



Office of
Deputy Commissioner
of Maritime Affairs

THE REPUBLIC OF LIBERIA LIBERIA MARITIME AUTHORITY

22980 Indian Creek Drive
Suite 200
Dulles, Virginia 20166, USA
Tel: +1 703 790 3434
Fax: +1 703 790 5655
Email: prevention@lisrcr.com
Web: www.lisrcr.com

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Marine Advisory: 33/2023

Subject: The Provisions on the Supervision and Administration of Vessels under Special Follow-up

Dear Shipowner/Operator/Master:

The purpose of this Marine Advisory is to inform shipowners, operators and masters of the new policy issued by the Maritime Safety Administration of the People's Republic of China which intensifies PSC inspections in Chinese ports. The approach under the special follow-up regime adopted by the MSA is to some extent similar to the "Blacklist" management mechanism established by various MOUs in evaluating the performance of the vessels and Flag States.

Requirement:

The Maritime Safety Administration of the People's Republic of China (China MSA) has recently issued "The Provisions on the Supervision and Administration of Vessels under Special Follow-up" which enter into force on 1 December 2023 and are applicable to Chinese and foreign flagged vessels navigating, berthing or operating in the waters under the jurisdiction of the People's Republic of China. The Provisions are not applicable to military, fishery and sports vessels.

List of Vessels Under Special Follow Up

The following vessels shall be listed as under special follow-up vessels:

1. Foreign vessels that have been detained twice in the Port State Control inspections in a consecutive 12-month period.
2. Chinese vessels that have been detained twice in the vessel safety inspections (including the oversea Port State Control inspections) in a consecutive 12-month period.
3. Vessels that have been imposed twice administrative penalties by the Maritime Safety Administration in a consecutive 12-month period due to their serious illegal acts such as inadequate manning, malicious shutdown of the AIS, willful and illegal discharge of pollutants, overload, inland river vessels engaging in sea transportation, etc.
4. Vessels that refuse to accept or escape from handling after the occurrence of maritime administrative violations.
5. Vessels that have forged, altered, transferred, traded, or leased vessel certificates or carry out major conversion of vessels without inspection and authorization of the vessel inspection organizations.
6. Vessels that have caused relatively large or higher-level water traffic accidents and bear equal or higher-level responsibilities.
7. Vessels that are managed by shipping companies under special follow-up.
8. Vessels that shall be listed under special follow-up pursuant to the "Provisions on the Administration of Maritime Law Enforcement Assistance in Investigation".
9. Vessels that require special follow-up as designated by the Maritime Safety Administration of the People's Republic of China.

The inspections conducted by the Maritime Safety Administration on vessels under special follow-up shall not be affected by such factors as sailing schedule, cargo loading and unloading and where conditions permit, such inspection shall be conducted at each port and shall be more detailed in nature.

Removal from the List

Where a foreign vessel under special follow-up has zero deficiency in the Port State Control inspection conducted by the Maritime Safety Administration of the People's Republic of China after three months from the date of listing, the Maritime Safety Administration of the inspection port shall file an application for removing the vessel from the list of vessels under special follow-up along with other relevant materials to its provincial Maritime Safety Administration, the vessel shall be removed from the list upon approval.

During the period when the vessel is listed under special follow-up, for each recurrence of the abovementioned situations that shall be listed as vessels under special follow-up, the time of her application for removing from the list shall be extended by 3 months counting from the previous date of permitted application for removing from the list.

If you have any questions, please contact our Fleet Performance Department at Telephone +1-703-790-3434 or by email to prevention@liscr.com.