



TUVALU SHIP REGISTRY

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MARINE CIRCULAR

MC-11/2005/1

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FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Recognized Organizations, Flag State Inspectors

SUBJECT: INSTRUCTIONS FOR FLAG STATE INSPECTORS

DEFINITIONS:

The following abbreviations stand for:

- “EEBD” – Emergency Escape Breathing Devices
- “FSI” – Flag State Inspection
- “ISM Code” – International Management Code for the Safe Operation of Ships and for Pollution Prevention
- “ISPS Code” – International Ship and Port Facility Security Code implemented through chapter XI-2 Special measures to enhance maritime security in SOLAS.
- “MLC 2006” – Maritime Labour Convention, 2006
- “PSC” – Port State Control
- “PSCO” – Port State Control Officer
- “RO” – Recognized Organization as defined by IMO Resolution A.789(19).

The term “Administration” shall mean the Tuvalu Ship Registry, and “vessels” shall mean Tuvalu-flagged vessels.

PURPOSE:

- 1) To support the quality objectives of the Administration;
- 2) To ensure vessels maintain the highest standard of compliance with international / national rules and regulations;
- 3) To monitor the work performed by ROs and nominated surveyors that act on behalf of the Administration; and
- 4) To maintain the good PSC performance displayed by the vessels through the prevention of PSC detentions.

REFERENCES:

- 1) Tuvalu Marine Circular MC-8/2005/12/2 - Flag State Inspection
- 2) IMO Resolution A.1070(28): IMO Instruments Implementation Code (III CODE)

APPLICATION:

This marine circular applies to all self-propelled vessels except for:

- 1) Pleasure or private yachts;
- 2) Unmanned barges;
- 3) Laid-up vessels;
- 4) Cargo vessels under 500 GT; and
- 5) Vessels not performing international voyages.

Notwithstanding, the Administration may at its discretion put a request to conduct a FSI on any vessels including the exceptions above.

CONTENTS:

1. Application and Identification of Flag State Inspectors

- 1.1. Flag State Inspectors are selected based on their qualifications and professional experience.
- 1.2. Those who wish to apply to be a Flag State Inspector shall complete the application [Form INS](#) and submit the required supporting documents as stipulated.
- 1.3. An ID card with up to three (3) years validity will be issued to approved Flag State Inspectors. The ID card is non-transferable and should only be used when conducting FSI on vessels. The ID card is the property of the Administration and can be revoked without notice, and must be surrendered upon demand.
- 1.4. For renewal of the ID card, Flag State Inspectors shall submit supporting documents to demonstrate the continuous updating of their knowledge as appropriate to the tasks they are authorized to undertake.

2. Obligations and Responsibilities of Flag State Inspectors

- 2.1. Flag State Inspectors are to discharge their duties in accordance with current international conventions, codes, guidelines and the national maritime legislation of Tuvalu. They are also to adhere to any instructions from the Director of Marine, the Registrar, his deputy and other appointed persons.
- 2.2. Flag State Inspectors shall be independent of the vessel they are inspecting. Failure to declare any conflicts of interest may result in their Flag State Inspector status being revoked.
- 2.3. Flag State Inspectors shall obtain authorization from the Administration prior to carrying out any FSI on behalf of the Administration.
- 2.4. The Flag State Inspector shall be responsible for:
 - 2.4.1. Conducting inspection of vessels' hull, accommodation, fire-fighting & lifesaving appliances and other applicable shipboard equipment and machineries;
 - 2.4.2. Conducting shipboard audits in relation to ISM Code, ISPS Code and MLC 2006;
 - 2.4.3. Verifying that the actual condition of the Tuvalu-flagged vessel conforms to the certificates carried on board;
 - 2.4.4. Ensuring that the crew can effectively coordinate their activities in an emergency situation, perform functions vital to safety and prevent or mitigate pollution;
 - 2.4.5. Collating and compiling vessels' documentation;
 - 2.4.6. Issuing a deficiencies list (through [Form FSIdet](#)) to the Ship Owner and Master with copy to the Administration;

- 2.4.7. Verifying rectification of deficiencies (including outstanding or open PSC deficiencies (if any));
 - 2.4.8. Submitting the FSI report by completing [Form FSI](#) in a timely manner accompanied by photographs; and
 - 2.4.9. Providing recommendations in line with the requirements of applicable international and national rules and standards.
- 2.5. In the event that a vessel is found unfit to proceed to sea, or is found to present an unreasonable threat of harm to the marine environment, the Flag State Inspector shall impose a Flag State Detention by notifying the local port authority and the Administration at the earliest convenience for further instruction.

3. Conducting FSI concurrently with PSC Inspection

- 3.1. Where FSI and PSC inspection coincide, the Flag State Inspector should request the PSCO to conduct a joint-inspection.
- 3.2. The Flag State Inspector should take the lead, where agreed by the PSCO, in actively assessing the vessel for compliance with the relevant requirements.
- 3.3. The PSCO reserves the right to notify the Flag State Inspector of any areas that may be of concern for both parties.
- 3.4. If major deficiencies are identified during the joint-inspection which dictate a detention of the vessel, the Flag State Inspector should notify and seek the agreement of the PSCO to detain the vessel under the Flag State Procedures in accordance with Section 2.5 above.
- 3.5. The PSC Authority should be kept updated of any all actions taken by the Flag State, including but not limited to, granting of dispensations or exemptions.

4. Flag State Inspection Reporting

- 4.1. Flag State Inspectors shall use [Form FSI](#) and [Form FSIdet](#) for the FSI report which is to be completed in its entirety and provide an explanation if it is not possible.
- 4.2. A copy of the FSI report (including the deficiencies list) should be handed over to the Master, who will then append his signature, with comments, if any.
- 4.3. The completed FSI report should be submitted to the Administration within 72 hours after attendance and shall not be transmitted to another third party without prior authorization from the Administration.
- 4.4. Inspectors shall endeavor to include sufficient photographs as practicable to illustrate the overall general condition of the vessel with the inspection report:
 - 4.4.1. Overall hull (fore, aft and sides) with vessel's name, port of registry, IMO number, Loadline marks and other relevant markings;
 - 4.4.2. Weather deck areas including forecastle, main deck (port and starboard), poop decks, mast deck, deck machineries including windlass, winches, deck cranes, embarkation/accommodation ladders, air pipe head and closing appliances, etc.
 - 4.4.3. General condition of ballast tanks, cargo tanks/holds including cargo hatch covers.
 - 4.4.4. Fire-fighting appliances (FFA) such as Portable FFA, Fixed fire-fighting system, Fire control stations, engine room isolation valve, main and emergency fire pumps, fire hoses, quick

closing valves to fuel tanks, fireman suit and equipment, EEBD, means of escape from accommodation, machinery and other spaces, etc.

- 4.4.5. Lifesaving appliances (LSA) such as lifeboats, rescue boats, and liferafts including securing arrangement of hydrostatic release, etc.
- 4.4.6. General condition of the bridge and navigation equipment, accommodation spaces, etc.
- 4.4.7. Overview of engine room and equipment including the main engine, main and emergency generators, boiler and associated fittings, purifiers, steering gear, engine room bilges and pollution prevention equipment such as sewage treatment plant, oil filtering equipment, incinerators, etc.
- 4.4.8. Any significant defects.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry