

GIBRALTAR MARITIME ADMINISTRATION
(Ministry of Maritime Affairs)



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Shipping Information Notice – No. 036

SOLAS / PSC Reporting Requirements - Accident Damage / Defects

To: Local Representatives, Ship Owners, Operators, Masters, Officers

References:

- SOLAS 1974, P88, Chapter I/Reg.11(c) (as amended);
- Paris Memorandum of Understanding on Port State Control (37th Amendment), Section 3.5, as amended;
- Gibraltar Maritime Administration Shipping Guidance Notice (SGN) 053, as amended

1. REPORTING OF BREAKDOWNS, ACCIDENTS AND DEFECTIVE EQUIPMENT
NOTIFICATION REQUIREMENTS: SOLAS & PARIS MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL

Some recent Port State Control (PSC) inspections have resulted in unnecessary detentions due to failure to report in advance defects/damages to PSC Authorities.

Prior to arrival at a port, the defect should be reported to the PSC authorities at that port. This may be through the ship's agents in that port or directly to the port authorities. However, certain Port States have their own method of reporting e.g. The Australian Maritime Safety Agency (AMSA). In such cases Owners/operators/Masters of Gibraltar registered ships are requested to adhere to the correct method of reporting.

It should be noted that failure to report incidents/accidents/ defective equipment may result in penalties being applied by the Port State.

Ships which fail to report under the SOLAS or Paris MOU requirements may find themselves undergoing additional scrutiny and/or deficiencies being raised during a PSC inspection.

All owners/operators/Masters of Gibraltar registered ships, are reminded that the Gibraltar Maritime Administration and Classification Society should also be notified if a vessel has a defect which affects its

statutory certification or which affects the safety of the vessel, its equipment or the marine environment, wherever the vessel is located.

Reports to the Gibraltar Maritime Administration should be sent to maritime.survey@gibraltar.gov.gi

In the event of an accident or safety related incident, then the Marine Accident Investigation Compliance Officer should also be informed by email maico@gibraltar.gov.gi (Refer to SGN 053)

2. REFERENCES

We wish to bring to the attention of owners/operators of Gibraltar registered ships the following:

I. SOLAS Chapter I Regulation 11 (c)

“Whenever an accident occurs to a ship or a defect is discovered, either of which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the ship shall report at the earliest opportunity to the Administration, the nominated surveyor or recognised organisation responsible for issuing the relevant certificate who shall cause investigations to be initiated to determine whether a survey, as required by regulations 7, 8, 9, or 10, is necessary. If the ship is in a port of another Contracting Government, the master or owner shall report immediately to the appropriate authorities of the Port State.”

II. Paris Memorandum of Understanding on Port State Control

“Where the ground for detention is the result of accidental damage suffered on the ship’s voyage to a port or during cargo operations, no detention order will be issued provided that:

- 1. Due account has been given to the requirements contained in Regulation I/11(c) of SOLAS regarding notification to the Flag Administration, the nominated surveyor or the recognised organisation responsible for issuing the relevant certificate;*
- 2. Prior to entering a port or immediately after a damage has occurred, the master or ship owner has submitted to the port state control authority details on the circumstances of the accident and the damage suffered and information about the required notification of the flag administration;*
- 3. Appropriate remedial action, to the satisfaction of the Authority, is being taken by the ship, and*
- 4. The authority has ensured, having been notified of the completion of the remedial action, that deficiencies which were clearly hazardous to safety, health or the environment have been addressed to the satisfaction of the Authority”.*

Richard Montado
Maritime Administrator

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