



## IMSAS Discussion Points / Exchanging Experiences

Discussion questions follow the categories mentioned in III Code namely, Common Areas (q.s 1-3 and 14), Flag States (q.s 4-8), Coastal States (q. 9) and Port States (q.s 10-13)

1. How do you keep track of the amendments to SOLAS, especially those accepted through the tacit acceptance procedure? How do you ensure that vessels / their agents in your country keep track of amendments? (Hint: consider how international treaties and amendments are incorporated into your national law and how /which ones / to what extent they are published)
2. Agent of a vessel which will call in your port has submitted certificates that would be valid under the text of a SOLAS Annex before an amendment has entered into force. What would be your line of inquiry in evaluating the compliance of the vessel with SOLAS?
3. Do your State have any delegations for tasks under SOLAS to recognized organizations or are they handled by the administration itself?
4. What happens when a vessel flying your State's flag is found to have violated standards or individuals holding certificates issued by your State has been found to have violated these standards? Has any such case or investigation been instituted?
5. What is the most common deficiency you have found for rejection / denial of issuing a certificate to a ship / seafarer as a flag State?
6. What is the average years of relevant work experience that the surveyors / inspectors have in your State?
7. If your State has delegated authority to a recognize organization (RO), such as a class society, can those ROs be held liable in civil proceedings under your national law, if they are found to have failed to show due diligence in relevant inspections?
8. Are maritime accident reports involving SOLAS violations ever made public? If so under what circumstances? (III Code para.40)
9. SOLAS contains some rules and regulations which do not specify a set standard but simply require for that the arrangement be 'to the satisfaction of the Administration'. (For reference some examples may be found in SOLAS Ch II /10, 2.3.2.1 concerning firefighting, just one of the many references to the satisfaction of the administration; or Ch IV / 16 concerning radio personnel; etc). Are there any objective / established / specific criteria in establishing this standard (standard of "satisfaction of the administration") in your State? How do you implement this standard?
10. Have you ever cooperated with a flag State for investigation of a maritime casualty in your territorial sea? Or cooperated with a coastal State as the flag State of the vessel involved in a maritime casualty?
11. What are the most common non-compliance issues that led to detention of foreign flagged vessels in your ports?
12. What are the areas of SOLAS that you have observed best performance / compliance by vessels visiting your ports?
13. Does your State keep statistics concerning the above? Maybe under the Mediterranean MOU on Port State Control in the Mediterranean?



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14. As IMO Resolution A.1052(27) dated 2011 on Procedures for Port State Control state Appendix 8 para.4, “A more detailed inspection of the Safety Management System (SMS) should be carried out if clear grounds are established. Clear grounds may include absent or inaccurate ISM Code certification or detainable (or many non-detainable) deficiencies in other areas”. What is the most common cases you have undertaken a “more detailed inspection”?
15. What is your national authority that acts as the maritime administration for IMO related issues? (surprise question, not to be notified beforehand – to demonstrate whether we have organizational / administrative clarity)