



# NAURU

## MARITIME ADMINISTRATION

### PORT STATE CONTROL DETENTIONS (NMA\_C17.2026.Rev.1)

#### (a) DEFINITION:

1. "DOC" – Document of Compliance as required by the ISM Code
2. "EU" – European Union
3. "FSI" – Flag State Inspection
4. "ISM Code" – International Management Code for the Safe Operation of Ships and for Pollution Prevention
5. "ISPS Code" – International Ship and Port Facility Security Code implemented through chapter XI-2
6. Special measures to enhance maritime security in SOLAS.
7. "ISSC" – International Ship Security Certificates as required by the ISPS Code
8. "MLC" – Maritime Labour Convention 2006
9. "PSC" – Port State Control
10. "RO" – Recognized Organization as defined by MSC.349(92) / MEPC.237(65)
11. "SMC" – Safety Management Certificate as required by the ISM Code
12. "US" – United States of America

The following terms in the context of this circular:

1. "Administration" shall mean the Nauru Maritime Administration.
2. "Substandard Ship" shall mean a ship whose hull, machinery, equipment or operational safety is substantially below the standards required by the relevant convention or whose crew is not in conformity with the safe manning document.
3. "Detention" – intervention action taken by PSC when the condition of the ship or its crew does not correspond substantially with the relevant conventions to ensure that the ship will not sail until it can proceed to sea without presenting a danger to the ship or persons on board, or without presenting an unreasonable threat of harm to the marine environment, whether or not such action will affect the normal schedule of the departure of the ship.

#### (b) PURPOSE:

This marine circular provides guidance to ship owners and operators on preventing Port State Control (PSC) detentions. It also outlines the actions taken by the Administration when a Nauru-registered vessel undergoes a PSC inspection or is subject to detention.

The actions detailed in this circular are in addition to those specified in marine circular NMA\_C73 - Authority of Recognized Organizations on Port State / Flag State Detentions

#### (c) REFERENCE:

1. NMA\_C73 – Authority of Recognized Organizations on Port State / Flag State Detentions
2. NMA\_C74 – Guideline on the Conduct of Port State Control (PSC) Inspections under MARPOL Annex VI
3. IMO Circular A.1185(33) - Procedures for Port State Control, 2023
4. Form NMA-19 FSI - Flag State Inspection Reporting Form (download at <https://naurumaritime.com/forms>)



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### (d) APPLICATION:

This marine circular applies to all Nauru-registered vessels that are subject to PSC inspections.

### (e) CONTENTS:

#### 1. Guidance for the Prevention of PSC Detention

- 1.1. A PSC inspection will typically classify a vessel as substandard if any of the following conditions are found (list is not exhaustive):
  - 1.1.1. Absence of principal equipment or arrangements mandated by international conventions.
  - 1.1.2. Equipment or arrangements that do not comply with the specifications of the relevant conventions.
  - 1.1.3. Substantial deterioration of the vessel or its equipment.
  - 1.1.4. Insufficient operational proficiency or unfamiliarity with essential procedures by the crew.
  - 1.1.5. Insufficient manning levels or lack of valid certification for seafarers.
  - 1.1.6. Expired or missing statutory certificates.
- 1.2. To minimize the risk of detention, the Master is strongly advised to **complete a PSC Pre-Arrival Checklist and conduct an onboard pre-inspection** prior to entering ports known for stringent PSC enforcement, such as those within the Tokyo and Paris MoU regions and the US.
- 1.3. This checklist must align with the Company's Safety Management System (SMS) and be based on Section 5 Appendix 2 of IMO Circular A.1185(33), or the Administration's Flag State Inspection Reporting Form (Form NMA-19 FSI), and it should be adapted to the specific design, construction, and operational characteristics of the vessel. The master **must retain supporting evidence (e.g., photos/videos) for submission to the Administration upon request.**
- 1.4. In the event of **any defect affecting critical equipment**, the Owner/Manager/Master shall notify the Administration without delay, so that appropriate actions may be taken to mitigate the risk of PSC detention, rather than concealing the defect.

#### 2. Actions to be Taken Upon PSC Detention

- 2.1. In the event of a detention, the Owner/Manager/Operator/Master must immediately notify the following parties:
  - 2.1.1 The Administration at: [tech@naurumaritime.com](mailto:tech@naurumaritime.com);
  - 2.1.2 The RO that issued the affected Statutory Certificates;
  - 2.1.3 The RO that issued the ISM, DOC and SMC – for ISM Code-related deficiencies;
  - 2.1.4 The RSO that issued the ISSC – for ISPS Code-related deficiencies;



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- 2.1.5 The RO that issued the MLC - for MLC, 2006-related deficiencies.
- 2.2. The following documents must be provided to the Administration at the earliest opportunity:
  - 2.2.1 PSC Report (Forms A and B);
  - 2.2.2 The official PSC Detention Notice;
  - 2.2.3 Confirmation of notification to the parties listed in subsection 2.1, as applicable;
  - 2.2.4 Details of corrective actions taken, supported by "before and after" photographs where applicable, and/or a corrective action plan for the timely rectification of all deficiencies.
- 2.3. The Owner/Manager/Operator of a detained vessel must arrange for the rectification of all deficiencies and request the relevant RO/RSO to conduct an Occasional Survey, Additional Verification Audit (for ISM/ISPS Code), or MLC Additional Inspection as required. The RO/RSO must verify the rectification and ensure implementation of corrective and preventive measures to avoid recurrence. A copy of the RO/RSO verification report must be submitted to the Administration ([tech@naurumaritime.com](mailto:tech@naurumaritime.com)) and the PSC authority to support the request for the vessel's release.
3. **Consequences of PSC Detention**
  - 3.1. A Nauru-registered vessel detained by PSC will be subject to a **chargeable mandatory FSI**. This inspection may include additional surveys or audits of shipboard and shore-based safety management systems and **must be arranged within three (3) months** of the vessel's release from detention.
  - 3.2. Beyond the FSI fee, the Owner/Manager/Operator is responsible for all costs and logistical arrangements for the inspections mentioned in subsection 3.1. These arrangements must be communicated to the Administration ([tech@naurumaritime.com](mailto:tech@naurumaritime.com)) promptly.
  - 3.3. The fee for the mandatory FSI will be determined based on factors such as inspection location and the extent of any crew negligence, etc.
  - 3.4. **Following release from PSC detention, the Administration will require the master to complete the PSC Pre-Arrival Checklist and conduct an onboard pre-inspection (as per Sections 1.2 and 1.3) before calling at any port within the Tokyo/Paris MoU regions or the United States for a minimum period of six (6) months, or longer if deemed necessary by the Administration.**
4. **Cancellation of Registry due to PSC Detention**
  - 4.1. The Administration reserves the right to cancel a vessel's registration if the vessel is detained twice by PSC within a one (1) year period.
  - 4.2. If the Administration cancels a vessel's registration under subsection 4.1, the provisions of Section 3 of this circular shall no longer apply.

For further assistance, please do not hesitate to contact the Administration at: [tech@naurumaritime.com](mailto:tech@naurumaritime.com).