

Date 2007,8,3  
 RN 4356/107/2007  
 SENT List

TELEPHONE 210 4191800  
 TELEX  
 FAX 210 4137997

**Subject:** Improvement program of companies and ships with repeated/serious cases of detentions

Ref: a) M.D.4113.190/01/2004 (GN 379 B) <Model agreement between MMM and RO> as valid

b) Par.1 article 40 International Marine Law Code (ND 187/73 GN 261 A, as valid)

c) Par.1 article 43 International Marine Law Code (ND 187/73 GN 261 A, as valid)

1. Aiming the continuous improvement of the quality character of Greek merchant fleet and to avoid cases of degradation of safe management levels on board as result of systematic inaccuracy of the System of Safe Management of the managing company, a program of increased surveillance for ships which present increased detentions frequency in the framework of control of port state Authority or serious detentions is established with this.
2. Clarifying that as serious detention is concerned the justifiable detention when the comments partly or in total form evidence of not right observance of provisions of the Safe Management System. Characteristic example of serious detention is the case that the port state control surveyor discover plenty of comments which led to detention and at the same time show deficient observance of the maintenance procedures on board.
3. The program will include the measures of the below table:

| <b>Incident</b>                                                                              | <b>Improvement measure</b>                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Serious case of justifiable detention concerning ship's security and environment protection. | Additional ISM survey on board by RO or/and Authority within a month from the date of detention                                                                                                                                                        |
| 2 justifiable detentions of this ship within 12 months                                       | Additional ISM survey on board by RO or/and Authority, to the extend of intermediate survey of SMC and additional survey of the company to the extend of annual survey. Moreover the ship will be inspected at the most convenient port.               |
| 3 justifiable detentions of this ship within 24 months                                       | Withdrawal of SMC until the completeness of additional survey by Authority to the extend of initial survey. Moreover, additional survey of the company by the Authority in the extend of annual survey within a month from the date of last detention. |

4. Unions that this refers to, please inform your members, in order the managing companies, taking actively part into the measures application, to apply for special inspection-survey of their ships, in case of need, by official survey units of the Authority, for the security-improvement of safety levels and environment protection.
5. EN(Greek Shipowners Union) please inform your members about c ref.
6. This circular will be in the permanent circulars file with no.12 in table 14.

Capt.Ferousis

Date 2007,9,12  
RN 4124.11/20/07  
SENT List

TELEPHONE 210 4191931  
TELEX  
FAX 210 4191901  
email [don@yen.gr](mailto:don@yen.gr)

Subject: “Clarifications supply”

Reference: a). Circular 4356/107/2007 from 3.8.07 YEN/KEES  
b). Fax of EEE on 4.9.07  
c). MD 4113.190/01/04 (GN 379 B’/25-2-04) as valid

1. Further to b) which concerns the program of upgrading companies and ships with repeated/serious cases of detention, we clarify the bellow:
  - 1.1. The adaptation of these programs (a), is a corrective action of the note of the survey unit of IMO, which concerns the procedures of the Authority after detention of Greek ship in terms of PSC inspection and was set during the voluntary survey of MMM, under the provisions of Decision A.973 (24) of DNO.
  - 1.2. The strong position of the Service about the excess of the relevant measures of c), opinion with which EEE agrees too, had no acceptance by the surveyors, with direct consequence the possibility of upgrading the above remark to “non-compliance”, fact which would have obvious bad consequences for the marine Management.
  - 1.3. The circular a) was issued in order to satisfy the criteria of the surveyors of IMO, and to avoid the possibility of transfer to the whole Greek fleet the consequences of sporadic cases of detention of not well maintained ship.
  - 1.4. Clarifying that the decision of evaluation of an accidental detention of a Greek ship as “serious”, it will be made exclusively by the Authority, since this detention is firstly considered as justifiable -with agreement of the responsible services of MMM and according to the opinion of the company and RO- through critical evaluation of the findings of PSC as the case may be, and the additional ISM on board survey by the RO or/and the Authority will be conducted only since the measure is considered as absolutely imperative.
2. RO apply the a) according to this clarification.
3. Please be informed.

Manager of Ship Survey Department of MMM  
Capt. Ferousis