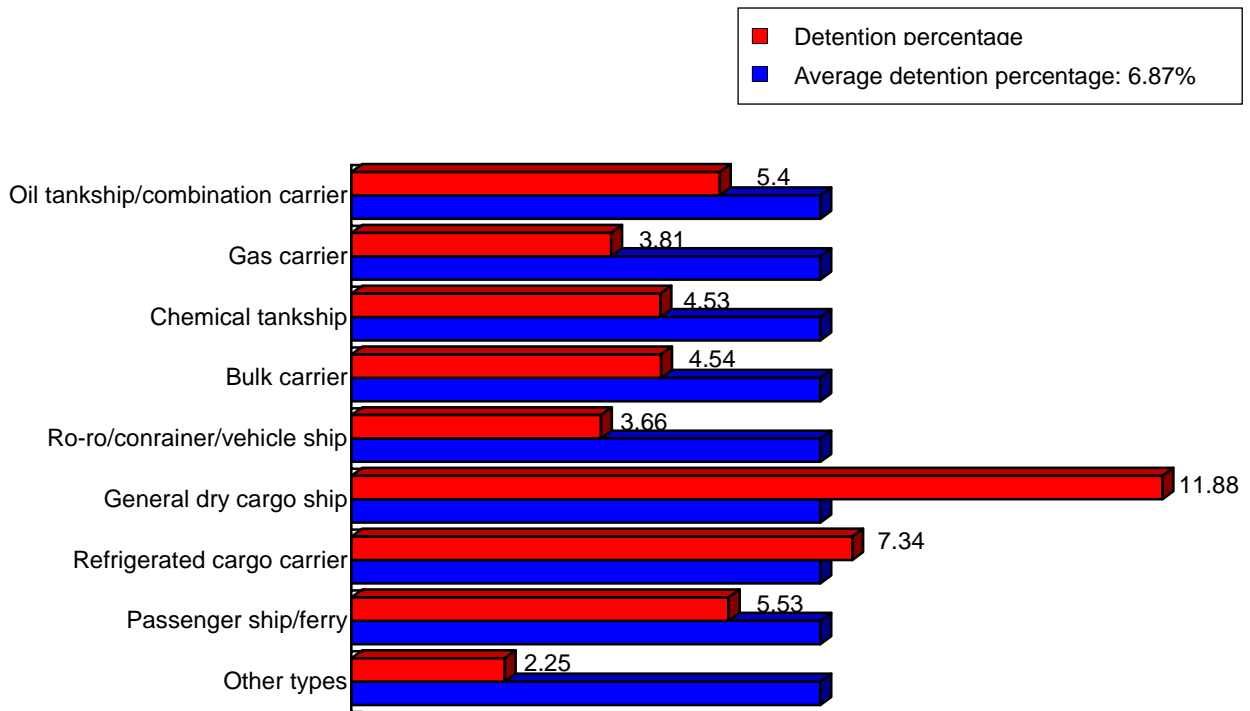


Flags:

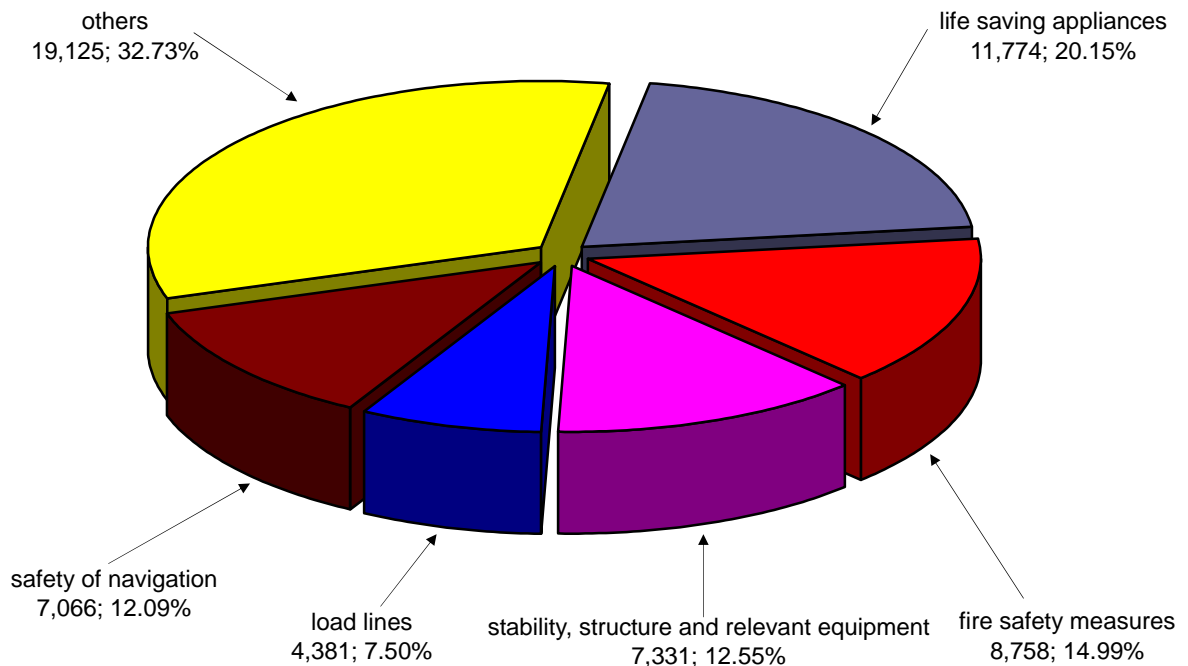
- |                              |              |                                      |             |
|------------------------------|--------------|--------------------------------------|-------------|
| 1. Korea, Dem. People's Rep. | 2. Indonesia | 3. Viet Nam                          | 4. Cambodia |
| 5. Belize                    | 6. Honduras  | 7. Malaysia                          | 8. Russia   |
| 9. Taiwan, China             | 10. Thailand | 11. Saint Vincent and the Grenadines | 12. India   |
| 13. Korea, Republic of       | 14. Egypt    | 15. Turkey                           | 16. Malta   |

Note: Flags listed above are those flags which ships were involved in at least 20 port State inspections and detention percentage of which are above the regional average detention percentage. The complete information on detentions by flag is given in Table 3.

**Figure 5: DETENTION PER SHIP TYPE**

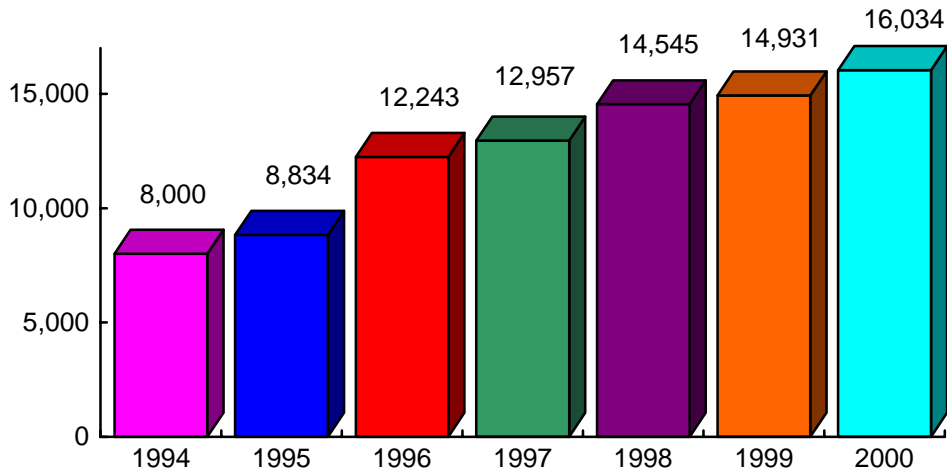


**Figure 6: DEFICIENCIES BY MAIN CATEGORIES**

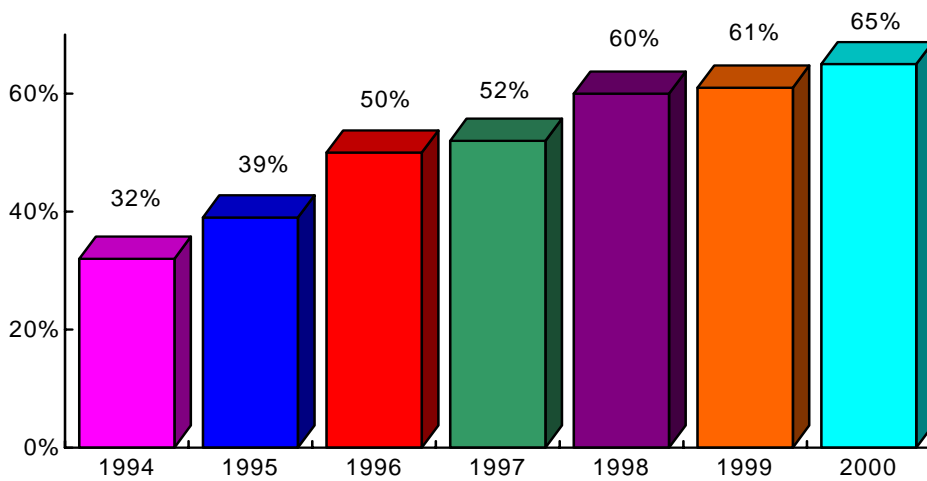


**OVERVIEW OF PORT STATE CONTROL RESULTS 1994 – 2000**

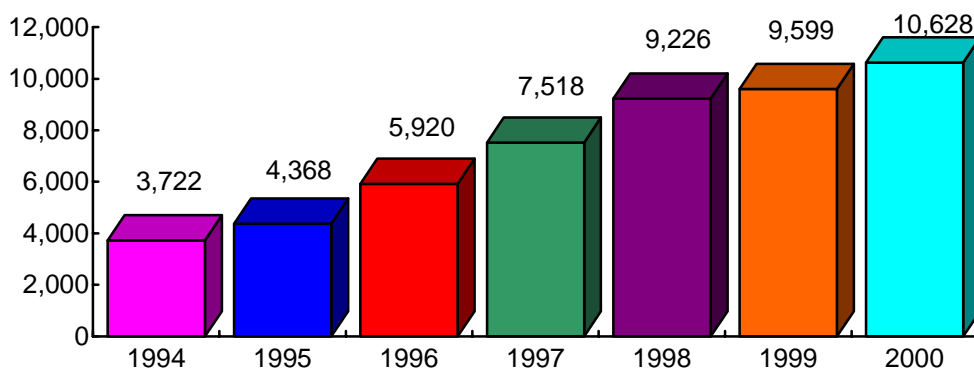
**Figure 7: NO. OF INSPECTIONS**



**Figure 8: INSPECTION PERCENTAGE**

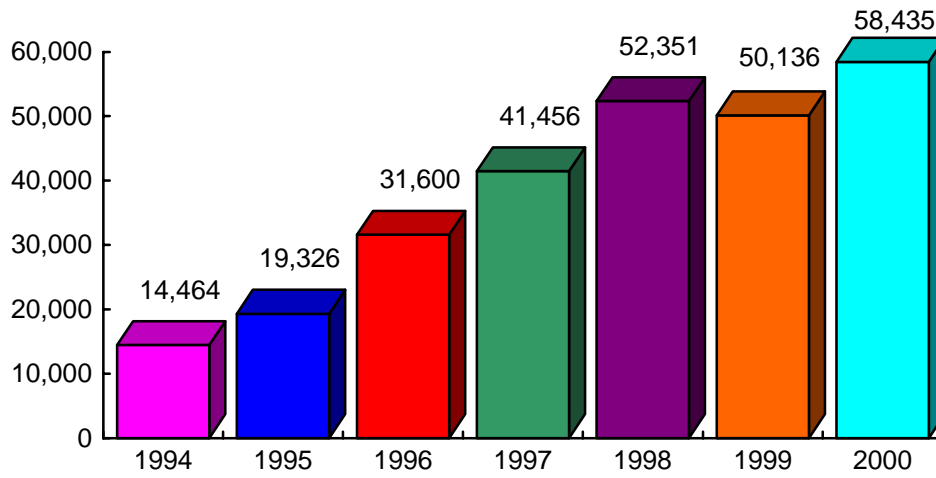


**Figure 9: NO. OF SHIPS WITH DEFICIENCIES**

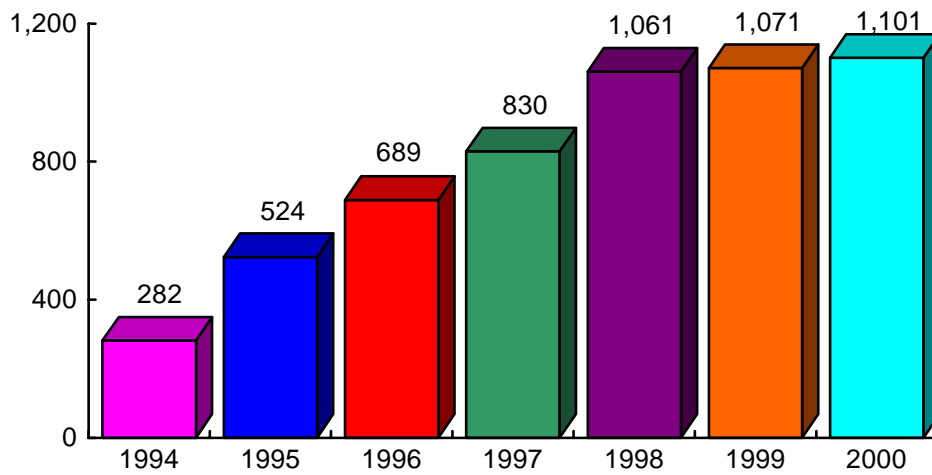




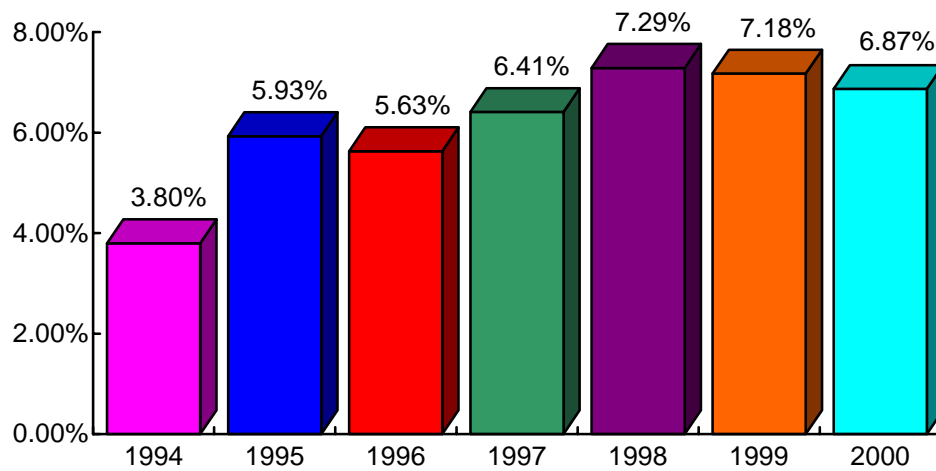
**Figure 10: NO. OF DEFICIENCIES**



**Figure 11: NO. OF DETENTIONS**



**Figure 12: DETENTION PERCENTAGE**



## ANNEX 1

## STATUS OF THE RELEVANT INSTRUMENTS

Table 1: STATUS OF THE RELEVANT INSTRUMENTS

(Date of deposit of instruments)

(As at 31 December 2000)

Authority	TONNAGE 69	LOAD LINE 66	LOAD LINE PROT 88	SOLAS 74	SOLAS PROT 78	SOLAS PROT 88	MARPOL 73/78	STCW 78	COLREG 72	ILO 147
Australia	21/05/82	29/07/68	07/02/97	17/08/83	17/08/83	07/02/97	14/10/87	07/11/83	29/02/80	-
Canada	18/07/94	14/01/70	-	08/05/78	-	-	16/11/92	06/11/87	07/03/75	25/05/93
China	08/04/80	05/10/73	03/02/95	07/01/80	17/12/82	03/02/95	01/07/83	08/06/81	07/01/80	-
Fiji	29/11/72	29/11/72	-	04/03/83	-	-	-	27/03/91	04/03/83	-
Hong Kong, China*	18/07/82	16/08/72	-	25/05/80	14/11/81	-	11/04/85	03/11/84	15/07/77	28/11/80
Indonesia	14/03/89	17/01/77	-	17/02/81	23/08/88	-	21/10/86	27/01/87	13/11/79	-
Japan	17/07/80	15/05/68	24/06/97	15/05/80	15/05/80	24/06/97	09/06/83	27/05/82	21/06/77	31/05/83
Republic of Korea	18/01/80	10/07/69	14/11/94	31/12/80	02/12/82	14/11/94	23/07/84	04/04/85	29/07/77	-
Malaysia	24/04/84	12/01/71	-	19/10/83	19/10/83	-	31/01/97	31/01/92	23/12/80	-
New Zealand	06/01/78	05/02/70	-	23/02/90	23/02/90	-	25/09/98	30/07/86	26/11/76	-
Papua New Guinea	25/10/93	18/05/76	-	12/11/80	-	-	25/10/93	28/10/91	18/05/76	-
Philippines	06/09/78	04/03/69	-	15/12/81	-	-	-	22/02/84	-	-
Russian Federation	20/11/69	04/07/66	18/08/00	09/01/80	12/05/81	18/08/00	03/11/83	09/10/79	09/11/73	07/05/91
Singapore	06/06/85	21/09/71	18/08/99	16/03/81	01/06/84	10/08/99	01/11/90	01/05/88	29/04/77	-
Thailand	11/06/96	30/12/92	-	18/12/84	-	-	-	19/06/97	06/08/79	-
Vanuatu	13/01/89	28/07/82	26/11/90	28/07/82	28/07/82	14/09/92	13/04/89	22/04/91	28/07/82	-
Viet Nam	18/12/90	18/12/90	-	18/12/90	12/10/92	-	29/05/91	18/12/90	18/12/90	-
Brunei Darussalam	23/10/86	06/03/87	-	23/10/86	23/10/86	-	23/10/86	23/10/86	05/02/87	-
Chile	22/11/82	10/03/75	03/03/95	28/03/80	15/07/92	29/09/95	10/10/94	09/06/87	02/08/77	-
Solomon Islands	-	-	-	-	-	-	-	01/06/94	12/03/82	-
Entry into force date	18/07/1982	21/07/1968	03/02/2000	25/05/1980	01/05/1981	03/02/2000	02/10/1983	28/04/1984	15/07/1977	28/11/1981

\* Effective date of extension of instruments.

**Table 1a: STATUS OF MARPOL 73/78**

(Date of deposit of instruments)

(As at 31 December 2000)

Authority	Annexes I & II	Annex III	Annex IV	Annex V
Australia	14/10/87	10/10/94	-	14/08/90
Canada	16/11/92	-	-	-
China	01/07/83	13/09/94	-	21/11/88
Fiji	-	-	-	-
Hong Kong, China*	11/04/85	07/03/95	-	27/03/96
Indonesia	21/10/86	-	-	-
Japan	09/06/83	09/06/83	09/06/83	09/06/83
Republic of Korea	23/07/84	28/02/96	-	28/02/96
Malaysia	31/01/97	-	-	31/01/97
New Zealand	25/09/98	25/09/98	-	25/09/98
Papua New Guinea	25/10/93	25/10/93	25/10/93	25/10/93
Philippines	-	-	-	-
Russian Federation	03/11/83	14/08/87	14/08/87	14/08/87
Singapore	01/11/90	02/03/94	-	27/05/99
Thailand	-	-	-	-
Vanuatu	13/04/89	22/04/91	-	22/04/91
Viet Nam	29/05/91	-	-	-
Brunei Darussalam	23/10/86	-	-	-
Chile	10/10/94	10/10/94	10/10/94	-
Solomon Islands	-	-	-	-
Entry into force date	02/10/83	01/07/92	-	31/12/88

\* Effective date of extension of instruments.

## ANNEX 2

## PORT STATE INSPECTION STATISTICS

## STATISTICS FOR 2000

Table 2: PORT STATE INSPECTIONS CARRIED OUT BY AUTHORITIES

Authority	No. of inspections	No. of ships with deficiencies	No. of deficiencies	No. of detentions	No. of individual ships <sup>1)</sup>	Inspection rate (%)	Detention percentage (%)
Australia	2,926	1,778	9,609	125	4,615	63.40	4.27
Canada <sup>2)</sup>	424	296	1,496	56	1,994	21.26	13.21
China	1,576	1,076	5,700	89	8,150	19.34	5.65
Fiji	56	53	90	1	170	32.94	1.79
Hong Kong, China	885	783	5,367	85	5,627	15.73	9.60
Indonesia	685	388	2,405	6	5,471	12.52	0.88
Japan	4,248	2,775	13,125	269	11,143	38.12	6.33
Republic of Korea	2,191	1,354	5,679	108	9,478	23.12	4.93
Malaysia	235	104	609	7	5,217	4.50	2.98
New Zealand	658	288	1,217	11	1,170	56.24	1.67
Papua New Guinea	0	0	0	0	467	0	
Philippines	175	135	1,514	16	2,601	6.73	9.14
Russian Federation <sup>2)</sup>	495	351	2,322	80	862	57.42	16.16
Singapore	1,023	947	7,020	130	10,882	9.40	12.71
Thailand	227	149	1,071	99	3,488	6.51	43.61
Vanuatu	5	0	0	0	43	11.63	0
Viet Nam	225	151	1,211	19	1,142	19.70	8.44
<b>Total</b>	<b>16,034</b>	<b>10,628</b>	<b>58,435</b>	<b>1,101</b>	<b>Regional 24,537</b>	<b>Regional approx. 65%</b>	<b>Regional 6.87%</b>

1) LMIS data for 2000. (Sum of the number of individual ships visits during the first and second half of the year 2000)

2) Data are only for the Pacific ports.

Table 3: PORT STATE INSPECTIONS PER FLAG

Flag	No. of inspections	No. of ships with deficiencies	No. of deficiencies	No. of detentions	Detention percentage %
Afghanistan	5	5	28	1	20.00
Algeria	4	2	13	1	25.00
Anquilla	1	0	0	0	0
Antigua and Barbuda	135	97	438	5	3.70
Australia	8	4	13	0	0
Austria	2	2	6	0	0
Bahamas	484	272	1,186	12	2.48
Bangladesh	11	9	98	2	18.18
Barbados	7	3	7	1	14.29
Belgium	2	2	7	0	0
Belize	452	412	3,074	85	18.81
Bermuda	44	19	60	0	0
Bolivia	4	4	58	2	50.00
Brazil	2	2	13	1	50.00
Brunei Darussalam	2	1	4	0	0
Bulgaria	6	5	34	0	0
Cambodia	527	481	3,591	112	21.25
Cayman Islands	26	12	50	0	0
Chile	1	1	2	0	0
China	809	536	2,644	24	2.97
Colombia	1	1	22	1	100.00
Cook Islands	4	4	14	0	0
Croatia	11	7	24	0	0
Cyprus	621	389	2,085	31	4.99
Denmark	112	55	247	3	2.68
Egypt	24	20	111	2	8.33
Ethiopia	2	1	3	0	0
Fiji	3	3	34	0	0
France	23	11	31	0	0
French Antarctic Territory	4	3	10	0	0
Georgia	1	1	4	0	0
Germany	143	84	251	1	0.70
Gibraltar	1	0	0	0	0
Greece	306	139	613	14	4.58
Honduras	256	208	1,614	42	16.41
Hong Kong, China	404	204	848	8	1.98
India	78	59	424	7	8.97
Indonesia	123	114	1,329	47	38.21
Iran	50	37	200	2	4.00
Isle of Man	45	24	73	0	0

Flag	No. of inspections	No. of ships with deficiencies	No. of deficiencies	No. of detentions	Detention percentage %
Israel	9	4	9	0	0
Italy	36	26	139	2	5.56
Japan	174	90	335	2	1.15
Korea, Democratic People's Republic	109	105	1,022	43	39.45
Korea, Republic of	584	465	2,415	52	8.90
Kuwait	18	12	52	1	5.56
Kyrgyzstan	2	1	1	0	0
Latvia	10	2	4	0	0
Lebanon	1	0	0	0	0
Liberia	939	504	2,043	29	3.09
Lithuania	2	1	6	0	0
Luxemburg	4	1	2	0	0
Malaysia	302	233	1,678	46	15.23
Maldives	6	6	50	1	16.67
Malta	408	271	1,586	29	7.11
Marshall Islands	61	40	188	2	3.28
Mauritius	3	3	8	0	0
Myanmar	38	28	192	2	5.26
Netherlands	117	59	208	3	2.56
Netherlands Antilles	26	9	32	0	0
New Zealand	6	4	9	0	0
Nigeria	2	2	29	0	0
Norway	253	143	495	9	3.56
Pakistan	22	19	87	1	4.55
Panama	5,508	3,428	17,252	254	4.61
Papua New Guinea	5	5	37	1	20.00
Philippines	418	290	1,479	22	5.26
Poland	2	2	9	1	50.00
Portugal	3	2	13	0	0
Qatar	8	5	27	0	0
Romania	2	2	10	1	50.00
Russia	400	316	1,325	49	12.25
Saint Vincent and the Grenadines	290	242	1,534	28	9.66
Saudi Arabia	15	9	37	0	0
Sierra Leone	6	6	157	6	100.00
Singapore	693	445	2,443	34	4.91
Slovakia	3	3	21	0	0
South Africa	6	3	3	0	0
Spain	1	1	4	0	0
Sri Lanka	4	2	14	0	0

<b>Flag</b>	<b>No. of inspections</b>	<b>No. of ships with deficiencies</b>	<b>No. of deficiencies</b>	<b>No. of detentions</b>	<b>Detention percentage %</b>
Sweden	22	9	17	0	0
Switzerland	21	10	35	0	0
Taiwan, China	182	155	943	20	10.99
Thailand	191	158	1,243	21	10.99
Tonga	17	15	74	1	5.88
Turkey	87	73	517	7	8.05
Ukraine	7	6	27	2	28.57
United Arab Emirates (UAE)	10	8	64	0	0
United Kingdom (UK)	64	34	102	0	0
United States of America	25	13	36	0	0
Uzbekistan	1	0	0	0	0
Vanuatu	77	43	240	2	2.60
Venezuela	7	7	54	1	14.29
Viet Nam	79	71	753	22	27.85
Other	4	4	112	3	75.00
<b>Total</b>	<b>16,034</b>	<b>10,628</b>	<b>58,435</b>	<b>1,101</b>	<b>Regional 6.87</b>

Table 4: PORT STATE INSPECTIONS PER SHIP TYPE

Type of ship	No. of inspections	No. of ships with deficiencies	No. of deficiencies	No. of detentions	Detention percentage %
Tanker, not otherwise specified	102	76	406	6	5.88
Combination carrier	159	88	356	7	4.40
Oil tanker	831	427	2,004	46	5.54
Gas carrier	315	152	565	12	3.81
Chemical tanker	574	317	1,225	26	4.53
Bulk carrier	4,541	2,631	13,179	206	4.54
Vehicle carrier	463	241	810	12	2.59
Container ship	2,274	1,575	7,037	85	3.74
Ro-Ro cargo ship	210	134	639	11	5.24
General cargo/multi-purpose ship	5,261	4,161	28,291	625	11.88
Refrigerated cargo carrier	572	375	1,813	42	7.34
Woodchip carrier	119	64	215	1	0.84
Livestock carrier	78	57	401	0	0
Ro-Ro Passenger ship	23	18	86	1	4.35
Passenger ship	176	123	496	10	5.68
Factory ship	1	1	2	0	0
Heavy load carrier	28	16	49	0	0
Offshore service vessel	87	54	269	3	3.45
High speed passenger craft	11	10	42	1	9.09
MODU & FPSO	1	1	1	0	0
Special purpose ship	39	18	63	0	0
Tugboat	85	36	232	4	4.71
Fishing vessel	4	2	6	0	0
Others	80	51	248	3	3.75
<b>Total</b>	<b>16,034</b>	<b>10,628</b>	<b>58,435</b>	<b>1,101</b>	<b>6.87</b>



**Table 5: PORT STATE INSPECTIONS PER CLASSIFICATION SOCIETY**

<b>Classification society</b>	<b>No. of inspections</b>	<b>No. of ships with deficiencies</b>	<b>No. of detentions*</b>	<b>Detention percentage %</b>
American Bureau of Shipping	1,001	579	36	3.60
Biro Klasifikasi Indonesia	72	68	36	50.00
Bulgarski Koraben Registar	2	2	0	0
Bureau Veritas	779	494	48	6.16
China Classification Society	1,190	830	69	5.80
China Corporation Register of Shipping	276	227	36	13.04
Croatian Register of Shipping	27	20	0	0
Cyprus Bureau of Shipping	32	27	1	3.13
Det Norske Veritas	1,058	547	37	3.50
Germanischer Lloyd	881	581	39	4.43
Hellenic Register of Shipping	5	4	1	20.00
Honduras International Surveying and Inspection Bureau	24	21	6	25.00
INCLAMAR	13	11	0	0
Indian Register of Shipping	38	30	4	10.53
Korean Register of Shipping	1,153	854	69	5.98
Lloyd's Register of Shipping	1,528	926	63	4.12
Nippon Kaiji Kyokai	5,723	3,502	238	4.16
NV Unitas	2	2	0	0
Panama Bureau of Shipping	23	20	1	4.35
Panama Maritime Surveyors Bureau Inc	51	46	6	11.76
Panama Register Corporation	24	24	11	45.83
Polski Rejestr Statkow	32	27	3	9.38
Register of Shipping (Albania)	2	1	0	0
Register of Shipping (DPR Korea)	62	61	21	33.87
Registro Italiano Navale	115	84	9	7.83
RINAVE Portugeuesa	11	8	0	0
Romanian Naval Register	3	2	0	0
Russian Maritime Register of Shipping	486	392	57	11.73
Turkish Lloyd	5	4	1	20.00
Viet Nam Register of Shipping	54	52	21	38.89
Other	1,362	1,182	288	21.15
<b>Total</b>	<b>16,034</b>	<b>10,628</b>	<b>1,101</b>	<b>6.87</b>

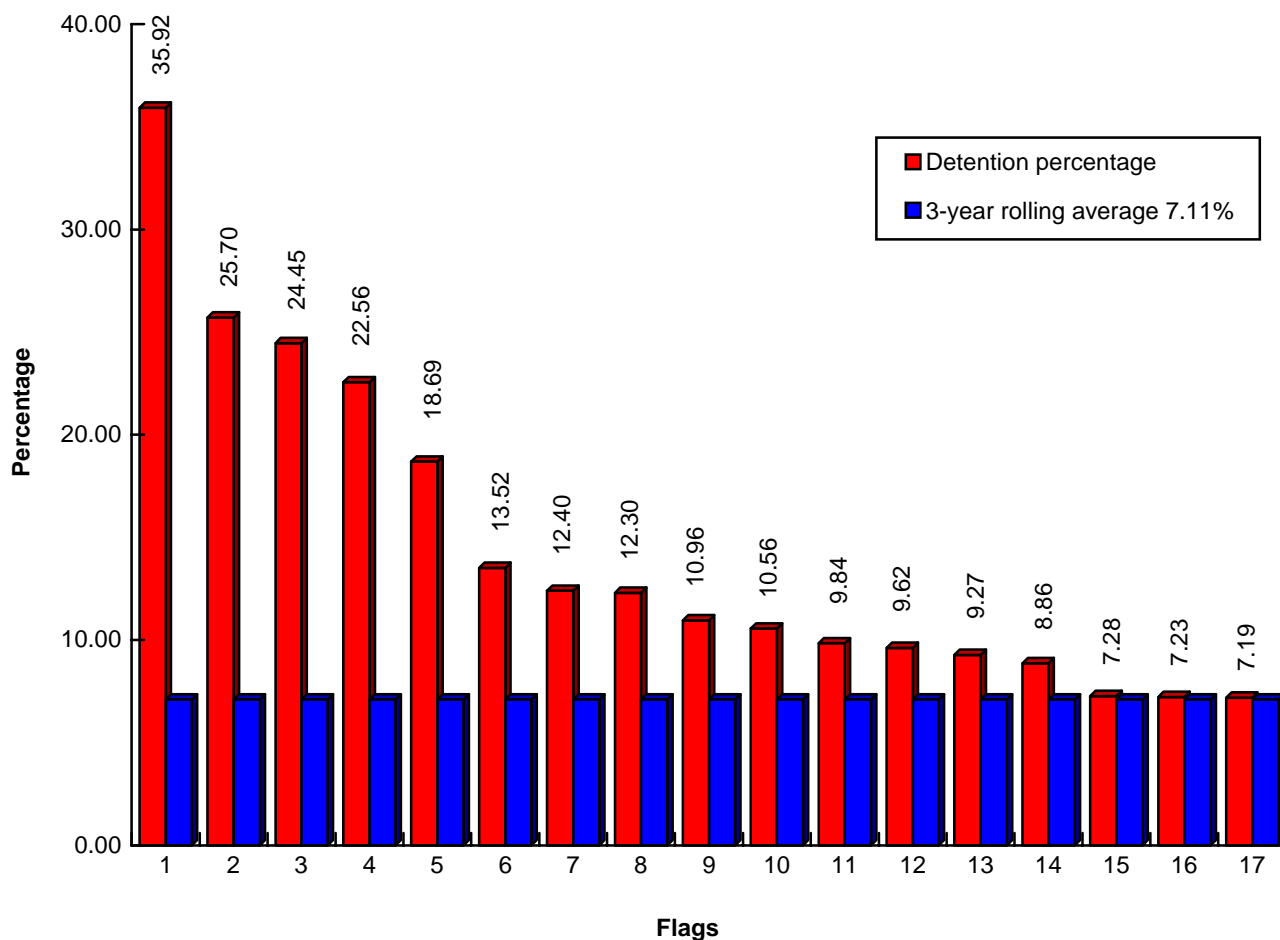
\* **Note:** Deficiencies for which a ship is detained may not necessarily be related to the matters covered by the certificates issued by the classification society.

Table 6: DEFICIENCIES BY CATEGORIES

Nature of deficiencies	No. of deficiencies
Ship's certificates and documents	2,602
Certification and watchkeeping for seafarers	739
Crew and accommodation (ILO 147)	695
Food and catering (ILO 147)	410
Working spaces (ILO 147)	251
Lifesaving appliances	11,774
Fire safety measures	8,758
Accident prevention (ILO 147)	472
Stability, structure and related equipment	7,331
Alarm signals	179
Carriage of cargo and dangerous goods	523
Load lines	4,381
Mooring arrangements (ILO 147)	603
Propulsion and auxiliary machinery	1,602
Safety of navigation	7,066
Radiocommunications	2,573
MARPOL-Annex I	3,784
Oil, chemical tankers and gas carriers	119
MARPOL-Annex II	35
SOLAS related operational deficiencies	1,991
MARPOL related operational deficiencies	967
MARPOL-Annex III	15
MARPOL-Annex V	75
ISM related deficiencies	719
Other deficiencies	771
<b>Total</b>	<b>58,435</b>

SUMMARY OF PORT STATE INSPECTION DATA 1998 – 2000

Figure 13: FLAGS WITH DETENTION PERCENTAGES EXCEEDING 3-YEAR ROLLING AVERAGE DETENTION PERCENTAGE



Flags:

- |                              |                   |                                     |                    |
|------------------------------|-------------------|-------------------------------------|--------------------|
| 1. Korea, Dem. People's Rep. | 2. Cambodia       | 3. Belize                           | 4. Indonesia       |
| 5. Viet Nam                  | 6. Turkey         | 7. Saint Vincent and the Grenadines | 8. Honduras        |
| 9. Russia                    | 10. Malaysia      | 11. Thailand                        | 12. Malta          |
| 13. Korea, Republic of       | 14. Taiwan, China | 15. India                           | 16. Cayman Islands |
| 17. Iran                     |                   |                                     |                    |

Note: Flags listed above are those flags which ships were involved in at least 60 port State inspections in the period 1998 - 2000 and detention percentage of which are above the regional 3-year rolling average detention percentage. The complete information on inspections and detentions is given in Table 7.

**Table 7: FLAGS WITH DETENTION PERCENTAGES  
EXCEEDING 3-YEAR ROLLING AVERAGE DETENTION PERCENTAGE**

<b>Number of bar in Figure 13</b>	<b>Flag</b>	<b>Number of inspections 1998-2000</b>	<b>Number of detentions 1998-2000</b>	<b>Detention percentage 1998-2000</b>	<b>3-year rolling average detention percentage 1998-2000</b>	<b>Excess of average detention percentage 1998-2000</b>
1	Korea, Democratic People's Republic	245	88	35.92	7.11	28.81
2	Cambodia	922	237	25.70	7.11	18.59
3	Belize	1,325	324	24.45	7.11	17.34
4	Indonesia	390	88	22.56	7.11	15.45
5	Viet Nam	214	40	18.69	7.11	11.58
6	Turkey	244	33	13.52	7.11	6.41
7	Saint Vincent and the Grenadines	1,016	126	12.40	7.11	5.29
8	Honduras	1,122	138	12.30	7.11	5.19
9	Russia	1,314	144	10.96	7.11	3.85
10	Malaysia	890	94	10.56	7.11	3.45
11	Thailand	559	55	9.84	7.11	2.73
12	Malta	936	90	9.62	7.11	2.51
13	Korea, Republic of	1,403	130	9.27	7.11	2.16
14	Taiwan, China	508	45	8.86	7.11	1.75
15	India	302	22	7.28	7.11	0.17
16	Cayman Islands	83	6	7.23	7.11	0.12
17	Iran	153	11	7.19	7.11	0.08

Table 8: INSPECTIONS AND DETENTIONS PER FLAG

Flag	Number of inspections				Number of detentions				3-year rolling average detention %
	1998	1999	2000	Total	1998	1999	2000	Total	
Afghanistan	3	1	5	9	0	0	1	1	11.11
Albania	10	11	0	21	0	0	0	0	0
Algeria	5	7	4	16	1	2	1	4	25.00
Anquilla	1	0	1	2	0	0	0	0	0
Antigua and Barbuda	69	85	135	289	5	8	5	18	6.23
Aruba	3	0	0	3	1	0	0	1	33.33
Australia	22	11	8	41	0	0	0	0	0
Austria	0	0	2	2	0	0	0	0	0
Bahamas	417	428	484	1,329	12	18	12	42	3.16
Bahrain	5	3	0	8	0	0	0	0	0
Bangladesh	10	8	11	29	1	2	2	5	17.24
Barbados	13	4	7	24	1	0	1	2	8.33
Belgium	4	0	2	6	0	0	0	0	0
Belize	425	448	452	1,325	120	119	85	324	24.45
Bermuda	30	32	44	106	0	1	0	1	0.94
Bolivia	0	0	4	4	0	0	2	2	50.00
Brazil	3	4	2	9	1	1	1	3	33.33
Brunei Darussalam	1	2	2	5	1	0	0	1	20.00
Bulgaria	4	7	6	17	2	1	0	3	17.65
Cambodia	142	253	527	922	34	91	112	237	25.70
Cameroon	4	6	0	10	0	0	0	0	0.00
Cayman Islands	32	25	26	83	2	4	0	6	7.23
Chile	2	2	1	5	0	0	0	0	0
China	791	802	809	2,402	54	51	24	129	5.37
Colombia	0	0	1	1	0	0	1	1	100.00
Comores	2	4	0	6	0	0	0	0	0
Cook Islands	8	3	4	15	0	3	0	3	20.00
Croatia	10	13	11	34	0	1	0	1	2.94
Cuba	2	1	0	3	0	0	0	0	0
Cyprus	525	617	621	1,763	30	33	31	94	5.33
Denmark	96	117	112	325	3	4	3	10	3.08
Ecuador	0	1	0	1	0	0	0	0	0
Egypt	23	21	24	68	2	0	2	4	5.88
Equatorial Guinea	3	4	0	7	1	0	0	1	14.29

Flag	Number of inspections				Number of detentions				3-year rolling average detention %
	1998	1999	2000	Total	1998	1999	2000	Total	
Estonia	1	0	0	1	0	0	0	0	0
Ethiopia	3	4	2	9	0	0	0	0	0
Fiji	2	1	3	6	0	0	0	0	0
France	23	35	23	81	2	0	0	2	2.47
French Antarctic Territory	0	0	4	4	0	0	0	0	0
French Polynesia	1	0	0	1	0	0	0	0	0
Gabon	1	0	0	1	0	0	0	0	0
Georgia	0	0	1	1	0	0	0	0	0
Germany	140	117	143	400	5	3	1	9	2.25
Ghana	0	1	0	1	0	0	0	0	0
Gibraltar	0	2	1	3	0	0	0	0	0
Greece	283	227	306	816	11	14	14	39	4.78
Guinea	7	1	0	8	1	1	0	2	25.00
Honduras	484	382	256	1,122	62	34	42	138	12.30
Hong Kong, China	271	270	404	945	11	5	8	24	2.54
India	121	103	78	302	8	7	7	22	7.28
Indonesia	131	136	123	390	19	22	47	88	22.56
Iran	54	49	50	153	3	6	2	11	7.19
Isle of Man	31	34	45	110	0	0	0	0	0
Israel	14	5	9	28	1	0	0	1	3.57
Italy	22	36	36	94	2	1	2	5	5.32
Japan	163	183	174	520	5	3	2	10	1.92
Jordan	1	0	0	1	0	0	0	0	0
Kiribati	2	2	0	4	1	0	0	1	25.00
Korea, Democratic People's Republic	53	83	109	245	13	32	43	88	35.92
Korea, Republic of	401	418	584	1,403	40	38	52	130	9.27
Kuwait	25	18	18	61	0	2	1	3	4.92
Kyrgyzstan	0	0	2	2	0	0	0	0	0
Latvia	1	6	10	17	0	0	0	0	0
Lebanon	1	0	1	2	0	0	0	0	0
Liberia	897	1,015	939	2,851	44	29	29	102	3.58
Libyan Arab Jamahiriya	2	2	0	4	0	0	0	0	0
Lithuania	1	1	2	4	0	0	0	0	0
Luxemburg	2	3	4	9	0	0	0	0	0
Maderia	1	0	0	1	1	0	0	1	100.00

Flag	Number of inspections				Number of detentions				3-year rolling average detention %
	1998	1999	2000	Total	1998	1999	2000	Total	
Malaysia	311	277	302	890	26	22	46	94	10.56
Maldives	6	6	6	18	1	1	1	3	16.67
Malta	255	273	408	936	38	23	29	90	9.62
Marshall Islands	50	49	61	160	1	2	2	5	3.13
Mauritius	0	0	3	3	0	0	0	0	0
Mexico	1	0	0	1	0	0	0	0	0
Moldavia	1	1	0	2	0	0	0	0	0
Mozambique	1	0	0	1	0	0	0	0	0
Myanmar	57	59	38	154	3	5	2	10	6.49
Netherlands	169	101	117	387	1	2	3	6	1.55
Netherlands Antilles	6	16	26	48	0	0	0	0	0
New Zealand	15	11	6	32	1	1	0	2	6.25
Nigeria	0	1	2	3	0	0	0	0	0
Norway	276	237	253	766	5	7	9	21	2.74
Pakistan	20	11	22	53	1	0	1	2	3.77
Panama	4,635	4,930	5,508	15,073	237	243	254	734	4.87
Papua New Guinea	6	11	5	22	2	1	1	4	18.18
Philippines	514	466	418	1,398	19	24	22	65	4.65
Poland	4	2	2	8	1	0	1	2	25.00
Portugal	3	2	3	8	1	0	0	1	12.50
Qatar	7	8	8	23	0	0	0	0	0
Romania	5	6	2	13	0	0	1	1	7.69
Russia	509	405	400	1,314	40	55	49	144	10.96
Saint Helena	1	8	0	9	0	0	0	0	0
Saint Vincent and the Grenadines	361	365	290	1,016	57	41	28	126	12.40
Saudi Arabia	10	7	15	32	2	0	0	2	6.25
Senegal	0	4	0	4	0	0	0	0	0
Sierra Leone	0	1	6	7	0	1	6	7	100.00
Singapore	710	724	693	2,127	39	31	34	104	4.89
Slovakia	3	1	3	7	0	1	0	1	14.29
Solomon Islands	1	0	0	1	1	0	0	1	100.00
South Africa	2	3	6	11	0	0	0	0	0
Spain	0	2	1	3	0	0	0	0	0
Sri Lanka	7	2	4	13	1	0	0	1	7.69
Sweden	7	15	22	44	0	0	0	0	0

Flag	Number of inspections				Number of detentions				3-year rolling average detention %
	1998	1999	2000	Total	1998	1999	2000	Total	
Switzerland	9	10	21	40	0	0	0	0	0
Taiwan, China	158	168	182	508	13	12	20	45	8.86
Tanzania	1	1	0	2	0	1	0	1	50.00
Thailand	166	202	191	559	17	17	21	55	9.84
Tonga	15	17	17	49	1	2	1	4	8.16
Turkey	69	88	87	244	11	15	7	33	13.52
Tuvalu	3	1	0	4	0	0	0	0	0
Ukraine	11	3	7	21	0	0	2	2	9.52
United Arab Emirates (UAE)	11	8	10	29	1	2	0	3	10.34
United Kingdom (UK)	78	59	64	201	3	1	0	4	1.99
United States of America	31	30	25	86	0	2	0	2	2.33
Uruguay	1	1	0	2	0	0	0	0	0
Uzbekistan	0	0	1	1	0	0	0	0	0
Vanuatu	97	82	77	256	2	1	2	5	1.95
Venezuela	0	0	7	7	0	0	1	1	14.29
Viet Nam	62	73	79	214	9	9	22	40	18.69
Other	76	120	4	200	27	13	3	43	21.50
<b>Total</b>	<b>14,545</b>	<b>14,921</b>	<b>16,034</b>	<b>45,500</b>	<b>1,061</b>	<b>1,071</b>	<b>1,101</b>	<b>3,233</b>	<b>7.11</b>



Figure 14: COMPARISON OF INSPECTIONS PER SHIP TYPE

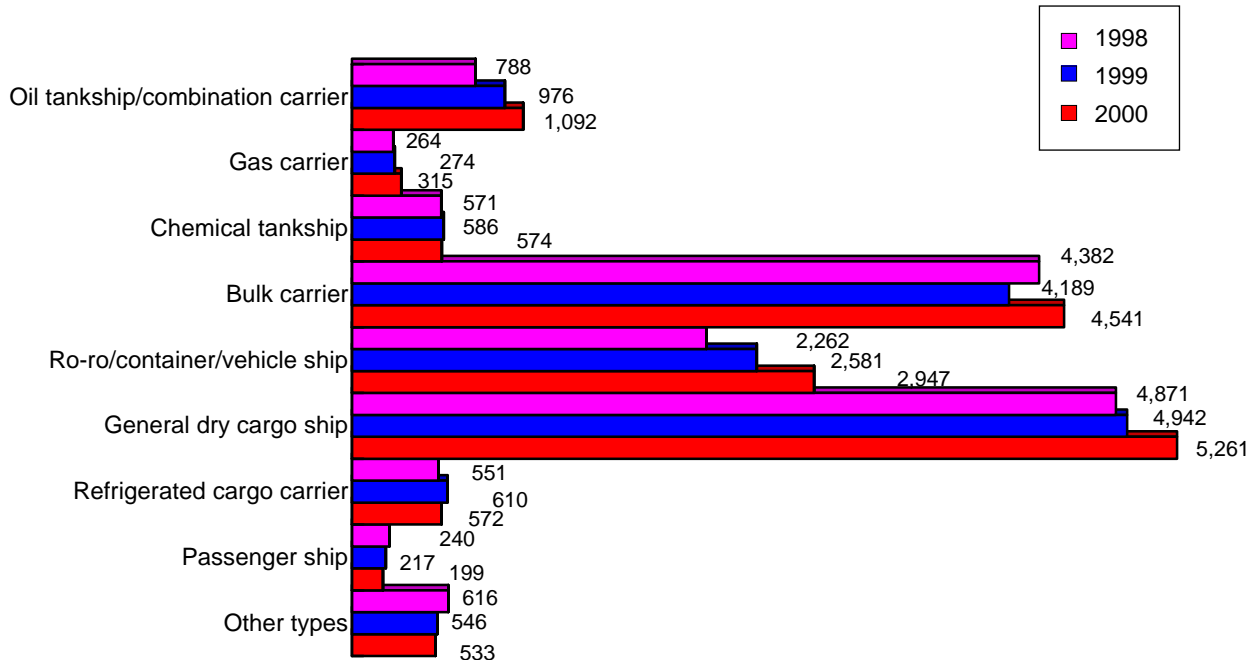


Figure 15: COMPARISON OF DETENTIONS PER SHIP TYPE

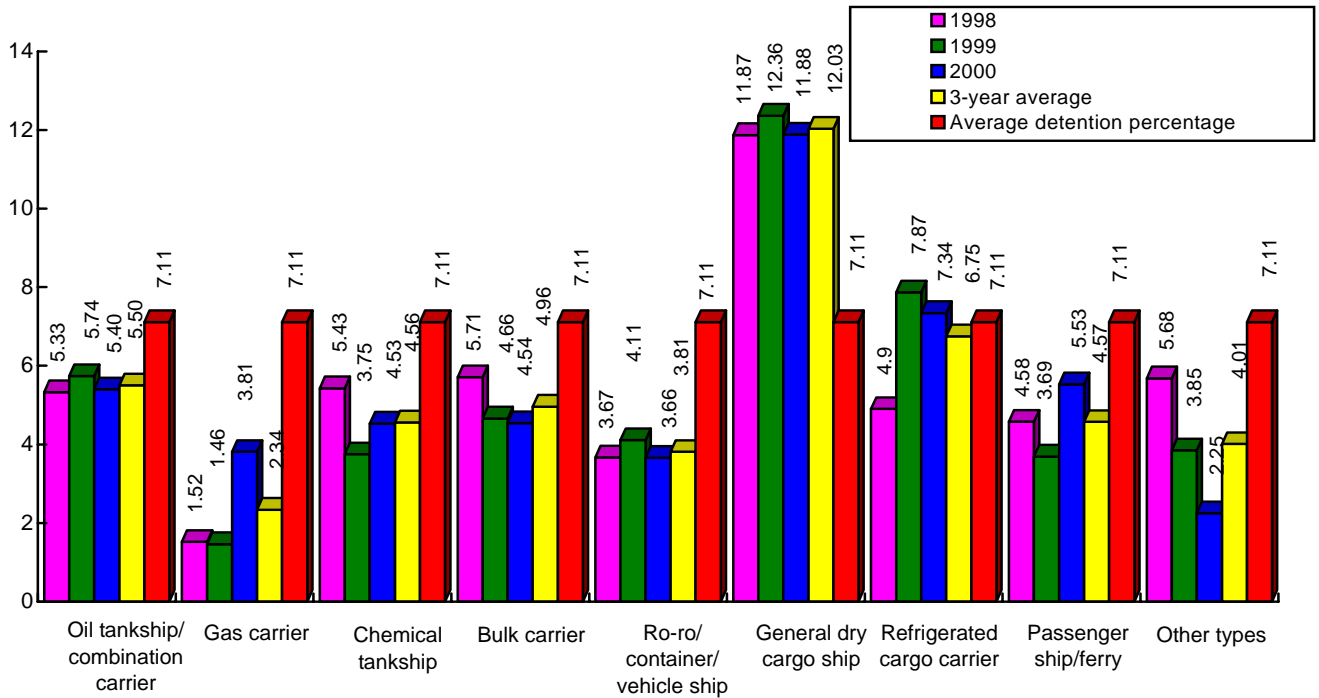
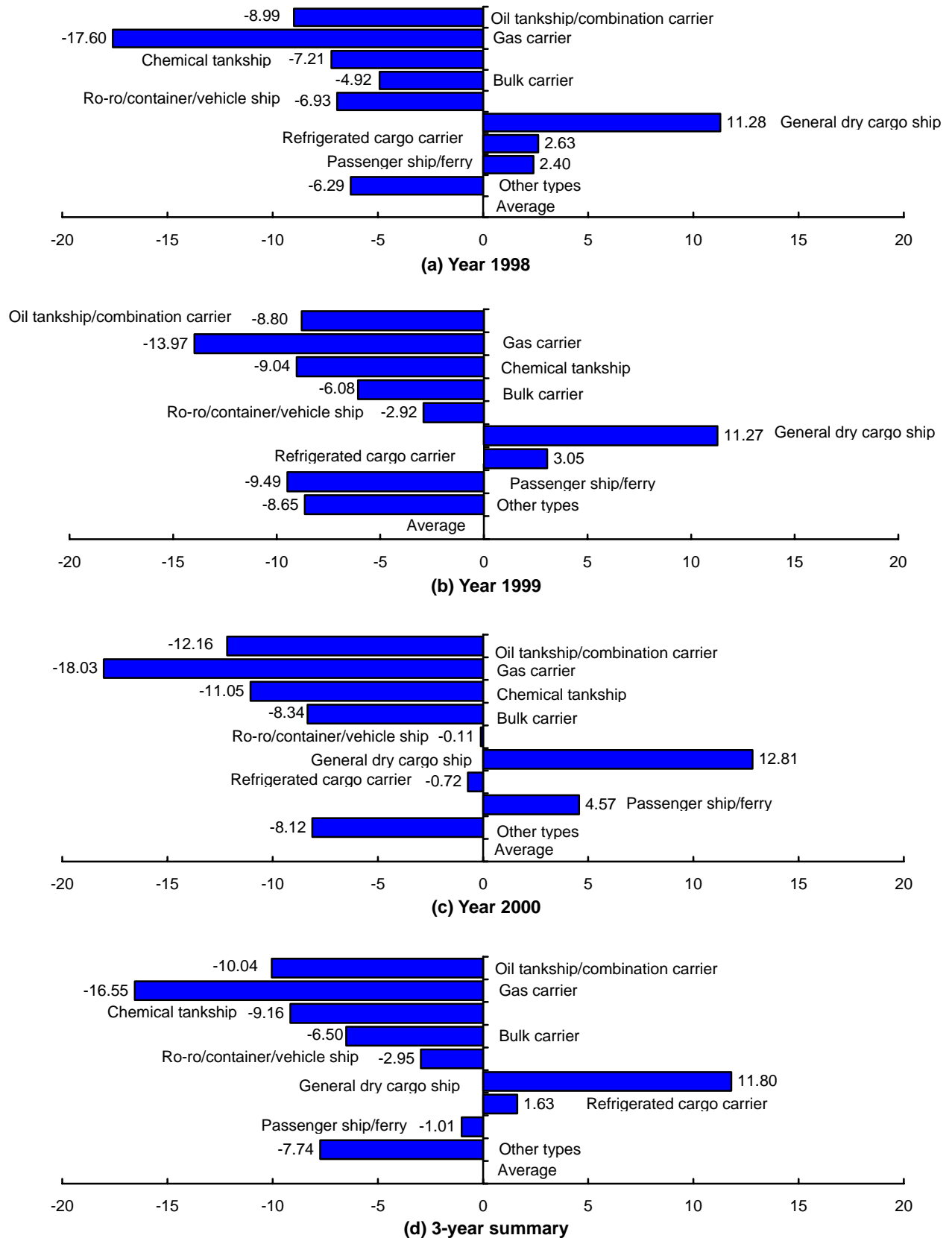


Table 9: INSPECTIONS AND DETENTIONS PER SHIP TYPE

Type of ship	Number of inspections				Number of detentions				Average detention percentage %
	1998	1999	2000	Total	1998	1999	2000	Total	
Tanker, not otherwise specified	372	320	102	794	24	21	6	51	6.42
Combination carrier	22	42	159	223	2	0	7	9	4.04
Oil tanker	394	614	831	1,839	16	35	46	97	5.27
Gas carrier	264	274	315	853	4	4	12	20	2.34
Chemical tanker	571	586	574	1,731	31	22	26	79	4.56
Bulk carrier	4,382	4,189	4,541	13,112	250	195	206	651	4.96
Vehicle carrier	368	382	463	1,213	18	13	12	43	3.54
Container ship	1,631	1,948	2,274	5,853	53	82	85	220	3.76
Ro-Ro cargo ship	263	251	210	724	12	11	11	34	4.70
General cargo/multi-purpose ship	4,871	4,942	5,261	15,074	578	611	625	1,814	12.03
Refrigerated cargo carrier	551	610	572	1,733	27	48	42	117	6.75
Woodchip carrier	50	59	119	228	5	2	1	8	3.51
Livestock carrier	81	76	78	235	8	4	0	12	5.11
Ro-Ro Passenger ship	54	22	23	99	2	2	1	5	5.05
Passenger ship	186	195	176	557	9	6	10	25	4.49
Factory ship	3	2	1	6	0	0	0	0	0
Heavy load carrier	20	17	28	65	1	1	0	2	3.08
Offshore service vessel	139	110	87	336	5	2	3	10	2.98
MODU & FPSO	2	3	1	6	0	0	0	0	0
Special purpose ship	63	61	39	163	2	4	0	6	3.68
High speed passenger craft	13	21	11	45	1	0	1	2	4.44
Tugboat	161	117	85	363	2	4	4	10	2.75
Fishing vessel	0	0	4	4	0	0	0	0	0
Others	84	80	80	244	11	4	3	18	7.38
<b>Total</b>	<b>14,545</b>	<b>14,921</b>	<b>16,034</b>	<b>45,500</b>	<b>1,061</b>	<b>1,071</b>	<b>1,101</b>	<b>3,233</b>	<b>7.11</b>

Figure 16: COMPARISON OF INSPECTIONS WITH DEFICIENCIES PER SHIP TYPE

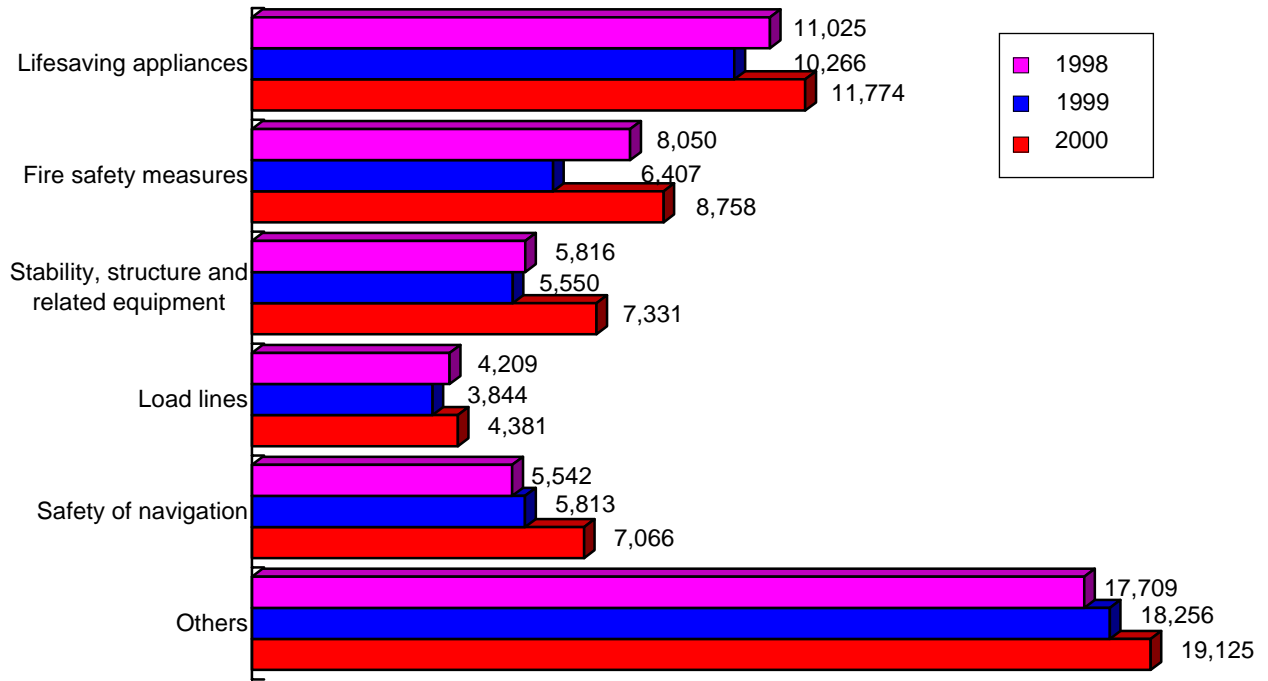


\* % over [+] or under [-] average

Table 10: INSPECTIONS WITH DEFICIENCIES PER SHIP TYPE

Type of ship	Number of inspections				Number of ships with deficiencies				3-year average percentage %
	1998	1999	2000	Total	1998	1999	2000	Total	
Oil tankship/combination carrier	788	976	1,092	2,856	429	542	591	1,562	54.69
Gas carrier	264	274	315	853	121	138	152	411	48.18
Chemical tankship	571	586	574	1,731	321	324	317	962	55.57
Bulk carrier	4,382	4,189	4,541	13,112	2,564	2,440	2,631	7,635	58.23
Ro-ro/container/vehicle ship	2,262	2,581	2,947	7,790	1,278	1,585	1,950	4,813	61.78
General dry cargo ship	4,871	4,942	5,261	15,074	3,639	3,736	4,161	11,536	76.53
Refrigerated cargo carrier	551	610	572	1,733	364	411	375	1,150	66.36
Passenger ship/ferry	240	217	199	656	158	119	141	418	63.72
Other types	616	546	533	1,695	352	304	310	966	56.99
<b>Total</b>	<b>14,545</b>	<b>14,921</b>	<b>16,034</b>	<b>45,500</b>	<b>9,226</b>	<b>9,599</b>	<b>10,628</b>	<b>29,453</b>	<b>64.73</b>

**Figure 17: COMPARISON OF NUMBER OF DEFICIENCIES BY MAIN CATEGORIES**

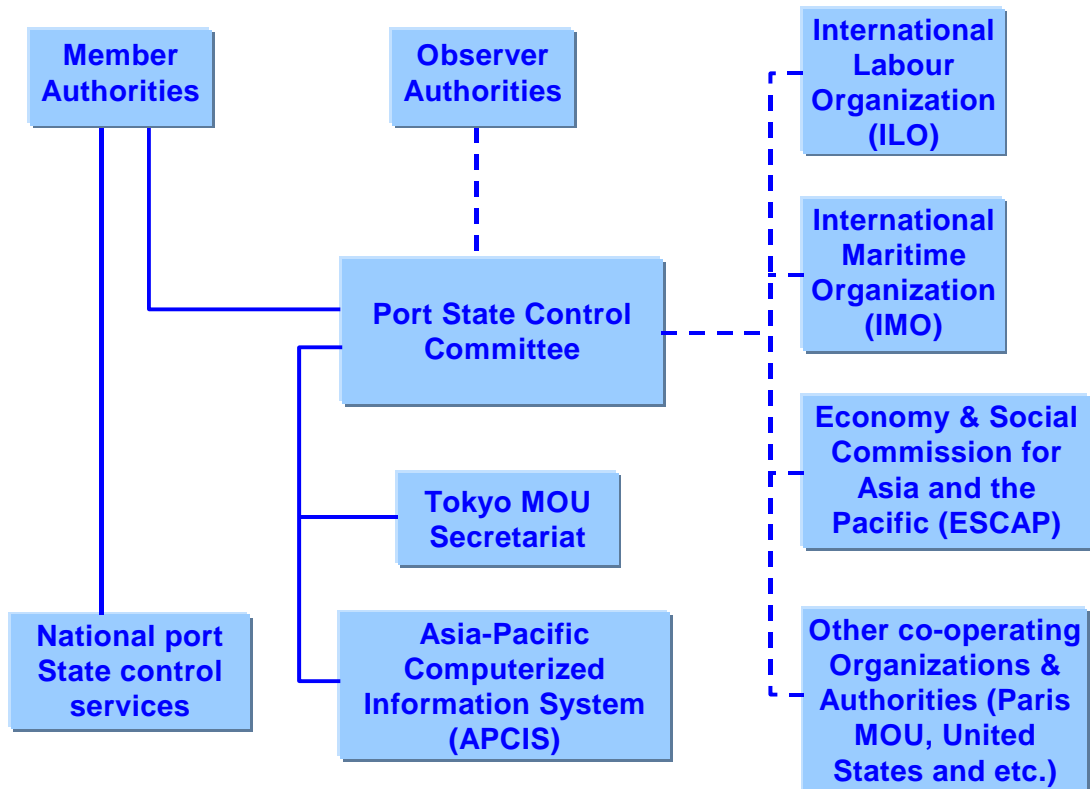


**Table 11: COMPARISON OF DEFICIENCIES BY CATEGORIES**

Nature of deficiency	Number of deficiencies		
	1998	1999	2000
Ship's certificates and documents	3,646	2,204	2,602
Certification and watchkeeping for seafarers	1,267	1,234	739
Crew and accommodation (ILO 147)	920	717	695
Food and catering (ILO 147)	387	462	410
Working spaces (ILO 147)	267	260	251
Lifesaving appliances	11,025	10,266	11,774
Fire safety measures	8,050	6,407	8,758
Accident prevention (ILO 147)	352	521	472
Stability, structure and related equipment	5,816	5,550	7,331
Alarm signals	180	145	179
Carriage of cargo and dangerous goods	617	517	523
Load lines	4,209	3,844	4,381
Mooring arrangements (ILO 147)	619	638	603
Propulsion and auxiliary machinery	1,665	1,555	1,602
Safety of navigation	5,542	5,813	7,066
Radiocommunications	1,275	2,504	2,573
MARPOL-Annex I	2,104	2,944	3,784
Oil, chemical tankers and gas carriers	88	93	119
MARPOL-Annex II	40	36	35
SOLAS related operational deficiencies	3,047	2,641	1,991
MARPOL related operational deficiencies	486	814	967
MARPOL-Annex III	23	50	15
MARPOL-Annex V	18	83	75
ISM related deficiencies	419	531	719
Other deficiencies	289	307	771
<b>Total</b>	<b>52,351</b>	<b>50,136</b>	<b>58,435</b>

### ANNEX 3

## ORGANIZATIONAL STRUCTURE OF THE TOKYO MOU



## ANNEX 4

### MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL IN THE ASIA-PACIFIC REGION \*

The Maritime Authorities of

**Australia**

**Canada**

**People's Republic of China**

**Fiji**

**Hong Kong, China**

**Indonesia**

**Japan**

**Republic of Korea**

**Malaysia**

**New Zealand**

**Papua New Guinea**

**Philippines**

**Russian Federation**

**Republic of Singapore**

**Solomon Islands**

**Thailand**

**Republic of Vanuatu**

**Socialist Republic of Vietnam**

hereinafter referred to as "the Authorities"

**Recognizing** the importance of the safety of life at sea and in ports and the growing urgency of protecting the marine environment and its resources;

**Recalling** the importance of the requirements set out in the relevant maritime conventions for ensuring maritime safety and marine environment protection;

**Recalling** also the importance of the requirements for improving the living and working conditions at sea;

**Noting** the resolutions adopted by the International Maritime Organization (IMO), and especially Resolution A.682(17) adopted at its 17th Assembly, concerning regional co-operation in the control of ships and discharges;

**Noting** also that the Memorandum is not a legally binding document and is not intended to impose any legal obligation on any of the Authorities;

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

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\* This text contains the fourth amendments adopted on 24 February 2000 with effective date on 1 November 2000.



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

**Recognizing** also the need to avoid distorting competition between ports;

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

have reached the following understanding:

## **Section 1 General**

- 1.1** Each Authority that has accepted the Memorandum will give effect to the provisions of the present Memorandum.
- 1.2** For the purposes of the Memorandum, references to the "region", to "regional", to "regional ports" or to "regional port State control" mean the Asia-Pacific region, and references to "port State" means the States, and the territories recognized as Associate Members of IMO in which the ports are located.
- 1.3** Each Authority will establish and maintain an effective system of port State control with a view to ensuring that, without discrimination, foreign merchant ships calling at a port of its Authority, or anchored off such a port comply with the standards laid down in the relevant instruments as defined in section 2.
- 1.4** Each Authority, under the coordination of the Committee established pursuant to paragraph 6.1, will determine an appropriate annual percentage of individual foreign merchant ships, hereinafter referred to as "ships", to be inspected. The Committee will monitor the overall inspection activity and its effectiveness throughout the region. As the target, subject to subsequent review, the Committee will endeavour to attain a regional annual inspection rate of 75% of the total number of ships operating in the region. The percentage is based on the number of ships which entered regional ports during a recent base period to be decided by the Committee.
- 1.5** Each Authority will consult, cooperate and exchange information with the other Authorities in order to further the aims of the Memorandum.

## **Section 2 Relevant Instruments**

- 2.1** For the purposes of the Memorandum, the following are the relevant instruments on which regional port State control is based:
  - .1 the International Convention on Load Lines 1966;
  - .2 the Protocol of 1988 relating to the International Convention on Load Lines, 1966;

- .3 the International Convention for the Safety of Life at Sea, 1974 as amended;
- .4 the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974;
- .5 the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974;
- .6 the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating thereto;
- .7 the International Convention on Standards for Training, Certification and Watchkeeping for Seafarers, 1978, as amended;
- .8 the Convention on the International Regulations for Preventing Collisions at Sea, 1972;
- .9 the International Convention on Tonnage Measurement of Ships, 1969; and
- .10 the Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention No. 147).

**2.2** With respect to the Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention No. 147), each Authority will be guided by the instructions in chapter 4 of the Asia-Pacific Port State Control Manual (hereinafter referred to as the “Manual”). The implementation of ILO Convention No. 147 will not require any alterations to structure or facilities involving accommodation for ships whose keels were laid down before April 1, 1994.

**2.3** In the application of the other relevant instruments, each Authority will be guided by the standards specified in chapter 3 of the Manual.

**2.4** Each Authority will apply those relevant instruments which are in force and are binding upon it. In the case of amendments to a relevant instrument each Authority will apply those amendments which are in force and which are binding upon it. An instrument so amended will then be deemed to be the 'relevant instrument' for that Authority.

**2.5** In applying a relevant instrument for the purpose of port State control, the Authorities will ensure that no more favourable treatment is given to ships entitled to fly the flag of a non-party to that instrument.

**2.6** When inspecting ships for provisions of the relevant instruments to which it is a Party, the Authority as the port State will not impose standards on foreign ships that are in excess of standards applicable to ships flying the flag of that port State.

### Section 3 Inspection Procedures, Rectification and Detention

**3.1** In implementing this Memorandum, the Authorities will carry out inspections, which will consist of at least a visit on board a ship in order to check the certificates and documents, and furthermore satisfy themselves that the crew and the overall condition of the ship, its equipment, machinery spaces and accommodation, and hygienic conditions on board, meets the provisions of the relevant instruments. In the absence of valid certificates, or if there are clear grounds for believing that the crew or the condition of the ship or its equipment does not substantially meet the requirements of a relevant instrument, or the master or crew are not familiar with essential shipboard procedure relating to the safety of ships or the prevention of pollution, a more detailed inspection will be carried out. Inspections will be carried out in accordance with the Manual.

#### **3.2** Clear Grounds

**3.2.1** The Authorities will regard as 'clear grounds' *inter alia* the following:

- .1 a report or notification by another Authority;
- .2 a report or complaint by the master, a crew member, or any person or organization with a legitimate interest in the safe operation of the ship, shipboard living and working conditions or the prevention of pollution, unless the Authority concerned deems the report or complaint to be manifestly unfounded; and
- .3 other indications of serious deficiencies, having regard in particular to the Manual.

**3.2.2** For the purpose of control, specific 'clear grounds' include those prescribed in paragraph 2.3 of IMO resolution A.787(19) contained in chapter 3 of the Manual.

**3.2.3** Nothing in these procedures should be construed as restricting the powers of the Authorities to take measures within their jurisdiction in respect of any matter to which the relevant instruments relate.

**3.3** In selecting ships for inspection the Authorities will give priority to the following ships:

- .1 passenger ships, roll-on/roll-off ships and bulk carriers;
- .2 ships which may present a special hazard, including oil tankers, gas carriers, chemical tankers and ships carrying harmful substances in packaged form;
- .3 ships visiting a port of a State, the Authority of which is a signatory to the Memorandum, for the first time or after an absence of 12 months or more;
- .4 ships flying the flag of a State appearing in the three-year rolling average table of

above-average detentions published in the annual report of the Memorandum;

- .5 ships which have been permitted to leave the port of a State, the Authority of which is a signatory to the Memorandum, on the condition that the deficiencies noted must be rectified within a specified period, upon expiry of such period;
- .6 ships which have been reported by pilots or port authorities as having deficiencies which may prejudice their safe navigation;
- .7 ships carrying dangerous or polluting goods, which have failed to report all relevant information concerning the ships' particulars, the ships movements and concerning the dangerous or polluting goods being carried to the competent authority of the port and coastal State;
- .8 ships which have been suspended from their class for safety reasons in the course of the preceding six months;
- .9 ships referred to in paragraph 3.9; and
- .10 type of ships identified by the Committee (referred to in paragraph 6.3) from time to time as warranting priority inspections.

The Authorities will pay special attention to oil tankers and bulk carriers of 10 years of age and over.

- 3.4** The Authorities will seek to avoid inspecting ships which have been inspected by any of the other Authorities within the previous six months, unless they have clear grounds for inspection. The frequency of inspection does not apply to the ships referred to in paragraph 3.3, in which case the Authorities will seek satisfaction whenever they will deem this appropriate.
- 3.5** Inspections will be carried out by properly qualified persons authorized for that purpose by the Authority concerned and acting under its responsibility, having regard to sections 2.4 and 2.5 of IMO resolution A.787(19) contained in chapter 3 of the Manual.
- 3.6** Each Authority will endeavour to secure the rectification of all deficiencies detected. On the condition that all possible efforts have been made to rectify all deficiencies, other than those referred to in 3.7, the ship may be allowed to proceed to a port where any such deficiencies can be rectified. The provisions of 3.8 apply accordingly.

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

The suspension of the inspection may continue until the responsible parties have taken the

steps necessary to ensure that the ship complies with the requirements of the relevant instruments.

Prior to suspending an inspection, the Authority will have recorded detainable deficiencies in the areas set out in Appendix 1 of IMO resolution A.787(19) and ILO Convention deficiencies<sup>\*</sup>, as appropriate.

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

- 3.7** In the case of deficiencies which are clearly hazardous to safety, health or the environment, the Authority will, except as provided in 3.8, ensure that the hazard is removed before the ship is allowed to proceed to sea. For this purpose appropriate action will be taken, which may include detention or a formal prohibition of a ship to continue an operation due to established deficiencies which, individually or together, would render the continued operation hazardous. In the event of a detention, the Authority will as soon as possible, notify in writing the flag State or its consul or, in his absence, its nearest diplomatic representative of all the circumstances in which intervention was deemed necessary. Where the certifying Authority is an organization other than a maritime administration, the former will also be advised.
- 3.8** Where deficiencies which caused a detention as referred to in paragraph 3.7 cannot be remedied in the port of inspection, the Authority may allow the ship concerned to proceed to the nearest appropriate repair yard available, as chosen by the master and agreed to by the Authority, provided that the conditions determined by the Authority and agreed by the competent authority of the flag State are complied with. Such conditions will ensure that the ship can proceed without risk to the safety and health of the passengers or crew, or risk to other ships, or without being an unreasonable threat of harm to the marine environment. In such circumstances the Authority will notify the Authority of the ship's next port of call, the parties mentioned in paragraph 3.7 and any other authority as appropriate. Notification to Authorities will be made in accordance with chapter 7 of the Manual. The Authority receiving such notification will inform the notifying Authority of action taken.
- 3.9** If a ship referred to in paragraph 3.8 proceeds to sea without complying with the conditions agreed to by the Authority of the port of inspection:
- .1 that Authority will immediately alert all other Authorities; and
  - .2 the ship will be detained at any port of the Authorities which have accepted the Memorandum, until the owner or operator has provided evidence to the satisfaction of the Authority of the port State, that the ship fully complies with all applicable

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\* Examples of detainable deficiencies are set out in chapter 7 of the Manual.

requirements of the relevant instruments.

If a ship referred to in paragraph 3.8 does not proceed to the nominated repair port, the Authority of the repair port will immediately alert all other Authorities.

- 3.10** The provisions of this section are without prejudice to the requirements of relevant instruments or procedures established by international organizations concerning notification and reporting procedures related to port State control.
- 3.11** The Authorities will ensure that, on the conclusion of an inspection, the master of the ship is provided with a document, in the form specified in chapter 7 of the Manual, giving the results of the inspection and details of any action taken.
- 3.12** When exercising control under the Memorandum, the Authorities will make all possible efforts to avoid unduly detaining or delaying a ship. Nothing in the Memorandum affects rights created by provisions of relevant instruments relating to compensation for undue detention or delay.
- 3.13** In the case that an inspection is initiated based on a report or complaint, especially if it is from a crew member, the source of the information must not be disclosed.
- 3.14** The owner or the operator of a ship or its representative will have a right of appeal against a detention taken by the Authority of the port State. Initiation of the appeal process will not by itself cause the detention to be suspended.

#### **Section 4 Provision of information**

- 4.1** Each Authority will report on its inspections under the Memorandum and their results, in accordance with the procedures specified in the Manual.
- 4.2** Arrangements will be made for the exchange of inspection information with other regional organizations working under a similar memorandum of understanding.
- 4.3** The Authorities will, upon the request of another Authority, endeavour to secure evidence relating to suspected violations of the requirements on operational matters of Rule 10 of the International Regulations for Preventing Collisions at Sea, 1972 and the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto. In case of suspected violations involving the discharge of harmful substances, an Authority will, upon the request of another Authority, visit in port the ship suspected of such a violation in order to obtain information and, where appropriate, to take a sample of any alleged pollutant.

#### **Section 5 Training Programs and Seminars**

The Authorities will endeavour to establish training programs and seminars for port State control officers.

## **Section 6 Organization**

- 6.1** A Committee composed of representatives of each of the Member Authorities, defined in Annex 1 of the Memorandum, will be established. An Observer from each of the International Maritime Organization, the International Labour Organization, the Economic and Social Commission for Asia and the Pacific and any other intergovernmental organization or Maritime Authority recognized as observer referred in Annex 1 to the Memorandum will be invited to participate without vote in the work of the Committee.
- 6.2** The Committee will meet once a year and at such other times as it may decide.
- 6.3** The Committee will:
- .1 carry out the specific tasks assigned to it under the Memorandum;
  - .2 promote by all means necessary, including training and seminars, the harmonization of procedures and practices relating to inspection, rectification and detention whilst having regard to paragraph 2.4;
  - .3 develop and review guidelines for carrying out inspections under the Memorandum;
  - .4 develop and review procedures for the exchange of information; and
  - .5 keep under review other matters relating to the operation and the effectiveness of the Memorandum.
- 6.4** A Secretariat will be established in accordance with the following principles:
- .1 the Secretariat is a non-profit making body located in Tokyo;
  - .2 the Secretariat will be totally independent from any maritime administration or organization;
  - .3 the Secretariat will be governed by and be accountable to the Committee;
  - .4 the Secretariat will have a bank account into which all dues and contributions are made; and
  - .5 the Secretariat will operate from the established bank account in accordance with the budget determined by the Committee.

**6.5** The Secretariat, acting under the guidance of the Committee and within the limits of the resources made available to it, will:

- .1 prepare meetings, circulate papers and provide such assistance as may be required to enable the Committee to carry out its functions;
- .2 facilitate the exchange of information; and
- .3 carry out such other work as may be necessary to ensure the effective operation of the Memorandum.

**6.6** The Asia-Pacific Computerized Information System (APCIS) in the Russian Federation is established for the purpose of exchanging information on port State inspections, in order to:

- .1 make available to Authorities information on inspections of ships in other regional ports to assist them in their selection of foreign flag ships to be inspected and their exercise of port State control on selected ships; and
- .2 provide effective information exchange facilities regarding port State control in the region.

**6.7** The functions and operational procedures of the APCIS are specified in chapter 7 of the Manual.

## **Section 7 Amendments**

**7.1** The Memorandum will be amended by the following procedure:

- .1 any Authority that has accepted the Memorandum may propose amendments to the Memorandum;
- .2 the proposed amendment will be submitted through the Secretariat for consideration by the Committee;
- .3 amendments will be adopted by a two-thirds majority of the representatives of the Authorities present and voting in the Committee, each Authority exercising one vote. If so adopted an amendment will be communicated by the Secretariat to the Authorities for acceptance;
- .4 an amendment will be deemed to have been accepted either at the end of a period of six months after adoption by the representatives of the Authorities in the Committee or at the end of any different period determined unanimously by the representatives of the Authorities in the Committee at the time of adoption, unless within the relevant period an objection is communicated to the Secretariat by an Authority;



- .5 any such objection will be considered by the Committee at its next meeting, and the amendment will be confirmed if it is accepted by a two-thirds majority of the representatives of the Authorities present and voting in the Committee at such meeting. In these circumstances, a quorum of more than half of the total number of representatives of the Authorities that comprise the Committee is required. In the event that the amendment is confirmed, the date of its deemed acceptance will be either at the end of a period of six months after being confirmed or any different period determined unanimously by the representatives of the Authorities in the Committee at the time of confirmation; and
- .6 an amendment will take effect 60 days after it has been deemed accepted, or at the end of any different period of deemed acceptance as determined unanimously by the representatives of the Authorities in the Committee.

**7.2** The Manual will be amended by the following procedure:

- .1 the proposed amendment will be submitted through or by the Secretariat for consideration by the Authorities;
- .2 the amendment will be deemed to have been accepted at the end of a period of three months from the date on which it has been communicated by the Secretariat unless an Authority requests in writing that the amendment should be considered by the Committee. In the latter case the procedure specified in paragraph 7.1 will apply; and
- .3 the amendment will take effect 60 days after it has been accepted or at the end of any different period determined unanimously by the Authorities.

**Section 8 Administrative Provisions**

- 8.1** The Memorandum is without prejudice to rights and obligations under any international instrument.
- 8.2** Any Maritime Authority meeting the criteria established in Annex 1 to the Memorandum may, with the unanimous consent of the Authorities present and voting at the Committee meeting, become a Member Authority of the Memorandum. For such an Authority, the Memorandum will take effect upon such date as may be mutually determined.
- 8.3** Any Maritime Authority or an intergovernmental organization wishing to participate as an observer as defined in Annex 1 to the Memorandum will submit in writing an application to the Committee and will be accepted as an observer subject to the unanimous consent of the representatives of the Authorities present and voting at the Committee meeting.
- 8.4** Any Authority may withdraw from the Memorandum by providing the Committee with

60 days notice in writing.

- 8.5** The Memorandum is signed at Tokyo on December 1, 1993 and will remain open for signature until the signing during the first meeting of the Committee to be held in 1994.
- 8.6** The Memorandum will be available for acceptance from April 1, 1994, and will take effect for each Authority, which has signed the Memorandum, on the date its acceptance is duly notified to the Secretariat.
- 8.7** The English text is the official version of the Memorandum.

## ANNEX 1

### CRITERIA FOR MEMBERS AND OBSERVERS OF THE MEMORANDUM

#### 1 Introduction

The present Criteria are established to define members and observers of the Memorandum and to determine terms and conditions of participation in the Memorandum by them.

#### 2 Definitions

In the Memorandum the following two categories of participants are prescribed:

- 2.1 A *Member Authority* – any Maritime Authority located in the region as defined in 1.2 of the Memorandum that has duly signed and accepted, and adheres to all the terms and conditions of the Memorandum is considered to be a Member Authority of the Memorandum, provided that the qualitative criteria set out in section 3 have been met; and
- 2.2 An *Observer* - any Maritime Authority or an intergovernmental organization wishing to participate in the Memorandum is considered to be an observer, provided that it has been accepted in accordance with 8.3 of the Memorandum.

#### 3 Qualitative Criteria for a Member Authority

A Member Authority of the Memorandum as referred to in 2.1 of the present Criteria will:

- 3.1 explicitly subscribe to the commitments under the Memorandum with a view to contributing to the common endeavour to eliminate the operation of sub-standard ships;
- 3.2 take all necessary measures to encourage the ratification of all relevant instruments in force;
- 3.3 provide sufficient capacity, logistically and substantially, to appropriately enforce compliance with international maritime standards regarding maritime safety, pollution prevention and living and working conditions on board with regard to ships entitled to fly its flag, which includes the employment of properly qualified inspectors acting under the responsibility of its Administration, to be demonstrated to the satisfaction of the Committee referred to in 6.1 of the Memorandum;
- 3.4 provide sufficient capacity, logistically and substantially, to comply in full with all provisions and activities specified in the Memorandum in order to enhance its commitment, which include the employment of properly qualified port State control officers acting under the responsibility of its Administration, to be demonstrated to the satisfaction of the Committee referred to in 6.1 of the Memorandum;

- 3.5 as of its effective date of membership, establish a connection to the information system referred to in 6.6 of the Memorandum;
- 3.6 sign a financial agreement for paying its share in the operating cost of the Memorandum and will pay its financial contribution to the budget of the Memorandum;
- 3.7 take part in the activity of the Committee referred to in 6.1 of the Memorandum; and
- 3.8 take all necessary efforts as a flag State body to decrease their detention rate.

Assessment of compliance with the above conditions will only be valid for each individual case and will not create a precedent for any future cases, either for the Authorities present under the Memorandum, or for the potential new signatory.

## TOKYO MOU SECRETARIAT

The permanent Secretariat (Tokyo MOU Secretariat) of the Memorandum of Understanding on Port State Control in the Asia-Pacific Region is located in Tokyo, Japan. The Secretariat may be approached for further information or inquiries on the operation of the Memorandum.

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