REPORTING OBLIGATIONS AND DETENTIONS

Technical Notice SLS.27 Rev.2

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; and MARPOL Annex VI Regulation 5.6.

Failure to meet reporting obligations can lead to a vessel being detained by port State Authorities. 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 and periodically reviewed to ensure effective implementation.

Ship owners and managers, DPAs and Masters of Maltese ships must 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, and other similar installations on tech.tm@transport.gov.mt during office hours and as per latest revision of MS Notice 99 after office hours, prior to the vessel's call at port.

2 The Master and crew are to report all defective and/or inoperable equipment, system, and other similar installations, to the owner/company and ensure initiation of appropriate corrective action in accordance with dedicated procedures within the SMS.

3 It is of paramount importance that the correct port State control section of the Port Authority is contacted. Therefore, Masters are encouraged to maintain an updated worldwide list of such contacts. Contact details may be obtained from IMO's Global Integrated Shipping Information System (GISIS). The PSC contact points may be obtained from the Contact Points Module. The contact points contained therein are to be confirmed via the vessel's local agents for the relevant port(s).

4 The Recognized Organization is to be informed immediately and arrangements for the earliest possible attendance by the Surveyor, Auditor or Inspector, as the case may require, are made as necessary.

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 embarkation arrangements
- defective sewage treatment plant,
- defective fire extinguishing and protective systems
- defective fire detection systems
- defective lifeboat, rescue boat and/or the on-load release arrangement
- problems related to emergency generator
- defective radio and communication equipment

Malta Transport Centre
Ħal Lija LJA 2021, Malta

Tel: +356 2125 0360
Email: tech.tm@transport.gov.mt
www.transport.gov.mt/ship-registration

- defective emergency fire pump
- defective Oil Water Separator
- defective Exhaust Gas Cleaning System
- defective ballast water treatment system

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

- The crew was not able to successfully demonstrate the operation of key equipment such as the Oil Water Separator, ECDIS, emergency fire pump etc.
- Missing or outdated navigational charts or publications
- Inadequate provisions
- Rest hours are not as required
- Boat and fire drills are not competently carried out
- Crew certificates missing or outdated
- Unpaid wages and seafarer repatriation obligations not fulfilled
- SEA deficiencies

More detailed information regarding port State control inspections, in particular to detainable items, may be obtained from the latest assembly resolution on Procedures for Port State Control.

The Administration shall be immediately advised whenever a vessel is detained, or a PSC inspection report includes code 17 deficiencies which have to be rectified before departure. Where deficiencies are identified during a PSC inspection, the Company shall submit a Corrective Action Report (CAR) within 30 days. The CAR should include:

- immediate corrective action
- root cause analysis
- preventive measures
- learnt fleet-wide lessons.

Reports submitted to the Administration shall, where practicable, be accompanied by documentary evidence demonstrating rectification.

The Administration reserves the right to request a CAR when a vessel is not detained and deficiencies which need not be repaired before departure are identified.

Version	Date	Description of Change
1	20/08/2026	Updates to maintain the Administration's current performance
2	30/09/2026	Update PSC contact details

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Malta Transport Centre
Ħal Lija LJA 2021, Malta

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