

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 po antro uždraudimo laivui įplaukti į Europos Sąjungos ir Paryžiaus SM valstybių narių uostus 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 ORDER

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

From: *(Banning State)*

Copy: Flag State
Recognized organization
Classification Society
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 was detained in *(port)* on *(date)*. This is a subsequent detention after the second refusal of access order in the Paris MoU region. Therefore under the provisions of section 4 of the Paris MoU, Article 16 of EU Council Directive 2009/16/EC the ship will be refused further access to any port and anchorage in the Paris MoU region¹, except a port and anchorage of the ship's flag State. This refusal of access will become applicable immediately after the ship is authorized to leave this port and anchorage.

Your attention is drawn to the provisions of Section 4.4 of the Paris MoU, Article 21.6 of EU Council 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.

As this is the third refusal of access order the period of the refusal of access will be 24 months, provided that before this period has elapsed, the following requirements are fulfilled:

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.

In order to have the refusal of access lifted you must address a formal request to the Lithuanian Transport Safety Administration (hereinafter – 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.

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

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.

PSCO'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.

² Include if appropriate.