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3 October 2023

**To : Shipowners, Ship Managers and Classification Societies**

Dear Sir / Madam,

### **Port State Control (PSC) Detention of Hong Kong registered Ships (HK Ships) at Port of United States (US)**

In light of the high detention number in US ports in 2022 and the anticipated consequences of losing the USCG QUALSHIP21 status, the Marine Department (MD) has issued a circular letter on 4 November 2022<sup>1</sup> and taken proactive measures to enhance our quality control for HK Ships calling US port(s) since then. In gist, the enhanced measures include (1) arranging Flag State Quality Control (FSQC) Audit (Pre-arrival) (PAA) on selected ships calling US ports; and (2) completing a PSC Inspection (Pre-arrival) Checklist (Checklist) that have to be verified by company's DPA / superintendent prior to entering the first US port in every voyage, and the Checklist with photographs should be submitted to MD by email to [ss\\_css@mardep.gov.hk](mailto:ss_css@mardep.gov.hk).

2. Contributing to the cooperation and efforts of our shipowners, ship managers, ship masters and crew, the PSC performance of HK fleet in US waters has significantly improved and we were able to retain the QUALSHIP21 status in this term.

3. However, with the likelihood of losing vigilance over time, it is alarming to notice that three HK Ships being detained by the U.S. Coast Guard

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<sup>1</sup> <https://www.mardep.gov.hk/en/faq/pdf/let221104.pdf>

(USCG) in US ports in 2023 as of 27 September 2023. This represents an USCG PSC three-year rolling average detention ratio of 0.90% as at today<sup>2</sup> which has placed the Hong Kong Shipping Registry (HKSR) in a very vulnerable position of losing its QUALSHIP 21 status after 30 June 2024 if two more PSC detentions occur in US ports on or before 31 December 2023.

4. During the investigation of the recent detention cases of HK Ships in US ports, it was revealed that the master / DPA / superintendent failed to follow MD's instruction to thoroughly check the ship before entering US ports. This includes completing the Checklist and verifying the deficiency according to company instructions. The PSC detention could have been avoided if the company's DPA / superintendent had ensured that the crew diligently carried out pre-arrival checks, paying special attention to the common PSC deficiencies highlighted in the Checklist.

5. Based on the common deficiencies identified by the USCG, the deficiencies related to fire safety i.e. oil accumulation in engine room, fixed fire-fighting system, fire detention system, fire pump and its pipes etc are among the most common of detainable deficiencies in US. The company's DPA / superintendent should ensure that the crew understands the importance of the fire safety measures onboard and the ship complies with fire safety requirements under the relevant IMO instruments.

6. In order to further enhance the quality of HK Ships and prevent HKSR from losing the QUALSHIP 21 status which is an honour to all HK Ships, MD will work together with all shipping companies to continue implementing the following measures:

■ Arrangement of Pre-arrival FSQC Audit (PAA):

- Unlike the normal FSQC Audit, PAA is a mock PSC inspection of the port concerned. A PAA will be conducted following the similar pattern as a detailed PSC inspection and that the ship under the inspection will also be checked against the latest common deficiencies recorded in US ports.
- MD will send an email to every HK-DOC company requesting the company to provide the itinerary of any HK Ships calling US ports one month in advance. Based on the assessment of the ship information and recent performance, MD will identify if a HK Ship should be

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<sup>2</sup> A flag State is qualified for QUALSHIP 21 status when its ships have attained **less than 1.0%** in the USCG PSC three-year rolling average detention ratio.

subjected to PAA which will be conducted by our appointed surveyor at available occasion before calling US port. It is worth noting that the cost of PAA will be borne by MD.

- For ship that would likely be subject to a detailed inspection in US (e.g. other ship(s) of the company has / have been detained in US port(s) in recent months), if PAA is deemed unavailable to be conducted, MD may request the company to arrange additional SMC audit and general ship inspection by RO in the first available port in US.

■ Completion and verification of PSC Inspection (Pre-arrival) Checklist (Checklist) (<https://www.mardep.gov.hk/en/faq/pdf/let220929a.pdf>)

- Prior to entering first US port in every voyage, the Checklist shall be duly completed by ship crew, signed by the master and verified by the company's DPA / superintendent, and then submitted to MD. For the purpose of assessing the ship condition and ascertaining the well-functioning of those common detainable items in US, the Checklist, together with photos demonstrating the general condition of the ship, should at least cover the following areas (including but not limited to) should be submitted to MD by email to [ss\\_css@mardep.gov.hk](mailto:ss_css@mardep.gov.hk):
  - i) deck – fore and aft, and overview from bridge;
  - ii) lifeboat & rescue boat with their launching appliances;
  - iii) galley (provision and refrigerated store room);
  - iv) toilets;
  - v) bridge;
  - vi) engine room (cleanliness; bilge wells clean without oil; purifier room; main engine; auxiliary engine);
  - vii) **testing of main and emergency fire pumps;**
  - viii) testing of O.W.S.;
  - ix) testing of emergency generator;
  - x) **testing of engine room fire dampers;**
  - xi) **testing of fire alarm system;**
  - xii) **checking of fixed fire-fighting system;**
  - xiii) drills (fire and abandon ship);
  - xiv) checking of immersion suits and lifejackets; and
  - xv) all defects found.
- Prior to entering every other US port, the ship crew shall check / test again those critical items of common detainable deficiencies (i.e. those items as highlighted in red in the Checklist). Photo / Video records should be kept onboard for demonstration upon request.

- In the following scenarios that the ship's condition is in doubt, MD will request the company to arrange additional SMC audit and extended inspection (EI) by RO in the first available port in US.
  - checklist does not timely submit to MD before the ship arrives the first US port;
  - checklist is found not duly completed, signed and verified;
  - no supporting information (e.g. photos, records) could be provided upon MD's request; and
  - the general condition of the ship is not desirable.
  
- If a ship is detained in US port and later being revealed that false declaration has been made in the Checklist, without reasonable excuse, the ship's SMC will be withdrawn immediately and that the company HK-DOC may also be jeopardized.

■ Others

- For any malfunctioned equipment and that spares or replacement parts are not available, the management company / ship master should notify MD and port State before entering port. The management company / ship master are also obliged to make safe alternative arrangements and draw up plan to rectify the deficiencies without delay. Such proactive actions will minimize the chances of a ship being detained.
  
- The management company should submit application for dispensations to MD without delay if repair arrangement cannot be made due to lack of repair facilities or spare parts in the port.

7. MD will continue to strive our best to maintain high safety standards of HK Ships and endeavour to maintain the QUALSHIP 21 status. To achieve so, we do need your full cooperation and seek your full appreciation of our action taken.

8. Should you have any queries related to PSC inspections or applying dispensation for HK Ships, please do not hesitate to contact Senior Surveyor / Cargo Ships Safety Section by email at [ss\\_css@mardep.gov.hk](mailto:ss_css@mardep.gov.hk) or by phone at 2852 4510.

9. Furthermore, if you have any queries related to PAA or Checklist, please do not hesitate to contact Senior Surveyor / Quality Assurance Section by email at [ss\\_qa@mardep.gov.hk](mailto:ss_qa@mardep.gov.hk) or by phone at 2852 4504.

Yours faithfully,

*(No signature on website copy)*

(W.C. LEE)  
General Manager  
Ship Registration and Quality Branch  
Shipping Division  
*for* Director of Marine