



Circular No./ DMS-0725, SR 04

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Date: 03/07/2025

Website: www.niataregister.org , Email: niata@niataregister.org

TO:	ALL SHIPOWNERS, OPERATORS, MASTERS, OFFICERS OF MERCHANT SHIPS, RO, SURVEYORS/FLAG STATE INSPECTORS
SUBJECT:	FLAG STATE INSPECTION PROGRAM

REFERENCE:

- i) IMO Assembly Resolution A.1053(27)
- ii) Nicaragua International Aquatica Flag State Inspection Program

PURPOSE:

The purpose of this circular is to provide guidance to NIATA Ship owners/operators and Flag State Inspectors on Nicaragua Ship requirements in order to prevent detentions of Ships.

DEFINITION:

- 1. NIATA: Nicaragua International Aquatica Transportation Administration, Directorate of Merchant Shipping.
- 2. Flag State Inspector: inspector appointed and duly authorized by the Directorate of Merchant Shipping to carry out Flag State Inspections of NIATA vessels registered under the Nicaragua Shipping Act & as amended.
- 3. PSC: Port State Control;
- 4. Operator: Company as defined in the ISM Code;
- 5. Owner: As per the Certificate of Registration; and
- 6. Inspection: Any inspection as defined within the Flag State Inspection Program.

BACKGROUND:

The Flag State Inspection Program has been implemented to assist ship owners/operators to reduce the detention rate of the vessels flying the NIATA flag. The Flag State Inspection Program has been designed to incorporate different types of inspections and audits that are necessary to efficiently assist owners/operators in the reduction of deficiencies and detentions as well as to increase the level of safety on board their vessels.

Inquiries concerning the subject to this Notice should be directed to the Administrative department via email: niata@niataregister.org

The program is not intended to replace surveys for the issuance of Class and statutory certificates. Such activities will continue to be performed by duly recognized organizations. Each inspection has a different purpose, but the final goal is to assist the ship owner/operator in complying with the application of international standards prescribed by a host of treaties and conventions such as the Safety of Life at Sea Convention (SOLAS), International Convention for the Prevention of Pollution from Ships (MARPOL), etc. and national regulations to demonstrate that the Flag Administration provides the service and programs for owners/operators to operate their vessels safely, efficiently and cost-effectively.

The program consists of the following inspections:

1. Pre-Registration Inspection;
2. Initial Safety Inspection;
3. Annual Safety Inspection;
4. Semi-Annual Safety Inspection;
5. Periodic Safety Inspection;
6. Detention Prevention Inspection;
7. Post Detention Inspection;
8. Compliance Verification Inspection;
9. Alternative Safety Inspection;
10. Self-Inspection;
11. Post Marine Casualty Inspection;
12. ISM Audit;
13. ISPS Audit;
14. Maritime Labour Compliance Inspection; and
15. Special Safety Inspection.

BACKGROUND:

General

It is the responsibility of owners/operators to present their vessels for timely inspection when a required inspection is due. In order to do so, the owners/operators shall inform and request the Directorate of Merchant Shipping, for the Inspection, when one or more are applicable. Vessels not inspected by the due date will be considered as "overdue" and follow up procedures will be initiated. A fine and/or a prohibition to sail may be applied to the vessel for overdue inspections or failure to pay inspection fees within 30 days of receipt of the invoice for the base fee of inspection.

The minimum information provided should include:

1. vessel's name;
2. IMO number;
3. proposed ports of call;
4. the estimated time of arrival (ETA) for each port; and
5. local agent information.

An inspection may be requested by using online request form which further submitted to E-mail: niata@niataregister.org

The Directorate shall appoint a Flag State Inspector to attend the vessel for Inspection and coordinate all necessary details with the owner/operator. To ensure adequate time for notifying all interested parties of the planned inspection, the above information should be made available at least 3 days prior to the vessel's arrival.

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The appointed inspector will liaise with the vessel's agent to determine a suitable time to board the vessel. The Owner/operator shall ensure that the vessel will be available in the port for an adequate period of time to complete the inspection.

It is also the responsibility of the Master to present the vessel for the scheduled inspection and accordingly cooperate with a duly appointed NIATA Flag State Inspector. Such an inspector has the right of access to the vessel.

All Nicaragua International Aquatica Transportation Administration registered vessels, which were subjected to the Port State Control inspections are required to submit the copies of PSC inspection reports carried out on these vessels. The PSC reports referred to above shall be submitted electronically to the Department of Inspections at NIATA's Head Office as soon as possible following the PSC inspection.

Upon satisfactory completion of a vessel's Initial Safety Inspection or the Pre-Registration Inspection (if applicable), the Directorate will issue the Flag State Inspection Certificate. The certificate will be sent to the company described on the ISM Document of Compliance for placing on board. This certificate is reissued every five (5) years.

The vessel's Flag State Inspection Certificate will be endorsed annually upon completion of the Annual Safety Inspection. The inspector shall endorse the certificate (as appropriate), in order to confirm attendance of the ship, irrespective of whether recommendations, remarks, etc. have been imposed during that visit.

1. Pre-Registration Inspections

Vessels that are required to undergo a Pre-Registration Inspection are as follows:

1.1 Vessels of the age of 15 years or more, but less than 20 years, when they meet one or more criteria below:

1. have at least one detention within the last 12 months;
2. have incurred a casualty or very serious casualty within the last 12 months;
3. is changing Flag from a Black listed flag administration as defined by the port State control MOU annual reports;
4. have 5 or more ISM related deficiencies reported by PSC within the last 12 months
5. have 10 or more deficiencies (non-ISM related) reported by PSC within the last 12 months.

1.2 Vessels of the age of 20 years or more.

Vessels which fall under Section 1.1 must complete the Pre-Registration Inspection within 30 days from the date of initial registration or prior to acceptance for registration at the discretion of the administrator or an individual authorized to act on behalf of the Directorate. Vessels which fall under Section 1.2 must complete the Pre-Registration Inspection before acceptance into the NIATA.

2. Initial Safety Inspection

All vessels that do not meet the requirements of a Pre-Registration Inspection shall be required to undergo an Initial Safety Inspection:

1. within 30 days of initial registration and issuance of a Provisional Certificate of registry;
2. within 30 days of re-registration where a change of ownership and/or management has taken place;
3. after any substantial structural alteration; or
4. Prior to resuming service at the end of an official lay-up period.

3. Annual Safety Inspection

The purpose of the Annual Safety Inspection is to confirm compliance of the ship and its crew with

NIATA requirements and mandatory international instruments. The Annual Safety Inspection is also to verify the general safety condition of the vessel in order to reduce the number of deficiencies and detentions of Nicaragua International Aquatic Transportation Administration flagged vessels.

All NIATA Flagged vessels are required to undergo an Annual Safety Inspection with the following exceptions:

1. Unmanned barges;
2. Private yachts of any gross tonnage;
3. Yachts subject to Compliance Verification;
4. Cargo vessels under 100 gross tonnages;
5. Vessels under construction; and
6. Vessels during an official lay-up period.

Passenger vessels, including high speed passenger ferries, shall be required to undergo safety inspections at six (6) month intervals.

Passenger vessels, including commercial yachts carrying more than 12 persons for hire, are required to be inspected two (2) times during the annual window. The first inspection shall be completed not more than six (6) months after the anniversary date each year. The second inspection shall be completed within three (3) months before the anniversary date each year.

4. Periodic Safety Inspections

The Directorate, or a duly Authorized Agent, when deemed appropriate, may require special purpose or uniquely constructed vessels and vessels subject to corrective action to undergo periodic inspection at assigned intervals of less than one (1) year to ensure and verify maintained safety and compliance. Vessels that are found in need of special attendance due to the specific nature, construction, or trade, or those vessels found in need of corrective action may be subjected to additional Periodic Safety Inspections in addition to the Annual Safety Inspection. Any such requirement and applicable intervals shall be made known to the operator of the vessel in the form of a formal Notice of Periodic Inspection. The Notice of Periodic Inspection will provide the reasons for and intervals required for Periodic Safety Inspections.

5. Detention Prevention Inspections

The purpose of the Detention Prevention Inspection is to confirm and clear all the deficiencies found by the port State control officer or flag State inspector, as well as uncover and rectify any other problems that might be revealed during further port State or flag State inspections. Additionally, the purpose of this inspection is to assist the Master / Operator / Crew Members in any technical concerns which arose during any previous port State control inspections, flag State inspections or external/internal audits.

The operator shall apply for a Detention Prevention Inspection, when its vessel underwent

PSC or FSI inspection(s):

1. resulting in 10 deficiencies without being detained (not Class or ISM Related); or
2. as a result of 20 or more deficiencies (not Class-Related) within one year;
3. Resulting in 5 or more ISM related deficiencies (an additional ISM audit may be required); or
4. as part of the Detention Prevention Program that any vessel having a detention under the NIATA flag must participate in until inspection performance is improved to the satisfaction of the Administration.

A Detention Prevention Inspection must be carried out within 30 days from the inspection that resulted in the vessel meeting one of the above criteria for entry into the Detention Prevention Program. Vessels meeting the above requirements will be provided with a formal notice of entry into the Detention Prevention Program. Vessels entered into this program will be required to undergo two (2) safety inspections within each year at six (6) month intervals from the anniversary date. The initial Detention Prevention Inspection carried out within 30 days of the inspection that caused the vessel to be entered into the program is not considered one of these six-monthly inspections. Vessels in the Detention Prevention Program shall remain in the program for a minimum of one year or until flag and port State performance is enhanced to the satisfaction of the Administration.

6. Post Detention Inspection

The purpose of the Post Detention Inspection is to assist in the rectification of reported deficiencies. In the case of an ISM related detention, a review of the proposed action with respect to the Safety Management System shall be completed. An additional ISM audit may be required within three months of the detention which may be conducted by an approved RO or an authorized Flag State Inspector.

7. Compliance Verification Inspections

8. Alternative Safety Inspections

9. Self-Inspections

10. Post Marine Casualty Inspections

11. ISM Audits

12. ISPS Audits

13. Maritime Labor Compliance Inspections

14. Special Safety Inspections

Organizations to which this circular applies shall be required to operate in accordance with Resolutions A.789(10) and A.739(18) which will be verified during an audit within the first 6-12 months of authorization.

Interested organizations are requested to submit a formal request to the Technical Department at the Office of the Registrar. The request will be reviewed and an application will be provided.

Any questions can be directed to:

Technical Department

e-mail: niata@niataregister.org

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