

**CIRCULAR NO. 78*****PORTUGUESE MARITIME ADMINISTRATION***

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**SUBJECT** | Issuance of Conditional Certificates and/or Statutory Conditions by Recognised Organisations (RO's)

**To** | Recognized Organizations, Shipowners, Companies and Operators

**DISCLAIMER** | This document is for information only and is not intended to interpret or replace the legal referenced documents published by official sources

**REFERENCES** | Circular No. 76 and Circular No. 77

**1. OBJECTIVE**

The aim of this Circular is to provide guidance to the Recognized Organizations, on procedures to be followed when the referred equipment's at the present circular are malfunctioning, allowing the Recognized Organizations to make their technical assessment and to issue the relevant conditional certificates, without prior authorization from the Flag Administration.

**2. INTRODUCTION**

Malfunction of equipment listed in this circular shall be submitted by the Company to the Recognized Organization (RO) in charge for the issuance of relevant statutory certification and be supplemented with the relevant supporting documents, required by Class, as objective evidence.

After receiving the information considered essential, RO is authorised to issue relevant conditional certificate and/or statutory condition with validity strictly necessary for the repair/rectification of equipment to take place not exceeding the period aforementioned in Chapter .6 General.

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The issuance of subsequent consecutive conditional certificates and/or statutory conditions shall be subject to consultation with the Administration by submitting the supporting relevant information for the additional time required.

### **3. APPLICATION**

This circular applies to ships registered in the Portuguese Conventional Register and in the International Ship Register of Madeira (“MAR”).

For Vessels registered at MAR, Malfunction report procedure is available, which consists in reporting the malfunction on equipment’s under SOLAS/IV/15.8 and SOLAS/V/16.2 and defined on SOLAS/IV/4.8 e SOLAS/V the document will be acknowledged by MAR.

The present circular should not constitute a constraint for the adoption of the malfunction procedure as established by the Technical Commission of The International Ship Register.

The RO may carry out the surveys by remote means under its relevant RO requirement. In such situation, RO shall be aware that some surveys are not accepted by Administration to be conducted by remote means. The eligibility of remote surveys shall follow the criteria given by Circular n.76 published by DGRM.

In any case, the verification of actual condition of equipment and implementation of relevant mitigation measures is responsibility of RO’s.

This circular applies for:

- Malfunction of equipment under SOLAS Chapter V - Safety of Navigation
  - X-band (9GHz) radar - SOLAS Chapter V; or
  - S-band (3GHz) radar - SOLAS Chapter V; or
  - Gyro - SOLAS Chapter V; or

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- Gyro Repeater - SOLAS Chapter V; or
  - Automatic Identification System (AIS) - SOLAS Chapter V; or
  - Speed log - SOLAS Chapter V; or
  - Global Positioning System (GPS) - SOLAS Chapter V; or
  - Electronic Chart Display and Information System (ECDIS) - SOLAS Chapter V; or
  - Forward or aft horn/whistle - COLREG; or
  - Echo Sounder - SOLAS Chapter V; or
  - Bridge Navigation Watch Alarm System (BNWAS) - SOLAS Chapter V; or
  - Long-range identification and tracking (LRIT) - SOLAS Chapter V; or
  - Bridge window including wiper, Clearview, and other attachments - SOLAS Chapter V
  - S-VDR/VDR - SOLAS Chapter V
  - Magnetic Compass - SOLAS Chapter V.
- Malfunction of equipment under SOLAS Chapter IV - Radio Communications
    - MF radio installation - SOLAS Chapter IV; or
    - MF/HF radio installation - SOLAS Chapter IV; or
    - VHF/DSC radio installation - SOLAS Chapter IV; or
    - Mobile satellite service ship earth station (e.g., Inmarsat C) - SOLAS Chapter IV;  
or
    - NAVTEX receiver - SOLAS Chapter IV
    - EPIRB - SOLAS Chapter IV; or
    - SART and AIS-SART - SOLAS Chapter IV.

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- Malfunction of equipment under MARPOL Annex I
  - Oil filtering equipment (OWS); or
  - Oil filtering equipment oil 15ppm bilge alarm; or
  - Oil Discharge Monitoring and Control System (ODMCS). - ODME
  
- Malfunction of equipment under MARPOL Annex IV
  - Malfunctioned Sewage Treatment Plant (STP)
  
- Malfunction of equipment under MARPOL Annex VI
  - Exhaust Gas Cleaning System (EGCS); or
  - Incinerator; or
  - Selective Catalytic Reduction (SCR) for main engine and/or auxiliary engine NOx emission control installation; or
  - Exhaust Gas Recirculation (EGR) for main engine and/or auxiliary engine NOx emission control installation.
  
- Malfunction of equipment under Ballast Water Convention
  - Ballast Water Management System (BWMS) - reference made to circular 77 from DGRM
  
- Malfunction of equipment under SOLAS Chapter II - Emergency Systems
  - Public Address (PA) equipment. - SOLAS Chapter II
  
- Malfunction of other SOLAS Chapter II; - Shipboard equipment
  - Accommodation ladder - SOLAS Chapter II; or

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- Cargo tank high or high-high level alarm system for Oil or Chemical Tanker); or
- Water ingress system;
  
- Malfunction on Safety and Emergency equipment (authorization to be given until next port)
  - Fire Detection System (cargo ships) - Out of order; or
  - Water Mist - Not working in automatic; or
  - Free-fall/Lifeboat - Operational but not possible to recover; or
  - Lifeboat - Engine out of order, single voyage; or
  - Rescue boat - Engine out of order, single voyage; or
  - Rescue boat - Out of order; or
  - Life raft - Lost or damaged; or

#### **4. EXCLUSIONS**

RO shall not issue conditional certificate and/or statutory condition for any deficiency observed by port State control.

RO shall inform the Administration when any ship has been issued with two or more consecutive conditional certificates for the same malfunctioning equipment listed in this circular within the same period.

If more than two equipment's above identified are in malfunction RO should inform the administration.

#### **5. DEFINITIONS**

To secure consistency when referring to various cases or authorizations that can be granted by MARAD the following basic definitions are established for reference when addressing such cases:

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**Extension:** An Extension is a postponement of the term of validity of a Statutory certificate <sup>1</sup>, servicing interval, or conditional certificate previously issued, in accordance with the provisions of the relevant Convention, due to extenuating circumstances encountered that prevent the crediting of a requisite task prior to the nominal due date. Extensions of servicing intervals in particular are referred to as “Service Extensions.” Extensions are generally limited to the minimum period of time necessary for the ship to reach a port where rectification of the task can be accomplished and are also issued with time specific corrective action requirements, compliance with which, are reportable to the MARAD by the expiration date.

**Equivalence:** Equivalence is an equivalent arrangement which provides the same general level of safety or intent of a Convention requirement without meeting all criteria for full compliance. Such arrangements can be accomplished, either independently or in combination with, alternative equipment, additional procedures/precautions, operational restrictions, etc. Equivalences, when granted, are normally communicated to the International Maritime Organization (IMO).

**Exemption:** An Exemption is a permanent release from compliance with a Statutory Convention requirement due to the existence of specific circumstances as sanctioned by the provisions of that Convention. The Exemption Certificate is linked to, and retained with, its associated statutory

### **6. GENERAL**

The communication should comply with existing procedures as established in the agreement between DGRM and the Recognized Organizations.

After receiving the information considered essential, proceeding with technical evaluation and verify the correct implementation of temporary measures onboard, the RO is authorised to issue relevant conditional certificate and/or statutory condition, for the strictly necessary

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<sup>1</sup> Applications for Statutory Surveys extension/postponement (such as Renewal, Intermediate or bottom Surveys) must be supported by the vessel’s class and accompanied by the class’s requirements for accepting the extension

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period to allow repairs to take place, not exceeding in any case two months of validity from the date of receiving the notification.

### **6.1 Malfunction of equipment under Safety of Navigation - SOLAS Chapter V**

1. Pursuant to SOLAS regulation V/16.2, RO shall issue a Conditional Cargo Ship Safety Equipment certificate and/or statutory condition to allow the vessel to continue her voyage, pending repair or replacement of the malfunctioning navigational equipment.
2. RO shall notify the Administration and not to issue conditional certificate and/or statutory condition to Portuguese registered ship:
  - a) No operational radar (e.g. both X-band and S-band radar malfunctioned).
  - b) Both ECDIS malfunctioned and without updated paper charts.
3. RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before the issuance of the Conditional Cargo Ship Safety Equipment certificate and/or statutory condition. Annex 1 - temporary measures to be imposed/considered by the RO.
4. The Master shall take into account of the malfunction equipment when planning and executing a voyage to a port where the repair or replace will be carried out. The Master shall notify the relevant competent authority when calling a foreign port as per SOLAS regulation I/11(C).
5. The repaired or replaced navigational equipment shall be verified to the satisfaction of RO Surveyor. Upon satisfactory verification by the RO, the full-term certificate may be reissued and/or with the statutory condition retracted from the ship's survey status.



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### **6.2 Malfunction of equipment under Solas Chapter IV - Radio communications**

1. Pursuant to SOLAS regulation IV/15.8, RO shall issue a Conditional Cargo Ship Safety Radio certificate and/or statutory condition to allow the Portuguese registered ship to continue her voyage, pending repair or replace of the malfunctioned radio communication equipment as listed.
2. RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before issuance of the Conditional Cargo Ship Safety Radio certificate and/or statutory condition. Annex 2 - Temporary measures to be imposed/considered by the RO.
3. The Master shall take into account of the malfunction equipment when planning and executing a voyage to a port where the repair or replace will be carried out. The Master shall notify the relevant competent authority when calling to a foreign port as per SOLAS regulation I/11(C).
4. The repaired or replaced radio communication equipment shall be verified to the satisfaction of RO. Upon satisfactory verified by the RO, full term certificate may be issued and/or with the statutory condition retracted from the ship's survey status.

### **6.3 Malfunction of equipment under MARPOL Annex I**

1. RO shall issue a Conditional International Oil Pollution Prevention Certificate (IOPPC) and/or statutory condition to allow the Portuguese registered ship to continue her voyage, pending rectification of the malfunctioned equipment as listed.



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2. The Master shall consider the malfunction equipment when planning and executing the voyage to a port where repairs have been arranged. Under regulation 15.9 and 34.9 of MARPOL Annex I, the Master shall ensure any oil or oily mixtures shall be retained on board for subsequent discharge to reception facilities and the malfunction equipment to be recorded into the oil record book.
3. RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before issuance of the Conditional International Oil Pollution Prevention Certificate and/or statutory condition. Annex 3 - Temporary to be imposed/considered by the RO.
4. The Master shall notify the relevant competent authority as required by regulation 6.4.3 of MARPOL Annex I when the ship is calling to a port.
5. The repaired or replaced equipment shall be verified to the satisfaction of RO. Upon satisfactory verification by the RO, full term certificate may be issued and/or with the statutory condition retracted from the ship's survey status.

### **6.4 Malfunction of equipment under MARPOL Annex IV**

1. RO shall issue a Conditional International Sewage Pollution Prevention Certificate (ISPPC) and/or statutory condition to allow the Portuguese registered ship to continue her voyage, pending rectification of the following equipment as listed.
2. The Master shall take into account the malfunctioned STP when planning and executing the voyage to a port where repairs have been arranged. The Master shall ensure proper arrangement is made (e.g. discharge to reception facilities, or according to Resolution

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MEPC175(55)) while pending rectification of the malfunctioned STP and ensure any discharge of sewage is in accordance to regulation 11 of MARPOL Annex IV.

3. RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before issuance of the Conditional International Sewage Pollution Prevention Certificate and/or statutory condition. Annex 4 - Temporary measures to be imposed/considered by the RO.
4. The Master shall notify the malfunction STP to the relevant competent authority as required by regulation 4.9 of MARPOL Annex IV.
5. The repaired or replaced equipment shall be verified to the satisfaction of RO. Upon satisfactory verification by the RO, full term certificate may be issued and/or with the statutory condition from the ship's survey status.

### **6.5 Malfunction of equipment under MARPOL Annex VI**

1. RO shall issue a Conditional International Air Pollution Prevention Certificate (IAPPC) and/or statutory condition to allow the Portuguese registered ship to continue her voyage, pending rectification of the following equipment listed.
2. Manager shall contact the manufacturer of EGCS installed on board and/or follow the MEPC.1/Circ.883, in order to get Interim indication of ongoing compliance demonstrated. If indication of ongoing compliance cannot be demonstrated, then malfunction shall be considered as an accidental breakdown. The ship should then change over to compliant fuel. Local authorities shall be informed about this malfunction, which shall be included in the EGCS Record Book. In case the vessel incinerator is not operational, only a statutory memorandum may be issued by the RO.



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3. RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before issuance of the Conditional International Air Pollution Prevention Certificate and/or statutory condition/memorandum. Annex 5 - Temporary measures to be imposed/considered by the RO.
4. The Master shall notify the relevant competent authority as required by regulation 5.6 of MARPOL Annex VI when the ship is calling to a port.
5. The repaired or replaced equipment shall be verified to the satisfaction of RO. Upon satisfactory verification by the RO, full term certificate may be issued and/or with the statutory condition/memorandum retracted from the ship's survey status.

### **6.6 Malfunction of equipment under Ballast Water Convention**

1. RO shall issue a Conditional International Ballast Water Management Certificate (IBWMC) and/or statutory condition to allow the Portuguese registered ship to continue her voyage.
2. The Master shall take into account the malfunctioned BWMS when planning and executing the voyage to a port where repairs have been arranged. The Master shall implement the "contingency measures" in the ship's Ballast Water Management Plan (BWMP).
3. RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before issuance of the Conditional



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International Ballast Water Management Certificate and/or statutory condition.  
Annex 6 - Temporary measures to be imposed/considered by the RO.

4. The Master shall notify the relevant competent authority as required by regulation of the Ballast Water Management Convention when the ship is calling to a port.
5. The repaired or replaced equipment shall be verified to the satisfaction of RO. Upon satisfactory verification by the RO, full term certificate may be issued and/or with the statutory condition removed from the ship's survey status.
6. Reference made to complementary circular 77 - from DGRM

### **6.7 Malfunction of equipment under Emergency Systems under Solas Chapter II**

1. RO shall issue a Conditional Cargo Ship Safety Equipment Certificate and/or statutory condition valid with a validity to allow the Portuguese registered ship to continue her voyage until next port.
2. RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before issuance of the Conditional Cargo Ship Safety Equipment Certificate and/or statutory condition.  
Annex 7 - Temporary to be imposed/considered by the RO.
3. The Master shall consider the malfunction equipment when planning and executing a voyage to a port where the repair or replace will be carried out. The Master shall notify the relevant competent authority when calling to a foreign port as per SOLAS regulation I/11(C).



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4. The repaired or replaced equipment(s) shall be verified to the satisfaction of RO. Upon satisfactory verified by the RO, full term certificate may be issued and/or with the statutory condition retracted from the ship's survey status.

### **6.8 Malfunction of other Shipboard equipment under Solas Chapter II**

1. RO shall issue a Conditional Cargo Ship Safety Construction certificate and/or statutory condition to allow the Portuguese registered ship to continue her voyage.
2. RO shall notify the Administration and not to issue Conditional Certificate and/or statutory condition to Portuguese registered ship with both malfunctioned (damaged/in-operational) port and starboard side accommodation ladder are defective.
3. The Master shall take into account of the malfunction equipment when planning and executing a voyage to a port where the repair or replace will be carried out. The Master shall notify the relevant competent authority when calling to a foreign port.
4. RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before issuance of the Conditional Cargo Ship Safety Construction Certificate and/or statutory condition. Annex 8 - Temporary measures to be imposed/considered by the RO.
5. The repaired or replaced equipment shall be verified to the satisfaction of RO. Upon satisfactory verification by the RO, full term certificate may be issued and/or with the statutory condition removed from the ship's survey status.



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### **6.9 Malfunction on Safety and Emergency equipment under Solas Chapter II**

In general, on the equipment identified in this point, all efforts shall be done to have the equipment or system back to working condition without being necessary to proceed to the next port with the equipment or system malfunctioning.

Notwithstanding the above and in cases where all the efforts have been done by the Company or Service provider, but it shows impossible to have the equipment or system back to good working conditions and being the Vessel at a port where there is no spare parts or service, the RO shall issue a conditional certificate and/or statutory condition with a validity until the next port or, up to a maximum of fifteen days from the date of receiving the notification to allow the Portuguese registered ship to continue her voyage.

1. Class shall ensure before the issuance of any condition or conditional certificates the following:
  - a. Should evaluate the reason to not carry out repairs at the present port.
  - b. Should evaluate if the Vessel and Crew will be in danger.
2. In this point if any other equipment identified in this circular and other safety or security equipment's are malfunctioning Class shall notify the Administration and not to issue conditional certificate and/or statutory condition
3. The Master shall take into account of the malfunction equipment when planning and executing a voyage to a port where the repair or replace will be carried out. The Master shall notify the relevant competent authority when calling to a foreign port.



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RO shall review and be satisfied with the relevant supporting documents including the risk assessment prepared by the Master as per the ISM company's safety management system and to implement on board the ship before issuance of the Conditional Cargo Ship Safety Equipment Construction Certificate and/or statutory condition.



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**ANNEXES - NON-EXHAUSTIVE LIST OF MITIGATION MEASURES AND CONDITIONS TO BE IMPOSED/CONSIDERED FOR THE ISSUANCE OF CONDITIONAL | SHORT-TERM CERTIFICATES TO PORTUGUESE FLAGGED SHIPS UNDER RELEVANT INSTRUMENTS**

**ANNEX 1 - MALFUNCTION OF EQUIPMENT UNDER SOLAS CHAPTER V - SAFETY OF NAVIGATION**

**ANNEX 2 - MALFUNCTION OF EQUIPMENT UNDER SOLAS CHAPTER IV - RADIO COMMUNICATION EQUIPMENT**

**ANNEX 3 - MALFUNCTION OF EQUIPMENT UNDER MARPOL ANNEX I**

**ANNEX 4 - MALFUNCTION OF EQUIPMENT UNDER MARPOL ANNEX IV**

**ANNEX 5 - MALFUNCTION OF EQUIPMENT UNDER MARPOL ANNEX VI**

**ANNEX 6 - MALFUNCTION OF EQUIPMENT UNDER BALLAST WATER MANAGEMENT CONVENTION**

**ANNEX 7 - MALFUNCTION OF EQUIPMENT UNDER EMERGENCY SYSTEMS**

**ANNEX 8 - MALFUNCTION OF OTHER SHIPBOARD EQUIPMENT**

**ANNEX 9 - MALFUNCTION OF SAFETY AND EMERGENCY EQUIPMENT**

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### ANNEX 1 - MALFUNCTION OF EQUIPMENT UNDER SOLAS CHAPTER V - SAFETY OF NAVIGATION

#### Conditions to be imposed:

- a) Malfunction X-band (9GHz) radar or Malfunction S-band (3GHz) radar:
- Risk assessment for inoperative radar to be in place onboard to mitigate the risk involved;
  - All navigating officers are aware of the malfunctioned equipment;
  - Suitable warning notices to be placed on the bridge and the unavailable radar.
  - The vessel has one working radar and to use with extreme caution and ensure its proper functioning by double checking parameters during operation;
  - Use of all available means with regards to safe passage execution including GMDSS radio communication and AIS etc;
  - Extra lookouts shall be posted according to the prevailing circumstances and conditions;
  - Appropriate measures are in place to avoid passing vessel's at a close distance, where possible, and adequate CPA is maintained;
  - Entry of the malfunctioned radar is to be recorded in the ship's logbook; and
  - The Master shall notify the pilot and relevant port authorities regarding the defect when calling a foreign port.
- b) Malfunction Gyro Compass:
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - All navigating officers are aware of the limitation of the malfunctioned gyro compass.
  - Entry of the malfunctioned gyro compass is to be recorded in the ship's log book;



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- Ensure Master/Pilot information exchange is conducted properly keeping in mind the defective gyro compass;
- The Magnetic compass to be fully operational, with an up-to-date deviation table.
- Use of autopilot, if available, only after careful planning.
- All other navigation equipment to be in good working order
- The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.

c) Malfunction Gyro Repeater:

- Risk assessment to be carried out with risk control measures to be implemented onboard;
- All navigating officers are aware of the limitation of the malfunctioned gyro repeater.
- Entry of the malfunctioned gyro repeater is to be recorded in the ship's log book;
- Ensure Master/Pilot information exchange is conducted properly keeping in mind the defective gyro repeater;
- All other navigation equipment to be in good working order
- The Master shall take into account the malfunctioned gyro repeater when planning and executing a safe voyage and
- The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.

d) Malfunction Automatic Identification System (AIS):

- Risk assessment to be carried out with risk control measures to be implemented onboard;
- All navigational officers and watch keepers are to be made aware of the malfunctioned AIS;

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- Entry of the malfunctioned AIS is to be recorded in the ship's log book;
- All other navigation equipment to be in good working order.
- The Master is to ensure that mitigating measures are in-place to notify or made known the ship's identification to other vessels and port authorities;

### e) Malfunction Speed log

- Risk assessment to be carried out with risk control measures to be implemented onboard;
- All navigation officers are made aware for inoperative equipment;
- Bridge watch keeping personnel adopt prudent measures to ensure timely action for collision avoidance;
- Alternative means for obtaining the ship's speed and distance by GPS and other navigational equipment's are available and maintained in good working order;
- All means should be used to obtain "set" and "drift" of the vessel. Speed through water to be manually calculated and input into the ARPA for the purpose of collision avoidance;
- Notice to be displayed at both radars to warn bridge watch keeping personnel that the speed log is not operational and appropriate entries are made in the vessel's logbook; and
- The Master shall notify the pilot and relevant port authorities regarding the defect when calling a foreign port.

### f) Malfunction Global Positioning System (GPS)

- Risk assessment to be carried out with risk control measures to be implemented onboard;
- All navigation officers are made aware for inoperative equipment;

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- Brief all navigating officers and rating forming navigational watch and make them aware of the above defect;
  - Ensure vessel's position to be closely monitored and maintained on charted track;
  - GPS position to be cross-checked with all available means onboard;
  - All means should be used to obtain "set" and "drift" of the vessel and
  - The Master shall notify the pilot and relevant port authorities regarding the defect when calling a foreign port.
- g) Malfunction Electronic Chart Display and Information System (ECDIS)
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - The malfunctioned ECDIS is to be recorded in the ship's logbook;
  - All navigational watch-keeping personnel are to be made aware of the malfunctioned ECDIS;
  - The vessel shall have a fully operational ECDIS;
  - The vessel shall have up-to-date and adequate paper charts and nautical publications for the intended voyages, as backup purposes, before departure from port or, if the vessel is currently underway at sea, in the first port of arrival;
  - Master/pilot exchange information is to be properly carried out taking the malfunctioned ECDIS into account; and
  - The Master shall notify relevant pilots and port authorities about the defective equipment.
- h) Malfunction Forward or aft horn/whistle
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - The defective Forward or aft horn/whistle is to be recorded in the ship's logbook;



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- All navigational crew to be made aware of the non-operational forward horn/whistle;
  - Master/pilot exchange information is to be properly carried out taking into account the non-operational Forward or aft horn/whistle; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- i) Malfunction Echo Sounder
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - Entry of the defective echo sounder is to be recorded in the ship's log book;
  - All navigational officers and watch-keepers are to be made aware of this defect and minimum UKC in the passage plan should be amended to take into account the unavailability of the depth monitoring equipment;
  - All other shipboard navigational equipment are in good working condition;
  - Early advice shall be given to port authorities and pilots are to be advised of the defective equipment and compliance with their respective conditions and requirements;
  - The Master shall take the unavailability of the depth monitoring equipment into account and take necessary precautions and control measures in planning and executing safe passages and voyages; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- j) Malfunction Bridge Navigation Watch Alarm System (BNWAS)
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - Brief all crew regarding the defective BNWAS and the resulting limitations;



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- Navigation bridge to be manned by 2 persons at all times;
  - The master/back-up officer are available for the look-out; and
  - The Master shall notify the relevant port authorities regarding the defect when calling at a port.
- k) Malfunction of Long-range identification and tracking (LRIT):
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - Master shall ensure that measures are in-place for all other GMDSS equipment including AIS is regularly inspected in good operational condition;
  - All shipboard navigational officers are to be made aware of the defective LRIT and risk control measures implemented on board;
  - Entry of the defective LRIT is to be recorded in the ship's log book;
  - The Master is to notify port and coastal states and provide LRIT data, if so requested;
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- l) Malfunction bridge window including wiper, clear-view and other attachments.
- Risk assessment to be carried out with risk control measures to be implemented onboard All bridge team is aware of the defect;
  - Appropriate entries are made in the deck logbook; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- m) S-VDR/VDR
- The Master of the vessel to make risk assessment and implement relevant mitigating actions



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- All relevant crew are informed of the deficiency.
- Relevant warning notices to be posted on the bridge.
- The Master's Standing Instructions shall be amended to address the matter.
- Relevant logs, including those for VHF communication, Engine Movements, Alarms etc., to be maintained on the Bridge to compensate for the information that would have been recorded by the VDR.
- Appropriate entries are made in the deck logbook.
- The Master shall notify relevant pilots and port authorities about the defective equipment.

n) Malfunction Magnetic Compass:

- Risk assessment to be carried out with risk control measures to be implemented onboard;
- All navigating officers are aware of the limitation of the malfunctioned magnetic compass;
- Entry of the malfunctioned magnetic compass is to be recorded in the ship's log book;
- Ensure Master/Pilot information exchange is conducted properly keeping in mind the defective magnetic compass;
- All other navigation equipment to be in good working order;
- The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.



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### ANNEX 2 - MALFUNCTION OF EQUIPMENT UNDER SOLAS CHAPTER IV - RADIO COMMUNICATION EQUIPMENT

#### Conditions to be imposed:

##### a) Malfunction MF radio installation:

- The Master of the vessel to make risk assessment and implement relevant mitigating actions
- All other GMDSS equipment shall be kept in good working order.
- The malfunctioned radio installation is to be recorded in the GMDSS logbook
- The crew shall send the ship's position to shore every four hours while in sea area A2, and
- The Master shall notify relevant pilots and port authorities about the defective equipment.

##### b) Malfunction MF/HF radio installation:

- Risk assessment to be carried out with risk control measures to be implemented onboard;
- The ship is capable of transmitting and receiving radio distress and safety radio communications with the remaining radio equipment;
- All other GMDSS equipment shall be kept in good working order.
- Additional long-range optional radio equipment such as VSAT/IRIDIUM shall be provided.
- All navigating officers are made aware of the malfunctioned MF/HF radio installation;
- Entry of the MF/HF radio installation is to be recorded in the GMDSS log book;
- The crew shall send the ship's position to shore every fourth hours while in sea area A2 or A3, and



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- The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- c) Malfunction VHF/DSC radio installation:
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - All navigational officers/watch-keepers are to be made aware of the defective VHF/DSC;
  - Entry of the malfunctioned VHF/DSC radio installation is to be recorded in the GMDSS logbook;
  - The Master to ensure another VHF/DSC is in good working condition; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- d) Malfunction mobile satellite service ship earth station (e.g., Inmarsat C):
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - The Master to ensure that all navigating officers are made aware of the limitation of the non-operational mobile satellite service ship earth station;
  - The Master shall ensure that all other radio communication installations are in good working conditions;
  - The Master to notify port and coastal states and provide LRIT data, if so required in view of affect to the LRIT (if associated);
  - If the defective Inmarsat C equipment on board is also used as LRIT or SSAS, then the managers should agree with the flag about possible manual updating of LRIT or SSAS related data to the flag.
  - Appropriate measures are put in place for transmitting urgent security messages during emergency in view of inoperative SSAS (if associated);



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- Additional long-range optional radio equipment such as VSAT/IRIDIUM shall be provided.
  - The crew shall send the ship's position to shore every four hours while in sea area A3.
  - Entry of the malfunctioned mobile satellite service ship earth station is to be recorded in the GMDSS logbook; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- e) Malfunction NAVTEX receiver:
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - The vessel is capable of transmitting and receiving radio distress and safety radio communications with the remaining radio equipment during the intended voyage;
  - All officer on watch takes appropriate action once EGC message receive on board.
  - Entry of the malfunctioned NAVTEX receiver is to be recorded in the GMDSS logbook; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- f) EPIRB - SOLAS Chapter IV; or
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - All navigational officers/watch-keepers are to be made aware of the defective EPIRB;
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.



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- g) SART and AIS-SART - SOLAS Chapter IV.
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - All navigational officers/watch-keepers are to be made aware of the defective AIS;
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.



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### ANNEX 3 - MALFUNCTION OF EQUIPMENT UNDER MARPOL ANNEX I

#### Conditions to be imposed:

- a) Malfunction oil filtering equipment (OWS) or Malfunction oil filtering equipment oil 15ppm bilge alarm:
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - No discharge of any bilge water through OWS until the defect is repaired;
  - Chief Engineer to tag and lock out the OWS unit and overboard discharge valve to prevent unauthorised discharge;
  - All engine room crew shall be made aware of the defect;
  - All bilge well and bilge tanks alarms are tested for functionality and recorded;
  - Vessel shall have sufficient bilge water holding tank capacity to contain any leakage in the engine room and arrange for shore disposal as and when required;
  - Entries to be made in the Oil Record Book (Part I) regarding the defect; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- b) Malfunction oil discharge monitoring and control system (ODMCS):
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - No overboard discharge of oily water mixture is permitted and the overboard discharge valve to be locked sealed and the serial number of the seal recorded;
  - Slops to be retained on board for discharge to shore reception facilities till the ODME is fully functional;
  - Entries to be made in the Oil Record Book (Part II) regarding the defect; and



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- The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.

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### ANNEX 4 - MALFUNCTION OF EQUIPMENT UNDER MARPOL ANNEX IV

#### Conditions to be imposed:

##### a) Malfunction Sewage treatment plant (STP):

- Risk assessment to be carried out with risk control measures to be implemented onboard;
- All engineers and officers are to be briefed and made aware of the malfunctioned STP;
- Master is to ensure that mitigating measures are in-place pending rectification of the malfunctioned STP;
- Master is to ensure that the discharge of sewage is to be complied in accordance with MARPOL Annex IV requirements; and Vessel has sufficient bilge water holding tank capacity to contain any leakage in the engine room and arrange for shore disposal as and when required;
- Entries to be made in the ship's logbook regarding the defect; and
- The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.



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### ANNEX 5 - MALFUNCTION OF EQUIPMENT UNDER MARPOL ANNEX VI

#### Conditions to be imposed:

- a) Malfunctioned single monitoring instrument of the Exhaust Gas Cleaning System (EGCS):
- Risk assessment to be carried out with risk control measures to be implemented onboard;
  - EGCS manufacturers are supportive for the EGCS to continue operation and confirmed that the remaining parameters being monitored are within limits specified in the IMO EGCS Guidelines to which the ship's EGCS have been surveyed and certified;
  - Additional operational procedure as provided by EGCS manufacturer to operate EGCS with the defect shall be complied with;
  - The other parameters are continuing at the normal levels, indicating that there is only an instrumentation malfunction rather than non-compliance with regard to the levels allowed in the exhaust gas and the discharge water;
  - Master and chief engineer to monitor and ensure the rest of EGCS working parameters are in range and correspond to normal operation values;
  - Entries to be made in the ship's logbook regarding the defect; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- b) Malfunctioned Incinerator
- Risk assessment to be carried out with risk control measures to be implemented onboard the vessel had sufficient sludge tank capacity to retain all sludge generated during the intended voyage(s), and to arrange for shore disposal as and when if necessary;

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- Appropriate entry is made in the oil record book (part i) accordingly, ship crew is aware of the defect and action to be taken to mitigate the risk;
  - Garbage if unable to be incinerated, to be retained on board and arrange for shore disposal as and when required; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- c) Malfunctioned Selective Catalytic Reduction (SCR) or Exhaust Gas Recirculation (EGR) for Main engine and/or auxiliary engine NO<sub>x</sub> emission control installation
- Risk assessment to be carried out with risk control measures to be implemented onboard
  - All engineers and engine management team are to be made aware of the present inoperable condition of the main engine NO<sub>x</sub> Tier III;
  - The defective SCR or EGR shall be recorded in the ship's log book; and
  - The Master shall report the defect to the competent coastal and port State authorities before entering to the NO<sub>x</sub> Emission Control Area designated under MARPOL Annex VI and comply with any conditions that may be imposed by the coastal/port State authorities.

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### ANNEX 6 - MALFUNCTION OF EQUIPMENT UNDER BALLAST WATER MANAGEMENT CONVENTION

#### Conditions to be imposed:

a) Malfunction Ballast Water Management System (BWMS):

- Risk assessment to be carried out with risk control measures to be implemented onboard;
- The ballast water management officer shall ensure that the ballast water management is done as per the BWMP onboard, and the “contingency measures” according to IMO BWM.2/Circ.62 on “Guidance on contingency measures under the BWM Convention”, and meet the D1 discharge standard;
- All crew are made aware of the defective BWMS;
- Entries made in the Ballast Water Record Book (BWRB) about the defect; and
- The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.

b) Not possible to use BWTS in a single port:

- MEPC 81-4-4 Interim guidance on the application of the BWM Convention to ships operating in challenging water quality conditions



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### ANNEX 7 - MALFUNCTION OF EQUIPMENT UNDER EMERGENCY SYSTEMS

#### Conditions to be imposed:

##### a) Public Address (PA) equipment

- Risk assessment shall be carried out with appropriate risk control measures put in place;
- The risk assessment should include the use of walkie-talkies with agreed channels;
- All crew are made aware of the defective public address equipment and the risk control measures put in place;
- The Master shall conduct abandon ship drill taking into consideration of malfunction PA and the risk assessment developed by the Master/Company;
- The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.



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### ANNEX 8 - MALFUNCTION OF OTHER SHIPBOARD EQUIPMENT

#### Conditions to be imposed:

##### a) Accommodation ladder

- Risk assessment shall be carried out with appropriate risk control measures put in place;
- All crew to be made aware of the malfunctioned accommodation ladder;
- Entry of the malfunctioned accommodation ladder is to be recorded in the ship's logbook;
- The Master shall ensure that the malfunction accommodation ladder is not to be used with appropriate measures put in-place;
- The Master shall ensure that the operational accommodation ladder is to be regularly inspected and operationally tested in good working condition and readily available for use at all times;
- The Master shall notify the pilot and relevant port authorities regarding the defect when calling a foreign port.

##### b) Cargo tank high or high-high level alarm

- Risk assessment shall be carried out with appropriate risk control measures put in place;
- The shore/terminal/other ship operator(s) shall be notified of the defective alarm before commencement of any cargo operation(s);
- The affected cargo tanks loading rate shall be slowed down as required.
- UTI meter(s) shall be used during cargo operations (loading/unloading) to continuously monitor the cargo tank levels;

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- Effective communication to be established during cargo operation between ship and shore/terminal/other ship; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.
- c) Water ingress system defective
- Risk assessment shall be carried out with appropriate risk control measures put in place;
  - All shipboard personnel are to be briefed and made aware of the defective cargo hold water ingress alarm system;
  - The defect shall be recorded in the ship's log book;
  - The Master shall ensure that monitoring or manual sounding of affected cargo holds is to be carried out at regular intervals and recorded in the ship's log-book and any abnormality shall be investigated and recorded; and
  - The Master shall notify the relevant port authorities regarding the defect when calling a foreign port.

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### ANNEX 9 - MALFUNCTION OF SAFETY AND EMERGENCY EQUIPMENT

#### Conditions to be imposed:

- a) Fire Detection System (cargo ships) - Out of order;
- The Master of the vessel to make risk assessment and implement relevant mitigating actions.
  - The engine room (if affected) to be always manned and the manning on board should be according to the safe manning certificate for manned engine rooms.
  - The roving fire watch shall operate both at sea and in port, as appropriate in accordance with the Risk Assessment. The results of each fire watch shall be properly recorded in vessel's official logbook.
  - The public address /general alarm system to be tested to see that it is working and can be used to make emergency announcements in the accommodation and in the engine room.
  - All ship's personnel shall be advised regarding the status of the fire detection system.
  - All manually operated call points and remaining fire safety systems remain fully operational.
  - The Master shall notify relevant pilots and port authorities about the defective equipment.
- b) Water Mist - Not working in automatic;
- The Master of the vessel to make risk assessment and implement relevant mitigating actions
  - Details of the defect to be provided and possibility of system activation in manual mode

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- The manual operation of the Local Application Fixed Fire Extinguishing System is not affected/in order
  - Engine room to be always manned and adequate manning for manned engine room operation is to be confirmed by the comparison of the Minimum safe manning certificate with the IMO crew list onboard
  - The Master shall establish regular fire patrols in the engine room with means of communications to contact the navigational watch officer and the engine room control station, when necessary. Interval of fire patrol rounds to be assessed by the Master.
  - Fire detection and alarm system is fully operational.
  - Engine room total flooding fixed fire extinguishing system is fully operational.
  - Regular and additional (if any) fire-fighting equipment is tested and in place, readily available for immediate use in the engine room.
  - All crew members shall be duly informed regarding the faulty system, and warning notices to be posted in the respective areas
  - The Master shall notify relevant pilots and port authorities about the defective equipment.
- c) Free-fall/Lifeboat - Operational but not possible to recover;
- The Master of the vessel to make a risk assessment and implement relevant mitigating actions along with safety counter and emergency measures/ evacuation procedures to be updated
  - The FFLB Davit hydraulic winch failure does not affect the primary use of lifeboat (launching) but only the secondary retrieval system
  - Appropriate entries are to be made in the official logbooks / relevant records
  - All other Life Saving Appliances (LSA) are in good working order, including free-fall lifeboat and its ability to be free-fall launched

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- Abandon ship drills shall be postponed until rectification of the deficiency. An entry should be made in the logbook
- Except for emergency evacuation, the free fall lifeboat shall not be launched or released from its cradle pending rectification of the reported deficiency.
- The Master shall notify relevant pilots and port authorities about the defective equipment.

d) Lifeboat - Engine out of order, single voyage;

- The Master of the vessel to make risk assessment and implement relevant mitigating actions.
- Lifeboat may still be used and towed by a dedicated rescue boat in case of emergency. Hence, additional LSA may not be required, (Otherwise, ref. case for damaged lifeboat.)
- The Master shall ensure that crew are aware of the amended/ temporary emergency procedures.
- A repair plan to be submitted, including possible correspondence with approved service suppliers / manufacturer.
- The Master shall notify relevant pilots and port authorities about the defective equipment.

e) Rescue boat - Engine out of order, single voyage;

- The Master of the vessel to make risk assessment and implement relevant mitigating actions
- If the rescue boat / davit cannot be operated, then the lifeboat (conventional type only) should be temporarily assigned as a rescue boat, the equipment used for rescue boat should be relocated to the lifeboat
- A man overboard drill is to be carried out prior to the vessel's departure.

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- The shipboard muster list and emergency procedure to be temporarily revised considering the damaged rescue boat and additional LSA equipment if any.
  - Procedures for recovery of persons from the water are also updated accordingly.
  - The Master shall ensure that all crew is made aware of the damaged rescue boat and any new emergency procedures.
  - All other LSA equipment is in a good working order
  - The Master shall notify relevant pilots and port authorities about the defective equipment.
- f) Rescue boat - Out of order;
- The Master of the vessel to make risk assessment and implement relevant mitigating actions
  - A lifeboat should be temporarily assigned as a rescue boat, the equipment used for rescue boat should be relocated to the lifeboat. If the vessel is not equipped with a lifeboat, a temporary rescue/dinghy boat should be provided.
  - Muster and safety plans are updated to indicate that the Free-fall lifeboat is also serving as rescue boat.
  - A man overboard drill to be carried out prior to the vessel's departure.
  - Procedures for recovery of persons from the water are also updated accordingly.
  - All crew members are informed accordingly.
  - All other LSA are in good working order.
  - The Master shall notify relevant pilots and port authorities about the defective equipment.
- g) Life raft - Lost or damaged;
- The vessel should be allowed to enter the first port, and install a new life raft (possible in most ports)



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The General Director of Natural Resources, Safety and Maritime Services

### **More information**

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