

IN-SITE

INSIGHT FOR OWNERS & CAPTAINS FROM JMS INTELLIGENCE

APRIL 2018 - PORT STATE CONTROLS - PART TWO

PORT STATE CONTROLS

PART TWO:
THE TOP 5 TIPS
TO PASSING YOUR INSPECTION



275

THE NUMBER OF PSC YACHT INSPECTIONS IN 2017...

22 yachts were detained in 2017. I cannot emphasise enough the seriousness of failing a Port State Control Inspection. Being detained is a disaster that goes well beyond any personal or economic effect it has on an Owner's or charter guest's time on board.

FRANC JANSEN
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PREPARE FOR BOARDING

PSC - TOP 5 TIPS TO PASSING YOUR INSPECTION

PART TWO IN THE TWO-PART HELP SERIES
BY FRANC JANSEN

In Part One of this series ([download from www.jmsyachting.com](http://www.jmsyachting.com)) we looked at the increasing number of inspections now taking place within the Paris MOU area and the TOP 10 most common deficiencies that have seen yachts fail those inspections.

And by way of even more insight into the problem, Cayman Island Surveyor, *Eduard Henry* has shared the results of his own inspections, listing 9 of the most common deficiencies he has personally recorded:

9. Poor drill performance
8. Critical equipment not defined
7. Mini ISM not implemented
6. Lack of MLC knowledge
5. OWS defect or insufficient knowledge to run it
4. Hours of Rest records incomplete or non-existent
3. Passage Plan not done or incomplete
2. No original crew documents
1. Nautical Publications & Chart corrections not done

Aside from the risks poor safety management exposes to all on board throughout the operation of any yacht, I cannot emphasise enough the seriousness of failing a Port State Control Inspection. Being detained is a disaster that goes well beyond any personal or economic effect it has on an Owner's or charter guest's

“BEING DETAINED NOT ONLY AFFECTS THE YACHT, IT REDUCES THE RATINGS OF THE MANAGEMENT COMPANY, CLASSIFICATION SOCIETY, FLAG STATE AS WELL AS THE OTHER YACHTS THEY MANAGE.”

time on board. Being detained not only affects the Senior Crew and the yacht involved, it damages the reputation and reduces the ratings of the Management Company, Classification Society, Flag state as well as the other yachts they manage. This is damage that is not only severe, it has long lasting effects on their credibility and business.

On the flip side, yachts that take on-board safety seriously where the Owner, Captain and crew approach it systematically and with clear understanding, have nothing to fear.

So now we have seen where the failures tend to occur, let's take a look at the basic steps you can put into place for a compliant and safely operated yacht and therefore no fear when the time comes for your yacht inspection.

FAST READ

PSC: THE TOP 5 TIPS TO PASSING YOUR INSPECTION

1

SAFETY MANAGEMENT SYSTEM (SMS)

A simple one to start with. **Any yacht that operates an effective Safety Management System (SMS) has little to fear from a PSC inspection.** An SMS addresses all the areas a PSC officer will check. Provided you operate a professional and effective SMS and execute it correctly, you have nothing to worry about. And if you don't have one or are questioning just how thorough the one you have is, by all means **contact my team** and we can either audit your system for you or provide you with our own simple and effective ISM system.

2

CHECK LIST

The first item you will check when you expect a PSC visit, and they can happen at any time and without notice, is your SMS. You want to ensure everything is in order and up-to-date before the PSC arrives and the best way to do that is to follow your SMS's own **Internal Audit Checklist** system. If, for some reason, this is not part of your SMS, ask your ISM provider for a copy. Most SMS providers will also send one of their auditors to help the yacht prepare for a PSC and independent Surveyors can also offer their services.

For prompt and reliable access to experienced auditors and surveyors, you can, of course, always contact myself or any of my team at JMS. We can support you and guide you through your preparation for any inspection. **See our contact details at the end of this Guide.**

One very useful tool, is the **Port State Inspections Pocket Check List** produced by Lloyds Register which can be found at: <http://www.webstore.lr.org/category/20-port-state-control-checklists.aspx>. It is also available as an APP. The checklist focuses mainly on commercial shipping but a lot of it also applies to yachting.

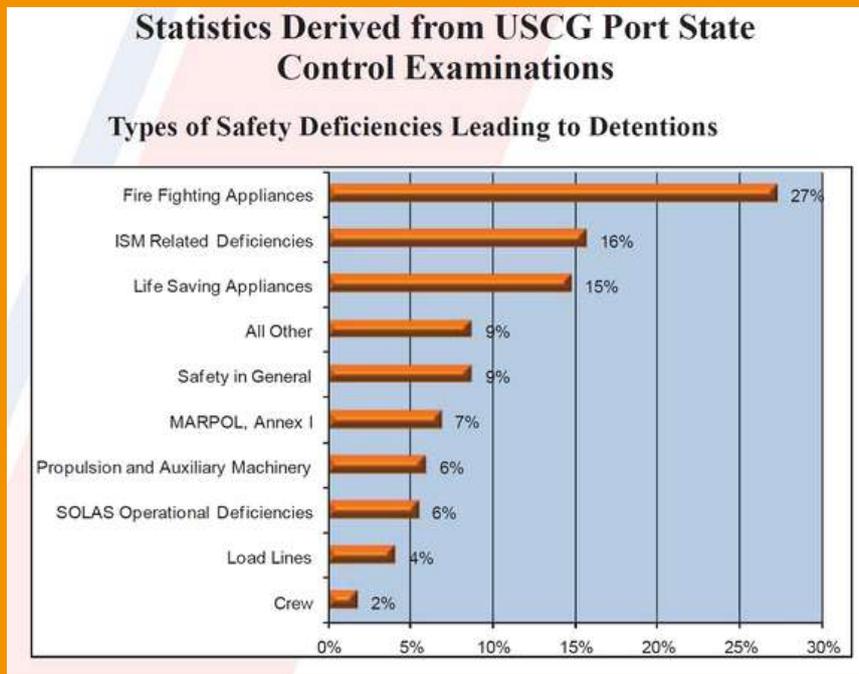
PSC: THE TOP 5 TIPS TO PASSING YOUR INSPECTION

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LEARN FROM THE MISTAKES OF OTHERS

As we noted in Part One of this series, there was an increase of over 400% in the number of yacht detentions in 2017 compared to 2016, and I think we have to assume that not all of these were the result of incompetent Captains or crew. Some issues can just be easy to overlook. Finding out where other yachts have failed is an important part of being PSC ready and if you haven't already, I would recommend you read **Part One of this series** and go to the **Paris MOU website** to find out more .

The **US Coast Guard** also produce Annual Reports listing common deficiencies, and whilst they are not specific to yachts, they do reflect many of the same trends with Fire Fighting Appliances, ISM-related deficiencies and Life-Saving Appliances ranking as the TOP 3 deficiency areas.



Source: US Coast Guard Annual Report 2016

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ARE YOU NEXT?

The efficient running of a yacht in full accordance with a quality SMS will give you the peace of mind of knowing you are not likely to fail an inspection when finally it comes, but sadly, that doesn't take away from the fact that when they do come, **PSC inspections are highly disruptive**. A PSC inspection takes time, so if you get one in the middle of a charter, for example, even if there are no deficiencies, **it will take about half a day**. That's an inconvenience that calls for excellent guest management if you don't want them left unimpressed by either the delay or the invasion of their privacy.

So how is a yacht selected for inspection?

All PSC regions have a system for prioritizing inspections. The quality and reputation of your ISM Management Company, the Flag, Classification Society together with the history and age of the yacht are all factors that come into play. See the USCG matrix below by way of an example:

| I | II | III | IV | V |
|--|---|---|--|---|
| SHIP MANAGEMENT | FLAG STATE | RECOGNIZED ORGANIZATIONS | VESSEL HISTORY | SHIP PARTICULARS (SEE NOTE) |
| 5 POINTS Listed Owner, Operator, or Charterer | 7 POINTS Flag State has a detention ratio 2 or more times the overall average for all flag states. | PRIORITY I Detention ratio equal to or greater than 2% | PRIORITY II First time to U.S. or no port State control exam in the previous 12 months | 4 POINTS General Cargo Ship Ro-Ro Cargo Ship Vehicle Carrier Passenger Ship involved in "day trips" or ferry service |
| | 2 POINTS Flag State has a detention ratio between the overall average and up to 2 times the overall average for all flag states | 5 POINTS Detention ratio less than 2% but greater than or equal to 1% | 5 POINTS EACH Detention, denial of entry, or expulsion in the previous 12 months | 2 POINTS Bulk Carrier Refrigerated Cargo |
| | | 3 POINTS Detention ratio less than 1% but greater than .5% | 1 POINT EACH COTP restricted the operations of the vessel for safety related issues in the previous 12 months (including LODs) | 1 POINT Oil or Chemical Tanker |
| | | NO POINTS Detention ratio less than .5% | 1 POINT EACH Reportable marine casualty in the previous 12 months | SHIP AGE (USE DELIVERY DATE) 0-4 years - subtract 3 5-9 years - subtract 2 10-14 years - add 0 15-19 years - add 3 20-24 years - add 5 25+ years - add 7 |
| | | | 1 POINT EACH Marine violation in the previous 12 months | <small>Note: For Qualship 21 vessels only; points should not be added in this column, but points can be subtracted for</small> |
| Total Targeting Score (Sum of Columns I-V) determines vessels priority (PI, PII, or NPV) | | | | |

Source: US Coast Guard Annual Report 2016

PSC: THE TOP 5 TIPS TO **PASSING** YOUR INSPECTION

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ARE YOU NEXT *(continued)*

Even assuming you are not using a substandard Management Company, Flag or Classification Society and you have not been detained in the past, **you will still automatically become a priority if you have not been inspected for 12 months or more.**

All PSC Regions work in a similar way. The Paris MOU uses a Ship Risk Calculator based on a criteria similar to the one above with High, Standard and Low Risk categories. You can calculate the Risk Status of your yacht by going to:

<https://portal.emsa.europa.eu/web/thetis/ship-risk-profile-calc>.

Inspections are then determined based on the category your yacht falls within.

| Priority | Level | Category of inspection |
|------------------------------------|--------------------------------------|------------------------|
| I Ship must be inspected | Overriding factor | Additional |
| | HRS not inspected in last 6 months | Periodic |
| | SRS not inspected in last 12 months | Periodic |
| | Ship not inspected in last 36 months | Periodic |
| II Ship may be inspected | HRS not inspected in last 5 months | Periodic |
| | Ship with unexpected factors | Additional |
| | SRS not inspected in last 10 months | Periodic |
| | LRS not inspected in last 24 months | Periodic |

Generally, PSC does not allow for scheduled inspections, however given the disruption and economic fallout that can result when it takes place during a charter, a case can be made to request an inspection. In certain areas of the Mediterranean, PSC can work to facilitate a scheduled boarding depending on their own operations and availability and this is something your SMS provider can organise on your behalf.

For yachts that operate dual seasons, we do recommend you being prepared for an inspection as soon as you arrive back in the Mediterranean. From a planning perspective, one of the most opportune times to have an inspection is after the winter season, just ahead of summer. Many yachts have some operational down-time then and even if the PSC does find deficiencies, there will be time to correct them without having any impact on the program of the yacht.

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ONBOARD PROTOCOL WITH INSPECTORS

In all the inspections I have been involved with over the years both in yachting and commercial shipping, how inspectors are welcomed from the moment they arrive on the gangway to the first cup of coffee on the bridge sets the tone for the inspection. **Inspiring confidence is key.** When an inspector feels something is not quite right, or crew appear dis-organised, for their own peace of mind, an inspector will often widen the scope of that inspection. Ultimately, an inspector is there to verify the safety and good running of that vessel - when they are satisfied it is properly run and safe they will wrap up the inspection and leave. If they are not...they will stay until they are.

Here are a few extra tips on receiving an inspector onboard:

- Inform your Flag and ISM provider the moment you know you will be inspected. Both will have experience dealing with PSC. They will be able to help during the inspection and find solutions should any issues arrive.
- As soon as PSC arrives, inform all senior officers onboard. All should be on stand-by to assist with the inspection.
- As soon as the PSC officer identifies themselves, instruct your crew to ask for and check the Officer ID, **record it in the Visitor Log** then escort them to the Bridge/Deck Office. Folders containing the yacht and crew certificates, LSA and FFE should be laid out in front of them before the coffee arrives.
- All crew should receive the inspector respectfully, be polite and professional.
- As the yacht pays the bills of Flag and Class, their surveyors generally try to help with any issues that may arise. The PSC inspector, on the other hand, is completely independent and likely to be less understanding. This requires a different approach. If you disagree with the inspector, state your case politely and try to find a solution through discussion. **If that does not work, agree to disagree and move on. Never get into a heated argument.**
- Do not try to blag your way through. It won't work and it will backfire. If you are not sure, say so and tell the inspector you will find out and provide an answer later.

PSC: THE TOP 5 TIPS TO PASSING YOUR INSPECTION

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ONBOARD PROTOCOL WITH INSPECTORS *(continued)*

- Answer all questions truthfully and show the items and equipment the inspector is asking for. Never lie to an inspector, at the same time do not volunteer information either.
- Avoid giving statements of quality like: “this is good” or “this is not good”. The inspector will make his own mind up.
- It happens that sometimes during the inspection there may be equipment that is not immediately working. Ask the inspector to move on to the next item on his checklist and have your technical team get to work on solving the problem so the inspector can come back to the item later on.

In a future series we will look at how to deal with Detentions, how to resolve them and what happens if you fail a second time around, but for now, the important message to get across is that no inspection should ever get that far when your yacht is being properly managed, operates an effective ISM & SMS system and promotes a culture of safety on board.

I hope this two-part series goes some way to providing you with a little more peace of mind in knowing you are on the right track. And if not, don't hesitate to reach out to myself or my team for some support.

Feeling confident about your SMS and your ability to pass a PSC?

If not, find out more about the **JMS SMS system** or request a personalised **JMS PSC Audit** now on:

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Site: www.jmsyachting.com