

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 antro uždraudimo laivui įplaukti į Europos Sąjungos ir Paryžiaus SM valstybių narių uostus forma)**

**LITHUANIAN TRANSPORT SAFETY ADMINISTRATION**

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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 region<sup>1</sup>, 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:

- the ship flies a white listed flag;

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<sup>1</sup> 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.

- the statutory and classification certificates of the ship are issued by organization(s) recognized by one or more Paris MoU member States, EU recognized organization(s)<sup>1</sup>;
- the ship is managed by a company with a high performance;
- the ship complies with all the provisions of the applicable international Conventions.

Otherwise the refusal of access will become permanent.

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.)<sup>2</sup>

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 fulfils the above requirements and 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,

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<sup>2</sup> Include if appropriate.