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PRESENT MARITIME SITUATION IN PERU

by

LUIS A MELLA MONTOYA

Republic of Peru

A Paper submitted to the Faculty of the World Maritime University in partial satisfaction of the requirements for the award of a

MASTER OF SCIENCE DEGREE

in

MARITIME SAFETY ADMINISTRATION (NAUTICAL)

The contents of this Paper reflect my personal views and are not necessarily endorsed by the UNIVERSITY.

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PRESENT MARITIME LEGISLATION IN PERU

PART I

INTRODUCTION

The purpose of this project is to emphasize the necessity of effective maritime development and to point out the vital need of having a proper Maritime Administration that can achieve and maintain a high standard in all the maritime activities of the country.

The only way to develop these maritime activities is to let the Administration acquire the required capabilities to deal with this matter.

At the beginning of this project there is a detailed explanation of the condition of the different points according to the "List of Points" and subsequently the conclusions and recommendations that in my opinion the Administration needs to consider.

It is important that before the Administration deals with the idea of developing its actual situation it has to identify the following:

- a) the principal problems,
- b) the various maritime activities which are to be attended,
- c) the proper personnel at all stages,
- d) the adequate infrastructure for its purpose.

If the Maritime Administration is well organized then it is in the position to obtain the expansion of the Peruvian merchant fleet and in this way reduce the drain of foreign exchange resources in the form of freights paid to foreign shipowners and furthermore to create new jobs on board for Peruvian citizens according to the National Regulations. This action is linked to various specific aspects such as ports, training, management, etc.

It is important that the Maritime Administration obtain the knowledge, information and practical guidance to improve the Administration to the required level.

The most serious problems that the Peruvian Administration have to deal with are:

- a) Non-involvement in the evolution of international standards.
- b) Out-dated Maritime Legislation.
- c) Inadequate Administrative Infra-structure.
- d) Shortage of maritime personnel.
- e) Lack of training facilities.

Actually the Administration is trying to bring the Merchant Shipping Legislation up to date and to achieve a high maritime safety level and to obtain

this the Marchant Shipping Act has to be:

- a) Developmental,
- b) Regulatory, and
- c) In conformity with relevant International Law/
Conventions.

BRIEF INTRODUCTION OF THE REPUBLIC OF PERU

CAPITAL : LIMA

HISTORY : The Republic of Peru formerly the most -
important of the Spanish vice-royalties in South- -
America, declared its independence on July 28, 1821,
but it was not until after the war, protracted - -
until 1824, that the country gained its actual - -
freedom.

LOCATION, SIZE, EXTENT, AND POPULATION: Peru is - -
South America's third largest country, with an area
of 1,285,219 sq. km. (496,224 sq. ml.), extending -
about 1,200 km. (800 ml.) SE-NW and 560 km. (350 ml.)
NE-SW. It is bounded on the N by Ecuador and Colom
bia, on the E by Brazil and Bolivia, on the S by --
Chile, and on the W by the Pacific Ocean, with a --
total boundary length of 9,408 km. (5,846 ml.) The
population is about 19,000,000.

TOPOGRAPHY : Peru is divided into three contrasting
topographic regions: the Coast (Costa), the High--
lands (Sierra), and the Eastern Jungle (Selva).

- The coastline is a narrow ribbon of plain desert
from 16 to 160 km. (10-100 ml.) in breadth. It -
is scored by 50 rivers, which water some 40 oases.
Only a few of these rivers, which have their - -
sources in the Andes snowbank, reach the sea in
all seasons. Although the coastal region compri
ses only 12% of the national territory, it con--
tains the ports and chief cities of Peru.

Inland the 'Costa Baja' rises through the steep wastes of the 'Costa Alta' (760 - 2,000 m.) - - (2,500 - 6,500 ft.) then ascends abruptly to the western cordillera (Cordillera Occidental) of the Andes, which with its ridge of towering peaks runs parallel to the coast and forms the Peruvian Continental divide.

CLIMATE : There is a very wide variety of climates, ranging from equatorial to desert, (or perpetual - snow on the high mountains). In coastal areas temperatures vary very little, either daily or annually, though humidity and cloudiness show considerable variation with the highest humidity from May to September. Little rain is experienced during this period. In the Sierra, temperatures remain fairly constant - over the year but the daily range is considerable. - There the dry season is from April to November. - - Desert conditions occur in the extreme south where - the climate is uniformly dry, with a few heavy showers falling between January and March.

CONSTITUTION AND GOVERNMENT: The new Constitution, - installed in July 1980, provides for a Legislature - consisting of a Senate (60 members) and the Chamber of Deputies (180 members) and an Executive formed of the President of the Republic and a Council of Ministers appointed by him. Elections were held in July 1985. They will be held every 5 years with the President and Congress elected, at the same time, by separate ballots. All Peruvians over the age of 18 -- are eligible to vote. Voting is compulsory. The -- new President is Dr. Alan García Pérez.

LANGUAGES : The official languages are the Quechua and Spanish.

RELIGION : Religious liberty exists, but the Roman Catholic religion is protected by the State.

JUSTICE : The judicial system is a pyramid at the base of which are the justices of the peace who decide minor criminal and civil cases involving - small sums of money. The appeal is the Supreme -- Court with 17 members, in between are the judge of the first instance, who usually act in the provincial capitals and the superior courts of which - - there are 18.

EDUCATION : Elementary education is compulsory and free for both sexes, Secondary education is also free. There are Private and State Universities.

SOCIAL WELFARE : Contributory Social Security - - schemes exist for employees and workers. These are administered by the Ministry of Health.

IMPORTANCE OF THE MARITIME SAFETY ADMINISTRATION

The safety administration is the column in the process of developing the Maritime Administration - because the technology of shipping is becoming increasingly complex, especially regarding ships and their machinery and the cargoes they carry and this requires ship surveyors who are not only familiar - with the operation and maintenance of conventional ships, but also with advanced ship design, machinery, equipment, and dangerous cargo. These maritime surveyors must have high professional qualifications as well as technical and practical expertise to enable them to function effectively in their jobs. This - challenge is increasing with the maritime safety -- conventions of the International Maritime Organization which have set standards of construction, equip^{ment} and operation of ships, and these conventions have also set minimum requirements for inspection - and survey of ships to ensure that they meet the re^{quired} standards when put into service and that they are maintained in a safe and seaworthy condition.

Another task of the Safety Administration is to effec^{tively} carry out enquiries into maritime accidents - with the purpose of discovering the causes of each - accident and on the basis of the findings of such -- inquiries to do everything possible to avoid other - incidents.

Also the Safety Administration has to deal with the

various examinations for certificates of competency of personnel on ships.

A well-trained professional in Safety Administration has to be able to deal with the following - operational aspects:

- a) General Superintendence and Coordination.
- b) Registration of ships and related functions.
- c) Surveys/inspections and certificates of ships.
- d) Port State Control of foreign ships.
- e) Inspections and detention of unseaworthy/unsafe ships.
- f) The conducting of examinations -- leading to, - and the issuance of the appropriate Certificates of Competency and/or Proficiency to various categories of seafarers.
- g) Manning of ships.
- h) Conducting inquiries/investigations into shipping casualties.
- i) Dealing with matters pertaining to prevention/control/combustion or marine pollution.
- j) Crew matters.
- k) Registration of seamen.
- l) Wrecks.
- m) The adoption and implementation of International Maritime Conventions.
- n) Advice to the government of Maritime Matters.

In summary the safety and efficiency of the national merchant fleet depends on the Safety Administration.

PART II

CHAPTER I

SECTION II

CONSTITUTIONAL/STATUTORY POSITION AS REGARDS RESPONSIBILITY FOR MERCHANT SHIPPING AND PORTS :

According to Peruvian Legislation the Ministry of the Navy in cooperation with the Ministry of -- Transport and Communications has the responsibility for Merchant Shipping and Ports and to fulfil this task the "Direction General of Captanship and Coast Guard" has been designated.

Therefore, the "Direction General of Captain--ship and Coast Guard" through the Regulations of Captain and Merchant Shipping covers the primary -- objective that is to develop, regulate, and conform to relevant international Laws and Conventions. -- These regulations have been approved by the President of the Republic through Supreme Decree and show the policy of the Peruvina Government as regards Merchant Shipping and Ports.

The Government Policy is complemented through Directorial Resolutions and Ministerial Resolutions that publish rules and regulations that need to be promulgated under the aforesaid primary legislation.

SECTION II

STATUS OF PRESENT MARITIME LEGISLATION OF RELEVANCE AND PROPOSED CHANGES/AMENDMENTS :

The present Maritime Legislation in Peru is established by the 'Commercial Code' promulgated on February 15, 1902, by the Legislation of Captainship and National Merchant Marine covered in two volumes published by Supreme Decree - No. 021 dated October 31, 1951. The first volume is adjusted by rules that regulate the activities of Merchant Shipping, Fishing Activities, and mainly Maritime Work. The second volume covers the International Convention for the Safety of Life at Sea - 1974 promulgated by Decree Law No. 22681 dated September 18, 1979, and the International Convention on Load Lines, 1966. Beside legislations, there is the Law of the Ministry of Marine, the Organic Law of the Ministry of Transport and Communications and the Fishing Law which refers to a great extent to aspects of maritime activities, consequently taking the form of Maritime - Legislation. Besides these specific rules, there are the Conventions of ILO ratified by the Supreme Government and furthermore a group of Supreme - Decrees and Resolutions that complement the rules pointed out previously.

IMO International Conventions ratified by the Peruvian Government.-

1. International Convention on Load Lines, 1966 by

Supreme Resolution No. 731 - dated December 27, 1966, and amendments 1971, 1975 and 1979 by Supreme Resolution 0202 dated April 10, 1984.

2. International Convention for the Safety of Life at Sea 1974 by D.L. 22681 dated September 18, - 1979.
3. International Convention for the Prevention of Pollution from Ships, 1973 by D.L. 22703 dated September 23, 1979.
4. Convention on the International Regulation for Preventing Collisions at Sea, 1972 by D.L. -- 22712 dated October 03, 1979.
5. Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 by D.L. 22554 dated March 26, 1980.
6. Torremolinos International Convention for the - Safety of Fishing Vessels, 1977 by S.D. 038-81 dated November 16, 1981.
7. International Convention on Tonnage Measurement of Ships, 1969 by Supreme Decree 041-81 MA dated November 17, 1981.
8. International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 by Supreme Decree 040-81 MA dated November 17, - - 1981.

9. Convention of Facilitation of International Maritime Traffic, 1965 by Supreme Decree 042-81 dated November 17, 1981.

Condition of International Conventions and Amendments
in the Process of Approval by the Peruvian Government

1. In the Process of Approval by the Congress

- a) International Convention for Safe Containers 1972.
- b) International Convention on Maritime Search and Rescue, 1979.
- c) Convention on the International Maritime - Satellite Organization.

2. In Legal Finishing at the Ministry of Foreign Affairs

- a) International Convention on Civil Liability for Oil Pollution Damage 1969.
- b) Amendments 1983 to the International Convention on Load Lines 1966.
- c) Amendments 1981, to the International Regulations for Preventing Collisions at sea - 1972.
- d) Amendments 1983, to the International Convention for Safe Containers 1972.

3. In the Process of Revision at Prime Minister Level

- a) Amendment 1981 - 1983 to the International

Conventions for the Safety of Life at Sea,
1974.

- b) Convention of the Pollution of Marine Pollution by Dumping of Water and other Matter, 1972.

4. In Evaluation by the Sub-Committees of Investigation

- a) International Conventions Relating to Intervention on The High Seas in case of Oil Pollution Casualties 1969.
- b) Convention on Limitation of Liability for -- Maritime Claims, 1976.
- c) International Compensation Fund for Oil Pollution Damage, 1971.
- d) Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974.

At present is under way and the process of elaborating on "Maritime Status" may be defined as -- follows:

We give the name "Maritime Status" to the dispositions included in the Publications of Official usage in Peru and its regulations, in relationship to the management of the Maritime Authority and its activities developed in the Maritime, Fluvial and Lacustrine Limits.

In this "Maritime Status" will be included all the Regulations, Manuals, Board of Directors, Conventions, etc. that have been approved by Laws Decrees, Supreme Resolutions, Ministerial Resolutions, and Directorial

Resolution. Furthermore, it will include the interpretation and completion in agreement with our national necessities and accordingly to the Conventions -- which Peru has ratified.

The "Maritime Status" is a compilation of the following volumes:

VOLUME I

1. Specifications:
 - a) of "the Direction General".
 - b) of the Districts of Captainship,
 - c) of the Major and Minor Harbour Master's Position,
 - d) of the Harbour Police.

2. Maritime Work :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspections - Conventions

3. Merchant Shipping :
 - a) Personnel
 - b) Passengers
 - c) Material
 - d) Operation Regulations
 - e) Inspections - Conventions

4. Special Duties :
 - a) Search and Rescue
 - b) Shipping Traffic Control
 - c) Contamination Control

5. Miscellaneous

VOLUME II

1. Fishing :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspections (Conventions)

2. Diving :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspections (Conventions)

3. Nautical Sport :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - c) Inspections

4. Harbour Installations at the Seashore, and Continental Shelf :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspection

5. Shipyards, maritime ancillary industries, and equipment works for port maritime operations:
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspections

VOLUME III

1. International Convention for the Safety of Life at Sea.

VOLUME II

1. Fishing :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspections (Conventions)

2. Diving :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspections (Conventions)

3. Nautical Sport :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - c) Inspections

4. Harbour Installations at the Seashore, and Continental Shelf :
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspection

5. Shipyards, maritime ancillary industries, and equipment works for port maritime operations:
 - a) Personnel
 - b) Material
 - c) Operation Regulations
 - d) Inspections

VOLUME III

1. International Convention for the Safety of Life at Sea.

2. Protocol 1978 relating to the International Convention for the Safety of Life at Sea 1974.

VOLUME IV

1. Convention on the International Regulation for - Preventing Collision at sea, 1972.

VOLUME V

1. International Convention on Load Lines, 1966 and Amendments 1971, 1975 and 1979.

VOLUME VI

1. International Convention on Tonnage Measurement of Ships, 1969.

VOLUME VII

1. International Convention on Standard of Training Certification and Watchkeeping for Seafarers, -- 1978.

VOLUME VIII

1. Torremolinos International Convention for the -- Safety of Fishing Vessels, 1977.

VOLUME IX

1. International Convention for the Prevention of Pollution from Ships, 1973.

VOLUME X

1. Protocol of 1978 relating to the International - Convention for the Prevention of Pollution from Ships, 1973.

VOLUME XI

1. Convention of Facilitation of International Maritime Traffic, 1965.

VOLUME XII to XX

1. Another International Convention that the Government will ratify in the future.

VOLUME XXI

1. Convention of the International Labourer Organization.

SECTION III

PRESENT FUNCTIONS AND ACTIVITIES OF THE MARITIME ADMINISTRATION

The functions of the Maritime Administration - (Direction General of Captainship and Coast Guard) are:

- a) To watch the fulfilment of National and International Maritime Law, the Safety of Life at Sea, and the Prevention and Control of Marine Pollution.
- b) To watch and control the shipping traffic - at sea, on rivers and on lakes.
- c) To exercise the action of control and supervision in Maritime Ports, River Ports, and Lake Ports, and the removal of wreckage, planes that might be aground or ashore.
- d) To assist and rescue life and property in home waters.
- e) In coordination with the Direction General of Hydrography and Navigation to contribute in the position and maintenance of buoys, beacons, light houses, coastlights, etc.
- f) To check contraband in the home waters.
- g) To execute the Regulations of Captainship and Merchant Shipping.
- h) To collaborate with other Authorities in the accomplishment of its functions.
- i) To collaborate at times of flooding and other disasters.
- j) To collaborate in the control of damages in general and fire damages in ports and on vessels.

- k) To take search and rescue action.
- l) To control and protect natural resources in its home waters and on its soil and subsoil according to its National Chart.

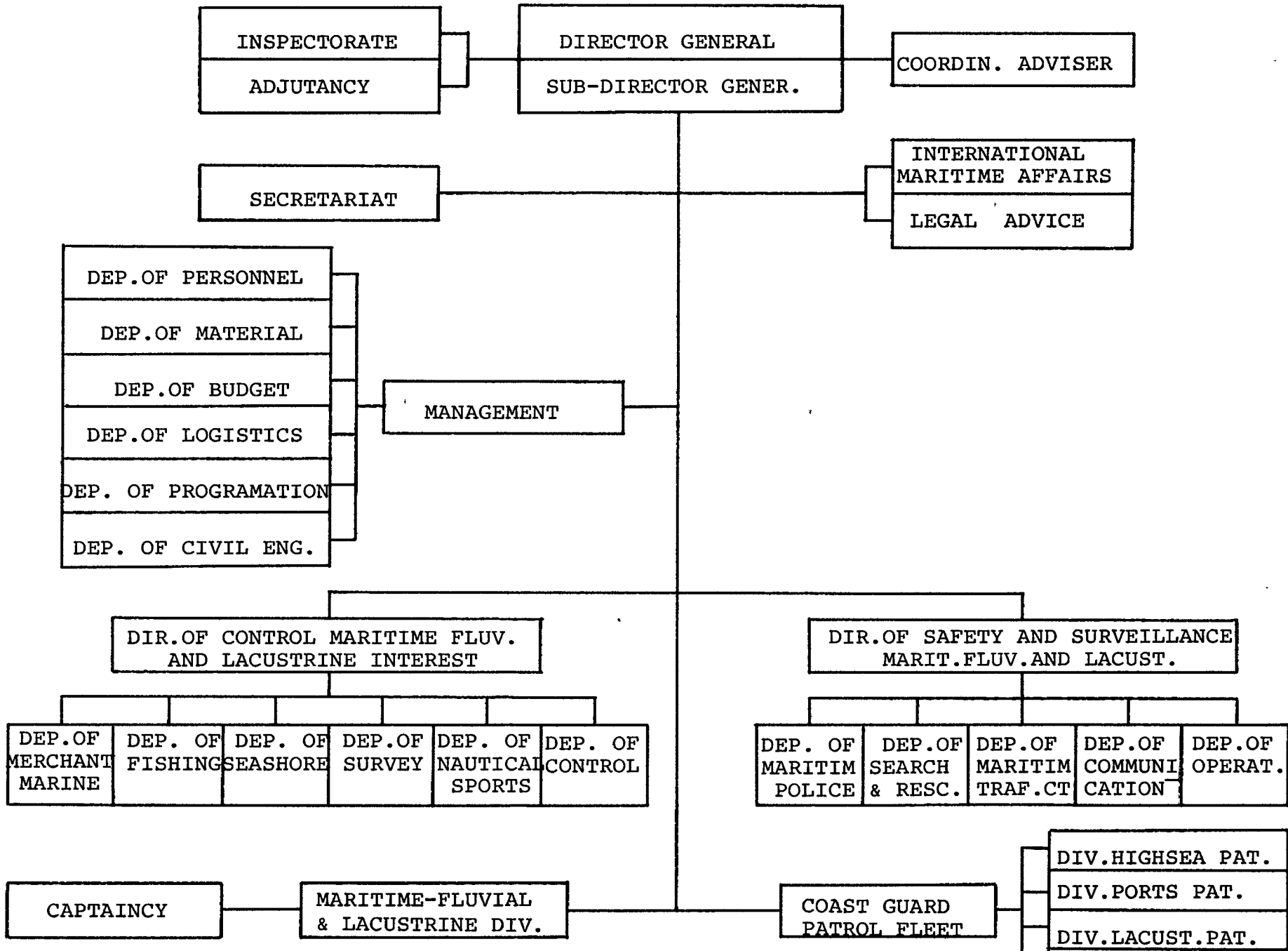
MISSION

To execute Naval Control within its Jurisdiction, by watching, protecting and maintaining safety over the Maritime, Fluvial and Lacustrine as well as over - - natural resources that are developed in the aquatic limits with the purpose of executing National and International Law.

JURISDICTION

1. At Sea Jurisdiction to 200 miles from the coast and in navigable rivers and lakes.
2. Islands in the Territorial Sea, and in the Titicaca Lake.
3. In the Coast and Shores to the line of high tide as well as the rivers and lakes to the line of ordinary high water.
4. On board Peruvian and foreign vessels except -- warships in home waters.
5. On board Peruvian vessels on the high seas, home-waters, and foreign ports according to International Law not concerned with local jurisdictions.
6. The Maritime, Fluvial, and Lacustrine International Boundaries.

DIAGRAM OF THE COAST GUARD ORGANIZATION



PART III

CHAPTER II

SECTION I

TOTAL NUMBER OF OFFICERS, PARTICULARLY MARINE
OFFICERS, IN THE MARITIME ADMINISTRATION, POST
FILLED, POST VACANT AND LOCATION OF SUCH OFFI-
CERS

<u>R A N K</u>	<u>From the Naval Academy</u>	<u>Not from the Naval Academy</u>
Captain	6	--
Commander	14	--
Lieutenant Commander	28	--
First Lieutenant	11	--
Second Lieutenant	--	10
Ensign	--	32
Cadet	12	--
T O T A L :	71	42

These Officers cover posts in the Coast Guard Head quarters and in the Coast Guard Patrols.

The vacant posts are covered by Navy Officers principally in Major Captainships.

SECTION II

QUALIFICATIONS AND EXPERIENCE STIPULATED FOR THE ABOVE POSTS OF MARINE OFFICERS

The Officers have to be qualified and experienced in the following fields:

- Safety of Life at Sea
- Prevention and Control of Pollution
- Search and Rescue
- Maritime Police
- Maritime Legislation
- Control and Protection of the Home Waters
- Naval Operations
- National Maritime Law
- International Maritime Law

SECTION III

STATUTORY DUTIES PERFORMED (OR REQUIRED TO BE PERFORMED) BY SUCH MARINE OFFICERS

When a Cadet obtains the rank of Ensign he - shall have enough knowledge to perform the following duties :

1. Officer in Naval Operations, Navigation and Communication.
2. Officer in Deck Department.
3. Officer in Administration.
4. Assistant Officer.
5. Officer in the Engineer Department:
 - a) Main Engine
 - b) Auxiliary Engines
 - c) Damage Control
6. Assistant to a Surveyor
7. Assitant in Shipping Casualties.
8. Officer in Charge of a Rescue Group.
9. Organization of Port Duties and Navigation Duties.
10. Ship Manouvering.
11. Naval Communications.
12. Training on Deck Tackle.
13. Stability and Naval Construction.
14. Naval Electronics.
15. Maritime Legislation.
16. Leader aptitudes.
17. Navy Medicine.
18. Naval Control of Shipping Traffic.
19. Science of the Sea.

SECTION IV

SYSTEM OF TRAINING GOVERNMENT SURVEYORS

The training of the Government Surveyors is carried out by the Administration "Direction General" through a two part course. One part is completely theory about the International Conventions that the Peruvian Government has ratified and the Peruvian Merchant Fleet has to fulfil, - the other part is completely practical and is - carried out on the vessels that arrive at the Callao Port during the training programme.

Each part lasts one week.

In 1982 two Government Surveyors trained in N.K.K. Japan for 10 weeks, and in 1985 two members of the Administration obtained the Master of Science Degree in M.S.A. (N) and M.S.A. (E) - respectively at the World Maritime University. Two other members are at present following the same courses.

PART IV

CHAPTER IV

SECTION I

REGISTRATION OF SHIPS - RULES AND PROCEDURES

Every national craft, of any tonnage, for free navigation in or outside the home waters must be registered.

Any National Craft (Maritime, Fluvial or Lacustrine) should be registered first in the Ship's Mercantile Register before being registered officially. The registration should be done with the presentation of the respective Patent of Navigation.

The Captainships of Callao, Iquitos and Puno will carry out a Book of Registrations in which they will detail the following:

- The name of the vessel
- Name of the owner (Who must be a Peruvian citizen otherwise the capital should be not less than 75% Peruvian).
- Name and address of the owner of the Society.
- System of Propulsion.
- Length, Breadth and Depth.
- Gross Tonnage and Registerd Tonnage.
- Maximum depth, number of masts and type of gears.
- Number of decks.

- Shape of the fore and poop.
- Place and year of construction.
- Kind of trade.
- Name of ship builder.
- The name and nationality of the owner or owners if it is not a brand new ship.
- The date and the number of registration of the ship's mercantile register.
- Date of issue of the patent.
- Provisional certificate if the ship is purchased in a foreign country granted by a consular representative.
- Number of passengers and kind of passengers that can carry.
- Last patent of registration.
- Number of crew members.
- Machinery type and horse power.
- Builder
- Boilers, number and types, working pressure.
- Kind of fuel.
- Capacity of fuel tanks.
- Finally the ship's worth and its signal code according to the International Signal Codes shall be recorded.

In order to register a major ship all the above mentioned requirements should be presented by the owner or legal representative of the ship with an application form to the President of the Republic - - through the Director General of Captainship and Coast Guard.

After verifying this application form, the "Direction General of Captainship and Coast Guard" will send a government surveyor to the port where the ship is located to determine if she fulfills all the requirements.

If the surveyor recommends that everything is suitable the "Director General of Captainship and Coast Guard" will order the registration of the ship in the respective Book of Registration after verifying the documentation. The registration will be issued and will be delivered to the owner or the legal representative of the ship.

No ship can change name without previous authorization of the Captainship where it is registered.

The changing of the name will be registered first at the Ship's Mercantile Register by the owner or legal representative of the ship who will present testimony of the registration to the Captainship where she was registered for its inscription in the respective Book of Registration.

SECTION II

NUMBER OF NATIONAL SHIPS AND THEIR PARTICULARS

In the following pages the number of National Ships, their main characteristics and their particulars are detailed.

LIST OF THE NATIONAL SHIPS AND THEIR PARTICULARS

NAME	BUILT			LENTH	BREADTH	DEPTH	G.R.T.	D.W.T.	ENGINE
	YEAR	COUNTRY							
SHIPOWNER :		NAVIERA AMAZONICA PERUANA							
YACU RUNA	GC	1965	GERMANY	355'08"	48'07"	27'06	2,667.01	4,527	FIAT
YACU WUASI	GC	1962	JAPAN	436'06"	62'33"	36'01"	7,384.07	10,050	SULZER
YACU CASPI	GC	1963	HOLLAND	139'00"	17'56"	9'52"	7,128.79	7,658	STORK
YACU WAYO	GC	1969	GERMANY	437'56"	64'96"	33'10"	7,605.21	7,500	MAN-IL62-70

✓
✓

SECTION III

SYSTEM FOR SURVEYING AND INSPECTIONING SHIP

According to the National Regulations the purpose of the surveys and inspection is to ensure, -- from the point of view of safety of life and pollution prevention, that the ship is fit for the service for which it is intended.

For the accomplishment of the above the Administration has established that according to the requirements of the 1974 Solas Convention and the 1973 Marpol Convention, their Protocols of 1978, - the 1966 Load Line Convention and Codes the following applies:

1) INITIAL SURVEY

Solas 1974 - Chapter I

Regulation 7 (a) (i) Survey before the ship is put into service

Regulation 8

Regulation 9

Regulation 10 Survey on completion

1978 Solas Protocol

Regulation 7 (a) (i) Survey before ship is put into service

Regulation 8 (a)

Regulation 9

Regulation 10 (a) Survey on Completion

Marpol 1973 Annex I Regulation 4(1)(a)
Annex II Regulation 10(1)(a)
Annex IV Regulation 3(1)(a)

1978 Marpol Protocol

Annex I Regulation 4(1)(a)

Load Line Convention Article 14 (1)(a)
Survey before ship is put
into service.

Gas Carrier Code Paragraph 1.6.1 (a)

Bulk Chemical Code Paragraph 1.6.1
Satisfactorily inspected

2. PERIODICAL SURVEY

Solas 1974, Chapter I Regulation 7 (a) (ii)
Regulation 8 Subsequent survey
Regulation 9 Subsequent survey
Regulation 10 Special Intervals

1978 Solas Protocol, Chapter I

Regulation 7 (a) (ii)

Regulation 8 (a) Subsequent Survey

Regulation 9 Subsequent Survey

Regulation 19 (a) (i)

Marpol 1973 Annex I Regulation 4(1)(b)

Annex II Regulation 10(1)(b)

Annex IV Regulation 3(1)(b)

1978 Marpol Protocol Annex I Regulation 4(1)(b)

Load Line Convention Article 14 (1)(b)

Gas Carrier Code Paragraph 1.6.1 (b)

Bulk Chemical Code Paragraph 1.6.1 Survey
at intervals

3. INTERMEDIATE SURVEY

1978 Solas Protocol
 Chapter I Regulation 8 (b)
 Regulation 10 (a) (ii)

Marpol 1973 Annex I Regulation 4 (1) (e)
 Annex II Regulation 10 (1) (e)

1978 Marpol Protocol
 Annex I Regulation 4 (1) (e)

Load Line Convention Article 14 (1) (e)
 Periodical Inspection

Gas Carrier Code Paragraph 1.6.1 (e)

4. MANDATORY ANNUAL SURVEY

1978 Solas Protocol
 Chapter I Regulation 6 (b)

1978 Marpol Protocol
 Annex I Regulation 4 (3) (b)

5. ADDITIONAL SURVEY

Solas 1974, Chapter I Regulation 7 (a) (iii)

1978 Solas Protocol
 Chapter I Regulation 7 (a) (iii)
 Regulation 19 (d)

The surveys are carried out by surveyors designated by the Administration "Direction General of -- Captainship and Coast Guard" and the inspections are carried out by the Captain of the Port.

SECTION IV

SYSTEM FOR ISSUE OF APPROPRIATE SURVEY AND INSPECTION CERTIFICATES

In point number IX the kind of survey and inspection that the Administration carries out on all Peruvian merchant vessels is explained in detail. There is another survey and inspection to which the ship is submitted to the purpose of which is to investigate ship casualties.

In the first case the Shipowner must submit an application to the Administration with the following information:

- Name of ship.
- Name of owners.
- Port in which the survey is to be done. If it is a foreign port the owner must provide air-tickets for the surveyor and the fees according to the official table.
- Photostatic copies of the last survey or inspection.
- Name of captain.
- If the ship is in a drydock or in a port.
- If the ship is intended to use a foreign dry-dock the owner must submit to the Ministry of Transport (Dirección de Transporte Acuático) an authorization for using a foreign shipyard for its repairs.

After the survey and if the ship and its equipment are satisfactory for the service for which the ship is intended the Administration will issue the appropriate certificate.

The ships certificates that the Administration may issue are the following:

- Tonnage Certificate.
- Certificate of Nationality.
- Passenger ship Safety Certificate.
- Cargo ship Safety Radiotelegraphy Certificate.
- Cargo ship Safety Radiophony Certificate.
- Cargo ship Safety Equipment Certificate.
- Cargo ship Safety Construction Certificate.
- Exemption Certificate.
- International Load Line Certificate.
- International Oil Pollution Prevention Certificate.
- Certificate of fitness for the carriage of Dangerous Chemicals in Bulk.
- Certificate of fitness for the carriage of liquified gasses in bulk.
- Minimum Safe Manning Document.
- Certificate of Proficiency in Survival Craft.
- Special Permit for the Carriage of Dangerous Goods.
- Trading Permitted.

When the Administration carries out a survey and inspection with the purpose of investigating ship casualties, the surveyor is designated immediately.

SECTION V

SYSTEM FOR MAINTENANCE OF RECORDS/PLANS OF NATIONAL SHIPS

According to the National Regulations all the owners of National Ships have to prepare an annual record/plan for maintenance which must be done in a national shipyard. This report has to be submitted to the Administration each first week of the year and has to include in detail the kind of work and - the approximate cost.

In the case that maintenance is impossible to carry out in a national shipyard either because of the shipyard schedule or the sophistication of the equipment, the owner is authorized to do the maintenance in a foreign shipyard but under the supervision of a national surveyor.

SECTION VI

NUMBER OF NATIONAL SHIPS VISITING NATIONAL PORTS, PER ANNUM

According to statistical controls carried out by the Administration, the national ports have -- been visited by national ships as is indicated in the following data:

Year

1981	-	1146
1982	-	1303
1983	-	1027
1984	-	1359
1985	-	1115

The figures are high because some Peruvian - ships visit many different ports on the same trip.

SECTION VII

ANY SEAGOING SHIP/SHIPS CONSTRUCTED IN THE COUNTRY

All the following ships were built in "SERVICIO INDUSTRIAL DE LA MARINA" -- that is one of the most important National Shipyards.

<u>NAME AND TYPE OF SHIP</u>	<u>YEAR</u>	<u>D.W.T.</u>
ZORRITOS (Tanker)	1959	6106
LOBITOS (Tanker)	1965	6010
PARINAS (Tanker)	1968	10140
PIMENTEL (Tanker)	1969	10237
RIMAC (General Cargo)	1973	13268
I L O (General Cargo)	1973	13450
JOSE OLAYA (Bulk Carrier)	1974	25195
AMAZONAS (Bulk Carrier)	1975	25200
TROMPETEROS (Tanker)	1975	25640
TALARA (Tanker)	1976	25401
CAPAHUARI (Tanker)	1977	25401
MARANON (Bulk Carrier)	1979	25587

PDTE. JOSE PARDO (Multipurpose)	1982	20000
PAVAYACU (Tanker)	1984	25243

SECTION VIII

PROCEDURE/SYSTEM FOR CONDUCTING INQUIRES/INVESTIGATIONS INTO SHIPPING CASUALTIES

With the purpose of conducting inquires/investigations of ship casualties, the "Direction General of Captainships and Coast Guard" has delegated this function to the Captainships who are in charge in their local areas in the first instance and to the Director General for appeal.

The procedure is based on the kinds of casualties, which are the following:

- a) When the casualty occurs within national waters.
- b) When the casualty occurs in foreign waters.

In the first case the Captainship is the official surveyor, who must gather the relevant facts, including most of the evidence to establish the cause of the casualty. He should, in particular, take full and exact statements. After this procedure he must send a report with his recommendations and, of course, with the result of the investigation to the Director General. If this authority considers it necessary to make the case a subject of a formal investigation, he will take subsequent measures to find out the true reason and apply the corresponding fine.

When the casualty occurs in foreign waters, the Administration sends one or two official surveyors - (nautical or engineer) to the port nearest to the casualty in order to contact the shipmaster, officer and crew members in the first instance. In this case the surveyor should take the declarations of the witness, he must get information from the Official Log Book, and finally prepare the first report for the - Director General and then contact him in order to furnish further information about the casualty if it is possible.

SECTION IX

PROCEDURE FOR THE DETENTION OF AN UNSEAWORTHY SHIP

Where the authorities detect an unseaworthy ship because her deficiencies are clearly hazardous to safety, health or the environment, the ship is retained until the Master or Shipowner has accomplished all the steps to ensure that the hazard is removed before the ship is allowed to proceed to sea.

The authority will, as soon as possible, notify the flag state through its Consul or in his absence, its nearest diplomatic representative or its Maritime Authority, of the action taken. Where the certifying authority is an organization other than a Maritime Administration, the former will also be advised.

When it is impossible to remedy the deficiencies in the port of inspection, the authority may allow the ship to proceed to another port, subject to any appropriate conditions determined by that authority, with a view to ensuring that the ship can so proceed without unreasonable danger to safety, health or environment. In such circumstances the authority will notify the competent authority of the region State of the next port of call of the ship.

When the unseaworthy ship is entitled to fly the flag of a State which is a party of the IMO, the Administration must submit a report to it.

SECTION X

NUMBER OF SEAGOING FISHING VESSELS AND SYSTEM OF INSPECTION/LICENSING

In Perú there are today almost 5,000 fishing vessels with a cargo capacity of between 2 (two) tons and 3,000 tons. These fishing vessels are built according to national regulations. When a Peruvian citizen wishes to build a fishing vessel, he has to contact a shipyard, and when he obtains the drawings and specifications of the vessel, he has to send to the Administration for approval. - After this approval the shipyard may start to -- build the fishing vessel and a surveyor is delegated by the Administration to survey the vessel at the 25% stage of construction, at 50%, and before the vessel is delivered. This last stage shall include a complete survey of her structure, stability, machinery, arrangements and material, including the outside and inside of the vessel's hull. This survey is to ensure that the arrangements, material and scantlings, main and auxiliary machinery, auxiliary equipment, electrical installations, radio installations, life saving appliances, fire detecting, extinguishing systems, navigational aids, lights, means of making sound signals and distress signals, should be sufficient to withstand all foreseeable conditions of the intended service and should be to the satisfaction of the Administration and is safe working condition

and comply with the relevant requirements of the National Regulations for the Safety of Life at Sea for fishing vessels.

After this survey, the Administration may - issue the different certificates according to the National Regulations (depending on the dimension of the fishing vessel). All the certificates have a duration of one year.

The initial survey is made by a surveyor designated by the Administration, the periodical - survey. (annual) is made by the surveyor designated by the Captainships.

After any survey has been completed, no changes should be made in the structural arrangement, machinery, equipment, etc. without the sanction of the Administration.

SECTION XI

THE CLASSIFICATION SOCIETIES RECOGNIZED AND DELEGATED WITH STATUTORY FUNCTIONS

All the surveys are made by national surveyors. The Administration does not delegate any statutory functions to Classification Societies.

The aforementioned point explains that the Administration carries out all kinds of surveys and does not delegate to any Classification Society statutory functions.

PART V

CHAPTER IV

SECTION I

PROCEDURE/SYSTEM FOR EXAMINATIONS AND ISSUE OF CERTIFICATES OF COMPETENCY OR LICENCES TO MERCHANT MARINE OFFICERS

According to our National regulations any Peruvian citizen between 18 and 60 years of age who would like to be examined must submit an application to the Director General of Captainship and Coast Guard and must include the following information:

- Complete name, nationality, occupation, address, Identification Card No., and Military Card No. of the person interested.
- Certificate of Antecedents pertaining to the Police of Investigations of Perú (P.I.P)
- Certification of Reliability of the Company for whom he works.
- Legalized photocopy of the title he exhibits.
- Navigation Record issued by the Captainship of Callao.
- Legalized photocopies of the Certificates or Diplomas that accredit the special area for which he is applying, the examinations issued by a Technical Institute or University for the special position of machinist or electrician.

For the postulants of Motorman or Engineer the precise requirements are a Certificate of three years study at any Technical Institute or University and a navigation record of three years.

- For Boatwains the only requirement is a Navigation Record of Five Years plus the regular documentation.
- Medical Certificate.
- Odontologist Certificate.
- Domiciliary Certificate.
- Photocopy of the Identification Card and Military Card.
- Payment for the right to take the examination according to the List of Fees in force.

The examinations are prepared by the Merchant Navy Academy "Almirante Miguel Grau" and approved by the Direction General of Captainships and Coast Guard.

In order to keep the academic programme up-to-date a committee has been designated for this purpose.

The professional examinations are divided into two parts:

- Basics, and
- Professionals

The postulant, to obtain the title of an immediately superior rank should have been approved after both courses independently.

The examination of professional knowledge - takes place at the Marchant Navy Academy "Almirante Miguel Grau" in the months of January, -- April, July and October of each year and lasts 4 hours over three consecutive days.

Once the examinations are finished the Examination Board make their assessment.

After this assessment is completed a List - of Results of all persons that have been approved is compiled and included in a Directorial Resolution Published in the Official Newspaper "EL PERUANO".

After this the Direction General issues the Certificate of Competency or Licences according to the results obtained.

SECTION II

RULES/SYSTEM FOR MANNING NATIONAL SHIPS

According to the National Regulation all the national ships have to be manned by Peruvian citizens except in the case of lack of personnel or when it is a very sophisticated ship and the personnel are not able to use the equipment efficiently. In these two cases the Administration may allow the employment of foreign citizens for a determined period.

The Administration has established a minimum requirement in the numbers, categories and qualifications of seafarers required to sail on each Peruvian ship and issues to all registered ships a document specifying the minimum number and grades of qualified seafaring personnel required to be carried from the safety standpoint, and furthermore a legislation of safe manning standards, hours of work, seafarers competency and social security.

SECTION III

PARTICULAR OF PRESENT INSTITUTION FOR TRAINING SEAFARING PERSONNEL

In Perú two kind of training exist, one is - through several National Institues and the other is training provided by the shipowners privately, according to their needs.

The principal institutions for training sea-
faring personnel are:

- ESCUELA NACIONAL DE MARINA MERCANTE (ENAM)
- CENTRO DE INSTRUCCION TECNICO y ENTRENAMIENTO NAVAL (CITEN)
- SERVICIO DE SALVAMENTO (SERSAL)
- CAPITANIAS DE PUERTO
- INSTITUTO NACIONAL DE FOMENTO y CAPACITACION (INFOCAP)

SECTION IV

NUMBER AND CATEGORIES OF NATIONAL SEAGOING PERSONNEL

- Captains	80
- Chief Mate	250
- First Mate	300
- Third Mate	350
- Chief Engineer	100
- First Engineer	120
- Second Engineer	150
- Third Engineer	200
- First Radio Telegraphist	60
- Second Radio Telegraphist	80
- Purser	90
- Cadets	280

OBSERVATION : The above figures are according to
the Registry Book - July 1985

SECTION V

SYSTEM FOR REGISTRATION OF SEAMEN

According to the national regulation all the personnel on board (Officers and Crew Members) -- must be registered in the proper Registry Book.

Registration is divided for that reason into two books, one is the Officer Registry Book, this is carried out by the Administration "Direction General of Captainships and Coast Guard" and the other is the Crew Registry Book, that is carried out by the Captainship of Callao.

Normally each book dedicates two pages for each member (sometimes more than two) in which is included:

- Picture of the member.
- Personal Identification.
- Physical Characteristics.
- Personal Data.
- Roll of Promotion.
- Time of Service on board and on shore.
- Name of the ship and ship owners in which the member has worked.
- Discipline Sanction.
- Miscellaneous.

SECTION VI

ANY COURSE FOR LIFEBOATMEN, FIRE-FIGHTING, ETC.

The Administration prepares each year a program that all the personnel on board have to carry out according to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 that was adopted by the Peruvian Government by Supreme Decree 040-81-MA dated November 17, 1981.

This training is performed in different places (Captainships, Ports Administration, Merchant Academy, etc.) along all the coast and on the most important rivers and the Titicaca Lake.

It is compulsory that all the personnel on board must have thorough knowledge of the life-saving appliance regulations (International Convention for the Safety of Life at Sea), organization of abandonment drills, lifeboats, lifecrafts and other life-saving equipment, fire prevention and fire-fighting appliances, etc.

After the adoption of the STCW Convention -- the Administration "Director General of Captainships and Coast Guard" took all the necessary steps to give the Convention full and complete effect, to ensure from the point of view of safety of life and

property at sea and the protection of the marine environment and that seafarers on board ships are qualified and fit for their duties.

PART VI

CHAPTER V

SECTION I

PRESENT SYSTEM/ARRANGEMENT FOR THE PREVENTION/
CONTROL/COMBAT OF MARINE POLLUTION

Perú produces enough oil to satisfy domestic consumption and a small percent of this production is exported. For this reason a Contingency Plan exists in the event of spills of oil and other --noxious substances from ship occurring and through the Legislation of the Direction General of Captainships and Coast Guard No. 016-84 December 1984 which indicates the steps that have to be taken by all the Captainships to prevent the danger of pollution at sea for any kind of polluting substance.

The National Contingency Plan makes maximum - use of all the existing organizations and the utilization of the existing equipment and materials - in the country.

SECTION II

RULES/SYSTEMS FOR HANDLING DANGEROUS GOODS IN PORTS

This point has two steps. One is carried out - by the Ports Administrations that are under the authority of the Ministry of Transport and they have to follow the measures indicated in the International - Maritime Dangerous Goods Code (IMDG), Emergency Procedures for Ships Carrying Dangerous Goods - Group - Emergency Schedules, Code of Safe Practice for Solid Bulk Cargoes, IMO Grain Rules, Code of Safe Practice for Ships Carrying Timber Deck Cargoes, International Convention for Safe Containers, 1972 (CSC 1972), IMO/ILO Guidelines for Training in the Packing of Cargo - in Freight Containers and Recommendations for the --- Safe Transport, Handling and Storage of Dangerous - - Substances in Port Areas. The other step is carried out by the Captainship who have to check that the -- ports and ships fullfil the disposition mentioned -- above.

For this reason and to improve performance in this process of control, these two parties (Captainship - Port Administration) have a meeting once per month where they exchange ideas with the purpose of improving the measures and making the national ports as safe places.

SECTION III

DETAILS OF ANY "AIR/SEA SEARCH AND RESCUE SYSTEM" IN EXISTENCE

The Administration with Disposition 03-82 May 1982 has established the procedure in a Search and Rescue Action.

This disposition states the following:

AFFECTED ORGANIZATIONS

- A) Direction of Safety and Surveillance Maritime, Fluvial, and Lacustrine.
- B) Officer in Charge of Control of Maritime Fluvial and Lacustrine Interests.
- C) Coast Guard Patrol Fleet.
- D) Captainships.

1. SITUATION

The "Direction General of Captainships and Coast Guard" is in charge of the safety and protection of all the activities occurring on sea, rivers and lakes particularly regarding safety of life at sea.

2. OBJECTIVE

To prescribe specific rules for search and rescue

of ships and planes in the homewaters and also to the prevention and control of this situation.

3. FINALITY

Minimize the cause and consequences of maritime casualties.

4. EXECUTION

For the execution of the concept described above three steps have been considered:

- Prevention
- Control, and
- Distress

the last one being sub-divided into three phases which are:

- Uncertainty
- Alert, and
- Danger

The affected organization must fulfill the steps according to the following tasks:

A) Direction of Safety and Surveillance Maritime, Fluvial, and Lacustrine

a. 1) Prevention Steps

Will formulate the regulations according to what experience recommends in prevent-in emergency situations.

a. 2) Control Steps

To supervise the present regulations.

a. 3) Emergency Steps

a. 3.1) Uncertainty Phase

To evaluate all the information received and to express the relevant recommendations.

a. 3.2) Alert Phase

- To solve all the coordination problems during the development of the operations.
- Through the "Direction General of Hydrographic and Navigation" broadcast Notices to Mariners.
- To take steps to attain a plan for Search and Rescue.

a. 3.3) Danger Phase

According to the circumstances declare the danger phase in the Maritime District using the proper indications.

When the search and rescue action is over, -
the Direction of Safety and Surveillance Maritime
Fluvial, and Lacustrine must evaluate all the -
action that has been carried out with the purpose
of improving the next search and rescue action -
and according to the enquiry summary determine -
the responsibilities.

B) Officer in Charge of Control of Maritime,
Fluvial and Lacustrine

b. 1) Prevention Step

To supervise the prevention step in
Captainships of its jurisdiction.

b. 2) Control Step

To supervise the control step in the
Captainships of its jurisdiction and
control the action taken by them.

b. 3) Distress Step

To carry out the search and rescue
action in its jurisdiction during
the alert and danger phase.

b. 3.1) Uncertainty Phase

In the charge of the Captain-
ship.

b. 3.2) Alert Phase

At the request of the Captain-
ship in its jurisdiction declare
the Alert Phase through the Of-
ficer in Charge of Control of -
Maritime, Fluvial and Lacustrine.

- The alert phase must include
the following information:

- . Type of embarkation (tanker,
cargo, fishing vessel, etc.)
- . Name
- . Number of registration.

- . Port of registration and nationality.
 - . Color of hull.
 - . Color of superstructure.
 - . Radio.
 - . Call number.
 - . Length, breath, depth.
 - . G.R.T.
 - . Cruising radios.
 - . Day and Time vessel set sail.
 - . Port of sailing out.
 - . Fishing area.
 - . Speed.
 - . Port of destination.
 - . E T A
 - . Crew number.
 - . Passenger number.
 - . Time of las position.
 - . Kind of assistance.
- Supervise the search and rescue actions that have been taken by the Captainship of its jurisdiction carrying out a sequence of the actions:

To order that the patrol vessel - cooperates with the search and rescue action.

If the search and rescue action - is over, communicate to all involved.

b. 3.3) Danger Phase

The Officer in Charge of Control

of Maritime, Fluvial and Lacustrine must to declare the distress phase at the request of the Captainship in its jurisdiction:

- . The search and rescue action - must be carried out for an appropriate period of time. When the ship is located and the problem is over the above mentioned - Officer will determine the -- action closed and the incident will be over.
- . When during the distress phase it is determined that a later search is no longer of benefit the respective District will - recommend to the "Direction of Safety and Surveillance Maritime, Fluvial, and Lacustrine the interruption of the operation of search and rescue, which will - be evaluated by the aforementioned organization.
- . An operation of search and rescue will only be interrupted -- when:
 - a. All the probable areas have been revised.
 - b. All the probable places have been investigated.
 - c. All the investigations relating to the places where the ship would have arrived have been checked.

. When the ship is located and after assistance has been rendered she can continue the trip, the incident being closed and it will be communicated to the authorities affected, to the owner or agent, and to the Naval Authorities.

C) Command of the Fleet of Coast Guard

c. 1) Prevention Rules

- c. 1.1) At Callao Port a monthly rota of Patrol Ships on duty has been established. These vessels must be entirely ready, in less than an hour from the moment the alert is given.
- c. 1.2) It is required that the Patrol Ship on duty will be equipped with towing gear according to her length and the additions that naval practice advises.
- c. 1.3) Will verify that the Commanders of the Coast Guard Patrol Vessels be familiar with the scheme of search, exploration, rescue, and salvage contained in a special book of manoeuvring and a Handbook of Search and Rescue and must give detailed orders to Patrol Ships that sail with the mission of searching.

c. 1.4) Will order, likewise that the Commands be perfectly aware of the content of the forms and will indicate the instructions for the Unit of Search and Rescue (Patrol Ship) which will be designated by the Chief of a District or Captainship - and the fulfilment of these tasks will be that of the designated Unit dealing with the operation of search and rescue and the information of the same mission.

c. 2) Control Measures

Must have a strict watch over the Units for the exact performance of present -- dispositions.

c. 2.1) The Captainships will be responsible for controlling the daily movement of each and every fishing or sports craft that goes - out of its respective jurisdiction.

c. 2.2) To effect the declaring of a - - craft in anyone of the three - - phases of emergency the Captainship should consider the Specification in force.

c. 2.3) The Harbor Masters should consider the expenditures that have been incurred by the Coast Guard Units, Aeronautical Units and other parties that have assisted in the action when they are required to present the total cost of the service rendered. This will only be effective in cases where the casualty has been deemed to be negligent or has not fulfilled the regulations, independently of sanctions.

c. 3) Emergency Measures

c. 3.1) Uncertainty Phase

A Unit (Patrol Ship) will be designated to be prepared in the event of emergency:

- Once the Uncertainty Phase has been declared by the Captainship the following steps must be followed:
 - . Communicate this situation to the Chief of the respective District.
 - . Verify the information that has been received, if it is necessary.
 - . Register the appropriate information on a special form available for such cases and evaluate

the information received, -
taking into consideration -
the weather, and condition
of the sea.

- . If the information about the intention of the Master of the craft in an emergency - cannot be obtained, try to get information of the route, ports and schedule of arrivals and departures.
- . Check the sea route based on the information received.
- . Verify that the respective organ performs the preliminary search of communication or make it if it is necessary:
 - . The purpose of this search of communication is to make communication with the ship or craft by radio.
 - . Determine her probable position.
 - . Investigate the places where she might arrive or call -- (including the port of departure).
 - . To make the search easier we must remember the average of deviation (ship's course) according to the manual that is available for these cases.

- . If the ship is located the incident is finished and this must be communicated to all the consignees affected.
- . Have contact with other -- sources of information, including ships at sea which -- might have seen the ship or craft, other persons who -- might be aware of the intention of the Master of the -- craft.
- . If the Harbor Masters did -- not obtain positive results in the Uncertainty Phase, -- they might apply through -- Naval message to the respective Chief of the respective District the declaration of the Alert Phase within the Captainships of the Juris-- diction of the District -- with acknowledgement to the "Direction of Safety and -- Surveillance Marit., Fluv., and Lacustrine".

c. 3.2) Alert Phase

The Patrol Ship on duty or the - Unit designated for the operation of search and rescue will sail in a time not more than an hour (1) after receiving the communication of the Emergency steering to the

place of the casualty at the maximum velocity permissible.

She must be put in action according to the instructions that have been received from the Captainship where she has been assigned.

Once a vessel or craft has been declared by the Chief of the District at the Alert Phase -- the Captainships should order the following:

- . If it has not been written out in the form all the information received must be written down at once and any other reports or details of action taken and any other subsequent action added.
- . Verify the information that has been received.
- . Try to get information relating to the ship or craft of sources contacted previously.
- . Make a complete evaluation of the sea routes of the ship or craft, weather conditions, possible delays in communication, last position or communication, etc.

- . Take into consideration the possibility of consumption - of fuel and the situation - and conduct of the ship or craft in adverse conditions.
- . Maintain contact with neighboring radio stations to obtain information and maintain receivers on the frequency of the last transmission of the Unit in emergency.
- . Examine all the appropriate details obtained through the described actions to determine the position of the ship or - craft and her maximum radius of action from the last position known and note through - the radar the position of any ship or craft that might be operating in the area.
- . Ask the "Direction of Safety and Surveillance Maritime, -- Fluvial, and Lacustrine" - Department of Shipping "Traffic Information" of any trade ship that might be affected.
- . According to the estimated position of the ship or craft in emergency, initiate the search action and appropriate rescue and communicate these actions to the Coastal Radio Station.

- . Ask the respective Chief of the District or the "Direction of Safety and Surveillance Maritime, Fluvial, and Lacustrine for the use, if necessary, of a Patrol Ship for search and rescue purposes.
- . Previous coordination with the respective District Chief. Ask the "Direction of Safety and Surveillance Maritime, Fluvial, and Lacustrine" for the use, if necessary, of one Air Unit for search and rescue purposes. Information should be sent to the respective authorities as is usual in these cases.
- . According to the Regulations all other means assigned to the Captainships such as tugboats, ships, etc., may be used.
- . Whenever possible communicate to the owner or agent all information received and the action taken. Issuing the necessary advice of Captainship. Communicating to the fishermen and fishing ship owners that the Alert Phase has been declared for the damaged ship in order to receive any search collaboration from them.

- . If the ship is located, the incident is declared closed and this must be communicated to the affected consignees.

c. 3.3) Danger Phase

Must operate according to the exact instructions of the Captainship where it has been assigned.

Once the Danger Phase is declared the respective Captainship should follow the following steps:

- . If it is not yet done, register all the pertinent information on the Search and Rescue Forms and evaluate the received data, meteorology and other factors.
- . Despatch the assigned Units with detailed information about the ship or air patrol with call sign, primary or secondary frequencies).
- . Maintain operative control over the force assigned, while they are working in the operative area.
- . Maintain communication as far as possible with the Unit in danger, establishing regular periods.
- . To bring up to date the information on Shipping Traffic of trading ships that might be affected by the operations.

- . Alert other organizations, civil or military, neighboring the Unit in danger, asking for help or information.
- . Calculate the drift, the area of search and determine the type of appropriate search.
- . If it is considered convenient verify all the things done during the phases of Uncertainty and Alert.
- . Notify all authorities dealing with Accident Investigations.
- . Be aware of the meteorology report for the area, flying hours, departures and probabilities of detection, sending information of the whole situation to the affected authorities.
- . If the ship is not located and the results of the operation are always negative, continue making profitable use of the resources over a period of time and then communicate this situation to the District Chief for its evaluation and recommendation to the "Director of Safety and Surveillance Maritime, Fluvial, and Lacustrine".
- . Inform the owner or agent as far as possible and keep him informed of the action taken.

- . When the ship, or her remains, are found and if corpses are discovered, the Marine Judge Instructor or the Judge on duty to whom it might concern must be immediately informed.
- . Practice a summary investigation declaring clearly if she had authorization to leave the port, if the certifications are up to date, and if the life saving appliances are according to the Regulations of the Administration.
- . When possible communicate to the ship or craft in danger the actions being taken.

D) Captainship

d. 1) Preventive Measures

d. 1.1) All ships for fishing or sport of a length between 11:90 m. (39 ft.) until 60.90 m. (200 ft.) that wish to sail out to sea must according to the regulations present to the Captainship a declaration for sailing out on the Standard Forms. Ships of lesser lengths must do the same when they are sailing out from shore to a distance that each Captainship must determine according to the jurisdictional conditions, and season of the year.

- d. 1.2) The Captain or Coxswain of a craft must present a Sailing Out Declaration Form which shall be issued by the Captainship where the original of it should remain and the copy should be carried by the person who asked for it in his craft.
- d. 1.3) Back at port the respective Arrival Declaration according to the Forms stipulated must be presented to the Captainship.
- d. 1.4) In case a fishing or sports craft sails to another Port the Harbor Master should send a Naval Message indicating Port of Destination and approximate ETA.
- d. 1.5) In case the craft has to sail to another port because of the circumstances she should present to the Captainship in which now she arrives a Declaration of Arrival. This Captainship should send a message to the Harbor Master of the Port where she sailed from in order to avoid being considered in Emergency, likewise in this case a protest is presented.
- d. 1.6) The Captainships will order minor craft that do not have radio equipment or any other communication system and which go to sea to fish daily should carry out these activities

in pairs in order to permit mutual assistance in cases where it is necessary.

d. 1.7) The Captainships that do not have a Patrol Unit in accordance with the Captainships Regulations should establish a system of watch between the particular craft or pertaining to the state appropriate for search and rescue.

d. 1.8) The Captainship, for the above mentioned case, should prescribe convenient measures in order that the craft on her date of duty stays in port and that her crew could be located promptly in cases of EMERGENCY. To establish the watch the Harbor Masters should take into consideration the special regulations of each Port.

SPECIAL INSTRUCTIONS

A) Coordination Instructions

1. Between the "Direction of Safety and Surveillance Maritime, Fluvial and Lacustrine" and the "Headquarters of the Districts".
2. Between the "Direction of Safety and Surveillance Maritime, Fluvial, and Lacustrine" and the Peruvian Air Force.

3. Between the "Headquarters of the Districts" and the Captainships.
4. Between the "Headquarters of the Districts of the Peruvian Air Force" and Aero Naval Units that have been dispatched to the operation area.
5. With the purpose of avoiding double information affected, organizations should coordinate all types of action giving special attention to the reports emitted by the Direction General.

B) Administration and Logistics

According to the operating Regulations.

C) Commands and Signals

- . "The Direction of Surveillance Maritime, Fluvial, and Lacustrine" in the Direction General of Captainship and Coast Guard.
- . "Headquarters of Maritime Districts, Maritime, Fluvial and Lacustrine".

D) Instructions for the Acknowledgement Receipt

- . Sending back the glossable sheet marked with (Y). (code).

E) Time of Operation

According to orders.

CONCEPT OF THE OPERATION

Prevention and Control Measures have been established as occasional and Emergency Measures as a consequence of shipping disasters:

- a) Prevention Measures Are those that help to avoid the causes of shipping disasters.
- b) Control Measures Are those intended to verify the Prevention Measures.
- c) Emergency Measures Are those adopted as a consequence of shipping disasters.

CLASSIFICATION OF THE EMERGENCY MEASURES

Three emergency phases have been established to classify the incidents and determine actions to take and these are:

- Uncertainty Phase
- Alert Phase
- Danger Phase

An incident is immediately classified in one of these three phases considering the class (degree) of emergency and depending on the development of the situation to be classified. Once again, the uncertainty phase should be classified by the Harbor Master and the Alert and Danger Phases by the Headquarters of the Districts, on their jurisdiction area or by the "Direction of Safety and Surveillance, Maritime, Fluvial and Lacustrine" and in the neighboring districts by the District where the shipping disaster occurs.