

PATVIRTINTA

Lietuvos transporto saugos administracijos
direktorius 2019 m. gegužės 21 d.
įsakymu Nr. 2BE-164
(Lietuvos transporto saugos administracijos
direktorius 2022 m. vasario 1 d.
įsakymo Nr. 2BE-31 redakcija)

(Pranešimo laivo kapitonui ir laivo savininkui apie uždraudimą laivui įplaukti į Europos Sąjungos ir Paryžiaus SM valstybių narių uostus, neįvykdžius reikalavimo plaukti į nustatytą uostą, forma)

LITHUANIAN TRANSPORT SAFETY ADMINISTRATION

Švitrigailos str. 42, LT-03209 Vilnius, Lithuania, tel. + 370 5 278 5602,
fax + 370 5 213 2270, e-mail ltsa@ltsa.lrv.lt

REFUSAL OF ACCESS

To: *(Master and ISM Company of Banned ship)*

From: *(Banning State)*

Copy: Flag State
Recognized organization(s)
Classification Society(ies)
All MoU members
MoU Secretariat
European Commission
Tokyo MoU
Caribbean MoU
Mediterranean MoU
Black Sea MoU
Riyadh MoU
USCG HQ

Dear Sirs,

Ship: *(Name, Flag and IMO No.)*

The above named ship which was detained in *(port)* on *(date)* left the port on *(date)*

☐ without complying with the conditions determined by the Lithuanian Transport Safety Administration (hereinafter – Administration)

☐ but failed to call at the repair yard in *(port)* as agreed.

(Insert here any other relevant evidence / information if required)

In accordance with Section 4.2 of the Paris Memorandum of Understanding on Port State Control (hereinafter – Paris MoU), paragraph 61 of the Rules on Port State Control approved by the Order No. 3-23 of the Minister of Transport and Communications of the Republic of Lithuania, adopted on 15 January 2004, you are advised that the above named ship will be refused access to any port and anchorages in the Paris MoU region¹, except a port and anchorage of the ship's flag State, until you have provided evidence to the satisfaction of the Administration that the ship fully complies with all applicable requirements of the Conventions.

¹ The members of the Paris MoU are Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, Spain, Sweden and United Kingdom.

Your attention is drawn to the provisions of Section 4.4 of the Paris MoU, Article 21.6 of Directive 2009/16/EC which allow access to a specific port and anchorage in the event of *force majeure* or overriding safety considerations, or to reduce or minimize the risk of pollution or to have deficiencies rectified, provided that adequate measures to the satisfaction of the competent authority of such State have been implemented by the company or the master of the ship to ensure safe entry.

In order to have the refusal of access lifted you must address a formal request to the Administration. Your request must be accompanied by a document from the flag State administration confirming that the ship fully complies with all the provisions of the applicable international Conventions. **This document must be issued by the flag State administration and not a recognized organization acting on its behalf.** (In addition you must include a document from the society classing the ship that the ship conforms to its class standards)².

In order to satisfy the Administration that the ship complies with all relevant Conventions and **before the refusal of access is lifted** we require that the ship is re-inspected to our satisfaction. If you wish the ship to be re-inspected we will require adequate notice.

Please be advised that all costs related to the inspection for lifting the ban have to be borne by your company.

Please contact this office if you wish to proceed.

Within one month you may lodge an appeal in court regarding this refusal of access order in accordance with the provisions of the Law on Administrative Proceedings of the Republic of Lithuania.

PSCOs's obvious attempt to breach the requirements of impartiality (such as bribery or corruption) should be reported to: phone: + 370 687 45 533, e-mail: pasitikiu@itsa.lrv.lt.

Yours faithfully,

² Include if appropriate.