

**Circular 120 / 2015**

**To: Vessel Owners, Managers, Masters, Officers, Deputy Registrars, Surveyors and Other Interested Parties**

**Subject: Black Sea MoU Inspection Regime 2016**

**Date: 28 December 2015**

**Summary**

The Black Sea (BS) MOU announced in a press release dated 31 August 2015 that their new inspection regime, BS-IR (2016), would be in force from **1 January 2016**. The new regime will apply a risk-based approach for selecting ships to be inspected and brings the BS MOU in line with the leading memorandums Paris MOU and Tokyo MOU.

Under BS-IR (2016), scope, frequency and priority of inspections will depend on a “ship’s risk profile”. Each ship’s risk profile will be determined by Port State Control (PSC) data and the ship’s historical data. Ship type, age and flag will have an impact, and the company’s past performance and the number of times the ship has been detained will also play important roles in the new system.

There will be two categories of inspections:

**Periodic inspections** are based on a time window determined by the ship’s risk profile. High-risk ships will be due for an inspection 2-4 months after their last inspection in the BS MOU region. The corresponding time windows for average and low risk ships are 5-8 months and 9-18 months respectively.

**Additional inspections** are triggered by overriding or unexpected factors, e.g. if a ship is reported by another Member State, did not comply with the reporting obligations, has been previously detained, etc. Depending on the severity of the occurrence an additional inspection between periodic inspections could be requested. Since periodic inspections and additional inspections are equal, the time span for the next periodic inspection restarts after an additional inspection.

Cook Islands flagged ships operating in the Black Sea region should note the changes taking effect from 1 January 2016 and be prepared for the potential changes in the PSC inspection rates in the region. With the new regime in force, PSC can direct more of their resources to ships with a poor safety record while rewarding quality ship operators with a reduced inspection burden. Further details of the new inspection regime can be found below.

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## INFORMATIN SHEET OF THE BS MOU NEW INSPECTION REGIME

### INTRODUCTION

The BS MOU New Inspection Regime, BS-IR (2016), consists of combination of Ship Risk Profile and Time Windows for clear indication of the order of priority in selection of ships for inspections. Black Sea Information System (BSIS) calculates and displays outputs of following sections 1 to 3 using inspection records of member authorities stored in the BSIS for members use at the time of selection of ships for inspections.

#### 1 Ship Risk Profile

1.1 All ships in the information system of BSIS will be assigned either as high, standard or low risk based on generic and historic parameters.

1.2 High Risk Ships (HRS) are ships which meet criteria of Table 1 to a total value of 5 or more weighting points.

Table 1 High risk ship criteria

Parameter	Criteria	Weighting points
Type of Ship	Chemical tanker, Gas carrier, Oil tanker Bulk carrier, Passenger ship, Ro-Ro Cargo ship	1
Age of Ship	All Types	>12 ≤ 24y
		≥ 25y
Flag	Detention Index Level <sup>1</sup>	High
		Very High
Recognized Organization	RO Related Detention Index Level <sup>2</sup>	High
Company	Company Detention Index Level <sup>3</sup>	High
Ship	Number of Detentions within previous 36 months	2 detentions
		3 or more detentions
	Deficiency Index Level <sup>4</sup>	Very High

1.3 Low Risk Ships (LRS) are ships which meet all the criteria of the LRS parameters of Table 2 and have had at least one inspection in the previous 36 months.

Table 2 Low risk ship criteria

Parameters	Criteria
Flag	Deficiency Index Level <sup>5</sup>
	IMO-Audit <sup>6</sup>
Recognized Organization	RO of BS MOU <sup>7</sup>
	RO Related Detainable Deficiency Index Level <sup>8</sup>
Company	Deficiency Index Level <sup>9</sup>
Ship	Number of Detentions within previous 36 months
	Deficiency Index Level <sup>4</sup>

<sup>1</sup> According to section 3.1

<sup>2</sup> According to section 3.2

<sup>3</sup> According to section 3.3

<sup>4</sup> According to section 3.4

<sup>5</sup> According to section 3.5

<sup>6</sup> According to section 3.6

<sup>7</sup> According to section 3.7

<sup>8</sup> According to section 3.8

<sup>9</sup> According to section 3.9

1.4 Standard Risk Ships (SRS) are ships which are neither LRS nor HRS.

## 2 Inspection and selection scheme

2.1 Based on Ship Risk Profile, the selection scheme determines the scope, frequency and priority of inspections.

2.2 Periodic inspections are carried out at intervals determined by the ship risk profile.

2.3 Overriding or unexpected factors, presented in the Annex, might trigger an inspection in between periodic inspections. This category of inspections is referred to as an Additional Inspection

2.4 Ships become due for periodic inspection in the following time windows:

- For HRS: between 2-4 months after the last inspection in the BS MOU region;
- For SRS: between 5-8 months after the last inspection in the BS MOU region;
- For LRS: between 9-18 months after the last inspection in the BS MOU region;

2.5 Since periodic Inspection and Additional Inspections count equally the time span for the next periodic inspection re-starts after an additional inspection.

2.6 Selection for inspection is based upon ship priorities. Ships assigned following priorities in the BSIS:

- **Priority I** : ships must be inspected, for which time window has been closed or there is an overriding factor.
- **Priority II** : ships may be inspected, which is within time window or there is an unexpected factor.
- **No priority** : Before the window opens for any risk profile and there are no overriding or unexpected factor is logged, the ship has **no priority** status and member States are not obliged to perform an inspection on such ship but if deemed appropriate may still select for inspection to do so.

## 3 Supplement of Tables I and II of section 1

### 3.1 Calculation of the Flag Detention Index Level

3.1.1 Flag Detention index is the ratio of the cumulative sum of the number of detentions to the cumulative sum of inspections of all ships in a Flag's fleet within previous 36 months.

3.1.2 This index is compared with the BS MOU regional average detention index which is the ratio of the cumulative sum of the number of detentions to the cumulative number of inspections within the previous 36 months to determine the level of the detention index of a Flag's compared to the regional detention index (Table 3.1).

Table 3.1 Criteria for "High" and "Very High" Flag Detention Index Levels

Flag detention index / Regional average detention index	Flag Detention Index Level
> 1.1 and ≤2.0	High
>2.0	Very High

3.1.3 Detention index level for flags with one detention within the previous 36 months will not be calculated. There is no inspection limit for the determination of a Flag's detention index level, rather detention index level will be attained to the Flags more than one detentions within the previous 36 months.

3.1.4 The calculation is made daily on the basis of a running 36-months period.

### 3.2 Calculation of the RO Related Detention Index Level

3.2.1 RO related Detention index is the ratio of the cumulative sum of the number of RO related detentions to the cumulative sum of the RO inspections of all ships in a RO's fleet within previous 36 months.

3.2.2 This index is compared with the BS MOU regional average RO related detention index which is the ratio of the cumulative sum of the number of RO related detentions to the cumulative number of RO inspections within the previous 36 months to determine level of a RO's RO related detention index compared to the regional RO related detention index (Table 3.2).

3.2.3 The calculation is made daily on the basis of a running 36-months period.

Table 3.2 Criteria for "High" RO Related Detention Index Level

RO related detention index/ Regional average RO related detention index	RO related Detention Index Level
> 1.1	High

### 3.3 Calculation of the Company Detention Index Level

3.3.1 Company Detention index is the ratio of the cumulative sum of the number of Company detentions to the cumulative sum of the Company inspections of all ships in a Company's fleet within previous 36 months.

3.3.2 This index is compared with the BS MOU regional average Company detention index which is the ratio of the cumulative sum of the number of Company detentions to the cumulative number of Company inspections within the previous 36 months to determine level of a Company's detention index compared to the regional average Company detention index.

Table 3.3 Criteria for "High" Company Detention Index Level

Company detention index/ Regional average Company detention index	Company Detention Index Level
> 1.1	High

3.3.3 The calculation is made daily on the basis of a running 36-month period. Both Company detentions and Company inspections are inspections with ISM Company Number which is recorded in the inspection record.

### 3.4 Calculation of the Ship Deficiency Index Level

3.4.1 Ship deficiency index is the ratio of the cumulative sum of the number of deficiencies to the cumulative sum of inspections of an individual ship within previous 36 months.

3.4.2 This index is compared with the BS MOU regional average deficiency index which is the ratio of the cumulative sum of the number of deficiencies to the cumulative number of inspections within the previous 36 months to determine level of an individual ship's deficiency index compared to the regional deficiency index within the previous 36 months (Table 3.4).

Table 3.4 Criteria for “Low” and “Very High” Ship Deficiency Index Levels

Ship deficiency index / Regional average deficiency index	Ship Deficiency Index Level
<1.0	Low
>2.0	Very High

### 3.5 Calculation of the Flag Deficiency Index Level

3.5.1 Flag deficiency index is the ratio of the cumulative sum of the number of deficiencies to the cumulative sum of inspections all ships in a Flag’s fleet within previous 36 months.

3.5.2 This index is compared with the BS MOU regional average deficiency index which is the ratio of the cumulative sum of the number of deficiencies to the cumulative number of inspections within the previous 36 months to determine level of the deficiency index of a Flag’s compared to the regional deficiency index (Table 3.5).

Table 3.5 Criteria for “Low” Flag Deficiency Index Level

Flag deficiency index / Regional average deficiency index	Flag Deficiency Index Level
< 1.0	Low

3.5.3 The calculation is made daily on the basis of a running 36-months period.

### 3.6 IMO Audit

3.6.1 The status of **IMO Audit** will be based on up-dated information obtained by the BS MOU Secretariat

### 3.7 RO of the BSMOU

3.7.1 Recognized Organizations of BS MOU are those recognized by at least one member Authority of the BS MOU.

### 3.8 Calculation of the RO Related Detainable Deficiency Index Level

3.8.1 RO related detainable deficiency index is the ratio of the cumulative sum of the number of RO detainable deficiencies to the cumulative sum of inspections of all ships in a RO’s fleet within previous 36 months.

3.8.2 This index is compared with the BS MOU regional average RO related detainable deficiency index which is the ratio of the cumulative sum of the number of RO related detainable deficiencies to the cumulative number of RO inspections within the previous 36 months to determine level of a RO’s detainable deficiency index compared to the regional RO related detainable deficiency index.

Table 3.6 Criteria for “Low” RO Related Detainable Deficiency Index Level

RO related detainable deficiency index / Regional average RO related detainable deficiency index	RO related Detainable Deficiency Index Level
<1.0	Low

3.8.3 The calculation is made daily on the basis of a running 36-months period.

### 3.9 Calculation of the Company Deficiency Index Level

3.9.1 Company deficiency index is the ratio of the cumulative sum of the number of Company deficiencies to the cumulative sum of inspections all ships in a Company's fleet within previous 36 months.

3.9.2 This index is compared with the BS MOU regional average Company deficiency index which is the ratio of the cumulative sum of the number of Company deficiencies to the cumulative number of Company inspections within the previous 36 months to determine level of a Company's deficiency index compared to the regional average Company deficiency index.

Table 3.7 Criteria for "LOW" Company Deficiency Index Level

Company deficiency index / Regional average Company deficiency index	Company Deficiency Index Level
<1.0	Low

3.9.3 The calculation is made daily on the basis of a running 36-months period. ISM deficiencies counted equal with other deficiencies.

## ANNEX

### OVERRIDING AND UNEXPECTED FACTORS

#### Overriding Factors :

1. The overriding factors listed below are considered sufficiently serious to trigger an additional inspection at Priority I:
  - Ships reported by another Member State or the secretariat excluding unexpected factors,
  - Ships involved in a collision, grounding or stranding on their way to port,
  - Ships accused of an alleged violation of the provisions on discharge of harmful substances or effluents,
  - Ships which have been manoeuvred in an erratic or unsafe manner whereby routing measures, adopted by the IMO, or safe navigational practices and procedures have not been followed,
  - Ships refused to access into the Paris MOU ports, and
  - Ships on the BS MOU Monthly Ship Watch List.

#### Unexpected Factors

2. Unexpected factors could indicate a serious threat to the safety of the ship and the crew or to the environment but the need to undertake an additional inspection is for the professional judgement of the Authority. These factors include:
  - Ships reported by pilots or relevant authorities which may include information from Vessel Traffic Services about ships' navigation,
  - Ships which did not comply with the reporting obligations,
  - Ships reported with outstanding deficiencies (except those with code 16 (within fourteen days) and code 17 (before departure))
  - Previously detained ships (3 months after the detention),
  - Ships which have been the subject of a report or complaint by the master, a seafarer, or any person or organization with a legitimate interest in the safe operation of the ship, ship on-board living and working conditions or the prevention of pollution, unless the Member State concerned deems the report or complaint to be manifestly unfounded,
  - Ships operated in a manner to pose a danger,
  - Ships reported with problems concerning their cargo, in particular noxious or dangerous cargo,
  - Ships where information from a reliable source became known, that their risk parameters differ from the recorded ones and the risk level is thereby increased,
  - Ships carrying certificates issued by a formerly BS MOU recognized organization whose recognition has been withdrawn since the last inspection in the BS MOU region.