

PORT STATE CONTROL COMMITTEE INSTRUCTION 55/2055/03

REVISED WORKING PAPER BY CANADA, THE NETHERLANDS AND THE EUROPEAN COMMISSION ON AN ALTERNATIVE MANAGEMENT STRUCTURE UNDER THE PARIS MOU. *)

1. The Committee at its 29th meeting in Lisbon was of the general opinion that the management structure of the Paris MoU, relations between the MoU and the EC Directive, involving EU and non-EU members and the operation of the Secretariat of the MOU has to be reconsidered in order to maintain consistency with European law, to be able to draw fully on the experience and know-how on port State control as gained in the Paris MOU, to avoid duplication of work, to guarantee full co-operation between EU member States and non-EU member States co-operating in the Paris MoU and to enhance efficiency of PSC in general.
2. The structure will ensure that all members of the Paris MoU are actively involved at the very start of new developments in port State control in order to reach an efficient and effective system of port State control in the region covered by the Paris MOU. The structure will assist the Port State Control Committee in focusing on key issues.
3. The Committee agreed in principle on the establishment of an MoU Advisory Board (MAB) for this purpose, and in particular to direct the MoU Secretariat between Port State Control Committee meetings.
- 4.1 The MAB will consist of 6 members:
 - 1 Chairman of the PSCC, ex officio;
 - 2 representatives of non-EU authorities, elected during PSCC meetings by the non-EU members;
 - 2 representatives of EU authorities, elected during PSCC meetings by the EU members;
 - 1 representative of the European Commission.The member State providing the PSCC Chairman cannot be represented in the MAB as an EU or non-EU member.

In the event the Chairman is unable to attend a MAB meeting the Vice-Chairman of the Committee will chair the MAB meeting.
- 4.2 The MAB members will be high-level senior officials, or their deputies, responsible for PSC policy matters. The elected member's term of office will be for a period of at least 2 years, and not more than 3 years.
- 4.3 Each MAB member has a right to propose a meeting of the group at a place to be decided by the MAB and to place an issue on the agenda of any MAB-meeting.

- 4.4 MAB meetings will be held as deemed necessary, either face-to-face or by virtual means.
- 4.5 Views expressed during MAB should be made verbally during the meeting itself. Written comments, expressing a position on documents submitted to the meeting, will not be considered.
- 4.6 Only if official travel restrictions imposed by governments make it impossible for members or others invited to physically attend a face-to-face meeting of MAB **taking place physically**, a virtual connection will be set up to facilitate online participation of that respective member/invitee.
- 4.7 The MoU Secretariat and the MoU Information system Manager (for matters related to the information system) have a standing invitation to the MAB activities.
- 5.1 In preparation of PSCC decisions, the tasks of the MAB are: consideration on strategic level, including implications for the MoU Secretariat, if any, of:
- long term and annual work programme of the PSCC;
 - high level policy matters in general;
 - relations between European Union, non-EU members and MoU authorities;
 - external relations with 3rd countries and other PSC regions, including technical co-operation;
 - draft terms of reference for working groups, to be decided upon by the PSCC.
- 5.2 With respect to the MoU Secretariat, the tasks of the MAB are:
- direction of the MoU Secretariat between PSCC meetings;
 - preparation of the draft agenda of PSCC meetings (notwithstanding the right of all parties to propose agenda-items and to submit documents).

*) This Alternative Management Structure has been adopted by the Port State Control Committee at its 29th session, in Lisbon, on 08 November 1996, and last amended by PSCC55 in Bucharest, Romania on 20 May 2022.