

A-25: MEMORANDUM OF UNDERSTANDING ON PORT STATE CONTROL IN THE ASIA-PACIFIC REGION

Name of the convention: Memorandum of Understanding on Port State Control in the Asia-Pacific Region

Acronym or short name: TokyoMoU

International organisation in charge of it: International Maritime Organization (IMO)

Participating Maritime Authorities & Associate Members: Australia, Canada, China, Fiji, Indonesia, Japan, Republic of Korea, Malaysia, New Zealand, Papua, New Guinea, Philippines, Russian Federation, Singapore, Thailand, Vanuatu, Viet Nam, Hong Kong

Observers: Brunei, United States, [IMO](#), [ILO](#), [Economic and Social Commission for Asia and the Pacific \(ESCAP\)](#), Paris MoU & Indian Ocean MoU, Solomon Islds, Chile

Summary description (in plain language): This agreement deals with the procedure of Port State Control in Asia-Pacific region. Each Contracting Party have to establish and maintain a system of Port State Control in order to ensure that, without discrimination as to flag, foreign merchant ships calling at the ports of its state comply with the standards laid down ([section 1.3](#)).

Also, the Contracting Parties have to achieve 75% annual regional inspection rate ([section 1.4](#)).

Date of first approval: 1 december 1993

Date of coming into force: 1 april 1994

Dates of revision and Reasons of revisions: 7th amendment, 27 march 2003 (entry into force: 1 july 2003)

Applicability (situation of ratification): The memorandum will take effect for each Authority, which has signed the memorandum, on the date its acceptance is duly notified to the Secretariat ([section 8.7](#)).

Stakes for ports: Ports are strictly involved in the control of foreign ships entered in their ports ([section 3](#)). Port State Control Officers are entitled to survey ships. They are liable for the inspection of those ships:

- Passenger ships, ro-ro ships & bulk carriers.
- Ships which may present a special hazard including oil tankers, gas carriers, chemical tankers & ships carrying harmful substances in packaged form.
- Ships visiting a port of a State, the Authority of which is a signatory to the Memorandum, for the first time or after an absence of 12 months or more.
- Ships flying the flag of a State appearing in the three-year rolling average table of above-average detentions published in the annual report of the Memorandum.
- Ships which have been permitted to leave the port of State, the Authority of which is a signatory to the Memorandum, on the condition that the deficiencies noted must be rectified within a specified period upon expiry of such period.
- Ships which have been reported by pilots or port authorities as having deficiencies which may prejudice their safe navigation.
- Ships carrying dangerous or polluting goods, which have failed to report all relevant information concerning the ships particulars, the ships movements & concerning the dangerous or polluting goods being carried to the competent authority of the port & coastal State.
- Ships which have been suspended from their class for safety reasons in the course of the preceding six months.
- Ships proceeding to sea without complying with the conditions set by the port State.
- Type of ships identified by the Committee from time to time as warranting priority inspections.

With the implementation of the ISPS Code, TokyoMoU committee decided as from April 1, 2004 that they will issue a letter of warning to ships to which the ISPS Code is applicable and which are found not ready for compliance with requirements of the ISPS Code. So, the letter of warning is notification to the captain and owner that the ship will need to have in place an International Ship Security Certificate (ISSC) on board by July 1, 2004.

Links with other conventions: [LL 66](#) & [LL PROT 88](#), [SOLAS 74](#), [SOLAS PROT 78](#) & [SOLAS PROT 88](#), [MARPOL 73/78](#), [STCW 78](#), [COLREG 72](#), [TONNAGE 69](#), [ILO Convention No. 147](#)

Key-words: Port state control, inspection procedures, rectification and detention

Internet hyperlink with other website:

(full text) www.tokyo-mou.org/memorand.PDF