INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUNDS

ASSEMBLY
10th session
Agenda item 34

92FUND/A.10/32
16 September 2005
Original: ENGLISH

MEASURES TAKEN TO ENSURE SAFETY OF NAVIGATION

RECOMMENDATION TO ESTABLISH AN INFORMAL WORKING GROUP TO ADDRESS SHIPS' STANDARDS

Submitted by the International Group of P&I Clubs

Summary:	This document provides a factual report on the surveys and inspections currently undertaken by the relevant parties (class, port state control, insurance and cargo interests) in order to facilitate the Assembly's consideration of establishing an informal working group on ships' standards.
Action to be taken:	The Assembly is asked to consider the information contained in this paper.

1 At the March 2005 session of the 1992 Fund third Intersessional Working Group (the Working Group) the International Group of P&I Clubs submitted document 92FUND/WGR.3/25/3 detailing proposals for steps to be taken by the Clubs in the International Group with regard to improved practical measures to discourage substandard shipping. That document also set out the measures that were already undertaken by Clubs in relation to substandard shipping, and suggested that an informal working group be established to consider measures which could be taken by all parties in the chain of responsibility.

2 The Working Group 'decided to recommend to the 1992 Fund Assembly that it consider whether to establish an informal working group to examine the issue of substandard transportation of oil' (document 92FUND/A.10/7).

3 In order to assist the Assembly in its consideration of this recommendation, a report has been prepared on behalf of the International Group detailing the measures existing taken by the relevant parties (class, port state control, insurance and cargo interests) on surveys and inspections. This report has been drafted on a purely factual basis without comment on the relative merits and effectiveness of the work undertaken by each organisation or grouping. The sole objective of this report is to facilitate the Assembly's consideration of this matter and is provided on a neutral basis without any emphasis placed, or intended bias towards, the work of any of the relevant parties as described in this document.

4 This report, which is reproduced at the annex, was prepared by Mr Frank Wall, ex-senior civil servant in the United Kingdom's Department for Transport, acting in his capacity as an independent consultant.

* * *

ANNEX

Report on Ship Safety

Executive Summary

This paper describes a selection of survey and inspection regimes covering:

- Class Certification;
- Statutory Certification;
- Port State Control;
- the Oil Companies International Marine Forum's (OCIMF);
- Ship Inspection Report Programme (SIRE);
- hull and machinery surveys commissioned by London underwriters and
- Surveys commissioned by P&I Clubs.

These are considered to be representative of the range and coverage of the surveys and inspections found in the tanker industry recognizing that other interests also commission surveys or inspections including the numerous on- and off-hire surveys commissioned by individual charterers.

Part 1 provides an introduction to the survey and inspection of ships and an account of the certificates that oil tankers are required to have on board to trade internationally.

Part 2 provides an account of the work of Classification Societies.

Part 3 details the work of Port State Control and provides and an account of the various regional port State control Memorandum of Understanding.

Part 4 covers the survey and inspection work undertaken by OCIMF, Hull & Machinery underwriters and the International Group of P&I Clubs.

Part 1. The survey and inspection of ships

Introduction

1. Possession of valid Classification Society and Statutory certificates, issued after survey or audit, is a prerequisite for ships trading internationally. Certificates are issued for a specified period and many certificates are subject to periodical, annual or intermediate survey and a ship has to be resurveyed prior to renewal of a certificate. During the period of validity of a certificate the shipowner/operator is responsible for ensuring that the ship continues to comply with the rules or standards required by the certificate and should notify the issuing Classification Society or Administration if compliance is in question.

2. OECD's 2004 report[<1>] outlined the considerations which have led to an erosion of trust in the certification system and outlines the industry response, particularly from insurance interests. Despite the increasing number of surveys, specifically of oil tankers, associated with Classification and Statutory certificates there has also been a significant increase in the number, frequency and intensity of inspections of ships undertaken by others. These include inspections undertaken by port States (port State control), on behalf of potential charterers[<2>] and by insurance interests – both hull and machinery and Protection and Indemnity[<3>].

3. The frequency of overlapping surveys and inspections has led some commentators to suggest that they now place undue, and potentially dangerous, pressures on already overworked crews. Others contend that specific surveys or inspections are needed to protect their commercial interests and that they cannot rely on, or do not have access to, surveys or inspections undertaken, or commissioned, by others.

4. Despite the range and frequency of surveys or inspections it remains the fact that oil tankers continue to appear on the detention lists published by port State control authorities.

The IOPC Fund and shipping standards

5. It is implicit that oil tankers covered by the Civil Liability and Fund Conventions should comply with Class Rules and have the statutory certificates specified in International Conventions. The only explicit statement in the operative paragraphs of any Civil Liability or Fund Convention on the International Conventions considered relevant to oil tanker standards was in Article 5 of the 1971 Fund Convention. Article 5, which related to shipowners' roll-back relief, listed (Article 5.3):
   - the International Convention for the Prevention of Pollution of the Sea, 1954, as amended in 1962 (MARPOL);
   - the International Convention for the Safety of Life at Sea (SOLAS;
   - the International Convention on Load Lines 1966 (Load Line), and
   - the International Regulations for Preventing Collisions at Sea 1960 (COLREG), and any relevant later amendments to the four instruments.

6. Article 5 of the 1971 Fund was developed explicitly to deal with the significant increase in the owners' liability as between the 1957 Liability and the 1969 Civil Liability Conventions. The reasons for the original roll-back relief no longer remained when revision of the 1969 Civil Liability and 1971 Fund Conventions was undertaken in 1984 and Article 5 was deleted in the proposed 1984 Fund Convention and therefore is no longer in the 1992 Fund Convention.

<1> Maritime Transport Committee Report on the Removal of Insurance from Substandard Shipping, OECD, Paris, 2004.

<2> 92FUND/WGR3/22/5 The role of SIRE in the vetting of tankers, submitted by the Oil Companies International Marine Forum (OCIMF).

<3> 92FUND/WGR.3/24 Proposals made in relation to sub-standard shipping by the International Group of P&I Clubs, submitted by the International Group of P&I Clubs.

7. Deletion of the only explicit reference in the Fund's legal instruments to other Conventions which established standards considered relevant to oil tankers in no way diminishes the importance of the implicit understanding that oil tankers were, and are, expected to comply with Class Rules and International Conventions.

The essentials

8. To trade internationally oil tankers must have the following certificates on board – those in *italics* are subject to surveys or audits:

(a) *Classification certificates* for the ship's hull and machinery issued by a Classification Society (Class);

(b) Statutory Certificates issued by the Administration, or a Recognized Organization or Recognized Security Organization, usually a Classification Society, authorized by the Administration, under provisions in the following IMO Conventions:

Tonnage Convention 1969
- International Tonnage Certificate;

Load Line Convention 1966 and 1988 Protocol
- *International Load Line Certificate or International Load Line Exemption Certificate*;

SOLAS 1974, as amended
- *Cargo Ship Safety Construction Certificate*
- *Cargo Ship Safety Equipment Certificate*
- *Cargo Ship Safety Radio Certificate*
- *Cargo Ship Safety Certificate*
- *Exemption Certificates* if granted
- *Voyage data recorder system – certificate of compliance*
- *Document of Compliance for the Company under the International Safety Management (ISM) Code*
- *Safety Management Certificate for the ship under the ISM Code*
- *International Ship Security Certificate or Interim International Ship Security Certificate*
- Continuous Synopsis Record;

MARPOL 73/78
- *International Oil Pollution Prevention Certificate*

(c) Certificates for masters, officers or ratings serving on board issued by the Administration under IMO's Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978 and the STCW Code;

(d) A safe manning document issued under SOLAS by the ship's Marine Administration, and

(e) The 1992 Civil Liability Convention[<4>] requires oil tankers to have on board a Certificate of insurance or other financial security in respect of civil liability for oil pollution damage issued by a 1969 or 1992 Civil Liability Convention State.

9. In addition under SOLAS and MARPOL oil tankers are required to carry on board designated files – including an enhanced survey report file[<5>], and specified plans, booklets, manuals and information and are required to maintain specified records or record books. Some of these

<4> International Convention on Civil Liability for Oil Pollution Damage, 1992.

<5> MARPOL, Annex 1, Regulation 13G Prevention of oil pollution in the event of collision or standing – Measures for existing tankers.

documents have to be approved by the Marine Administration or by a Recognized Organization/Recognized Security Organization.

10. All the above may be the subject of inspection when the ship is in a foreign port (port State control) and control measures can be taken if the ship is considered not to be in compliance with Convention requirements[6].

11. Additional construction and certification requirements, surveys and inspections, record keeping and control measures will apply to ships, including oil tankers, on the entry into force of the IMO's Ballast Water and Sediments Convention[7].

[6] Resolution A.787(19), as amended by resolution A.882(21), Procedures for Port State Control, IMO, 2000. Resolution MSC.159(78) (May 2004), Interim Guidance on Control and Compliance Measures to Enhance Maritime Security (MSC/Circ.1111).

[7] International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004.

Part 2. Classification Society Surveys

12. Classification Societies act in their own right and as Recognized Organisations authorized by Administrations (see below). Over 90% of the world's cargo tonnage, and a higher percentage of its oil tanker tonnage, are classed by Classification Societies that are members of the International Association of Classification Societies (IACS). For shipping in general concern about the number of 'national' Classification Societies and Recognized Organizations who lacked the expertise and tonnage base of the longer established Classification Societies formed part of the continuing debates on substandard shipping and flag state implementation.

13. There are no internationally agreed mandatory requirements covering the establishment, roles, responsibilities and standards of Classification Societies. IMO has issued guidance on Recognized Organizations[<8>]. The European Community has legislation in place which establishes minimum criteria for the Classification Societies and Recognized Organizations authorized by its member States[<9>]. As well as meeting IACS' membership requirements IACS' members have to comply with the Association's Quality System Certification Scheme[<10>]. IACS has also adopted Procedural Requirements relating to aspects of its members' activities both as Class and as Recognized Organizations.

Rules

14. Ships are constructed in accordance with, and have to continue to comply with, Class Rules. They primarily relate to structure and essential machinery including cargo handling machinery. Class will approve the ship's plans, oversee construction and class the ship on completion. Class Rules are perhaps the most prescriptive of all the requirements applying to ships and subsequent surveys seek to ensure that the ship continues to comply with them. The shipowner is required to report to Class any incidents or alterations which could affect continued compliance.

15. The selection of Class is a matter for the individual shipowner, though his choice will be limited to the Class Societies 'recognized' by the ship's intended flag Administration. Hitherto, IACS members had their own Rules for oil tankers which could differ in detail, as do those of non IACS Class Societies. These differences have led to allegations of Class 'shopping' by owners. IACS has now agreed Common Structural Rules for oil tankers[<11>] which will apply to new builds after 2006. The details in other Rules can continue to differ in detail.

Class Surveys

16. A Class Certificate is issued on admission to Class. Class Certificates normally have a five year life. Subsequent surveys are for the maintenance of Class. IACS has agreed Unified Requirements on aspects of survey and certification[<12>]

17. Surveys for the maintenance of Class are annual, periodical, intermediate - undertaken with either the second or third annual surveys or between the second and third year and renewal surveys. There can also be damage and repair surveys.

18. Two dry dock surveys are required by Class within the five year life of the hull Certificate, though one of these may be replaced by an in-water survey. The specific requirements for, and detail, of each survey are specified by Class and the detail of the surveys, particularly for renewal surveys, increases linked to the ship's age. Classification Societies offer their owners continuous survey

---

<8> Assembly Resolution A.739(18) Guidelines for the Authorization of Recognized Organizations Acting on behalf of the Administration (MSC/Circ.788/MEPC/Circ.325.).

<9> Council Directive 94/57/EC of 22 November 1994 on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations.

<10> Quality System Certification Scheme – Quality Management System Requirements, IACS, 2003.

<11> Common Structural Rules for Oil Tankers, American Bureau of Shipping, Det Norske Veritas, Lloyd's Register of Shipping, 2005 (DRAFT MARCH05).

<12> Requirements concerning Survey and certification, IACS, 2005.

schemes which, typically, allow the surveys required for Class renewal to be spread over the Certificate's life with some 20% of the necessary surveys to be completed each year. Such continuous survey schemes can be linked to preventive maintenance systems.

Links with Statutory Certificates/Surveys

19. The timing of Class surveys parallels those for the Cargo Ship Safety Construction Certificate or Cargo Ship Safety Certificate issued under the SOLAS Convention. Class surveys assess compliance with Class Rules while Statutory surveys assess compliance with Convention requirements. Oil tankers are subject to the IMO's Condition Assessment Scheme linked to the requirement for enhanced inspections during survey.

Condition Assessment Programmes

20. A number of Classification Societies offer their oil tanker owners a voluntary survey programme, a Condition Assessment Programme, for older oil tankers, usually over 15 years old and are held to go beyond the IMO's requirements for enhanced inspections. Condition Assessment Programme reports grade their findings on either a 1 (high) to 4 (low) or 1 (high) to 5 (low) scale.

The Qualification and Training of Class Surveyors

21. Concerns about the consistency of approach by Class surveyors and the use of non-exclusive surveyors also formed part of the substandard ship debate. IACS has sought to ensure that Class and Statutory surveys are only undertaken by exclusive surveyors[<13>]. IACS procedural requirements apply to both Class and Recognized Organization activities, covering the qualification and training of surveyors[<14>], the activity monitoring of surveyors and auditors[<15>] and the employment and control of exclusive and non-exclusive surveyors[<16>]. Increasingly Class surveyors have to supervise the work of specialists, such as those undertaking thickness measurements or fatigue testing, working with them on the ships they survey.

22. Overall IACS has sought to encourage consistency in training, survey and audit while recognizing:

"…..due to the application of individual judgement that the application of Rules and Regulations may still vary"[<17>]

Transparency

23. For Class work Classification Societies have a contractual relationship with their client, the shipowner. Most Classification Societies' Rules contain provisions as:

"… maintains confidentiality with respect to all documents and other kinds of information received in connection with the orders entrusted to the Society. Documents and information can only be made available to third parties with the approval of the person authorized to permit such disclosure. However, this shall not apply to the obligations … has towards the administrations of flag states"[<18>].

24. IACS has addressed, and encouraged, transparency[<19>].

<13> PR No.21 Procedural Requirement for Statutory Surveys by Exclusive Surveyors, IACS, 2000.

<14> PR No7. Procedures for Qualification and Training of Surveyors and Plan Approval Personnel, IACS, Rev.4, 2004.

<15> PR No.6 Procedure for Activity Monitoring of Surveyors/ISM Code Auditor, IACS, Rev 5, 2005.

<16> PR No.5 Definition of Exclusive and Non-Exclusive Surveyor and Procedure for Employment and Control of Non-Exclusive Surveyors, IACS, Rev4, 2001.

<17> IACS PR No.6, paragraph 3.

<18> Section 1(D), Rules for Classification and Construction, Germanischer Lloyd, 2003.

<19> PR No.3 Transparency of Classification and Statutory Information, IACS, Rev.2, 2000.

25. A substantial amount of information is available from IACS members on Class related matters to port States and insurers either automatically or on request. Information on Class Certificates/Reports is available to port States with the agreement of the shipowner. Information on Class Certificates/Reports and on Conditions of Class/Recommendations is available to insurers with the agreement of the shipowner, often under their insurance contract. Information on certain hull surveys is held on board the ship. It not clear how far IACS' approach is mirrored by other Classification Societies. The question of transparency of Classification Societies activities as Recognized Organizations is discussed below.

26. The position of the Classification Society's client, the shipowner, is central. It appears that insurance contracts, both hull and machinery and P&I, require the shipowner, the insured, to allow the insurer access to Classification Society information relating to the insured ship.

27. IACS members now publish information, usually on their website, not only on ships in Class but also on Class withdrawals and suspensions. They also provide information on the port State control detention record of the ships they Class. IACS members provide information[<20>] to the EQUASIS website[<21>].

Statutory Certificates and Surveys/Audits

28. Statutory certificates are issued to indicate compliance with the requirements of IMO's Conventions. Their issue is the responsibility of the ship's Administration and Administrations can authorize Recognized Organizations or Recognized Security Organizations to undertake the required surveys, plan approvals, verifications or audits and to issue the appropriate Certificate. The Administration or Recognized Organization then undertakes the necessary surveys during the life of the Certificate to ensure that the ship remains in compliance with the applicable Convention requirements. Classification Societies when acting as both Class and Recognized Organizations for a ship seek to co-ordinate their Class and Statutory surveys.

29. An Administration can authorize the Administration of another Contracting Government to undertake surveys or audits and issue, or endorse, Certificates on its behalf.

Recognized Organizations

30. Delegation by Administrations of survey for, and issue of, Statutory Certificates to designated individual surveyors and Recognized Organizations is long established practice. Prior to the 1970s the scale of such delegation was limited and operated under the close supervision of well founded Administrations. The 1970s saw the transfer of tonnage from traditional Administrations to new Administrations many of whom delegated their Statutory Certification work to Recognized Organizations without necessarily having the ability to supervise them.

31. The IMO has issued guidance on the authorization and functions of Recognized Organizations[<22>]. European Community legislation[<23>] applies minimum criteria to Recognized Organizations authorized by its member States.

32. There are many possible approaches taken by Administrations when authorizing Recognized Organizations. Administrations, for example, can authorize the undertaking of all surveys, audits,

---

<20> PR No. 16 Procedure for the Reporting to EQUASIS, IACS, Rev.2, 2001.

<21> EQUASIS is a website jointly funded by the European Commission and a number of Governments. EQUASIS was developed to provide safety related information on the world's fleet to assist combat substandard shipping. IACS' members, port State control organizations and P&I Clubs are among the organizations that provide information to EQUASIS.

<22> Assembly Resolution A.739(18) Guidelines for the Authorization of Recognized Organizations Acting on behalf of the Administration (MSC/Circ.788/MEPC/Circ.325.).
Assembly Resolution A.789(19) Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration.

<23> Council Directive 94/57/EC of 22 November 1994 on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations.

verification and the issue of the appropriate Certificates. Alternatively they can authorize the undertaking of surveys, audits and verifications by Recognized Organizations with the Administration itself issuing the final Certificate. Some Administrations continue to give the shipowner the choice of Statutory Certification surveys and audits being undertaken either by the Administration or by a Recognized Organization. Some Administrations do not authorize Recognized Organizations to undertake activities relating to specified Statutory Certificates. There are many possible permutations.

33. Administrations can indemnify Recognized Organizations in respect of their activities and national legislation can limit the right of third parties to take legal action against the Recognized Organizations they authorize.

34. Though the shipowner can select, and pays for, the Recognized Organization to undertake Statutory Certification related activities on his ship Statutory Certification work is undertaken on behalf of the authorizing Administration not the owner.

Recognized Security Organizations

35. Recognized Security Organizations can be authorized to undertake Ship Security Plan approvals, verification for, and issue of, International Ship Security Certificates, or Interim International Ship Security Certificates, under SOLAS Chapter XI-2 and the ISPS Code. IMO has provided guidance on Recognized Security Organizations[<24>]. European Community legislation[<25>] makes part of IMO's guidance mandatory for its member States, notably the provisions regarding the minimum competencies of Recognized Security Organizations. As with Recognized Organizations there can be considerable variation in the extent of authorization of Recognized Security Organizations.

The Harmonized System of Ship Survey and Certification

36. The IMO has developed a Harmonized System of Survey and Certification (Harmonized System) for certain of the requirements of the SOLAS, MARPOL and Load Lines Conventions and COLREG. The Harmonized System applies in States party to the 1988 Protocols[<26>].

37. The Harmonized System enables surveys to be carried out at the same time and provides a one year standard interval between surveys with a maximum period of validity of five years for Statutory Certificates, limits extensions to three months to allow a ship to complete a voyage with a new certificate starting from the expiry date of the previous one and allows for flexibility in the timing of surveys. The system covers initial, periodical, annual, intermediate and renewals surveys as well as additional surveys undertaken after repair. The IMO guidelines on the Harmonized System[<27>] specify in detail the requirements for surveys relating to the Certificates it applies to. The guidance recommends that all the periodical, annual, intermediate and renewal surveys undertaken under the Harmonized System should include examination of the ship's Class and other Statutory Certificates.

The International Load Line or International Load Line Exemption Certificate

38. The Certificate, or Exemption Certificate, requires initial, annual and renewal surveys. The initial survey can include an inclining experiment. The surveys can be undertaken under the Harmonized System.

<24> Paragraphs 4.3 to 4.7, Part B, ISPS Code, IMO, 2003.
MSC/Circ. 1074 Interim Guidelines for the Authorization of Recognized Security Organizations acting on behalf of the Administration and/or Designated Authority of a Contracting Government.

<25> Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security.

<26> 1988 Protocols to the SOLAS and Load Line Conventions and MEPC Resolution MEPC.39(29) (MARPOL 3/78/90).

<27> Assembly Resolution A.948(23) Revised Survey Guidelines under the Harmonized System of Survey and Certification.

The Cargo Ship Safety Construction Certificate

39. The Certificate requires initial, annual, intermediate and renewal surveys and requires two inspections of the outside of the ship's bottom during a Certificate's, normal, five year validity. The Certificate has to be endorsed to certify the inspections of the outside of the ship's bottom. This is the Statutory Certificate most closely associated with Class certification. The surveys can be undertaken under the Harmonized System. A Cargo Ship Safety Certificate can replace this Certificate.

The Cargo Ship Safety Equipment Certificate

40. The Certificate requires initial, annual, periodical, intermediate and renewal surveys. The surveys can be undertaken under the Harmonized System. A Cargo Ship Safety Certificate can also replace this Certificate.

The Cargo Ship Radio Equipment Certificate

41. The Certificate requires initial, periodical (in effect annual) and renewal surveys. The surveys can be undertaken under the Harmonized System. Once again a Cargo Ship Safety Certificate can replace this Certificate.

The Cargo Ship Safety Certificate

42. The survey regime for this Certificate derives from those of the Certificates it replaces. As well as initial and renewal surveys the Certificate has to carry the appropriate endorsements for:

- annual and intermediate surveys relating to structure, machinery and equipment;
- inspections of the outside of the ship's bottom;
- annual and periodical surveys covering life-saving appliances and other equipment, and
- periodical surveys relating to radio installations.

Exemption Certificates

43. Administrations are allowed to agree exemptions under SOLAS regulations, I/4, III/2, IV/3 and V/3. IMO has issued guidance on their use[<28>]. An Exemption Certificate's validity cannot be longer than the Certificate to which it relates.

Voyage data recorder system – certificate of compliance

44. Under SOLAS regulation V/18.8 voyage data recording systems and their sensors are subject to an annual performance test by an approved testing or service facility. On successful completion of the performance test a Certificate of Compliance is issued which is held on board the ship.

The Document of Compliance and the Safety Management Certificate Code

45. SOLAS Chapter IX: Management for the safe operation of ships, makes the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code)[<29>] mandatory. The provision entered into force in 2002. The ISM Code seeks to respond to concerns that traditional survey and certification requirements did not address operational and management issues, let alone the human factors that are the cause of by far the largest proportion of shipping accidents. The ISM Code applies to shipping companies and their ships.

46. A Document of Compliance, valid for five years, is issued to the company following verification by audit that it has an approved safety management system that complies with the requirements of the ISM Code relating to the type of ship it operates. The audit includes consideration of the

<28> SLS.14/Circ115.

<29> ISM Code International Safety Management Code and revised guidelines on implementation of the ISM Code, IMO, 2002.

company's maintenance system, including the procedure for reporting defects. It is thereafter subject to periodical (annual) and renewal verification. A copy of the Document of Compliance has to be kept on board each of the company's ships. The periodical verification involves an audit of one of the company's ships.

47. A Safety Management Certificate is issued for each ship on verification that the company and its shipboard management operate in accordance with the approved safety management system. The Safety Management Certificate is subject to intermediate and renewal audits.

48. Interim Documents of Compliance and Safety Management Certificates can be issued in limited circumstances.

49. IACS has adopted procedural requirements for ISM Audits[<30>].

The International Ship Security Certificate

50. SOLAS Chapter XI-2: Special measures to enhance maritime security and the ISPS Code entered in to force in 2004 and requires ships to have on board an approved Ship Security Plan, the security equipment required by the Plan and a Ship Security Alert System[<31>]. On verification by audit that the ship's crew can operate in accordance with the approved Plan and that the safety equipment is fully operational and a Ship Security Alert System is in place the ship is issued with an International Ship Security Certificate. Thereafter the Certificate is subject to intermediate and renewal audits.

51. IACS has also adopted procedural requirements for ISPS Code Certification[<32>].

The International Oil Pollution Prevention Certificate

52. This certificate relates to the requirements of MARPOL Annex 1 regulations including, *inter alia*, operational arrangements, oil discharge monitoring and control systems, oil-water separation and filtering equipment the Shipboard Oil Pollution Emergency Plan and the Oil Record Book. After the initial survey the Certificate is subject to annual, intermediate and renewal survey. The surveys can be undertaken under the Harmonized System.

53. Table 2 illustrates the timing of surveys/audits linked to Statutory Certificates.

Table 2: Timing of Statutory Surveys/Audits

Certificate	Initial	Periodical	Annual	Intermediate	Renewal
Load Line	?		?		?
*Cargo Ship Safety Construction**	?		?	?	?
*Cargo Ship Safety Equipment**	?	?	?	?	?
*Cargo Ship Safety Radio**	?	?			?
*Cargo Ship Safety***	?	?	?	?	?
Document of Compliance (ISM)	?	?			?
Safety Management Certificate (ISM)	?			?	?
International Ship Security	?			?	?
International Oil Pollution Prevention	?		?	?	?

* These Certificates can be replaced by a Cargo Ship Safety Certificate
** This Certificate can replace the Cargo Ship Safety Construction, Equipment and Radio Certificates

<30> PR No. Procedural Requirements for ISM Code Certification, IACS, Rev6.1, 2003.
<31> SOLAS Regulation XI-2/6: Ship security alert system.
<32> PR No.24 Procedural Requirements for ISPS Code Certification, IACS, Rev.5, 2005.

IMO's Enhanced Inspections and Condition Assessment Scheme

54. IMO has adopted mandatory guidelines[<33>] for an enhanced programme of inspections during surveys of oil tankers under SOLAS regulation XI-1/2[<34>] and MARPOL Annex 1 regulation 13G[<35>]. The guidelines apply to annual, intermediate and renewal surveys and were developed as part of the discussions relating to the phasing-out of single-hull tankers.

55. The guidelines specify the extent of examination, of thickness measurements and of tank pressure testing and should be extended if substantial corrosion and/or structural defects are found. The extent of the inspections, measurement and tests varies related to the oil tankers age. The guidelines require the certification by the Administration of companies undertaking thickness measurements[<36>]. Oil tankers subject to the enhanced inspection requirements carry an enhanced survey report file[<37>] and related documentation.

56. The IMO's Condition Assessment Scheme[<38>] stipulates more stringent and transparent verification of the reported condition of the oil tankers to which enhanced inspections apply and seeks to ensure that the necessary survey procedures have been carried out and completed. The Condition Assessment Scheme requires the final survey report to be submitted to, and reviewed and verified by, the Administration. On verification the Administration issues a Statement of Compliance to the owner and the Recognized Organization. IACS members decline to undertake such review and verification for Administrations[<39>].

The Qualification and Training of Surveyors

57. IMO has issued guidance to Administrations on the implementation of IMO instruments[<40>] and the ISM Code[<41>]. The qualification and training of Administration personnel will form part of the draft Code for the implementation of [mandatory] instruments and the voluntary IMO Model Audit Scheme both of which are to be considered by the IMO Assembly later this year (2005). IMO has also issued guidance on the qualification and training of Recognized Organization personnel and radio surveyors[<42>]. This guidance recommends:

"Recognized Organization personnel performing, and responsible for, statutory work should have as a minimum the following formal education:

> *qualifications for a tertiary institution recognized by the Recognized Organization within a relevant filed engineering or physical science (minimum two year's programme); or*
> *qualifications from a marine or nautical institution and relevant sea-going experience as a certified ship officer,*

and should have proficiency in the English language commensurate with the work."

<33> Assembly Resolution A.744(18) (2003) Guidelines on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers.
Guidelines on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, IMO, 2001.

<34> SOLAS Regulation XI-I/2: Enhanced surveys.

<35> MARPOL Annex 1Regulation 13G(3).

<36> PR No.23 Procedure for Reporting Information on the Approval of Thickness Measurement Firms, IACS, Rev.1, 2004.

<37> SOLAS regulation XI-I/2 and Assembly Resolution A.744(18).

<38> MEPC Resolution 93(40) (2001): Condition Assessment Scheme.

<39> PR No.22 Procedural Requirement Concerning IACS Societies' involvement in Monitoring CAS Work, IACS, Rev.1, 2004.

<40> Assembly Resolution A.847(20) Guidelines to assist flag States in the implementation of IMO instruments.

<41> Assembly Resolution A.913(22) Revised Guidelines on the implementation of the ISM Code by Administrations.

<42> Assembly Resolution A.789(19) Specifications on the survey and certification functions of Recognized Organizations acting on behalf of the Administration (MSC/Circ.788 and MEPC/Circ.325).

58. IACS' procedural requirements covering the qualification and training of Class surveyors[43] the activity monitoring of surveyors and auditors[44] and the employment and control of exclusive and non-exclusive surveyors[45] also apply to their work as Recognized Organizations. In addition, IACS has procedural requirements relating to ISM Code[46] and maritime security auditors[47].

Transparency

59. IMO guidance on elements to be included in an agreement between an Administration and a Recognized Organization[48] recommends a section on "confidentiality". Additional guidance[49] suggests:

"*6.2 Confidentiality*
In so far as activities related to the Agreement as concerned, both [the] Recognized Organization and the Administration shall be bound by confidentiality provisions as agreed between them."

60. It appears that the majority of Agreements regard Classification reports relating to the survey of ships for Statutory Certificates as confidential Government documents. Examination of Freedom of Information legislation, and practice, suggests that release of such reports can be declined on grounds relating to inter-governmental relations or protection of a commercial party. When surveys for Statutory Certificates are undertaken by Administration personnel the same limitations on release apply.

61. The relevant IACS' procedural requirement[50] indicates the information that is available relating to Statutory certification and surveys. Some information that may be available to port States on request may be not available to insurers under the terms of the confidentiality Agreement between the Administration and the Recognized Organization.

Consistency

62. There has been concern about the consistency of flag State implementation of IMO instruments, including the issue of Statutory Certificates. These concerns have led to the issue of a significant amount of guidance by IMO and, more recently, the development of the draft Code for the implementation of [mandatory] instruments and the voluntary IMO Model Audit Scheme.

<43> PR No7. Procedures for Qualification and Training of Surveyors and Plan Approval Personnel, IACS, Rev.4, 2004.
<44> PR No.6 Procedure for Activity Monitoring of Surveyors/ISM Code Auditor, IACS, Rev 5, 2005.
<45> PR No.5 Definition of Exclusive and Non-Exclusive Surveyor and Procedure for Employment and Control of Non-Exclusive Surveyors, IACS, Rev4, 2001.
<46> PR No.10 Procedure for Training and Qualification of ISM Code Auditors, IACS, Rev3, 2000.
<47> PR No.25 Procedure for Training and Qualification of Maritime Security Auditors, IACS, Rev3, 2005.
<48> Assembly Resolution A.739(13) Appendix 2 Elements to be included in an Agreement.
<49> MSC/Circ.788 and MEPC/Circ.325 Annex 3 MSC/Circ.710-MEPC/Circ.307 Model Agreement for the authorization of Recognized Organizations acting on behalf of the Administration.
<50> PR No3 Transparency of Classification and Statutory Information, IACS, Rev 2, 2000.

Part 3. Port State Control

63. The IMO Conventions relevant to this paper allow port State to inspect foreign ships in their ports to confirm compliance with Convention requirements. As a direct response to concern about substandard ships Governments have increased their control and compliance inspections of foreign ships under the IMO Conventions and an International Labour Organization (ILO) Convention relating to crew accommodation[51].

64. Many Administrations are now members of a regional port State control Memorandum of Understanding (MOU) or Agreement. The Paris MOU on Port State Control (Paris MOU)[52], the pioneer regional port State control agreement, was signed in 1982. Other regions, with active IMO support, have developed further port State control MOUs or Agreements. The Tokyo MOU[53] was signed in 1993. The United States operates port State control procedures and though it liaises with regional MOUs/Agreements it is not a party to any.

65. The European Community has legislation in place relating to port State control[54] and covering the maritime security control and compliance measures under SOLAS Regulation XI-2/9[55]. Uniquely European Community legislation and Paris MOU practice allows for ships with a poor port State control record to be denied entry into port.

66. The IMO has issued guidance on port State control[56] and on the control and compliance measures under SOLAS Regulation XI-2/9 and the ISPS Code[57]. Individual port State control MOUs/Agreements have issued their own instructions to their port State control officers or duly authorized officers and these can be augmented by specific national guidance. In general guidance from IMO and MOUs/Agreements seeks to encourage common standards and approaches across port State control MOUs and Agreements. IMO's guidance provides examples of report and response forms[58] relating to port State control inspections.

67. Overall, port State control officers seek to assess the condition of the ship they are inspecting against Convention requirements including evidence of compliance with the requirements of the ISM Code. Duly authorized officers focus on compliance with the requirements of SOLAS Chapter XI-2 and the ISPS Code.

68. Realism dictates that port State control officers, or duly authorized officers, can only inspect a proportion of the ships using their ports. The Paris MOU target, repeated in European Community legislation, is at least 25% of the ships entering port over a three year period, though the Paris MOU is now moving towards a risk-based target. Most port State control MOUs have developed systems which seek to target sub-standard ships for inspection based on their previous port State control record and other information available to the Administration, including EQUASIS.

69. A number of port State control MOUs, undertake programmes of concentrated inspections on selected Statutory requirements, or undertake expanded inspections of certain types of ship. Oil tankers are often the subject of expanded inspections. Under European Community legislation oil

---

<51> For example, ILO Convention No.147 Merchant Shipping (Minimum Standards) Convention, ILO, 1979.

<52> Paris Memorandum on Port State Control, 1982.

<53> The Memorandum of Understanding on Port State Control in the Asia-Pacific Region, 1993.

<54> Directive 2001/106/EC of the European Parliament and of the Council of 19 December 2001 amending Council Directive 95/21/EC concerning the enforcements, in respect of ships using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control).

<55> Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security.

<56> Assembly Resolution A.787(19), as amended by resolution A.882(21), Procedures for Port State Control, IMO, 2000.

<57> MSC Resolution MSC.159(78) (May 2004), Interim Guidance on Control and Compliance Measures to Enhance Maritime Security (MSC/Circ.1111).

<58> Appendices 5 to 9, Procedures for Port State Control, IMO, 2000.

tankers over 15 years old and over 3,000GT are subject to Mandatory Expanded Inspections which require such ships to have a mandatory expanded inspection undertaken by a member of the Paris MOU every 12 months. Guidance issued to Paris MOU port State control officers seeks to ensure consistency in undertaking concentrated and expanded inspections.

70. Port State control officers check the possession, and validity, of Class and Statutory Certificates and related documentation. If the port State control officer, or duly authorized officer, believes that there are "clear grounds" for doing so a more detailed inspection of the ship can take place. The IMO guidance referred to above provides examples of possible "clear grounds" and guidance on the coverage of more detailed inspections. Drills can be ordered as part of such inspections.

71. If the ship lacks the required Certificates or is found not to be in conformity with Convention requirements a range of control measures can be taken up to, and including, detention of the ship in port. The control measures have to be proportionate and the ship has to be released from detention when the non-conformity is rectified. When non-conformity is established and control measures are taken they have to be reported to the ship's Administration or the Classification Society/Recognized Organization/Recognized Security Organization that issued the relevant Certificate.

72. Under maritime security requirements<59> a slightly different inspection regime applies and ships can be denied entry into port or expelled from port as well as being detained or being subject to lesser control measures.

The Qualification and Training of Port State Control Officers and Duly Authorized Officers

73. Port State control inspections and inspections under SOLAS Chapter XI-2 and the ISPS Code should be undertaken by Government, or public, officials. The IMO has issued guidance on the qualification and training requirements for port State control officers<60> and for duly authorized officers<61>.

Transparency

74. Port State control Administrations now publish information on detentions but not on lesser control measures. While the detail can vary it usually includes a brief outline of the reasons for the detention. Information is also available on the port State Control MOUs website but invariably lacks the limited detail of the information published by the national Administration. The Paris MOU, Tokyo MOU and United States Coast Guard provide detention data to EQUASIS.

75. Individual port State control reports are not routinely published. Full reports are regarded as Government documents and appear to be protected from disclosure. National port State control Authorities may summarise reports for inclusion in the wider port State control MOU's computer systems, for example Paris MOU's SIRENEC system.

76. IMO guidance offers a sample form for reports<62> following an inspection which have to be completed by port State control officers and carried on the ship. The equivalent sample report form following marine security related inspections<63> has to be completed by the duly authorized officer and carried on the ship.

<59> SOLAS Chapter XI-2 and the ISPS Code.

<60> Chapter 2.5 Qualification and training requirements of Port State Control Officers (PFSOs), Procedures for Port State Control, IMO, 2000.

<61> MSC/Circ.1111, Annex 2, Chapter 2 Qualifications and training of Duly Authorized Officers.

<62> Appendix 5 Report of inspection in accordance with IMO port State control procedures, Appendix 6 Report of deficiencies not fully rectified or only provisionally repaired,. Appendix 7 Report of acting taken to the notifying authority and Appendix 8 Report of contravention of MARPOL 73/78 (article 6), Procedures for Port State Control, IMO, 2000.

<63> MSC/Circ.1111 Annex 2, Appendix 2 Report on the imposition of a control and compliance measure in accordance with interim guidance on control and compliance measures to enhance maritime security (Resolution MSC.159(78)).

77. A company's or a ship's port State control detention record can have insurance and chartering implications and can lead to further ship surveys or inspections being commissioned.

Part 4. Surveys and inspections undertaken by Industry Groups

The primary obligation to comply with ships' standards falls on the owner/operator. Classification Societies and the ship's Administration have to certify compliance or require action to rectify any non-compliance. Without seeking to assume the safety roles of Class, flag or port Administrations, OCIMF and insurance interests (Hull and Machinery underwriters and the International Group of P&I Clubs) undertake their own surveys or inspections of oil tankers.

Surveys related to the charter of ships (OCIMF's SIRE)

78. With the move of the oil majors away from direct ownership to chartering, and the significant increase in the number of independently owned tankers, each oil major developed their own survey forms for the inspection of ships as part of their pre charter vetting procedures. Oil Companies International Marine Forum's (OCIMF) members exchanged the resulting reports and though there were common elements, different approaches to the design of the forms, their content, their coverage and how they were completed limited their usefulness. OCIMF's Ship Inspection Report (SIRE) Programme evolved to produce a harmonized Vessel Inspection Questionnaire, eventually in electronic format.

79. Subsequent to their initial Vessel Inspection Questionnaire OCIMF developed a Vessel Particulars Questionnaire, also in electronic format, which could be completed by owners and covers details of the vessel's structure and equipment which was unlikely to change over time. The information in the completed Vessel Particulars Questionnaires, which are now mandatory for owners wishing to have SIRE reports on their vessels, were deleted from the Vessel Inspection Questionnaire which is now in its second edition.

80. Participation in the SIRE Programme is voluntary for oil tanker owners and owners request reports at regular intervals. Many request an inspection every six months. SIRE inspections are undertaken by SIRE Inspectors engaged by OCIMF members. Completion of the SIRE questionnaire involves examination of the ship's Class and Statutory Certificates including the crew's STCW Certificates. The questionnaire includes a number of questions which allow assessment of compliance with the requirements of the ISM Code. The majority of the questions relate to the SIRE Inspector's assessment of the condition of the ship and its equipment, including its radio installation and navigation equipment. The SIRE Programme issues two detailed Inspector's Manuals to its Inspectors covering each question in the Vessel Inspection Questionnaire including references, when appropriate, to specific SOLAS, MARPOL, COLREG and STCW requirements.

81. Some 8,500 oil tankers now have had SIRE reports completed which should make SIRE's Vessel Inspection and Vessel Particular Questionnaires the most widely used standard ship inspection questionnaires in the tanker industry. As OCIMF's submission<64> indicates SIRE Inspection reports form part of the vetting procedures relating to the charter of tankers. OCIMF members will consider SIRE Inspection reports together with the other information available to them on the owner and the ship, including any record of port State control detentions. If the charter is a time charter it is likely that the charterer will commission a further pre-charter survey of the vessel.

Qualifications and training of SIRE Inspectors

82. Since 2000 all SIRE Inspectors have to be accredited under the OCIMF Ship Inspector Training and Accreditation Programme and all applicants attend a formal training course and have to pass a written examination on completion of the course. The professional qualifications and work experience required by a SIRE Inspector are determined relating to the SIRE category of vessel to be inspected. Following initial accreditation a SIRE Inspector has to satisfactorily complete two accompanied inspections followed by an inspection audited by an OCIMF Accredited Auditing Inspector. Following accreditation a SIRE Inspector has to attend a refresher course every three years, successfully complete an audited inspection every two or three years and undertake a

<64> 92FUND/WGR3/22/5 The role of SIRE in the vetting of tankers, submitted by the Oil Companies International Marine Forum (OCIMF).

specified number of ship inspections and submit reports to the required standard for accreditation to be revalidated.

Transparency

83. SIRE Inspection reports are available to OCIMF members on payment of a modest charge and can be made available to Administrations without charge – though the take up by Administrations has been disappointing. SIRE Inspection reports are not available to insurance interest on legal grounds. It is possible that this is because insurers have a commercial interest in the ship whereas Administrations do not. OCIMF provides the names of ships with current SIRE Inspection reports to EQUASIS.

Surveys undertaken by insurance interests

84. Surveys are undertaken on behalf of hull and machinery insurers and P&I Clubs.

Hull and Machinery Insurers

85. Experience of hull and machinery claims, particularly involving bulkers and larger tankers, led Hull and Machinery Insurers to institute their own surveys of selected ships. For the London Market these are linked to Condition Survey Warranties attached to the insurance policy. Following survey owners have to respond to any survey recommends or risk losing cover if they do not comply with the survey recommendations on the timescale indicated by the surveyor.

86. The original surveys were undertaken under the Joint Hull Committee's JH 722 Structural Condition Survey Warranty, focused in detail on the ship's structure and initially were exclusively undertaken by Salvage Association surveyors. Later the Joint Hull Committee developed the JH 115 Condition Survey Warranty which involves a wider inspection. If a JH115 Condition Survey identifies structural deficiencies a JH 722 Structural Condition Survey can be commissioned. JH115 and JH722 Surveys are now undertaken by a range of independent surveyors appointed by the underwriter, including Salvage Association Surveyors.

JH115 Condition Survey

87. A JH115 Condition Survey reflects the coverage of port State control and SIRE Inspections including examination of Class and Statutory Certification and documentation, lifesaving and navigation equipment, crew Certification and adherence to the ISM Code but Surveyors have a clear focus on hull and machinery matters the prime interest of the commissioning underwriter. As already indicated a JH115 Survey and lead to a full condition survey (JH 722).

JH722 Structural Condition Survey

88. A JH722 Structural Condition Survey involves a detailed visual survey of the entire hull structure, random gauging of the structure, sample gauging of selected elements of the structure and pumping and piping tests. A JH722 Survey can take a number of days and most closely resembles certain Class surveys and includes elements covered by the enhanced inspections now required by the IMO. A JH722 Survey also involves inspection of the engine room and can lead to further Assessments. A survey should also include inspection of the items covered by a JH115 Survey.

Qualifications and training of surveyors

89. JH115 and JH722 Surveys are undertaken by independent surveyors appointed by the commissioning underwriter. There appear to no specific Joint Hull Committee requirements regarding qualifications or training.

Transparency

90. JH115 and JH722 Surveys are commissioned by underwriters operating in a highly competitive insurance market. The survey report becomes the property of the commissioning underwriter and has to be disclosed under the London Market's rules to others underwriting, or considering underwriting, the hull or machinery policy. Wider distribution of survey reports does not appear to take place.

International Group of Protection and Indemnity Associations

91. The 2004 OECD Report[<65>] and the International Group of P&I Clubs submission[<66>] outline the approaches taken by the International Group of P&I Clubs to condition surveys and the efforts by the International Group to develop a standard Condition Survey reporting system, including a proposed standard Condition Survey Form.

92. All International Group Club Rules allow Managers to commission condition surveys of ships. A number additionally specifically provide for Company Audits at the Managers' discretion. Condition surveys requirements are usually linked to maintaining standards across the Club's membership. 92FUND/WGR.3/24 outlines some of the factors that can trigger a Condition Survey:

- the vessel changes from IACS to non-IACS Class;
- has a poor port State control detention record, or
- is beyond a certain age on entry.

93. A review of a number of Club Condition Survey forms confirms the diversity of approach referred to in 92FUND/WGR.3/24. Some forms are highly detailed and explicitly cover ISM related matters, others appear to be more closely aligned to a more traditional condition assessment. All could be held to allow the inspector/surveyor discretion to comment on ISM issues. Though individual designs and formats vary considerably they seek to cover common elements. When guidance is offered to inspector/surveyors it is in a general rather than detailed form, with reliance on the individual inspector/surveyors professional competence and appreciation of the individual Club's requirements.

94. In many respects the current forms reflect the position of OCIMF survey forms prior to their harmonization through the SIRE programme, although the Clubs have established a standard Condition survey form (see paragraph 97). If Clubs could now exchange completed Condition Survey forms they would probably have to address the distinctions in the other Club's form as well.

95. The International Group provides information to EQUASIS.

96. The International Group has recommended refined and additional triggers for Condition Surveys:

- any sea-going ship aged 12 years or over on application for entry:
- any ship on the European Community's blacklist, and
- any tanker over 10 years old which has carried Heavy Fuel Oil as cargo during the previous year.

97. The International Group has established a central database which identifies ships that have been the subject to a Condition Survey which would allow a potential underwriter to seek the report from the owner and Club. The International Group has drafted a standard Condition Survey form[<67>] and its associated guidance. To date a number of International Group Clubs have adopted the proposed form. The International Group has established a minimum scope of

<65> Maritime Transport Committee Report on the Removal of Insurance from Substandard Shipping, OECD, Paris, 2004.

<66> 92FUND/WGR.3/24 Proposals made in relation to sub-standard shipping by the International Group of P&I Clubs, submitted by the International Group of P&I Clubs.

<67> Annex II to 92FUND/WGR.3/24.

information to be included in any condition survey undertaken by an International Group Club. All International Group Clubs should ensure that the scope of their condition surveys is at least as extensive as the agreed minimum scope.

98. The proposed form is designed to allow assessment of ISM compliance as well as the condition of the ship. It relies on the ship's Master to complete relevant details regarding aspects of documentation, tests, drills and inspections. However, as with other surveys it also relies on these details being checked, when required, by the inspector/surveyor. In terms of the aspects to be reported by the inspector/surveyor the proposed form generally reflects the approaches taken, and coverage of, port State control inspections, SIRE Inspections and JH115 Condition Surveys.

Qualifications and training of inspectors/surveyors

99. There are no common criteria covering the appointment of inspectors/surveyors. A number of Clubs have in-house inspectors and surveyors. The majority appoint independent inspectors/surveyors. No recommendations for the training of inspectors/surveyors appear to have been made.

Transparency

100. In 92FUND/WGR.3/24 the International Group indicated that, on the basis of their preliminary legal advice, no difficulties were perceived on access to the proposed central database by members of the International Group or exchange of completed Condition Survey forms within the International Group. The submission is more circumspect with regard to wider dissemination indicating that legal considerations may limit wider distribution.

Overview

101. The paper describes a range of surveys and inspections that vary in both their coverage and intent. There are the programmed surveys linked to Class and Statutory certification together with the enhanced inspections of oil tankers now required by IMO. Port State control inspections are intended to check that the vessel complies with Convention requirements. SIRE inspections are voluntary but form an essential component of the vetting of oil tankers by major charterers and also involve assessment of compliance with Class and Statutory requirements. Joint Hull Committee and P&I Club inspections duplicate, to a greater or lesser degree, the coverage of other surveys and inspections but are designed to address the specific concerns of underwriters and P&I Clubs.

102. IACS' members have sought to ensure consistency in the qualification and training of their surveyors/auditors and increasing consistency in the conduct of surveys and audits, both for Class and Statutory Certificates. IMO has issued guidance on Recognized Organizations and the basic qualifications of their survey staff. IMO has also issued guidance on the qualifications and training of port State control inspectors and duly authorized officers undertaking marine security inspections. Furthermore IMO has issued guidance in increasing detail on the conduct and coverage of Statutory surveys and inspections including adoption of the Condition Assessment Scheme linked to enhanced inspections. Port State control MOUs or Agreements have sought to ensure consistency within their areas. SIRE has introduced training requirements for its inspectors to encourage consistency of approach to SIRE inspections.

103. IACS has sought to encourage greater transparency. Dissemination of information relating to Statutory surveys can be limited by restrictions imposed by Administrations on disclosure. Information on detentions following port State Control inspections is now readily available but information when lesser control measures have been taken is not so accessible. SIRE reports will be made available to port States on request but are not made available to insurers. Joint Hull Committee surveys have limited distribution within the London market. At present condition surveys undertaken by P&I Clubs are held by the commissioning Club and while efforts are being made to allow dissemination within the International Group wider distribution is currently considered problematic.

104. Overall the impression is of a wide variety of overlapping and interlinked surveys, audits and inspections ever expanding in coverage. Some have developed specifically to check compliance with others. There can be difficulties in access to certain reports undertaken, or commissioned, by others. There have been efforts to ensure consistency of surveys, audits and inspections. While the multiplicity of surveys and inspections may have reduced the number of substandard oil tankers they have not eliminated them.