

Regulation on the inspection of ships

1. General Provisions

This Regulation is formulated for the purposes to provide 1.1.5 subparagraph of the Decree of the President of Azerbaijan Republic № 669, July 6, 2012, on amendments to the “Merchant Shipping Code of Azerbaijan Republic” on the implementation of Article number 371-IVQD29 May, 2012, and in accordance with the international conventions in the field of maritime transport legislation of Azerbaijan Republic in the appropriate field, as well as resolutions of the International Maritime Organization, determines the procedure of realization of inspection of ships, excluding small size, military and military-auxiliary vessels (hereinafter ships), in the Azerbaijan Republic.

1.2 Inspection of the ships implements by the State Maritime Administration (hereinafter referred to as Administration)

2. Requirements for the inspectors conducting inspection of ships

Requirements for the inspectors conducting inspection of ships are as following:

2.1.1 should have appropriate qualification and certificate (diploma) for the working in the composition of the officer of the crew of the ship;

2.1.2. should have minimum 3 (three) years experience in qualified field;

2.1.3. should be able to communicate in English fluently;

2.1.4. should have an appropriate document on the successful completion of the training course on the inspection of the ships;

2.1.5. should have an ability of ethical behavior;

2.1.6. should not have commercial interests related to the operation of ships;

2.1.7. Inspectors have service certificates, confirming their authorizations on conducting of the inspection of ships.

3. Procedure of conducting inspection of ships

3.1. Being initial and extensive, inspection of vessels is divided in two types.

3.2. 2. Minimum 25 (twenty five) percent of average annual number of vessels flying under the flag of Azerbaijan Republic, as well as vessels flying under the flag of foreign countries entering the sea ports of Azerbaijan Republic should be conducted the inspection.

3.3 Conduction of inspection in ships carries out every 6 (six) months. In following cases inspection of ships conducts, without taking into account mentioned period:

3.3.1. if ship is travelling first time or over 12 months period of time after the date of last visit to the sea ports of Azerbaijan Republic;

3.3.2. if the country or ship owner of the ship, flying under its flag are in the "Black List" of the International Organizations specialized in port inspection;

3.3.3. if during previous inspections finds out incompatibility of ship and its crew to the requirements and standards determined by International Conventions and relevant Legislation of Azerbaijan Republic (hereinafter incompatibility) , determining the period of time for their elimination, when the ships were allowed to visit the sea port;

3.3.4. if it has the existence of discrepancies posing a real threat to the safety of maritime navigation, human life or the environment;

3.3.5 failure to provide complete information to the competent authority about the hazardous goods on the board;

3.3.6. when the classification of the ship is stopped by the classification society within the period of last 6 month;

3.3.7. ker carrying out gas or chemical substances, which date expired over 10 years of constructing date that provided ship safety certificate, over 12 (twelve) years bulker cargo ship, over 15 year passenger ship, as well as oil tanker which gross tonnage is over than 3000 and which date expired over 15(fifteen) years of constructing date that provided ship safety certificate.

3.4 Inspection of ships conducts in a planned and extraordinary manner, namely when received appeals (information) from state and local self-government bodies, physical and legal persons, also when information disseminated through media.

3.5. Planning of inspections carried out on ships based on the following criterias:

3.5.1 flag of ship;

3.5.2 year of build;

3.5.3. ype of ship;

3.5.4. wner or operator of the ship;

3.5.5. lassification society of the ship;

3.5.6. Conduction of inspection should not interfere with the realization of commercial shipping.

3.7. Information about as a result of the inspections during the year due to the discrepancies ships are not allowed to travel and about their owners, as well as the names of flag states of such ships is included to the database on the Inspection of ships.

4. Initial inspection of ships

4.1. Initial inspection of ships in order to determine the availability whether or not to match general technical condition of ship and crew of the ship with the requirements of the conventions which Azerbaijan Republic is party, depending on the area of navigation total capacity contains determining availability of following:

- 4.1.1. Certificate on the right to fly under the State flag;
- 4.1.2. Certificate of title to the ship;
- 4.1.3. Classification certificate;
- 4.1.4. Certificate on the composition of minimum crew in order to visit of the ship;
- 4.1.5. Cargo Ship Construction Safety Certificate;
- 4.1.6. Cargo Ship Equipment Safety Certificate;
- 4.1.7. Cargo Ship Radio Safety Certificate;
- 4.1.8. Cargo Ship Safety Certificate;
- 4.1.9. Compliance Certificate;
- 4.1.10. Safety Management Certificate;
- 4.1.11. Oil Pollution Prevention Certificate;
- 4.1.12. Load line Certificate;
- 4.1.13. Certificate on prevention of waste water pollution;
- 4.1.14. Special permit on the ship radio-station and radio log (if there is radiostation in the ship);
- 4.1.15. Tonnage Certificate;
- 4.1.16. International Ship Security Certificate;
- 4.1.17. Record Book;

- 4.1.18. Passenger Ship Safety Certificate;
- 4.1.19. Document of Authorization for the Carriage of Grain;
- 4.1.20. Certificate of Insurance or Other Security Provision in Respect of Civil Liability for Oil Pollution Damage;
- 4.1.21. International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk;
- 4.1.22. Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk;
- 4.1.23. Ship Sanitation Certificate;
- 4.1.24. Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk;
- 4.1.25. High Speed Craft Safety Certificate;
- 4.1.26. Document of Compliance with the special Requirements for Ships carrying Dangerous Goods;
- 4.1.27. Special Purpose Ships Safety Certificate;
- 4.1.28. Certificate of Fitness for the Carriage of Irradiated Nuclear Fuel;
- 4.1.29. Nuclear Ship Safety Certificate;
- 4.1.30. Certificate of Fitness for Offshore Supply Vessels;
- 4.1.31. Diving System Safety Certificate;
- 4.1.32. certificate on the structure and equipment of ship provided dynamically;
- 4.1.33. Self-propelled Mobile Drilling Rig Safety Certificate;
- 4.1.34. Certificate of Insurance or Other Security Provision in Respect of Civil Liability for Bunker Oil Pollution Damage;
- 4.1.35. Other documents stipulated in the legislation of the Azerbaijan Republic and international conventions, wherein the Azerbaijan Republic is one of the parties, as well as in the resolutions of the International Maritime Organization.

4.2. Results of the initial ship inspections is formalized with the act which exemolare form (form A) approved by the Administration. A copy of the act is submitted to master, another copy to the harbormaster and ship owner.

4.3. By the inspector conducting inspection according to the act provided for under 4.2 paragraph of this regulation one of the following decision is taken:

- 4.3.1. Permission to leave the port;
- 4.3.2. Permission to conduct detailed ship inspection.

5. Detailed Inspection of ships

5.1. In order to determine the real situation of the ship detailed inspection of ship contains comprehensive inspection of its structure, equipment, crew recruitment, work and living conditions of the crew and operational status.

5.2. If during the initial inspection of the ship determines that its general technical condition and crew is not suitable for the requirements of the conventions, wherein Azerbaijan Republic is one of the parties or there are suspicion and grounds in this regard, the detailed inspection is conducted.

5.3. The detailed inspection of ship depending on its type, area of navigation and total capacity, the following should be inspected:

5.3.1. the minimum staff of the crew;

5.3.2. revision of recreational time for crew;

5.3.3. minimum age limit of crew;

5.3.4. documents of the crew (qualification certificate (diploma), special training certificates, medical certificates, their originals and period of validity) ;

5.3.5. condition of cargo equipment;

5.3.6. navigation equipment;

5.3.7. sea maps and literature according to the requirements of International Maritime Organization intended to be in ship;

5.3.8. organizing of watchkeeping in the ship ;

5.3.9. presence of factors limiting visibility from captain's bridge;

5.3.10. notes concerning verification of the ship's steering unit;

5.3.11. communication junction and equipment;

5.3.12. reserve energy elements (batteries);

5.3.13. fire protection systems and equipment;

5.3.14. rescue boats and rafts;

5.3.15. personal rescue vehicles;

5.3.16. emergency exit;

5.3.17. diving vehicles;

5.3.18. designated meeting points in the case of emergency on board;

5.3.19. note related to the trainings on behavior in the case of emergency on board;

5.3.20. availability of emergency plans and instructions;

5.3.21. main and auxiliary engines;

5.3.22. pipelines, pumps and valves;

5.3.23. electric generators;

5.3.24. emergency generators;

5.3.25. cable lines;

5.3.26. lighting systems;

5.3.27. ventilation systems;

5.3.28. quality and quantity of food and drinking water;

5.3.29. medical equipment;

5.3.30. food stores, kitchen, refrigerators and canteen;

5.3.31. sanitary condition;

5.3.32. emergency fighting plan for preventing oil pollution;

5.3.33. garbage operations plan;

5.3.34. separators and their equipments;

5.3.35. documents provided in "International Safety Management Code";

5.3.36. other requirements provided in international conventions, wherein Azerbaijan Republic is one of the parties and in the resolutions of the International Maritime Organization.

5.4. Results of the detailed ship inspections is formalized with the act which exemplary form (Form B) approved by the Administration. A copy of the act has to be submitted to the master, another copy to the harbormaster and ship owner. If discrepancies have been found during the detailed ship inspection, act, which exemplary form approved by the Administration has to be drawn up and its copies has to be submitted to the master, harbormaster and ship owner.

5.5. By the inspector conducting inspection according to the act stipulated in paragraph 5.4 of this regulation, one of the following decision is taken:

5.5.1. to eliminate discrepancies that have been found before the ship depart the port;

5.5.2. To allow the elimination of found discrepancies at the next port (In this case, next port has to be informed accordingly);

5.5.3. To eliminate found discrepancies in 14 (fourteen) days;

5.5.4. To eliminate found discrepancies in 3 (three) months;

5.6. After the elimination of found discrepancies on the basis of the information of master, re-inspection conducts on board and when determines that discrepancies are eliminated, relevant records are made in act they stated (form B) and harbormaster will be notified in order to allow the ship to leave the port.

5.7. While preparation of acts provided in this regulation codes and statements which are used in international practice on inspection of ships and approved by the Administration are used. Such codes and statements should be in English.

6. Refusal of permission for ship to enter and leave the ports

6.1. Ship is not allowed to leave the port, when discrepancies posing a real threat to maritime safety, human life or the environment are found by the inspector conducting inspection in ship (detaining of the ship) depending on the type of the ship, area of navigation and total capacity of the ship such discrepancies include the following:

6.1.1. availability of failures in main engines, electrical equipment, pump and steering systems;

6.1.2. untidiness in machinery space, too much water in the subsoil and oil sinking of pipeline insulation;

6.1.3. lack of rescue vehicles (insufficient or in unsatisfactory condition);

6.1.4. lack of fire fighting and ventilation equipment (insufficient or in unsatisfactory condition);

6.1.5. lack of navigation lights, indicators, sound signals equipment (insufficient or in unsatisfactory condition) ;

6.1.6. lack or disorder of navigation system and equipment ;

6.1.7. lack of navigation maps and relevant literature;

6.1.8. lack or disorder of communication equipments ;

6.1.9. lack of minimum crew of the ship for departure;

6.1.10. detection of the cases confirming non-professionalism of the crew members;

- 6.1.11. corrosion or damage on the deck and hull of the ship;
- 6.1.12. detection of the cases of balance violation of the ship;
- 6.1.13. lack of ship balance reports;
- 6.1.14. lack or disorder of water, gas and vapor proof partitions of the ship;
- 6.1.15. loading of the ship more than prescribed limit;
- 6.1.16. lack or impossibility of reading load lines;
- 6.1.17. lack of separators in working condition;
- 6.1.18. lack of control and alarm system of separators in working condition;
- 6.1.19. lack of capacity of dirty and subsoil water reservoir;
- 6.1.20. lack of oil record book;
- 6.1.21. 21. availability of discrepancies in certificates of crew members or invalidity of mentioned documents ;
- 6.1.22. lack of appropriate sufficiently qualified crew members for the watchkeeping in navigation or machinery space;
- 6.1.23. failure to provide recreational time of the crew members;
- 6.1.24. lack of plans, schemes, booklets, manuals, guidelines and guiding documents, prescribed in international conventions
- 6.1.25. lack of cargo-log book;
- 6.1.26. transportation of oil products without compliance with requirements defined by legislation and lack of proper documentation;
- 6.1.27. disorder of cargo operation equipment;
- 6.1.28. lack of enough food and water supply for the visit ;
- 6.1.29. presence of anti-sanitary conditions;
- 6.1.30. disorder in ventilation of residential section ;
- 6.1.31. majority of household wastes;
- 6.1.32. occupy corridors with alien objects;
- 6.1.33. transportation of goods not specified in the relevant certificate;
- 6.1.34. lack or damage of protective equipment of facilities under high pressure ;
- 6.1.35. disorder in electrical system of ship;

6.1.36. storage of the flammable substances in specified places;

6.1.36. rage of flammable substances in specified places;

6.1.37. storage of supply facilities in specified places;

6.1.38. lack or disorder of connections (links) in residential and service sections;

6.1.39. isorder of quickly circuit equipments in case of accident;

6.1.40. isorder of ventilation system of warehouses;

6.1.41. isorder of alarm system informing excessive level of pressure;

6.1.42. isorder of alarm system informing leak of gas and toxic substances;

6.2. Flag state, ship owner, classification society in which the ship is under control and International Maritime Organization should be informed in case of refusal of permission for ship to leave the port.

6.3. It is decided to suspend loading operations when discrepancies which exclude the safe operation of ship are found.

6.4. In detection of discrepancies led to the detention of ship, considering nature and duration of intended visit, size and type of ship, characteristics of cargo, provision of recreation time of the crew members, ship can be allowed to visit next port or ship repairing facility, only for the purpose of repair, if technical condition of the ship is eligible.

6.5. In the following cases ships are not allowed to enter the seaports of the Azerbaijan Republic:

6.5.1. If ship flying under the flag of the country or ship owner is in the "black list" of the specialized international organizations on port inspection;

6.5.2. Due to discrepancies, decision has been taken on suspension of ship more than 2 (two) times in the port of Azerbaijan Republic within a year;

6.5.3. If ship applying for permission to enter the seaport commits a real threat to maritime navigation, human life and protection of marine environment;

6.5.4. In case of necessity related to the protection and security of state;

6.5.5. in other cases stipulated in legislation.

7. Procedure of consideration of a complaints regarding the decision taken as a result of ship inspection

7.1. Master, ship owner and competent authority of state that ship flying under its flag has the right to complain to the Administration or to the court regarding the decision taken as a result of ship inspection.

7.2. Administration examine a complaint of master, ship owner and competent authority that of ship flying under its flag regarding the decision taken as a result of the inspection of the ship within 24 (twenty four) hours and makes a decision with regard to cancellation or validation of the decision.