

Forma patvirtinta
Lietuvos transporto saugos administracijos
direktoriaus 2019 m. gegužės 21 d.
įsakymu Nr. 2BE-164

(Pranešimo laivo kapitonui ir laivo savininkui apie uždraudimą laivui įplaukti į Europos Sąjungos ir Paryžiaus SM valstybių narių uostus po trečio laivo sulaikymo forma)

LITHUANIAN TRANSPORT SAFETY ADMINISTRATION

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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 the third detention in the Paris MoU region within the last 36 / 24* months. The ship flies the flag of [] which is black / grey* on the current Paris MoU BGW list. 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.

As this is the first / second* refusal of access order the period of the refusal of access will be 3 / 12* months.

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.

* Delete as appropriate.

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

The refusal of access will only be lifted following a re-inspection of the ship at an agreed port by PSCO's of the Administration and if evidence is provided to its satisfaction that the ship fully complies with all the provisions of the applicable international Conventions.

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.

Yours faithfully,

² include if appropriate.