



# Maritime & Coastguard Agency

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Chair, Business, Energy & Industrial Strategy Committee  
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Our ref: CE 8/2022

29 March 2022

Dear Chairs,

## P&O FERRIES

Katy Ware and I gave evidence to the joint session of your Committees on Thursday 24 March about P&O Ferries. We committed to write to you on two specific topics – the hierarchy of shipping regulation, and the provisions of the Working Time Directive as it applies to ships.

### The Regulatory Regime

There are number of international maritime Conventions and Codes applicable to P&O ferries, including the Safety of Life at Sea (SOLAS) Convention, the International Convention on the Standards of Training, Certification and Watchkeeping (STCW), the International Safety Management (ISM) Code, and the Maritime Labour Convention (MLC).

Each of these are transposed into UK legislation so that they apply to UK ships and non-UK ships in UK ports. Those international Conventions have similarly been transposed into Cypriot, Bahamian and Bermudan legislation and are applicable to P&O ferries.

Each of those flag states is responsible for ensuring that individual ships are surveyed and certificated for compliance with the applicable legislation. Similarly, governments are responsible for ensuring that seafarers are properly trained, examined and certificated for the appropriate level of competency or proficiency for their roles. In the case of a Cyprus flagged ship, for example, the Cypriot administration would ensure that the ship is appropriately certificated.

Once a ship holds a certificate, it demonstrates that the flag state deems it compliant with international standards. The port state (in this case the United Kingdom) must accept that as *prima facie* evidence of compliance. However, if there are reasonable grounds for concern, a more detailed inspection may be carried out to examine those concerns.



For roll-on roll-off (ro-ro) passenger ferries operating to EU ports, these ships are also subject to inspections every year under what is known as the EU ro-ro passenger ship Directive. These inspections again review compliance with applicable international and EU requirements.

In summary, a Cyprus flagged ferry operating between Dover and Calais will be subjected to inspections by the flag state Cyprus (or their recognised organisation), the Maritime & Coastguard Agency (port state control inspection) and the French maritime administration (inspections under the EU ro-ro passenger ship Directive). Primary responsibility for compliance with international maritime conventions lies with the shipowner/operator. Responsibility for ensuring that compliance remains with the flag state. The MCA and French inspections provide a back up to flag state implementation.

### **Working Time Regulations**

The Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018 govern hours of work and rest on UK ships. They implement international standards and set minimum periods of daily and weekly rest, and also provide for statutory annual leave. The minimum periods of rest are:

- 10 hours rest in any 24 hour period
- 77 hours rest in any 7 day period

Authorised exceptions may be agreed within specified limits.

It is important to note that the hours of rest in the regulations are intended to be the minimum and not the norm. However, in the context of a port state control inspection, the MCA can only enforce the international standard, unless there are “reasonable grounds” for a more detailed inspection. That said, there is provision for seafarers to raise complaints, initially with the shipowner but subsequently with the port state if the complaint cannot be resolved with the shipowner.

### **Inspection Reports**

The Committees also asked for sight of our inspection reports. I am enclosing suitably redacted copies of the completed inspections to date for your information. The ships that we have detained will be revisited by our Marine Surveyors when P&O Ferries asks us.

I hope this additional information is helpful to the work of your Committees. Please do get in touch if you need anything further from us.

Yours sincerely,



**Brian Johnson**  
**Chief Executive**



- Reporting Authority: Hull Marine Office (Beverley )

- Address: Crosskill House, Mill Lane, Beverley, Hull, HU17 9JB

- Telephone: +44 (0) 20 3817 2018

- Email: HullMO@mcga.gov.uk

- Website:

SHIP PARTICULARS					
Name	PRIDE OF HULL	IMO Number	9208629	Gross Tonnage	59925
Flag	Bahamas	MMSI Number	311062900	Old Tonnage	
Type	Ro-Ro passenger ship	Date Keel Laid/Major Conv.	05/10/2000	Main Engine (KW)	37800
Call Sign	C6ZQ4	Deadweight		Emission Abatement Method	

ISM COMPANY					
Name	P&O Ferries Holdings Ltd			IMO Company Number	5299962
Address		City		Country	United Kingdom

MLC SHIPOWNER					
Name	P&O Ferries Holdings Ltd				
Address		City		Country	United Kingdom

CHARTERER (only ships carrying liquid or solid cargoes in bulk, pref. 1st charterer record)				
Name				
Address		City		Country

Demise Charter

Time Charter

Voyage Charter

Name and signature of master to confirm the receipt of the inspection report and to certify that the information on charterer is correct:

Name	Signature
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\*) This inspection report has been issued solely for the purpose of informing the master and other port States that an inspection by the port State, mentioned in the heading, has taken place. This inspection report cannot be construed as a seaworthiness certificate in excess of the certificates the ship is required to carry.

\*\*) Masters, Shipowners and/or Operators are advised that detailed information on the inspection will be reported to the appropriate authorities and organisations and is subject to publication.

\*\*\*) "Outstanding deficiencies" are listed for information only and will not be taken into account for the calculation of the Ship Risk Profile and Company performance.

Name Of Ship	PRIDE OF HULL	IMO Number	9208629	Date Of Report	23/03/2022	Place Of Inspection	Hull
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**Classification Society(ies) responsible for issuance of class certificates**

Issuing Entity	Lloyd's Register	Date Of Issue	31/01/2022	Date Of Expiry	31/01/2027
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**Recognised Organization(s) responsible for issuance of certificates on behalf of the flag State**

Issuing Entity	Lloyd's Register
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**INSPECTION PARTICULARS \*\***

Date Of First Visit	23/03/2022	Place Of Inspection	Hull
Date Of Report	23/03/2022	If detained: Date Of Issue Of Detention No	

**Type Of Inspection**

<input type="checkbox"/> Initial Inspection	<input type="checkbox"/> More Detailed Inspection	<input checked="" type="checkbox"/> Expanded Inspection	<input type="checkbox"/> CIC
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Checked	Operational Control (if any)	Additional Comment
<input checked="" type="checkbox"/>	Other	Ballast water pumping, bilge pumping and OWS, GMDSS radio, Main Engine and CPP and clutch operation, DG and SG paralleling and synchronisation, emergency fire pump, emergency power.
<input checked="" type="checkbox"/>	Abandon ship drill	
<input type="checkbox"/>	Damage Control drill	
<input type="checkbox"/>	Enclosed space entry drill	
<input checked="" type="checkbox"/>	Emergency steering drill	
<input checked="" type="checkbox"/>	Fire drill	
<input type="checkbox"/>	Man Over Board drill	
<input checked="" type="checkbox"/>	Rescue Boat drill	

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Name Of Ship	PRIDE OF HULL	IMO Number	9208629	Date Of Report	23/03/2022	Place Of Inspection	Hull
<input type="checkbox"/>	SMPEP drill						
<input type="checkbox"/>	SOPEP drill						

Checked	Areas Inspected	Additional Comment
<input checked="" type="checkbox"/>	Accommodation and galley	
<input type="checkbox"/>	Ballast tank(s) - internal	
<input type="checkbox"/>	Ballast tank(s) - from manhole	
<input checked="" type="checkbox"/>	Vehicle deck	
<input checked="" type="checkbox"/>	Cargo area	
<input checked="" type="checkbox"/>	Engine room	
<input checked="" type="checkbox"/>	Navigation bridge	
<input checked="" type="checkbox"/>	Decks and forecastle	
<input checked="" type="checkbox"/>	Passenger spaces	
<input checked="" type="checkbox"/>	Steering-room	

**RELEVANT CERTIFICATES**

				Information on last intermediate, periodical or annual		
Title Certificate	Issuing Authority	Date Of Issue	Date Of Expiry	Date Of Survey	Surveying Authority	Country
Bunker Oil Pollution Damage	Bahamas	24/01/2022	20/02/2023			
Continuous Synopsis Record[8]	Bahamas	12/06/2019				
Document of Compliance	LR	24/05/2021	11/03/2024			

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Name Of Ship	PRIDE OF HULL	IMO Number	9208629	Date Of Report	23/03/2022	Place Of Inspection	Hull
Document of Compliance Dangerous Goods	LR	31/01/2022	31/01/2023				
Engine International Air Pollution Prevention	LR	06/12/2011					
International Air Pollution Prevention	LR	31/01/2022	31/01/2027				
International Anti-Fouling System	LR	25/01/2021					
International Energy Efficiency Certificate	LR	20/01/2015					
International Oil Pollution Prevention (IOPP)	LR	31/01/2022	31/01/2027				
International Sewage Pollution Prevention	LR	31/01/2022	31/01/2027				
International Ship Security	LR	07/05/2019	31/05/2024				
Load Line	LR	31/01/2022	31/01/2027				
Maritime Labour Certificate	LR	23/05/2018	04/07/2023	10/05/2021	LR	Netherlands	
Minimum Safe Manning Document	Bahamas	09/07/2020	08/07/2025				
Passenger Ship Safety	LR	31/01/2022	31/01/2023				
Safety Management Certificate	LR	24/04/2017	20/05/2022	22/10/2019	LR	Netherlands	
Tonnage	LR	06/12/2011					

**INSPECTION ACTIONS**

Checked	Ship related inspection action taken (if any)	Additional Comment
<input type="checkbox"/>	Inspection suspended	
<input type="checkbox"/>	Dismissed on AFS grounds	
<input type="checkbox"/>	Excluded on AFS grounds	
<input type="checkbox"/>	Vessel expelled on other grounds	

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Name Of Ship	PRIDE OF HULL	IMO Number	9208629	Date Of Report	23/03/2022	Place Of Inspection	Hull
<input type="checkbox"/>	Vessel expelled on security grounds						
<input type="checkbox"/>	Marpol investigation of contravention of discharge provision						
Checked	Ship related reporting action taken (if any)	Additional Comment					
<input type="checkbox"/>	Coastal State informed						
<input type="checkbox"/>	ILO informed						
<input type="checkbox"/>	Other authority informed						
<input type="checkbox"/>	Observations to inspection						
<input type="checkbox"/>	Shipowners' and seafarers' organizations informed						
<input type="checkbox"/>	Overriding Factor						
<input type="checkbox"/>	The flag State has been requested to provide an action plan within a deadline						
<input type="checkbox"/>	Union representative informed						
<input type="checkbox"/>	Ship owner organisation informed						
<input type="checkbox"/>	Inspection done at sea						
<input type="checkbox"/>	Next port of call informed						
<input type="checkbox"/>	Flag State Administration informed						
<input type="checkbox"/>	Recognised organisation informed						

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Name Of Ship	PRIDE OF HULL	IMO Number	9208629	Date Of Report	23/03/2022	Place Of Inspection	Hull
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<u>DEFICIENCIES</u>
<u>OUTSTANDING DEFICIENCIES***</u>
<u>SUPPORTING DOCUMENTATION</u>

<input type="checkbox"/> no	<input checked="" type="checkbox"/> yes (see attached FORM B)
<input type="checkbox"/> no	<input checked="" type="checkbox"/> yes (see attached FORM B)
<input checked="" type="checkbox"/> no	<input type="checkbox"/> yes (see annex)

PORT STATE PARTICULARS			
Head Office/District Office	Hull Marine Office (Beverley )	Telephone	+44 (0) 20 3817 2018
Address	Crosskill House, Mill Lane, Beverley, Hull, HU17 9JB	Email	HullMO@mcga.gov.uk
		Website	
Name(s) of duly authorized PSCO(s) of reporting authority	Signature		Visit Date
██████████			23/03/2022
██████████			23/03/2022
██████████			23/03/2022

This report must be retained on board for a period of at least three years and must be readily available for consultation by Port State Control Officers at all times.

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Name Of Ship	PRIDE OF HULL	IMO Number	9208629	Date Of Report	23/03/2022	Place Of Inspection	Hull
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**DEFICIENCIES FOUND AND FOLLOW UP ACTIONS**

Nr.	Code	Defective Item	Nature Of Defect*	Convention Reference	Action Taken	Due Date	Ground For Detention	Accidental Damage**	RO resp.	ISM Related	Additional Comments
1	14199	Other (MARPOL Annex I)	Other	MARPOL Annex I	16 - To be rectified within 14 days	06/04/2022	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Training on oil water separator in Engine room to be continued.
2	18104	Recruitment and placement service	Not as required	MLC 2006 Title 1 - MLC 2006 / The Regulations and the Code / Regulation 1.4	16 - To be rectified within 14 days	06/04/2022	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	DMLC Part II lists P&O Crewing Services (Jersey) which are no longer appointing seafarers to the vessel and does not list International Ferry Management or any of the other R&P agencies used.
3	01220	Seafarers' employment agreement (SEA)	Not as required	MLC 2006 Title 2	16 - To be rectified within 14 days	06/04/2022	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Philippines Seafarers seafarers employment agreement does not reference MLC Shipowner. Signatory on behalf of MLC shipowner not as recorded in DMLC Part 2 Section 4
4	01222	Doc. evidence for personnel on passenger ships	Not as required	STCW Code Part A ch.I	99 - Master instructed to ...	23/04/2022	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Persons in charge of launching fast rescue boat do not have required training in accordance with STCW A VI/2. Bosun does not have hull integrity training in accordance with STCW A V/2

Name(s) of duly authorized PSCO(s) of reporting authority	Signature	Visit Date
██████████		23/03/2022
██████████		23/03/2022
██████████		23/03/2022

\*) This inspection was not a full survey and deficiencies listed may not be exhaustive. In the event of a detention, it is recommended that a full survey is carried out. All deficiencies should be rectified before an application for re-inspection is made.

\*\*) Deficiencies marked as Accidental Damage are not taken into account for calculating the company performance and Ship Risk Profile.

Name Of Ship	PRIDE OF HULL	IMO Number	9208629	Date Of Report	23/03/2022	Place Of Inspection	Hull
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\*) This inspection was not a full survey and deficiencies listed may not be exhaustive. In the event of a detention, it is recommended that a full survey is carried out. All deficiencies should be rectified before an application for re-inspection is made.

\*\*) Deficiencies marked as Accidental Damage are not taken into account for calculating the company performance and Ship Risk Profile.

Name Of Ship	PRIDE OF HULL	IMO Number	9208629	Date Of Report	23/03/2022	Place Of Inspection	Hull
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**OUTSTANDING DEFICIENCIES FOUND**

Nr.	Code	Defective Item	Nature Of Defect*	Convention Reference	Inspection	Rectified	RO resp.	ISM Related	Additional Comments
1	07120	Means of escape	Not as required	SOLAS ch. II-2 - 1999/2000 Amendment Reg 14.1	2021-11-25 - United Kingdom, Hull	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Photoluminescent escape signage in Deck 9 Zone 1 , not sufficiently illuminated in a blackout/reduced lighting condition.
2	07105	Fire doors/openings in fire-resisting divisions	Not as required	SOLAS ch. II-2 - 1999/2000 Amendment Reg 14.1	2021-11-25 - United Kingdom, Hull	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The following fire doors/doors in fire resisting divisions not closing/latching correctly; -Door 8 Starboard side Deck 11 aft, adjacent to sun lounge passenger bar - FSD 02.01.03 to Sewage Tank space -Gas tight door Port side from Machinery space to Lower hold
3	07115	Fire-dampers	Not as required	SOLAS ch. II-2 - 1999/2000 Amendment Reg 14.1	2021-11-25 - United Kingdom, Hull	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	During a test of closing of fan dampers in aft engine room, one damper not closing fully. A number of position indicators on local operating switches not indicating correctly.

Name(s) of duly authorized PSCO(s) of reporting authority	Signature	Visit Date
██████████		23/03/2022
██████████		23/03/2022
██████████		23/03/2022

\*) This inspection was not a full survey and deficiencies listed may not be exhaustive. In the event of a detention, it is recommended that a full survey is carried out. All deficiencies should be rectified before an application for re-inspection is made.



Name of Ship: EUROPEAN HIGHLANDER			Flag of Ship: BAHAMAS (BS)	
Company Details:			Class Society: Lloyd's Register of Shipping - LR	
Type of Vessel: RO-RO Passenger Vessel			UK Class: II	
Year of Build: 2002	Call Sign: C6SN6		DWT:	KW: 31680
UK Official No.: 8000506	IMO: 9244116	GT: 21188	FV No.:	Length (m): 151.26
Date of Survey: 24-03-2022		Place of Survey:	Present:	
Type of Survey: GI - Unannounced (N/A)				

## Evaluation

### General Inspection

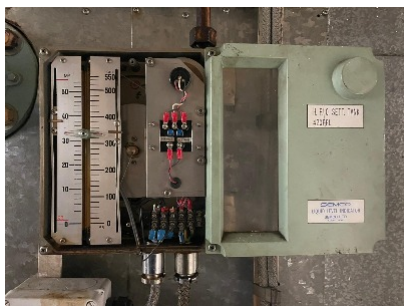
General inspection of the vessel undertaken while the vessel was alongside Cairnryan.

Inspection conducted over two days: 24 and 25 March 2022 by [REDACTED].

General inspection was undertaken prior to vessel's relocation voyage, without cargo or passengers, to Larne, where the vessel will complete commissioning and undergo expanded Port State Control inspection prior to returning into commercial passenger operating service.

Operator to contact MCA Marine Office to request expanded PSC prior to the vessel re-entering commercial passenger operating service.

### Deficiency

#	Code	I/S	Finding
1	01223 - Security awareness training	I	2/E- original certificate for security training (as required by STCW) not onboard. (Copy of SSO Sighted).
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 16 - Rectify deficiency within 14 days		
2	13106 - Insulation wetted through (oil)	I	Insulation soaked with oil (HFO filter & forward and aft engines). Number of soaked oily rags found in the vicinity of forward and aft engines.
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 17 - Master instructed to rectify deficiency before departure 10 - Deficiency rectified		
3	04109 - Fire drills	I	Appropriate BA sets checks not completed by BA Fire Teams during the drill. Discussed with Master following completion of drill, Master advised that additional drills have been undertaken.
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 00 - No action taken 10 - Deficiency rectified		
4	18408 - Electrical	I	HFO Fuel Settling- Liquid level indicator- Cover not as required- exposed electrical wiring
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 17 - Master instructed to rectify deficiency before departure		
			
5	01201 - Certificates for master and officers	I	Certificate of Proficiency in Passenger Safety, Cargo Safety and Hull Integrity not held by the following: 1. Chief Engineer, and 2. Second Engineer
	<b>Legislation</b> None		



#	Code	I/S	Finding
	<b>Action Code(s)</b> 17 - Master instructed to rectify deficiency before departure		
6	01308 - Records of seafarers' daily hours of work or rest	I	Entries missing - hours of work and rest for some members of crew found during sampling to not be kept up to date (motorman, steward)
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 17 - Master instructed to rectify deficiency before departure 10 - Deficiency rectified		
7	11117 - Lifebuoys incl. provision and disposition	I	Damaged RR bands, Not as required - forward mooring station lifebuoy RR bands damaged.
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 17 - Master instructed to rectify deficiency before departure 10 - Deficiency rectified		
8	07105 - Fire doors/openings in fire-resisting divisions	I	Not as required - self-closing fire doors (7.5, 6.5, S13) unable to latch closed.
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 17 - Master instructed to rectify deficiency before departure 10 - Deficiency rectified		
9	01324 - Material safety data sheets	I	Missing - No valid MSDS for all paint held on-board.
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 17 - Master instructed to rectify deficiency before departure 10 - Deficiency rectified		
10	04108 - Muster list	I	Vessel not compliant with Flag approved Muster List. Approved Muster list for 46 crew members. Currently 38 crewmembers onboard- in excess of SMD requirements.
	<b>Legislation</b> None		
	<b>Action Code(s)</b> 17 - Master instructed to rectify deficiency before departure		

This report must be retained on board for a period of **five** years and must be available for consultation by MCA Officers at all times.

This Inspection Report has been issued for the purpose of informing the Master/Skipper that an inspection has taken place. This report cannot be construed as a seaworthiness certificate in excess of the certificates the ship is required to carry.

**REPORT TO SURVEYOR** – It is the Master/Skipper/Owner's responsibility to ensure that all deficiencies listed above have been rectified by the due date. Notification of rectification of all Code 98 deficiencies must be made in writing to the MCA office as above indicating where and when the vessel will be available for reinspection.





## Certificates / Reports

Certificate	Issuing Authority	Date of issue	Date of expiry	Last Endorsement
Continuous Synopsis Record (CSR)	Flag	12-12-2019		
Document of Compliance Dangerous Goods	LR	22-05-2021	30-05-2022	
International Air Pollution Prevention Certificate	LR	19-04-2020	30-05-2022	22-05-2021
International Anti-Fouling System Certificate	LR	22-04-2021		
International Energy Efficiency Certificate	LR	30-04-2015		
International Oil Pollution Prevention Certificate	LR	21-06-2017	30-05-2022	22-05-2021
International Sewage Pollution Prevention Certificate	LR	20-09-2017	30-05-2022	
International Ship Security Certificate	LR	20-06-2018	19-06-2023	04-12-2020
International Tonnage Certificate (1969)	MCA	08-05-2002		
Maritime Labour Certificate	LR	20-06-2018	08-07-2023	04-12-2020
Maritime Labour Certificate Declaration of Maritime Labour Compliance - Part I	Flag	27-06-2017		
Minimum Safe Manning Document	Flag	19-06-2019	18-06-2024	
Passenger Ship Safety Certificate	LR	13-06-2021	30-05-2022	
Safety Management Certificate	LR	20-06-2018	19-06-2023	04-12-2020
International Load Line Certificate	LR	21-06-2017	30-05-2022	22-05-2021
Certificate of Class	LR	04-12-2020	30-05-2022	
Certificate of Insurance or Other Financial Security in Respect of Civil Liability For Bunker Oil Pollution Damage	Flag	24-01-2022	20-02-2023	
Certificate of Insurance or Other Financial Security in Respect of Liability for the Death of and Personal Injury to Passengers	MCA	20-02-2022	20-02-2023	
Certificate of Insurance or Other Financial Security in Respect of Civil Liability for the Removal of Wrecks	Flag	24-01-2022	20-02-2023	
Document of Compliance	LR	25-05-2021	11-03-2024	
Approval of Passenger Counting and Registration Systems	MCA	07-11-2020		
Exemption from Port Waste Notification, Delivery and Charging Regime	MCA	16-11-2018	15-11-2023	
Exemption Certification Notification of Dangerous or Polluting Goods	MCA	01-06-2017	01-06-2022	