



Veritas Register of Shipping Ltd.

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MARINE NOTICE 004/2024

Date: 09.07.2024

Attn.: VRS Authorized Surveyors, Shipowners, Ship operator, Managing Companies

Subject: RECTIFICATION ACTION PLAN (RAP) – MLC, 2006 RELATED DETAINABLE DEFICIENCY(IES).

If during the Port State Control inspection, the vessel has been detained with MLC, 2006 related deficiencies the Rectification Action Plan should be developed, implemented by Ship-owner and Master and provided to the Port State Control Officer for acceptance.

The Rectification Action Plan (RAP) is a document proposed by the captain and shipowner that specifies, in particular, the action required and time frame agreed to rectify a MLC, 2006 related detainable deficiency(ies) and when accepted by the PSCO under conditions specified below, allows the release of the ship from an MLC, 2006 related detention.

When deciding whether to accept a RAP the following elements should be considered:

- the length and nature of the intended voyage or service;
- the nature of the hazard to seafarers' safety, health or security;
- the seriousness of the breach of the requirements of the MLC, 2006 (including seafarers' rights);
- any previous history of deficiencies or repeated deficiencies;
- whether or not the appropriate work or rest periods for seafarers are being observed;
- the safe manning requirements of the flag State;
- the number and nature of deficiencies found during the particular inspection.

The RAP should specify the actions required and agreed time frame acceptable to all parties, within which period the items will be rectified.

The RAP should be submitted by the master on behalf of the shipowner accordingly* to the flag State for formal acceptance before being proposed to the PSCO within the prescribed deadline.

(* taking into account Flag State responsibilities under Standard A 5.1.4. paragraph 5 and Paris MoU GUIDELINES ON ACCEPTING FLAG STATE EXEMPTIONS AND FLAG STATE CONDITIONS - Flag State conditions under 1.b & 1.c.)

When the RAP plan is being considered the PSCO may consult other parties (appropriate shipowners and seafarer's organizations in the port State in which the inspection is carried out).

The RAP should contain a commitment by the shipowner to facilitate the inspection of the ship by PSCOs in next ports in order to verify that the RAP has been properly implemented. When possible, the next port agreed in the R.A.P. should not be a port of the flag State.

The RAP must be attached to the inspection report and the code 49 for delay action taken used. The ship may be released when the PSCO has accepted rectification action plan. The RAP should be attached to the notice of release of detention form and must be submitted to the Flag State.

The PSCO should inform the master that the rectification action plan should be properly implemented and carried out in the time frame agreed, if not, the ship may be subject to detention in other ports.

The RAP is a provision and procedure mentioned in the MLC, 2006, standard A5.2.1. This means that the PSCO may become involved in actions stipulated during PSC inspections elsewhere in the world.

Kindly be guided accordingly.

Yours faithfully,

Kristina Melikyan
Chief Executive Officer
Veritas Register of Shipping Ltd.

