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Date : 26.01.2017

To,

OWNERS/MANAGERS, DEPUTY REGISTRARS, CLASSIFICATION SOCIETIES
RECOGNIZED ORGANIZATIONS, PORT STATE CONTROL OFFICERS

SUBJET: **POLICY OF DETENTIONS**

1. Purpose

- 1.1. The purpose of this Circular is to inform all parties concerned about the detention policy that this Administration sets.
- 1.2. The aim of the new policy is to set measurements for the reduction of the number of detentions of the vessels which are registered under the Comorian flag, contributing to the improvement of flag's fleet performance in all Memorandum of Understandings (MoUs) on Port State Control (PSC) Inspections
- 1.3. The new policy also aims to maintain the condition of all Comorian vessels in high levels contributing to the minimization of a possible accident.

2. Application

- 2.1. This Circular applies immediately to all ships flying the flag of Comoros.

3. Policy

- 3.1. In the unlucky event of a vessel's detention in any region, the Recognized Organization shall immediately inform this Administration by submitting the relevant Port State Control Report.
- 3.2. The following actions will be followed if the detention occurs in a Paris MoU, Tokyo MoU or United Stages Coast Guard jurisdiction port:

3.2.1. Actions taken annually:

- 3.2.1.1. If it is the vessel's first detention within the year, a warning letter will be sent through the Deputy Registrar and/or Recognized Organization informing the Shipowner/Manager about the further actions that he shall follow. Also, the annual taxes of the ship will be increased by 10% as a precautionary measure.
- 3.2.1.2. If within the same year a second detention occurs, additionally to the warning letter that will be sent through the Deputy Registrar and/or



Recognized Organization of the vessel, a penalty of \$3,000 will be charged and the annual taxes will be increased by 50% for the next three years. Also, the ship will have to carry out Special Flag State Inspection within the next three ports of call at Shipowner's cost, as a precautionary measure.

- 3.2.1.3. If the vessel is detained for the third time in a single year, she will be automatically suspended under the flag of Comoros and a penalty of \$5,000 will be charged. The Shipowner will have to apply for deletion within one month from the day of detention and all parties concerned will be informed about this action from our Administration, as a precautionary measure.

3.2.2. Actions taken on any three year period:

- 3.2.2.1. If a vessel is detained for the second time within any three year period, a warning letter will be sent through the Deputy Registrar and/or Recognized Organization informing the Shipowner about the further actions that he shall follow. Also, the annual taxes of the ship will be increased by 30% for the next three years and the ship will have to carry out Special Flag State Inspection within the next three ports of call at Shipowner's cost, as a precautionary measure.

- 3.2.2.2. If a vessel is detained for a third time within any three year period, she will be automatically suspended under the flag of Comoros and a penalty of \$4,000 will be charged. The Shipowner will have to apply for deletion within one month from the day of detention and all parties concerned will be informed about this action from our Administration, as a precautionary measure.

- 3.3. The following actions will be followed if the detention occurs in a port other than these mentioned in clause 3.2:

3.3.1. Actions taken annually:

- 3.3.1.1. If it is the vessel's first detention within the year, a warning letter will be sent through the Deputy Registrar and/or Recognized Organization informing the Shipowner/Manager about the further actions that he shall follow. Also, the annual taxes of the ship will be increased by 10% as a precautionary measure.

- 3.3.1.2. If within the same year a second detention occurs, additionally to the warning letter that will be sent through the Deputy Registrar and/or Recognized Organization of the vessel, a penalty of \$2,500 will be charged



and the annual taxes will be increased by 40% for the next three years. Also, the ship will have to carry out Special Flag State Inspection within the next three ports of call at Shipowner's cost, as a precautionary measure.

3.3.1.3. If the vessel is detained for the third time in a single year, additionally to the warning letter that will be sent through the Deputy Registrar and/or Recognized Organization of the vessel, a penalty of \$5,500 will be charged and the annual taxes will be increased by 60% for the next three years. Also, the ship will have to carry out Special Flag State Inspection within the next three ports of call at Shipowner's cost, as a precautionary measure.

3.3.1.4. In case that a vessel is detained four times in a single year, she will be automatically suspended under the flag of Comoros and a penalty of \$7,000 will be charged. The Shipowner will have to apply for deletion within one month from the day of detention and all parties concerned will be informed about this action from our Administration, as a precautionary measure.

3.3.2. Actions taken on any three year period:

3.3.2.1. If a vessel is detained for the second time within any three year period, a warning letter will be sent through the Deputy Registrar and/or Recognized Organization informing the Shipowner about the further actions that he shall follow. Also, the annual taxes of the ship will be increased by 25% for the next three years, as a precautionary measure.

3.3.2.2. If a vessel is detained for the third time within any three year period, additionally to the warning letter that will be sent through the Deputy Registrar and/or Recognized Organization of the vessel, a penalty of \$4,000 will be charged and the annual taxes will be increased by 55% for the next three years. Also, the ship will have to carry out Special Flag State Inspection within the next three ports of call at Shipowner's cost, as a precautionary measure.

3.3.2.3. In case that a vessel is detained four times in any three year period, she will be automatically suspended under the flag of Comoros and a penalty of \$6,000 will be charged. The Shipowner will have to apply for deletion within one month from the day of detention and all parties concerned will be informed about this action from our Administration, as a precautionary measure.

3.4. If any other case occurs other than these described above, this Administration will define the way of handling of each case.



3.5. Vessels which already have been detained in the last three years shall carry out Flag State Inspection at Shipowner's cost at the next convenient port.

4. Contact

4.1. Should you require any additional information, you may contact our Technical Department as provided below:

PIC: Ayaz Burud

E-mail: info@nta.gov.km

Tel. (Office hours): +2697739779

Emergency: +269 3437145

We take this opportunity to reassure that human life, marine environment and property are always considered as a priority for the Maritime Administration of Comoros which is committed to the safety of the maritime industry and the users around the world.



Maritime Affairs Department



Said Salim
Registrar