

**Notice issued Shanghai Maritime Safety Administration on Strengthening Safety
Management of Ship's Electromechanical Equipment Malfunction**

In order to ensure vessel access safety in Shanghai Port and maritime traffic order by reinforcing the maritime safety hidden dangers and risks management and implementing the main responsibilities, this notice, on strengthening the management of ship's electromechanical equipment malfunction, is hereby announced as follows, according to the requirements of *Maritime Traffic Safety Law of the People's Republic of China & Ship Safety Supervision Regulations of the People's Republic of China*.

1. The shipowner, operator or manager shall duly conduct their principal responsibility on safe production, urge the crew to fulfill the safety management responsibility. The master shall conduct the inspection for ship's electromechanical equipment and confirm the vessel's seaworthiness.

2. Electromechanical equipment malfunction means that the vessel's limited manipulation condition due to the abnormality of electromechanical equipment or its ancillary systems during its sailing or berthing process, but not including the engine and steering gear problem caused by external factors such as ship grounding and fishing net entanglement.

3. In the event of electromechanical equipment malfunction, effective emergency safety measures should be taken immediately by considering the weather, vessel conditions, navigation environment to avoid accidents or dangers and then make oral report to the local MSA command center and obey their instruction. Once the vessel is in a stable and safe state, the following measures shall be completed promptly in time:

- (1) Report malfunction information, disposal action, vessel particular, shipowner, ship manager, ship operator, ship agent and class etc. to the local MSA in writing;
- (2) For the vessels requiring SMC, in addition to non-compliance investigation and correction actions, it is also required to conduct ISM review and submit the review report to MSA for confirmation. For the vessels are not requiring SMC, malfunction analysis report and navigation safety guarantee shall be submitted.

If electromechanical equipment malfunction happened with concealing, punishment will be imposed in accordance with regulation on article 101 of *Maritime Traffic Safety Law Of the People's Republic of China*.

4. Malfunction investigation and ship safety inspection conducted by local MSA shall be applied to the vessels with one of the following conditions:

- (1) Electromechanical equipment malfunction occurs in the channel and warning area;
- (2) Electromechanical equipment malfunction occurs outside above (1) area yet the repairing time is more than 2 hours;
- (3) Where the electromechanical equipment malfunction causes emergency, dangerous accident or effect the navigation safety order in the jurisdiction;
- (4) 2 or more electromechanical equipment malfunction in Shanghai port area within 12

months;

- (5) 3 or more malfunction electromechanical equipment in same port area happened within 12 months for the vessels under same ship owner, operator or manager and more than 10% vessels under their fleet encountered electromechanical equipment malfunction.

5. According to Article 91 of the *Maritime Traffic Safety Law of the People's Republic of China*, Shanghai MSA shall add the vessels under the conditions in above item 4 - (4) & (5) to *The List of Vessels Endangering Maritime Traffic Safety of Shanghai Port* (hereinafter called "the List") and publish. For vessels included in the List, Shanghai MSA will enforce the measures such as immediate or time-limited correction, operation restriction, port access prohibition, port expulsion, temporarily certification and documents detention or ordering them to suspend sailing, divert, sail to designated locations or stop to work, etc.

Shanghai MSA shall implement dynamic management of the List. Once the vessel is excluded from the conditions described in above item 4 - (4) & (5) will be automatically removed from the List.

6. The Listed vessels shall report to the next nearest MSA via VHF before entering the jurisdiction of the Shanghai MSA and meet the following requirements:

- (1) The domestic vessels shall sail to the Lvhuashan anchorage or any other designated locations according to the instructions of local MSA for completion of safety inspection, deficiency correction and safety examination;
- (2) The international navigation vessels shall carry out electromechanical equipment testing and submit the video and master statement to the MSA which can prove the testing is conducted. Then MSA will decide whether safety inspection should be conducted on consideration of the pandemic control;

If a domestic vessel has obtained tugboat escort or pilotage when entering the waters area of Yangtze River Shanghai section, the safety inspection mentioned in above item (1) can be waived. If an international navigation vessels has obtained tugboat escort or additional survey report issued by flag state/RO, the safety inspection and required materials mentioned in above item (2) can be waived.

7. The MSA implements the following control measures for ship owners, operators, managers, and other related parties of the Listed vessels:

- (1) Excluded from the privilege issued by MSA, including government services and ship traffic organization;
- (2) Implement credit scoring for shipping companies and responsible crew according to relevant regulations;
- (3) Conduct interview with related parties according to the requirements of Administrative Interview Regulations on Water Traffic Safety;
- (4) For the shipping companies registered in Shanghai and responsible for safety and pollution damage, the MSA shall conduct the safety supervision inspection at least once every three months. For the shipping companies that not registered in Shanghai and

responsible for safety and pollution damage, the local MSA will be noticed and suggested for strengthening supervision and management.

- (5) The related banks and insurance institutions should be noticed with the relevant information.

This notice will take effect from July 1st, 2022 and valid for 2 years.

Notice is hereby given.

Shanghai Maritime Safety Administration of the People's Republic of China

June 2nd, 2022