



TD-IMM-GOB002-24 TOKYO MOU POLICY

Issued under the authority of the Merchant Shipping (Registration) Act of 2010 (Part I/Section 5)

TO: RECOGNIZED ORGANIZATIONS, SHIP OWNERS/ISM OPERATORS, DEPUTY REGISTRARS, GENERAL SAFETY INSPECTORS.

REFERENCE: TOKYO MOU POLICY

Circular Superseded: TD-IMM-GOB001-19
ISSUE DATE: **9 February 2024**

Revision No.: N/A

Introduction

The International Merchant Marine Registry of Belize (IMMARBE) with the aim to eliminate sub-standard shipping within our fleet and to continuously improve our performance in the Tokyo MoU, has decided to revoke its existing Tokyo MoU Policy "Circular Letter No. TD/IMM/GOB001-19" and replace it with a reissued Tokyo MoU Policy. The policy seeks to provide clear instructions to all operators and RO/RSOs of ships trading or intending to trade in the Tokyo MoU. It is expected that the reissued policy will deter vessels from being detained in the first instance and streamline actions to be taken to prevent repeated detention of vessels calling Tokyo MoU ports.

This policy shall take immediate effect and shall consider the following:

- 1. New Registration of vessels intending to operate in the Tokyo MoU.**
- 2. Letter or Warning.**
- 3. Occasional Survey Program for vessels detained in the Tokyo MoU.**
- 4. RO and Owner/Operator Responsibilities.**
- 5. Noncompliance.**
- 6. Vessels operating in the Tokyo MoU not subjected to the Occasional Survey Program.**

1. New Registration

- 1.1 Any vessel seeking registration with the Belize Administration, and which has been detained twice in the past 24 months may be accepted under the condition that the ship must be included in the Occasional Survey Program for a period of 12 months.

2. Letter of Warning

- 2.1 Every Belize-flagged vessel upon her first detention in the Tokyo MoU will be issued a **Notice of Warning in compliance with our S.I. Number 56 of 1999, Regulation 6 (warnings)**. Should the vessel be detained a second time within 12 months, the vessel will be included in the Occupational Survey Program as defined in Section 3 and the operators shall be subject to a fine.

3. Occasional Survey Program

- 3.1 Any vessel detained twice in the Tokyo MoU within 12 months will immediately enter the occasional survey program. As such, the vessel will be subjected to an occasional survey in accordance with the scenarios listed in section 2.5 of this circular and for a cumulative period of 24 months starting from the date of the detention.
- 3.2 This occasional survey shall be completed by the RO in charge of the Statutory Certification. In cases of mixed Ros, the RO in charge of the statutory certificates will remain in charge of the Occasional Survey program.
- 3.3 Upon satisfactory completion of the Occasional Survey, the RO shall issue a Statement of Compliance (SOC), (see annex 1), with a validity of six (6) months confirming the satisfactory result of the Occasional Survey performed.

The Occasional Survey can be advanced to make it concurrent with the annual, intermediate, or renewal survey, but it may not be delayed for these same reasons.

- 3.4 The scope of the occasional survey shall be equivalent to an Annual Mandatory Survey in compliance with International and National requirements. In cases where deficiencies are found, the RO must report these findings immediately to IMMARBE with evidence of corrective actions. However, if the deficiency cannot be rectified before the departure, the RO shall establish/propose adequate temporary measures and seek the agreement of the flag State before the vessel is permitted to sail to a repair location.

3.5 Scenarios:

1. The first occasional survey:

- i. The first occasional survey shall be done at the port of detention.

2. The Second occasional survey:

- i. If the mandatory survey is to be done after the detention, the second Occasional Survey will be together with the mandatory survey.
- ii. If the mandatory survey was completed before the detention, the second occasional survey shall be performed 6 months after the last mandatory survey to ensure that the survey matches with the next mandatory survey.

- iii. After the second occasional survey, all occasional surveys will be performed every 6 months thereafter until the program is complete.

4. RO Responsibilities

- 4.1 After completion of each occasional survey and the issuance of the Statement of Compliance (SOC) following the above-mentioned requirements, the Statement together with the Survey Report, supported with photo report(s), shall be submitted directly to IMMARBE's Technical Department at technicalservices@imarbe.com and inspections@immarbe.com.
- 4.2 All ROs are obliged to establish appropriate mechanisms to be notified of the due dates of each occasional survey and to inform owners, (with IMMARBE Technical Department in cc) of due occasional surveys at least 30 days before the date.

5. Noncompliance

- 5.1 The operators/owners are obliged to make the necessary arrangements to ensure that their vessels are made available for the mandatory occasional survey well in advance of the due date and to communicate these arrangements with the RO.
- 5.2 Any vessel which fails to complete the occasional survey program or is detained whilst being included in the program will be subjected to disciplinary actions in accordance with our Statutory Instrument 56 of 1999 (Disciplinary Regulations, 1999) as seen below.
 - i. Failure to comply: A fine and/or Cancellation.
 - ii. First detention: A fine and/or Cancellation.
 - iii. Second detention: A fine and/or Cancellation.
- 5.3 If the RO fails to complete the required occasional survey, or if the vessel is detained 90 days after RO attendance, the detention will be attributed to the responsible RO as per our [MSN-0012](#) "Attribution of Detentions & Targeting of ROs".

6. Vessels operating in the Tokyo MoU not subjected to the Occasional Survey Program.

- 6.1 All Belize registered vessels operating within Tokyo MoU Area or intending to call any Tokyo MoU Port shall comply with all requirements stated in our Merchant Marine Notice MMN-19-006 (revised), MMN-23-001 and MMN-23-006 (see reference below) in the latest version regarding PSC Analysis of Detentions and submit relevant PSC Checklist, Crew List and/or PSC Inspection Report (Form A and B) within the time frame stated in the applicable notice to IMMARBE Technical Department technicalservices@immarbe.com and inspections@immarbe.com prior to proceeding to any Tokyo MoU Port.

IMPORTANT NOTE:

FINES

The following are guidelines for the imposition of fines for detained vessels trading in the Tokyo MoU.

- Up to \$5,000: Any vessel detained within 12 months after being served a Notice of Warning.
- \$6,000 - \$10,000: Any vessel detained whilst being included in the Occasional Survey Program.
- \$11,000 to \$15,000: Any vessel detained three (3) times in 12 months in addition to ex-officio/official cancellation.

7. REFERENCE

7.1 Merchant Shipping Notice 0030 – Guidelines to Owners/ISM Operators and Masters on Port State Control Inspections (in its latest revision).

7.2 Merchant Shipping Notice 0033 – Minimizing the Risk of Port State Control Detention (in its latest revision).

7.3 Merchant Marine Notice MMN-19-006r3 – Port State Control Analysis and Self-Inspection Program (in its latest revision).

7.4 Merchant Marine Notice MMN-23-001 – Reporting on Port State Control Inspections and Detentions (in its latest revision).

7.5 Merchant Marine Notice MMN-23-006 – Belize requirements relating to Tokyo MoU inspection regime (in its latest revision).

7.6 S.I. Number 56 of 1999 (Disciplinary Regulations, 1999)

The Circular was issued in Belize City, Belize 9 February 2024.



Eng. Eduardo Simon
Technical Manager
IMMARBE HEAD OFFICE



Annette Garel (Mrs.)
Senior Deputy Registrar
IMMARBE HEAD OFFICE

Any queries related to this Notice should be directed to:
E-mail: technicalservices@immarbe.com

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