PREPAREDNESS FOR PORT STATE CONTROL (PSC) INSPECTIONS AND REPORTING OBLIGATIONS FOR COMMERCIAL YACHTS

Yachting Notice 21

Notice to Yacht Owners, Yacht Operators, Managers, Masters, Owners' Representatives, Appointed Surveyors, Recognised Organisations and Stakeholders

1. Purpose and Scope

This notice outlines the minimum expectations of the Merchant Shipping Directorate regarding the preparedness of Malta-registered commercial yachts for Flag State and Port State Control (PSC) Inspections. Crucially, this notice underscores the reporting obligations applicable to commercial yachts when encountering equipment failures, defects, or safety-critical impairments. Prompt reporting to the Administration, Recognised Organisations, Appointed Government Surveyors and local Port Authorities is an important requirement designed to ensure seaworthiness, maintain safety standards, and may prevent detentions. The objective is to ensure that crew maintain high standards of safety and compliance, remain continuously ready for inspections, and properly notify the Administration and relevant authorities of any defects, detentions, or Code 17 deficiencies.

2. Responsibilities of Owners, Managers, and Masters

The Owner, Manager, and Master shall, within their respective areas of responsibility, ensure that:

- The yacht remains compliant with all applicable Statutory, small Commercial Yacht Code (sCYC), Commercial Yacht Code (CYC) and Classification (if applicable) requirements;
- Certificates, manuals, records, and supporting documentation are maintained onboard and available for inspection;
- Installed equipment is maintained in an operational condition;
- Deficiencies affecting compliance, seaworthiness, safety, security, or pollution prevention are addressed without undue delay; and
- The yacht and its crew are prepared for inspection and able to demonstrate compliance when requested.

The Master remains responsible for reporting conditions that may affect the safe operation of the yacht and for ensuring that deficiencies are adequately dealt with. Furthermore, Owners, Managers, and Masters are reminded that recurring deficiencies may be considered evidence of ineffective management oversight.

Malta Transport Centre
Ħal Lija LJA 2021, Malta

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

3. Documentation Onboard

The following shall, where applicable, be maintained onboard, in hard copy or digital format (where applicable), valid, and readily available for inspection:

- Statutory certificates and endorsements;
- Plans/Drawings, Stability Information, Manuals required under applicable Statutory Conventions, Yacht Codes, and Classification requirements, duly approved where applicable;
- Safety management documentation;
- Operational records and logbooks;
- Maintenance, servicing, and testing records;
- Crew certification and manning documentation; and
- Records required under applicable international conventions and national legislation.
- Any Administration-issued exemptions, equivalences, dispensations, or acceptance supporting non-standard arrangements and/or deviations.

4. Self-Assessment and Self-Check Arrangements

Owners and Managers are strongly encouraged to implement documented self-check arrangements for the periodic verification of compliance. It is recommended that the verification is carried out, at least, every two weeks.

Core Areas Covered by Self-Assessment Tools:

- **Statutory Certificates & Documentation:** Valid crew lists, manning certificates, oil record book, garbage management plans, and certification validity.
- **Life-Saving & Fire Safety:** Rescue boats, davits, emergency lighting, fire detection systems, firefighting systems/gear, and safety/emergency equipment.
- **Bridge & Navigation:** Updated charts and publications, navigational equipment, GMDSS, steering gear tests, and navigation equipment.
- **Engine Room & Pollution Prevention:** MARPOL compliance, engine room cleanliness, emergency power/pumps, and pollution prevention measures.
- **Crew Welfare & MLC:** Rest hours, accommodation, sanitary facilities, employment agreements, and crew qualifications/endorsements.
- **Maintenance & Corrective Actions:** Maintenance records and the implementation of corrective actions arising from previous inspections, audits, or surveys.
- **Crew familiarity**: Crew familiarity and ability to competently demonstrate the operation of key safety, pollution prevention, and navigation equipment (e.g., fire pumps, oily water separators, ECDIS, steering gear override).

5. Reporting Obligations, Defects, and Port Notifications

The Administration shall be notified without undue delay whenever a defect, failure, damage, casualty, or occurrence may:

- Affect the seaworthiness of the yacht;
- Affect compliance with statutory requirements;
- Impair the effectiveness of life-saving appliances, fire-fighting systems, navigation equipment, machinery, or other safety-critical systems; or
- Present a risk to life, the environment, or property.

Corrective actions undertaken by the Owner or Manager shall not prejudice the obligation to report such matters to the Administration.

Step-by-Step Reporting Procedure:

1. **Internal Company Reporting:** The Master and crew are to report all defective and/or inoperable equipment, systems, and installations to the owner/company and ensure the initiation of appropriate corrective actions.
2. **Recognised Organisation / Appointed Government Surveyor Notification:** The Recognised Organisation and/or the Appointed Government Surveyor is to be informed immediately, and, if deemed necessary or if required by the Administration, arrangements for the earliest possible attendance by the Surveyor are to be made as necessary.
3. **Flag State Administration Notification:** The Merchant Shipping Directorate as the Flag State Administration is to be duly notified by e-mail on yachtsmalta.tm@transport.gov.mt The latest revision of MS Notice 99 provides after office hours contacts.
   Advance reporting of pre-existing deficiencies and initiating corrective actions can effectively help prevent avoidable Port State Control or Flag State Control detentions.
4. **Port Authority / PSC Contact:** It is of paramount importance that the correct Port State Control section of the Port Authority is also notified in such cases. Masters are encouraged to maintain an updated worldwide list of such contacts, obtainable from IMO's Global Integrated Shipping Information System (GISIS) via the Contact Points Module: https://gisis.imo.org/Public/ It is recommended that these contact points be confirmed also via the yacht's local agents for the relevant port(s).

6. Common Recurring Deficiencies and Detainable Items

Without prejudice to any specific findings, recurring deficiencies identified during yacht inspections commonly relate to:

- Expired or incomplete certification;
- Inadequate record keeping;
- Ineffective implementation of safety management procedures;
- Overdue maintenance or servicing;
- Deficiencies in life-saving or fire-fighting equipment;

- Crew certification and manning deficiencies; and
- Deficiencies previously identified but not effectively dealt with.
- Crew familiarity and ability to competently demonstrate the operation of key safety, pollution prevention, and navigation equipment (e.g., fire pumps, oily water separators, ECDIS, steering gear override).

7. Actions by the Administration and Detentions

- Where an inspection, survey, or compliance verification identifies deficiencies, the Administration may require corrective actions within a specified timeframe.
- The Administration may impose additional measures where the nature or extent of the deficiencies indicates that the yacht is not being maintained in accordance with applicable requirements, including:
    - Follow-up inspections;
    - Additional surveys or verifications;
    - Operational restrictions;
    - Suspension of certificates or endorsements; or
    - Any other action considered necessary to safeguard life, property, or the marine environment.
- **Detentions and Code 17 Deficiencies:** The Administration shall be immediately advised whenever a yacht is detained, or a PSC inspection report includes Code 17 deficiencies which have to be rectified before departure.
- **Corrective Action Report (CAR):** Where deficiencies are identified during a PSC or Flag State inspection, the Company shall submit a Corrective Action Report (CAR) within 30 days. The CAR should include:
    - Immediate corrective action;
    - Root cause analysis; and
    - Preventive measures;

Reports submitted to the Administration shall, where practicable, be accompanied by before-and-after-state photographs and documentary evidence demonstrating rectification. The Administration reserves the right to request a CAR even when a yacht is not detained and deficiencies which need not be repaired before departure are identified.

Merchant Shipping Directorate 13 November 2026