



Antigua and Barbuda Maritime Administration

Miscellaneous Circular
No. 2022-001
Rev 1
5 September 2022

SUBJECT: Preparation for Port State Control Inspections

REFERENCE:

- a) *Antigua and Barbuda Merchant Shipping Act (MSA) 2006 and related Regulations (Statutory Instruments, Directives and Circulars, as applicable)*
- b) [Directive 001-2012](#) *The Merchant Shipping (Reporting of Accidents) Directive 2012*
- c) [Directive 001 - 2014](#) *Port State Control Reporting Directive 2014*
- d) [Miscellaneous Circular 2014-004](#) *Port State Control Inspection reporting and Flag State follow up*
- e) [Information Notice 2021-003](#) *Concentrated Inspection Campaigns (CiC's)*
- f) [International Maritime Organization Procedures of Port State Control, as amended](#)
- g) *International Labour Organization (ILO) Guidelines for port State control officers carrying out inspections under the Maritime Labour Convention, 2006*

TO: Ship-owners, operators, masters and officers of Antigua and Barbuda flagged ships, and recognized organisations.

1. PURPOSE

This Circular provides information for shipping companies, ship managers, Masters, and crew members, on measures to mitigate the effects of port State control (PSC) inspections and resulting International Safety Management (ISM) related deficiencies.

2. APPLICATION

This Circular applies to all Antigua and Barbuda flagged Ships.

3. BACKGROUND

An analysis has been carried out by the ADOMS Technical Division, of PSC inspections and detentions on Antigua and Barbuda vessels for 2021, which shows that ISM Code related deficiencies are the most frequent cause of PSC ship deficiencies and resulting detentions.

This includes maintenance of the ship and equipment, resources and personnel, shipboard operations, and emergency preparedness, in accordance with the ISM Code.

The ISM Code was developed as a priority response to unsafe management practices, both ashore and at sea and is incorporated as Chapter IX of SOLAS.

As a flag State, through our Recognised Organisations (ROs) we enforce compliance.

In addition, port States have the power to ensure correct compliance with the ISM Code principals, through PSC inspections and are increasing their focus on ISM onboard.

The IMO Procedures for PSC provide detailed guidance on PSC inspections with the intention of harmonizing inspections worldwide and include clear guidelines for PSC officers (PSCOs) on the ISM Code.

PSC is well established and will normally begin with an initial inspection and opening meetings between PSCOs and Master, which reviews all of the ship's certificates, including the ISM Code Document of Compliance (DOC) and Safety Management Certificate (SMC).

The initial inspection process then progresses to a general walk around the ship and if no noted technical, or operational related deficiencies, then there is no need to check the implementation of the ISM Code, as this will be deemed satisfactory.

If there are observed deficiencies, then this normally constitutes clear grounds for conducting a more detailed inspection of the ship, including ISM Code implementation. For example, if a hatch cover was found defective, this would suggest that the ISM Code requirement for the operation of a shipboard Planned Maintenance System (PMS) and the reporting of non-conformities, may not be functioning.

The guidelines further state that any technical, or operational deficiencies found should be individually, or collectively considered by the PSCO, using their professional judgement.

The PSCO then decides whether in terms of associated ISM Code implementation there is:

- No failure, or lack of effectiveness (no ISM related deficiency recorded on the PSC form)
- Failure, or lack of effectiveness (does not warrant detention of the ship but the ISM related deficiency is recorded on the PSC form, with a requirement that a safety management audit must be carried out by our RO within 3 months)
- Serious failure, or lack of effectiveness (individually or collectively this leads to detention of the ship, with ISM related deficiencies recorded on the PSC form and the requirement for our RO to conduct a safety management audit, before the ship may be released from detention)

4. OBLIGATIONS AND RESPONSIBILITIES

1. The first step is to try and avoid PSC progressing to a more detailed inspection, by ensuring the ship is always maintained in full accordance with the ISM Code Planned Maintenance System.
2. It is recognized that this is a major challenge with a short time in port and sometimes restrictions on carrying out drills, problems with getting spare parts and technicians and surveyors unable to attend.
3. It is critical therefore, that the Master ensures that known deficiencies are entered into the onboard SMS as non-conformities and reported to shore management. A record of actions taken should be maintained, to serve as evidence that the SMS is functional, until such time that action can be taken to eliminate the root cause. This demonstrates ship and shore awareness and an intention to rectify and close out the deficiencies. Where flag Temporary Permissions, or Conditions of Authority have been authorized by ROs, it should be shown that terms and conditions are being fully complied with.
4. At the initial opening meeting the Master can then alert the PSCO to any preexisting conditions and operational restrictions and include results from previous PSC inspections and any outstanding issues and provide details of the ship's current SMS nonconformity reports. There should be evidence of follow up action and monitoring by shore-based management (and that the designated person ashore is fully engaged), of outstanding nonconformities and deficiencies.
5. This is also particularly important for ensuring the effective maintenance of main engines and power generation systems. Ship operators are advised to ensure that planned maintenance of propulsion and auxiliary machinery and associated systems is up to date. In cases where deficiencies are apparent (for example due to a delay in the delivery of spare parts), this should be communicated to the PSC authority, prior to the PSC inspection, in order to prevent problems arising on this issue.
6. This is to show attending PSCO that the SMS is not a failure and does not lack effectiveness and that corrective action plans are in place.
7. It is essential that all parties engaged in the operation and maintenance of a ship understand their roles, in ensuring a positive outcome following a PSC inspection.

Issued by

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