

«Société»  
«Titre» «Prénom» «Nom»  
«Adresse1»  
«CodePostal» «Ville»

Luxembourg, le 22/03/2001

## **CIRCULAIRE CAM 01/2001**

Réf. : MPS/19554  
Objet : Mise en œuvre de procédures relatives au contrôle par l'Etat du port

«Titre»,

Suite à notre séminaire du 13 décembre 2000 en matière de sécurité maritime, j'ai l'honneur de vous communiquer en annexe une note d'information concernant la mise en œuvre du premier module relatif au contrôle par l'Etat du port.

En votre qualité de dirigeant d'entreprise maritime, je vous invite à assurer une diffusion adéquate de cette information au sein de votre organisation et des entreprises maritimes dont les navires sont concernés.

Veuillez agréer, «Titre», l'expression de mes sentiments distingués.

Marc GLODT  
Commissaire du Gouvernement  
aux affaires maritimes

Annexe: Information concerning Port State Control Inspections

Luxembourg, 19<sup>th</sup> March 2001

**Object: Information concerning Port State Control Inspections**  
(Complement to the circular CAM 01/2001)

Dear Sirs,

Reference is made to the internationally agreed standards concerning Port State Control (IMO Resolution A.787(19) as amended and EC Council Directive 95/21/EC as amended).

Realising that by conclusion of the 1999 Abuja Memorandum of Understanding (MOU) a world-wide coverage by regional Port State Control agreements has been achieved recently the related activities should get the appropriate attention.

In this respect and according to our PORT STATE CONTROL SEMINAR hold on Wednesday 13 December 2000, the Commissariat aux Affaires Maritimes is inter alia aiming at a full compliance of the relevant flag State obligations and – simultaneously – a comprehensive assistance to owners to minimise problems and delays.

In order to meet these goals we need detailed and up-to-date information about all irregularities and deficiencies found on board ships registered in Luxembourg during PSC inspections.

As the first and foremost prerequisite, detailed information about all control activities in foreign ports is needed. According to

- IMO Resolution A.787(19) as amended, paragraph 5.1.1(see Attachment 1) and
- Council Directive 95/21/EC as amended, article 8 (1); (see Attachment 1)

port State authorities have to insure that, on the conclusion of each inspection – irrespective of the results – the master has to be provided with an inspection report. CAM is going to contact the secretariats of all related MOU's to extent the relevant co-operation.

In order to improve the quality of our data about fleet performance and to ensure compliance with all mandatory requirements we request that a copy of any PSC inspection report concerning your ships is submitted to CAM without delay.

Additionally please be informed that as required by IMO every detention will lead to an investigation. All costs relating to such operations may be borne by the owner or operator of the ship.

Yours sincerely,

Marc GLODT  
Government Commissioner  
for maritime affairs

Attachments: Annex 1 - Related requirements

## Annex 1: Related requirements

### 1. **IMO- Resolution A.787(19) adopted on 23 November 1995 (as amended).**

## PROCEDURES FOR PORT STATE CONTROL

### “Chapter 5 – Reporting Requirements

#### 5.1 Port State reporting

- 5.1.1 Port State authorities should ensure that, on the conclusion of an inspection, the master of the ship is provided with a document giving the results of the inspection, details of any action taken by the PSCO, an a list of any corrective action to be initiated by the master and/or company. Such reports should be made in accordance with the format in appendix 5.”

2. *Council Directive 95/21/EC of 19 June 1995 (as amended) concerning the enforcement, in respect of shipping using community ports and sailing in the waters under the jurisdiction of the member states; of international standards for ship safety; pollution prevention and shipboard living and working conditions (port state control).*

### Article 8

#### Report of inspection to the master

1. On completion of an inspection, a more detailed inspection, or an expanded inspection, the master of the ship shall be provided by the inspector with a document in the form specified in Annex 3\* to the MOU\*\*, giving the results of the inspection and details of any decisions taken by the inspector, and of corrective action to be taken by the master, owner or operator.”

\* *almost identical with the IMO reporting format*

\*\* *“MOU” means the Memorandum of Understanding on Port State Control, signed in Paris on 26 January 1982, as it stands on 1 July 1999*