



№ 4/CIRC/FSI

2020 / 02 /25

To: All Owners, Managers and Representatives of Ships under the
Georgian Flag, Masters and Officers, Recognized Organizations
and Georgia flag state inspectors

Reference:

MTA Circular № 27/CIRC/FSI, dated 09 / September / 2019, Procedures of appointment of ship surveyors in terms of maritime code of Georgia;

MTA Circular № 17/CIRC/FSI, dated 22 / April / 2019, Requirements for Recognizing Flag State Inspector;

MTA Circular № 12/CIRC/FSI, dated 29/ November/2018, Procedures of Marine incidents and Marine Casualty reporting on Vessels registered under Georgian Flag;

MTA Circular № 28/CIRC/FSI, dated 12 / November / 2019, Delegation of Authority;
Article 44¹ paragraph "i" of the Maritime Code of Georgia;

Article 10 paragraph 3, subparagraph a,d,f of the Order №1-1/585, "On Approval of the Charter of the Legal Entity of Public Law the Maritime Transport Agency" adopted by the Minister of Economy and Sustainable Development of Georgia.

SUBJECT: FSI TARGETS FOR 2020-2021

1. Introduction

1.1 The main targets of Ships Registry and Flag Control Department of LEPL Maritime Transport Agency of Georgia (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 ships.

1.2 For this purpose Ships Registry and Flag Control Department has developed and approved, Flag State Inspection Policy/Recognized Organization (RO) monitoring policy for rectification and follow up on findings found during Port State Control (PSC) inspections.

2. Flag State Inspection Policy

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

- Pre-registration Inspections
- Annual Flag State Inspections
- Detention Prevention inspection
- Post Detention Inspections
- Post Marine Casualty Inspection

2.2 MTA has the ultimate responsibility for all flag State inspections.

2.3 Flag State Inspectors acting on behalf of MTA are authorized to attend and inspect Georgian flagged ships in accordance with the approved procedures, standards and within the scope of IMO mandatory instruments.

2.4 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.

2.5 Upon completion of any type of inspection mentioned above, irrespective whether recommendations, remarks, etc. have been imposed during the visit, MTA shall issue "Flag State Inspection Statement". It is the responsibility of the owner/operator to present their ships for

timely inspection. In order to act so the owner/operator shall inform and request from MTA to conduct Flag State Inspection. Ships not inspected by the due date will be considered as "overdue" and follow up procedures will be initiated.

2.6 In this regard, the owner/operator shall ensure that the ship will be available in designated port for an adequate period of time to complete the inspection; MTA should be advised as to the ship's next available port, estimated time of arrival (ETA). MTA will appoint a flag state inspector to attend the ship for the flag state inspection. MTA will coordinate all necessary details with the ship-owner/operator. The responsibility of master is to present the ship for the scheduled inspection and cooperate with the flag state inspector accordingly.

3. Pre-registration Inspections

3.1 The sole purpose of the pre-registration inspection is to determine the eligibility/suitability of ships 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 MTA. Ships (other than pleasure yacht and ships less than 100 GT) that meet one of the below listed criteria (either separately or cumulatively) are required to undergo a pre-registration inspection as follows:

- The age of the ship is 20 (twenty) years and over;
- Has one detention by PSC within last 12 (twelve) 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 (twenty four) months;
- Changing flag from black listed state under any MoU on PSC;
- Has 20 (twenty) or more deficiencies within last 12 (twelve) months confirmed by port state reports.

3.2 Upon satisfactory completion of the pre-registration inspection, MTA shall decide to register the ship in the State Ships Registry of Georgia. Ships that are inspected under pre-registration inspection are not required to undergo annual inspection in the same calendar year. However each case will be reviewed separately and exceptions to the general rule may be made.

3.3 The ships more than 40 (forty) years are not subject for registration under Georgia flag.

4. Annual Flag State Inspection

4.1 All newly registered Georgian flagged ships shall undergo annual flag state inspection within 6 (six) months from the initial date of registration, in case the ship was not inspected under conditions prescribed in the paragraph 2.1. a. Anniversary date of the ship for the purpose of this policy means the completion date of the ships' registration under the Georgian flag.

4.2 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 ship in order to reduce the number of deficiencies on Georgian ships.

4.3 The inspection is carried out every 12 (twelve) months and is applicable to all Georgian flagged ships. However consideration under different conditions will be given to the case.

4.4 All Georgian flagged ships are required to undergo an annual flag State inspection with the following exceptions:

- Unmanned barges;
- Pleasure yachts;
- Ships under 150 GT (other than fishing vessels, Port fleet) and less than 24 meters in length.

4.5 The concentrated inspection campaign is carried out every 12 (twelve) months and is applicable to all Georgian Fishing vessels engaged in the domestic navigation. Dates of concentrated inspection will be announced before fishing season starts.

5. Detention Prevention Inspection

5.1 The purpose of detention prevention 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.

5.2 Detention prevention inspection shall be carried out, when the ship underwent PSC inspection(s):

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

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

5.4 Moreover masters of Georgian flagged ships are required to conduct and to submit self-evaluation to prevent any deficiencies/observation that may occur during upcoming PSC inspections.

6. Post Detention Inspection

6.1 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.

6.2 Each ship 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.

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

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

6.5 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 MTA with written notice. Upon such notice, the statutory certificates shall be restituted to the RO.

6.6 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 MTA.

6.7 According to article 36, paragraph 4, subparagraph "d" of the Maritime Code of Georgia ship 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.

7. Post Marine Casualty Inspection

7.1 The owner or master of a ship involved in a reportable accident or casualty is required to notify MTA about the accident immediately. (Circ. № 12/CIRC/FSI issued in 29/11/2018). Post marine casualty investigation has to be carried out by the Civil Aviation and Maritime Transport Accident Incident Investigation Bureau.

7.2 Each ship which has had a marine casualty is obliged to undergo a post marine casualty inspection as soon as possible, before departure or upon arrival to the next port, whichever the case may be.

8. Recognized Organization Monitoring Policy

8.1 Georgia has delegated authority to the 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 ships 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) ;
- Indian Register of Shipping (IRS);
- Korean Register of Shipping (KR) ;
- Lloyd's Register of Shipping (LR);
- Nippon Kaiji Kyokai (NKK);
- Polish Register of Shipping (PRS);
- Registro Italiano Navale (Rina);
- Russian Maritime Register of Shipping (RS).

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

- *IMO Resolution MSC.349 (92) (RO CODE)*
- *IMO Resolution A. 739(18) Guidelines for the authorization of organizations acting on behalf of the Administration, as amended by resolution MSC. 208(81).*
- *IMO resolution A.789(19) Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration*

8.3 The RO is obliged to present to MTA annual audit conclusion issued by certification body

9. Policy for rectification and follow up on findings found during PSC inspection

9.1 The various PSC regimes have different targeting systems or risk assessment methodology for selecting which ships to inspect and focus their resources on.

9.2 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).

9.3 Upon the conclusion of PSC inspection, 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 PSC 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 (fourteen) days or at next port of call, or as per agreed with MTA and ship's Classification Society.

9.4 If your ship 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 MTA, shall attend any ship that is detained by PSC authorities. It is the responsibility of the ship manager or master to immediately notify MTA and the RO.

9.5 A ship detained 3 (three) times in 1 (one) year by PSC of specific MoU authority and ground for detention is "Not-in-compliance with standards/items of Resolution A.789 (19)" or ship detained twice in one year for violation of international navigation rules, are subject to deletion from State Ships Registry of Georgia. Decision for deletion is made by Main Registrar on case by case basis.

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

9.7 Master and crew are requested to check and inspect at least but not limited to below listed items before entering in port, in order to minimize deficiencies and risk of detention during PSC inspection:

- Statutory certificates;
- Crew Certificates; Publications and chart updates; (ECDIS)
- Compliance with SCTW requirements (hours of rest);
- Records of drills;
- Radio communication equipment;
- Firefighting equipment (emergency fire pumps; fire dumpers);
- Emergency diesel generator; emergency light;
- Emergency Battery;
- Lifesaving and emergency equipment;
- ODME and Oily Water Separator;
- Oil/Garbage Record Book;
- Deck and Engine log books.

9.8 All Georgian flagged ships which were subject to PSC inspections are required to submit to MTA copies of PSC inspection reports. Owners, operators and masters are requested to send to MTA action plan for rectification of PSC deficiencies. Depending on nature of the deficiencies RO may be requested from MTA for further explanation.

Director

SIGNED/SEALED
ELECTRONICALLY 

Tamar Ioseliani

