

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5200 GIBRALTAR Thursday 9th January 2025

LEGAL NOTICE NO. 6 OF 2025

MERCHANT SHIPPING ACT

MERCHANT SHIPPING (PORT STATE CONTROL) (AMENDMENT) REGULATIONS 2025

In exercise of the powers conferred on the Minister by section 223A of the Merchant Shipping Act and all other enabling powers, and for the purposes of implementing amendments to the Memorandum of Understanding on Port State Control, signed in Paris on 26th January 1982, the Minister has made the following Regulations-

Title.

1. These Regulations may be cited as the Merchant Shipping (Port State Control) (Amendment) Regulations 2025.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendments to the Merchant Shipping (Port State Control) Regulations 2011.

3. The Merchant Shipping (Port State Control) Regulations 2011 (“the Principal Regulations”) are amended in accordance with regulations 4 to 7.

Amendment to regulation 2.

4. The definition of “Conventions” in regulation 2(1) of the Principal Regulations is amended by -

(a) substituting the last comma in paragraph (k) with a semi-colon;

(b) inserting the following after paragraph (k)-

“(l) the Nairobi International Convention on the Removal of Wrecks, 2007 (the Wrecks Convention),”.

Amendment to regulation 16.

5. Regulation 16 of the Principal Regulations is amended-

(a) by substituting subregulation (1) with the following-

“(1) The Administration must ensure that the inspectors follow the procedures and guidelines as published from time to time under the Paris MOU.”;

(b) by substituting in subregulation (2) the words “published from time to time under the Paris MOU” for “set out in Schedule 6”.

Amendment to Schedule 4.

6. Schedule 4 of the Principal Regulations is amended by substituting the following points for points 1 to 50-

- “1. International Tonnage Certificate (1969) (ITC, Art .7).
2. Certificate of Registry or other document of nationality (UNCLOS).
3. Certificates as to the ship's hull strength and machinery installations issued by the classification society in question (only to be required if the ship maintains its class with a classification society).
4. Reports of previous port State control inspections.
5. Passenger Ship Safety Certificate (SOLAS 1988 Amend./CI/Reg.12, SOLAS Protocol 1988/CI/Reg.12).
6. Cargo Ship Safety Construction Certificate (SOLAS/CI/Reg.12, SOLAS Protocol 1988/CI/Reg.12).
7. Cargo Ship Safety Equipment Certificate (SOLAS 1988 Amend./CI/Reg.12, SOLAS Protocol 1988/CI/Reg. 12).
8. Cargo Ship Safety Radio Certificate (SOLAS 1988 Amend./CI/Reg.12, SOLAS Protocol 1988/CI/Reg.12).
9. Cargo Ship Safety Certificate (SOLAS Protocol 1988/CI/Reg. 12).
10. Special Purpose Ship Safety Certificate (SPS Code, C1/Art.1.7.4, Res. A.791 (19)).
11. For ro-ro passenger ships, information on the A/A-max ratio (SOLAS 1995 Amend./CII-1/Reg.8- 1).
12. Damage control plans and booklets (SOLAS 2006 Amend./CII-1/Reg.19, 20, 23).
13. Stability Booklet and information (SOLAS 2008 Amend/CII-1/Reg.5, SOLAS/CII-1/Reg.22, LLP88, Reg.10).

14. Manoeuvring Booklet and information (SOLAS 1981 Amend./CII-1/Reg.28.2).
15. Unattended Machinery spaces (UMS) evidence (SOLAS 1981 Amend./CII-I/Reg.46.3).
16. Exemption Certificate and any list of cargoes (SOLAS/CII-2/Reg.10.7.1.4).
17. Fire control plan (SOLAS 2000 Amend./CII-2/Reg.15.2.4).
18. Fire safety operational booklet (SOLAS 2000 Amend./CII-2/Reg.16.3.1).
19. Dangerous goods special list or manifest, or detailed stowage plan (SOLAS 2000 Amend./CII2/Reg.19).
20. Doc. of compliance Dangerous Goods (SOLAS 2001 Amend./CII-2/Reg.19.4).
21. Ship's log book with respect to the records of drills, including security drills, and the log for records of inspection and maintenance of lifesaving appliances and arrangements and fire fighting appliances and arrangements (SOLAS 2006 Amend./CIII/Reg.37, 19.3, 19.4, 20).
22. Minimum Safe Manning Document (SOLAS 2000 Amend./CV/Reg.14.2).
23. SAR coordination plan for passenger ships trading on fixed routes (SOLAS 1995 Amend./CV/Reg.15, 7.2).
24. LRIT Conformance Test Report (SOLAS/CV/Reg.19.1).
25. Copy of the Document of compliance issued by the testing facility, stating the date of compliance and the applicable performance standards of VDR (voyage data recorder) (SOLAS/CV/Reg.18.8).
26. AIS test report (SOLAS 2010 Amend./CV/Reg.18.9).
27. For passenger ships, List of operational limitations (SOLAS 2001 Amend./CV/Reg.30.2).
28. Cargo Securing Manual (SOLAS 2002 Amend./CVI/Reg.5.6).
29. Bulk Carrier Booklet (SOLAS 1996 Amend./CVI/Reg.7.3).
30. Loading/Unloading Plan for bulk carriers (SOLAS 1996 Amend./CVI/Reg.7.3).
31. Document of authorization for the carriage of grain (SOLAS 1991 Amend./CVI/Reg.9).
32. Material Safety Data Sheets (MSDs) (SOLAS 2009 Amend./CVI/Reg.5-1).

33. INF (International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships) Certificate of Fitness (SOLAS 1999 Amend./CVII/Reg.16, INFC 1.3).
34. Copy of Document of Compliance issued in accordance with the International Management Code for the Safe Operation of Ships and for Pollution Prevention (DoC) ISM Code (SOLAS 1994 Amend./CIX/Reg.4.1).
35. Safety Management Certificate issued in accordance with the International Management Code for the Safe Operation of Ships and for Pollution Prevention (SMC) (SOLAS 1994 Amend./CIX/Reg.4.2, 4.3).
36. High Speed Craft Safety Certificate and Permit to Operate High Speed Craft (SOLAS 1994 Amend./CX/Reg.3.2, HSCC 1.8.1, 2).
37. Continuous Synopsis Record (SOLAS 2005 Amend./CXI-1/Reg.5).
38. International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, or the Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, whichever is appropriate (GCC-4/CI/N1.6.4, IGCC/CI/N1.5.4).
39. International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk, or the Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk, whichever is appropriate (BCC-10/CI/N1.6.3, IBCC/CI/N1.5.4, BCH/I/1.6.1).
40. International Oil Pollution Prevention Certificate (MARPOL/ANI/Reg.7.1).
41. Survey Report Files (in case of bulk carriers or oil tankers) (SOLAS XI-1 reg.2, 2011 ESP code).
42. Oil Record Book, parts I and II (MARPOL/ANI/R17, Reg.36).
43. Shipboard Marine pollution emergency plan for Noxious Liquid Substances (MARPOL/ANII/Reg.17).
44. (Interim) Statement of compliance Condition Assessment Scheme (CAS) (MARPOL/ANI/Reg.20.6, 21.6.1).
45. For oil tankers, the record of oil discharge monitoring and control system for the last ballast voyage (MARPOL/ANI/Reg.31.2).
46. Shipboard Oil Pollution Emergency Plan (SOPEP) (MARPOL/ANI/Reg.37.1).
47. STS Operation Plan and Records of STS Operations (MARPOL ANI/Reg.41).
48. International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (NLS) (MARPOL/ANII/Reg.9.1).

49. Cargo Record Book (MARPOL/ANII/Reg.15, MARPOL/ANII-Appendix2).
50. Procedures and Arrangements Manual (chemical tankers and NLS tankers) (MARPOL/ANII/Reg.14.1 + P&A manual).
51. International Sewage Pollution Prevention Certificate (ISPPC) (MARPOL/ANIV/Reg.5.1).
52. Garbage Management Plan (MARPOL/ANV/Appendix I).
53. Garbage Record Book (MARPOL/ANV/Appendix II).
54. International Air Pollution Prevention Certificate (IAPPC) (MARPOL/ANVI/Reg.6.1).
55. Logbook for fuel oil change-over (MARPOL/ANVI/Reg.14.5).
56. Type approval certificate of incinerator (MARPOL/ANVI/Reg.16.6.1 + Appendix IV(1)).
57. Bunker delivery notes (MARPOL/ANVI/Reg.18.5+ Appendix V).
58. International Energy Efficiency Certificate (MARPOL/ANVI/Reg.6).
59. Ship Energy Efficiency Management Plan (SEEMP) (MARPOL/ANVI/Reg.22).
60. EEDI Technical File (MARPOL/ANVI/Reg. 20).
61. Statement of Compliance (MARPOL/ANVI/Reg.22A).
62. Engine International Air Pollution Prevention Certificate (EIAPPC) (NoxTC2008/ 2.1.1.1).
63. Technical files (NoxTC2008/2.3.6).
64. Record book of engine parameters (NoxTC2008/6.2.2.7.1).
65. International Load Line Certificate (1966) (LLP'88 Art.16.1).
66. International Load Line Exemption Certificate (LLP'88 Art.16.2).
67. Certificates issued in accordance with STCW Convention (STCW95/Art. VI, RI/2, STCW code/ Sect. A-I/2).
68. Maritime Labour Certificate and Declaration of Maritime Labour Compliance part I and II (MLC and DMLC part I and II) (MLC, 2006/Reg.5.1/ standard A5.1.3).

69. Medical certificates (MLC, 2006/ Reg. 1.2/Standard A1.2).
70. Table of shipboard working arrangements (MLC, 2006/ Reg.2.3/ standard A2.3, 10 and STCW95/AVIII/1.5).
71. Records of hours of work or rest of seafarers (MLC, 2006/Reg. 2.3/standard A2.3, 12 and STCW95/A-VIII/1.5).
72. Certificate or documentary evidence of financial security for repatriation (MLC, 2006/Reg.2.5/standard A2.5.2).
73. Certificate or documentary evidence of financial security relating to shipowners liability (MLC, 2006/Reg.4.2/standard A4.2.1).
74. Mobile Offshore Drilling Unit Safety Certificate (MODU Code/I/Section 6).
75. Certificate of insurance or any other financial security in respect of civil liability for oil pollution damage (CLC69P92/AVII.2).
76. Certificate of insurance or any other financial security in respect of civil liability for Bunker oil pollution damage (BUNKERS 2001/Art.7.2).
77. International Ship Security Certificate (ISSC) (ISPS/PA/19.2.1).
78. Record of AFS (AFS/Annex 4/Reg.2(1)).
79. International Anti-Fouling System Certificate (IAFS Certificate) (AFS/Annex 4/Reg.2(1)).
80. Declaration on AFS (AFS/Annex 4/Reg.5(1)).
81. Polar Ship Certificate (Polar Code/P.I-A/C.1/Reg.1.3).
82. Polar Water Operational Manual (PWOM) (Polar Code/P.I-A/C.2).
83. International Ballast Water Management Certificate (IBWMC)(BWMC Art 9.1(a)).
84. Ballast Water Record Book (BWRB)(BWMC Art 9.1 (b)).
85. Certificate of insurance or other financial security in respect of liability for the removal of wrecks (Nairobi WRC 2007/Art. 12.2).”.

Omitting Schedule 6.

7. Schedule 6 is omitted.

Dated: 9th January 2025

G ARIAS-VASQUEZ
Minister with responsibility for the Port and Shipping.

EXPLANATORY MEMORANDUM

These Regulations implement amendments to the Paris MOU, and remove the requirement in the Regulation to list procedures in Schedule 6.