PARIS MOU REVIEW PANEL

Section 3.16 of the Paris MOU states that "the owner or the operator of a ship or his representative in the State concerned will have a right of appeal against a detention decision taken by the Authority of that State. An appeal will not cause the detention to be suspended. The Authority will properly inform the master of a ship of the right of appeal".

Owners or operators are advised to use the official national procedure if they wish to appeal against a detention order. The basic appeal procedures in the Paris MOU member States are listed in the document called : Appeal procedures in Paris MOU member States (as published on the website)

In case an owner or operator declines to use the official procedure but still wishes to complain about a detention decision, such a complaint should be sent to the flag State or the recognized organization (if authorized to act for the flag State).
The flag State or recognized organization may then ask the port State to reconsider its decision to detain the ship.
In such cases the port State should investigate the decision and inform the flag State or the recognized organization of the outcome. If the port State agrees to reverse its decision it should also inform the Paris MOU database manager and the Paris MOU Secretariat.

Submission of a case for review:

1. If the flag State or the recognized organization disagrees with the outcome of the investigation as mentioned above, a request for review may be sent to the Paris MOU Secretariat within 120 days from the date of release of the vessel from detention. Such a request should be accompanied by all information relevant to the detention in electronic format (submission by E-mail to: secretariat@parismou.org) and in the English language. The submission form (hereunder) is to be used.

2. The Secretariat will set up a "Review Panel" comprising of itself and 4 MOU Authorities requested on an alphabetically rotating basis, excluding the port- and flag State (if appl.).

3. The Review Panel will consider the procedural and technical aspects of the inspection based on the information provided by the flag State and/or the recognized organization and the port State. The detail of correspondence is kept as an internal matter.

4. The Secretariat will prepare a summary of the opinions of the Review Panel within 30 days of accepting the request and will inform the flag State or the recognized organization, as appropriate, the port State and the MOU Advisory Board.

5. If the views of the Review Panel support the flag State or recognized organization's complaint, the port State will be requested to reconsider its decision again.

6. The findings of the Review Panel are not binding but may provide justification for the port State to amend its inspection data already inserted in the database and to inform the database manager and the Secretariat accordingly. The secretariat will inform the flag State or recognized organization, as appropriate on the action (not) taken by the port State.

Review panel case
between ………….. and ……………….

Documents submitted for review:

		Submitted by:		Pgs:.
		Flag / R.O*	port State	
1	**Opinions:**			
.1	Request Flag / R.O.*, incl. opinion why detention not justified	☐		..
.2	Statement port State, incl opinion why detention is justified		☐	..
2	**PSC official documents:**			
.1	Inspection report form A & B, signed / unsigned*	☐	☐	..
.2	Print-out inspection report from database	☐	☐	..
.3	Notification of detention for the Master	☐	☐	..
.4	Notification of detention of the ship to flag State and R.O.	☐	☐	..
.5	Notification of release of the ship	☐	☐	..
.6	Request for agreement to proceed to a repair yard (if appl.)	☐	☐	..
.7	Conditions of release from a detention to a repair yard (if appl.)	☐	☐	..
.8	Refusal of access (if appl.)	☐	☐	..
3	**Correspondence:**			
.1	Ship owner – port State	☐	☐	..
.2	Ship owner – flag State	☐	☐	..
.3	Ship owner – recognized organization	☐	☐	..
.4	Ship owner – PMOU Secretariat	☐	☐	..
.5	Flag State – port State	☐	☐	..
.6	Flag State - recognized organization	☐	☐	..
.7	Flag State – PMOU Secretariat	☐	☐	..
.8	recognized organization – port State	☐	☐	..
.9	recognized organization – PMOU Secretariat	☐	☐	..
.10	Other	☐	☐	..
4	**Supporting documents / evidence:**			
.1	Photographs	☐	☐	..
.2	Copies of ship drawings	☐	☐	..
.3	Sketches made by crew / PSCO*	☐	☐	..
.4	Copies of relevant certificates	☐	☐	..
.5	Logbook entries, maintenance records	☐	☐	..
.6	Purchase orders, incl. invoice / Service order, incl. reports*	☐	☐	..
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* Delete what is not applicable