



Merchant Shipping Directorate



REPORTING OBLIGATIONS AND DETENTIONS

Technical Notice SLS.27

*Notice to Shipowners, Ship Operators, Managers, Masters,
Owners' Representatives and Recognised Organisations*

This Directorate would like to remind all concerned of the reporting obligations under:

SOLAS Regulation I/11(c); MARPOL Annex I Regulation 6.4.3; MARPOL Annex II Regulation 8.3.3; MARPOL Annex IV Regulation 4.9; MARPOL Annex VI Regulation 5.6.

This Administration has noted that one of the main contributing reasons to an increase in detentions worldwide is due to failure to meet reporting obligations. To this effect, it is important that companies review their Safety Management System (SMS) to ensure that procedures with regards to reporting are in place. If this is already included in the SMS, ways to enhance such procedure to ensure effective implementation are to be introduced.

In instances where port State Authorities identify deficiencies that had not been duly reported by the Master or where appropriate corrective action had not been initiated, port State control may be led to believe that the ship intends to sail with such deficiencies unaddressed. Such situations may lead to the detention of the ship.

Ship owners, DPAs and Masters of Maltese ships are to ensure that:

- 1 the Merchant Shipping Directorate as the Flag State Administration is duly notified by e-mail of any defective and/or inoperable equipment, system, etc, on tech.tm@transport.gov.mt and preferably prior to the vessel's call at port. Such early notification would place the Administration in a better position to render any assistance that may be requested such as the authorization of additional time needed for proper repair or other alternative course of action deemed appropriate under the circumstances and agreed to in conjunction with the Recognized Organization.
- 2 the Master and crew are to report all defective and/or inoperable equipment, system, etc., to the Owner/Company and ensure initiation of appropriate corrective action in accordance with dedicated procedures within the Safety Management System.
- 3 It is of paramount importance that the correct port State control section of the Port Authority is contacted and therefore Masters are encouraged to maintain a worldwide list of such contacts. The list is to be maintained updated. Contact details may be obtained from IMO's MSC-MEPC.6 Circulars, the latest published being [MSC-MEPC.6/Circ.13](#) of 31 December 2014
- 4 The Recognized Organization is to be contacted/informed immediately and arrangements for the earliest possible attendance by the Surveyor, Auditor, Inspector, as the case may require, is made as necessary.

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www.transport.gov.mt/ship-registration Transport Malta is the Authority for Transport in Malta set up by Act XV of 2009



Merchant Shipping Directorate
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Examples of pre-existing deficiencies which could avoid detention if reported in advance and corrective action initiated include the following:

- defective, inoperable cargo hold ventilator covers, and/or gooseneck vents.
- defective sewage treatment plant.
- defective fire dampers,
- defective fire detection sensor.
- defective lifeboat, rescue boat and/or the on load release arrangement.
- problems related to emergency generator.
- defective radio and communication equipment.
- defective Emergency fire pump.
- defective OWS.

Furthermore, deficiencies such as the following may lead to an immediate detention and Masters/DPAs should ensure compliance at all times:

- Required charts and navigational publications are missing or not up to date.
- Provisions are not adequate.
- Rest hours are not as required.
- Vessel operator is behind in monthly payment to the crew.
- The crew was not able to successfully demonstrate the operation of the: OWS / ECDIS / Emergency fire pump
- Boat & Fire drills are not competently carried out

More detailed information regarding port State control inspections, in particular to detainable items, may be obtained from [IMO Resolution A.1052\(27\)](#) as may be amended or superseded.

Merchant Shipping Directorate

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