



OKRUŽNICA br.
CIRCULAR No.

CIRC – MMPI - 004

Izmjena br.
Revision No.

Predmet: SURVEYS / AUDITS OF SHIPS AND COMPANIES AFTER DETENTIONS AND
Subject: UNDER SPECIAL MONITORING REGIME

Dostaviti: Croatian Shipowners, Ships' Operators and Managers Association "MARE NOSTRUM",
To: Flag State Surveyors and CRS

Primjena: Ships flying Croatian flag and their management companies
Applicable to:

Na snazi od: 01. 01. 2011
Effective as from:

1. GENERAL

- 1.1 The purpose of this Circular is to prescribe measures for maintaining the Croatian flag on the White list of Paris MOU and for improving performance of the Croatian flag on the USCG and TOKYO MOU Flag state statistics.
- 1.2 Croatian Ministry of Sea Transport and Infrastructure (MMPI) and "Mare Nostrum" - Association of the Croatian Shipping Companies engaged in international navigation and Recognised Organisation (RO) acting on behalf of the Government of the Republic of Croatia shall have regular meetings twice a year on the managerial level, and one of the meeting should in principle be held after Paris MOU, Tokyo MOU and USCG Annual Reports are made available to the public. The purpose of meetings is to analyse the actual situation, trends, future MOU CIC's, and to agree on additional measures, if necessary, to improve the performance of the Croatian flag.

2. DEFINITIONS

Ship under particular supervision is a ship,

- **detained once** by PSC in past 3-year period, and consequently placed on **GREY LIST**
- **detained more than once** by PSC in past 3-year period, and consequently placed on **BLACK LIST**
- that have a **High Risk Profile** as defined in Article 10 of the Directive 2009/16/EC

Company under particular supervision is a Company that according to Annex I of the Directive 2009/16/EC have a LOW or VERY LOW performance. which place the Company on the **BLACK LIST** (*Calculated according to PARIS MOU Preliminary Company Performance Calculator available on www.parismou.org), and using referent values valid on the date of calculation).

Grey and Black list of ships and Company performance indicators regarding PSC inspections is regularly updated on 15th of January, April, July and October, and made available (from 20 January 2011) on 20th January, April, July and October on MMPI internet domain (www.mmpi.hr)

3. OBLIGATIONS OF THE COMPANY

- 3.1 Each PSC detention shall be reported by Company/ship's Master without delay to MMPI and RO that issued statutory certificates to a ship .
- 3.2 When PSC request attendance of RO surveyor, Company managing the ship or the ships Master shall request RO that issued statutory certificates to send surveyor/auditor on board as soon as possible.
- 3.3 Company managing the ship or the ships Master shall inform RO that issued statutory certificates on each PSC inspection resulting with deficiencies (i.e. shall send PSC inspection report to RO).
- 3.4 Failure to comply with aforementioned shall be considered as nonconformity of the Company safety management system and shall be taken into account during first Company audit and audit on board ship.



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4.1 SURVEYS AFTER FIRST DETENTION OF A SHIP

- 4.1.1 At occasion of a detained ship survey, RO surveyor shall not limit his inspection to the deficiencies noted by Port State Control, i.e. survey shall be extended to ascertain if other deficiencies exist.
- 4.1.2 If the date of the detention falls within ± 3 months' window for statutory surveys, they shall be conducted before the ship sails. In the case of renewal surveys, they shall be conducted to the extent possible, except for safety equipment and radio, which shall be completed. For commenced and not completed statutory surveys, a time schedule for the completion of surveys at the next convenient port shall be set, actual certificates withdrawn and short term issued. Postponement of surveys until the end of +3 month window is not allowed.
- 4.1.3 If the date of the detention does not fall within the ± 3 months' window for statutory surveys, RO surveyor, after clearing the PSC deficiencies, shall carry out a general examination of the ship including the items listed in **Appendix 1**. The surveyor shall then decide using his professional judgement whether extra surveys are required.

4.1.4 In addition to aforementioned RO surveyor/auditor shall carry out:

- a) additional SMC audit in extent of:
 - initial audit of the shipboard part of the SMS, in case that previous initial/renewal audit was carried out less then 12 months ago or next renewal audit is due less then six months from the date of detention;
 - intermediate audit of the shipboard part of the SMS, in other cases.
- b) Additional DOC audit within 1 month from the date of detention in extent of annual audit if a Company is under particular supervision.
- c) if the detention of the ship is on security grounds RO surveyor/auditor will carry out initial or intermediate audit of ISPS ship part taking into account paragraph a) and b)

MMPI representative reserves the right to attend to aforementioned surveys/audits. Company shall be charged for MMPI representative expenses.

Audit results should also be reported to MMPI.

4.2 SURVEYS AFTER SECOND DETENTION OF A SHIP

- 4.2.1 In addition to applicable requirements stated in 4.1, on occasion of second detention of the same ship in period of 3 years (irrespectively of the PSC MOU):
1. Validity of all statutory certificates shall be suspended from the date of detention.
 2. Validity of statutory certificates may be reinstated after completion of:
 - surveys (in extent of renewal survey) for all statutory certificates and that there are no outstanding items or recommendations to the extent possible;
 - initial SMC* audit;
 - initial DOC audit.
 3. MMPI representative reserves the right to attend to aforementioned surveys/audits. Company shall be charged for MMPI representative expenses.

* NOTE: *If the Company is under particular supervision, SMC audit shall not be carried out before 3 months expire from the date of detention, to ensure that Company implement thorough corrective actions. In certain cases MMPI may allow audit to be carried out before expire of the 3 month interval, if found it appropriate and after evaluation of the actions taken by the Company (upon DOC audit and evaluation of thoroughness of analysis of detention root causes and corrective/preventive actions taken). Based on particular MMPI permit, RO issuing statutory certificates may, after completion of surveys stated in 4.1, issue Short term certificates to allow completion of planned commercial voyage.*

5. OUTSTANDING RECOMMENDATIONS

- 5.1 In a case that a ship have recommendations imposed either by the MMPI inspectors or PSC, these shall be communicated to the RO issuing statutory certificates to the ship, and the latter shall ensure that

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they have been rectified according to the set schedule. Otherwise the RO shall contact the MMPI (Directorate for Seafaring and Inland Waterway Navigation Safety and Sea and River Protection) for a decision on the actions to be taken.

6. POSTPONEMENT OF RENEWAL SURVEYS

- 6.1 Application for postponement of the renewal surveys will be considered by the MMPI (Directorate for Seafaring and Inland Waterway Navigation Safety and Sea and River Protection) only in cases where special circumstances warrant them.
- 6.2 No postponement of the renewal survey shall be given unless all surveys have commenced and proceeded to the extent possible. The MMPI may decide to deviate from this course of action only in the cases of force majeure.

7 SURVEYS OF SHIPS UNDER PARTICULAR SUPERVISION

- 7.1 On ships under particular supervision following shall be applied:
- postponement of renewal surveys and /or recommendations shall not be allowed (see also 6);
 - issuance of short term/ conditional certificates shall not be allowed;
 - restriction of navigation area may be imposed

8. ADDITIONAL SMC AUDITS AT OCCASION OF REGULAR SURVEYS OF SHIPS UNDER PARTICULAR SUPERVISION

- 8.1 Additional audits, in extent of intermediate audit, shall be carried out during regular statutory surveys by RO auditors onboard ships under particular supervision.
- 8.2 If during such additional SMC audit a major non conformity is identified (which is to be downgraded to minor nonconformity on the basis of actions taken before endorsement or issue of certificates) or more than 3 nonconformities, an additional DOC audit to the extent of the annual audit shall be performed in the Company within 2 months.

9. ADDITIONAL MEASURES THAT SHALL BE APPLIED TO COMPANIES UNDER PARTICULAR SUPERVISION

- 9.1 Ship flying a Black listed flag shall not be accepted in the Ship register of the Republic of Croatia if the managing Company is under particular supervision, i.e. on the Black List.
- 9.2 Company that is under particular supervision and on the Black List in continuity for a period longer than 3 years, (as from 17. June 2009), DOC issued on behalf of the Republic of Croatia shall be suspended. Company DOC audit shall not be carried out before 3 months expire from the date of suspension, to ensure that Company implement thorough corrective actions.

In exceptional cases MMPI may allow audit to be carried out before expire of the 3 month interval, if based on evaluation of the actions taken by the Company (e.g. submitted plan of implementation of corrective and preventive actions), finds it appropriate

MMPI representative reserves the right to attend at the occasion of regular audits for annual endorsement or renewal of the DOC validity in a Company under particular supervision. Company shall be charged for MMPI representative expenses.



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10 BANNED SHIPS (REFUSAL OF ACCESS ORDER)

10.1 When a Croatian flagged ship is banned (Refusal of Access Order) by a specific MOU the following will be applied:

- a) All Statutory Certificates will be suspended as soon as the ship calls at the first port after the detention port.
- b) All provisions stated in 4.2.1 shall be applied

11. DELETION OF THE SHIP FROM THE CROATIAN REGISTRY

If the ship is detained 3 times within 3 years (irrespective of the detaining authority/MOU) or is banned for the second time by a specific MOU, the ship will be **deleted from the Croatian Registry**.

The DoC of the Company issued on behalf of this Administration will be re- examined (if the Company manages other Croatian flagged vessels).

Capt. Joško Nikolić,

Director, Directorate for Seafaring and
Inland Waterway Navigation Safety
and Sea and River Protection

Appendix 1

No.*	ITEMS TO BE SURVEYED / CHECKED	GUIDANCE / INFORMATION
1.	Is the accommodation ladder in good order and considered safe for use?	
2.	Are all of the accommodation spaces being used for what they were intended for?	ILO 92, 133 and 147
3.	Are all the accommodation rooms & spaces* being kept clean and tidy?	* including hospital accommodation on ships carrying a crew of 15 and more and engaged in a voyage of more than 3 days
4.	Is adequate lighting available throughout the accommodation?	
5.	Are the accommodation ventilation, heating and/or air conditioning system working?	ILO 147
6.	Are the officers and crew sanitary facilities clean?	ILO 92, 133 and 147
7.	Are crew bathrooms, water closets and sinks operating properly?	ILO 92, 133 and 147
8.	Is water pressure available to the bathrooms and water closets?	ILO 92, 133 and 147
9.	Is hot and cold water available?	ILO 92, 133 and 147
10.	Are cockroaches and other insects properly dealt with?	ILO 68 and 147
11.	Is certificate issued by certified institution available onboard for medicaments and medical equipment?	ILO 105 (see also NN. No. 14/08 available on www.mmpi.hr)
12.	Galley found clean and suitable for preparing food?	ILO 68 and 147
13.	Are crew provisions in satisfactory condition with no spoilage or unsanitary conditions in stowage or galley?	ILO 68 and 147
14.	Refrigerated provisions storerooms found clean, of adequate size for the provisions and refrigeration machinery considered capable of maintaining the provisions at adequate temperature?	ILO 68 and 147 (Check also warning notices, signalization and safety devices)
15.	Are drinking water taps in working condition?	ILO 68 and 147
16.	Are labels indicating purpose, and warning notices (indicating the danger of fire, explosion, radiation) fitted on control and measuring devices, machinery and fittings, tanks, pipelines, doors, dangerous zones etc.	Danger of fire/explosion in way of cargo area on tankers, paint locker, and battery room, danger of radiation in vicinity of radar antennas and radio equipment
17.	Are all routes and means of escape clearly marked and lighted?	Shall be in order under all service conditions
18.	Is the engine room clean (no accumulation of oily rags or garbage) and are all engine room bilge clean and free of oil?	ILO 134 and 147
19.	Is the steering gear compartment clean and free of oil and garbage?	ILO 134 and 147
20.	Are acetylene and oxygen bottles stored outside of the accommodation, engine room and other machinery spaces?	ILO 134 and 147
21.	Is paint and thinners stored outside of machinery spaces in designated storage rooms?	ILO 134 and 147
22.	Is the machinery fitted with protective devices (guards) as considered necessary?	ILO 134 and 147- Protection against fall (rails and handrails), hot surfaces rotating/movable parts of machinery, noise, vibrations,
23.	Is the electrical equipment protection against electric shock (arrangement, insulation, grounding) in good order?	The floor below the main and emergency switchboard having voltage over 50V shall be of adequate isolating material
24.	Are safety devices, acoustic and visual alarms in good working order?	In particular for lifts and movable platforms, loading ramps, cargo handling appliances, etc
25.	Is the windlass and mooring winches in good order?	
26.	Measuring the illumination intensity	If any change has been made from previous renewal survey or if considered necessary by the surveyor
27.	Measuring the noise level	