



# Technical Circular

No.: 011/2014

Date: 18<sup>th</sup> June 2014

To Whomsoever it may concern

**Subject: Brazilian Maritime Authority – Standards for the Operation of Foreign – Flagged Vessels in Brazilian Jurisdictional Waters (NORMAM 04), 2013.**

1. Please be advised that the Brazilian Maritime Authority (BMA) has published an English version of its Maritime Authority Standards for the Operation of Foreign – Flagged Vessels in Brazilian Jurisdictional Waters (NORMAM 04), 2013. It establishes the administrative procedures for the operation of foreign – flagged vessels, except for those of sports and / or recreational use, in Brazilian Jurisdictional Waters (AJB) aiming at ensuring the safety of navigation, safeguard of human life and prevention of waterways environmental pollution.
2. Among other matters the standard NORMAM 04 sets forth the procedures for Temporary Enrollment; Condition Surveys of Bulk Carriers; Port State Control procedures; and Surveys on platforms, drill ships, FPSOs and FSOs.
3. This is the first BMA NORMAM revision translated into English which can be downloaded at [http://www.dpc.mar.mil.br/normam/N\\_04/normam04\\_rl\\_en.pdf](http://www.dpc.mar.mil.br/normam/N_04/normam04_rl_en.pdf) and is a very important document for those shipowners who are or intend to operate in the AJB.
4. Copy of the BMA NORMAM is attached.
5. Ship owners / managers ships intend to operate their vessels in the Brazilian Jurisdictional Waters (AJB) should be governed by the document.

Enclosure: 1. BMA NORMAM



**BRAZILIAN NAVY  
DIRECTORATE OF PORTS AND  
COASTS**

**MARITIME AUTHORITY STANDARDS FOR  
THE OPERATION OF  
FOREIGN-FLAGGED VESSELS IN  
BRAZILIAN JURISDICTIONAL  
WATERS**

**NORMAM-04/DPC**

**1<sup>st</sup> REVISION**

**- 2013 -**

**MARITIME AUTHORITY STANDARDS FOR THE OPERATION OF FOREIGN-FLAGGED VESSELS IN BRAZILIAN JURISDICTIONAL WATERS**

<b>AMENDMENT NUMBER</b>	<b>DETERMINING DOCUMENT AND DATE</b>	<b>AMENDED PAGES</b>	<b>AMENDMENT DATE</b>	<b>INITIALS</b>

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## INTRODUCTION

### 1 - PURPOSE

Establishing administrative procedures for the operation of foreign-flagged vessels in Brazilian Jurisdictional Waters (AJB), except for those of sports and/or recreational use, aiming at the safety of navigation, safeguard of human life and prevention of waterways environmental pollution.

### 2 - SCOPE

The operation of a foreign-flagged vessel or platform in AJB shall be authorized by the Maritime Authority, except for those used in long range navigation.

The vessels specified below used in long range navigation shall meet the requirements established in Chapters 3 and 5 of these Standards, respectively:

- a) bulk carrier and combined cargo ship *ore-oil* or *ore-bulk-oil* with an age of eighteen years or more, independently of the ship's flag or size, for the carriage of dry bulk cargo of specific weight equal to or higher than 1,78 t/m<sup>3</sup>, such as iron ore, bauxite, manganese and phosphate; and
- b) vessel used in the transportation of oil and its derivatives. Research or scientific investigation vessels not authorized to carry out these activities shall report to the Brazilian Government, by diplomatic ways, with a minimum advance of ninety days, about any visit to AJB and Brazilian ports as provided in Decree nº 96,000/1988, with any collection of data and scientific information being forbidden.

The applicable laws appear in Annex 2-A

### 3 - DEFINITIONS

For the purpose of these Standards, the definitions set out in Chapter 1 apply.

### 4 - COMPENSATIONS

In accordance with the provisions of Art. 38 of Law nº 9,537/1997, services rendered by the Maritime Authority as result of the application of these Standards shall be compensated by the users according to the values established in Annex 2-B.

The payment of compensations shall be effected by bank deposit, through a payment voucher issued by the Maritime Authority's Income Control System (MAICS) at their offices (CP, DL or AG), except for cases of Condition Surveys when the voucher shall be issued by the DPC. In remote areas where access to bank branches is difficult, the payment may be made at DL, AG or Floating AG offices equipped with a mechanized authentication system.

The execution of services is conditioned to the advance presentation at CP, DL or AG offices by the interested party, of the corresponding bank deposit slips related with the payment of said compensations.



## CHAPTER 1

### ACRONYMS AND DEFINITIONS

#### **0101 - BRAZILIAN JURISDICTIONAL WATERS (AJB)**

Comprehend the inland waters and maritime spaces in which Brazil exercises jurisdiction, in some degree, over activities, people, facilities, vessels and natural resources alive or not, found in the liquid mass, at the bottom or in the marine subsoil, for the purposes of control and monitoring, within the limits of international and national laws. These maritime spaces comprehend the strip of two hundred nautical miles counted from the base lines, increased by the waters overlying the Continental Shelf's extension beyond the two hundred nautical miles wherever it occurs.

#### **0102 - BAREBOAT CHARTER**

Means the charter mode in which the charterer has the ownership, use and control of the vessel, for a determined period, including the right to appoint the master and crew.

#### **0103 - TIME CHARTER**

Means the charter mode in which the charterer receives the vessel rigged to operate it for a determined time.

#### **0104 - VOYAGE CHARTER**

Means the charter mode in which the shipowner places all or part of a rigged vessel at the charterer's disposal for the execution of transport services, in one voyage.

#### **0105 - DATA ACQUISITION RELATED TO THE OIL AND NATURAL GAS ACTIVITY**

Means the collection of data through methods, procedures and technologies owned or from third parties, for use in the exploration and production of oil and natural gas.

#### **0106 - RAFTS OR BARGES**

Vessels with or without propulsion used in the transportation of oil and its derivatives and vessels without propulsion used as depots or fueling stations, regardless of the cargo volume or storage capacity.

#### **0107 - BARGE SAFETY**

A guide of Safety for Barges, edited by the  
*Oil Companies International Marine Forum - OCIMF.*

#### **0108 - CHARTER AUTHORIZATION CERTIFICATE (CAA)**

A document issued by the National Waterways Transportation Agency (ANTAQ), effecting the charter authorization of a foreign-flagged vessel to operate in the coastal, offshore support, port support and inland navigation activities.

**0109 - STATUTORY CERTIFICATE**

A certificate issued compulsorily for a vessel in compliance with the provisions of international conventions and codes and applicable national regulations.

**0110 - LENGTH**

Means the length as defined in the International Convention on Load Lines in force.

**0111 - PORT STATE CONTROL – PSC**

Means the inspection of foreign-flagged vessels entering national ports, with the purpose of checking if the conditions of the vessel and its equipment are in compliance with the requirements established in the International Conventions and Codes ratified by Brazil.

**0112 - STATEMENT OF COMPLIANCE FOR THE OPERATION IN AJB**

A document issued by the Brazilian Maritime Authority after performing the Expert Survey for Operation in AJB, which verifies that the vessel complies with all requirements established in the international conventions and codes ratified by Brazil and in the applicable national regulations.

**0113 - STATEMENT OF COMPLIANCE FOR THE OPERATION OF AN OFFSHORE INSTALLATION**

A document verifying the conformity for operation in AJB of platforms, drill ships, FPSO and FSO, with the requirements established in the standards in force regarding navigation safety, safeguard of human life at sea and prevention of waterways pollution.

**0114 - STATEMENT OF COMPLIANCE FOR OIL TRANSPORT**

A document verifying the conformity of a vessel that carries over 200m<sup>3</sup> of oil and its derivatives, as cargo, with the requirements established in the standards in force applicable to the carriage of oil and its derivatives in bulk.

**0115 - INTERIM STATEMENT FOR THE OPERATION IN AJB**

A document valid for up to ninety days, authorizing the vessel's operation until the emission of a Statement of Compliance for the Operation in AJB, as a result of non-impeding deficiencies found on occasion of the Expert Survey.

**0116 - INTERIM STATEMENT FOR THE OPERATION OF AN OFFSHORE INSTALLATION**

A document valid for up to ninety days, authorizing the operation of a platform, drill ship, FPSO or FSO until the issuance of a Statement of Compliance for the Operation of an Offshore Installation.

**0117 - INTERIM STATEMENT FOR OIL TRANSPORT**

A document valid for up to ninety days, authorizing the vessel's operation until a Statement of Compliance for Oil Transport is issued.

**0118 - HEAVY DRY BULK**

Means the mineral ore or similar product with specific weight equal to or higher than 1.78 t/m<sup>3</sup>.

**0119 - BULK CARRIER**

A ship intended for the transportation of dry bulk cargo as defined in Rule IX/1.6 of the International Convention for the Safety of Life at Sea (SOLAS) in force.

**0120 - AGE OF THE SHIP**

Counted from the ship's keel laying date, as provided in Chapter V of the SOLAS Convention.

**0121 - TEMPORARY ENROLLMENT (IT)**

Means an administrative act by the Maritime Authority, aiming at the control of a foreign-flagged vessel authorized to operate in AJB. The IT is effected by the issuance of a **Certificate of Temporary Enrollment (AIT)**, issued by the Harbor Masters and their Offices (CP/DL), without it the vessel shall not be allowed to operate in AJB.

**0122 - ISGOTT**

Acronym for the  
*(International Safety Guide for Oil Tankers and Terminals).*

**0123 - LG TANKER SHIP**

A ship built or adapted mainly for the transportation of liquefied gases in bulk.

**0124 - OIL TANKER SHIP**

A ship built or adapted mainly for the transportation of oil and its derivatives in bulk inside its cargo tanks. Includes combined carriers (ore-oil and ore-bulk-oil) and any tanker ship built or adapted mainly for the transportation of chemical products or noxious liquid substances in bulk, when carrying petroleum and its derivatives.

**0125 - CHEMICALS TANKER SHIP**

A ship built or adapted mainly for the transportation of chemicals or noxious liquid substances in bulk. Includes oil tankers built or adapted mainly for the transportation of oil and its derivatives, when carrying chemicals or noxious liquid substances in bulk.

**0126 - OCIMF**

Acronym for the *Oil Companies International Marine Forum.*

**0127 - INNOCENT PASSAGE**

Means the passage made without injury of the peace, good order or security of the State, and should also be made in accordance with the United Nations Convention on the Law of the Sea and other rules of international law.

The passage of a foreign ship shall be considered to be prejudicial to the peace, good order or security of the coastal State if that ship performs, in the territorial sea, any of the following activities:

- a) any threat or use of force against the sovereignty, territorial integrity or political independence of the State, or any other action in violation of the principles of international law set out in the Charter of the United Nations;
- b) any exercise or maneuver with weapons of any kind;
- c) any act aimed at obtaining information at the expense of the defense or security of the State;
- d) any act of propaganda aimed at compromising the defense or security of the State;
- e) launching, landing or receiving on board any aircraft or military device;
- f) the embarkation or disembarkation of any material, currency, animal, plant, or person, in violation of the laws and regulations of customs, tax, environmental, immigration or sanitary authorities of the State;
- g) any intentional and grave act of pollution;
- h) fishing;
- i) research or hydrographic survey;
- j) any act aimed at disrupting any communication systems or any other services or facilities of the State;
- k) any other activity not directly related with the passage.

It is acknowledged for vessels of all nationalities the right of innocent passage in the Territorial Sea.

Vessels performing innocent passage do not need any special authorization for transit, according to the rules of international maritime law, being subject only to the usual checking of the documentation required by agreements, standards and applicable international conventions, ratified by the Brazilian Government.

Research or scientific investigation vessels not authorized to perform these activities shall report to the Brazilian Government, by diplomatic channels and with a minimum advance of ninety days, any visit to the AJB and Brazilian ports, as provided in Decree No. 96,000/1988. Any collection of data or scientific information shall be forbidden.

#### **0128 - PASSAGE THROUGH THE TERRITORIAL SEA**

Means the navigation through the territorial sea for the purpose of:

- a) crossing this sea without penetrating interior waters or making scale in a wharf or port facility outside of inland waters; or
- b) navigating into or out of inland waters, or make a stopover in one of those wharfs or port facilities.

The passage shall be continuous and brief. However, the passage involves stopping and anchoring, but only to the extent in that they constitute common navigation incidents or are imposed by motives of *force majeure* or by serious difficulty or have the purpose of helping distressed people, ships or aircraft in danger or in serious difficulty. The person responsible for the foreign-flagged vessel shall follow the provisions of NORMAM-08/DPC, Chapter 1.

#### **0129 - OFFSHORE INSTALLATION COMPLIANCE SURVEY**

An expert survey carried out in platforms, drill ships, FPSO and FSO for checking the conformity of these vessels with the standards in force regarding navigation safety, safeguard of human life at sea and prevention of waterways pollution.

**0130 - EXPERT SURVEY**

Means a technical-administrative action of checking the vessel's conformity with the requirements established in national and international standards related to navigation safety, safeguard of human life at sea and pollution prevention.

**0131 - SCIENTIFIC RESEARCH OR INVESTIGATION**

Means the set of works executed with a purely scientific purpose, including oceanographic, linographic and geophysical prospection studies using vessels, through operations of recording, filming, sounding and others.

**0132 - OIL, DERIVATIVES AND BIOFUELS**

Mean any type or form of petroleum, like: asphalt solutions, crude oil and blends containing crude oil, diesel oil, fuel oils, other types of oils (lubricants, transformer oils, etc), bitumen for paving, distillates, gasoline and gasoline bases, aviation fuels, kerosene, naphta, liquefied gases, ethanol, biodiesel, etc.

The above list of products does not include petrochemicals, which are treated as noxious liquid substances according to Annex II of the MARPOL 73/78 Convention or treated as dangerous chemicals according to the International Code for the Construction and Equipment of Ships for Carrying Dangerous Chemicals in Bulk.

**0133 - SIGOTT**

Acronym for the *Society of International Gas Tankers and Terminal Operators*.

**0134 - SIRE**

Acronym for the *Ship Inspection Report* issued by OCIMF.

**0135 - FLAG TEMPORARY SUSPENSION**

Means the act by which the owner of the vessel withholds temporarily the use of the originating flag, for the purpose of the vessel being recorded in the registry of another country.

The foreign-flagged vessels chartered bareboat, with flag suspension, may be enrolled in the Brazilian Special Registry - (REB). However, they must also execute the Temporary Enrollment.

During the period in which the vessel is flying the Brazilian flag, it shall be subject to all regulations applicable to the national vessels.

**0136 - SAFE MANNING**

Means the minimum number of crew members, in association with a qualitative distribution, which allows the safe operation of a vessel.

The safe manning differs from the capacity, which expresses the maximum number of people permitted to embark, including crew, passengers and non-crew professionals.

**0137 - CONDITION SURVEY**

Means a structural and documentary expert survey, aiming at verifying if the ship presents satisfactory structural conditions for carrying heavy bulk cargoes and has its statutory and class documentation up-to-date.

## CHAPTER 2

### PROCEDURES FOR THE OPERATION OF FOREIGN-FLAGGED VESSELS IN AJB

#### SECTION I TEMPORARY ENROLLMENT (IT)

##### **0201 - PROCEDURES FOR IT**

a) the DPC or the CP/DL shall analyze the application process for operation of a foreign-flagged vessel in AJB, according to the vessel's activity as provided in Section II;

b) the shipowner, charterer or legal representative of the foreign-flagged vessel shall request authorization to operate in AJB prior to the vessel's arrival in AJB, through an application to the DPC or the CP/DL, besides the relevant documents provided in Annex 2-D according to the case;

c) after the process is approved by the DPC or CP/DL, the shipowner, charterer or legal representative of the foreign-flagged vessel shall request the scheduling of an Expert Survey at the CP/DL as provided in item 0204;

d) once the Expert Survey is carried out on board the vessel, the CP/DL shall issue the Compliance Statement and respective Foreign Vessel AIT (Annex 2-C), a document which without it the vessel will not be allowed to operate in AJB.

##### **0202 - EXEMPTION FROM THE IT**

Despite being exempted from the IT, the following vessels shall comply with the requirements provided in item 0214:

###### **a) Research or Scientific Investigation Vessel**

Although being exempted from the IT, they must meet the instructions provided in Annex 2-N. The vessel shall undergo an Expert Survey at the first national port visited.

###### **b) Vessel chartered by a Brazilian shipping company for performing one or more voyages (Voyage Charter), when operating in coastal navigation**

The person responsible for the vessel shall present to the CP/DL the Charter Authorization Certificate (CAA), issued by ANTAQ.

Every vessel chartered under the above mentioned mode shall have priority to undergo the inspection of type *PSC*, which must, whenever possible, be conducted prior to the beginning of the vessel's operation in AJB.

It should be noted that these vessels, when submitted to the inspection type *PSC*, are inclusively subject to suffer "detention" (code 30) if it is found that the same show "SUBSTANDARD CONDITIONS" of operation, in addition to any other sanctions provided in the national legislation.

###### **c) Vessel chartered to operate in AJB for a period equal to or shorter than thirty days every twelve months, excepting a vessel intended for activities of seismic or hydrographic survey**

Such a vessel shall only be submitted to the the *PSC* type .inspection.

###### **d) Passenger vessel on a sea cruise**

Exempted from the IT, provided it is not chartered by a Brazilian shipping company. This vessel shall undergo the *PSC* type .inspection.

###### **e) Vessel coming to perform an emergency repair on submarine cables**

The Brazilian company responsible for the repair shall request to the DPC

an authorization for emergency operation in AJB via fax, informing the vessel's data, the operation period and the first national port it will approach, where it shall undergo the *PSC* type inspection.

**f) Vessel on a rescue activity**

The CP/DL office responsible for the area jurisdiction shall authorize the operation through previous knowledge of the rescue plan. The applicant shall keep the CP/DL office abreast about the entire development of the mission, as provided in NORMAM-16/DPC. This vessel shall be submitted to the *PSC* type inspection.

**g) Foreign-flagged State Vessel with no trading purpose**

This type of vessel requires a specific authorization from the MB, even if in condition of innocent passage. This operation is regulated by specific standards from the Naval Staff (EMA - Estado Maior da Armada).

**0203 - NECESSARY DOCUMENTS FOR THE IT**

The shipowner, charterer or legal representative of the foreign-flagged vessel, in order to obtain the IT, shall present to the DPC or the CP/DL (according to the case) the documents listed in Annex 2-D, in accordance with the vessel's activity.

In addition to the documents mentioned above, the documents set up in Annex 2-H shall be available on board on occasion of the Expert Survey.

For the processes requiring presentation to the CP/DL of an application by the interested party already approved by the DPC for execution of the Expert Survey and subsequent issuance of the AIT, the representation of all necessary documents as listed in Annex 2-D is not necessary, except for those provided in Annex 2-E (Request for Expert Survey).

**0204 - EXPERT SURVEY FOR THE OPERATION IN AJB**

a) aiming at the issuance of the AIT, foreign-flagged vessels operating in AJB shall be recorded in the Management System of Surveys and Inspections (SISGEVI).

b) prior to the issuance of the AIT and the beginning of the operation, the foreign-flagged vessel shall, by request of the interested party, be submitted to the Expert Survey for Operation in AJB, to be conducted by naval surveyors from the CP/ DL for verification of material conditions, equipment, crew qualification and the documentation required by applicable Brazilian laws and international conventions ratified by the Brazilian government and for the set up of the Safe Manning Certificate (CTS).

c) the request of temporary enrollment includes the request of an Expert Survey for Operation in AJB, the report for issuance of the CTS and the Statement of Compliance for Operation in AJB, as applicable, by use of the request form of Annex 2-E.

d) in case the vessel is to be used in the carriage of oil, its derivatives and biofuels in bulk, the field corresponding to the request of a Statement of Compliance for Oil Transport must be also checked in the request form for the survey (Annex 2-E). In these cases the survey shall be comprehensive and include the scopes of both activities.

e) for issuance of the AIT for a platform, drill ship, FPSO or FSO, the field corresponding to the request of a Statement of Compliance applicable to this type of activity shall also be checked in the survey request form.

f) in order to obtain authorization for the start of operations in AJB of research or scientific investigation vessels, an expert survey for issuance of a Statement of Compliance for Operation in AJB shall be requested.

These vessels, however, are not subject to the issuance of an AIT, as set out in item 0202.

g) independently from the emission of the AIT (Certificate of Temporary Enrollment), the vessels mentioned below shall be specifically authorized by the DPC and meet the requirements established in Chapters 3 and 5 of these Standards, respectively:

I) bulk carrier and combined transport ship ore-oil or ore-bulk-oil of age equal to or older than 18 years, independently of flag or size of the ship, for the carriage of dry bulk with specific weight equal to or greater than 1,78 t/m<sup>3</sup>, such as iron ore, bauxite, manganese and phosphate; and

II) vessel used in the transportation of oil, its derivatives and biofuel.

h) the vessels for which a Charter Authorization Certificate - CAA - is necessary shall be surveyed after producing said certificate or a document issued by the competent official agency, stating that the issuance of the CAA is under process. However, the AIT shall only be issued by the CP/DL after production of the CAA. The operation of the vessel may only be initiated after the issuance of the AIT.

#### **0205 - STATEMENT OF COMPLIANCE FOR THE OPERATION IN AJB**

a) in case the Expert Survey shows no deficiencies, a Statement of Compliance for the Operation in AJB shall be issued by the CP/DL according to the form shown in Annex 2-F.

b) the validity of the Statement of Compliance shall be of two years counted from the date of survey.

c) the issuance and validity of Statements of Compliance do not depend on the validity of the AIT.

d) in case the pointed deficiencies do not represent risk for the ship or platform, an Interim Statement of Compliance for Operation in AJB may be issued by the CP/DL. This statement must carry attached a list with the pending demands, showing the nature and deadlines for correction of all recorded deficiencies. The forms of Interim Statement for Operation in AJB are shown in Annexes 2-G, 5-B or 6-B, according to the case.

e) the validity of the Interim Statement for Operation in AJB shall be of up to ninety days. The longest time allowed for the fulfillment of a demand must not be superior to the validity of the Interim Statement.

f) after the correction of all deficiencies, the Statement of Compliance shall be issued. This Statement shall be valid in accordance with subparagraph b above and shall be issued by the CP/DL office withdrawing the last remaining demand. However, the field for date and place of the expert survey on the Statement of Compliance, must show the date and place of the initial survey.

g) the withdrawal of demands made in the Expert Survey may be requested in any CP/DL office, against the respective proof of payment of the compensation set out in Annex 2-B.

h) in order to renew the Statement of Compliance, the vessel must be submitted to a new Expert Survey.

#### **0206 - SAFE MANNING**

a) the safe manning of a vessel must be set out based on an expert survey report to be issued by the CP/DL office where the IT is made, with the consequent issuance of the respective Safe Manning Certificate (CTS) by the CP/DL.

b) the CTS shall have a validity period shown on its back, identical to the one given in the AIT, which may be extended in accordance with changes in the validity of the AIT.



c) in case of extension of the AIT with no change in the activity or area in which the vessel operates, a new expert survey shall not be necessary for issuing the CTS.

d) in case the shipowner intends to change the vessel's activity or area of operation, a new expert survey for issuance of the CTS shall be necessary.

e) the application for an Expert Survey Report for Issuance of the CTS is included in the respective survey request for issuance of an AIT, and a separate request is not necessary.

#### **0207 - VALIDITY PERIOD OF THE AIT**

The validity period of an AIT shall be equal to the shorter of the following validity periods:

a) of the document issued by the competent federal agency authorizing the charter; and

b) of the charter contract.

The validity period of the AIT does not depend on the validity of the Statement of Compliance, a document issued in accordance with item 0205 of these Standards.

By the end of the period granted for the IT, the vessel must cease its operation.

In case the interested party does not intend to cease the operation, it must request an extension of the IT with the necessary advance, in order to meet the provisions of item 0208.

#### **0208 - EXTENSION OF THE IT**

The extension of the IT may be requested to the DPC or in any CP/DL office according to the case, through an application with attached documents verifying the contract extension (e.g. service supply or vessel charter contracts, etc), and the documents initially presented which have their validity expired.

A new Expert Survey shall not be necessary for the extension of the IT, provided that the previously issued Statement of Compliance remains valid.

#### **0209 - CANCELLATION OF THE IT**

The Temporary Enrollment shall be canceled in the following cases:

**a) for end of validity:** when the validity period of the AIT ends, and an extension has not been requested;

**b) for interruption of the charter or lease:** when the charter or lease contract is interrupted before the time initially agreed upon, the company responsible for the charter/lease shall report to the CP/DL, which shall execute the cancellation of the Temporary Enrollment;

**c) for pollution:** when the vessel (proprietor, shipowner or master) is deemed responsible for an accident that results in environmental pollution;

**d) for responsibility in navigational fact or accident:** when the vessel (proprietor, shipowner or master) is deemed responsible for a navigational fact or accident;

**e) for obstructing an investigation of navigational fact or accident:** when the vessel (proprietor, shipowner or master) obstructs an investigation of a fact or accident of navigation in which it is involved, or replaces crew members without permission from the person in charge of the investigation;

**f) for causing problems of maritime or river border with a neighboring country:** when the vessel (proprietor, shipowner or master) causes problems of maritime or river border with neighboring countries to Brazil; and

**g) for non-compliance with the Brazilian legislation:** when the vessel (proprietor, shipowner or master) violates the Brazilian legislation in force.

**0210 - PERMANENCE IN AJB AFTER THE EXPIRATION OF THE AUTHORIZATION TO OPERATE**

- a) a foreign-flagged vessel shall not be allowed to remain in AJB in the condition of laid-up vessel;
- b) at the end of validity of the AIT, the shipowner, charterer or legally responsible person for a foreign-flagged vessel needing to remain in AJB shall request authorization to the CP/DL office of the jurisdictional area where the vessel must remain, specifying the motives for the request, in no less than ten days prior to the expiration of the AIT;
- c) the application to the CP/DL office shall contain, necessarily, the technical specifications supporting the request (repair, contract renewal, change of flag, etc). Supporting documents shall be attached (charter contract(s), repair contract with a national shipyard, vessel registration certificate, P&I insurance with a wreck removal clause, and other documents deemed necessary by the Maritime Authority);
- d) after analyzing the documents received, the CP/DL office may authorize the vessel's stay for **a period of up to ninety consecutive days**, reporting this to the DPC. After this period, the vessel shall only be allowed to remain in AJB if authorized by the DPC. For such purpose, the interested party shall forward to the DPC an application via CP/DL, containing the technical specifications supporting the request, as well as the pertinent evidencing documents and its technical evaluation; and
- e) once expired the staying period granted, the CP/DL office with jurisdiction over the area shall report the fact in writing to the Federal Police Department and Internal Revenue Service of Brazil.

**0211 - CHANGE OF THE VESSEL'S NAME AND FLAG WHILE OPERATING IN AJB**

- a) the change of name and flag shall not result in cancellation of the IT, being only necessary to update the vessel's registration data and the issuance of a new AIT with the same validity period as in the initial AIT;
- b) the request for the above mentioned changes shall be forwarded through an application to a CP/DL office, together with a copy of the vessel's Certificate of Registry showing the entered amendments, as well as the remaining documents mentioned in Annex 2-E which have been amended; and
- c) for the change of name and/or flag of a chartered vessel, a new Expert Survey shall not be necessary. A new Statement of Compliance shall be issued with updating of the changed registration data and with the same validity expiration date as in the Statement of Compliance in force.

**0212 - CONTROL OF VESSELS AUTHORIZED TO OPERATE IN AJB**

- a) foreign-flagged vessels authorized to operate in AJB for which an AIT has been issued, shall be subject to the Naval Inspection and any other type of control and monitoring applicable to Brazil-flagged vessels, and not subject to the systematic of *PSC*;
- b) Foreign vessels authorized to operate in AJB shall keep on board the following documents relating to the authorization process for operation in AJB, in addition to those required by the laws in force:
  - l) AIT and CTS issued by the CP/DL office as applicable (original document);

- II) Expert Survey Report and a record of withdrawal of demands placed; and
- III) Statement of Compliance for the Operation in AJB;
- c) the dispatch of the vessel is conditioned to the fulfillment of all demands set out in the Expert Survey Reports, observing the respective time limits for compliance.

#### **0213 - LISTING OF VESSELS AUTHORIZED TO OPERATE IN AJB**

The DPC will make available on its website a list of the foreign-flagged vessels authorized to operate in AJB.

#### **0214 - REQUIREMENTS FOR A VESSEL TO OPERATE IN AJB**

Every foreign-flagged vessel shall meet the following requirements in order to obtain authorization to operate in AJB:

a) compliance with all international conventions and codes ratified by Brazil, as well as the national legislation applicable to Brazilian vessels of same type, activity and navigational area. Special attention is called for the compliance with procedures about maritime traffic in AJB, formalities of entry, dispatch and exit of vessels at Brazilian ports, all provided in NORMAM-08/DPC;

b) have its gross tonnage (AB) calculated in accordance with the International Convention for Tonnage Measurement of Ships, 1969 (*Tonnage 69*), contained in the vessel's International Tonnage Certificate, for the effect of application of requirements from the international conventions and codes ratified by Brazil, especially the SOLAS 74/78 and MARPOL 73/78 Conventions;

c) foreign-flagged vessels chartered to operate in AJB subject to compliance with the SOLAS 74/78 Convention and/or the Maritime Authority Standards, with a requirement of bearing Class Certificates, shall be classified by a Ship Classification Society with representation in the country and a delegation of competence for acting on behalf of the Brazilian Maritime Authority. The statutory certificates may be issued by the Classification Societies recognized by their flag country, provided that they meet the conventions and codes ratified by Brazil, besides meeting the applicable national laws. For the purpose of these standards, classified vessel means one that bears Class Certificates for Hull and Machinery, with no class condition affecting the vessel's safety;

d) the fishing vessels and all other vessels not subject to meet the SOLAS 74/78 Convention may operate with the statutory certificates required by the flag country, provided that they meet the requirements contained in the Brazilian Maritime Authority Standards.

The Expert Survey for obtaining the Statement of Compliance for the Operation in AJB will check the fulfillment of the national requirements applicable to Brazilian vessels of the same type, activity and navigation area, contained in the floating survey checklist for renewal of the Navigation Safety Certificate (CSN) - NORMAM-01 or NORMAM-02;

e) the fishing vessels for which the flag state apply the SOLAS 74/78 Convention and which bear certificates issued in accordance, shall meet the requirements set out in that Convention;

f) it must also be produced, on occasion of the Expert Survey, the report of the vessel's last dry docking. The dry docking date shall be recorded in the Statement of Compliance, and the vessel must be required to undergo a

new dry checking, in an identical interval to the one required for the Brazilian vessels.

For metallic hull vessels with more than fifteen years of age, a Thickness Measurement Report must be produced, covering at least the hull and main deck plating, containing a minimum of two measurement points for each plate and a declaration of a naval architect referencing the report in question, stating that the vessel has sufficient structural strength for the activity in which it will be used;

g) fishing vessels and other vessels not subject to compliance with the International Convention on Load Lines - LL 1966, may operate with the Freeboard Certificate, or similar document certifying the maximum draught of the vessel, issued by the Administration of the flag State. these vessels must also show on the sides, the freeboard marks corresponding to the maximum draught attributed..

In case of existence of a Freeboard Certificate, or similar document issued by the flag state, with the vessel not showing the due marking on the side, marks must be adopted as set out in NORMAM 01 or 02/DPC, according to the case, considering the limits established in the certification issued by the flag state. In case the vessel does not have a document assigning its freeboard or maximum draught of operation, a national freeboard shall be assigned by following the procedures set out in NORMAM 01 or 02/DPC as applicable.

h) in the situations shown in paragraphs d and g above, which foresee the foreign-flagged vessel operating in AJB with the certificates issued by the flag country, through the execution of an expert survey based on requirements established for the issuance of a CSN or a national Freeboard Certificate, the Certificates of Navigation Safety or Freeboard shall not be issued for these vessels;

i) the certification of a vessel, issued in compliance to regulations of the Flag Country and International Conventions and Codes ratified by Brazil, shall be kept valid for the whole period in which the foreign-flagged vessel is operating in AJB; and

j) eventual exemptions granted to foreign-flagged vessels by their respective flags shall only be valid after having been submitted to and ratified by the DPC for their application in AJB.

Foreign-flagged vessels, however, can enjoy the same exemptions granted to Brazilian vessels, provided they obtain the agreement from their respective flag countries.

## **SECTION II SPECIFIC PROCEDURES FOR OPERATION IN AJB ACCORDING TO THE VESSEL'S ACTIVITY**

All vessels involved in the activities mentioned below shall meet the General Requirements contained in item 0204 of these Standards, and the following procedures:

### **0215 - TRANSPORTATION OF OIL, ITS DERIVATIVES AND BIOFUELS**

a) it is for the CP/DL office to authorize the IT process against presentation of the CAA issued by ANTAQ;

b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;

c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204;

d) once the Expert Survey is completed, the CP/DL office shall issue the Statements of Compliance for the Operation in AJB (Annex 2-F) and for Oil Transport (Annex 5-A) and the respective AIT; and

e) Note:

Prior to the beginning of operation in AJB, the vessel shall adhere to the Maritime Monitoring System of support to Oil Activities (SIMMAP), as provided for in NORMAM-08/DPC.

#### **0216 - TRANSPORTATION OF CARGOES (OTHER THAN OIL AND DERIVATIVES)**

a) it is for the CP/DL office to authorize the IT process against presentation of the CAA issued by ANTAQ;

b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;

c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and

d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT.

e) Note:

Bulk carriers and combined transport ships *ore-oilor ore-bulk-oil* with eighteen years of age or over, independently of flag or size of the ship, for loading dry bulk cargo of specific weight equal to or greater than 1.78 t/ m<sup>3</sup>, such as iron ore, bauxite, manganese and phosphate, shall meet the provisions of Chapter 3 of these Standards.

#### **0217 - OFFSHORE SUPPORT**

a) it is for the CP/DL office to authorize the IT process against presentation of the CAA issued by ANTAQ;

b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;

c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and

d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and/or the Statement of Compliance for Oil Transport (Annex 5-A), as established in Chapter 5 of these Standards, if the vessel comes to be used in the supply of fuels and other oil derivatives to platforms and other maritime units, as well as the respective AIT.

e) Note:

Prior to the beginning of operation in AJB, the vessel shall adhere to the Maritime Monitoring System of support to Oil Activities (SIMMAP), as provided for in NORMAM-08/DPC..

#### **0218- OIL PROSPECTION, DRILLING, PRODUCTION AND STORAGE (PLATFORMS, DRILL SHIPS, FPSO and FSO)**

a) it is for the CP/DL office to authorize the IT process against presentation of the grant Ordinance from ANP (National Petroleum Agency) for the exploration, development and production of oil and natural gas in blocks, published in the Union Official Journal (DOU);

b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;

c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and

d) once the Expert Survey is completed, the CP/DL office shall issue the Statements of Compliance for the Operation in AJB (Annex 2-F) and for the Operation of Offshore Installations (Annex 6-A) , and the respective AIT.

e) Notes:

1) Platforms, drill ships, FPSO and FSO shall comply with the requirements of *MODU Code 79*, while units constructed after May 01, 1991 shall comply with the requirements of *MODU Code 89*.

2) Prior to the beginning of operation in AJB, drilling platforms and drill ships shall adhere to the Maritime Monitoring System of support to Oil Activities (SIMMAP), as provided for in NORMAM-08/DPC..

### **0219 - UNDERWATER ACTIVITIES (DIVING SUPPORT)**

a) it is for the CP/DL office to authorize the IT process, against presentation of the CAA issued by ANTAQ;

b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;

c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204;

d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT; and

e) Note:

The interested party shall meet the provisions of item 1308 of Chapter 1 of the Maritime Authority Standards for Underwater Activities - NORMAM-15/DPC.

### **0220 - FISHING**

a) it is for the CP/DL office to authorize the IT process, against the granting of a license, permit or foreign vessel lease authorization for fishing in AJB, granted by the Ministry of Fishing and Aquaculture through an Ordinance published in the DOU;

b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;

c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and

d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT.

e) Notes:

1) The vessel authorized to fish in AJB as a result of Intergovernmental Agreements, is not entitled to a treatment differentiated from other foreign-flagged vessels hired for use in fishing.

2) The fishing vessel obliged to participate in the National Program for the Tracking of Fishing Vessels by Satellite (PREPS) shall adhere to such program prior to the beginning of operation in AJB, as provided in NORMAM-08/DPC.

### **0221 - PASSENGER TRANSPORTATION IN THE INLAND NAVIGATION**

- a) it is for the CP/DL office to authorize the IT process, against presentation of the CAA issued by ANTAQ;
- b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;
- c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and
- d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT.

### **0222 - PASSENGER TRANSPORTATION IN THE OPEN SEA NAVIGATION**

- a) it is for the CP/DL office to authorize the IT process;
- b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;
- c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and
- d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT.

### **0223 - SUPPLY OF NAUTICAL TOURISM SERVICES**

- a) it is for the CP/DL office to authorize the IT process, against presentation of the Touristic Carrier Certificate (Cadastur), issued by the Ministry of Tourism;
- b) the interested party shall present to the CP/DL office an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;
- c) after a documentary analysis by the CP/DL office, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204;
- d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT; and
- e) Notes:
  - I) for vessels with gross tonnage lower than 500, the request of Temporary Enrollment must be made by a shipping company from the field of nautical tourism, duly registered at the federal agency responsible for the activity of tourism.
  - II) vessels with gross tonnage higher than 500 shall be considered as used in passenger transportation and must follow the provisions of items 0221 and 0222, according to the case.

### **0224 - PORT INFRASTRUCTURE WORKS, DREDGING AND/OR SAND MINING**

- a) it is for the DPC to authorize the IT process;
- b) the interested party shall present to the DPC an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;
- c) after a documentary analysis by the DPC, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and
- d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT.

## **0225 - RESEARCH, EXPLORATION, REMOVAL AND DEMOLITION OF OBJECTS OR PROPERTY SUNK, SUBMERGED, STRANDED AND LOST**

- a) it is for the DPC to authorize the IT process;
- b) the interested party shall present to the DPC an application requesting permission to operate in AJB, specifying the intended period, attaching the document of acceptance for the process of authorization to execute the service of research, exploration, removal or demolition of objects or property sunk, submerged, stranded or lost, under domain of the Union or not, according to the case (following the provisions of NORMAM-10/DPC), besides the remaining documents listed in Annex 2-D;
- c) after a documentary analysis by the DPC, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and
- d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT.

## **0226 - HYDROGRAPHIC SURVEY**

- a) it is for the DPC to authorize the IT process, against presentation of the authorization for conduction of a Hydrographic Survey issued by Navy Hydrography Center (CHM);
- b) the interested party shall present to the DPC an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;
- c) after a documentary analysis by the DPC, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204;
- d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT; and
- e) Notes:

During the period of operation, the person responsible for the vessel must comply with the following determinations:

I) allocate compatible areas for the operation, for a maximum duration of three days, renewing whenever necessary and canceling the area when the operation is interrupted or the ship stays at the port;

II) adhere to the Maritime Traffic Information System (SISTRAM) when determined by the CP/DL, sending periodically the message of position and intent of motion for the next twenty four hours and its changes, within the allocated area; and

III) inform the CP in whose jurisdiction will be held operation, the areas to be allocated, including the following parameters:

- 1) name of ship;
- 2) the ship's characteristics (colors of the hull and superstructure);
- 3) length of the towing device (if existing);
- 4) courses and average speed of displacement during the services;
- 5) dates of beginning and ending the services; and
- 6) work area delimited with geographic coordinates—latitude / longitude

These pieces of information must be forwarded to the CP/DL office in advance of at least seven work days, in order to enable their publishing in the Notices to Mariners.

## **0227 - UNDERWATER ENGINEERING WORKS**

- a) it is for the DPC to authorize the IT process, against presentation of the letter of exemption from the CAA, issued by ANTAQ;



b) the interested party shall present to the DPC an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;

c) after a documentary analysis by the DPC, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204; and

d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT.

## **0228 - DATA ACQUISITION RELATED WITH THE OIL AND NATURAL GAS ACTIVITY (SEISMIC SURVEY)**

a) it is for the DPC to authorize the IT process, against presentation of the Ordinance of Authorization from the ANP for the activity of seismic data acquisition, published in the DOU;

b) the interested party shall present to the DPC an application requesting permission to operate in AJB, specifying the intended period, and the remaining documents listed in Annex 2-D;

c) after a documentary analysis by the DPC, and if the process is accepted, the applicant shall schedule the Expert Survey as provided in item 0204;

d) once the Expert Survey is completed, the CP/DL office shall issue the Statement of Compliance for the Operation in AJB (Annex 2-F) and the respective AIT; and

e) Notes:

Prior to the beginning of operation in AJB, the vessel shall adhere to the Maritime Monitoring System of support to Oil Activities (SIMMAP), as provided for in NORMAM-08/DPC.

The company responsible for the vessel shall meet the following provisions, from its arrival in AJB until the end of the operation:

I) allocate areas compatible with the research, for a maximum duration of three days, renewing whenever necessary and canceling when the operation is interrupted or the ship stays at the port;

II) when forwarding to the DPC the application requesting permission to operate in AJB, and the documents listed in Annex 2-D, the following items should also be attached:

1) a statement by the company bearing the authorization, containing the characteristics of the ship and all instrumentation to be used in the operation, and those of support vessels when applicable;

2) the radio-electric frequencies, types of emission and irradiation power levels subject to be used in the communications;

3) the dates forecast for the start and end of operation, as well as for the installation and withdrawal of equipment, when applicable;

4) the dates forecast for calls in national ports;

5) the number of accommodations reserved on board ships, with a minimum of two, for Brazilian Navy Officers as observers, if necessary;

6) assurance statement of broad and unrestricted access to all spaces, equipment, instruments and on-board records to the Brazilian Navy representative assigned to monitor the services (Annex 2-K);

7) statement of adherence to the SIMMAP (Annex 2-L); and

8) intended operation program, presented on a nautical chart in adequate scale, highlighting the seismic survey area authorized by the ANP (National Petroleum Agency);

III) adhere to the Maritime Traffic Information System (SISTRAM), sending periodically the message of position and intent of motion for the next twenty four hours and its changes, within the allocated area;

IV) inform the CP office with jurisdiction over the place of operation, the areas to be allocated, including the following parameters:

- 1) name of ship;
- 2) the ship's characteristics (colors of the hull and superstructure);
- 3) length of the towing device (if existing);
- 4) courses and average speed of displacement during the services;
- 5) dates of beginning and ending of the services; and
- 6) work area delimited with geographic coordinates (latitude/ longitude).

These pieces of information shall be forwarded to the CP office with a minimum advance of seven work days, enabling their dissemination through Notices to Mariners; and

V) the shipowner/charterer's legal representative of the foreign-flagged vessel shall deliver to the vessel's Master the "*INSTRUCTIONS FOR SEISMIC SURVEY VESSEL*" (in English), contained in Annex 2-M, recommending to follow them.

## CHAPTER 3

### CONDITION SURVEY OF BULK CARRIER SHIPS

#### 0301 - APPLICATION

A condition survey shall be performed in all bulk carriers and combined transport *ore-oil* or *ore-bulk-oil* with eighteen or more years of age, when calling a national port, independently of the flag or size, for loading solid bulk materials with specific weight equal to or greater than 1.78 t/m<sup>3</sup>, such as iron ore, bauxite, manganese and phosphate.

The shipowner shall be asked to produce a statement with the cargo's technical identification and specific weight.

#### 0302 - REQUEST AND AUTHORIZATION FOR THE SURVEY

##### a) Request

The applicant shall forward to the Directorate of Ports and Coasts (DPC), with copy to the CP/DL/AG office of the port where the survey is to be performed, and at least three work days in advance, an Application for Condition Survey (SVC), effected in a document filled strictly in accordance with the form of Annex 3-A. The SVC may be sent by fax or mail.

In case the port of loading is not the same where the survey will be performed, a copy of the SVC shall be forwarded also to the CP/DL/AG office of the port of loading.

##### b) Authorization

After analyzing the SVC, the DPC shall authorize the execution of the survey in case there is no impediment over the ship indicated by the applicant. The DPC shall also determine if the survey will or not be accompanied and inform the fee value to be paid.

#### 0303 - EXEMPTION FROM THE CONDITION SURVEY

Bulk carriers of any age with a total load of heavy bulk not exceeding thirty percent of the ship's deadweight tonnage (dwt), are exempted from the condition survey.

#### 0304 - EXECUTION OF THE SURVEYS

##### a) Period for Execution

Surveys shall be executed at day hours, by a Classification Society hired by the shipowner, after the ship's arrival at any national port and must be accompanied by a representative of the DPC when so determined.

##### b) Classification Society (SC)

The shipowner or its agent shall hire one of the Classification Societies authorized to act on behalf of the Brazilian Government, other than the one in charge of maintaining the ship to class, to execute the survey. The surveyors of those Classification Societies must be exclusive.

##### c) Conditions of the ship

Prior to starting the survey, the ship must be anchored in sheltered waters or moored, totally unloaded, degassed and without ballast, with all applicable safety measures observed.

##### d) Documentation

Statutory Certificates provided in International Conventions of which the Brazilian Government is a signatory, as well as the ship's certificates of class and registration,

and documents verifying the legal names of the shipowner, operator, cargo owner, hull insurer, cargo insurer and ship insurer (*P&I Club*) shall be available on board on occasion of the survey.

**e) Support**

The shipowners or their agents shall provide local transportation, specialized services and all necessary support for the execution of the survey.

**0305 - PLACE OF THE SURVEYS**

On request by the Shipowner or its representative, the surveys may be carried out in any national port, even if not the ship's loading port.

**0306 - SCOPE OF THE SURVEY**

**a) Regarding the Documentation**

It shall be checked the conformity of Statutory Certificates with the International Conventions of which the Brazilian Government is a signatory, as well as the vessel's certificates of class and registry, and documents verifying the names of the shipowner, operator and ship insurer (P&I Club).

**b) Regarding the Internal Structure**

The surveyors shall carry out a visual inspection of internal structures of cargo holds, ballast tanks, double-bottom, wing tanks and forward peak tank. Steel thickness must be checked in points of the structure and plating, randomly (*spot check*), based on the last dry dock survey report.

**c) Regarding Watertightness**

A visual and watertightness inspection of cargo holds and main deck tanks, with special attention to coamings, hatch covers, their clamping devices and sealing aids, scuttles of access to holds or double-bottom tanks, their hatches, clamping devices and sealing aids must be carried out.

**0307 - STRUCTURAL EVALUATION AND PENDING ISSUES OF THE SURVEY**

**a) Structural Evaluation of the Ship**

The evaluation of the ship's structure and its capacity to undergo the intended loading is solely and exclusively an attribution of the representative of the SC hired for carrying out the survey.

**b) Pending Issues of the Condition Survey**

The CS representative in charge of the survey shall record as a pending issue, even if considering the ship fit for loading, any of the items listed below, mentioning them in his Statement:

- 1) holes or cracks in structural elements or bulkheads, associated or not with thickness reduction;
- 2) damages in structural elements or bulkheads for excessive effort;
- 3) buckling on bulkheads;
- 4) any and every condition of class for "hull" imposed by the ship's Classification Society and not yet complied with;
- 5) any and every point found in the thickness measurement with a reduction higher than 25% of its original thickness;
- 6) loss of watertightness; and
- 7) any other aspect deemed as relevant by the representative of the Classification Society in charge of the survey.

### **0308 - RELEASE OF SHIP FOR LOADING**

The surveyor from the hired SC, after concluding the survey, shall issue a Statement of Condition Survey (DVC) in accordance with the standard model of Annex 3-B. In the field "repairs to be made", the pending issue(s) listed in item 0307 shall be included.

The original and one copy of the DVC shall be delivered, upon completion of the Condition Survey, to the Harbor Master or the Delegate. According to the conclusion contained in item 4 of the DVC issued by the surveyor, the Harbor Master or Delegate will or will not release the vessel for loading, through a resolution, with the CP/DL stamp on the existing field in item 5 of the DVC. The DVC copy shall carry the same resolution and shall be delivered to the shipowner or charterer's representative, for presentation at the loading terminal. The original document shall be filed at the CP/DL.

On the first work day following the survey, the CP/DL shall forward to the DPC a copy of the DVC issued by the surveyor, with the final resolution of the Harbor Master or Delegate.

In case the surveyor from the hired Classification Society finds damages or deficiencies requiring deeper analysis or substantive structural repairs, the ship shall not be approved for loading and this conclusion must be entered by the surveyor in item 4 of the DVC. In this case, the CP/DL shall write in the DVC item 5 that the ship is not authorized for loading ("IMPEDIDO DE CARREGAR").

The shipowner or its representative shall report to the ship's Classification Society, which shall proceed to follow up the repairs and/or cancel the issues noted. The ship's release shall be conditioned to analysis and ratification, by the DPC, of the Classification Society's report maintaining the ship to class and stating that all noted deficiencies were corrected and/or that the ship presents safe conditions for operation.

### **0309 - CONDITION SURVEY REPORT AND OTHER NECESSARY DOCUMENTS**

Upon completion of the survey, the shipowner or its representative shall forward to the DPC, copies of the following documents:

a) Detailed and conclusive report of the survey results, issued by the hired Classification Society and accompanied by the report of thickness measurement and photographic record.

b) Statutory Certificates provided in international conventions of which the Brazilian Government is a signatory, as well as the ship's certificates of class and registration.

c) Documents verifying the legal names of the shipowner, operator, hull insurer and ship insurer.

### **0310 - REMOVAL OF DEMANDS**

If the Condition Survey Report shows deficiencies to be corrected, the shipowner or agent must present to the DPC a detailed report from the ship's Classification Society verifying that the deficiencies found on occasion of the condition survey were corrected and/or that the ship presents safe conditions for operation. Such report shall be forwarded to the DPC with a minimum advance of three work days to the date of return of the ship for operation in a national port.

The ship's survey to check if the repairs were effected and/or the deficiencies were corrected, must be carried out preferably by the representative in Brazil of the ship's Classification Society. If the survey has been effected abroad, the representative in Brazil must express his opinion about the reports issued abroad by the ship's Classification Society, through a document certifying to the DPC that the deficiencies

found by the SC which performed the Condition Survey have been corrected. Classification Societies with no representation in Brazil may indicate one of the classification societies recognized by the Brazilian Government to carry out a survey and issue the report.

### **0311 - VALIDITY OF THE SURVEY AND CONTROL OF SHIPS**

After analysis of the Survey Report and if found no pending deficiencies, the ship's data in the bulk carrier ships spreadsheet available on the internet shall be updated, releasing the ship for loading for the period of 1 (one) year from the date of survey. After the expiration of this period, the ship shall be submitted to a new survey.

Bulk carriers with over 18 years of age, authorized for loading solid bulk materials with specific weight equal to or greater than  $1.78 \text{ t/m}^3$  shall keep on board the DVC (Statement of Condition Survey) whenever effecting this type of loading in national ports.

The DPC shall keep permanently updated on the Internet a listing of surveyed ships.

## CHAPTER 4

### PORT STATE CONTROL (PSC) OF SHIPS

#### 0401 - APPLICATION

All foreign-flagged ships calling national ports shall be subject to the Port State Control (PSC).

#### 0402 - EXECUTION OF THE INSPECTIONS

a) The *PSC* inspections shall be conducted by Naval Inspectors headquartered in the Harbor Master (CP) Offices, duly qualified and certified by the DPC. These inspections shall be carried out at no cost for the shipowner.

b) The withdrawal of demands over deficiencies found in *PSC* inspections shall be requested to the CP office by the shipowner or its representative, and compensated as provided in item 4 of these Standards' Introduction.

#### 0403 - RELEVANT INSTRUMENTS

For the execution of Port State Control inspections, the Relevant Instruments are the following international conventions and their respective amendments in force:

- a) International Convention on Load Lines, 1966 (LL 66);
- b) International Convention on Tonnage Measurement of Ships, 1969;
- c) International Regulations for Preventing Collisions at Sea, 1972 (RIPEAM-72);
- d) International Convention for the Prevention of Pollution by Ships, 1973, as amended by its 1978 Protocol (MARPOL 73/78);
- e) International Convention for the Safety of Life at Sea, 1974, as amended by its 1978 Protocol (SOLAS 74/78);
- f) International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978 (STCW-78);
- g) International Maritime Organization Resolution A.787(19) "Procedures for Port State Control", dated November 23, 1995, amended by Resolution A.882 (21);
- h) Latin American Agreement on Port State Control of Ships (Agreement of Viña del Mar) of November 05, 1992; and
- i) Rules for Surveys and Inspections and Safety Certificates for Vessels of the Paraguay-Paraná Waterway.

#### 0404 - SHIP SELECTION

The selection of ships to be inspected by the Naval Inspector shall follow the priority list below (laid down by the Agreement of Viña del Mar):

- oil tankers;
- bulk carriers;
- gas carriers;
- chemical product carriers;
- carriers of dangerous substances and goods;
- passenger carriers;
- intended for vehicle transportation.

The execution of inspections in ships already inspected in the last six-month period shall be avoided. The selection of ships shall be made without discrimination regarding flag, and in such a manner as to comprehend the highest possible diversity of flags.

A ship that is the target of denunciation by another Maritime Authority, of a report or denounce by the Captain, a crew member, or any person or organization that has a legitimate interest in maintaining safety in the operation of the ship or the prevention of pollution, and which its deficiencies noted are related with the relevant instruments listed in these Standards, shall be given priority in the selection for inspection. The denunciation shall be effected in writing.

When more than one ship is available for inspection, the priority list above shall be observed and in case of more than one ship of same type, the selected for inspection must be the one with the worst external appearance.

#### **0405 - GUIDELINES FOR THE NAVAL INSPECTOR**

In case of ships scheduled to stay for just a few hours at the port or terminal, the entry of the Naval Inspector on board shall be made as soon as the ship is released by the port's sanitary service and the revenue service of Brazil.

The inspection shall consist of a check on certificates and documents relative to the relevant instruments, and the examination of the general state of conservation, maintenance and functioning of the ship and its equipment and a capability check on the crew members regarding operational procedures on board.

In the absence of certificates or documents, or if during the initial inspection some "clear signs" are found that the ship, its equipment or crew members do not essentially follow the prescriptions of one of the Relevant Instruments, a more detailed inspection shall be carried out.

It is important to emphasize that ships flying the flag of a State that is not bound by one of the Relevant Instruments, and consequently, do not bear certificates allowing for the presumption of a satisfactory condition, shall be submitted to a detailed inspection. The Naval Inspector shall follow the same guidelines provided for ships subject to the Relevant Instruments. The condition of the ship and its equipment, the certification, the number and composition of its crew must be compatible with the objectives of the provisions of the Relevant Instruments. Otherwise, all measures enabling the ship to achieve an equivalent level of safety shall be prescribed.

Prior to embarking, the Naval Inspector shall check the conditions of the free board and draught marks, and watch the initials of the Classification Society marked on the Plimsoll disk, for later comparison with those shown on the International Load Lines Certificate.

#### **0406 - OVERALL EXAMINATION OF THE SHIP**

After checking the certificates and remaining relevant documents on board, the Naval Inspector shall request from the Captain or his eventual substitute the appointment of an Officer on board to accompany him throughout the general examination of the ship.

The checking of the ship's general condition, the working conditions of the main equipment and the structural conditions shall always be carried out by the Naval Inspector. The intensification of inspection will depend on the technical judgment of each Naval Inspector, on the basis of what is observed by him during the course of the inspection, which shall follow a logical sequence in order to avoid unnecessary wear of the participants.

In case the inspection is carried out by a single Naval Inspector, the following sequence shall be used whenever possible:

- a) documentation
- b) bridge
- c) radio station



- d) lifesaving boats deck
- e) emergency generator compartment (if existing)
- f) emergency fire pump compartment
- g) main deck and cargo holds
- h) steering gear compartment
- i) engine room
- j) pump room (tankers)

Upon completion of the inspection, the corresponding report shall be read and delivered to the Captain, enabling him to immediately adopt the necessary steps to remedy possible deficiencies.

#### **0407 - DETENTION CRITERIA**

When carrying out the inspection, the Naval Inspector must be judicious and careful to prevent the ship from being unduly detained or delayed.

The Naval Inspector should have in mind that the main purpose of *PSC* is the navigation safety, safeguard of human life at sea and prevention of pollution in the waterways environment.

The discrepancies listed in item 1 of Annex 4-A are deemed as sufficient reasons for a ship to be detained. Item 2 of same annex describes reasons for a ship to be detained, if in its actual condition it represents an evident risk for the safeguard of human life at sea, for the safety of navigation or for the marine environment.

#### **0408 - CHECKING OF RESOLVED DEFICIENCIES**

The checking on corrections of the deficiencies reported by the ship as resolved, shall be performed by Naval Inspectors headquartered at the CP /DL offices.

In a CP/DL office with no resident Naval Inspector, this checking shall be done by a Naval Inspector present in the area, or if there isn't any, by an Auxiliary Naval Inspector from that office. Detailed, clear and precise instructions must have been left by the Naval Inspector in charge of the inspection, regarding the deficiencies recorded in Form B of his report, so the Auxiliary Naval Inspector will not come to find any difficulties for the checking on the corrections of said deficiencies. The Naval Inspector in charge of the inspection shall also leave instructions for the Auxiliary Naval Inspector on how to proceed when filling up Form B

#### **0409 - SUBORDINATION OF NAVAL INSPECTORS**

The Naval Inspector performs the monitoring of foreign-flagged ships at ports by delegation from the Naval District Commander of the jurisdiction area.

The Naval Inspectors headquartered at CP/DL offices are directly subordinated to the Harbor Master or Delegate, being functionally supervised by the *Management of Surveys and Inspections of the Directorate of Ports and Coasts* which hires them and exercises the follow-up and control of their activities regarding the compliance with Maritime Authority Standards in force. When performing their activities outside of the jurisdiction area of the CP/DL where they are headquartered, they shall be directly subordinated to the Office Holder of where they are, who shall carry out such monitoring and control.

The Naval Inspector should keep the Office Holder in whose jurisdiction he is working, informed about his actions, especially in what relates to detentions and deficiencies that must be corrected prior to a ship's departure.

## CHAPTER 5

### EXPERT SURVEY OF VESSELS USED IN THE TRANSPORTATION OF OIL, ITS DERIVATIVES, AND BIOFUELS

#### 0501 - APPLICATION

An expert survey must be carried out in all vessels carrying oil, derivatives and biofuels in bulk, as defined in Chapter 1, when used either in open sea or inland navigation.

#### 0502 - STATEMENT OF COMPLIANCE FOR OIL TRANSPORT BASED ON THE *SIRE* REPORT

In the cases of import/export of oil, its derivatives and biofuels by ships operating in deep sea trade, as well as vessels chartered for thirty days or less, the vessel's survey for issuance of the Statement of Compliance for Oil Transport may be replaced by an analysis of the Inspection Report *SIRE PROGRAMME* from the *OCIMF*. If the result is deemed as satisfactory, a Statement of Compliance shall be issued with a validity of only thirty days.

The *SIRE* Report submitted shall have been necessarily issued less than one year before the date intended for starting the operation in AJB. Its analysis may determine the execution of an expert survey, if the existence of deficiencies is found which compromise the operation's safety.

The non-existence of a *SIRE* Report shall also require an expert survey of the vessel.

Vessels exempted from the survey as laid out in this item, shall be subject to the *Port State Control* Inspection systematic.

#### 0503 - EXECUTION OF THE SURVEYS

The expert surveys shall be carried out during day hours, by an expert surveyor from the CP/DL offices.

#### 0504 - PRE-REQUISITES OF THE SURVEY

##### a) Classification

The foreign-flagged vessel intended to operate in AJB for a period longer than thirty days shall be kept to class and bear its up-to-date statutory certificates issued by one of the Classification Societies authorized to act on behalf of the Brazilian Government.

##### c) Conditions of the ship

Besides complying with the requirements laid down in the previous paragraph, the vessel shall be anchored in sheltered waters or moored, with all applicable safety measures observed.

The survey may be carried out with the vessel in operation of loading or unloading. However, the inspector shall be accompanied full time by the Captain or a person assigned by him with the necessary authority and knowledge to assist in all that is requested, especially regarding safety aspects.

It is not necessary to have the vessel degassed. However, this may be requested in case of indication that the survey must be deepened. In these cases, the tanks selected for inspection shall be degassed as necessary, after prior unloading.

In case of need of degassing tanks for conclusion of the expert survey, the vessel shall be impeded from carrying out any loading until the survey is finalized and the corresponding Statement of Compliance is issued.

**c) Request for Survey**

I) Foreign-flagged vessels for which an AIT was already issued and vessels not subject to the AIT systematic.

The shipowner or its agent shall forward a Request for Expert Survey of Oil Carrier to the CP/DL office of the port of survey, through a document filled in as in the form of Annex 2-E, checking only the option "Compliance Survey for the Carriage of Oil, Derivatives and Biofuels", attaching a copy of the proof of payment of the compensation provided in item 4 of the Introduction of these Standards, and copies of the documents set out in item 0507 as applicable. The request may be forwarded by mail or fax.

II) Foreign-flagged vessels for which an AIT has not yet been issued

The shipowner or its agent shall forward to the CP/DL office of the port of survey, a Request of Expert Survey for the Operation in AJB and a Request of Compliance Survey for the Carriage of Oil, Derivatives and Biofuels, through a document completed in accordance with the form contained in Annex 2-E.

This request shall carry as attachments: a copy of the proof of payment of the compensation provided in item 4 of the Introduction of these Standards, and copies of the documents required for the vessel's Temporary Enrollment and the documents set out in item 0507, as applicable. The request may be forwarded by mail or fax.

III) Request for analysis of the *SIRE* Report

The request for analysis of the *SIRE* Report for issuance of an Interim Statement for Oil Transport must be done by forwarding the Request of Compliance Survey for the Carriage of Oil, Derivatives and Biofuels, through a document completed in accordance with the form contained in Annex 2-E, attaching copies of the proof of payment of the compensation provided in item 4 of the Introduction of these Standards, and of the documents set out in item 0507.

**d) Support**

The shipowner or its agents shall provide all the support regarding materials, local transportation, etc, necessary for the conduction of the survey. A previous contact shall be made with the CP/DL office for the necessary detailing.

**0505 - SCOPE OF THE SURVEY**

**a) Certificates**

The Statutory Certificates provided in the international conventions of which the Brazilian Government is a signatory shall be checked , as well as the vessel's certificates of class and registry, and the documents verifying the legal names of the shipowner, operator, ship proprietor and ship insurer (*P&I Club*).

**b) Structure**

The expert surveyors shall examine the last dry docking survey report, and reports of enhanced survey programs.

**c) Systems**

A visual inspection and random operational tests in systems of navigation, pollution prevention, cargo and ballast, inert gas and crude oil tank cleansing (*COW*), mooring, communications, propulsion and steering system and general conditions shall also be carried out.

**d) Operational Procedures**

Systems of safety management, loading and unloading, transshipment between vessels and other operational procedures and instructions shall be examined.

**0506 - PROCEDURE FOR THE RELEASE OF SHIP FOR LOADING**

**a) Ship without deficiencies**

Upon completion of the survey, if there are no deficiencies noted, a Statement of Compliance for Oil Transport shall be issued following the form shown in Annex 5-A, valid for one year.

**b) Ship with minor deficiencies**

An Interim Statement of Compliance for Oil Transport, following the model shown in Annex 5-B, may be issued by the Harbor Master or Delegate, in case the deficiencies noted do not represent risk for the ship. In this case, the statement must carry attached a list with the pending demands, showing the nature and deadlines for their fulfillment. After all noted demands were satisfied, a new inspection must be requested for verification of compliance. It will then be issued the corresponding Statement of Compliance, with validity from the date of initial inspection.

**b) Ship with major deficiencies**

In case the expert surveyor finds deficiencies requiring deeper analysis, the ship shall not be authorized to operate, and the shipowner should be requested to obtain a specific opinion about the noted discrepancy from the ship's Classification Society. Only after analysis of this opinion, the Harbor Master or Delegate shall evaluate the convenience of issuing the corresponding permit and/or determining the correction of the deficiencies noted, prior to issuing said document.

In case serious deficiencies or structural damages are found by the expert surveyor, these deficiencies or damages shall be repaired with follow-up by the ship's Classification Society. The release of the ship shall be conditioned to analysis by the Harbor Master or Delegate, of the report from the Classification Society keeping the ship to class, stating that the deficiencies noted were corrected, as well as of the confirmation on board by the Expert Surveyor.

**0507 - NECESSARY DOCUMENTS FOR REQUESTING AN EXPERT SURVEY OF SHIPS EMPLOYED IN BULK CARRYING OF OIL, DERIVATIVES AND BIOFUELS**

The request to the CP/DL of an authorization for operation of the ship in the carriage of oil, derivatives and biofuels in bulk shall contain the following documents:

- a) Application to the CP/DL requesting the execution of an expert survey, through the form shown in Annex 2-E, filled in with the data of the vessel to be surveyed, as applicable;
- b) Charter Authorization Certificate (CAA), issued by ANTAQ
- c) Liability Certificate for Damages Caused by Pollution by Oil, or other equivalent financial guarantee, as provided in the CLC Convention;;
- d) Copy of a P&I Insurance Certificate with a wreck removal clause; and
- e) Documents verifying the shipowner's legal name.

**0508 - VALIDITY OF THE STATEMENT OF COMPLIANCE AND INTERIM STATEMENT OF COMPLIANCE FOR OIL TRANSPORT**

In case deficiencies are pointed out which do not represent risk for the ship, an *Interim Statement for Oil Transport* may be issued, valid for up to ninety days.

The form of Interim Statement for Oil Transport is shown in Annex 5-B.

After analysis of the documents and verification of the absence of deficiencies, or that the deficiencies noticed in the survey were corrected, the CP/DL office shall issue the Statement of Compliance for Oil Transport to the vessel, valid for one year from the date of survey.

The renewal of a Statement of Compliance shall be effected through the execution of a new expert survey.

#### **0509 - CONTROL**

The DPC shall publish and keep updated on their website a listing with ships authorized to carry oil, its derivatives and biofuels.

The CP/DL offices shall keep updated the Management System of Surveys and Inspections (SISGEVI) with all surveys and inspections carried out, in order to enable the updating by the DPC of their information published on the Internet.

The request of an expert survey for cancellation of demands shall be forwarded to any CP/DL office of jurisdiction over where the ship is found. After verification of compliance with the demands, the CP/DL shall issue the corresponding Statement of Compliance.

The vessels authorized to perform transportation of oil, derivatives and biofuels in AJB shall keep on board the Statement of Compliance or the Interim Statement for Oil Transport.

## CHAPTER 6

### SURVEY OF PLATFORMS, DRILL SHIPS, PRODUCTION AND STORAGE UNITS (FPSO) AND OIL STORAGE UNITS (FSO)

#### 0601 - APPLICATION

An expert survey of compliance must be carried out in every foreign-flagged platform, drill ship, FPSO and FSO intended for operation in AJB, for verification of requirements laid down in the standards in force, applicable to the activities of drilling, production and storage of oil and natural gas.

#### 0602 - EXECUTION OF THE SURVEYS

The expert surveys shall be carried out by an expert surveyor from the CP/DL offices, prior to the start of any operation including those intended for the positioning and commissioning of units.

#### 0603 - PRE-REQUISITES OF THE SURVEY

##### a) Classification

A foreign platform, drill ship, FPSO or FSO intended to operate in AJB for a period longer than thirty days shall be kept to class and bear its up-to-date statutory certificates issued by one of the SC authorized to act on behalf of the Brazilian Government.

##### b) Conditions of the unit

The platform, drill ship, FPSO or FSO shall be anchored or on dynamic positioning in sheltered waters prior to the beginning of the survey, with all applicable safety measures observed.

The last dry docking or underwater survey report issued by the ship's Classification Society shall be examined, including the results of thickness measurements done and checking of equipment and auxiliary systems installed inside cargo tanks such as the COW system, cargo heating system and others. It is not necessary to have the units degassed. However, this may be requested in case of indication that the survey should be deepened.

##### c) Request for Survey

I) Foreign units for which an AIT has already been issued.

The shipowner or its agent shall forward a Request for Compliance Survey of Offshore Installation (SPCP) to the CP/DL office of the port of survey, through a document filled out as in the form of Annex 2-E, checking only the option "Compliance Survey for Platform Operation". The SPCP shall carry, as attachments, a copy of the proof of payment of the compensation provided in item 4 of the Introduction of these Standards and of the documents set out in item 0606 as applicable. The request of survey may be forwarded by mail or fax.

II) Foreign units for which an AIT has not yet been issued.

The shipowner or its agent shall forward to the CP/DL office of the port of survey, a Request of Expert Survey for Operation in AJB and a Request of Compliance Survey for the Operation of Offshore Installations, through a document filled in following the form shown in Annex 2-E. This request shall carry, as attachments, copies of the proof of payment of the compensation provided in item 4 of the Introduction of these Standards, of the documents required for the unit's temporary enrollment and of the documents set out

in item 0606 as applicable. The request of survey may be forwarded by mail or fax.

**d) Support**

The shipowners or their agents shall provide all the support regarding materials, local transportation, etc, necessary for the performance of the compliance survey. A previous contact shall also be made with the CP/DL office for the necessary detailing.

**0604 - SCOPE OF THE SURVEY**

**a) Regarding Certificates**

Checking of the Statutory Certificates provided in the international conventions of which the Brazilian Government is a signatory, as well as the ship's certificates of class and registry.

**b) Regarding the Structure**

The structural inspection of platforms, drill ships, FPSO and FSO shall be based mainly on analysis of the last dry docking *survey report* as well as the overall visual inspection of the unit.

However, a deepening of the survey may be demanded through the request of examinations or tests, in cases of indication that the structure does not correspond essentially to the reports presented.

**c) Regarding the Systems**

Visual and operational inspection in systems of navigation, pollution prevention, cargo and ballast, inert gas and crude oil tank cleansing (COW), mooring, transshipment of personnel and cargo, communications, propulsion and steering system and general conditions.

**d) Regarding the Operational Procedures**

Systems of safety management, loading and unloading, transshipment of personnel and cargo and other operational procedures and instructions shall be examined.

**0605 - RELEASE OF THE UNIT FOR OPERATION**

Upon completion of the survey, in case there are no deficiencies pointed out representing risks to the safety, safeguard of human life, navigation safety or pollution prevention, a Statement of Compliance for Offshore Installation shall be issued following the form shown in Annex 6-A, valid for one year.

An Interim Statement for the Operation of Offshore Installation may also be issued by the Harbor Master or Delegate, in case the deficiencies pointed out represent only a moderate risk for the vessel, if measures for monitoring, controlling and correcting such deficiencies are implemented. In this case, the statement must carry attached a list with the pending demands, showing the nature and deadlines for correction of all recorded deficiencies.

The form of Interim Statement for the Operation of Offshore Installation is shown in Annex 6-B.

In case the expert surveyor finds damages or deficiencies requiring deeper analysis, the unit shall not be authorized to operate, and the shipowner should be requested to obtain a specific opinion about the noticed discrepancy from the unit's Classification Society. Only after analysis of this opinion, the Harbor Master or Delegate shall evaluate the convenience of issuing the corresponding permit or determining the correction of the deficiencies noticed. In case the correction of deficiencies is determined, the Owner or its agent shall request the unit's Classification Society to proceed to follow up the repairs and subsequently request the withdrawal of the corresponding demands. The release of the unit shall be conditioned to analysis and ratification, by the

Harbor Master or Delegate, of the report from the SC stating that the deficiencies noticed were corrected, and/or the confirmation on board by the expert surveyor.

Deficiencies not affecting directly the safety shall be treated like the ones noted in naval inspections (control of compliance with demands through follow-up of the unit), and should not impede the issuing of the corresponding statement of compliance.

#### **0606 - NECESSARY DOCUMENTS FOR REQUESTING A COMPLIANCE SURVEY FOR THE OPERATION OF OFFSHORE INSTALLATIONS**

The request to the CP/DL of an authorization for operation of a platform, drill ship, FPSO or FSO shall contain the following documents:

- a) Application to the CP/DL office requesting the execution of an expert survey, following the form of Annex 2-E, filled in with the data of the unit;
- b) Liability Certificate for Damages Caused by Pollution by Oil, or equivalent financial guarantee, as provided in the CLC Convention;
- c) Copy of a P&I Insurance Certificate with a wreck removal clause; and
- d) Documents verifying the legal names of the shipowner, operator or concessionaire.

In the cases of a foreign flagged platform, drill ship, FPSO or FSO for which an AIT has not yet been issued, the request of a compliance survey shall also include a request of a Compliance Survey for Operation in AJB as shown in Annex 2-E, not being necessary to forward a separate application. In such cases, the documents attached to the application shall meet all applicable requirements as laid down in Chapter 2 of these Standards.

#### **0607 - STATEMENT OF COMPLIANCE AND VALIDITY PERIOD**

After analysis of the documents and verification of absence of deficiencies, or that the deficiencies noticed in the inspection were corrected, the CP/DL shall issue the *Statement of Compliance for Offshore Installation* for the unit, valid for one year from the date of survey. A form of Statement of Compliance for Offshore Installation is shown in Annex 6-A.

The Interim Statement for the Operation of Offshore Installation shall be issued by the Harbor Master or Delegate with validity of up to ninety days. The form of Interim Statement for the Operation of Offshore Installation is shown in Annex 6-B.

The renewal of a Statement of Compliance shall be effected through the execution of a new expert survey.

#### **0608 - CONTROL**

##### **a) Listing of Platforms, Drill ships, FPSO and FSO authorized to operate in AJB**

The DPC shall publish and keep updated a listing with the platforms, drill ships, FPSO and FSO of national or foreign flag, in compliance with the applicable requirements for the activities of drilling, production and storage of oil and natural gas, on their Internet website.

The CP/DL offices shall keep updated the Management System of Surveys and Inspections (SISGEVI), with information on all surveys and inspections carried out, in order to enable their dissemination by the DPC through the internet.



**b) Withdrawal of demands**

The request of an expert survey for withdrawal of demands shall be forwarded to any CP/DL office in the jurisdiction of which the vessel is found. After verification of compliance with the demands, the CP/DL shall issue the corresponding Statement of Compliance.

**c) Filing expert survey documents on board**

The platforms, drill ships, FPSO and FSO authorized for activities of drilling, production and storage of oil and natural gas in AJB shall keep on board the Statement of Compliance for Offshore Installation or the Interim Statement for the Operation of Offshore Installation.

**d) Positioning Control of Units**

The platforms, drill ships, FPSO and FSO authorized to operate in AJB shall keep the CP/DL offices with jurisdiction over their area of operation, continuously informed about their positioning and intention of motion.

This information shall include the present position of the unit and, in advance, the position change forecast showing the date scheduled for starting the movement and the new position intended to be taken. It shall also be confirmed the beginning of movement and the arrival at the new position.

## RELEVANT LEGISLATION

- a) Law No. 5,869 of January 11, 1973, establishing the Civil Process Code.
- b) Law No. 10,406 of January 10, 2002, establishing the Civil Code.
- c) Law no. 7,542 of September 26, 1986, which provides for research, exploration, removal and demolition of objects or property sunk, submerged, stranded and lost amended by Law No. 10,166 of December 27, 2000.
- d) Law no. 8,374 of December 30, 1991, which provides for the compulsory insurance for personal injury caused by vessels or their cargo.
- e) Law no. 8,617 of January 4, 1993, which provides for the territorial sea, the adjacent zone, the exclusive economic zone and the Brazilian continental shelf.
- f) Law no. 9,432 of January 8, 1997, which provides for the ordering of waterways transportation.
- g) Law no. 9,478 of August 6, 1997, which provides for the national energy policy, activities regarding the oil monopoly, creates the National Council of Energy Policy and the Petroleum National Agency.
- h) Law No. 9,537, which provides for the safety of waterways traffic in waters under national jurisdiction.
- i) Law no. 9,966 of April 28, 2000, which provides for the prevention, control and monitoring of pollution caused by the spilling of oil and other noxious or dangerous substances in waters under national jurisdiction, and other matters.
- j) Law no. 11,380 of December 1, 2006, which creates the Brazilian temporary register for foreign-flagged fishing vessels, leased or bareboat chartered by companies, fishery shipowners or Brazilian fishery cooperatives.
- k) Decree no. 1,530 of June 22, 1995, which sets into force the United Nations Convention on the Law of the Sea, concluded in Montego Bay, Jamaica, on December 10, 1982.
- l) Decree no. 4,810 of August 19, 2003, which establishes standards for the operation of fishing vessels in the Brazilian fishing zones, deep sea and through international agreements.
- m) Decree no 2,256 of June 17, 1997, which regulates the Brazilian Special Registry (REB), for the vessels treated in Law no. 9,432 of January 8, 1997.
- n) Decree no. 2,455 of January 14, 1998, which implements the National Petroleum Agency (ANP), a public agency under special arrangements, approves its regimental structure and the table of commissioned positions and trust functions.

- o) Decree No. 2,508 of March 4, 1998, which promulgates the International Convention for the Prevention of Pollution from Ships (MARPOL), concluded in London on February 17, 1978, its 1984 Amendments and its Optional Annexes III, IV and V.
- p) Decree n° 96,000 of May 2, 1988, which provides for the conduction of research and scientific investigation on the continental shelf and in waters under Brazilian jurisdiction, and on foreign research vessels and aircraft visiting the national ports or airports, in transit in Brazilian jurisdictional waters or in the overlying airspace.
- q) Decree No. 2,596 of May 18, 1998, regulating Law no. 9,537, which rules on the safety of waterways traffic in waters under national jurisdiction.
- r) Decree No. 2,670 of July 15, 1998, promulgating the OIT Convention no. 166 on the Repatriation of Seafarers (revised), signed in Geneva on October 9, 1987.
- s) Decree No. 6,514 of July 22, 2008, providing on environmental violations and administrative sanctions, and establishing the federal administrative process for the checking of violations.
- t) Ordinance No. 156/MB of June 3, 2004, from the Commander of the Navy, which establishes the structure of the Maritime Authority and delegates competence to the holders of General Direction, Sector Direction and other military organizations of the Navy, for the performance of specific activities.
- u) Normative Resolution no. 81 of October 16, 2008 from the CNlg, which regulates the work granting to obtain the temporary visa for a seafarer of a foreign fishing vessel leased by a Brazilian company.
- v) Normative Resolution no. 83 of December 3, 2008 from the CNlg, which regulates the granting of visa to a foreign professional hired on board a foreign tour vessel coming to Brazil on a long range voyage.
- w) Normative Resolution no. 72 of October 10, 2006 from the CNlg, which regulates the recruiting of foreign professionals to work on board foreign vessels or platforms.
- x) Normative Resolution no. 71 of September 5, 2006 from the CNlg, which regulates the granting of visa to a foreign seafarer hired on board a foreign tour vessel operating in AJB.
- y) Normative Resolution no. 04 of October 8, 2003 from the SEAP/PR, which provides for the lease of foreign fishing vessels by Brazilian companies.
- z) Resolution ANP no. 11 of February 17, 2011 from the ANP (National Petroleum Agency), which provides for the activities of data acquisition on exploration and production of oil and natural gas.
- aa) Resolution no. 191/ANTAQ of 2/16/2004, amended by Resolution no. 494/ANTAQ of 9/13/2005, which approves the standards for chartering by a Brazilian shipping company working in the port support navigation.

ab) Resolution no. 192/ANTAQ of 2/16/2004, amended by Resolution no. 495/ANTAQ of 9/13/2005, which approves the standards for vessel chartering by a Brazilian shipping company working in the offshore support navigation.

ac) Resolution no. 193/ANTAQ of 2/16/2004, amended by Resolution no. 496/ANTAQ of 9/13/2005, which approves the standards for vessel chartering by a Brazilian shipping company working in the coastal navigation.

ad) Resolution no. 195/ANTAQ of 2/16/2004, amended by Resolution no. 493/ANTAQ of 9/13/2005, which approves the standards for vessel chartering by a Brazilian shipping company for transportation of cargo in the deep sea trade and for the release of transportation, by a foreign shipping company, of cargo prescribed to the Brazilian flag.

ae) Ordinance no. 40 of March 1, 2000, from the National Petroleum Agency (ANP), which provides for the activity of transportation in bulk of oil and its derivatives by means of coastal navigation.

af) Ordinance No. 170 of 09/25/2002 from the National Petroleum Agency (ANP), which regulates the activities of transportation in bulk of oil, its derivatives and natural gas through waterways, including deep sea, coastal, offshore support, port support and inland navigation.

**TABLE OF COMPENSATION FOR SERVICES RENDERED TO FOREIGN-FLAGGED  
VESSELS AUTHORIZED TO OPERATE IN BRAZILIAN JURISDICTIONAL WATERS**

**1.0 - INSPECTIONS AND SERVICES IN SHIPS:**

SERVICES	Gross Tonnage (AB)				
	AB < 1000	1.000 <AB <5.000	5.000 <AB < 10.000	10.000 <AB<15.000	AB > 15000
1.1 - Compliance Survey for the Operation in AJB	R\$ 900.00	R\$ 1,200.00	R\$ 1,900.00	R\$ 2,250.00	R\$ 3,300.00
1.2 - Withdrawal of demand from Compliance Survey for the Operation in AJB	R\$ 1,200.00				
1.3 - Expert Survey for the preparation of a Report for Emission of a CTS	R\$ 900.00				
1.4 - SIRE documentary analysis for emission of a Statement of Compliance	R\$ 300.00				
1.5 - Expert Survey for the emission of a Statement of Compliance for Oil Transport	R\$ 900.00	R\$ 1,200.00	R\$ 1,900.00	R\$ 2,250.00	R\$ 3,300.00
1.6 - Withdrawal of demand from an Expert Survey for emission of a Statement of Compliance for Oil Transport	R\$ 1,200.00				

**2.0 - EXPERT SURVEYS AND SERVICES IN PLATFORMS, FPSO AND FSO:**

SERVICES	Gross Tonnage (AB)		
	AB < 5.000	AB > 10.000	Fixed Platform
2.1 - Expert Survey for the emission of a Statement of Compliance for Mobile Platform, FPSO and FSO	R\$ 1,900.00	R\$ 2,700.00	-----
2.2 - Expert Survey for emission of a Statement of Compliance for a Fixed Platform	-----	-----	R\$ 1,900.00
2.3 - Withdrawal of demand from Expert Survey for issuance of a Statement of Compliance for a Mobile or Fixed Platform, FPSO and FSO	R\$ 1,200.00		
2.4 - Expert Survey for preparation of a Report for issuance of a CTS	R\$ 900.00		

**3.0 - CONDITION SURVEY**

SERVICES	Gross Tonnage (AB)		
	AB < 15.000	15.000 < AB < 50.000	AB > 50.000
3.1 - With follow-up by the GEVI	R\$ 1,600.00	R\$ 2,500.00	R\$ 5,000.00
3.2 - Without follow-up by the GEVI	R\$ 450.00		

**4.0 - HOMOLOGATION OF HELIPORT:**

SERVICE	VALUE
4.1 - Initial/Renewal survey of heliport	R\$ 3,902.50
4.2 - Analysis of plans and documents	R\$ 390.25
4.3 - Preparation of a Heliport Survey Report	R\$ 167.25
4.4 - Heliport survey for withdrawal of demands or checking of parameter alteration	R\$ 2,230.00
4.5 - Certification of heliport	R\$ 836.25

**4.6 - Values to be paid for surveys:**

- a) Heliport Initial and Renewal Survey:  
Value = 4.1 + 4.2 + 4.3 + 4.5 = R\$ 5,296.25
- b) Inspection for withdrawal of demands:  
Value = 4.3 + 4.4 = R\$ 2,397.25
- c) Survey for checking heliport parameter alteration:  
Value = 4.2 + 4.3 + 4.4 = R\$ 2,787.50

**4.7** - The compensation values shown in sub-items 4.1 and 4.4, when occurred out of the City of Rio de Janeiro, shall be increased by the Surveyor's stay and transportation expenses from Rio de Janeiro to the place where the survey will be conducted..

**5.0 - WITHDRAWAL OF DEMANDS FROM A PORT STATE CONTROL INSPECTION:**

Expert Survey for withdrawal of demands from a Port State Control inspection:  
R\$ 900.00

**6.0 - ADDITIONAL COMPENSATION FOR DISPLACEMENT:**

For the execution of expert surveys, surveys or services outside the City of Rio de Janeiro or the cities where the CP/DL/AG office is located, the compensations provided in items 1.0, 2.0, 3.0, 4.0 and 5.0 shall be increased by the displacement expenses of the surveyor, as follows:

**6.1** - Stay expenses of the surveyor/inspector: R\$ 288.00 for the first day; and  
R\$ 192.00 for each subsequent day.

**6.2** - Transportation of the surveyor/inspector:

**6.2.1** - Round trip by air, of the surveyor/inspector, from Rio de Janeiro to the local of inspection, survey or service; or

**6.2.2** - Two-way transportation of the surveyor/inspector, by adequate means as determined by the Local Representative of the Maritime Authority, from the offices of a CP/DL/AG to the place of expert survey, survey or service.

**7.0 - EXECUTION OF AN EXPERT SURVEY FOR MULTIPLE PURPOSES**

**7.1** - The expert surveys of a single foreign-flagged vessel for operation in AJB and for the transportation of oil, derivatives and biofuels shall be carried out as a single event, i.e., one only expert survey shall include the scopes of both activities, provided that the application has been forwarded with both activities selected.

**7.2** - Surveys like the above shall be compensated as if one single survey had been performed.

**7.3** - The expert survey for issuance of a Safe Manning Certificate (CTS) shall be compensated as a separate survey, even if requested and carried out together with a survey for other activity.



**BRAZILIAN NAVY**  
(Harbor Master/Delegate Office)

**STATEMENT OF TEMPORARY ENROLLMENT OF A FOREIGN VESSEL (AIT)**

Enrollment No.: .....

This is to Certify that the vessel ....., flag \_\_\_\_\_, was temporarily enrolled at this Harbor Master (or Delegate) Office under No. \_\_\_\_\_, due to the authorization for \_\_\_\_\_, on....  
.....for the period of \_\_\_\_\_ to \_\_\_\_\_, according to \_\_\_\_\_ issued by \_\_\_\_\_  
.....

**CHARACTERISTICS AND COMPLEMENTARY INFORMATION**

IMO No.:	
IRIN:	
Gross Tonnage (AB)	
Construction Site:	
Construction Year:	
Maximum Draught:	
Navigation Type:	
Vessel Type:	
Total Length:	
Deadweight Tonnage:	
Cruise Speed:	
Proprietor:	
Shipowner:	
Charterer:	
Operator:	
Concessionaire:	
Liability Insurer for Damages from Oil Pollution:	
Ship insurer:	
Ship's Classification Society:	

This statement does not release the person responsible from meeting the remaining prescriptions and from bearing other documents and certificates provided in the laws in force.

Issued at \_\_\_\_\_, on \_\_\_\_\_

Valid until \_\_\_\_\_.

\_\_\_\_\_  
(Name and Signature), Harbor  
Master/Delegate



**TABLE OF DOCUMENTS TO PRESENT WHEN REQUESTING AUTHORIZATION TO OPERATE IN AJB, ACCORDING TO THE VESSEL'S ACTIVITY**

DOCUMENTS REQUIRED		VESSEL'S ACTIVITY													
		0215	0216	0217	0218	0219	0220	0221	0222	0223	0224	0225	0226	0227	0228
Office receiving the application and the request process for operation in AJB		CP/DL	CP/DL	CP/DL	CP/DL	CP/DL	CP/DL	CP/DL	DPC	DPC	DPC	DPC	DPC	DPC	DPC
1	Application requesting authorization to operate in AJB (2 copies) - (see Annex 2-I)	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2	Charter Contract(s) (between the Owner and all the parties involved in the operation)				X				X	X	X	X	X	X	X
3	Charter Authorization Certificate (CAA) - Antaq	X	X	X		X		X							
4	Opinion or Authorization Ordinance from the Federal Office responsible for the activity, published in the D.O.U. (ANP, MPA, MTUR, etc)				ANP		MPA			MTUR				ANTAQ (*6)	ANP
5	Service Supply Contract(s)				X				X	X	X	X	X	X	X
6	Proofs of Enrollment and Registration (CNPJ) of the charterer company	X	X	X	X	X	X	X	X	X	X	X	X	X	X
7	Articles of Incorporation of the charterer company	X	X	X	X	X	X	X	X	X	X	X	X	X	X
8	Formal Liability Statement (see Annex 2-J)	X	X	X	X	X	X	X	X	X	X	X	X	X	X
9	Statement of adhesion to the Maritime Monitoring System of Support to Oil Activities (SIMMAP) - (see Annex 2-L)	X		X	X(*7)										X
10	Statement of unrestricted access to the vessel (see Annex 2-K)												X		X
11	Vessel's Certificate of Registration (issued by the flag state)	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12	P&I Insurance Certificate with a wreck removal clause (wreck removal)	X	X	X	X	X	X	X	X	X	X	X	X	X	X

DOCUMENTS REQUIRED		0215	0216	0217	0218	0219	0220	0221	0222	0223	0224	0225	0226	0227	0228
13	Liability Certificate for Damages Caused by Pollution by Oil or other equivalent financial guarantee	X			X										
14	Power of Attorney from the Shipowner, Charterer, Proprietor, Operator to the vessel's legal representative <b>(*8)</b>	X	X	X	X	X	X	X	X	X	X	X	X	X	X
15	Vessel's general information and photograph, data of the charterer company and the appointed maritime agent (CNPJ, address, phone, fax, e-mail and person responsible of the companies).	X	X	X	X	X	X	X	X	X	X	X	X	X	X
16	Authorization for the conduction of a Hydrographic Survey, issued by the Navy Hydrographic Center ( <b>see NORMAM-25/DHN</b> )												X		

**NOTES:**

## 1- LIST OF ACTIVITIES

ITEM	VESSEL'S ACTIVITY
0215	Transportation of Oil, Derivatives and Biofuels
0216	Transportation of Cargo (other than oil and derivatives)
0217	Offshore Support
0218	Exploration, Drilling, Production and Storage of Oil (Platforms, Drill Ships, FPSO and FSO)
0219	Underwater Activities (Diving Support)
0220	Fishing
0221	Transportation of Passengers in Inland Navigation
0222	Transportation of Passengers in Open Sea Navigation
0223	Supply of Nautical Tourism Services
0224	Port Infrastructure Works, Dredging and/or Sand Mining
0225	Research, Exploration, Removal and Demolition of Objects or Property Sunk, Submerged, Stranded and Lost
0226	Hydrographic Survey
0227	Underwater Engineering Works
0228	Data Acquisition related to the activity of Oil and Natural Gas (Seismic Survey)

**2- Acronyms:**

ANP - National Agency of Petroleum, Natural Gas and Biofuels

ANTAQ - National Waterways Transportation Agency

DHN - Directorate of Hydrography and Navigation

DPC - Directorate of Ports and Coasts

MPA - Ministry of Fishing and Aquaculture

MTUR - Ministry of Tourism

- 3- All documents in foreign languages shall contain a sworn translation, in order to acquire legal status as provided in Art.224 of the Civil Code, Law no. 10,406 of January 10, 2002.
- 4- The documents listed above shall remain on board and be available on occasion of an inspection/survey/expert survey.
- 5- The above list of documents do not exempt from the request of other documents required by laws, standards or regulations that come to be adopted after its publication.
- 6- For the activity of item 0227, the applicant shall present a Letter of Exemption from the emission of a CAA, issued by ANTAQ when it is the case.
- 7- For the activity of item 0218, only the drilling platforms and drill ships shall comply with the SIMMAP, as provided in NORMAM-08/DPC.
- 8- Official power of attorney from the shipowner/charterer to their agent or legal representative, showing compulsorily and explicitly the assignment of power to this attorney to receive on their behalf, notifications of infringement, judicial summons and any kind of communication coming from a Brazilian governmental authority;
- 9- For the expert surveys, present to the CP/DL office a proof of payment of the compensation provided in item 4 of these Standards' Introduction.

## REQUEST FOR EXPERT SURVEY

.....(*shipowner or representative*).....reports to this CP/DL office that the ship/vessel which its data are discriminated as follows, has an estimated arrival on .....(*dd/mm/aaaa*)....., at the Port of ....., ..... State

..... and, in compliance with the provisions of Chapter 2 of NORMAM-04/DPC, requests:

Compliance Survey for Operation in Brazilian Jurisdictional Waters.  
 Compliance Survey for the Transportation of Oil, Derivatives and Biofuels.  
 Compliance Survey for Operation of Offshore Installations (Activities of Drilling, Production and/or Storage of Oil).

Analysis of a *SIRE* Report for emission of an Interim Statement for Oil Transport.

Expert Survey for emission of a Safe Manning Certificate (CTS).

Condition Survey of a Bulk Carrier over 18 years old.

(Check the appropriate options above)

The ship/vessel will be ready for the expert survey, in accordance with the provisions of NORMAM-04/DPC, on .....(*dd/mm/yyyy*)....., at/in .....(*place/state*)..... The ship/vessel will be engaged in .....(*transportation or other activity*).....in AJB in the period of .....(*dd/mm/yyyy*)..... to .....(*dd/mm/yyyy*)....., chartered to the company .....(*enter the legal name of the company*)..... and/or authorized to operate .....(*area of operation*).....

**VESSEL DATA:**

Name:	IMO No.:
Flag:	Port of Registry:
AB(GT):	Vessel Type:
Keel laying date:	Classification Society:

**PROPRIETOR DATA: Legal**

Name/CNPJ of the Proprietor:
Name(s):
Origin (Country): Office
(City/Country):
Tel/Fax/Email:

**SHIPOWNER DATA:**

Legal Name/CNPJ of the Shipowner:
Name(s):
Origin (Country): Office
(City/Country):
Tel/Fax/Email:

**CHARTERER DATA: Legal**

Name/CNPJ of the Charterer:
Name(s):
Origin (Country):
Office (City/Country):
Tel/Fax/Email:

**OPERATOR DATA:**

Legal Name/CNPJ of the Operator:
Name(s):
Origin (Country):
Office (City/Country):
Tel/Fax/Email:

**CONCESSIONAIRE DATA: Legal**

Name/CNPJ of the Concessionaire:
Name(s):
Origin (Country):
Office (City/Country):
Tel/Fax/Email:

**P&I CLUB DATA:**

P&I Club:	Office Tel/Fax/Email:
Office (City/Country):	

(Place and date) \_\_\_\_\_, \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

(Signature) \_\_\_\_\_

(Name of the Agent/Forwarder): \_\_\_\_\_

(Agency/Forwarding office): \_\_\_\_\_

(Complete address/fax/tel/e-mail of Agent/Forwarder): \_\_\_\_\_

**List of Documents Attached:**

- ( ) Application to the DPC (approved) or CP/DL office, according to the vessel's activity as provided in Chapter 2;
- ( ) Charter Authorization Certificate (CAA);
- ( ) Charter Contract for vessels not bearing a CAA (only for mobile platforms, drill ships, FPSO and FSO);
- ( ) Vessel's Certificate of Registration, issued by the flag state;
- ( ) Ordinance from the Ministry of Fishing and Aquaculture, published in the Union Official Journal, with the license grant, permit or leasing authorization of a foreign-flagged vessel for fishing in AJB (for the chartering of fishing vessels);
- ( ) Liability Certificate for Damages Caused by Oil Pollution, or any other equivalent financial guarantee (for oil tankers, mobile platforms, drill ships, FPSO and FSO);
- ( ) Proof of P&I Insurance with clause of wreck removal;
- ( ) Ordinance from the Naval Staff, published in the Union Official Journal, authorizing the operation of a foreign-flagged vessel to be employed in the activities of research and scientific investigation;
- ( ) Official Power of Attorney from the shipowner to its agent or legal representative, showing compulsorily and explicitly the assignment of power to this Attorney to receive on its behalf, notifications of infringement, judicial summons and any kind of communication coming from a Brazilian governmental authority;
- ( ) Copy of the Union Official Journal (DOU), showing the summary of the Grant issued by the ANP for conducting exploration, drilling, production and storage of oil; and
- ( ) Proof of payment of the compensation provided in item 4 of these Standards' Introduction.

(SEAL OF  
THE CP/DL)

BRAZILIAN NAVY  
(Harbor Master/Delegate Office)

**STATEMENT OF COMPLIANCE FOR THE OPERATION IN  
BRAZILIAN JURISDICTIONAL WATERS**

Nº de inscrição: \_

Certifico que a embarcação \_\_\_\_\_, bandeira \_\_\_\_\_, nº IMO \_\_\_\_\_,

*This is to Certify that the vessel \_\_\_\_\_, flag \_\_\_\_\_, IMO Number \_\_\_\_\_,*

nº de inscrição \_\_\_\_\_, classificado pela \_\_\_\_\_, foi submetido à  
*Enrollment Number \_\_\_\_\_, classified by \_\_\_\_\_, was submitted to*

PERÍCIA TÉCNICA para emissão de Atestado de Inscrição Temporária (AIT) em \_\_\_\_\_,  
*EXPERT SURVEY for emission of a Temporary Enrollment Certificate (AIT) on \_\_\_\_\_,*

no Porto/Terminal \_\_\_\_\_, de acordo com o estabelecido nas Normas da Autoridade Marítima  
*at the Port/Terminal \_\_\_\_\_, in accordance with the requirements established in the Maritime Authority Standards*

para Operação de Embarcações Estrangeiras em Águas Jurisdicionais Brasileiras – NORMAM-04 -  
Capítulo 2.

*for the operation of foreign Vessels in Brazilian Jurisdictional Waters - NORMAM 04 - Chapter 2.*

A perícia constatou que o navio está em conformidade com os requisitos estabelecidos nas  
*The survey found that the ship is in compliance with the requirements established in*

Convenções e Códigos Internacionais ratificados pelo Brasil e na Regulamentação Nacional  
*International Conventions and Codes ratified by Brazil and the applicable national regulations*

aplicável para operar em Águas Jurisdicionais Brasileiras (AJB).  
*to operate in Brazilian Jurisdictional Waters (AJB).*

Emitido na \_\_\_\_\_, em \_\_\_\_\_.  
*Issued at \_\_\_\_\_, on \_\_\_\_\_.*

Válido até \_\_\_\_\_.  
*Valid until \_\_\_\_\_.*

\_\_\_\_\_  
(Nome e Assinatura) (Name  
and Signature) Capitão dos  
Portos/Delegado (Harbor  
Master / Delegate)

(SEAL OF  
THE CP/DL)

BRAZILIAN NAVY  
(Harbor Master/Delegate Office)

**DECLARAÇÃO PROVISÓRIA PARA OPERAÇÃO EM  
AJB  
(INTERIM STATEMENT FOR OPERATION IN BRAZILIAN WATERS)**

Enrollment No.: \_

Certifico que a embarcação \_ , bandeira \_ , nº IMO \_ ,  
*This is to Certify that the vessel \_ , flag \_ , IMO Number \_ ,*

nº de inscrição \_ , classificado pela \_ , foi submetido à  
Enrollment No.- \_ , classified by \_ , was submitted to

PERÍCIA TÉCNICA para emissão de Atestado de Inscrição Temporária - AIT em \_ ,  
*EXPERT SURVEY for emission of a Temporary Enrollment Certificate (AIT), in \_ ,*

no Porto/Terminal \_ , de acordo com o estabelecido nas Normas da Autoridade Marítima  
*at the Port/Terminal \_ , in accordance with the requirements established in the Maritime Authority Standards*

para Operação de Embarcações Estrangeiras em Águas Jurisdicionais Brasileiras - NORMAM 04 -  
Capítulo 2.  
*for the operation of foreign Vessels in Brazilian Jurisdictional Waters - NORMAM 04 - Chapter 2.*

A perícia constatou que o navio poderá operar em Águas Jurisdicionais Brasileiras até  
*The survey found that the ship can operate in Brazilian Jurisdictional Waters until*

a data de validade desta Declaração, condicionada ao cumprimento das exigências do Relatório de  
Perícia em anexo.  
*the validity date of this Statement, conditioned to compliance with the outstanding requirements noted in the attached Survey Report.*

Emitido na \_ , em \_ .  
*Issued at \_ , on \_ .*

Válido até \_ .  
*Valid until \_ .*

\_\_\_\_\_  
(Nome e Assinatura)  
(Name and Signature)  
Capitão dos Portos/Delegado  
(Harbor Master / Delegate)

**DOCUMENTS THAT SHOULD BE KEPT ON BOARD THE VESSEL AND BE AVAILABLE ON OCCASION OF AN INSPECTION OR SURVEY**

- 1) International Tonnage Certificate<sup>(1)</sup>;
- 2) International Load Line Certificate<sup>(2)</sup>;
- 3) International Oil Pollution Prevention Certificate;
- 4) Qualification Certificates of the Captain, Executive Officer, Deck Officers and Engine Officers;
- 5) Compulsory insurance policy for personal injury caused by vessels or their cargo (DPEM);
- 6) Radio Station License;
- 7) International Sewage Pollution Prevention Certificate for ships which the keel is laid after 3/4/1998;
- 8) Class Certificate issued by a Classification Society with representation in the Country;
- 9) Cargo Ship Safety Radio Certificate;
- 10) Cargo Ship Safety Construction Certificate;
- 11) Cargo Ship Safety Equipment Certificate;
- 12) Special Qualifications Certificate provided in the STCW/95 (for oil tankers);
- 13) Certificate of Fitness for the Carriage of Liquefied Gases in Bulk (for gas tankers);
- 14) Special Qualification Certificate provided in the STCW/95 (for gas tankers);
- 15) Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (for chemical tankers);
- 16) Special Qualification Certificate provided in the STCW/95 (for chemical tankers);
- 17) Certificate of Fitness for the Carriage of Noxious Liquid Substances in Bulk (for carriers of noxious liquid substances in bulk);
- 18) Special Qualification Certificate provided in the STCW/95 (for ships carrying noxious liquid substances in bulk);
- 19) Passenger Ship Safety Certificate (for passenger ships);
- 20) High-Speed Craft Safety Certificate - HSC Code (for high speed craft);
- 21) Diving System Safety Certificate - Resolutions A 831(17) and A 692 (17) (for diving support ships);
- 22) Dynamic Positioning Ship Safety Construction Certificate – Resolution A-373 (X);
- 23) Certificate of Fitness for the Carriage of Dangerous Substances in Offshore Support Vessels – MARPOL 73/78 Annex II and Resolution A- 673 (16); and
- 24) Special Purpose Ships Safety Certificate - Resolution A-534 (13).

Notes:

<sup>(1)</sup> Only for vessels with length over 24 meters.

<sup>(2)</sup> Freeboard Certificate or similar document issued by the vessel's State of Registry. In case the Flag State does not issue such a document, a National Freeboard shall be assigned in accordance with the provisions of NORMAM 01 or 02/DPC, according to the case.



APPLICATION FOR REQUEST TO OPERATE IN AJB

Hon. Mr. Director of Ports and Coasts/ Mr. Harbor Master (according to the case)

(Company), (complete address), (ZIP), (CNPJ), as a charterer, requests authorization to operate in Brazilian Jurisdictional Waters (AJB), with the vessel \_\_\_\_\_, flagged of \_\_\_\_\_, owned by \_\_\_\_\_, hired by \_\_\_\_\_, according to the service supply contract nº \_\_\_\_\_, for the period of \_\_\_\_/\_\_\_\_/\_\_\_\_ through \_\_\_\_/\_\_\_\_/\_\_\_\_, to perform the service of \_\_\_\_\_, in accordance with item \_\_\_\_\_ of NORMAM-04/DPC.

We apply for the grant of our request.

(Place), (ST), on ...../...../..... \_.

\_\_\_\_\_  
(Name of Person in charge)  
(Position)

Hon. Mr. Director of Ports and Coasts/ Mr. Harbor Master (according to the case)

FORMAL LIABILITY STATEMENT

We hereby declare that (company) , enrolled in the CNPJ under nº \_  
\_\_\_\_\_, represented by its Director \_\_\_\_\_, is lawfully  
responsible for the operation of the vessel \_\_\_\_\_ in  
Brazilian Jurisdictional Waters (AJB).

(Place, (ST), on \_ / \_ / \_ .

\_\_\_\_\_  
(Name of Person in charge)  
(Position)

STATEMENT OF UNRESTRICTED ACCESS TO THE VESSEL

(company), enrolled in CNPJ under nº \_\_\_\_\_, represented by its Director \_\_\_\_\_, declares to guarantee ample and unrestricted access to all the spaces, equipment, instruments and records on board the vessel \_\_\_\_\_ to the Brazilian Navy representative(s) assigned to follow-up the services, in accordance with the provisions of item 0224 or 0228 of NORMAM-04/DPC.

(Place), (ST), \_ / \_ / \_ .

\_\_\_\_\_  
(Name of Person in charge)  
(Position)

Hon. Mr. Director of Ports and Coasts or Mr. Harbor Master (according to the case)

STATEMENT OF ADHESION TO THE MARITIME MONITORING SYSTEM OF  
SUPPORT TO THE OIL ACTIVITIES (SIMMAP)

I hereby Declare that the vessel \_\_\_\_\_, n° IMO \_\_\_\_\_,  
chartered by the company \_\_\_\_\_, will adhere to the Maritime  
Monitoring System of Support to the Oil Activities (SIMMAP), according to the provisions  
of NORMAM-08/DPC, prior to the beginning of its operation in AJB.

(Place), (ST), on \_ / \_ / \_ .

\_\_\_\_\_  
(Name of Person in charge)  
(Position)

## INSTRUCTIONS FOR SEISMIC SURVEY VESSELS

1. The purpose of the present Instruction is to assure the safety of seismic operations inside Brazilian Search and Rescue (SAR) areas for both the Seismic Survey Vessels (SSV) and other ships in the vicinity. Due to the risk of collision, the Brazilian Navy must broadcast a Maritime Safety Information Bulletin, named "Aviso aos Navegantes" (notice to mariners).

2. Therefore, all SSV are required to transmit daily, during the survey, a SISTRAM type 2 message informing the working area for the following six days. All these SISTRAM messages must contain the "Y" field filled in. This field is used to provide information about the survey and coordinates of the working areas, separated in four parts (Y-1, Y-2, Y-3 and Y-4).

Y-1 - Working area for the first three days.

Y-2 - Working area for the three days following Y-1.

Y-3 - Working area (used only when the first working area is assigned for a period of 1 or 2 days)

Y-4 - Vessel and towed array characteristics with the following information:

One – Hull color.

Two – Superstructure color.

Three – Average speed during surveys;

Four – Towed array characteristics;

Five – Signals used (buoys, lights, etc);

Six – Other relevant information.

Considering all maritime traffic implications, the 3-day survey area shall be as small as possible.

3. Examples on how to fill in the "Y" field of a SISTRAM type 2 message are shown below.

EXAMPLE Nº 1 (Suppose the day is April/20/2001)

Y - Comments

Y-1 - Working area for April 21, 22 and 23 (first three days).

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Y-2 - Working area for April 24, 25 and 26 (following three days).

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Y-3 - xxx (not necessary, due to the 6-day information already provided).

Y-4 - One – Orange Hull.

Two – White superstructure.

Three – Average speed during survey 4,0 knots.

Four – Towing 4 seismic cables 4 miles long.

Five – One white flashing light in each cable's extremity.

Six – Berth requested 2 nautical miles.

EXAMPLE N<sup>o</sup> 2 (Suppose the same situation but now on date April/21/2001

Y - Comments

Y-1 - Working area for April 22 and April 23

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Y-2 - Working area for April 24, 25 and 26 (following three days).

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Y-3 - Working area for April 27

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Lat dd mm,m Long ddd mm,m

Y-4 - One – Orange Hull

Two – White superstructure.

Three – Average speed during survey 4,0 knots.

Four – Towing 4 seismic cables 4 miles long.

Five – One white flashing light in each cable's extremity.

Six – Berth requested 2 nautical miles. After April 27, this ship will be en route to

Rio de Janeiro ETA April 30. Start of next survey May

06.

4. All Seismic Survey Vessels are required to keep the Brazilian Navy informed about working areas for a 6-day period. The area can be divided in two or three sub-areas. All this information is very important.

Complete SISTRAM procedures can be found in the SISTRAM leaflet with your Agent or in any Naval District.

Any doubts can be cleared by Operation Sections of the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Naval Districts

:

Phone – \_\_\_\_\_(to be filled in for each Naval District)(\* )

Fax – \_\_\_\_\_(to be filled in for each Naval District)(\* )

e-mail – \_\_\_\_\_(to be filled in for each Naval District)(\* )

Thank you for your cooperation.

(\* ) to be completed by your Agent.

## INSTRUCTIONS FOR RESEARCH OR SCIENTIFIC INVESTIGATION VESSELS

The company responsible for a research or scientific investigation vessel and willing to request authorization to operate in AJB shall meet the provisions of Decree No. 96,000/1988, and have a special authorization from the MB issued by the Naval Staff (EMA), through an Ordinance published in the Union Official Journal (DOU), after following the steps provided in Decree No. 96,000/1988.

a) The application for an authorization to perform research or scientific investigation shall have attached documents containing the following information:

1) name(s) of the person(s) in charge of the research and the main participant technical personnel, their specialties and respective *curriculum vitae*;

2) the program for execution of the research, indicating the geographical areas where the project will develop; which must be presented on a nautical chart of convenient scale for its assessment;

3) plans governing the research, showing clearly its nature and objectives, as well as the methods and techniques to be used;

4) characteristics of the vessel and its machinery installations;

5) characteristics of all instrumentation, scientific or not, to be used in the research, as well as types, brands and models of the data processing systems and respective peripheral and aggregate units carried on board;

6) radio-electric frequencies, types of emission and irradiation power levels subject to be used in communications during the research period;

7) type of navigation to be adopted;

8) the dates forecast for the start and end of the research, as well as for the installation and withdrawal of equipment;

9) scheduled calls in national ports;

10) date forecast of port call at the last foreign port, prior to starting the works in AJB, and at the first foreign port after its termination;

11) technical-scientific and structural particularities of the vessel to be used, accompanied by elucidating photographs; and

12) number of accommodations reserved on board for representatives of the MB and other government agencies.

b) Procedures

1) the person responsible for the operation shall deliver to the Directorate of Hydrography and Navigation (DHN), as soon as possible, the preliminary or partial reports and, at the end of the research, the results obtained and final conclusions of the works. All data, information and results obtained, accompanied by a detailed and complete evaluation, shall be forwarded to the DHN no later than 90 (ninety) days after the research has been concluded;

2) the Captain of the vessel shall report daily, at 1100Z, to the Naval Operations Command, the vessel's position in geographical coordinates, the courses and speeds they will adopt in the next twenty-four hours; and

3) the person responsible for the operation shall withdraw, as soon as the scientific research or investigation is concluded, all structures and equipment installed in places under Brazilian jurisdiction eventually used during the operation.

## REQUEST FOR CONDITION SURVEY

..... (shipowner or its representative).....informs to this CP/DL office that the ship, which its data are discriminated as follows, is forecast to arrive on the date ...(dd/mm/yyyy)...., at the Port of ....., State of..... and requests a CONDITION SURVEY, in accordance with the provisions of Chapter 3 of NORMAM-04/DPC.

The vessel will be ready to be surveyed, as provided in item 0304(b) of Chapter 3 of NORMAM 04/DPC, on .....(dd /mm/yyyy)...., at/in .....(place/state)....

\*(The ship shall load ..(quantity).....tons of .....(specify the cargo)..... in cargo holds .....(specify the cargo holds to be loaded).....at the Port/Terminal

..... State ..... on .....(dd/mm/yyyy)..... destined to .....(port of unloading - country.....)\*

Declares that the present survey is the .....(ordinal number) ..... condition survey to which the ship will be submitted.

Reports also that the classification society hired to perform the survey is

\*(.....) and the company hired for thickness measurement is

\*(.....)

Requests further, regarding the compensation provided in item 4 of the Introduction of NORMAM-04/DPC, to be informed if the survey will be accompanied by a representative of the GVI.

**SHIP DATA:**

Name:	IMO No.:
Flag:	Port of Registry:
AB(GT):	TPB(DWT):
Date of Delivery:	Classification Society:
Number of cargo holds:	Number of Tanks (per type):
Type: Bulk Carrier ( ) Ore-Bulk- Oil ( ) Ore-Oil ( )	

**SHIPOWNER DATA:****OPERATOR DATA:**

Shipowner Business Name:	Operator Business Name:
Name(s):	Name(s):
Origin (Country):	Origin (Country):
Office (City/Country):	Office (City/Country):
Office Tel/Fax/Email:	Tel/Fax/Email:

**P&I CLUB DATA:**

P&I Club:	Tel/Fax/Email:
Office (City/Country):	



(Place and date)\_ ,\_ /\_ /\_

(Signature)\_

(Agent/Forwarder Name)\_

(Agency/Forwarder): \_

(Complete address/fax/tel/e-mail of Agent/Forwarder): \_

*(\* cancel paragraph if data not available by the time of application. However, data shall be reported as soon as known.*



**BRAZILIAN NAVY**  
**DIRECTORATE OF PORTS AND COASTS**  
**CONDITION SURVEY**  
*(Condition Survey)*

Emitida em nome da Autoridade Marítima Brasileira, em conformidade com os requisitos estabelecidos no  
*Issued on behalf of the Brazilian Maritime Authority, in pursuance to requirements established in*  
 Capítulo 3 das Normas da Autoridade Marítima para Operação de Embarcações Estrangeiras em Águas Chapter  
 3 of the Maritime Authority Regulations for the Operation of Foreign Ships in Waters of  
 Jurisdicionais Brasileiras (NORMAM-04), pela Sociedade Classificadora  
 Brazilian Jurisdiction (NORMAM-04), by Classification Society

\_\_\_\_\_  
 (Name of the Classification Society)

**DECLARAÇÃO DE VISTORIA DE CONDIÇÃO**  
*(STATEMENT OF CONDITION SURVEY)*

Navio(ship): \_\_\_\_\_ Número IMO (IMO number): \_\_\_\_\_  
 Indicativo de Chamada(Call sign): \_\_\_\_\_ Bandeira (Flag): \_\_\_\_\_  
 Porto de Registro (Port of registry): \_\_\_\_\_ Ano de Construção(Year built): \_\_\_\_\_  
 P&I: \_\_\_\_\_ - Classificadora(Classification Society): \_\_\_\_\_  
 Shipowner: \_\_\_\_\_ Tel/Fax: \_\_\_\_\_  
 Operador(Operator): \_\_\_\_\_ Tel/Fax: \_\_\_\_\_  
 Agente(Agent): \_\_\_\_\_ Tel/Fax: \_\_\_\_\_

O abaixo assinado, vistoriador exclusivo da Sociedade Classificadora \_\_\_\_\_, atuando  
*The undersigned, exclusive surveyor of the Classification Society \_\_\_\_\_, acting*  
 em nome Autoridade Marítima Brasileira, declara que realizou em \_\_\_\_/\_\_\_\_/\_\_\_\_ uma **Vistoria de**  
*On behalf of the Brazilian Maritime Authority, declares to have \_\_\_\_/\_\_\_\_/\_\_\_\_ a Condition Survey*  
*conducted, on* \_\_\_\_\_

**Condição** no .....(nome navio)....., em conformidade com os requisitos estabelecidos no  
*in the ship .....(name of the ship) ....., in compliance with the requirements established in*  
 Capítulo 3 da NORMAM-04 da Diretoria de Portos e Costas, e considerou o navio em questão:  
*Chapter 3 of NORMAM 04 of the Directorate of Ports and Coasts and considered the ship examined:*

( ) em condições estruturais satisfatórias ( ) em condições estruturais não satisfatórias  
*(in satisfactory structural condition) (in non satisfactory structural condition)*

O escopo da vistoria foi (The scope of survey was) :

- a) verificação de Certificados Estatutários (verification of Statutory Certificates);  
 b) inspeção visual das estruturas internas, incluindo medição aleatória de espessuras, dos porões de carga b) visual  
*inspection of internal structures including random thickness measurements in the cargo holds n° .....,*  
 tanques de lastro do duplo-fundo n° ....., tanques de lastro laterais n° ..... n° ..... ,  
*double bottom ballast tanks n° ....., lateral ballast tanks n° ..... e pique-tanques*  
 ....., e  
*and peak tanks....., and*  
 c) inspeção visual e de estanqueidade das tampas de escotilhas, agulheiros, escotilhões e braçolas,  
*c) visual and tightness inspection of cargo hatches, scuttles and hatchcoamings*  
 incluindo meios de atracação e de vedação.  
*including means to clamp and seal.*

Considerando-se a vistoria acima descrita, dentro das condições encontradas para efetuá-la, o vistoriador  
*Considering the survey above described, under the found conditions, the surveyor*  
 declara que: (marcar apenas uma das opções a seguir)  
*declares that: (check only one of the options)*

1. ( ) não há reparos a serem recomendados.  
*there are no repairs to be recommended.*
2. ( ) que as deficiências encontradas **NÃO IMPEDEM O CARREGAMENTO DO NAVIO**, e que  
*the deficiencies found do NOT IMPEDE THE SHIP FROM LOADING* and os reparos a seguir especificados devem ser executados, com parecer da sociedade classificadora.  
*the following repairs should be done and be the subject of a statement by the ship's Classification Society.*
3. ( ) que as deficiências encontradas **IMPEDEM O CARREGAMENTO DO NAVIO** por  
*reduzir that the deficiencies found IMPEDE THE SHIP FROM LOADING by significantly reducing*  
 Significativamente sua resistência estrutural / estanqueidade, devendo os reparos a seguir especificados  
*its structural strength / tightness, requiring the execution of the following repairs*  
 serem executados, com parecer da sociedade classificadora.  
*under the Classification Society's assessment and statement.*

**Reparos a serem realizados (repairs to be carried out):**

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O relatório detalhado da vistoria efetuada será apresentado ao Armador ou seu representante, e cópia  
*The detailed survey report will be presented to the Shipowner or its representative, and a copy*  
 encaminhada à Diretoria de Portos e Costas.  
*shall be forwarded to the Directory of Ports and Coasts.*

**CONCLUSÃO (CONCLUSION)**

( ) NAVIO APROVADO PARA CARREGAMENTO <i>(SHIP APPROVED FOR LOADING)</i>	( ) NAVIO NÃO APROVADO PARA CARREGAMENTO <i>(SHIP NOT APPROVED FOR LOADING)</i>
----------------------------------------------------------------------------	------------------------------------------------------------------------------------

*Local e data da vistoria (Place and date of survey):* .....de ..... de .....  
*Assinatura (signature)*.....  
*Nome do vistoriador (Name of Surveyor)* .....

*(carimbo da Sociedade Classificadora)*  
*(Seal or stamp of the Classification Society)*

**DESPACHO** ( a ser preenchido pela CP/DL )  
*Dispatch (to be filled out by the CP/DL)*

**EM FACE DA CONCLUSÃO DO VISTORIADOR, O NAVIO ESTÁ:**

*(carimbo da OM)*  
*(seal or stamp of the CP/DL)*

( ) **LIBERADO PARA CARREGAMENTO**  
*(SHIP RELEASED FOR LOADING)*

Em ...../...../....., às .....h:..... min

( ) **IMPEDIDO DE CARREGAR**  
*(SHIP IMPEDED FROM LOADING)*

.....  
 (Nome e Assinatura)  
*(Name and signature)*  
 Capitão dos Portos/Delegado  
*(Harbor Master / Delegate)*

## PSC CRITERIA FOR THE DETENTION OF SHIPS

### 1 - SUFFICIENT REASONS TO DETAIN A SHIP

- a) lack or absence of valid relevant certificates;
- b) improper conditions of navigability;
- c) unauthorized freeboard modifications;
- d) crew not complying with applicable international regulations;
- e) unauthorized discharge of materials, substances or sewage, according to the international regulations on pollution;
- f) lack of cooperation from the part of the ship's Captain or crew, regarding inspection or investigation by inspectors duly authorized by the Directorate of Ports and Coasts - DPC; and
- g) on request from the ship's flag State.

### 2 - REASONS THAT MAY LEAD TO THE DETENTION

As a guide for the inspector, a list is shown below with the main deficiencies, grouped according to relevant conventions and/or codes, which are deemed to be of a severe nature and that may lead to the ship's detention. The checking of other deficiencies not listed below remains at the inspector's discretion, according to his professional judgment while conducting the inspection.

#### a) Generic reasons

- 1) working deficiency or lack of equipment required by international regulations;
- 2) deficiencies related with structural conditions, machinery, installations or accessories;
- 3) conditions of loading, ballast or stowage of cargo in violation of regulations;
- 4) deficiencies of closing means, or tightness;
- 5) construction, arrangement or equipment in violation of international regulations on marine pollution;

#### b) Reasons related to SOLAS

- 1) failure in the propelling system or other essential machinery, as well as in electrical installations.
- 2) excess dirt in the engine room, excess oil-water mixture in the bilge, pipe insulation contaminated by oil in the engine room, operational failure of the bilge drainage system.
- 3) operational failure of the emergency generator, lighting, batteries and connections.
- 4) operational failure of the main or auxiliary steering gear.
- 5) absence, insufficient capacity or marked deterioration of individual lifesaving equipment, rescue boats and launching systems.
- 6) absence, incompatibility or marked deterioration of the fire detection systems, alarms and firefighting equipment, fixed fire-extinguishing system, ventilation valves and fire dampers.
- 7) absence, marked deterioration or operational failure of the fire protection system in the loading area of tanker ships.
- 8) absence, incompatibility or marked deterioration of lamps, marks or sound signal units.
- 9) absence or operational failure of radio equipment.
- 10) absence or operational failure of navigation equipment, considering the provisions of SOLAS regulation V/12 (o).

11) absence of nautical charts and/or all other relevant nautical publications necessary for the voyage, taking into consideration that electronic charts may substitute the conventional ones.

12) absence of a spark-free forced ventilation in the cargo pump room.

**c) Reasons related to the IBC Code**

1) transportation of a substance not mentioned in the Compliance Statement, or lack of information on the cargo.

2) absence of or damage in high-pressure safety devices.

3) electrical installations not intrinsically safe or not in compliance with code requirements.

4) ignition sources in dangerous places.

5) violations of special requirements.

6) tank cargo in excess of the maximum load allowed per tank.

7) insufficient thermal protection for heat-sensitive products.

**d) Reasons related to the IGC Code**

1) transportation of a substance not mentioned in the Compliance Statement, or lack of information on the cargo.

2) absence of closing devices for accommodations or service spaces.

3) bulkhead not gas-tight.

4) defective air locks.

5) absence of or damage in fast-closing valves.

6) absence of or damage in safety valves.

7) electrical installations not intrinsically safe or not in compliance with code requirements.

8) cargo area fans inoperable.

9) pressure alarms in cargo tanks inoperable.

10) gas detection and / or toxic gas detection system damaged.

11) transportation of polymerizable substances without a valid inhibitor certificate.

**e) Reasons freeboard-related**

1) important damage or corrosion areas, or pitting of the plating and associated reinforcements, on decks and hull, affecting the navigability or resistance to concentrated loads, unless temporary repairs are made for the voyage until reaching the port where definitive repairs will be executed.

2) a case of proven insufficient stability.

3) absence of sufficient and reliable information, duly approved, which in a simple and speedy manner enable the Captain to effect the ship's loading and ballast distribution, in order to guarantee a safe stability margin in all stages and in several navigation conditions, and that the occurrence of excessively high efforts over the ship structure is avoided.

4) absence, marked deterioration or failure of closing devices, hatch closing arrangements and watertight doors.

5) excess loading.

6) draught mark missing or not legible.

**f) Reasons related to MARPOL, annex I**

1) absence, deterioration or operational failure of the oil-water separator, oil discharge control and monitoring system, or 15 ppm alarm.

2) residual slop capacity and/or slop tank insufficient for the voyage.

3) oil registry book not available on board.

4) existence of a non-authorized bypass for discharge.

**g) Reasons related to MARPOL, annex II**

- 1) absence of the P&A Manual.
- 2) non-categorized cargo – check the existence of a tri-party agreement on conditions of cargo transport.
- 3) cargo registry book not available on board.
- 4) transportation of oil-like substances in violation of regulations or without proper authorization in the respective certificate.
- 5) existence of a non-authorized bypass for discharge.

**h) Reasons related to the STCW**

- 1) crew member(s) with no certificate, no pertinent title, no valid exemption or no documentary evidence of having forwarded a request to the Administration for endorsement.
- 2) non-compliance with applicable prescriptions from the Administration regarding safe manning.
- 3) the provisions relating to navigational or engine watch keeping service do not fit the requirements specified for the ship by the Administration.
- 4) absence of custody by competent person(s) to handle essential equipment for: navigation safety, radio communications and marine pollution prevention.
- 5) for the first watch keeping service period when starting the voyage, and for the subsequent periods, there are no personnel assigned who are properly rested or qualified to perform their duties.

**i) Reasons that do not require detention but prevent the continuity of loading**

- 1) operational or maintenance failure of the inert gas system, or equipment related with cargo handling.

(SEAL OF  
THE CP/DL)

BRAZILIAN NAVY  
(Harbor Master/Delegate Office)

**DECLARAÇÃO DE CONFORMIDADE PARA TRANSPORTE DE  
PETRÓLEO  
(STATEMENT OF COMPLIANCE FOR OIL TRANSPORT)**

Enrollment No.: \_

Certifico que a embarcação \_ , bandeira \_ , nº IMO

*This is to Certify that the ship \_ , flag \_ , IMO Number \_ ,*

n.º de inscrição \_ , classificado pela \_ , foi submetido à  
*Enrollment Number \_ , classified by \_ , was submitted to*

PERÍCIA TÉCNICA para efetuar o transporte a granel de petróleo, seus derivados biocombustíveis em \_ ,  
*EXPERT SURVEY to carry oil and products in bulk in \_ ,*

no Porto/Terminal \_ , de acordo com o estabelecido nas Normas da Autoridade Marítima  
*at the Port/Terminal \_ , in accordance with the requirements established in the Maritime Authority*

para Operação de Embarcações Empregadas na Navegação de Mar Aberto - NORMAM 01 -  
Capítulo 5  
*Standards for Vessels Engaged in Open Sea Operations - NORMAM 01 - Chapter 5*

e está autorizado a transportar petróleo e seus derivados até a data de validade desta Declaração.  
*and is authorized to carry oil and derivatives in bulk until the validity date of this Statement.*

Esta Declaração, emitida nos Termos do Convênio firmado entre a Diretoria de Portos e Costas -  
(DPC) e a  
*This Statement was issued under the terms of the Agreement signed by the Directorate of Ports and Coasts (DPC) and the*

Agência Nacional do Petróleo (ANP), constitui documento válido para operação em Águas  
Jurisdicionais Brasileiras (AJB).  
*National Petroleum Agency (ANP) and constitutes valid document for operation in Brazilian Jurisdictional Waters (AJB).*

Emitido na \_ , em \_ .  
*Issued at \_ , on \_ .*

Válido até \_ .  
*Valid until \_ .*

\_\_\_\_\_  
(Nome e Assinatura)  
(Name and Signature)  
Capitão dos Portos/Delegado  
(Harbor Master / Delegate)

(SEAL OF  
THE CP/DL)

BRAZILIAN NAVY  
(Harbor Master/Delegate Office)

DECLARAÇÃO PROVISÓRIA PARA TRANSPORTE DE  
PETRÓLEO  
(INTERIM STATEMENT FOR OIL TRANSPORT)

Enrollment No.: \_

Certifico que a embarcação \_ , bandeira \_ , nº IMO  
*This is to Certify that the vessel \_ , flag \_ , IMO Number \_ ,*

nº de inscrição \_ , classificado pela \_ , foi submetido à  
*Enrollment Number \_ , classified by \_ , was submitted to*

PERÍCIA TÉCNICA para efetuar o transporte a granel de petróleo, seus derivados e  
biocombustíveis em \_\_\_\_, *EXPERT SURVEY to carry oil and products in bulk in \_ ,*

no Porto/Terminal \_ , de acordo com o estabelecido nas Normas da Autoridade  
Marítima  
*at the Port/Terminal \_ , in accordance with the requirements established in the Maritime  
Authority*

para Operação de Embarcações Empregadas na Navegação de Mar Aberto – NORMAM-01 -  
Capítulo 5  
*Standards for Vessels Engaged in Open Sea Operations - NORMAM 01 - Chapter 5*

e está autorizado a transportar petróleo e seus derivados até a data de validade desta Declaração.  
*and is authorized to carry oil and derivatives in bulk until the validity date of this Statement.*

condicionada ao cumprimento das exigências do Relatório de Perícia em anexo.  
*conditioned to compliance with the outstanding requirements noted in the attached Survey  
Report.*

Esta Declaração, emitida nos Termos do Convênio firmado entre a Diretoria de Portos e Costas  
(DPC) e a  
*This Statement was issued under the terms of the Agreement signed by the Directorate of Ports and  
Coasts (DPC) and the*

Agência Nacional do Petróleo (ANP), constitui documento válido para operação em Águas  
Jurisdicionais Brasileiras (AJB).  
*National Petroleum Agency (ANP) and constitutes valid document for operation in Brazilian  
Jurisdictional Waters (AJB).*

Emitido na \_\_ , em \_  
*Issued at \_ , on \_ .*

Válido até \_  
*Valid until \_*

\_\_\_\_\_  
(Nome e Assinatura)  
(Name and Signature)  
Capitão dos Portos/Delegado  
(Harbor Master / Delegate)



(SEAL OF  
THE  
CP/DL)

BRAZILIAN NAVY (Harbor  
Master/Delegate Office)

**DECLARAÇÃO DE CONFORMIDADE PARA OPERAÇÃO DE  
PLATAFORMAS  
(STATEMENT OF COMPLIANCE FOR OFFSHORE INSTALLATIONS)**

Enrollment No.: \_

Certifico que a plataforma \_ , bandeira \_ , nº IMO \_ ,  
*This is to Certify that the offshore installation \_ , flag \_ , IMO Number \_ ,*

nº de inscrição \_ , classificado pela \_ , foi submetida à  
Enrollment No.- \_ , *classified by \_ , was submitted to*

PERÍCIA TÉCNICA para efetuar atividades de perfuração, produção e armazenamento de petróleo  
e/ou gás

*EXPERT SURVEY for drilling, production and storage activities of petroleum and/or natural gas*

em \_ , em \_ , de acordo com o estabelecido nas Normas da Autoridade  
Marítima  
*on \_ , at \_ , in accordance with the requirements established in the Maritime  
Authority*

para Operação de Plataformas - NORMAM 01 - Capítulo 9 e está autorizada a operar até a  
*Standard for Offshore Installations Operation - NORMAM 01 - Chapter 9 and is authorized to operate  
until*

data de validade desta Declaração.  
*the validity date of this Statement.*

Esta Declaração, emitida nos Termos do Convênio firmado entre a Diretoria de Portos e Costas  
(DPC) e a  
*This Statement was issued under the terms of the Agreement signed by the Directorate of Ports and  
Coasts (DPC) and the*

Agência Nacional do Petróleo (ANP), constitui documento válido para operação em Águas  
Jurisdicionais Brasileiras (AJB).  
*National Petroleum Agency (ANP) and constitutes a valid document for operation in Brazilian  
Jurisdictional Waters (AJB).*

Emitido na \_ , em \_ .  
*Issued at \_ , on \_ .*

Válido até \_ .  
*Valid until \_ .*

\_\_\_\_\_  
(Nome e Assinatura)  
(Name and Signature)  
Capitão dos Portos/Delegado  
(Harbor Master / Delegate)

(SEAL OF  
THE CP/DL)

BRAZILIAN NAVY  
(Harbor Master/Delegate Office)

DECLARAÇÃO PROVISÓRIA PARA OPERAÇÃO DE  
PLATAFORMAS  
(PROVISIONAL STATEMENT FOR OFFSHORE INSTALLATIONS)

Enrollment No.: \_

Certifico que a plataforma \_ , bandeira \_ , nº IMO \_ ,  
*This is to Certify that the offshore installation \_ , flag \_ , IMO Number \_ ,*

nº de inscrição \_ , classificado pela \_ , foi submetida à  
Enrollment No.- \_ , *classified by \_ , was submitted to*

PERÍCIA TÉCNICA para efetuar atividades de perfuração, produção e armazenamento de petróleo  
e/ou gás  
*EXPERT SURVEY for drilling, production and storage activities of petroleum and/or natural gas*

em \_ , em \_ , de acordo com o estabelecido nas Normas da Autoridade Marítima  
*on \_ , at \_ , in accordance with the requirements established in the Maritime Authority*

para Operação de Plataformas - NORMAM 01 - Capítulo 9 e está autorizada a operar até a  
*Standard for Offshore Installations Operation - NORMAM 01 - Chapter 9 and is authorized to operate until*

a data de validade desta Declaração, condicionada ao cumprimento das exigências do Relatório de  
Perícia em anexo.  
*the validity date of this Statement, conditioned to compliance with the outstanding requirements noted in the attached Survey Report.*

Esta Declaração, emitida nos Termos do Convênio firmado entre a Diretoria de Portos e Costas -  
(DPC) e a  
*This Statement was issued under the terms of the Agreement signed by the Directorate of Ports and Coasts (DPC) and the*

Agência Nacional do Petróleo (ANP), constitui documento válido para operação em Águas  
Jurisdicionais Brasileiras (AJB).  
*National Petroleum Agency (ANP) and constitutes a valid document for operation in Brazilian Jurisdictional Waters (AJB).*

Emitido na \_ , em \_ .  
*Issued at \_ , on \_ .*

Válido até \_ .  
*Valid until \_ .*

\_\_\_\_\_  
(Nome e Assinatura)  
(Name and Signature)  
Capitão dos Portos/Delegado  
(Harbor Master / Delegate)

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