

The New Inspection Regime (NIR) of the Paris Memorandum of Understanding (PMoU)

1. The new target of full coverage

With the introduction of the NIR the PMoU 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 PMoU region as a whole.

1.1. Ship Risk Profile

The Target Factor will be replaced by the Ship Risk Profile. The Ship Risk Profile classifies ships into Low Risk Ships (LRS) and High Risk Ships (HRS). If a ship is neither Low Risk or High Risk it is classified as Standard Risk Ship (SRS).

The Ship Risk Profile is based on the following criteria, using details of inspections in the PMoU area in the last 3 years:

- type of ship;
- age of ship;
- performance of the flag of the ship (including undertaking Voluntary IMO Member State Audit Scheme (VIMSAS));
- performance of the recognized organization(s);
- performance of the company responsible for the ISM management;
- number of deficiencies;
- number of detentions.

1.2 Company performance

The company performance criteria for the calculation of the Ship Risk Profile is a new parameter in the PMoU. The PMoU has established a formula which takes into consideration the deficiencies and detentions in the last 36 months of the company's fleet, based on the IMO company number and compares it to the average of all vessels inspected in the PMoU to determine the performance level. The companies will be ranked into very low, low, medium and high. Any Refusal of Access (Ban) will have a negative impact on the ranking of the company.

1.3 Inspection Categories, Time Window, Selection Scheme and Inspection Types

Recognising the rights of Port States to inspect foreign flagged ships in their ports at any time, the Paris MoU is introducing the following regime.

.1 Inspection Categories:

The NIR includes two categories of inspection, a periodic and an additional inspection.

Periodic inspections are determined by the time window. Additional inspections are triggered by overriding or unexpected factors depending on the severity of the occurrence.

.2 Time Window

The time window is set according to the Ship Risk Profile as follows:

- HRS: between 5-6 months after the last inspection in the PMoU region;
- SRS: between 10-12 months after the last inspection in the PMoU region;
- LRS: between 24-36 months after the last inspection in the PMoU region.

The time span for the next periodic inspection re-starts after any inspection.

.3 Selection Scheme:

If the time window has passed a ship becomes Priority I. The ship **will** be selected for a periodic inspection.

When the time window opens a ship becomes Priority II. The ship **can** be selected for a periodic inspection.

If an overriding factor is logged against a ship it becomes Priority I irrespective of the time window and the ship will be selected for inspection.

If an unexpected factor is logged against a ship it becomes Priority II irrespective of the time window and the ship can be selected for inspection.

Before the window opens for any risk profile and there are no overriding or unexpected factor is logged, the ship has no priority status and member States are not obliged to perform an inspection on such ship but if deemed appropriate may still choose to do so.

.4 Inspection types (Initial, more detailed and expanded inspection):

The PMoU will not change the inspection types but will extend the expanded inspection to all ship types.

In case of a periodic inspection each ship with a HRS profile and each bulk carrier, chemical tanker, gas carrier, oil tanker or passenger ship older than 12 years will have to undergo an expanded inspection. Each ship with a SRS and LRS profile which is not one of the above mentioned ship types, will undergo an initial inspection or if clear grounds are established a more detailed inspection.

Any additional inspection shall be, at least, a more detailed inspection. If the ship has a HRS profile or is of one of the above mentioned ship types, the member State may decide to perform an expanded inspection instead.

1.4 Refusal of access (banning)

The PMoU will widen the banning for multiple detentions from certain ship types to **all** ship types and extend the flag from the black to 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.

Furthermore a time period until the banning can be lifted will be introduced which is as follows:

1. 3 months after the first ban;
2. 12 months after the second ban;
3. 24 months after the third ban;
4. permanent ban.

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

1.5 Reporting obligations

With the NIR the PMoU has widened the arrival notifications. The former regime had already a 72 hour pre-arrival (ETA72) message in place. This was only relevant for a few ship types and only in case these were eligible for an expanded inspection. The ETA72 is now widened to all ships with a HRS profile and also to each bulk carrier, chemical tanker, gas carrier, oil tanker and passenger ship older than 12 years eligible for an expanded inspection. Eligibility for expanded inspection can be consulted on www.parismou.org after 1 January 2011.

Further, as previous, it is required that all ships provide a pre-arrival notification 24 hours in advance (ETA24).

Both the ETA72 and ETA24 notifications are obligations for the ship and shall be made to the Port State in accordance with their national arrangements.

A new reporting requirement which is introduced with the NIR is the notification of the actual time of arrival (ATA) and the actual time of departure (ATD) of all ships calling at all ports and anchorages in the PMoU region.

1.6 Implementation

The NIR will replace the existing PSC regime on 1 January 2011. However the results of all inspections from mid 2009 will count towards the application of the new requirements.