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***PORT STATE CONTROL***  
*IN NEW ZEALAND*



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# INTRODUCTION

Welcome to the *Port State Control in New Zealand: Annual Report 2008*. Port state control continues to be of vital importance to the protection of the New Zealand marine environment, the safety of crews of foreign-flagged ships visiting our ports, and the security of New Zealand ports.

New Zealand increased its level of targeted port state control inspections during 2008, carrying out 561 initial and 360 follow-up inspections of foreign flagged ships visiting New Zealand. During this period 771 individual ships visited New Zealand ports. Of these, 461 (or 60%) underwent port state control inspections to ensure the safety of the crew and the protection of New Zealand's marine environment.

Maritime New Zealand detained only eight ships during 2008 – a most encouraging result. This detention rate, at 1.43%, is the second-lowest since New Zealand commenced port state control in 1994, and is a clear reflection of the high standard of port state control that has been exercised during the intervening years, and of the generally good standard of ships trading to this country. The regional average throughout the Asia Pacific region for 2008 was 6.91%.

Maritime New Zealand uses the Tokyo Memorandum of Understanding (MOU) targeting system to identify high-risk ships. This has proved a particularly effective tool for our port state control officers (PSCOs). Ships eligible for inspection are determined through their target factor, with New Zealand achieving an inspection rate of 90% of eligible ships – focusing on high-risk ships.

New Zealand participated fully in the 3-month “concentrated inspection campaign” on chapter V of SOLAS – safety of navigation. This campaign was carried out in conjunction with the Paris MOU and other regional port state control regimes.

New Zealand was privileged to host the 16th PSCOs seminar in Auckland in October 2008, attended by 37 PSCOs from 18 member authorities of the Tokyo MOU. New Zealand took the opportunity to provide training, through the seminar, to the majority of its PSCOs.

New Zealand's ongoing commitment to training was continued through involvement in the PSCOs' exchange programme, funded by the Tokyo MOU, as well as providing practical training to PSCOs from Asia Pacific countries.



**Catherine Taylor**  
Director of Maritime New Zealand

# ► PORT STATE CONTROL IN NEW ZEALAND

Port state control (PSC) is the inspection of foreign ships in national ports to verify that the condition of the ship and its equipment comply with the requirements of international conventions, and that the ship is operated in compliance with applicable national and international maritime laws.

The primary responsibility for ensuring that a ship maintains a standard at least equivalent to that specified in international conventions rests with the flag state. However, oversight of and compliance with these standards is not consistent, so the need for PSC remains.

The authority for exercising PSC is national law, based on relevant conventions. It is therefore necessary for a port state to be party to those conventions and to have in place the necessary legislation. In accordance with the provisions of the applicable conventions, parties may conduct inspections of foreign ships in their ports through port state control officers (PSCOs).

Inspections may be undertaken at:

- the initiative of the party
- the request of another party, or on the basis of information about a ship provided by another party
- the receipt of information about a ship provided by a member of the crew, a professional body, an association, a trade union, or any other individual with an interest in the safety of the ship, its crew and passengers, or the protection of the marine environment.

If a ship is unduly detained or delayed, it could be entitled to compensation for any loss or damage suffered.

## ► Provisions for port state control

International Maritime Organization (IMO) conventions place the responsibility for technically and environmentally safe ships primarily on the flag state. However, it is recognised that a port

state can make a useful contribution to these aims, and many conventions contain provisions that permit PSC.

These include:

- SOLAS 74, Regulation I/19, Regulation IX/6 and Regulation XI/4
- Load Lines 66, Article 21
- MARPOL 73/78, Articles 5 and 6; Regulation 8A of Annex I; Regulation 15 of Annex II; Regulation 8 of Annex III; and Regulation 8 of Annex V
- STCW 78 (amended 1995), Article X and Regulation I/4
- Tonnage 69, Article 12.

## ► Background

The stranding of **Torrey Canyon** and **Amoco Cadiz** in Europe in the 1960s and 1970s brought home to coastal states how vulnerable they were to pollution damage from ships transiting their coastal waters and visiting their ports.

These accidents provided the impetus for European coastal states to combine their resources to more effectively implement PSC.

In 1982 a Memorandum of Understanding (MOU) on PSC was signed in Paris between 14 European states. Presently 27 states have signed adherence to the Paris MOU.

Under this MOU, member states undertake to inspect 25% of all ships visiting their ports, to make sure they comply with IMO conventions and do not pose a threat to the lives of those aboard or to the environment. This level of inspection and co-ordination between member states ensures that more than 90% of ships visiting the Asia Pacific region are regularly inspected.

“In 1993 a memorandum of understanding on port state control was signed in Tokyo between 16 Asia-Pacific countries.”

### ► Regional co-operation

While national PSC will enhance the safety of ships and the protection of the marine environment, only a regional approach will ensure that sub-standard operators have fewer places to hide.

Unless a regional approach is adopted, operators will divert their ships to ports in the region where no, or less stringent, PSC inspections are conducted. This may seriously impact on the ports of those countries that do conduct proper inspections. To remedy this and to improve the general effectiveness of inspections, many regions of the world have already entered into regional agreements on PSC.

In the first instance, these agreements cover the exchange of information about ships, their records and the results of inspections carried out. This enables subsequent ports of call to target ships that have not been recently inspected.

Another reason for co-operating with other ports in the region is to ensure that identified sub-standard ships are effectively monitored. This applies especially to ships that have been allowed to sail with minor deficiencies on the condition that these are rectified at the next port of call. Such ships can only be monitored by a constant exchange of information between ports.

Co-operation also ensures that port state inspections are carried out in a uniform manner in all countries, and ultimately all regions, and that similar standards are applied to the detention of ships and the training standards of PSCOs. To achieve this, it is common practice of many existing agreements to conduct joint seminars for PSCOs in order to harmonise procedures.

At present there are nine regional PSC agreements in operation:

- the Acuerdo de Vina del Mar (Vina del Mar or Latin-American Agreement), signed in Vina del Mar, Chile on 5 November 1992
- the Memorandum of Understanding on Port State Control in the Asia-Pacific Region (Tokyo MOU), signed in Tokyo, Japan on 2 December 1993
- the Memorandum of Understanding on Port State Control in the Caribbean Region (Caribbean MOU), signed in Christchurch, Barbados on 9 February 1996
- the Memorandum of Understanding on Port State Control in the Mediterranean Region (Mediterranean MOU), signed in Valletta, Malta on 11 July 1997
- the Indian Ocean Memorandum of Understanding on Port State Control (Indian Ocean MOU), signed in Pretoria, South Africa on 5 June 1998
- the Memorandum of Understanding for the West and Central African Region (Abuja MOU), signed in Abuja, Nigeria on 2 October 1999
- the Black Sea Memorandum of Understanding on Port State Control (Black Sea MOU), signed in Istanbul, Turkey on 7 April 2000
- the Arab States of the Gulf (Riyadh MOU), signed in Riyadh 2004.
- the Paris Memorandum of Understanding on Port State Control (Paris MOU), adopted in Paris, France on 1 July 1982



### ► Asia-Pacific MOU on port state control – Tokyo MOU

On 1 April 1994 a MOU on PSC came into effect for the major maritime nations in the Asia-Pacific region.

This agreement requires each member authority to establish and maintain an effective system of PSC with a view to ensuring that, without discrimination, foreign merchant ships visiting its ports comply with appropriate international standards.

The governments whose maritime administrations are parties to this MOU are Australia, Canada, Chile, China, Fiji, Hong Kong, Indonesia, Japan, Korea, Malaysia, New Zealand, Papua New Guinea, the Philippines, the Russian Federation, Singapore, Thailand, Vanuatu and Vietnam.

To administer the implementation and ongoing operation of the agreement, a committee and a secretariat were formed. The committee is composed of a representative of each of the authorities that have adopted this MOU. The secretariat, which services the committee, was established in Tokyo.

Details of Maritime New Zealand inspections are sent to APCIS, and information from the database is retrieved when details of previous inspections are required for a ship being considered for inspection in New Zealand.

The results of PSC inspections are available through the public website: [www.equasis.org](http://www.equasis.org).

### ► Port state control in New Zealand

PSC inspections are the responsibility of Maritime New Zealand maritime safety inspectors, who hold either master mariner or chief engineer qualifications. There are 11 inspectors based at 11 ports throughout New Zealand.

In February 1999 New Zealand and Australia signed an MOU recognising each other's PSC inspections. This agreement arose, following exchanges of New Zealand and Australian PSCOs, to ensure an appropriate level of standardisation between the two countries. Both countries operate identical PSC documentation regimes and exchange data on mutual inspections.

“To administer the implementation and ongoing operation of the agreement, a committee and a secretariat were formed.”

An inspection target rate was set at 50% of ships operating in the region by the year 2000, and the agreement requires each administration to consult, co-operate and exchange information with the other authorities in order to further the aims of this MOU.

In 1994, the PSC inspection rate in the Asia-Pacific region was approximately 32%. This increased to 39% in 1995 and reached the target of 50% in 1996, just 3 years after the implementation of the Tokyo MOU. By the year 2002 the inspection rate had increased to 75%, and the target regional inspection rate was reset to 80% in 2008.

A computer database (APCIS) was established in Canada to facilitate the exchange of information and details of ship inspections between the members of the Tokyo MOU. On 1 January 2000, this initial system was replaced by an internet-based system located in Vladivostok, Russia.

The effect of the Maritime New Zealand and Australian Maritime Safety Authority MOU has been a reduction in the number of first inspections by Maritime New Zealand, as many ships visit Australia prior to coming on to New Zealand. However, the reduction in these inspections has been offset by an increase in follow-up inspections of vessels departing from Australia.

New Zealand adopted the Tokyo MOU targeting system from 9 January 2003. The intention is to inspect 90% of all high-risk vessels that call at New Zealand ports.

If a vessel had deficiencies at its last inspection, whether in New Zealand or in any other member authority of the Tokyo MOU, it will be inspected on its next visit to New Zealand, regardless of when the last inspection took place.

# ▶ *STATISTICAL OVERVIEW*



## Inspections

During the 2008 calendar year, 561 port state control inspections were undertaken. This is an increase of just over 9% from the 511 inspections carried out during 2007. There were also 360 follow-up inspections carried out in 2008, up from 279 in 2007.

**TABLE ONE**

► Inspections, deficiencies and detentions, 2003–2008

SHIPS	2003	2004	2005	2006	2007	2008
Inspections	501	520	509	527	511	561
Ships with deficiencies	283	282	329	300	274	326
Detentions	20	14	24	14	5	8

Table one shows the number of ships that were inspected, had deficiencies, and were detained from 2003 to 2008.

In 2008, of the ships that were inspected, 58% were found to have deficiencies, and 1.4% were detained. This compares with 2007, when 54% of ships were found to have deficiencies, and just under 1% were detained.

**TABLE TWO**

► Ships inspected by flag state, 2003–2008

FLAG STATE	2003	2004	2005	2006	2007	2008
Antigua & Barbuda	15	18	20	27	24	30
Australia	2	3	5	6	4	1
Austria	0	0	0	2	3	0
Bahamas	45	31	20	23	22	33
Barbados	0	0	0	0	0	0
Belgium	0	0	0	0	1	2
Belize	0	0	1	0	0	1
Bermuda	4	5	7	4	3	5
Cambodia	0	3	1	0	0	0
Cayman Islands	2	5	4	3	5	5
Channel Islands	0	0	0	0	0	0
China, People's Republic of	4	4	6	5	8	9
Cook Islands	3	0	0	2	4	2
Croatia	0	0	0	0	1	0
Cyprus	14	16	19	16	14	18
Denmark	15	8	17	12	9	6
Dominica	0	0	0	2	2	2
Fiji	0	0	0	1	0	1

FLAG STATE	2003	2004	2005	2006	2007	2008
France	2	3	4	4	3	2
Germany	4	2	7	14	3	8
Gibraltar	0	2	2	0	0	4
Greece	6	10	6	1	5	7
Hong Kong, SAR*	31	42	44	37	46	60
India	4	3	4	2	1	5
Indonesia	0	0	0	0	0	0
Iran	0	3	3	0	0	0
Isle of Man	10	19	19	24	11	8
Italy	0	2	5	6	2	2
Japan	3	3	1	2	2	1
Korea, Republic of	5	3	10	7	7	8
Kuwait	0	0	0	0	0	0
Latvia	0	0	0	0	0	0
Liberia	55	53	26	53	66	61
Lithuania	1	0	0	0	0	0
Luxembourg	0	1	1	2	0	0
Malaysia	1	6	2	4	3	3
Malta	9	12	11	11	7	14
Marshall Islands	10	11	15	15	17	19
Mauritania	0	0	0	0	0	1
Myanmar (Burma)	0	1	1	0	0	0
Netherlands	5	13	17	8	5	11
Netherlands Antilles	3	3	2	1	0	1
Norway	12	5	6	11	17	14
Pakistan	0	0	0	0	0	0
Panama	153	151	153	155	151	133
Papua New Guinea	0	0	0	0	1	0
Philippines	14	7	9	3	2	4
Portugal	0	0	0	0	0	0
Qatar	0	0	0	0	1	0
Russia	9	10	6	2	4	7
Singapore	16	20	19	30	33	43
Slovakia	0	0	0	0	0	0
South Africa	2	0	0	0	0	0
Spain	1	0	0	0	0	0
St Vincent & Grenadines	2	3	5	1	0	0
Sweden	2	0	0	0	0	2
Switzerland	1	0	0	0	0	2

FLAG STATE	2003	2004	2005	2006	2007	2008
Taiwan	0	0	0	0	1	0
Thailand	1	4	0	1	2	2
Tonga	14	17	15	8	7	7
Turkey	0	1	0	0	1	0
Tuvalu	1	3	2	1	0	0
Ukraine	0	0	0	0	0	0
United Kingdom	7	7	3	15	12	7
United States of America	0	1	2	1	1	3
Vanuatu	13	6	9	5	0	6
Vietnam	0	0	0	0	0	1
<b>Total</b>	<b>501</b>	<b>520</b>	<b>509</b>	<b>527</b>	<b>511</b>	<b>561</b>

\*SAR Special Administrative Region.

Table two shows the number of ships inspected, arranged by flag state, from 2003 to 2008. The 561 ships inspected in 2008 were from 43 flag states, compared with 40 flag states in 2007. The majority of ships inspected in 2008 were from Panama (24%), followed by Hong Kong and Liberia (11% each). In 2007 the majority of ships inspected were also from Panama, Liberia and Hong Kong.

## FIGURE ONE

### ► Ships inspected by type of vessel, 2008

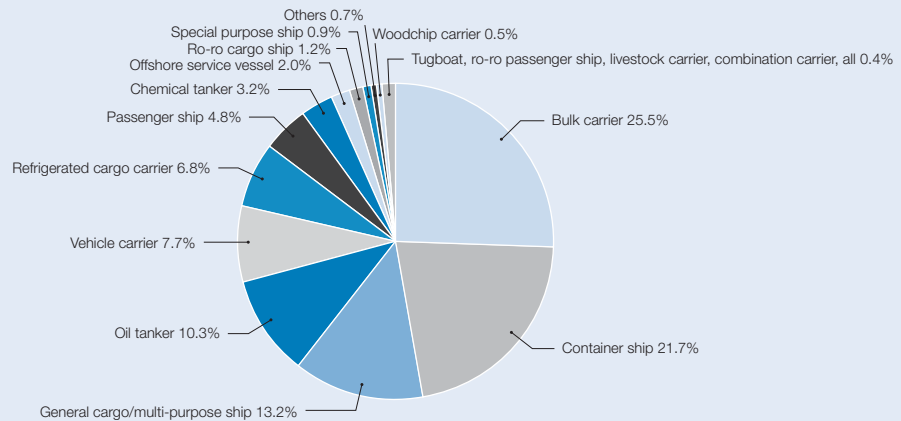


Figure one shows the type of vessels inspected in 2008, expressed as a percentage. Bulk carriers accounted for the highest number of inspections (25.5%), followed by container ships (21.7%). In 2007 container ships made up 23% of inspections, and bulk carriers made up 21%.

# Deficiencies

FIGURE TWO

► Deficiencies by category, 2008

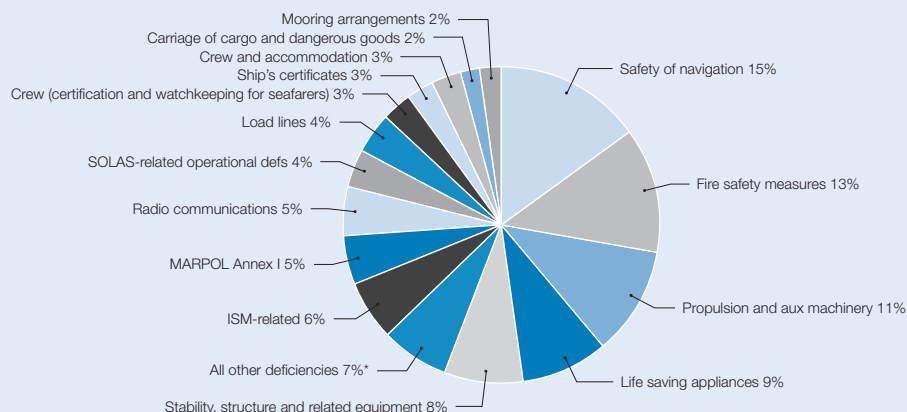


Figure two illustrates the percentage of deficiencies, by category, in 2008. The highest percentage of deficiencies were related to safety of navigation (15%) and fire safety measures (13%), followed by propulsion and auxiliary machinery (11%), life saving appliances (9%) and stability, structure and related equipment (8%). Together these five categories made up 56% of deficiencies recorded.

\*The category “All other deficiencies” includes the following deficiencies, which were each less than 2%: working space; additional measures to enhance maritime security; accident prevention; oil, chemical tankers and gas carriers; food and catering; additional measures to enhance maritime safety; MARPOL-related operational deficiencies; MARPOL Annex V; bulk carriers – additional safety measures; and alarm signals.

FIGURE THREE

► Rate of deficiencies per inspection by region, 2007–2008

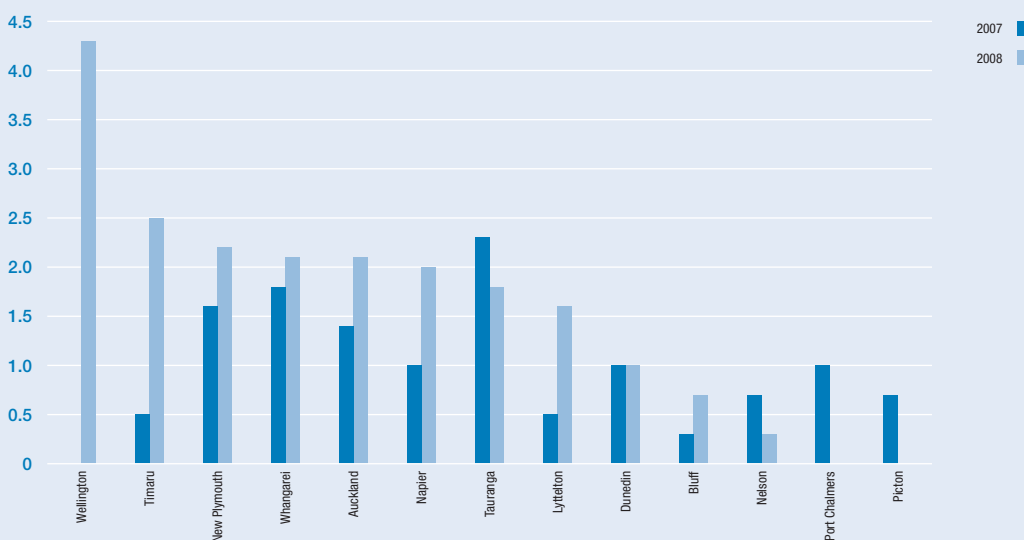


Figure three shows the rate of deficiencies per inspection, by region, in 2008 compared with 2007. The highest deficiency rate per inspection was in Wellington (4.3), where 7.3% of all inspections were carried out, and where 15.3% of all deficiencies were found. Timaru followed with a rate of 2.5 deficiencies per inspection. In Timaru 1.1% of the total inspections were carried out, and 1.3% of deficiencies were found. Auckland and Tauranga carried out the highest proportions of inspections (31.1% and 25.5%, respectively) and found higher percentages of deficiencies (35.7% and 22.0%), yet had lower rates of deficiencies per inspection (2.1 and 1.8).

FIGURE FOUR

## ► Rate of deficiencies per inspection, by recognised organisation, 2008

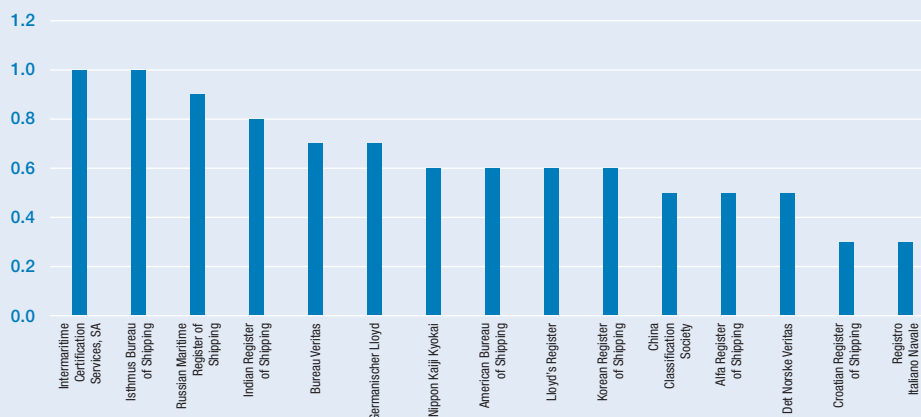


Figure four illustrates the rate of deficiencies per inspection, by recognised organisation in 2008. The majority of recognised organisations had deficiency rates of between 0.5 and 0.9 per inspection. Exceptions to this were the Inter maritime Certification Services, SA, and Isthmus Bureau of Shipping, both with a rate of 1.0 deficiencies per inspection, and the Croatian Register of Shipping and Registro Italiano Navale, both with a rate of 0.3 deficiencies per inspection.

The majority of recognised organisations with deficiency rates between 0.5 and 0.9 per inspection had the highest numbers of ships visiting New Zealand. Nippon Kaiji Kyokai, with 23% of total inspections, had a deficiency rate of 0.6 per inspection, and Lloyd's Register, with 20% of total inspections, also had a deficiency rate of 0.6 per inspection. Germanischer Lloyd, with 15% of total inspections, had a deficiency rate of 0.7. In 2007, these organisations had similar percentages of ships inspected, but the deficiency rates were higher.

## Detentions

TABLE THREE

► Ships detained by flag state 2003–2008

FLAG STATE	2003	2004	2005	2006	2007	2008
Antigua and Barbuda	1	1	2	1	1	0
Austria	0	0	0	1	0	0
Bahamas	0	0	2	0	1	0
Bermuda	0	0	0	0	0	0
Cambodia	0	2	0	0	0	0
China	0	0	0	0	0	0
Cyprus	1	1	1	2	0	1
Denmark	0	0	1	0	0	1
Fiji	0	0	0	1	0	0
Germany	1	0	0	0	0	0
Gibraltar	0	1	0	0	0	0
Greece	1	0	0	0	0	0
Hong Kong, SAR*	1	0	1	1	0	2
Isle of Man	1	1	3	1	0	0
Italy	0	0	1	0	0	0
Korea, Republic of	1	0	0	1	0	0
Liberia	1	0	0	1	0	1
Lithuania	0	0	0	0	0	0
Malaysia	0	0	0	0	0	0
Malta	0	1	0	0	0	0
Marshall Islands	0	0	1	0	0	0
Norway	0	0	0	1	0	0
Panama	2	4	8	4	1	3
Philippines	1	0	0	0	0	0
Singapore	4	0	1	0	2	0
St Vincent & Grenadines	0	1	2	0	0	0
Thailand	0	1	0	0	0	0
Tonga	2	1	1	0	0	0
Turkey	0	0	0	0	0	0
Tuvalu	1	0	0	0	0	0
Ukraine	0	0	0	0	0	0
United Kingdom	1	0	0	0	0	0
United States of America	0	0	0	0	0	0
Vanuatu	1	0	0	0	0	0
<b>Total</b>	<b>20</b>	<b>14</b>	<b>24</b>	<b>14</b>	<b>5</b>	<b>8</b>

\*SAR Special Administrative Region.

During 2008, eight ships were detained, an increase from five in 2007.

TABLE FOUR

► Ships detained in 2008

SHIP NAME	IMO NO.	FLAG STATE
<b>Tasman Provider</b>	9070709	Hong Kong, SAR*
<b>Idas Bulker</b>	9111369	Panama
<b>MSC Chitra</b>	7814838	Panama
<b>Provider</b>	7807263	Liberia
<b>William</b>	9117375	Cyprus
<b>Tien Hau</b>	9143312	Hong Kong, SAR*
<b>Sea Runner</b>	8215596	Denmark
<b>Magic Wave</b>	7907532	Panama

\*SAR Special Administrative Region.

FIGURE FIVE

► Detentions by type of ship, 2008

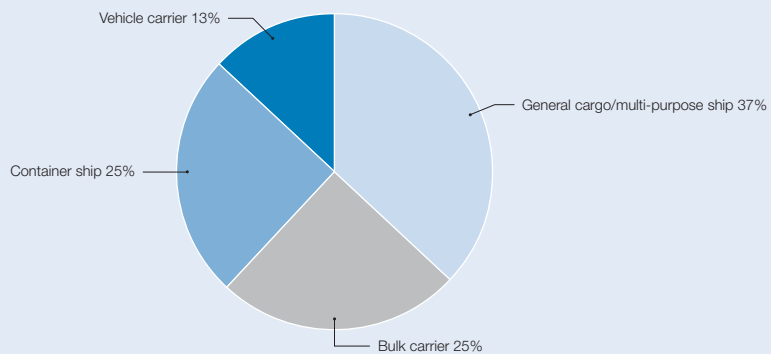


Figure five shows the main types of ship detained in 2008. The main ship type detained was general cargo/multi-purpose ship.

FIGURE SIX

► Percentage of inspections resulting in detentions, by recognised organisation, 2008

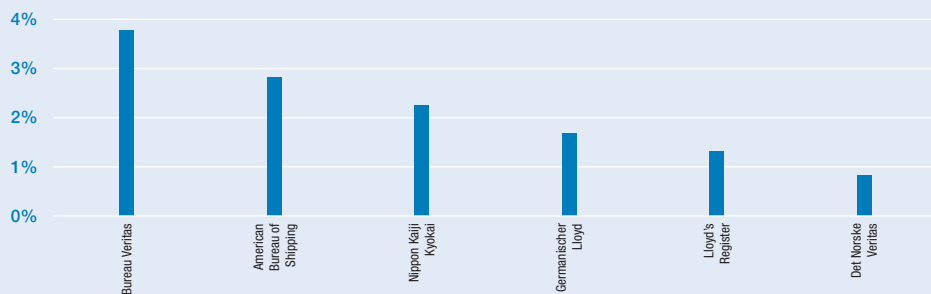


Figure six shows the percentage of inspections, by recognised organisation, which resulted in detention in 2008. Bureau Veritas had the highest detention rate at 3.8%, with 53 inspections leading to two detentions. In comparison, Nippon Kaiji Kyokai had four ships detained, but a detention rate of 2.2% due to a higher number of inspections (178). American Bureau of Shipping had the second-highest detention rate at 2.8%, with 71 inspections and two detentions.

# SUMMARY

- ▶ There were 561 port state control inspections undertaken during the 2008 calendar year.
- ▶ There were 360 follow-up inspections.
- ▶ The ships inspected were from 43 flag states. Just under one-quarter of all inspections were of Panamanian vessels.
- ▶ The largest group of ships inspected were bulk carriers.
- ▶ The total number of deficiencies for the year was 1,152.
- ▶ The majority of deficiencies related to: safety of navigation; fire safety measures; propulsion and auxiliary machinery; life saving appliances; and stability, structure and related equipment.
- ▶ Eight ships from five flag states were detained.
- ▶ Of the ships inspected, 1.43% were detained.
- ▶ Auckland had the highest number of inspections (40%), while Tauranga had the highest proportion of deficiencies given (42%).

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