

# Directive 2009/21/EC, Flag State requirements

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- ❑ **3<sup>rd</sup> Maritime Safety Package**
- ❑ **12 articles (vs. 20 articles originally foreseen)**
- ❑ **Prior developments at IMO:**
  - **VIMSAS – Voluntary IMO Member State Audit Scheme**
  - **IMO Code for the implementation of IMO mandatory instruments (before the “III Code”)**

## A concept for:

- ❖ monitoring the fleet
- ❖ having procedures for winning – losing ships
- ❖ having a fleet database
- ❖ monitoring the Recognised Organisations
- ❖ investigating casualties
- ❖ establishing Quality Procedures in the Administration
- ❖ applying the IMO Audit Scheme
- ❖ reporting to appropriate bodies

## Article 4 - Enhanced control upon registration of ships

**Prior to fly the flag, ship must comply with international rules. In particular, it shall verify the safety records of the ship by all reasonable means**

**Principle of cooperation between losing and winning flag State: exchange of safety records**



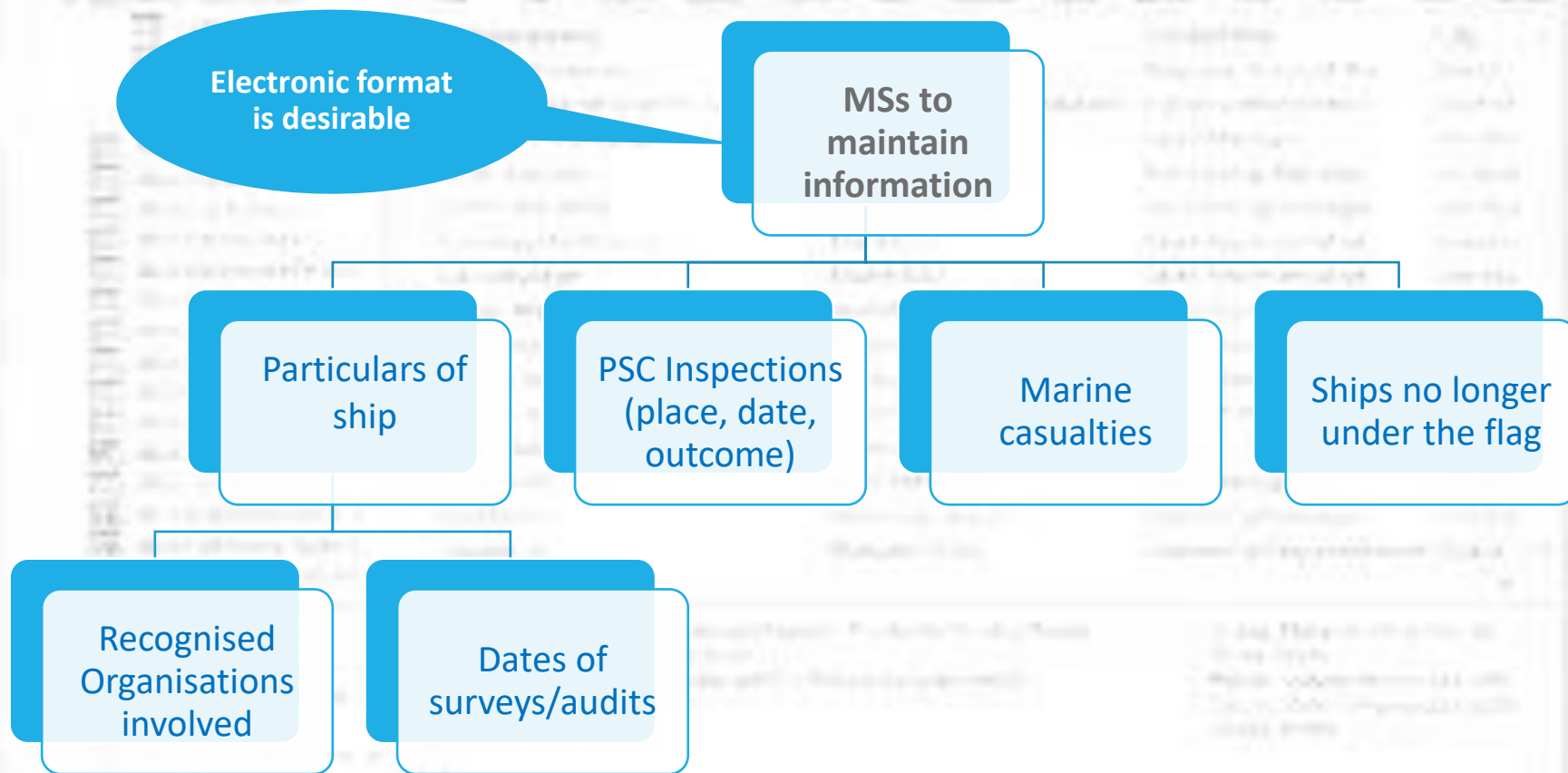
## Article 5 – Detention of a ship flying the flag of a MS

**Flag State must bring the ship back in compliance with IMO Conventions in case of detention**

**(Requires appropriate monitoring of the fleet)**



## Article 6 - Accompanying measures (Art.6)



## Article 7 – Flag State auditing process

IMO audits **once every 7 years**  
(latest by 17/06/2016)

**Results** of the audits must be **published**

This requirement **expired** on 1 January when  
VIMSAS became IMSAS

## Article 8 – Quality management system

- **By 17/06/2012**, MSs must have a QMS in place for the operational parts of the flag State-related activities of the administration
- (‘Operational parts’ of the administration cover activities related to inspection, survey and certification of ships and staff (Transposition Seminar))*
- At least **ISO 9001:2008** certified
- **Ultimate goal**: All in the PMoU White List by 2012
- MSs in Paris MoU **Black/Grey list**, must report to the European Commission



**Thank you for the attention**

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