



**REPUBLIC OF THE UNION OF MYANMAR**  
**MINISTRY OF TRANSPORT AND COMMUNICATIONS**  
**DEPARTMENT OF MARINE ADMINISTRATION**

---

NO.363/421, CORNER OF MERCHANT & THEINBYU ROAD,  
BOTATAUNG TOWNSHIP, YANGON, MYANMAR

P.O BOX 194, Fax: +95 1 397641

E-mail: dgdma@myanmar.com.mm

Date : 2<sup>nd</sup> October 2017

**Notification ( 2/2017 )**

**FLAG STATE INSPECTION**

**Applicable to : All Ship - Owners, Ship Operators, Flag State Surveyors, Recognized Organizations, Masters and Officers of Myanmar Flagged Ships.**

**Reference :**

**(a) Myanmar Merchant Shipping Act 1923, as amended**

1. The Department of Marine Administration, with approval of Ministry of Transport and Communications, in the exercise of the power conferred by Section 294-B, paragraph (b) of Myanmar Merchant Shipping Act 1923, as amended, hereby issues this Notification.
2. This notification applies to all Myanmar flagged ships, in particular to ships engaged on international voyages.
3. The National Guidance for Flag State in the implementation of IMO Instruments is set out by Department of Marine Administration to fulfill the relevant requirements for compliance of mandatory IMO instruments of Myanmar Merchant Shipping Act 1923, as amended.
4. The purpose of these inspections is to ensure that they establish and maintain measures for the effective application and enforcement of the IMO instruments through verification of statutory documentation, a general examination of the structure, machinery and equipment, Specific operational safety and environmental pollution prevention levels of Myanmar flagged ships. On each inspection, the surveyor will give a copy of his Report to the master of the ship. This Report shall be retained on board together with the other ship's Official Documents.
5. Department of Marine Administration will carry out periodical Flag State inspections to ensure that the condition of the Myanmar flagged ships complying with requirements of IMO Instruments and National laws.

6. Administration will take all necessary actions to the ship if any deficiency is found during the Flag State Inspection.



Maung Maung Oo  
Director General  
Department of Marine Administration



Department of Marine Administration  
Ministry of Transport and Communications  
Republic of the Union of Myanmar

# NATIONAL GUIDANCE FOR THE FLAG STATE IN THE IMPLEMENTATION OF IMO INSTRUMENTS

2017



DMA

## **Introduction**

1. This National Guidance for Flag State in the Implementation of IMO instruments applies to all Myanmar flagged ships, in particular to ships engaged on international voyages.
2. The Flag State Surveyors will carry out periodical Flag State Inspection in accordance with the relevant requirements of IMO instruments and National Law.
3. Department of Marine Administration will carry out review and evaluation for the effectiveness of the Flag State Implementation taking into account the findings of Inspections.
4. This National Guidance for Flag State in the Implementation of IMO instruments is set out on 2<sup>nd</sup> October 2017 according to the Notification 2/2017 in the exercise of the power of Section 294(B), paragraph (b) of Myanmar Merchant Shipping Act 1923, as amended.

# **NATIONAL GUIDANCE FOR FLAG STATE IN THE IMPLEMENTATION OF IMO INSTRUMENTS**

## **CONTENTS**

1	General	
1.1	Definitions	3
1.2	Objectives of Flag state inspections	3
1.3	Application	4
1.4	Responsibilities	4
2.	Types of Inspections and Flag State Inspections	
2.1	Types of Inspections	7
2.2	Flag State Inspections process	7
2.3	Conduct of Inspection	8
2.4	Completion of Flag State Inspection Report	23
2.5	Detention of ships	23
3.	Enforcement	25
4.	Evaluation and Review	27
5.	Recognized Organizations under the International Instruments	27
6.	Find for Breach of Respective Convention	27
7.	Appeal	27
	<b>Annex-1 :GUIDANCE TO ASSIST FLAG STATES IN THE SELF- ASSESSMENT OF THEIR PERFORMANCE</b>	<b>28</b>
	<b>Annex-2:CRITERIA AND PERFORMANCE INDICATORS FOR THE SELF-ASSESSMENT OF FLAG STATE PERFORMANCE</b>	<b>38</b>
	<b>Annex-3 :FLAG STATE INSPECTION REPORT</b>	<b>40</b>

# NATIONAL GUIDANCE FOR FLAG STATE IN THE IMPLEMENTATION OF IMO INSTRUMENTS

## 1. GENERAL

### 1.1 Definitions

**1.1.1 Administration** means Department of Marine Administration (DMA) for performance of executive duties.

**1.1.2 Survey** means Flag State Surveyor who conducts Flag State Inspection.

**1.1.3 Inspection** means A visit on board a ship to inspect validity of the relevant certificates, other documents, and the overall condition of the ship, its equipment and crew in compliance with IMO mandatory instruments and National law.

**1.1.4 Recognized Organization or RO** means a organization which has been authorized by the Administration to provide the necessary statutory services and certification to Myanmar flagged ships and meets the relevant conditions set forth by resolution A.739(18) as amended by resolution MSC.208(81) and resolution A.789(19).

**1.1.5 Company** means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship and who on assuming such responsibility has agreed to take over all duties and responsibilities imposed by the International Safety Management Code.

**1.1.6 Safety management system** means a structured and documented system enabling Company personnel to implement effectively the Company safety and environmental protection policy.

**1.1.7 Deficiency** means a condition found not to be in compliance with the requirements of the relevant convention.

### 1.2 Objectives of Flag state inspections

- .1 Ensure that Myanmar flagged ships are well maintained and safely operated,
- .2 Enforce high standard of compliance with international and national rules and standards for Myanmar flagged ships,
- .3 Verify the actual condition of Myanmar flagged ships conform to the certificates onboard. The scope of the verification includes;
  - .1 Hull and machineries including equipment on deck if any,
  - .2 Safety management,
  - .3 Security systems and

- .4 Manning level
- .4 Ensure that the ship's crew can effectively;
  - .1 Co-operate their activities in an emergency situation,
  - .2 Perform functions vital to safety and
  - .3 Prevent or mitigate pollution
- .5 Monitor the work performed by recognized organizations and nominated surveyors acting on behalf of the DMA.

### 1.3 Application

The requirements of this Guidance shall be applies to all Myanmar flagged ships, in particular to ships engaged on international voyages.

### 1.4 Responsibilities

**1.4.1.** The **Director General** is responsible for the overall in – charge of the implementation of this procedure. The Deputy Director General (Tech) is responsible for the absence of Director General or when delegated by Director General.

**1.4.2.** The **Respective Director** is responsible for

- .1 decision on policy matters, the close monitoring and the improvement of the process,
- .2 the assignment of any available surveyor,
- .3 the advice as requested by the surveyor or the guidance which is required to provide the surveyor as he deem whenever necessary,
- .4 reporting of the surveyor outcome to Director General as necessary,
- .5 the safe keeping of the audit records,
- .6 the proposal for the amendment of this procedure as and when required,
- .7 delegation to the Respective Deputy Director at his absence.

### 1.4.3. Flag State Surveyors

- .1 Flag State surveyors shall have the following requirements;
  - .1 holding Deck Officer Class I – Master (FG) and 3 years minimum sea service as an officer, including minimum 1 year at Management level.
  - .2 holding Engineer Officer Class 1 – Chief Engineer Officer (FG) and 3 years minimum sea service as an officer, including minimum 1 year at Management level.
- .2 The Administration shall ensure that individual surveyors have working knowledge and practical experience in those subject areas pertaining to their normal duties. Additionally, to assist individual surveyors in the conduct of duties outside of their normal assignments, the Flag State shall ensure ready access to expertise in the following areas, as necessary:

- .1 all aspects of the IMO conventions;
  - .2 all aspects of national laws, notifications and directives;
  - .3 hull fit-up and repair;
  - .4 welding and hot work safety;
  - .5 non-destructive testing;
  - .6 vessel construction, subdivision, stability, watertight integrity;
  - .7 vessel electrical and machinery systems;
  - .8 load line and tonnage assignment;
  - .9 safety equipment systems, plans, and equipment items;
  - .10 fire protection construction methods;
  - .11 bridge navigation and communications equipment;
  - .12 vessel cargo operations and deck machinery;
  - .13 oil pollution prevention systems and procedures, including noxious liquid substances in bulk;
  - .14 safe methods of confined space entry;
  - .15 safety management systems; and
  - .16 evaluation of the effects of the human element.
- .3** During the first six months of employment within the Administration, the surveyor should perform tasks under the supervision of an experienced surveyor, in accordance with an approved practical training programme.
- .4** When a surveyor is to be employed for tasks other than those within his or her field of expertise and experience, the surveyor shall receive the necessary training and guidance for the new tasks and should perform them for a period of not less than one month, as appropriate, under the supervision of a surveyor with experience in that field.
- .5** Before a surveyor is employed on tasks relating to special ship types he shall follow an appropriate training programme related to the particular ship type.
- .6** When performing tasks on board ship, the surveyor shall carry an identification document issued by the Administration. This document shall indicate the surveyor's authority to conduct specific tasks on behalf of the Administration, and likewise indicate any limitations on that authority.
- .7** Periodic and updating trainings such as, Flag State inspection trainings, seminars, workshops and briefings for Flag State Surveyors should be held in order to update their knowledge with respect to instruments related to Flag State Inspection.



## **2. TYPES OF INSPECTION AND FLAG STATE INSPECTIONS**

### **2.1 Types of Inspections**

#### **.1 Pre-Registration Inspection**

Pre-Registration Inspections shall be carried out on all types of vessels of 20 years of age and above that have applied for registration. This inspection is carried out prior to acceptance of a vessel for registration and is focused on assessing the general condition of the vessel and its ability to meet the Administration's standards of quality and compliance.

#### **.2 Flag State Inspections**

Department of Marine Administration will carry out periodical Flag State inspection onboard a ship annually to ensure that the condition of the Myanmar flagged ships complying with requirements of IMO Instruments and National laws.

#### **.3 Special safety Inspections**

In addition to the above, special safety inspections may be required by the Department of Marine Administration;

.1 Prior to resuming service at the end of an official lay-up period in excess of six(6)months or

.2 Following any substantial structure alteration.

#### **.4 Follow-up Inspection**

Any inspection that is conducted to follow-up on a previously issued deficiency or item that may require a physical inspection or check on the corrective action.

### **2.2 Flag State Inspection process**

#### **2.3 Select a ship for inspection.**

- .1** Coordinate with the ship (s) owner, in respect to the duration and location of the ship in Myanmar registered,
- .2** Arrange with the ship(s) owner to fix date and place inspection,
- .3** Get a ship's file from Survey division to review the history and statutory certificates/form of the ship,
- .4** Extract up-to-date information regarding the ship from the RO website appropriate,
- .5** Conduct Flag State inspections by qualified DMA surveyors,
- .6** Record the ship inspection outcome report in FSI Report format,
- .7** The report of Flag State Inspection (*Annex-3*) is to be handed over to the Master upon completion of an inspection and a copy of the report of FSI is to be submitted to Director General through Respective Director,
- .8** The detention order or the suspension of the ship's operation shall not be lifted until the hazard is removed,

- .9 The master is required to rectify any deficiencies in accordance with the conditions stated in the inspection report,
- .10 Follow up inspection for verification of the rectification of deficiencies found during the FSI inspection,
- .11 Write a Follow up Inspection Report and
- .12 Copy of inspection report and Follow up inspection Report should be kept in the FSI File.

## **2.4 Conduct of Inspection**

Flag State Inspections are intended to assist the Master, officers and crew in maintaining a high level of safety, security and environmental protection in the operation of the vessel and to advise the owners/operators/managers of the conditions noted during the inspection.

Flag State Inspection include verification of statutory documentation and a general examination of the vessel's structure, machinery and equipment as well as a more thorough inspection and/or operational testing of fire fighting equipment, life saving appliances and safety equipment.

It is not intended that Flag State Inspectors should conduct a full-scale safety equipment survey for which the Recognized Organization/Classification Society is responsible.

Flag State Surveyors are subjected to spot check the vessel's safety and fire fighting equipment to ensure that it is operational and the crew is competent in its use, in compliance with the provisions of the appropriate national and international conventions, codes and practices. However, a spot check of lifesaving and fire fighting equipment shall be made to ensure the equipment is maintained properly and continues to be serviceable. Emergency equipment such as fire pump, generator, fire flaps, quick closing valves, a selection of fire hoses and similar safety & fire fighting equipment shall be inspected and if there is any doubt as to their capability, their operation must be verified wherever possible.

It is recommended that each surveyor refer to maintenance records of safety and if circumstances allow, a Fire Drill/Abandon Ship Drill be held. If a drill is held, performance of the crew should be noted, i.e., are they competent and are they familiar with their duties as per the muster list assignment.

Guidance on areas not covered by specific Flag State Instructions:

### **.1 Structure**

- 1.1** Flag State surveyor shall assess hull maintenance and the general state on deck, the condition of such items as ladder ways, guard rails, pipe coverings and areas of corrosion or pitting of plating and associated stiffening in decks and hull affecting sea worthiness or strength to take local loads. The Flag State's assessment of the safety of the structure of those ships shall be based on the Survey Report File carried on board. This file shall contain reports of structural surveys, condition evaluation reports, thickness measurement reports and a survey planning document.

- 1.2** For bulk carriers, Flag State Surveyor shall inspect hold's main structure for obviously unauthorized repairs and shall verify that the bulk carrier booklet has been endorsed, the water level alarms in cargo holds are fitted, and where applicable, that any restrictions imposed on the carriage of solid bulk cargoes have been recorded in the booklet and bulk carrier loading triangle is permanently marked.

**.2 Machinery spaces**

- 2.1** Flag State Surveyor shall assess the condition of the machinery and of the electrical installations such that they are capable of providing sufficient continuous power for propulsion and for auxiliary services. During inspection of the machinery spaces, the Flag State Surveyor shall form an impression of the standard of maintenance. Frayed, disconnected or inoperative quick-closing valve wires, disconnected or inoperative extended control rods or machinery trip mechanisms, missing valve hand wheels, evidence of chronic steam, water and oil leaks, dirty tank tops and bilges or extensive corrosion of machinery foundations are pointers to an unsatisfactory organization of the systems' maintenance. A large number of temporary repairs, including pipe clips or cement boxes, will indicate reluctance to make permanent repairs. If evidence of neglect becomes evident, the Flag State Surveyor shall extend the scope of an investigation to include, for example, tests on the main and auxiliary steering gear arrangements, over speed trips, circuit breakers, etc.

**.3 Conditions of assignment of Load lines**

- 3.1** Flag State Surveyor shall examine closely the conditions of assignment of load lines, paying particular attention to closing appliances, means of freeing water from the deck and arrangements concerned with the protection of the crew.

**.4 Life-saving appliances**

- 4.1** The effectiveness of life-saving appliances depends heavily on good maintenance by the crew and their use in regular drills. The lapse of time since the last survey for a Safety Equipment Certificate can be a significant factor in the degree of deterioration of equipment if it has not been subject to regular inspection by the crew. Apart from failure to carry equipment required by a convention or obvious defects such as holed lifeboats, the Flag State Surveyor shall look for signs of disuse of, obstructions to, or defects with survival craft launching and recovery equipment which may include paint accumulation, seizing of pivot points, absence of greasing, condition of blocks and falls, condition of lifeboat lifting hook attachment to the lifeboat hull and improper lashing or

stowing of deck cargo.

- 4.2** Flag State Surveyor would be justified in making a detailed inspection of all life - saving appliance. Such an examination might include the lowering of survival craft, a check on the servicing of liferafts , the number and condition of life jackets and life buoys and ensuring that the pyrotechnics are still within their period of validity. It would not normally be as detailed as that for the newel of the Safety Equipment Certificates and would concentrate on essentials for safe abandonment of the ship, but in an extreme case could progress to a full Safety Equipment Certificate inspection. The provision and functioning of effective over side lighting, means of alerting the crew and passengers and provision of illuminated routes to assembly points and embarkation positions shall be given importance in the inspection.

## **.5 Muster list**

- 5.1** Flag State Surveyor shall determine if the crew members are aware of their duties indicated in the muster list and ensure that muster lists are exhibited in conspicuous places throughout the ship, including the navigational bridge, the engine-room and the crew accommodation spaces. When determining if the muster list is in accordance with the regulations, the Flag State Surveyor may verify whether:
- .1 the musterlist shows the duties assigned to the different members of the crew;
  - .2 the muster list specifies which officers are assigned to ensure that life -saving and fire appliances are maintained in good condition and are ready for immediate use;
  - .3 the muster list specifies the substitutes for key persons who may become disabled, taking into account that different emergencies may call for different actions;
  - .4 the muster list shows the duties assigned to crew members in relation to passengers in case of emergency; and
  - .5 the format of the muster list used on passenger ships is approved and is drawn up in the English language
- 5.2** To determine whether the muster list is up to date, the Flag State Surveyor shall require an up-to-date crew list, if available, to verify this.
- 5.3** Flag State Surveyor shall determine whether the duties assigned to crew members manning the survival craft (lifeboats or life -rafts) are in accordance with the regulation and verify that a deck officer or certificated person is in charge of each survival craft to be used. However, the Administration, having due regard to the nature of the voyage, the

number of persons on board and the characteristics of the ship, will permit persons practiced in the handling and operation of liferafts to be placed in charge of liferafts in lieu of persons qualified as above. A second -in-command shall also be nominated in the case of lifeboats.

- 5.4** The Flag State Surveyor shall determine whether the crew members are familiar with the duties assigned to them in the muster list and are aware of the locations where they shall perform their duties.

## **.6 Fire safety**

- 6.1 Ships in general:** The poor condition of fire and wash deck lines and hydrants and the possible absence of fire hoses and extinguishers in accommodation spaces might be a guide to a need for a close inspection of all fire safety equipment. In addition to with convention requirements, the Flag State Surveyor shall look for evidence of a higher than normal fire risk; this might be brought about by a poor standard of cleanliness in the machinery space, which together with significant deficiencies of fixed or portable fire-extinguishing equipment could lead to a judgment of the ship being substandard.

- 6.2 Passenger ship:** Flag State Surveyor shall initially form an opinion of the need for the fire safety arrangements on the basis of consideration of the ship under the previous headings and, in particular, that dealing with fire safety equipment. If the Flag State Surveyor considers that a more detailed inspection of fire safety arrangements is necessary, the Flag State Surveyor shall examine the fire control plan on board in order to obtain a general picture of the fire safety measures provided in the ship and consider their compliance with convention requirements for the year of build.

- 6.3** The spread of fire could be accelerated if fire doors are not readily operable. The Flag State Surveyor shall inspect for the operability and securing arrangements of those doors in the main zone bulkheads and stairway enclosure and in boundaries of high fire risk spaces, such as main machinery rooms and galleys, giving particular to those retained in the open position. Attention shall also be given to main vertical zones which may have been compromised through new construction. An additional hazard in the event of fire is the spread of smoke through ventilation systems. Spot checks might be made on dampers and smoke flaps to ascertain the standard of operability.

The Flag State Surveyor shall also ensure that ventilation fans can be stopped from the master controls and that means are available for closing main inlets and outlets of ventilation systems.

- 6.4** Attention shall be given to the effectiveness of escape routes by ensuring that vital doors are not maintained locked and that alleyways and stairways are not obstructed.

**.7 Fire and abandon ship drills**

- 7.1** Flag State witnessing a fire and abandon ship drill should ensure that the crew members are familiar with their duties and the proper use of the ship's installations and equipment.
- 7.2** When setting a drill scenario, witnessing the drill and finally assessing the standard of the drill, it is important to emphasize that the Flag State Surveyor is not looking for an exceptional drill, particularly on cargo ships. The main points for the Flag State Surveyor to be satisfied are:
- .1 In the event of a shipboard emergency can the crew organize themselves into an effective team to tackle the emergency?
  - .2 Can the crew communicate effectively?
  - .3 Is the master in control and is information flowing to/from the command center? and
  - .4 In the event of the situation getting out of hand can the crew safely abandon the ship?
- 7.3** It is important that when setting the scenario the Flag State Surveyor clearly explains to the master exactly what is required and expected during the drill. Flag State Surveyors shall not be intimidating, not interfere during the drill nor offer advice. The Flag State Surveyor shall stand back and observe only, making appropriate notes. It is important to emphasize that the's role is not to teach or train but to witness.
- 7.4** Drills should be carried out at a safe speed. Flag State Surveyors shall not expect to see operational drills conducted in real time. During drills, care shall be taken to ensure that everybody familiarizes themselves with their duties and with the equipment. If necessary, drills shall be stopped if the Flag State Surveyors consider that the crew are carrying out unsafe practices or if there is a real emergency.

**.8 Fire drills**

- 8.1** Flag State shall witness a fire drill carried out the crew assigned to these duties on the muster list. After consultation with the master of the vessel, one or more specific locations of the ship may be selected for a simulated fire. A crew member shall be sent to the location (s) and activate a fire alarm system or use other means to give alarm.
- 8.2** At the location Flag State Surveyor can describe the fire indication to the crew member and observe how the report of fire is relayed to the

bridge or damage control center. At this point most ships will sound the crew alarm to summon the fire-fighting parties to their stations. The Flag State shall observe the fire-fighting party arriving on the scene, breaking out their equipment and fighting the simulated fire. Team leaders shall be giving orders as appropriate to their crews and passing the word back to the bridge or damage control centre on the conditions. The fire-fighting crews shall be observed for proper donning and the use of their equipment. The Flag State Surveyor shall make sure that all the gear is complete. Merely mustering the crew with their gear is not acceptable. Crew response to personnel injuries can be checked by selecting a crew member as a simulated casualty. The Flag State Surveyor shall observe how the word is passed and the response of stretcher and medical teams. Handling a stretcher properly through narrow passage ways, doors and stairways is difficult and takes practice.

- 8.3** The drill should, as far as practicable, be conducted as if there were an actual emergency.

## **.9 Abandon ship drills**

- 9.1** After consultation with the master, Flag State Surveyor may require an abandon ship drill for one or more survival craft. The essence of this drill is that the survival craft are manned and operated by the crew members assigned to them on the master list. If possible the Flag State Surveyor may include the rescue boat (s) in the drill and conduct specific requirements as per SOLAS chapter III.
- 9.2** The Flag State Surveyor should ensure that crew members are familiar with the duties assigned to them during abandon ship operations and that the crew member in charge of the survival craft has complete knowledge of the operation and equipment of the survival craft. Care needs to be taken when requiring a ship to lower lifeboats.
- 9.3** Each survival craft should be stowed in a state of continuous readiness so that two crew members can carry out preparations for embarking and launching in less than five minutes.
- 9.4** On passenger ships, it is required that lifeboats and davit-launched liferafts are capable of being launched within a period of 30 min after all persons have been assembled with lifejackets donned.
- 9.5** On cargo ships, it is required that lifeboats and davit launched liferafts are capable of being launched within a period of 10 min.

**.10 Assessment of drills**

**10.1** when witness a drill, Flag State Surveyor should seek:

- .1 confirmation that the crew follow what is required of them by the muster list;
- .2 confirmation that there are sufficient personnel assigned to the various parties to cope with the duties given to them;
- .3 confirmation that there is an effective means of communication between the party, the party leader and the bridge and that relevant information is being passed bi-directionally;
- .4 confirmation of the efficiency of the crew working as a team. This would be based on questioning of personnel and observation of their actions. The response times should be noted of the various parties in assembling at their stations. The reaction of the parties to unplanned events should also be noted;
- .5 confirmation that key members of the crew are able to understand each other;
- .6 confirmation of the efficiency of the equipment used, for example:
  - .1 that the fire alarms are audible and efficient;
  - .2 that the fire doors close as required; and
  - .3 that items of personal fire-fighting equipment appear well maintained;
- .7 confirmation that the response time was considered fast enough and considering the size of the ship and the location of fire, personnel and fire fighting equipment.

**10.2** If Flag State Surveyor determines that the crew are unfamiliar with their duties or incapable of safely operating the life-saving and fire-fighting equipment, Flag State Surveyor should halt the drill, notify the master that the drill was unsuccessful and use their professional judgement to establish the next steps, noting the likelihood that this will establish “clear grounds” for a more detailed inspection.

**.11 Bridge operation**

**11.1** Flag State Surveyor may determine if officers in charge of a navigational watch are familiar with bridge control and navigational equipment, changing the steering mode from automatic to manual and vice versa, and the ship’s manoeuvring characteristics.

**11.2** The officer in charge of a navigational watch should have knowledge of the location and operational of all safety and navigational equipment. Moreover, this officer should be familiar with procedure which apply to the navigational of the ship in all circumstances and should be aware of all



information available.

**11.3** Flag State Surveyor may also verify the familiarity of the officers on all the information available to them such as manoeuvring characteristics of the ship, life - saving signals, up to date nautical publications, checklist concerning bridge procedures, instructions, manuals, etc.

**11.4** Flag State Surveyor may verify the familiarity of the officers with procedures such as periodic tests and checks of equipment, preparations for arrival and departure, changeover of steering modes, signaling, communications, manoeuvring, emergencies and logbook entries.

**.12 Regulations for preventing collisions at sea**

**12.1** A vital aspect of ensuring safety of life at sea is full compliance with the collision regulations. Based on observations on deck, the Flag State Surveyor shall consider the need for close inspection of lanterns and their screening and means of making sound and distress signals.

**.13 Cargo ship Safety Construction Certificate**

**13.1** The general condition of the ship may lead the Flag State Surveyor to consider matters other those concerned with safety equipment and assignment of load lines, but nevertheless associated with the safety of the vessel, such as the effectiveness of items association with the Cargo Ship Safety Construction Certificate, which can include pumping arrangements, means for shutting off air and oil supplies in the event of fire, alarm system and emergence power supplies.

**.14 Cargo ship Safety Radio Certificate**

**14.1** The validity of the Cargo Ship Safety Radio Certificate and associated Record Equipment (Form R) shall be accepted as proof of the provision and effectiveness of its association equipment, but the Flag State Surveyor shall ensure that appropriate Certificate personnel are carried for its operation and for listening periods. Requirements for maintenance of radio equipment are contained in SOLAS regulation IV/15. The radio log or radio records shall be examined. Where considered necessary, operational checks shall be carried out.

**.15 Means of access to ship**

**15.1** Prior to boarding a ship, the Flag State Surveyor shall assess the means of embarkation on and disembarkation from the ship. The Flag State Surveyor shall be guided by SOLAS regulation II-1/3-9 noting its application for ships constructed on or after 1 January 2010 but also noting that paragraph 3 of this regulation applies to all ships and requires that:

1. the means of embarkation and disembarkation shall be inspected and maintained in suitable condition for their intended purpose, taking into account any restriction related to safe loading; and
2. all wires used to support the means of embarkation and disembarkation shall be inspected and maintained as specified in SOLAS regulation III/20.4.

**15.2** In regard to the maintenance of the means of embarkation and disembarkation, the Flag State Surveyor shall refer to the Guidelines for construction, installation, maintenance and inspection/survey of means of embarkation and disembarkation.(MSC.1/Circ.1331)

**15.3** During the inspection, the Flag State Surveyor shall also ensure that the pilot transfer arrangements comply with SOLAS regulation V/23 and the Unified interpretation of SOLAS regulation V/23.

## **.16 Communication**

**16.1** The Flag State shall determine if the key crew members are able to communicate with each other, and with passengers as appropriate, in such a way that the safe operation of the ship is not impaired, especially in emergency situations.

**.16.2** The Flag State Surveyor shall ask the master which languages are used as the working language and shall verify whether the language has been recorded in the logbook.

**.16.3** The Flag State Surveyor shall ensure that the key crew members are able to understand each other during the inspection or drills. The crew members assigned to assist passengers should be able to give the necessary information to the passengers in case of an emergency.

## **.17 Search and Rescue Plan**

**17.1** For passenger ships, the PSCO may verify that there is on board an approved plan for cooperation with appropriate search and rescue services in event of an emergency.

## **.18 Cargo Operation**

**18.1** The Flag State Surveyor shall determine if ship's personnel assigned specific duties related to the cargo and cargo equipment are familiar with those duties, any dangers posed by the cargo and with the measures to be taken in such a context.

**18.2** With respect to the carriage of solid bulk cargoes, the Flag State Surveyor shall verify, as appropriate, that cargo loading is performed in accordance with a ship's loading plan and unloading in accordance with a

ship's unloading plan agreed by the ship and the terminal, taking into account the information provided by the loading instrument, where fitted.

- 18.3** The Flag State Surveyor, when appropriate, shall determine whether the responsible crew members are familiar with the relevant provisions of the International Maritime Solid Bulk Cargoes (IMSBC) Code, particularly those concerning moisture limits and trimming of the cargo, the Code of Safe Practice for Ships Carrying Timber Deck Cargoes (2011 TDC code) and the Code of Safe Practice for Cargo Stowage and Securing.
- 18.4** Some solid materials transported in bulk can present a hazard during transport because of their chemical nature or physical properties. Section 2 of the IMSBC Code gives general precautions. Section 4 of the IMSBC Code contains the obligation imposed on the shipper to provide all necessary information to ensure a safe transport of the cargo. The Flag State Surveyor shall determine whether all relevant details, including all relevant certificates of tests, have been provided to the master from the shipper.
- 18.5** For some cargoes, such as cargoes which are subject to liquefaction, special precautions are given (see section 7 of the IMSBC Code). The Flag State Surveyor shall determine whether all precautions are met with special attention for the stability of those ships engaged in the transport of cargoes subject to liquefaction and solid hazardous waste in bulk.
- 18.6** Officers responsible for cargo handling and operation and key crew members of oil tankers, chemical tankers and liquefied gas carriers shall be familiar with the cargo and cargo equipment and with the safety measures as stipulated in the relevant sections of the IBC and IGC Codes.
- 18.7** For the carriage of grain in bulk, reference is made to part C, chapter VI of SOLAS and the international Code for the Safe Carriage of Grain in Bulk (resolution MSC.23 (59)).
- 18.8** The Flag State Surveyor may determine whether the operations and loading manuals include all the relevant information for safe loading and unloading operations in port as well as in transit conditions.

## **.19 Operation of the machinery**

- 19.1** The Flag State Surveyor may determine if responsible ship's personnel are familiar with their duties related to operating essential machinery, such as:
  - .1 emergency and stand-by sources of electrical power,
  - .2 auxiliary steering gear,
  - .3 bilge and fire pumps; and .

- .4 any other equipment essential in emergency situations.
- 19.2** The Flag State Surveyor may verify whether the responsible ship's personnel are familiar with, inter alia:
- .1 emergency generator.
  - .2 actions which are necessary before the engine can be started;
  - .3 different possibilities to start the engine in combination with the source of starting energy; and
  - .4 procedures when the first attempts to start the engine fail.
  - .5 stand-by generator engine:
  - .6 possibilities to start the stand-by engine, automatic or by hand;
  - .7 blackout procedures; and
  - .8 load-sharing system.
- 19.3** The Flag State Surveyor may verify whether the responsible ship's personnel are familiar with, inter alia:
- .1 which type of auxiliary steering gear system applies to the ship;
  - .2 how it is indicated which steering gear unit is in operation; and
  - .3 what action is needed to bring the auxiliary steering gear into operation.
- 19.4** The Flag State Surveyor shall verify whether the responsible ship's personnel are familiar with, inter alia:
- .1 bilge pumps:
    - .1 number and location of bilge pumps installed on board the ship(including emergency bilge pumps);
    - .2 starting procedures for all these bilge pumps;
    - .3 appropriate valves to operate; and
    - .4 most likely causes of failure of bilge pump operation and their possible
  - .2 fire pumps:
    - .1 number and location of the pumps installed on board the ship (including the emergency fire pump);
    - .2 starting procedures for all these pumps; and
    - .3 appropriate valves to operate.
- 19.5** The Flag State Surveyor may verify whether the responsible ship's personnel are familiar with, inter alia:
- .1 starting maintenance of lifeboat engine and/or rescue boat engine;
  - .2 local control procedures for those systems which are normally controlled from the navigating bridge;
  - .3 use of the emergency and fully independent sources of electrical power of radio installations.

- .4 maintenance procedures for batteries;
- .5 emergency stops, fire detection system and alarm system operation of watertight and fire doors ( stored energy systems); and
- .6 change of control from automatic to manual for cooling water and lube oil systems for main and auxiliary engines.

**.20 Manuals, instructions, etc.**

**20.1** The Flag State Surveyor may determine if the appropriate crew members are able to understand the information given in manuals, instructions etc., relevant to the safe condition and operation of the ship and its equipment and that they are aware of the requirements for maintenance, periodic testing, training, drills and recording of logbook entries.

**20.2** The following information should, inter alia, be provided on board and Flag State Surveyors may determine whether it is in a language or languages understood by the crew and whether crew members concerned aware of the contents and are able to respond accordingly:

- .1 instructions concerning the maintenance and operation of all the equipment and installations on board for the fighting and containment of fire should be kept under one cover, readily available in an accessible position;
- .2 clear instruction to be followed in the event of an emergency should be provided for every person on board;
- .3 illustrations and instructions in appropriate languages should be posted in passenger cabins and be conspicuously displayed at muster stations and other passenger spaces to inform passengers of their muster station, the essential action they must take in an emergency and the method of donning lifejackets;
- .4 posters and signs should be provided on or in the vicinity of survival craft and their launching controls and shall illustrate the purpose of controls and the procedures for operating the appliance and give relevant instructions or warnings;
- .5 instructions for onboard maintenance of life-saving appliances;
- .6 training manuals should be provided in each crew mess room and recreation room or in each crew cabin. The training manual, which comprise several volumes, should contain instructions and information, in easily understood terms illustrated wherever possible, on the life - saving appliances provided in the ship and on the best method of survival;
- .7 Shipboard Oil Pollution Emergency Plan in accordance with regulation 37 of MARPOL Annex I, or Shipboard Marine Pollution Emergency Plan in accordance with regulation 17

- of MARPOL Annex II, where applicable; and
- .8 stability booklet, associated stability plans and stability information.

**.21 Oil and oily mixtures from machinery spaces**

- 21.1** The Flag State Surveyor may determine if all operational requirements of Annex I of MARPOL have been met, taking into account.
  - .1 the quantity of oil residues generated;
  - .2 the capacity of sludge and bilge water holding tank; and
  - .3 the capacity of the oily water separator:
- 21.2** An inspection of the Oil Record Book shall be made. The Flag State may determine if reception facilities have been used and note any alleged inadequacy of such facilities.
- 21.3** The Flag State Surveyor shall determine whether the responsible officer is familiar with the handling of sludge and bilge water. The relevant items from the guidelines for systems for handling oily wastes in machinery spaces of ships may be used as guidance. Taking into account the above, the Flag State Surveyor may determine if the ullage of the sludge tank is sufficient for the expected generated sludge during the next intended which voyage. The Flag State Surveyor may verify that, in respect of ships for the Administration has waived the requirements of regulations 14 (1) and (2) of MARPOL Annex I, all oily bilge water is retained on board for subsequent discharge to a reception facility.
- 21.4** When reception facilities in other ports have not been used because of inadequacy, the Flag State Surveyor should advise the master to report the inadequacy of the reception facility to the ship's flag State, in conformity with the Revised consolidate format for reporting alleged inadequacy of port reception facilities .

**.22 Loading, unloading and cleaning procedures for cargo spaces of tankers**

- 22.1** The Flag State Surveyor may determine if all operational requirements of Annexes I or II of MARPOL have been met taking into account the type of tanker and the type of cargo carried, including the inspection of the Oil Record Book and/or Cargo Record Book. The Flag State Surveyor may determine if the reception facilities have been used and note any alleged inadequacy of such facilities.
- 22.2** For the control on loading, unloading and cleaning procedures for tankers carrying oil, reference is made to paragraphs 3.1 to 3.4 in appendix 5 where guidance is given for the inspection of crude oil washing (COW) operations.

**.23 Dangerous goods and harmful substances in packaged form**

- 23.1** The Flag State Surveyor may determine if the required shipping documents for the carriage of dangerous goods and harmful substances carried in packaged form are provided on board and whether the dangerous goods and harmful substances are properly stowed and segregated and the crew members are familiar with the essential action to be taken in an emergency involving such packaged cargo (see SOLAS regulation VII/3).
- 23.2** Annex III of MARPOL contains requirements for the carriage of harmful substances in packaged form which are identified in the IMDG Code as marine pollutants. Cargoes which are determined to be marine pollutants should be labeled and stowed in accordance with Annex III of MARPOL.
- 23.3** Flag State Surveyor shall be additional control as follow;
- .1 whether the dangerous goods have been stowed on board in conformity with the Document of Compliance, using the dangerous goods manifest or the stowage plan, required by the SOLAS chapter VII. This manifest or stowage plan may be combined with the one required under Annex III of MARPOL;
  - .2 whether inadvertent pumping of leaking flammable or toxic liquids is not possible in case these substances are carried in under-deck cargo spaces; or
  - .3 determining whether the ship's personnel are familiar with the relevant provisions of the Medical First Aid Guide and Emergency Procedures for Ships Carrying dangerous Goods.

**.24 Garbage**

- 24.1** The Flag State Surveyor may determine if all operational requirements of Annex V of MARPOL have been met and if the reception facilities have been used and note any alleged inadequacy of such facilities.
- 24.2** The Flag State Surveyor may determine whether;
- .1 ship's personnel are aware of the Guidelines for the implementation of Annex V of MARPOL were approved by the MEPC, in particular section 3 "Minimizing the amount of potential garbage" and section 4 "Shipboard garbage handling and storage procedure" and
  - .2 ship's personnel are familiar with the disposal and discharge requirements under Annex V of MARPOL inside and outside a special area and are aware of the areas determined as special areas under Annex V of MARPOL.
  - .3 When reception facilities in other ports have not been used because of inadequacy, The Flag State Surveyor shall advise the master

to report the inadequacy of the reception facility to the Administration.

**.25 Sewage**

**25.1** The Flag State Surveyor may determine

- .1** if all operational requirements of Annex IV of MARPOL have been met and if the sewage treatment system, comminuting and disinfecting system or holding tank has been used and note any alleged inadequacy of the system or holding tank; and
- .2** that appropriate ship's personnel are familiar with the correct operation of the sewage treatment, comminuting and disinfecting system or holding tank.

**25.2** The Flag State Surveyor may determine whether appropriate ship's personnel are familiar with the discharge requirements under MARPOL Annex IV.

**25.3** When reception facilities in other ports have not been used because of inadequacy, the Flag State Surveyor shall advise the master to report the inadequacy of the reception to the Administration.

**.26 Air pollution prevention**

**26.1** The Flag State Surveyor may determine whether:

- .1** The master or crew is familiar with the procedures to prevent emissions of ozone depleting substances;
- .2** The master or crew is familiar with the proper operation and maintenance of diesel engines, in accordance with their Technical Files;
- .3** The master or crew has undertaken the necessary fuel changeover procedures or equivalent, associated with demonstrating compliance within a Sox emission control area;
- .4** The master or crew is familiar with the garbage screening procedure to ensure that prohibited garbage is not incinerated;
- .5** The master or crew is familiar with the operation of the shipboard incinerator, as required by MARPOL Annex VI, within the limit provided in Annex, in accordance with the operational manual;
- .6** The master or crew recognizes the regulation of emissions of volatile organic compounds (VOCs), when the ship is in ports or terminals under the jurisdiction of a Party to the 1997 Protocol to MARPOL.

**26.2** The master or crew is familiar with bunker delivery procedures in respect of bunker delivery notes and retained samples as required by MARPOL annex VI.



## **2.4 Completion of Flag State Inspection Report**

Any deficiencies seen by the Surveyor should be noted in the 'Nature of deficiency' column and listed on FSI report form Bob *Annex 3*. They must be brought to the Master & senior officers attention. If a representative of the Owners or managers are present during the inspection then their attention is also to be brought to these items.

If the deficiencies are of such a nature that the Inspector considers they pose a grave risk to the safety, security and environmental operation of the ship and seafarers onboard and the surveyor considers the ship should not put to sea with such deficiencies and the Master and/or Owners shall take the immediate action.

The Master should sign acknowledging his acceptance of the report and a signed original of the report is to be left onboard. If a representative of the Owners or managers are present during the inspection, they should be asked to countersign the report and invited to make a copy for themselves.

## **2.5 Detention of ships**

### **2.5.1 Flag State Detention**

Flag State Surveyor(s) shall detain a Myanmar flagged ship if it is unsafe or has violated any requirements of IMO mandatory instruments and National Laws.

### **2.5.2 Port State Control Detention of a Myanmar Flagged Ship;**

- .1 The company is required to immediately notify the Department of Marine Administration by means of a facsimile or an email when a Myanmar flagged ship is detained by a Port State Control Officer(s).
- .2 In addition the company may be required to invite the RO on board to assist in clearing up the deficiencies, unless otherwise advised by Department of Marine Administration.
- .3 The initial report to the Department of Marine Administration shall include;
  - .1 A full copy of the PSC Report ( Form A and B ),
  - .2 A copy of the detention notice,
  - .3 Confirmation of notification to the RO as applicable and
  - .4 Advice of actions taken or planned to rectify all deficiencies at the earliest opportunity.

### **2.5.3 Process after a detention**

- .1 Reports and correspondence related to the vessel's PSC and FSI performance in the previous 24 months will be reviewed by the Administration.
- .2 The company shall perform a root cause analysis within 30 days of the detention and take the appropriate corrective actions to prevent similar deficiencies arising in the future. The relevant documents shall be submitted to the Administration after the completion of the analysis.

- .3 The imposition of a flag state detention will have the same effect, for the purpose of this process as a PSC detention.
- .4 In addition to the requirement specified below, further additional surveys, flag state inspections, ISM audits and ISPS audits may be required depending on the nature of the detainable deficiencies and the ship's inspection history.
- .5 The Administration will determine the scope and extent of additional inspections, surveys or audits of shipboard and shore based safety management systems of a company when a significant proportion of the company's fleet has been justifiably detained by PSC.
- .6 The Administration may appoint and send Flag state surveyors, auditors and observers as considered to be appropriate to participate in any of the above surveys, audits or inspections, at owners' expense.

#### **2.5.4 Evaluating of detentions**

- .1 First detention in a 24 month period One or more of the following shall be required by the DMA prior to departure from the port of detention depending on the number and nature of the deficiencies:
  - Additional external ISM audit or
  - Additional ISPS audit
- .2 Second detention in a 24 month period  
If a ship has, in the opinion of the DMA, been justifiably detained twice within a period of 24 months the following shall be completed at the next convenient port.
  - An additional ISM SMC audit will be required to ascertain the effectiveness of the Safety Management System on board;
  - An additional ISM DOC audit will be required not later than 30 days from the date of the detention;
  - If the date of detention falls within the +-3month window period for annual statutory surveys, such surveys shall be conducted at the next convenient port.
- .3 Third detention in a 24 month period  
If a ship has, in the opinion of the DMA, been justifiably detained three times within a period of 24 months, all statutory certificates will be suspended. In order to reinstate the suspended statutory certification, the following will be required.
  - FSI by the DMA
  - An additional ISM/SMC audit;
  - An additional ISM DOC audit will be required not later than 30 days from the date of the detention
- .4 Fourth detention in a 24 month period  
If a ship, in the opinion of the DMA, is justifiably detained for a fourth time within a period of 24 months, the ship will be deleted from the Myanmar Registered. The

DOC of the Company will be re-examined and further surveys, inspections and audits of the Company and/or its ships may be required for re-admitting the vessel.

### **3. ENFORCEMENT**

**3.1** Article 94.1 of UNCLOS 1982 stipulates that Every State shall effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag. Therefore, flag states shall take necessary measures to ensure safety at sea by surveying their ships periodically by qualified surveyors, as mandate of Article 94.4. While those necessary measures shall conform to generally accepted international regulations, procedures and practices, flag states also have rights to take any steps which may be necessary to secure their observance (Article 94.5).

**3.2** Those articles in UNCLOS had acted as clear grounds for what Administrations have been performing until now, including the appointment of RO. Even though delegation of flag state duties is not mentioned explicitly, it may be justified under the right to take steps as necessary. There is no limitation of which surveyors are entitled to survey the ships, as long as they are qualified to assess the construction, equipment, and seaworthiness of the ship.

**3.3** Regulation I/6(a) of SOLAS 74 Protocol 88, which is analogous to MARPOL 73/78 Annex I Regulation 4(3)(a) and Annex II Regulation 10(2)(a) states that:

The inspection and survey of ships, so far as regards the enforcement of the provisions of the present Regulations and the granting of exemptions therefrom, shall be carried out by officers of the Administration. The Administration shall, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it.

**3.4** Regulation I/6(b) of SOLAS 74 Protocol 88, MARPOL 73/78 Annex I Regulation 4(3)(b), as well as in Annex II Regulation 10(2)(b) states that:

There is another similar article pertaining to the authority of RO, stating that RO surveyors must be empowered to have the same legal influence on instructing repair and necessary maintenance to the ship, whether it is a self-initiative or after a survey on request of port states.

**3.5** Administration shall take all necessary measures to secure observance of international rules and standards by Myanmar flagged ship and by entities and persons under jurisdiction so as to ensure compliance with its international obligations. Such measures shall include, inter alia:

**3.5.1** prohibiting Myanmar flagged ships from sailing until such ships can proceed to sea in compliance with the requirements of international rules and standards;

**3.5.2** the periodic inspection of Myanmar flagged ships entitled to verify that the actual condition of the ship and its crew is in conformity with the certificates it carries;

**3.5.3** the surveyor to ensure, during the periodic inspection referred to in subparagraph 2, that seafarers assigned to the ships are familiar with;

- .1 their specific duties; and
- .2 ship arrangement, installations, equipment and procedures;

**3.5.4** ensuring that the ship's complement, as a whole, can effectively coordinate activities in an emergency situation and in the performance of functions vital to safety or to the prevention or mitigation of pollution;

**3.5.5** providing, in national laws and regulations, for liable to a fine of adequate severity to discourage violations of international rules and standards by individuals issued with certificates or endorsements under marine authority: and

**3.5.6** instituting proceedings, after an investigation has been conducted, against individuals holding certificates or endorsements who have violated international rules and standards, irrespective of where the violation has occurred.

**3.5.7** Administration shall develop and implement a control and monitoring programmer, as appropriate, in order to;

- .1 provide for prompt and through casualty investigations, with reporting to the Organization as appropriate;
- .2 provide for the collection of statistical data, so that trend analyses can be conduct to identify problem areas; and
- .3 provide for a timely response to deficiencies and alleged pollution incidents reported by port or coastal States.

**3.5.8** Furthermore, the Administration shall;

- .1 ensure compliance with the applicable international instruments through national legislation
- .2 provide an appropriate number of qualified personnel to implement and enforce the national legislation including personnel for performing investigations and surveys;
- .3 provide a sufficient number of qualified flag state personnel to investigate incidents where Myanmar flagged ships have been detained by port States;
- .4 ensure the training and oversight of the activities of flag State surveyors and investigators.

**3.5.9** Administration, or a recognized organization acting on its behalf, shall only issue or endorse an international certificate to a ship after it has determined that the ship meets all applicable requirements.

**3.5.10** Administration shall only issue an international certificate of competency or endorsement to a person after it has determined that the person meets all applicable requirements.

#### **4. Evaluation and Review**

**4.1** Administration shall , on a periodic basis, evaluate its performance with respect to the implementation of administrative processes, procedures and resources necessary to meet its obligations as required by the international instruments to which it is a party.

**4.2** Self-Assessment of Flag State Performance as per the Resolution A.912 (22)

**4.3** (Annex-1 of this guidance) will be carried out annually to assess the performance.

**4.4** The Administration will issue an annual report containing a full analysis of Myanmar flagged ships' performance in relation to Flag State Inspection Program.

#### **5. Recognized Organizations under the International Instruments**

It is possible for a flag State to delegate their statutory functions, such as survey and certification, to recognized organizations. A definition of Recognized Organization can be found in Resolution A.1052 (27) as follows;

“ An organization which meets the relevant conditions set forth by resolution A.739 (18), as amended by resolution MSC.208(81), and resolution A.789 (19), and has been authorized by the flag State Administration to provide the necessary statutory service and certification to ships entitled to fly its flag.”

Flag States' oversight of their recognized organizations is a primary and essential measure to ensure consistent and effective implementation of international instruments for recognized organizations. For that reason, all recognized organizations should be subject to their flag State' oversight without exception.

However there is no Recognized Organization office in Myanmar, Flag State oversight field inspection will be conducted onboard the ship when the flag state inspection is carried out.

#### **6. Fine for breach of respective convention**

Any owner of a ship or ship manager who fails to comply with this Part shall for each offence be liable to a fine as per Myanmar Merchant Shipping Act 1923, as amended.

#### **7. Appeal**

The ship-owner operating company shall appeal against a detention within 30 days from the date of notification. The appeal should not cause the detention to be suspended. A ship owner or operating company that wishes to appeal shall state the reasons and provide supporting evidence in writing to the Administration.

## **Annex - 1**

### **GUIDANCE TO ASSIST FLAG STATES IN THE SELF-ASSESSMENT OF THEIR PERFORMANCE**

#### **General obligations of flag States**

1. It is the responsibility of flag States to ensure that they establish and maintain measures for the effective application and enforcement of the IMO instruments to which they are a Party. From the point of view of flag State implementation the most significant IMO instruments are:

- .1 the International Convention for the Safety of Life at Sea, 1974 (SOLAS 74), as amended;
- .2 the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), as amended;
- .3 the International Convention on Load Lines, 1966 (LL 66) as amended;
- .4 the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW 78), as amended;
- .5 the Convention on the International Regulations for Preventing Collisions at Sea, 1972, (COLREG 72), as amended; and
- .6 the International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 69).

Regard should also be given to the United Nations Convention on the Law of the Sea, 1982 (UNCLOS).

2. Having accepted an instrument, a Government is bound by the provisions of the instrument to promulgate laws in relation to the implementation of its provisions through appropriate national legislation (e.g. SOLAS 74 article I(b)). The undertaking to give effect to the provisions of the relevant instrument (e.g. SOLAS 74 article I(a)) means that the Government must have a functioning legislative body to enact laws for ships flying its flag and to provide for the subsequent implementation and enforcement of those laws.

#### **Internal criteria for the assessment of flag State performance**

3. **"Internal" criteria** are criteria which are directly relevant to the operation of the flag State as an Administration and are designed to give a clear indication of the effectiveness of a flag State Administration in fulfilling its obligations under the instruments. Guidance on flag State responsibilities is contained in Assembly resolution A.847(20) on Guidelines to assist flag States in the implementation of IMO instruments. Article 94 of UNCLOS also sets out the duties of State Parties (Article 1.2(1)). Article 217 of UNCLOS is also relevant in detailing the enforcement responsibilities of flag States. Based on international instruments, a flag State has responsibilities relating, in particular, to setting legal requirements to give national effect to the instruments to which it is a Party; enforcement of those requirements; authorization of organizations acting on its behalf and casualty investigation. These are considered in more detail below.

## **Legal framework**

### **4 A flag State should:**

- .1 take measures to ensure safety at sea and pollution prevention for ships entitled to fly its flag with regard to:
  - 1.1 the construction, equipment and management of ships;
  - 1.2 the principles and rules with respect to the limits to which ships may be loaded;
  - 1.3 the prevention, reduction and control of pollution of the marine environment and the minimization of the impact of accidental discharges of pollutants;
  - 1.4 the manning of ships and the training of crews; and
  - 1.5 the safety of navigation (including taking part in mandatory reporting and routing systems), maintenance of communications and prevention of collisions;
- .2 promulgate laws which permit effective jurisdiction and control in administrative, technical and social matters over ships flying its flag and, in particular, relating to the inspection of ships, safety and pollution prevention laws applying to such ships and the making of associated regulations; and
- .3 promulgate laws providing the legal basis for the establishment of a registry and maintain a register of ships flying its flag.

## **Enforcement**

### **5. A flag State should:**

- .1 provide for the enforcement of its national laws, including the associated investigative and penalty processes;
- .2 take appropriate action against ships flying its flag that fail to comply with applicable requirements;
- .3 ensure the availability of sufficient personnel with maritime and technical expertise to carry out its flag State responsibilities, including:
  - 3.1 the development and enforcement of necessary national laws;
  - 3.2 the establishment and maintenance of minimum safe manning levels on board ships flying its flag and the provision of effective certification of seafarers;
  - 3.3 the inspection of ships flying its flag to ensure compliance with the requirements of international instruments to which the flag State is a Party;
  - 3.4 the reporting of casualties and incidents as required by the respective instruments; and
  - 3.5 the investigation of circumstances following any detention of ships flying its flag.

## **Responsibility of recognized organizations acting on behalf of the Administration**

6. In cases where a flag State authorizes third party organizations to act on its behalf, i.e. recognized organizations, any delegation of authority to these recognized organizations must be clearly recorded and should follow as a minimum the Guidelines for the authorization of organizations acting on behalf of the Administration (resolution A.739(18)) and the Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration (resolution A.789(19)). The requirements of SOLAS regulation I/6(c), and the analogous requirements of MARPOL 73/78 should be included in any delegation of authority. The flag State must also take full responsibility for all safety and pollution prevention certificates issued under the relevant instruments by it or on its behalf.

## **Casualty and incident investigation**

7. A flag State should undertake prompt and thorough casualty and incident investigations and submit relevant reports to IMO, as appropriate.

## **External criteria for the assessment of flag State performance**

8. "External" criteria refer to information, in particular port State control data and casualty accident data, which may also be taken to be indicators of the way in which a flag State is performing. The following are indicators of the way in which the flag State is performing but do not relate directly to the organization of the flag State's Administration.

When used as indicators, the criteria listed in .1 to .5 should be considered in proportion to the overall number of ships flying its flag, subject to international instruments to which the State is a Party:

- .1 Number of accidents, casualties and incidents reportable to IMO in terms of the requirements of the international casualty database.
- .2 Number of accidents involving personal injuries leading to absence from duty of 3 days or more on board ships flying the flag of the State concerned.
- .3 Number of lives lost on its ships resulting from the operation of ships flying its flag.
- .4 Number of ships lost.
- .5 Number of incidents of loss of pollutants into the sea according to MARPOL 73/78 reporting standards, including a measure of the seriousness of the incidents.
- .6 Number of ships detained by other States under port State control procedures.
- .7 Communication to IMO of information required in mandatory instruments.



## Self-assessment form

9. Based on the internal and external criteria outlined above, a self-assessment form is attached. The primary objective of the form is to assist flag States in assessing their performance against these criteria. Questions relating to the STCW Convention have not been included because that instrument has its own assessment procedures.


### Appendix-1

#### FLAG STATE PERFORMANCE SELF-ASSESSMENT FORM

All questions relate to merchant ships flying the flag of the State concerned

GENERAL	
<b>1.</b> Name of State/Associate Member List the Administrations which you represent at IMO separate assessment form should be completed for each. Include all flag States, including those which are not Member States of IMO but are Parties to IMO instruments). <b>(a)</b>	<b>Myanmar</b>
<b>2.</b> Name of contact person responsible for the completion of this form  Name of Administration  Address  Telephone number  Fax number  E-mail address	<b>Department of Marine Administration</b>  <b>Myanmar</b>  +
<b>3.</b> Indicate to which of the following international instruments your State is a Party and which (optional) MARPOL 73/78 Annexes have been ratified.  SOLAS 74 SOLAS Protocol 78 SOLAS Protocol 88 MARPOL 73/78 Annex III Annex IV Annex V Annex VI LL 66 LL Protocol 88 TONNAGE 69 COLREG 72 UNCLOS	-  <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b> <b>Yes / No</b>

4.1	How many merchant ships of 100 gross tonnage and upwards, subject to the relevant instruments you indicated in question 3, are currently flying the flag of your State?	
4.2	What is the total gross tonnage of merchant ships currently flying the flag of your State?	GT.
<b>INTERNAL CRITERIA</b>		
<b>Legal framework</b>		
5.	Does your Administration have the necessary laws in force to implement international maritime safety and pollution prevention instruments with regard to:	-
.1	the construction, equipment and management of ships;	Yes / No
.2	the prevention, reduction and control of pollution of the marine environment;	Yes / No
.3	the safe loading of ships;	Yes / No
.4	the manning of ships;	Yes / No
.5	the safety of navigation (including taking part in mandatory reporting and routing systems), maintenance of communications and prevention of collisions?	Yes / No
.6	Does your Administration have the necessary laws in force to ensure the provision of penalties of adequate severity to discourage violation of international instruments to which your State is a Party?	- Yes/No
.7	Does your Administration have the necessary laws in force to provide for ship inspections to ensure compliance with international maritime safety and pollution prevention standards to which your State is a Party?	- Yes / No -
.8	Does your Administration have the necessary laws in force to take legal action against ships which have been identified as not being in compliance with the international instruments to which your State is a Party?	Yes / No
.9	Does your Administration have the necessary laws in force to carry out the required casualty investigations?	Yes/No
<b>Enforcement</b>		
.10	Does your Administration have an infrastructure, including personnel with appropriate technical expertise and experience, to:	-
.1	identify ships flying the flag of your State which are not in compliance with international maritime safety and pollution prevention requirements?	Yes/ No

<p>.2 take action against ships flying the flag of your State which have been identified as not being in compliance with international maritime safety and pollution prevention requirements?</p> <p>- If yes, against how many such ships was action taken for each of the previous 5 years*?</p>	<b>Yes/No</b>		
	<b>SAMPLE</b>	<b><u>Myanmar</u> <u>ships</u> <u>detained</u></b>	<b><u>Legal</u> <u>Action</u> <u>Taken</u></b>
<p><b>.11</b> Did your Administration investigate detentions by port States of ships flying the flag of your State for each of the previous 5 years*? (see also question 28)</p> <p>- If yes, indicate how many such detentions were investigated.</p>	<div style="text-align: center;">  -  <b>Yes / No</b> </div>		
<b>Recognized organizations acting on behalf of the Administration</b>			
<p><b>.12</b> Which organizations has your Administration recognized for the purpose of delegation of authority under the relevant instruments you indicate under question 3?</p>	<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> <li>•</li> <li>•</li> <li>•</li> <li>•</li> </ul>		
<p><b>.13</b> When your Administration delegates authority to recognized organizations, does it follow resolutions A.739(18) and A.789(19) as minimum requirements, the requirements in SOLAS 74, regulation XI/1, and the analogous requirements in MARPOL 73/78 in any delegation of authority?</p>	<b>Yes/No</b>		
<p><b>.14</b> Has your Administration provided IMO with a copy of the formal agreement or equivalent legal arrangements with the recognized organizations listed in question 12?</p>	<div>-</div> <b>Yes/No</b>		
<p><b>.15</b> Indicate which survey and/or certification functions your Administration has delegated to the recognized organizations referred to in question 12.</p>	<div>-</div>		
<p><b>.16</b> Indicate, for the instruments you listed under question 3, which survey and/or certification functions are carried out by your Administration.</p>	<div>-</div>		
<p><b>.17</b> Does your Administration carry out the verification and monitoring functions specified in resolution A.739(18)?</p>	<b>Yes/No</b>		
<p><b>.18</b> How does your Administration carry out</p>	<div>-</div>		

the verification and monitoring functions specified in resolution A.739(18)?		
.20 How does your Administration take specific responsibility for international certificates issued on its behalf by dependent territories/second registers?	Yes/No	
<b>Casualty and incident investigation</b>		
.21 Does your Administration have the means (financial and administrative) to ensure that thorough and prompt casualty and incident investigations into all cases of serious and very serious casualties, as defined in paragraphs 4.2 and 4.3 of the Annex to resolution A.849(20), are carried out?	- Yes/No -	
.22 For each of the previous 5 years*, for ships flying the flag of your State:	<b>SAMPLE</b>	<b><u>Reported</u></b>
.1 How many serious and very serious casualties were investigated?		
.2 How many such serious and very serious casualties were reported to IMO?	<b>SAMPLE</b>	<b><u>Reported</u></b>
.23 Can your Administration provide to IMO, on request, evidence which shows that casualties and incidents on ships flying the flag of your State have been investigated?	- Yes / No	
.24 For each of the previous 5 years*, has your Administration provided IMO with the mandatory annual reporting required by article 11.1(f) of MARPOL 73/78?	Yes/No	
.25 How many allegations of violations,		

according to article 4 of MARPOL 73/78, have been made against ships flying the flag of your State in each of the previous 5 years\*?

.1 How many investigations or legal proceedings has your Administration carried out in the previous 5 years\* in accordance with articles 4 and 6 of MARPOL?

.2 In how many cases did your Administration report back to the reporting State or to IMO in each of the previous 5 years\*?

<b>SAMPLE</b>	<b><u>.1</u></b> <b><u>investigation</u></b>	<b><u>.2</u></b> <b><u>Report</u></b>

### **EXTERNAL CRITERIA**

**.26** For each of the previous 5 years\*, how many ships flying the flag of your State:

.1 have been involved in serious or very serious casualties?

.2 have become total losses or constructive total losses?

3 have caused severe pollution\*\*?

<b>SAMPLE</b>	<b><u>Serious/Very</u></b> <b><u>Serious Casuattles</u></b>
<b>SAMPLE</b>	<b><u>Total</u></b> <b><u>loss/Constructive</u></b> <b><u>Total Loss</u></b>

<b>SAMPLE</b>	<b><u>Severe Pollution</u></b>

<p>.4 What casualty rate per 1000 ships does this represent?</p>          <p>.5 What is the total tonnage involved as a percentage of the total fleet?</p> <p>-</p>			
	<b>SAMPLE</b>	<b><u>Casualty rate per 1000 ships</u></b>	
	<b>SAMPLE</b>	<b><u>Total Tonnage as % of total fleet</u></b>	
<p><b>.27</b> In each of the previous 5 years*, how many lives have been lost:</p> <p>.1 in casualties involving ships flying the flag of your State?</p> <p>.2 due to occupational accidents (i.e. other than from casualties to ships) on ships flying the flag of your State?</p> <p>NB - Includes: falls; boarding or disembarking; accidents on deck and in machinery spaces; deaths in enclosed spaces; but does not include: accidents</p>		<b><u>.1</u></b> <b><u>Investigation</u></b>	<b><u>.2</u></b> <b><u>Occupational accidents</u></b>

ashore; homicide; suicide; <i>or deaths from disease or natural causes.</i>			
28.1 For each of the previous 5 years*, how many ships flying the flag of your State were detained, within the scope of SOLAS 74, MARPOL 73/78, LL 66 or COLREG 72, by port States?			
28.2 What detention rate per 1000 ship inspections does this represent? (see also question 11).			

\* or from the date your Government became a Party to the relevant instrument, if that is later.

\*\* "Severe pollution" is a case of pollution which, as evaluated by the coastal State(s) affected or the flag State, as appropriate, produces a major deleterious effect upon the environment, or which would have produced such an effect without preventive action.

## **ANNEX 2**

### **CRITERIA AND PERFORMANCE INDICATORS FOR THE SELF-ASSESSMENT OF FLAG STATE PERFORMANCE**

#### **Introduction**

1. A flag State conducting a self-assessment exercise should adopt a holistic approach, meaning a generality which may be used by any flag State, irrespective of the composition of its fleet, and such a holistic approach should lead to a balanced overall picture of the performance of that State, catering for its particular characteristics. The goal of the flag State should be to have a fleet with a good safety record which causes minimal damage to the marine environment.

#### **Criteria**

2. The following are the criteria which permit the goal defined above to be attained:
- .1 Legal frame work and means of promulgating maritime legislation which should satisfy the international maritime obligations of the State.
  - .2 Ability to demonstrate that full and complete effect is being given to instruments in force to which the flag State is a Party.
  - .3 Enforcement of maritime legislation.
  - .4 Responsibility for any recognized organization (RO) acting on behalf of the Administration, including authorization and monitoring of, and any corrective action against, the RO.
  - .5 Ability to investigate the causes of personal injuries, non-compliance, casualties, and pollution incidents, and ability to take appropriate remedial action.
  - .6 Ability to ensure that a ship having joined its register does not operate unless it complies with applicable requirements.
  - .7 Ability to demonstrate that a policy is in place to promote a safety and environmentally-minded working culture at all times.

#### **Performance indicators**

3. Performance indicators are needed in order to obtain results demonstrating whether or not the criteria listed in paragraph 2 above have been fulfilled, and should be perceived as general areas of performance which provide objective information that can be analysed. An analysis of the information associated with the performance indicators should be undertaken in an effort to identify trends and common factors. On this basis, the following performance indicators should be analysed against each of the above criteria:

- .1 Accidents, casualties and incidents reportable to the Organization in terms of the requirements of the applicable conventions.
- .2 Accidents involving personal injuries leading to absence from duty of 3 days or more on board ships flying the flag of the State concerned.



- .3 Lives lost on ships flying its flag resulting from the operation of those ships.
- .4 Ships lost.
- .5 Pollution incidents as defined by the reporting standards of MARPOL 73/78 and other applicable instruments, as appropriate, including a measure of the seriousness of the incidents.
- .6 Information provided by other State under port State control procedures in accordance with the applicable conventions.
- .7 Information provided by statutory surveys, audits and inspections carried out by, on behalf of and at the request of the flag State.
- .8 Compliance with the requirements of mandatory instruments, concerning communication of information, including the serious and very serious incidents reportable to the Organization.
- .9 Action taken against ships flying the flag of the State which have been identified as not being in compliance with the requirements of mandatory instruments, and the effects of such action.

(Annex -3)

FORM A



THE GOVERNMENT OF THE REPUBLIC OF THE UNION OF MYANMAR  
FLAG STATE INSPECTION REPORT

Authority: DEPARTMENT OF MARINE ADMINISTRATION  
MINISTRY OF TRANSPORT AND COMMUNICATIONS,  
THE REPUBLIC OF THE UNION OF MYANMAR

Copy to

Master  
Head office

Add: Three Storey Bldg., Dockyard Road, Dawbon Township, Yangon.

Tel: + 95-1-556097 / 556073

Fax: + 95-1-556093 / 556047

Telex:

E-mail Myanmarine@mptmail.net.mm

If ship is detained , copy to

Classification Society

1. Name of reporting authority ..... 2. Name of ship .....  
3. Flag of ship ..... 4. Type of ship ..... 5. call sign ..... MMSI .....  
6. IMO number ..... 7. Gross tonnage ..... 8. Deadweight (where applicable) .....  
9. Year keel laid ..... 10. Date of inspection ..... 11. Place of inspection .....  
12. Classification society ..... 13. Date of release from detention\*\* .....  
14. IMO company number .....  
15. Particulars of ISM Company and local agent .....  
16. Indicate FSI is on Company's request / unscheduled inspection .....  
17. Name and signature of master to certify that the information ..... under 14 is correct:  
Name ..... Signature .....

18. Relevant Certificates

a. Title	b. Issuing authority	c. Date of issued	d. Date of expiry
1. Tonnage			
2. Load Line Cert			
3. Cargo Ship Safety Construction Cert			
4. Cargo Ship Safety Equipment Cert			
5. Cargo Ship Safety Radio Cert			
6. Minimum Safe Manning Cert			
7. Safety Management Cert			
8. Document of Compliance			
9. ISS Cert			
10. CSR			
11. IOPP Cert			
12. ISPP Cert			
13. IAPP Cert			

d. information on last intermediate or annual survey

date	Surveying authority	place
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		

19. Deficiencies ..... ☐ no ☐ yes (see attached FORM B)  
20. Ship detained ..... ☐ n ☐ yes \*\*\*  
21. Supporting documentation ..... ☐ o ☐ yes (see annex)

Issuing office .....

Telephone .....

Telefax .....

E-mail .....

Name .....

(duly authorized FSI of DMA)

Signature .....

**This report must be retained on board for a period of two years and must be available for consultation at all times.**

\*) This inspection report has been issued solely for the purpose of informing the master that an inspection by the flag state, mentioned in the heading, has taken place. This inspection report cannot be construed as a seaworthiness certification in excess of the certificate the ship is required to carry.

\*\*) To be completed in the event of a detention.

\*\*\*\*) Masters, shipowners and / or operators are advised that detailed information on a detention may be subject to future publication.



**copy to**

**Head office**

**If ship is detained , copy to**

### Classification Society

**Telex:**

**E-mail Myanmarine@mptmail.net.mm**

2. IMO number

#### 4. Place of inspection

## 5. Nature of deficiency

[illegible]

### Convention<sup>2</sup> / Flag requirements

Action taken<sup>3</sup>

(duly authorized surveyor of D.M.A)

Signature:

1. This inspection was not a full survey and deficiencies listed may not be exhaustive. In the event of a detention, it is recommended that full survey is carried out by Recognized Organization and all deficiencies are rectified before an application for re-inspection is made.
2. To be completed in the event of a detention.
3. Actions taken include., i.e.: ship detained/released, classification society informed, next port informed.

## **ACTIONS TAKEN**

### **DEFICIENCY ACTION CODES**

- 10 Deficiency rectified
- 15 Rectify deficiency at next port
- 16 Rectify deficiency within 14 days
- 17 Rectify deficiency before departure
- 18 Rectify deficiency within 3 months
- 30 Detainable deficiency
- 99 other (specify in clear text)

### **INSPECTION ACTION CODE**

- 40 Next port informed
- 45 Rectify detainable deficiency at next port
- 50 Flag state /consul informed
- 55 Flag state consulted
- 70 Recognized organization informed
- 85 investigation of contravention of discharge provisions  
(MARPOL)

## CODES FOR NATURE OF DEFICIENCIES

<b>0100 SHIP'S CERTIFICATES</b>	0350 Lighting	0666 Thermal protective aids
0110 Cargo Ship Safety Equipment (including exemption)	0360 Pipes, wires, (insulation)	0669 Radio life saving appliances
0111 Cargo Ship Safety Construction (including exemption)	0361 Electrical devices	0674 Emergency equipment for 2-way Communication
0112 Passenger Ship Safety (including exemption)	0370 Sick bay	0676 Public address system
0113 Cargo Ship Safety Radio (including exemption)	0371 Medical equipment	0680 Embarkation arrangements-survival Craft
0114 Cargo Ship Safety (including exemption)	0380 Access/ Structure	0683 Embarkation arrangements-rescue boats
0116 Document of Compliance (DoC/ISM Code)	0382 Sleeping room	0684 Means of recovery of life saving appliances
0117 Safety Management Certificate (SMC/ISM Code)	0383 No direct openings into sleeping rooms from cargo/Machinery areas	0686 Buoyant apparatus
0120 Load Lines	0384 Furnishings	0690 Line- throwing appliances
0130 Liquefied Gases in Bulk (CoF/GC Code)	0385 Berth dimensions, etc.	0692 Operational readiness of lifesaving Appliances
0131 Liquefied gases in bulk (CoF/IGC Code)	0386 Clear head	0694 Evaluation, testing and approval
0135 Minimum Safe Manning Document	0387 Messroom location	0695 On board training and instructions
0140 Dangerous Chemicals in Bulk (CoF/BC Code)	0388 Oil skin locker	0696 Maintenance and inspection
0141 Dangerous Chemicals in Bulk (CoF/IBC Code)	0389 Laundry	0697 Decision support system for Master on Passenger Ships
0150 Prevention of Pollution by Oil (IOPP)	0390 Record of inspection	0699 Other (life saving)
0155 Prevention of Pollution NLS in Bulk (NLS)	0399 Other (accommodation)	
0157 International Sewage Pollution Prevention	<b>0400 FOOD AND CATERING (ILO 147)</b>	
	0410 Galley, handling rooms	
	0411 Ventilation	
	0412 Lighting	
	0413 Cleanliness	
	0420 Provisions (quantity)	
	0421 Provisions(quality)	
	0430 Water, pipes and tanks	
	0440 Cold rooms	
	0441 Cold room temperature	
	0442 Cold room cleanliness	
	0450 Food personal hygiene	
	0451 Food temperature	
	0452 Food segregation	
	0460 Records of inspection	

Certificate	0499 Other (food)	<b>0700 FIRE SAFETY MEASURES</b>
0158 International Ship Security Certificate		0710 Fire prevention
0159 Statement of Compliances (CAS)	<b>0500 WORKING SPACES</b>	0711 Inert gas system
0164 Interim Statement of Compliances (CAS)	0510 Ventilation	0712 Division main zones
0171 Special Purpose Ship Safety	0515 Heating	0713 Main vertical zone
0172 High Speed Craft Safety and Permit to Operate	0520 Lighting	0714 Door within Main vertical zone
0173 Mobile Offshore Drilling Units Safety	0530 Safe means of access	0715 Fire detection
1174 INF Certificate of Fitness	0531 Safe means of access Shore-Ship	0716 Fire patrol
0180 Tonnage	0532 Safe means of access Deck-Hold /Tank, etc.	0720 Ready availability of fire fighting equipment
0190 Logbooks/compulsory entries	0533 Obstruction/slipping, etc.	0725 Fixed fire extinguishing installation
0199 Other (Ship's Certificates)	0540 Protection machinery	0730 Fir Fighting equipment and appliances
<b>0200 CERTIFICATE AND WATCH-KEEPING FOR SEAFERERS</b>	0541 Electrical	0735 Personal equipment
0221 Certificates for master and officers	0542 Machinery	0736 Emergency Escape Breathing device
0222 Certificate for ratings for watchkeeping	0543 Stream pipes and pressure pipes	0739 Emergency fire pump
0223 Certificates for radio personnel	0550 Danger Areas	0740 Fire pumps
0224 Certificate for personnel on tankers	0551 Gas instruments	0741 Means of control (opening, closure of skylights, pumps, etc. machinery spaces
0226 Certificate for personnel on fast rescue boats	0552 Emergency cleaning devices	0743 Fire-dampers
0227 Certificate for advance fire-fighting	0599 Other (working space)	0745 Ventilation
0228 Documentary evidence for personnel on passenger ships	<b>0600 LIFE SAVING APPLIANCES</b>	0746 Jacketed piping system for high pressure fuel lines
0229 Documentary evidence for personnel on ro-ro passenger ships	0610 Lifeboats	0750 International shore connection
0230 Manning specified by the	0611 Lifeboat inventory	0755 Fire control plan-all ships
	0613 Stowage of Lifeboats	0760 Unattended Machinery spaces (UMS) Evidence
	0615 Rescue boats	
	0616 Rescue boat inventory	
	0617 Fast rescue boat	
	0618 Stowage of rescue boats	
	0620 Inflatable liferafts	
	0625 Rigid liferafts	
	0628 Stowage of liferafts	
	0629 Marine evacuation system	
	0630 Launching arrangements for survival craft	

minimum safe manning document 0241 Certificate for medical care 0250 Certificate for personnel on survival craft and rescue boats. 0251 Certificate for medical care 0252 Evidence of basic training 0253 Schedules for watchkeeping personnel 0260 Rest Period 0261 Records of test 0270 Endorsement by flag states 0270 Application for Endorsement 0299 Other (STCW)  <b>0300 CREW AND ACCOMMODATION (ILO 147)</b> 0301 Minimum age 0310 Dirty Parasites 0320 Ventilation. Heating 0321 Heating 0322 Noise 0330 Sanitary facilities 0340 Drainage	0635 Launching arrangement for rescue boats 0636 Helicopter landing /pick-up area 0637 Means of rescue 0640 Distress flares 0650 Lifejackets 0663 Immersion suits, 0664 Anti-exposure suit	0770 Doc of Compliances Dangerous Goods, 0799 Other (fire safety)  <b>0800 ACCIDENT PREVENTION</b> 0810 Personal equipment 0815 Warning notices 0820 Protection machines/ parts 0830 Pipes, wires (insulation) 0850 Structural features (ship) 0860 Entry dangerous spaces (instructions, Warnings) 0870 Cargo Gear Record Book 0899 Other (accident prevention)  <b>0900 STABILITY, STRUCTURE AND RELATED EQUIPMENT</b> 0910 Hydraulic & other closing devices/ watertight doors 0915 Signs and indicators (WT doors, fire detectors, fire dampers, ventilation) 0920 Damage control plan
---	--	--

0930 Stability/strength/ loading information and Instruments	1288 Freeing ports 1290 lashings (timber) 1299 Other (Load Lines)	1671 Satellite EPIRB 406 MHz/1 6 GHz 1673 VHF EPIRB 1675 Radar transponder 1677 Reserve source of energy
0931 Information on A/a- max ratio (ro-ro passenger ships)	<b>1300 MOORING ARRANGEMENTS (ILO 147)</b>	1680 Radio log (diary) 1685 Operation/ maintenance 1686 Homing device 1699 Other (radio)
0936 Steering gear 0938 Damage to hull due to weather or ship Operation	1310 Ropes, wires 1320 Anchoring devices 1330 Winches & Capstans 1340 Adequate lighting 1399 Other (mooring)	<b>1700 MARPOL ANNEX I</b>
0940 Ballast, fuel and other tanks 0945 Emergency lighting, batteries & switches 0950 Electric equipment in general 0951 Low level lighting in corridors 0955 Pilot ladders 0956 Gangway, accommodation ladder 0960 Means of escape 0970 Location of emergency installations 0972 Permanent means of access 0981 Beams, frames floors- operational damage 0982 Beams, frames, floor- corrosion 0983 Hull-corrosion 0984 Hull cracking 0985 Bulkheads corrosion 0986 Bulkheads-operational damages 0987 Bulkheads-cracking 0988 Decks-corrosion 0989 Deck-cracking 0990 Enhanced programme of inspection	<b>1400 PROPULSION AND AUXILIARY MACHINERY</b> 1410 Propulsion main engine 1420 Cleanliness of engine room 1430 Auxiliary engine 1435 Gauges, thermometers, etc 1440 Bilge pumping arrangements 1450 UMS-Ship 1460 Guards/Fencing around dangerous Machinery Parts 1470 Insulation wetted through (oil) 1499 Other (machinery)  <b>1500 SAFETY OF NAVIGATION</b> 1510 Type approval equipment 1512 Operational limitations for passenger ships 1514 SAR Coordination plan for passenger ships trading on fixed routes  1530 Radar	1705 Shipboard oil pollution emergency plan(SOPEP) 1710 Oil record book 1720 Control of discharge of oil 1721 Retention of oil on board 1725 Segregation of oil & water ballast 1730 Oil filtering equipment 1735 Pumping, piping & Discharge arrangements of oil tankers 1740 Oil discharge monitoring & control System 1745 15PPM alarm arrangements 1750 Oil/Water interface detector 1760 Standard discharge connection 1770 SBT, CBT, COW 1771 COW Operations and



0991 Survey Report File	1540 Gyro compass	Equipment Manual
0992 Thickness measurement report	1541 Magnetic compass	1772 Double hull construction
0999 Other (stability/structure)	1542 Emergency steering position communications/compass reading	1773 Hydrostatically balanced loading
<b>1000 ALARM SIGNALS</b>	1543 Compass correction log	1775 Condition assessment scheme
1010 General alarm	1544 Automatic radar plotting aid (ARPA)	1780 Pollution report
1011 General emergency alarm	1546 Direction finder	1970 Ship type designation
1012 Crew alarm	1550 Lights, shapes, sounds-signal	1795 Suspected discharge violation
1020 Fire alarm	1551 Signaling lamp	1977 Other (MARPOL/Annex 1)
1030 Steering-gear alarm	1560 Chars	<b>1800 OIL, CHEMICAL TANKERS AND GAS CARRIERS</b>
1040 Engineer's alarm	1561 Electronics charts (ECDIS)	1810 Cargo area segregation
1050 Inert gas alarm	1565 Automatic Identification System(AIS)	1815 Air intakes/opening to accommodation, Machinery & control station spaces
1060 Machinery controls alarm	1566 Voyage Data Recorder (VDR)	1816 Wheelhouse door, - window
1070 UMS-alarm	1567 GNSS receiver	1820 Cargo pumproom, handling space
1080 Boiler-alarm	1570 Nautical publications	1825 Spaces in cargo areas
1090 Opening/closing watertight doors alarm	1575 Echo-sounding device	1830 Cargo transfer
1099 Other (alarm)	1580 Speed and distance indicator	1835 Cargo vent system
<b>1100 CARRIAGE OF CARGO AND DANGEROUS GOODS</b>	1581 Rudder angle indicator	1836 Temperature control
1110 Stowage of cargo	1582 Revolution counter	1840 Instrumentation
1115 Cargo Securing Manual	1583 Variable pitch indicator	1850 Fire protection cargo deck area
1120 Grain	1585 Rate-of turn indicator	1860 Personnel protection
1125 Authorization for grain carriage	1590 International code of signals	1870 Special requirements
1130 Stowage/Package dangerous goods	1591 Life saving signals	1880 Cargo information
1131 Document of Compliances on Dangerous goods	1592 Use of the automatic pilot	1885 Tank entry
1132 Booklet for bulk cargo	1593 Record of testing and drill of steering gear	1886 Emergency towing
	1594 Voyage of passage plan	
	1595 Navigation bridge visibility	
	1596 Navigation records	
	1597 Distress message: obligations and Procedures	
	1599 Other (navigation)	
	<b>1600 RADIOCOMMUNICATIONS</b>	

loading/unloading/ Stowage 1140 Other Cargo 1150 Loading & unloading equipment 1160 Holds & tanks 1170 Dangerous goods codes 1190 Lashing material 1199 Other(cargo)  <b>1200 LOAD LINES</b> 1210 Overloading 1220 Freeboard marks 1230 Railing, cat walks 1240 Cargo & other hatchways 1250 Covers (Hatchway, portable, tarpaulins, etc) 1260 Windows, side scuttles 1270 Doors 1275 Ventilators, air pipes, casings 1280 Machinery space openings 1282 Manholes/Flush scuttle 1284 Cargo ports and other similar opening 1286 Scuppers, inlets and discharges	1611 Functional requirements 1620 Main installation 1621 MF radio installation 1623 MF/HF radio installation 1625 INMARSAT ship earth station 1635 Maintenance/duplication of equipment 1645 Performance standards for radio Equipment 1651 VHF radio installation 1655 Facilities for reception of marine safety information	arrangement 1887 Safe access to tankers bows 1899 Other (Oil tankers)  <b>1900 MARPOL  ANNEX II</b> 1910 Cargo record book 1911 P & A Manual 1920 Efficient stripping 1925 Residue discharge system 1930 Tank-washing equipment 1940 Prohibited discharge of NLS slop 1960 Cargo heating system cat.B substances 1970 Ventilation procedures/equipment 1980 Pollution report 1990 Ship type designation 1992 Shipboard marine pollution emergency plan for noxious liquid substances, 1999 Other(Marpol /Annex II)  <b>2000 SOLAS RELATED  OPERATIONAL  DEFICIENCIES</b> 2010 Master list 2015 Communication 2020 Fire drills
--	--	--

2025 Abandon ship drills 2030 Damage Control plan 2035 Fire control plan 2040 Bridge operation 2041 Operation of GMDSS equipment 2042 HSC operation 2043 Monitoring of voyage or passage plan 2045 Cargo operation 2050 Operation of machinery 2055 Manuals, instructions etc. 2056 Establishment of working language on Board 2060 Dangerous goods & harmful substances in packaged form 2070 Operation of fire protection system 2071 Maintenance of fire protection system 2080 Operation of life saving appliances 2081 Maintenance of life saving appliances 2090 Evaluation of crew performance 2099 Other (SOLAS/operational)	<b>2700 ADDITIONAL MEASURES TO ENHANCE MARTIME SECURITY</b> 2705 Ship security defects 2715 Ship security alert system 2720 Ship security plan 2725 Ship security officer 2730 Access control ship 2735 Security drills 2799 Other (Maritime security)	
	<b>2800 ADDITIONAL MEASURES TO ENHANCE MARTIME SAFETY</b> 2518 Marking of IMO number 2820 Continuous synopsis record 2899 Other (Additional maritime safety)	
	<b>2900 MARPOL ANNEX IV</b> 2910 Sewage treatment plan 2920 Sewage comminuting system 2930 Sewage discharge connection 2999 Other (Marpol-Annex IV)	
<b>2100 MARPOL RELATED OPERATIONAL DEFICIENCIES</b> 2110 Oil & oily mixture from machinery spaces 2115 Loading, unloading & cleaning procedure	<b>9900 ALL OTHER DEFICIENCIES</b> 9901 Deficiencies clearly hazardous to safety, health or environment, specified in clear text 9902 Deficiencies not clearly	

<p>for cargo spaces of tankers</p> <p>2120 Garbage</p> <p>2130 Shipboard marine pollution emergency operation</p> <p>2199 Other (MARPOL/operational)</p> <p><b>2200 MARPOL ANNEX III</b></p> <p>2210 Packaging</p> <p>2220 Marking &amp; labeling</p> <p>2230 Documentation</p> <p>2240 Stowage</p> <p>2299 Other (MARPOL/Annex III)</p> <p><b>2300 MARPOL ANNEX V</b></p> <p>2310 Placards</p> <p>2320 Garbage management plan</p> <p>2330 Garbage record book</p> <p>2399 Other (MARPOL/Annex V)</p> <p><b>2000 ISM RELATED DEFICIENCIES</b></p> <p>2510 Safety and environmental policy</p> <p>2515 Company responsibility and authority</p> <p>2520 Designated person(s)</p> <p>2525 Masters responsibility and authority</p> <p>2530 Resources and personnel</p> <p>2535 Development of plans for shipboard</p>	<p>hazardous to Safety, health or environment, specified in clear text.</p>	
--	---	--

<p>operations</p> <p>2540 Emergency preparedness</p> <p>2545 Reports and analysis of non-conformities, accidents and hazardous occurrences</p> <p>2550 Maintenance of ship and equipment</p> <p>2555 Documentation</p> <p>2560 Company verification, Review and Evaluation</p> <p>2565 Certification, verification and control</p> <p>2599 Other (ISM)</p> <p><b>2600BULK CARREIERS- ADDITIONAL SAFETY MEASURES</b></p> <p>2610 Bulkhead strength</p> <p>2620 Endorsement of cargo booklet</p> <p>2630 Triangle mark</p> <p>2640 Cargo density declaration</p> <p>2650 Loading instrument</p> <p>2660 Water level indicator</p> <p>2699 Other (bulk carriers)</p>		
---	--	--

## NOTICE OF DETENTION OF A SHIP



**DEPARTMENT OF MARINE ADMINISTRATION  
MINISTRY OF TRANSPORT AND COMMUNICATIONS,  
THREE STOREY BLDG, DAWBON DOCKYARD RD,  
DAWBON TSP., YANGON,  
THE REPUBLIC OF THE UNION OF MYANMAR.**

**Tel: + 95-1-556097/556073**

**Fax: +95-1-556093**

1. Name of ship ..... 2. Port of registry .....  
3. Call sign ..... 4. Flag State .....  
5. Laying at \_\_\_\_\_

**In pursuance of:**

**Sec; 230 The Myanmar Merchant Shipping Act on the Unseaworthy Ships; etc.**

**The reason for the detention\* is defect<sup>+</sup> in:**

☐

**Hull**

☐

**Machinery**

☐

**Safety Equipment**

☐

**Ballast & Cargo**

☐

**Manning**

☐

**Other causes**

**Port** \_\_\_\_\_

**Date** \_\_\_\_\_

**Name** \_\_\_\_\_

**(duly authorised surveyor of DMA)**

**Signature** \_\_\_\_\_

**NOTICE OF RELEASE OF THE SHIP**



**DEPARTMENT OF MARINE ADMINISTRATION  
MINISTRY OF TRANSPORT AND COMMUNICATIONS,  
THREE STOREY BLDG, DAWBON DOCKYARD RD,  
DAWBON TSP.,YANGON,  
THE REPUBLIC OF THE UNION OF MYANMAR.**

**Tel: + 95-1-556097/556073**

**Fax: +95-1-556093**

Port .....

Letter No.....

Dear Master,

Considering the fact that the cause(s) of detention of the ship.....

IMO No.....and ..... company , has been removed.

I hereby order the release of the said ship at .....hours, dated.....

Enclosed please find a copy of the Report of inspection.

Name of duly authorized officer.....

Signature .....

Tel : 951 556097

Fax : 951 556093