



The Paris MoU New Inspection Regime

Introduction

The New Inspection Regime (NIR) of the Paris MoU on Port State Control (PSC) will enter into force on 1 January 2011. The targeting system for selecting ships for inspections will be changed based on regulations by the European Commission (EU Directive 2009/16/EC). An important element in NIR is the ranking of companies according to their PSC performance.

With the introduction of the NIR, the Paris MoU will change its target of inspecting 25% of individual ships calling at each member State to a shared commitment for full coverage of inspecting all ships visiting ports and anchorages in the Paris MoU region as a whole.

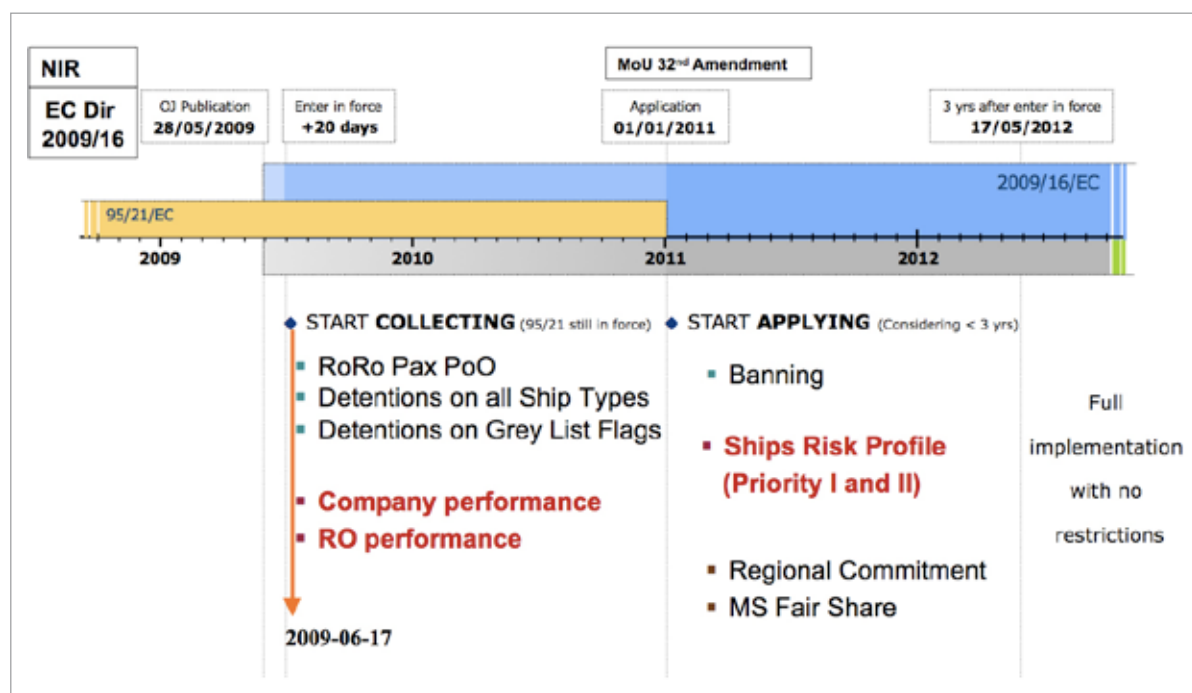
The information contained in this publication is not exhaustive and has been prepared based on the new rules and requirements as published by Paris MoU and/or the European Maritime Safety Agency (EMSA).

For further information and updates, please visit the website of Paris MoU at www.parismou.org or of EMSA at www.emsa.europa.eu

Start Up & Collecting Information

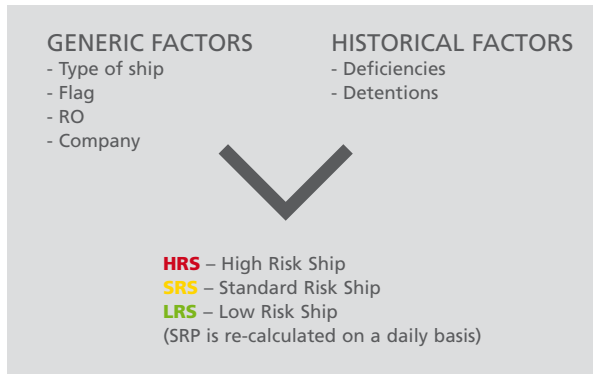
Although NIR will be replacing the existing PSC regime on 1 January 2011, the result of all inspections from 17 June 2009 will count towards the application of the new requirements.

A new database for Port State Control named THETIS will replace the existing SIRENaC system and will be managed by EMSA.



Ship Risk Profile

The Ship Risk Profile (SRP) is based on the following factors, using details of ship’s inspections in the Paris MoU area in the last 36 months:



- Type and age of ship
- Number of deficiencies
- Number of detentions
- Performance of ship’s flag
- Performance of the Recognised Organisation (RO)
- Performance of the Company responsible for the ISM Management (holder of Document of Compliance)

RISK ASSESSMENT MATRIX

Determination of SRP:

- **Low Risk Ships** are ships which meet all criteria of the low risk parameters
- **High Risk Ships** are ships with 5 or more points
- **Standard Risk Ships** are ships which are neither LRS nor HRS

Explanations:

- **BGW list:** Black-Gray-White list of flag status based on a 36 months inspection data as published annually by Paris MoU
- **Flag IMO-Audit:** Flag administration passed voluntary IMO audit (see status at Paris MoU website) – RO Performance: RO performance status (High, Medium, Low, Very Low) based on 36 months inspection data as published annually by Paris MoU
- **Company Performance*:** Status as High, Medium, Low and Very Low, based on 36 months inspection data

Note:

- Use the on-line calculator at the websites of Paris MoU and EMSA to find your ship’s risk profile.
- *EMSA will publish list of companies with Low and Very Low performance.

		High Risk Ship (HRS)		Low risk Ship (LRS)	
		Criteria	Weighting points	Criteria	
Type		Oil, Chemical, Gas Bulk, Passenger	2	All types	
Age		>12 yrs	1	All ages	
Flag	BGW-list	Black-VHR, HR, M to HR	2	White	
		Black-MR	1		
	IMO-Audit	-	-	Yes	
Recognised Organisation	Performance	H	-	High	
		M	-	-	
		L	Low	1	-
		VL	Very Low		-
	EU recognised	-	-	Yes	
Company	Performance	H	-	High	
		M	-	-	
		L	Low	2	-
		VL	Very low		-
Nr of def. recorded in each insp. within pr. 36 months		Deficiencies	Not eligible	-	≥5 (and at least 1 insp. carried out in pr. 36 months)
Nr of detentions within pr. 36 months		Detentions	≥2 detentions	1	No detention

Company Performance

The company performance criterion is the new parameter in the Paris MoU inspection regime.

- Calculated daily over a 36 month period
- ISM deficiencies 5 points. Others 1 point
- Refusal of access (banning): above average detention index
- Performance: high, medium, low, very low

COMPANY PERFORMANCE FORMULA:

- Taking into account detention and deficiency history of all ships in a (ISM) company's fleet

How can a company be high performance?

MUST HAVE DEFICIENCY INDEX BELOW AVERAGE

$$\text{Deficiency Index} = \frac{\text{No. of deficiencies(*) in ALL inspections in ALL Ships}}{\text{No. of inspections in ALL Ships}} \quad (\text{in last 36 months})$$

*each ISM deficiency counts as 5.

Only possible if no banning of any of the ships in last 36 months

MUST HAVE DETENTION INDEX BELOW AVERAGE

$$\text{Detention Index} = \frac{\text{No. of detentions of ALL Ships}}{\text{No. of inspections in ALL Ships}} \quad (\text{in last 36 months})$$

COMPANY'S DETENTION & DEFICIENCY INDEX:

- Below Average: >2 below Paris MoU Average
- Average: Paris MoU Average ± 2 points
- Above Average: >2 above Paris MoU Average

Notes:

- If a refusal of access has been issued, the Detention Index is Above Average regardless of the value of the Detention Ratio.
- Where less than 36 months have elapsed since 17 June 2009, the calculation will be made on the basis of the available data.
- If there is no information of the company in the database, the performance level will be considered medium.

Calculate Company Ratios using the on-line calculator (example):

Company inspection history in the last 36 months

How many PSC inspections has the fleet undergone in the Paris MoU region?

In how many detentions have these inspections resulted?

How many **Non** ISM deficiencies have been recorded during these inspections?

How many ISM deficiencies have been recorded during these inspections?

Has a refusal of access order been issued to any ship of the fleet?⁽¹⁾

Company Performance

Detention Index	Deficiency Index	Company Performance
Above Average	Above Average	Very Low
Above Average	Average	Low
Above Average	Below Average	
Average	Above Average	
Below Average	Above Average	Medium
Average	Average	
Average	Average	
Below Average	Below Average	High

Company Detention Index

Paris MoU Average Detention Ratio⁽²⁾ = 5.27 % (detentions per inspections)

3.27
2.27

Below Average
Average
Above Average

Company Detention Ratio = 3.2 % (detentions per inspection)

Company Deficiency Index

Paris MoU Average Deficiency Ratio⁽²⁾ = 3.97 (points per inspection)

1.97
3.97

Below Average
Average
Above Average

Company Deficiency Ratio = 2.20 (points per inspection)

Inspection Intervals & Priority

The inspection intervals are determined by the time window as per Ship Risk Profile.

High Risk Ship:

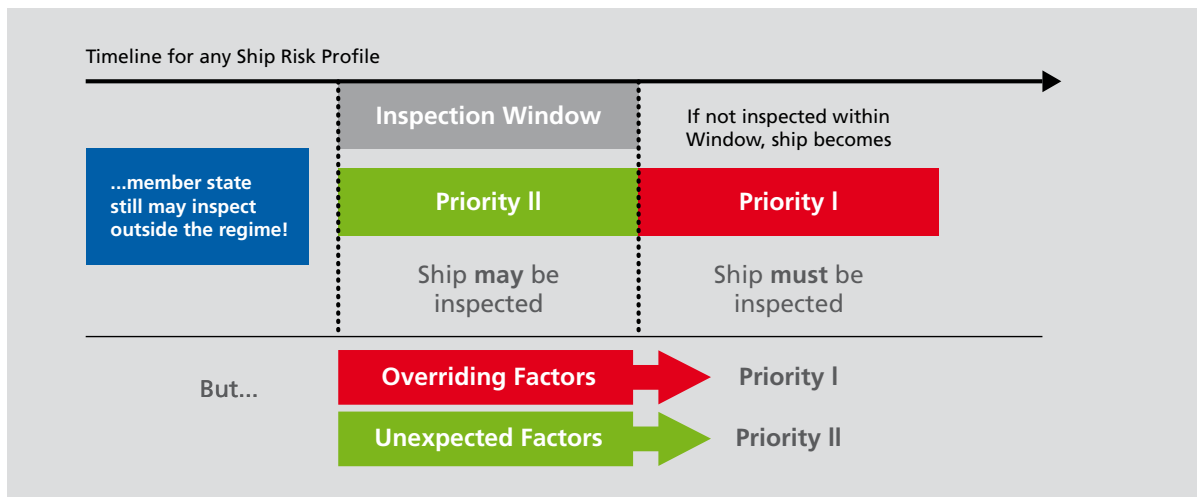
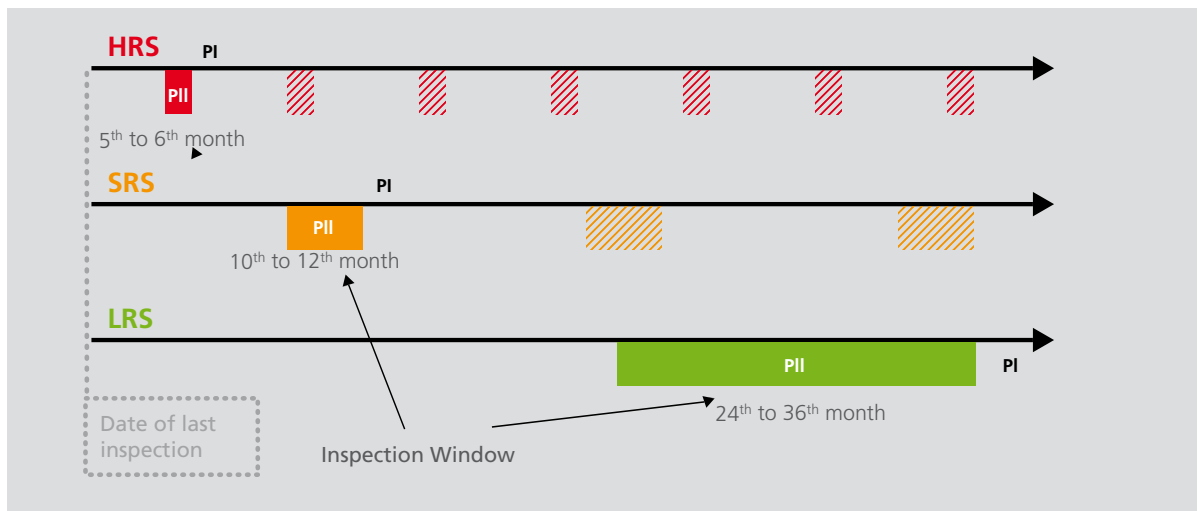
- *Priority II:* between 5-6 months after last inspection in the Paris MoU area, ship may be inspected
- *Priority I:* after the 6th month ship must be inspected

Standard Risk Ship:

- *Priority II:* between 10-12 months after last inspection in the Paris MoU area, ship may be inspected
- *Priority I:* after the 12th month ship must be inspected

Low Risk Ship:

- *Priority II:* between 24-36 months after last inspection in the Paris MoU area, ship may be inspected
- *Priority I:* after the 36th month ship must be inspected.



Other factors may trigger additional inspection - for example:

- **Overriding factors are Priority I:**
 - collision
 - illegal discharge
 - unsafe manoeuvring
 - suspended or withdrawn class
 - no ship's data in database
- **Unexpected factors are Priority II:**
 - outstanding deficiencies

- previously detained ships (after 3 months from detention)
- complaint
- cargo problems
- reporting by pilots

Note:
Member States if deemed necessary may still inspect a ship before the window opens and if no overriding or unexpected factors are recorded.

Reporting Obligations

The relevant port State control office shall be notified:

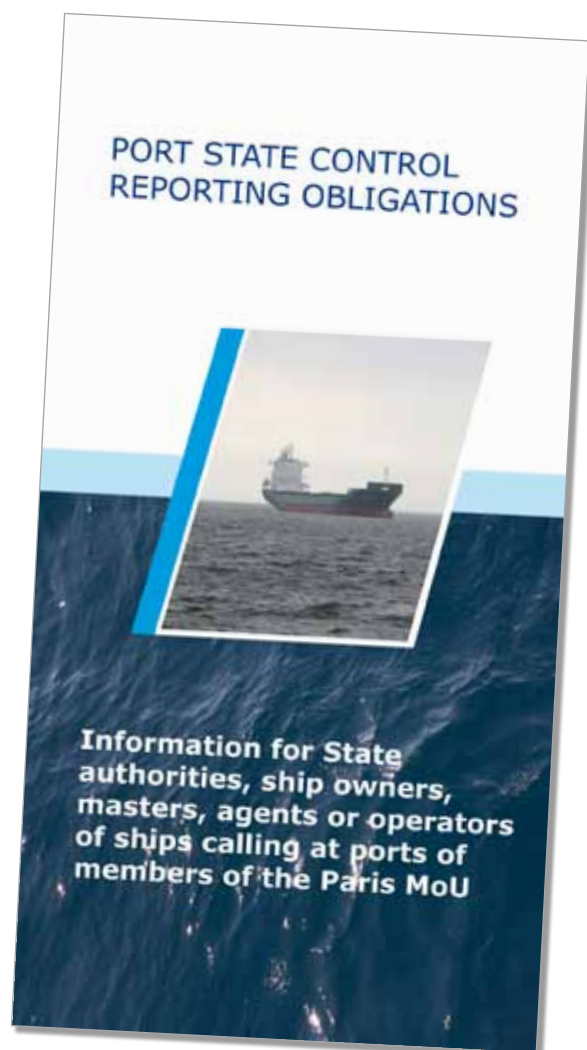
- 72 hours before ETA if eligible for Expanded Inspection
 - All ships with High Risk Profile, and
 - Any bulk carrier, chemical tanker, oil tanker, gas carrier or passenger ship, older than 12 years of age

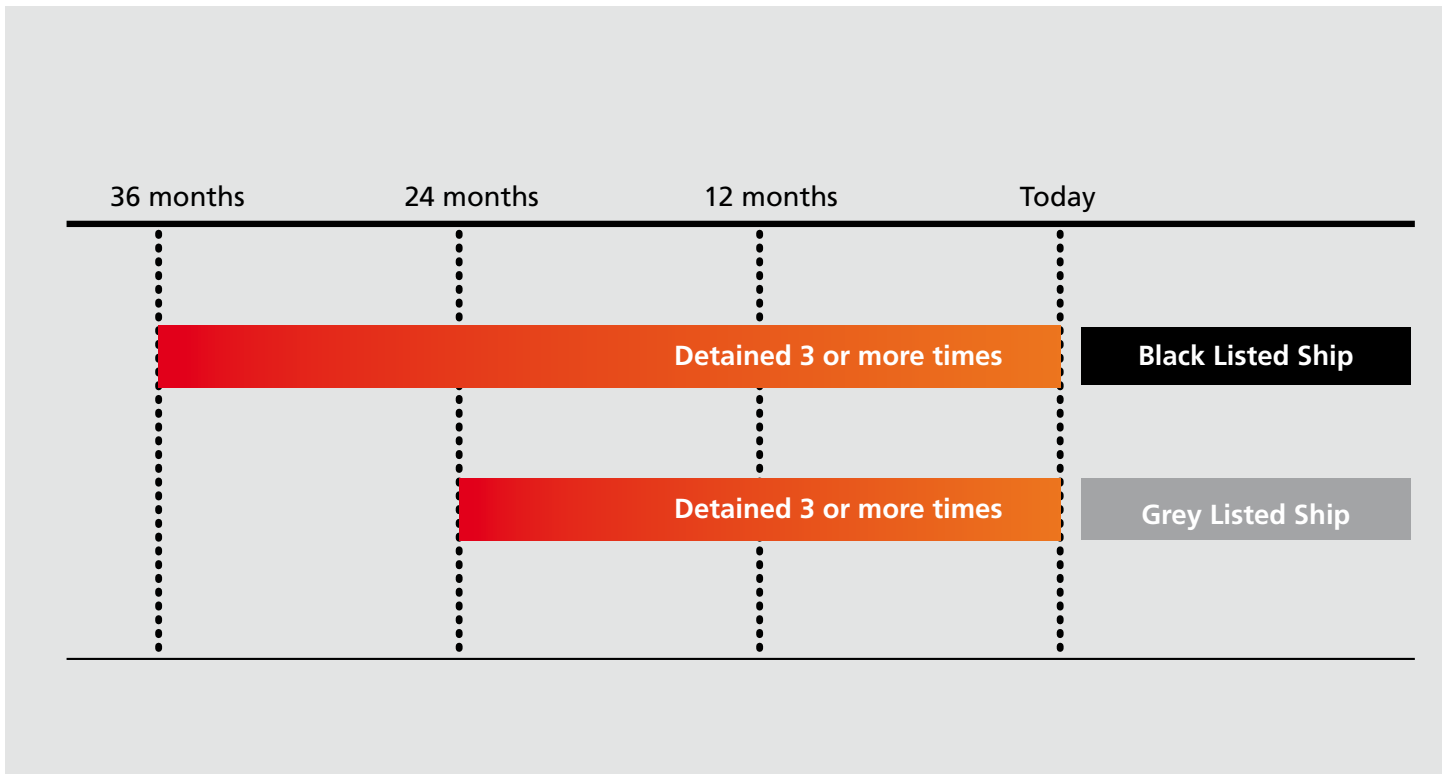
The operator, agent or Master of a ship which is subject to an expanded inspection shall notify its arrival at least 72 hours before the expected time of arrival (ETA) in the port or anchorage or before leaving the previous port if the voyage is expected to take less than 72 hours.

The arrival notification can be sent by fax or email via the agent; the addresses of the relevant port States can be found at Paris MoU website together with the information form to be filled in. However, the Master of the ship remains responsible for complying with the reporting obligations.

Failure to report to the port State that your ship is eligible for a mandatory expanded inspection is an offence and may risk delay due to the involved nature of the inspection. The ship also risks that a penalty (fine) is imposed when not fulfilling the reporting obligation

- 24 hours before ETA for every ship
 - The operator, agent or Master of the ship shall notify the pre-arrival information to the port authority. The notification shall be done at least 24 hours in advance or at the latest when the ship leaves the previous port if the voyage is less than 24 hours.
- ATA and ATD within reasonable time
 - A new reporting requirement which is introduced with the NIR is the actual time of arrival (ATA) and the actual time of departure (ATD) of all ships.
 - The notifications shall be made to the Port State in accordance with their national arrangements.





Refusal of Access (Banning)

With the NIR the Paris MoU has widened the banning for multiple detentions from certain ship types to ALL ship types and extend the flag from the black- listed to include also the grey-listed ones.

The banning criteria for the first and second ban will be amended as follows:

- If the ship flies a black listed flag it will be banned after more than 2 detentions in the last 36 months.
- If the ship flies a grey listed flag it will be banned after more than 2 detentions in the last 24 months.

Any subsequent detention after the 2nd banning will lead to a ban, regardless of the flag.

A time period until the banning can be lifted will be introduced, which is as follows:

- 1st ban:** after 3 months
- 2nd ban:** after 12 months
- 3rd ban:** after 24 months
- 4th ban:** permanent ban

Note: To lift the 3rd ban more stringent conditions are applied which have to be fulfilled before the 24 months has elapsed.

Banning of ship following other occurrences:

- Any ship that jumps detention
- Any ship that fails to call to agreed repair yard

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