

საქართველოს
ეკონომიკისა და მდგრადი
განვითარების სამინისტრო



MINISTRY OF ECONOMY
AND SUSTAINABLE
DEVELOPMENT OF GEORGIA

სსიპ საზღვაო ტრანსპორტის
სააგენტო

LEPL MARITIME TRANSPORT
AGENCY



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7/CIRC/FSI

2016 / 06 /03

TO: SHIPOWNERS MANAGERS
FLAG STATE INSPECTORS
RECOGNIZED ORGANIZATIONS

This circular letter withdraws the circular No 010/CIRC/FSI Issued by Maritime Transport Agency of Georgia on February 02, 2015

SUBJECT: FSI TARGETS FOR 2016 – 2017

The main targets of Ships Registration and Flag Control Department of MTA are to be always proactive in its all efforts to comply with International Requirements governing Safety, Security and Environmental Protection and to remain zero detention rates of Georgian Flagged Vessels. For this purpose Ships Registration and Flag Control Department has developed and approved:

Flag State Inspection Policy Recognized Organization Monitoring Policy for rectification and follow up on findings found during Port State Control (PSC) inspections.

Flag State Inspection Policy

The types of inspections covered within the Flag State Inspection Program are:

1. Pre-registration Inspections
2. Annual Flag State Inspections
3. Detention Prevention inspection
4. Post Detention Inspections
5. Post Marine Casualty Inspection

- Maritime Transport Agency (MTA) has the ultimate responsibility for all Flag inspections.
- Flag State Inspectors acting on behalf of MTA are authorized to attend and inspect Georgian flagged vessels in accordance with the approved procedures.

- MTA follows a policy, not to authorize an inspector working for the ship's Recognized Organization or any affiliated Organization which surveyed the ship and issued the relevant safety certificates.

Upon completion of any type of Inspection mentioned above, irrespective whether recommendations, remarks, etc. have been imposed during the visit, the MTA shall issue "*Flag State Inspection Statement*". It is the responsibility of owner/operator to present their vessels for timely inspection. In order to act so accordingly the owner/operator shall inform and request from MTA to conduct Flag State Inspection. Vessels not inspected by the due date will be considered as "overdue" and follow up procedures will be initiated.

In this regard, the Owner/operator shall ensure that the vessel will be available in port for an adequate period of time to complete the inspection, the MTA should be advised as to the vessel's next available port, ESTIMATED TIME OF ARRIVAL (ETA). MTA will appoint a Flag State Inspector to attend the vessel for the Flag State Inspection and coordinate all necessary details with the ship-owner/operator.

The responsibility of Master is to present the vessel for the scheduled inspection and cooperate with the Flag State Inspector accordingly.

1. Pre-registration Inspections

The sole purpose of the Pre-Registration Inspection is to determine the eligibility/suitability of vessels 20 years and over for registration under the Georgian Flag. As such, the Report shall be strictly confidential between the owner, inspector and MTA and shall not be shared among the buyer, seller, shipmaster or other entity without the written authorization of the MTA.

Vessels that are required to undergo a Pre-Registration Inspection are as follows:

- The age of the vessel is 20 years and over;
- Has one detention by Port State Control within last 12 months;
- Is under supervision of Classification Society which is not recognized by Georgia and while applying for registration will provide notice of transfer of class to Georgian recognized classification society;
- Has suffered serious maritime Incident or casualty within last 24 months;
- Changing flag from black listed State under any MoU;
- Has 20 or more deficiencies within last 12 months confirmed by port State Reports;

Upon satisfactory completion of the pre-registration inspection, the MTA shall make its decision regarding acceptance of the vessel into the State Ships Registry of Georgia.

All newly registered Georgian vessels shall undergo Annual Flag State Inspection within six (6) months from the initial date of registration. Anniversary date of the vessel for the purpose of this policy means the completion date of the vessels registration under the Georgian Flag.

2. Annual Flag State Inspection

The purpose of the Annual Flag State Inspection is to confirm compliance of the ship and crew with International and national regulations and to verify the general safety condition of the vessel in order to reduce the number of deficiencies on Georgian vessels.

The inspection is carried out every twelve (12) months plus or minus (+/-) three (3) months (these intervals are based on the results of the previous Flag State Inspection) and is applicable to all Georgian Flagged Vessels.

All Georgian flagged vessels are required to undergo an Annual Flag State Inspection with the following exceptions:

- Unmanned barge
- Pleasure yachts
- Vessels (including fishing vessels and other type of vessels) under 150 GRT and less than 24 meters in length

3. Detention Prevention Inspection

The purpose of the inspection is to confirm and – rectify all the deficiencies found by the PSC Officer, as well as uncover and rectify any other observations that might be revealed during further PSC inspections. Additionally, the purpose of this inspection is to assist the Master /Operator/Crew Member in any technical concerns which arose during the previous PSC inspections.

Detention Prevention Inspection shall be carried out, when the vessel underwent PSC inspection(s):

- Resulting in 15 deficiencies without being detained (not Class-Related); or
- As a result of 30 or more deficiencies (not Class-Related) within one year.

The inspection needs to be carried out as soon as possible, but no later than 2 months from the PSC inspection.

4. Post Detention Inspections

The purpose of the Post Detention Inspection is to assist in the rectification of reported deficiencies and in the case of an ISM related detention, to review the proposed action with respect to the Safety Management System.

Each vessel which was detained by a PSC Officer is obliged to undergo a Post detention inspection as soon as possible, before departure from the port of Detention or next convenient port of call.

The relevant RO, in consultation with the MTA, shall attend any ship that is detained by PSC authorities. It is the responsibility of the ship manager or master to immediately notify the MTA and the RO.

An additional audit and/or inspection of the ship may be conducted jointly by the RO and MTA representative.

Depending on the number and nature of the deficiencies relevant statutory certificates may be suspended from the date of the detention and owner/operator shall be notified by the MTA with written notice. Upon such notice, the statutory certificates shall be restituted to the RO.

If statutory certificates have been withdrawn, they shall not be reinstated until the RO has conducted renewal surveys, and all outstanding items or recommendations have been rectified to the satisfaction of the MTA.

According to Maritime Code of Georgia Vessel can be deleted from the State Ships Registry of Georgia as the result of detention. Decision will be made by main Registrar on case by case basis.

5. Post Marine Casualty Inspection

The owner or Master of a vessel involved in a reportable accident or casualty is required to notify MTA

about the accident immediately. (Circ. No 10/FSI006 issued in 2013).

Post marine casualty investigation to be carried out by the Bureau of Marine & Civil Aviation Incident/casualty investigation.

Recognized Organization Monitoring Policy

Georgia has delegated authority to the Recognized Organization (RO) to perform all surveys, inspections, audits, assessments necessary to verify compliance, and to issue the relevant statutory certification to ensure compliance of owners/operators and vessels with the national requirements and requirements of the mandatory international conventions to which Georgia is a party and related instruments. Classification Societies recognized by the European Union and authorized by Georgia are to issue statutory certificates on behalf of the Government of Georgia for International Navigation:

- American Bureau of Shipping (ABS)
- Bureau Veritas (BV)
- China Classification Society (CCS)
- Korean Register of Shipping (KR)
- Lloyd's Register of Shipping (LR)
- Nippon Ka i Kyokai (NKK)
- Polish Register of Shipping (PRS)
- Registro Italiano Navale (Rina)
- Russian Maritime Register of Shipping (RS)

The delegation of authority and monitoring of RO is guided by:

- IMO Resolution MSC.349 (92) (RO CODE)
- Resolution A.739 (18)
- Resolution A.789 (19)

The RO is obliged to present to the MTA certification body annual audit conclusion.

Policy for rectification and follow up on findings found during Port State Control (PSC) inspection

The various PSC regimes have different targeting systems or risk assessment methodology for selecting which vessels to inspect and focus their resources on. Targeting systems usually consist of:

- *Generic Part* - with elements of the ship's profile (Such as Flag, Classification Society, Ship Type, Managing Company)
- *Historic Part* - based upon the ship's inspection history (Previous detentions, number of deficiencies found last time, and outstanding deficiencies).

When the PSC inspection is concluded, the PSC officer will issue an inspection report with findings. Copy of Inspection report must be retained on board and be available for examination by Port State Control officers at any time. In principle, all deficiencies must be rectified before departure of the ship. However, PSC Officer taking in consideration the nature of the deficiencies may apply other actions to be taken such as to rectify deficiency in 14 days or at next port of call, or as per agreed with MTA and vessels Classification Society.

If your vessel is detained, be polite and cooperative, and ask the PSC Officer for detention grounds with the

associated reference in Convention regulations, as well as what corrective actions should be done. The relevant RO, in consultation with the MTA, shall attend any ship that is detained by PSC authorities. It is the responsibility of the ship manager or master to immediately notify the MTA and the RO.

A vessel detained Three (3) times in one (1) year by Port State Control or by a specific Memorandum of Understanding (MoU) authority and ground for detention is Not - compliance with standards/items of Resolution A 789 (19) or vessel detained Two (2) Time in one (1) year - because of violation of international navigation rules, *such vessel is subject to deletion from State Ships registry by the MTA. Decision will be made by main Registrar on case by case basis.*

Crew is requested to have good communication with the Port State Control officer, either through good command of English or the local language. Avoid misunderstandings by having a senior officer or the Master to accompany the PSC inspectors during their inspection on board.

- Master and Crew are requested to check and inspect at least but not limited to below listed items before entering in port, to minimize a deficiencies and risk of detention during PSC inspection.
- Statutory certificates
- Crew Certificates
- Compliance with SCTW requirements (hours of rest);
- Records of drills
- Radio communication equipment
- Firefighting equipment (fire pumps; fire dumpers)
- Lifesaving and emergency equipment
- ODME and Oily Water Separator
- Oil/ Garbage Record Book
- Deck and Engine log books

All Georgian Flagged vessels which were subject to Port State Control inspections are required to submit to the MTA copies of PSC inspection reports. Owners, Operators and Masters are requested to send to the MTA action plan for rectification of PSC deficiencies. Depending on nature of the deficiencies RO may be requested from MTA for explanation or definition.

Sincerely,

Agency Director

A handwritten signature in blue ink, appearing to read 'M. Akhaladze', is written over the printed name.

Mamuka Akhaladze