



## **MARITIME CIRCULAR No. 9**

To:

**Owners/Operators/Managers, Registration Officers (RegOffs), Recognized Organizations (Ros)**

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Subject:

**Detention Policy**

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Date:

**08<sup>th</sup> of April 2015**

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### **Purpose**

A detention policy is established for the improvement of Sierra Leone Flag. This is a measure to ensure reduction of the number of detentions for Vessels registered under Sierra Leone Flag.

### **Application**

This circular applies to all vessels registered with the Sierra Leone Flag Registry.

### **Detention Policy**

- 1.** If a vessel under Sierra Leone Flag is detained during any PSC inspection the Recognized Organization (RO) must inform the Flag Administration. This procedure is mandatory to all ROs and they will be considered partly liable for any ISM detention of the ship.
  - 1.1** The RO shall perform a survey immediately after the PSC detention renovating the deficiencies. A report shall be submitted by the RO to the Administration, no later than ten days after the detention.
  - 1.2** Even if the detention is not related to any RO matters then there will be also a survey as mentioned above.
  - 1.3** If the detention occurs within the annual/renewal window the RO shall give first priority to the annual/renewal survey and inform the Flag Administration of the imminent arranged survey. In this case the annual/renewal shall be completed within the next three (3) ports of call after the vessel is released from detention. Failure to comply with this and the vessel will result to suspension of the vessel until annual/renewal survey is carried out and confirmed by the RO.
  - 1.4** If the detention occurs out of the annual/renewal window the RO will request an additional ISM audit to the vessel, taking into consideration the importance and number of the deficiencies. The

additional ISM audit shall be fully reported upon completion by the RO to the Flag Administration (schedule and results).

**2.** The below actions will be taken by SLMARAD in case a Sierra Leonean Vessel is detained.

**2.1** If it is the first detention within one year while the vessel is registered under Sierra Leone Flag:

2.1.1 SLMARAD will contact through the Registration Officers, the owner(s) and managing company informing them about the specific detention of their vessel. This will be considered as a warning letter and will also increase the annual taxes by 10% which will be taken into account at the time of the vessel's next schedule payment for annual taxes.

2.1.2 Points 1.1, 1.2 and 1.3 will take place if applicable. The Flag Administration will update the records accordingly.

**2.2** If a second detention occurs while the vessel is registered under Sierra Leone Flag, within a period of three (3) years:

2.2.1 SLMARAD will contact through the Registration Officers, the owner(s) informing him/them about the specific detention of their vessel and there will be an increase of their annual taxes for 20%. This will be taken into account at the time of the vessel's next scheduled payment for annual taxes.

2.2.2 Points 1.1, 1.2 and 1.3 will take place if applicable. The Flag Administration will update the records accordingly.

**2.3** If a second detention occurs while the vessel is registered under Sierra Leone Flag, within a period of twelve (12) months:

2.3.1 SLMARAD will contact through the Registration Officers, the owner(s) informing him/them about the specific detention of their vessel and that there will be an increase of their annual taxes for 30%. This will be taken into account at the time of the vessel's next schedule payment for annual taxes.

2.3.2 Points 1.1, 1.2 and 1.3 will take place if applicable. The Flag Administration will update the records accordingly.

**2.4** If a third detention occurs while the vessel is registered under Sierra Leone Flag within the twelve (12) months period:

2.4.1 SLMARAD will contact through the Registration Officers, the owner(s) by a letter which will inform him/them about that the specific vessel is no longer accepted by Sierra Leone Registry and will request him/them to proceed with the necessary actions for the De-registration of the vessel from the registry. PSC Authorities will also be informed of this decision.

- 3** Recognized Organizations are required to fully read and understand this policy, their actions, decisions, authorities and obligations upon the detention of a Sierra Leonean vessel. The ROs are also free, to perform any (additional, annual or renewal) surveys and report to SLMARAD upon completion. The Flag Administration will fully support the ROs in the event of a non-compliance of the requirements of this circular, in any of their decisions, even suspension or cancellation against the vessel. ROs are requested to have all the records of inspections/detentions available in any upcoming Sierra Leone Audits to the RO as per IMO.
- 4** Managing companies which hold DOC on behalf of Sierra Leone and are in charge of the management of a Sierra Leonean vessel are expected upon the receipt of this circular to read it and confirm the understanding and familiarisation with it. The Flag Administration abide in the full cooperation and communication of the managing companies.
- 5** Registration Officers and Agents of the owner(s)/managing companies are required upon the receipt of this circular to read it and confirm the understanding and familiarisation with it. Full cooperation from the Registration Officers and Agents is expected.
- 6** Measures against detentions are for the sole purpose of reducing the number of detentions which are prompting the safety of life at sea, the protection of the environment, the safety of the properties engaged and compliance with the IMO instruments.
- 7** The above policy will enter into effect as of 08<sup>th</sup> of April 2015

Revision

Initial: 08<sup>th</sup> of April 2015 - Adopted