Verification of electronic statutory and class certificates

Ships continue to experience instances of port state control interventions, and sometimes hefty fines, allegedly because the validity of their electronic statutory and class certificates cannot be verified during onboard inspections.

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The practice of issuing signed paper certificates to document compliance with maritime rules and regulations may be nearing its end. Recognising that paper certificates are subject to loss or damage and can be impractical to send to globally-trading ships, most major flag administrations, and classification societies, now facilitate the use of electronic certificates. The process has also been formalized through IMO documents, such as the " Guidelines for the use of electronic certificates " (FAL.5/Circ.39) and the harmonised " Procedures for port state control ", and in accordance with the latter, port state control officers (PSCOs) are requested to note that:

• *where the ship relies upon electronic certificates:*

1. the certificates and website used to access them should conform with the Guidelines for the use of electronic certificates (FAL.5/Circ.39/Rev.2 and Corr.1);

2. specific verification instructions are to be available on the ship; and

3. viewing such certificates on a computer is considered as meeting the requirement that certificates be "on board".

However, from time to time our Members experience instances of port state control (PSC) interventions where the validity of electronic certificates, as well as other official documents, are questioned by the attending PSCO. In the last two months of 2021 alone, four ships covered by Gard were penalised during port calls in Gabon because the attending PSCOs claimed they were not able to verify the authenticity of the ships' certificates during their inspections. The accompanying inspection reports stated that some of the certificates requested did not contain a Quick Response (QR) code, nor a Unique Tracking Number (UTN), to facilitate the onboard verification process.

While Gabon is particularly known for its strict PSC inspection regime, we take this opportunity to remind all ship operators and masters to always carry valid, nonexpired, ship certificates and permissions onboard. This can be in hard copy or an electronic version, however, when relying on electronic certificates and documents, it is also important to ensure that the crew is familiar with a reliable method to verify their validity and authenticity.

The formal "how-tos"

Most flag administrations and classification societies provide the following two ways of verifying electronic documents and certificates:

• *Website verification*
: Commonly a verification portal URL is provided, and the certificate can be verified by entering the certificate's UTN, normally in combination with the ship's IMO number or document issued date.

• *QR Code*
: A QR code on each certificate will have a URL unique to the certificate comprising the parameters required for the verification portal to return the search result. This also eliminates the potential for any typing errors in entering data manually on the verification portal webpage.

The use of electronic certificates and documents must also be controlled through the ship's safety management system, as described in Section 11 of the ISM Code. The onboard procedures for verifying electronic certificates should be kept up to date at all times and be aligned with the latest instructions and user manuals published by the ship's flag administration and classification society. Consideration should be given to the need for separate instructions addressing how offline verification can be done in case of loss of connectivity, e.g., by providing contact details for the respective flag administration and/or classification society.

Preparation is key – but unfortunately no guarantee

Despite efforts by the IMO, flag states, classification societies, and other official entities, to facilitate the use of electronic certificates and documents in the maritime industry, theory and practice are not always the same. In some of the cases experienced by our Members, a paper copy printed out from an email sent by the local agent was all that existed onboard, and even if the crew did everything in their power to prove the document's legitimacy, it was still not accepted by the attending inspector. There have also been reports of attending PSCOs not carrying smartphones that can be used to check the validity of online documents, or not wishing to use their own internet credit for this purpose.

We therefore encourage ship operators and masters to do their best to prepare for each port call. Well in advance of arriving at a port, contact the ship's local agent, or Gard's local correspondent, to ascertain the local authorities' practices and requirements in force at that given time. Prepare all the required documentation in advance, before arriving in port, and double-check with the ship's local agent to ensure that all is in order. Remember, the crew being able to present valid certificates and official documents during the initial PSC inspection is important in order to give a good first impression. A satisfactory initial inspection can also prevent more detailed follow-up inspections, which in-turn can reduce the time and cost to the ship operators and reduce any chances of undue delays during port stay.

For ship operators and masters trading to ports in Gabon, it is worth noting that all ships are subject to PSC inspection and that the Gabonese authorities operate with a long list of "frequent deficiencies" which vessels should take care to try to rectify beforehand, or otherwise risk being fined. See our Gabonese correspondent PSC_inpection_and_fine_in_Gabon_2019.pdf from 2019 for more details. The correspondent also confirms that, at the time of writing, there has been no regulatory changes and little change in local authorities' official position since 2019 on the grounds for penalties. However, recent experience suggests that the

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authorities nevertheless, in practice, may be prepared to accept electronic versions of documents - but only when said documents contain a QR code, bar code, or UTR that allows the attending inspector to check their validity and authenticity on a website.

We are grateful to our correspondent Eltvedt & O'Sullivan for providing relevant information on PSC inspections and fines in Gabon.