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(英汉对照)

# 港口国监督检查问答

*Interlocution in the Port State Control*



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## 序

20世纪80年代伊始,船舶海上交通事故连续不断,给人命安全和海洋环境造成了极大的危害,引起了国际海事组织和各港口国当局的高度重视。为此,国际海事组织(IMO)秘书长强调要落实公约标准执行的三重责任制,即IMO负责标准的制定,船旗国负责标准的实施,港口国负责检查监督,其目的在于将不符合标准的船舶淘汰出航运市场。在这项努力中,港口国监督发挥了越来越重要的作用。

随着巴黎备忘录和东京备忘录以及美国海岸警备队(USCG)等执行标准越来越严格,尤其是2002年7月起将增加ISM规则和STCW公约检查的新要求,对抵港船舶的检查更加严格,船舶滞留率越来越高。我国船舶在国外的滞留率一度居高不下,在欧洲国家列出的黑名单曾经榜上有名。近几年来,经过政府的整治,各大船公司、海事部门和船级社的共同努力,船舶被滞留的情况有所改善,但随着港口国监督检查的深入和加强,其形势仍不容乐观。

综观原因,除了船舶技术状况、船公司管理水平、船员素质等因素以外,我国船舶未能很好

地接受和配合港口国当局的检查也是主要的原因之一,而未能很好地配合港口国当局的检查一个重要的原因在于语言问题,相互沟通差。公约要求,船员应能与其他人员进行交流,实际上目前中国的船员,特别是一些中小船公司所配备的船员英语水平尚不能满足要求。尽管船舶和设备的技术状况是好的,船员的操作水平也较高,船公司的管理也不错,但是在港口国监督检查中,陪同和被检查的船员因听力和口语表达问题,较难理解港口国监督检查官讲什么,想看什么,认为问题是什么,被港口国监督检查官判定为缺陷而被滞留。据中国船级社海外机构多年来的连续跟踪和分析,这样的情况在国外的港口国监督检查中屡见不鲜。

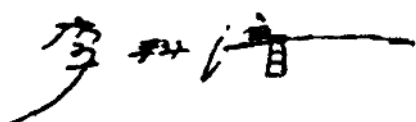
为了切实提高我国船员的英语水平,满足港口国监督检查的语言要求,以降低我国船舶在国外港口的滞留率,特编写《港口国监督检查问答》(英汉对照)一书。

本书采集了国际海事组织关于港口国监督检查程序、国际上主要港口国监督检查谅解备忘录地区、美国海岸警备队的港口国监督检查、部分船级社的检查项目和常见的检查提问,其主要内容包括港口国监督检查概述、基本定义、常用缩略语、缺陷代码及纠正条款说明、港口国监督检查程序、监督检查主要项目。此外,还列举了消防和弃船演习、船长申述、港口国监督检

查报告、美国海岸警备队港口国监督检查的要求等内容。

本书采用英汉对照的方式,收集国际港口国监督检查中常见的检查项目,尤其是增加ISM规则和STCW等检查的新要求,并以问答和陈述的形式编写而成,以方便我国广大船员、学员平时学习以及在接受检查时参考。

中国船级社理事长兼总裁

A handwritten signature in black ink, appearing to read '李锐军' (Li Ruijun), with a long horizontal stroke extending to the right.

2002年4月

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# 第一章 定义和常用缩略语

## 一、定义

1. Clear grounds: Evidence that the ship, its equipment, or its crew does not correspond substantially with the requirements of the relevant conventions or that the master or crewmembers are not familiar with essential shipboard procedures relating to the safety of ships or the prevention of pollution.

明显依据:船舶及其设备或其船员实质上不符合有关公约的要求的证据,或船长或船员不熟悉有关船舶安全或防止污染的船上基本程序的证据。

2. Deficiency: A condition found not to be in compliance with the requirements of the relevant convention.

缺陷:发现的不符合有关公约要求的一种状况。

3. Detention: Intervention action taken by the port State when the condition of the ship or its crew does not correspond substantially with

the applicable conventions to ensure that the ship will not sail until it can proceed to sea without presenting a danger to the ship or persons on board, or without presenting an unreasonable threat of harm to the marine environment.

滞留:当船舶或船员实质上不符合适用公约要求时,港口国为保证该船舶只有在不会对船舶或船上人员构成危险或不会对海上环境造成损害威胁时方可开航所采取的干涉行动。

4. Inspection: A visit on board a ship to check both the validity of the relevant certificates and documents, and the overall condition of the ship, its equipment, and its crew.

检查:登船查验有关证书、文件的有效性和船舶及其设备和船员的总体情况。

5. More detailed inspection: An inspection conducted when there are clear grounds for believing that the condition of the ship, its equipment, or its crew does not correspond substantially with the particulars of the certificates.

详细检查:当有明显依据相信船舶条件、船舶设备或船员实质上不符合证书项目时所进行的检查。

6. Port State Control Officer (PSCO): A



person duly authorized by the competent authority of a Party to a relevant convention to carry out port State control inspections, and responsible exclusively to that Party.

港口国监督检查官(以下简称检查官):经有关公约缔约国的主管机关正式授权执行港口国监督检查,并只对缔约国负责的人员。

7. Stoppage of an operation: Formal prohibition against a ship to continue an operation due to identified deficiencies, which singly or together, render the continuation of such operation hazardous.

停止作业:由于船舶具有一个或几个被识别的缺陷会使船舶继续进行某些操作产生危险,而对继续进行此项作业的正式禁止。

8. Substandard ship: A ship whose hull, machinery, equipment, or operational safety is substantially below the standards required by the relevant convention or whose crew is not in conformance with the safe manning document.

低于标准船:船体、机器、设备或操作安全方面实质上低于有关公约要求的标准或者实际配员不符合安全配员文件的船舶。

9. Valid certificates: A certificate that has been issued directly by a Party to a relevant

convention or on its behalf by a recognized organization and contains accurate and effective dates; meets the provisions of the relevant convention; and, with which the particulars of the ship, its crew and its equipment correspond.

有效证书:由有关公约的一个缔约国直接签发的,或由缔约国认可的机构代表该缔约国签发的,包括准确和有效的日期,符合有关公约规定并载明船舶、船员和设备细目的证书。

## 二、常用缩略语

### 10. Abbreviations

#### 英文缩写

DOC Document of Compliance

符合证明

SMC Safety Management Certificate

安全管理证书

SMS Safety Management System

安全管理体系

ILL International Load Line

国际载重线

IOPP International Oil Pollution

Prevention

国际防止油污

OPA 90 Oil Pollution Act of 1990 (USA)

1990 年油污法(美国)

- AIS Automatic Identification System  
自动识别系统
- IGS Inert Gas System  
惰性气体系统
- MOU Memorandum of Understanding  
备忘录
- SOP Standard Operating Procedure  
标准操作程序
- SOPEP Shipboard Oil Pollution Emergency Plan  
船上油污应急计划
- VDR Voyage Data Recorder  
航行数据记录仪
- GMDSS Global Maritime Distress and Safety System  
全球海上遇险与安全系统

### 三、缺陷代码及纠正条款说明

#### 11. Action Codes 行动代码

- 10 deficiency rectified  
缺陷已纠正
- 15 rectify deficiency at next port  
缺陷在下一港纠正
- 16 rectify deficiency within 14 days  
缺陷在 14 天内纠正

- 17 master instructed to rectify deficiency before departure  
通知船长在开航前纠正缺陷
- 18 rectify non-conformity within 3 months  
在 3 个月内纠正不符合项
- 19 rectify major non-conformity before departure  
在开航前纠正严重不符合项
- 30 detainable deficiency  
可滞留的缺陷
- 35 detention raised  
解除滞留
- 36 ship allowed to sail after follow up detention  
在跟踪滞留的前提下准予开航
- 40 next port informed  
通知下一港
- 45 next port informed to re-detain  
通知下一港再次滞留
- 50 flag State/consul informed  
通知船旗国/领事机构
- 55 flag State consulted  
咨询船旗国
- 60 region State informed  
通知地区国
- 70 classification society informed

通知船级社

- 80 temporary substitution of equipment  
临时替代设备
- 85 investigation of contravention of discharge provisions (MARPOL)  
调查违规排放(MARPOL)
- 95 letter of warning issued  
签发警告信
- 96 letter of warning withdrawn  
收回警告信
- 99 other (specify in clear text)  
其他(详细说明)

注:这里引用的是东京备忘录的行动代码,其他备忘录的情况大同小异。

## 第二章 港口国监督检查概述

### 12. General

#### 概要

Port State Control (PSC) is the inspection of foreign ships in national ports for the purpose of verifying that the condition of the ship and its equipment comply with the requirements of international conventions and that the ship is manned and operated in compliance with applicable international laws. The primary responsibility for ensuring that a ship maintains a standard at least equivalent to that specified in international conventions rests with the flag State and if all flag States performed their duties satisfactorily there would be no need for port State control. Unfortunately this is not the case as evidenced by the many marine accidents around the world - hence the need for additional control.

港口国监督是港口国当局对抵港的外国籍船舶实施的,以确保船舶及其设备符合国际公约要求、船舶的配员与操作符合适用的国际规

范为目的的一种检查。确保船舶保持国际公约中所规定的标准是船旗国的首要责任;如果所有的船旗国都能令人满意地履行他们的职责,那么港口国监督就没有必要存在。不幸的是,实际情况却并非如此,世界范围内发生的诸多海难事故已经证明了这一点,因此这种额外监控也就成为必然。

The authority for exercising PSC is the national law based on relevant conventions. It is therefore necessary for a port State to be Party to those conventions and to have promulgated the necessary legislation before exercising PSC. In accordance with the provisions of the applicable conventions, Parties may conduct inspections of foreign ships in their ports through Port State Control Officers (PSCOs).

港口国监督的实施是通过基于相关国际公约的国内法所授权的。因此,港口国必须是这些公约的缔约国,而且,在实施港口国监督之前要颁布其立法。根据所适用公约的条款规定,港口国可由检查官对抵达其港口的外国籍船舶实施检查。

### 13. Provisions for port State control

#### 港口国监督条款

IMO conventions place the responsibility for technically and environmentally safe ships

primarily on the flag State. However, it is recognized that a port State can make a useful contribution to these aims and many conventions, therefore, contain provisions that permit port State control. These include:

IMO 的公约把保证船舶的技术安全和环境安全的首要责任放在了船旗国的肩上。然而,普遍认为,港口国能对实现该目标作出贡献,因此,很多的国际公约都包含有港口国监督条款。它们是:

(1) SOLAS 74, regulation I/19, regulation IX/6 and regulation XI/4;

1974 年国际海上人命安全公约,第 I/19 条,第 IX/6 条,第 XI/4 条;

(2) LOADLINES 66, article 21;

1966 年载重线公约,第 21 条;

(3) MARPOL 73/78, articles 5 & 6, regulation 8A of Annex I, regulation 15 of Annex II, regulation 8 of Annex III and regulation 8 of Annex V;

MARPOL 73/78 公约,第 5 条和第 6 条,附则 I 第 8A 条,附则 II 第 15 条,附则 III 第 8 条,附则 V 第 8 条;

(4) STCW 78, article X and regulation I/4;

STCW 78 公约,第 X 条,第 I/4 条;

(5) TONNAGE 69, article 12.



1969 国际吨位丈量公约,第 12 条。

#### 14. Existing regional agreements on port State control

现有港口国监督区域协定

While national port State control alone will already enhance the safety of ships and the protection of the marine environment, only a regional approach will ensure that substandard ships and substandard operators have fewer places left to hide. Unless a regional approach is adopted, operators will just divert their ships to ports in the region where no or less stringent PSC inspections are conducted. This may seriously hamper the economical situation of the ports of those countries that do conduct proper inspections. To remedy this and to generally improve the effectiveness of inspections, many regions of the world have already or are beginning to enter into regional agreements on PSC.

虽然国家性的港口国监督已加强船舶的安全和环境的保护,而惟有通过区域性的协作才能保证那些低于标准船舶和低于标准船舶经营者越来越无处藏身。如果不采用区域性协作的方式,那么经营者就会把他们的船舶转向没有实施 PSC 检查的地区或者 PSC 检查相对不严格的地区的港口。这将严重妨害那些实施适当