

ZANZIBAR MARITIME AUTHORITY

STANDARD OPERATING PROCEDURES FOR FLAG STATE PERFORMANCE SELF-ASSESSMENT

1. Purpose

This procedure establishes the guidelines by which Zanzibar Maritime Authority (ZMA) shall, on periodic basis, measure and evaluate performance of its obligation as Flag State with respect to the implementation of administrative process, procedures and resources necessary to meet its obligation as required by the National and International standards.

The performance of the flag state includes port state control detention rate, flag state inspection results, casualties' statistics, communication and information process and other performance indicators in order to determine whether the staffing, resources and administration procedure are adequate to meet its Flag State obligation.

2. Authority

This procedure is based on the authorities granted under the Maritime Transport Act, No.5 of 2006

3. Background

In pursuant to National and International requirements, ZMA is required to stimulate a culture which provides opportunities for improvement of Flag State performance in maritime safety, security and environmental protection activities, including port state control detention rate, Flag State inspection results casualties statistics, communication

and information process and other performance indicators in order to determine whether the staffing, resources and administration procedure are adequate to meet its Flag State obligation

4. Scope

This procedure covers all activities and units in relation to Flag State implementation.

6. Responsibilities

The Director General (DG) of ZMA is responsible for the development, implementation, maintenance and continuous improvement of this procedure.

The officer in-charge for the implementation of this procedure is Head Internal Audit, Risk Management and Compliance (HIARSC) whose address is:

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7. Criteria for Self-Assessment

The following are the criteria which permit the goal defined above to be attained:

- 7.1 Legal Framework and means of promulgating Maritime Legislation which should satisfy the National and International Obligation of the State

- 7.2 Ability to demonstrate that full and complete effect is being given to instrument enforced to which the Flag State is a party.
- 7.3 Enforcement of maritime legislation
- 7.4 Responsibility for any Recognized Organization (RO) acting on behalf of the Administration, including authorization and monitoring, and any corrective action against the RO
- 7.5 Ability to investigate the cause personal injuries, non-compliance, casualties, pollution incidence, and ability to take remedial action.
- 7.6 Ability to insure that a ship having joined its register does not operate unless it complies with National and International requirements.
- 7.7 Ability to demonstrate that a policy is in place to promote a safety and environmentally minded working culture at all time.

8. Performance indicators

Performance indicators are needed in order to obtain results demonstrating whether or not the criteria listed in paragraph 7 above have been fulfilled and should be perceived as general area of performance which provides objective information that can be analyzed. On this basis, the following performance indicators should be analyzed against each of the above criteria.

- 8.1 Casualties and incidents reportable to the International Maritime Organization (IMO) in terms of the requirements of the applicable Convention.

- 8.2 Accidents involving personal injuries leading to absence from duty for three days or more on board ships flying the flag of the state concerned
- 8.3 Lives lost on ships flying its flag resulting from the operation of those ships
- 8.4 Ships lost
- 8.5 Pollution incidence as defined by the reporting standard of MARPOL 73/78 as amended and other applicable instruments, as appropriate, including a measure of the serious of the incident
- 8.6 Information provided by other State under Port State Control procedures in accordance with applicable convention.
- 8.7 Information provided by statutory survey, audits and inspection carried out by, on behalf of, and at the request of the Flag State.
- 8.8 Compliance with requirements of mandatory instruments, concerning communication of information, including the serious and very serious incidence reportable to the IMO.
- 8.9 Action taken against the ships flying the flag of the State which have been identified as not being in compliance with the requirements of mandatory instruments and the effect of that action.

9. Self-assessment form

Based on the criteria outlined above, and assessment form herein attached, the primary objective of the form is to assist Flag State in assessing their performance against these criteria.

10. Date of Review

This Procedure shall come into effect on the date of approval by the Board of Directors of ZMA and review every year thereafter.

11. Related Documents

- 11.1 Maritime Transport Act, No 5 of 2006.
- 11.2 International Convention of the Safety of Life at Sea (SOLAS), 1974 as amended.
- 11.3 Code for Recognized Organizations (Resolution MSC.349 (92)).
- 11.4 International Convention for the Prevention of Pollution from ships 1973/78 as amended.

Approval of the Procedure

Approved by the Board of Directors of ZMA on this day of2019

Signature.....

Signature.....

Chairman of BoD

Director General

SELF ASSESSMENT FORM

<u>GENERAL</u>	
<p>1. Name of State/Associate</p> <p>List the Administrations which you represent at IMO (a separate assessment form should be completed for each. Include all Flag States, including those which are not Member States of IMO but are parties to IMO instruments).</p>	
<p>2. Name of contact person responsible for the completion of this form</p> <p>Name of Administration</p> <p>Address</p> <p>Telephone Number</p> <p>E-mail address</p>	
<p>3. Indicate to which of the following international instruments your State is a Party and which (optional) MARPOL 73/78 Annexes have been ratified.</p> <p>3.1 SOLAS 74</p> <p>3.2 SOLAS Protocol</p> <p>3.3 SOLAS Protocol 88</p> <p>3.4 MARPOL 73/78</p> <ul style="list-style-type: none"> • Annex III • Annex IV • Annex V • Annex VI <p>3.5 LL 66</p> <p>3.6 TONNAGE 69</p> <p>3.7 COLREG 72</p> <p>3.8 UNCLOS 1982</p>	

<p>4.1 How many merchant ships of 100 gross tonnage and upwards, subject to the relevant instruments you indicated in question 3, are currently flying the flag of your State?</p> <p>4.2 What is the total gross tonnage of merchant ships flying the flag of your State?</p>	
<p>INTERNAL CRITERIA</p>	
<p>Legal framework</p>	
<p>5. Does your Administration have the necessary laws in force to implement international maritime safety and pollution prevention instruments with regard to:</p> <ul style="list-style-type: none"> 5.1 the construction, equipment and management of ships; 5.2 the prevention, reduction and control of pollution of the marine environment: 5.3 the safe loading of ships: 5.4 the manning of ships; 5.5 the safety of navigation (including taking part in mandatory reporting and routingsystems), maintenanceofcommunications andpreventionofcollisions? 	
<p>6. Does your Administration have the necessary laws in force to ensure the provision of penalties of adequate severity to discourage violation of international instruments to which your State is a Party?</p>	
<p>7. Does your Administration have the necessary laws in force to provide for ship inspections to ensure compliance with international maritime safety and pollution prevention standards, to which your state is a Party?</p>	
<p>8. Does your Administration have the necessary laws in force to take legal action against ships</p>	

<p>which have been identified as not being in compliance with the international instruments to which your State is a Party?</p>	
<p>9. Does your Administration have the necessary laws in force to carry out the required casualty investigations?</p>	
<p>Administrative framework</p>	
<p>10. Does your administration have the necessary administrative procedures in place to implement international maritime safety and pollution prevention instruments with regard to:</p> <ul style="list-style-type: none"> 10.1 the construction, equipment and management of ships; 10.2 the prevention, reduction and control of pollution of the marine environment: 10.3 the safe loading of ships: 10.4 the manning of ships; 10.5 the safety of navigation (including taking part in mandatory reporting and routing systems), maintenance of communications and prevention of collisions? 	
<p>Enforcement</p>	
<p>11. Does your Administration have an infrastructure, including adequate number of personnel with appropriate technical expertise and experience, to:</p> <ul style="list-style-type: none"> 11.1 identify ships flying the flag of your State which are not in compliance with international maritime safety and pollution prevention requirements? 11.2 take action against ships flying the flag of your State which have been identified as not being in compliance with international maritime safety and pollution prevention requirements? <p>If yes, against how many such ships was action taken for each /for the previous..... years*?</p>	

Table 1:

	2014	2015	2016	2017	2018
Safety					
Pollution					

(Ref Table 1)

12. Did your Administration investigate detentions by port States of ships flying the flag of your State for each /for the previousyears*? (See also question 29)

- If yes, indicate how many such detentions were investigated.

Table 1:

	2014	2015	2016	2017	2018
Appealed					
Rescinded					

(Ref Table 2)

surveyor	Flag Inspector	Auditor	Registration Officer

(Ref Table 3)

Recognized organizations acting on behalf of the Administration

13. Which organizations has your Administration recognized for the purpose of delegation of authority under the relevant instruments you

indicate under question 3?	
14. When your Administration delegates authority to ROs, does it follow resolutions MSC.349(92) as minimum requirements, the requirements in SOLAS 74, regulation XI/I, and the analogous requirements in MARPOL 73/78 in any delegation of authority?	
15. Has your Administration provided IMO with a copy of the formal agreement or equivalent legal arrangements with the recognized organizations listed in question 13?	
16. Indicate which survey and/or certification functions your Administration has delegated to the recognized organizations referred to in question 13.	
17. Indicate, for the instruments you listed under question 3, which survey and/or certification functions are carried out by your Administration.	
18. Does your Administration carry out the verification and monitoring functions specified in resolution MSC.349 (92)?	
19. How does your Administration carry out the verification and monitoring functions specified in resolution MSC.349(92)?	
20. How often does your Administration verify and monitor the work of recognized organizations acting on its behalf?	
21. How does your Administration take specific responsibility for international certificates issued on its behalf by dependent territories/second registers?	
Casualty and incident investigation	
22. Does your Administration have the means (financial and administrative) to ensure that thorough and prompt casualty and incident investigations into all cases of serious and very serious casualties, as defined in paragraph 4.2 and	

4.3 of the Annex to resolution A.849(20) are carried out?

23. For each of the previous years*, for ships flying the flag of your State:

1. How many serious and very serious casualties and incidents were investigated?

	2014	2015	2016	2017	2018
Serious					
Very serious					

2. How many such casualties and incidents were reported to IMO?

	2014	2015	2016	2017	2018
IMO					

24. Can your Administration provide to IMO, on request, evidence which shows that casualties and incidents on ships flying the flag of your State have been investigated?

25. For each of the previousyears*, has your Administration provided IMO with the mandatory annual reporting required by Article 11.1(f) of MARPOL 73/78?

26. How many allegations of violations, according to article 4 of MARPOL 73/78, have been made against ships flying the flag of your State in each of the previous?Years*?

1. How many investigations or legal proceedings has your Administration carried out in the previous Years* in accordance with articles 4 and 6 of MARPOL?

	2014	2015	2016	2017	2018
Alleged					

violations					
Investigations					

2. In how many cases did your Administration report back to the reporting State or to IMO in each of the previous years?

	2014	2015	2016	2017	2018
Reporting State					
IMO					
Total					

EXTERNAL CRITERIA

- 27. For each of the previous 5 years, how many ships flying the flag of your State.
 - 27.1 have been involved in serious or very serious casualties?.
 - 27.2 have become total losses or constructive total losses?
 - 27.3 have caused severe pollution?
 - 27.4 What casualty rate per 100 ships does this represent.
 - 27.5 what is the total tonnage involved as a percentage of the total fleet.

		2014	2015	2016	2017	2018
1a	Serious					
1b	Very serious					
2a	Total loss					
2b	Constructive total loss					
3	Severe Pollution					
4	Casualty rate per 100 ships					
5	Tonnage % total fleet					

28. In each year/ for the previous 5 years*, how many lives have been lost

1 in casualties involving ships flying the flag of your State?

		2014	2015	2016	2017	2018
1	Casualties					

2 due to occupational accidents (i.e. other than from casualties to ships) on ships flying the flag of your State?

NB - Includes - falls, boarding or disembarking; accidents on deck and in machinery spaces; deaths in enclosed spaces, but does not include accidents ashore; homicide; suicide, or deaths from disease or natural causes.

		2014	2015	2016	2017	2018
2	Occupational accident					

29.1 For each of the previous 5 years*, how many ships flying the flag of your State were detained, within the scope of SOLAS 74, MARPOL 73/78, LL 66 or COLREG 72, by port States?

	2014	2015	2016	2017	2018
Total ship inspected					
Total ship detained					

29.2 What detention rate per 100 ship inspections does this represent? (See also question 12).

	2014	2015	2016	2017	2018
Rate per 100 inspected					