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CIRCULAR

Sierra Leone amends its Policy on Detention, Incentives, Fines and penalties

We would like to inform our clients of vessels flying the Sierra Leone Flag on important amendments on the Registry's Policies.

Notice to: Ship Owners/ Managers/ Operators | Surveyors/Auditors

C18050 | 02 November 2018

Following the release of the Sierra Leone revised Circulars on the Detention Policy and the Incentives, Fines and Penalties, we would like to inform our clients on the revised requirements.

Detention Policy

The below actions will be taken by SLMARAD in case a Sierra Leonean Vessel is detained in [Paris, Med, and Black Sea MoUs](#):

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

- SLMARAD will contact all relevant parties informing them about the specific detention of their vessel. This will be considered as a warning letter.
- Additionally, Special Flag State **Inspection must be carried out within 2 months after the detention** of the vessel, at owner's cost. The owners/managers are responsible to present their vessels for the Special Flag State Inspection.
- An Occasional Attendance from the RO shall need to be carried out, as usual.

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

- Special Flag State **Inspection must be carried out within 2 months after the detention** of the vessel, at owner's cost. The owners/managers are responsible to present their vessels for the Special Flag State Inspection. More information on the applicable surcharges and Special FSI fees can be found in SLMARAD Maritime Circular No.11.
- Vessel will be **Ex-Officio Cancelled** if found in an unsatisfactory condition, following FSI. Vessel shall apply for deletion within 1 month from the issuance of the cancellation letter. Ex Officio Cancellation will be also circulated to PSC Authorities will also be informed of this decision.

The below actions will be taken by SLMARAD in case a Sierra Leonean Vessel is detained in [any PSC MOU other than Paris, Med and Black Sea MoUs](#):

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

- a. SLMARAD will contact all relevant parties 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.
 - b. Additionally, a Special Flag State Inspection may be carried out within 2 months after the detention of the vessel, at owner's cost, if deemed necessary. The owners/managers are responsible to present their vessels for the Special Flag State Inspection when it is requested by SMLARAD.
 - c. An Occasional Attendance from the RO shall need to be carried out, as usual.
2. If a **second detention within a period of three (3) years** occurs while the vessel is registered under Sierra Leone Flag:
 - a. SLMARAD will contact all relevant parties 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 15%** which will be taken into account at the time of the vessel's next schedule payment for annual taxes.
 - b. Additionally, a Special Flag State Inspection may be carried out within 2 months after the detention of the vessel, at owner's cost, if deemed necessary. The owners/managers are responsible to present their vessels for the Special Flag State Inspection when it is requested by SMLARAD.
 - c. An Occasional Attendance from the RO shall need to be carried out, as usual.
3. If a **second detention within a period of twelve (12) months** occurs while the vessel is registered under Sierra Leone Flag:
 - a. SLMARAD will contact all relevant parties 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 35% plus a surcharge of US\$3,500** which will be taken into account at the time of the vessel's next scheduled payment for annual taxes.
 - b. Additionally, a Special Flag State Inspection may be carried out within 2 months after the detention of the vessel, at owner's cost, if deemed necessary. The owners/managers are responsible to present their vessels for the Special Flag State Inspection when it is requested by SMLARAD.
 - c. An Occasional Attendance from the RO shall need to be carried out, as usual.

If a **third detention within twelve (12) months** occurs while the vessel is registered under Sierra Leone Flag, the vessel will be **Ex-Officio Cancelled** by the Administration, and owners will be required to apply for deletion within 1 month from the issuance of the cancellation letter. PSC Authorities will also be informed of this decision.

Detention Policy Fees & Other Fines

The Sierra Leone Flag has revised also its detention policy fees aiming to improve the performance of the Flag on Port State Control Inspections. The fees have been revised for the vessels trading in the Paris, Black and Med MoUs, as per below table.

| Item | Fee | Fee applies |
|--|-------------------------|--------------------|
| Any detention | Special FSI \$2,500* | At the time of FSI |
| 2 nd Detention within a 3 year period in Paris, Black and Med MoU | Special FSI \$2,500* | De-registration |

* Travelling and accommodation charges that may be required, are not included in the Special FSI surcharge, and will be charged to the shipowners additionally.

Other fines have also been revised, where more categories have been included as found in the below table.

| Item | Fine in USD (\$) |
|--|---|
| Issuance of fraudulent certificate issued by SL Flag. (individuals and/or ships) | 1,500 |
| Vessels conducting illegal fishing or transshipment | 8,500 |
| Vessels involved in smuggling and human trafficking | 50,000 |
| Violation of sanctions | 50,000 |
| Failure to comply with Flag State requirements and/or instructions | 5,000 |
| Vessels involved in pollution of the marine environment by the discharge of harmful substances or effluents containing such substances in contravention of MARPOL 73/78 Convention | 100,000 |
| Other illegal activities | At the discretion of the Administration |

Act now

Ship Owners/ Managers/ Operators of Sierra Leonean flying vessels should take a note on the revised requirements and amendments on both important matters.

For further information, please contact our Marine Division at marine@dromon.com