



Data Providers Accreditation Procedure (DPAP)

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Overview

This document defines the concept of an Equasis data provider, together with the criteria, rules, procedures and tools to be used when examining, proposing and accepting potential data providers for Equasis. For the purpose of this document, these conditions will be considered as the [Data Providers Accreditation Procedure \(DPAP\)](#).

The document is composed of the following chapters:

- Chapter 1 is the introduction, where the scope, overview and goals of the procedure are defined;
- Chapter 2 defines the categories of data providers;
- Chapter 3 provides a detailed analysis of the applied Criteria for each category of data providers;
- Chapter 4 presents the applicable procedure (Data Providers Accreditation Procedure) in detail.
- Finally, Chapter 5 presents the Review process for future amendments.

The Data Providers Accreditation Procedure

1. Introduction

1.1. SCOPE AND PURPOSE

The DPAP regulates the process from the time a potential data provider applies to the Equasis Management Unit until the Supervisory Committee takes the final decision.

It applies to all data providers with the exception of those governed by contracts resulting from a public tender and the PSC regimes that have a dedicated procedure. The procedure for PSC was agreed before the introduction of the "Data Providers Accreditation Procedure" (DPAP) and is annexed to this document.

The DPAP process defines a roadmap from the time a data provider submits an application to the Equasis Management Unit until the final decision is taken. In addition, the procedure requires the categorisation of the data providers based on the nature of their business as well the criteria to be used for the evaluation of the requests.

The purpose of the DPAP is

- to set up a standardised procedure for the categorisation, evaluation and accreditation of data providers;
- to define the role of the Management Unit, the Editorial Board and the Supervisory Committee in the said procedure;
- to define the category of data providers;
- to define the criteria for the accreditation of data providers.

The procedure describes the activities, including triggers, inputs, outputs and roles of the participant bodies.

1.2. OVERVIEW OF THE PROCEDURE

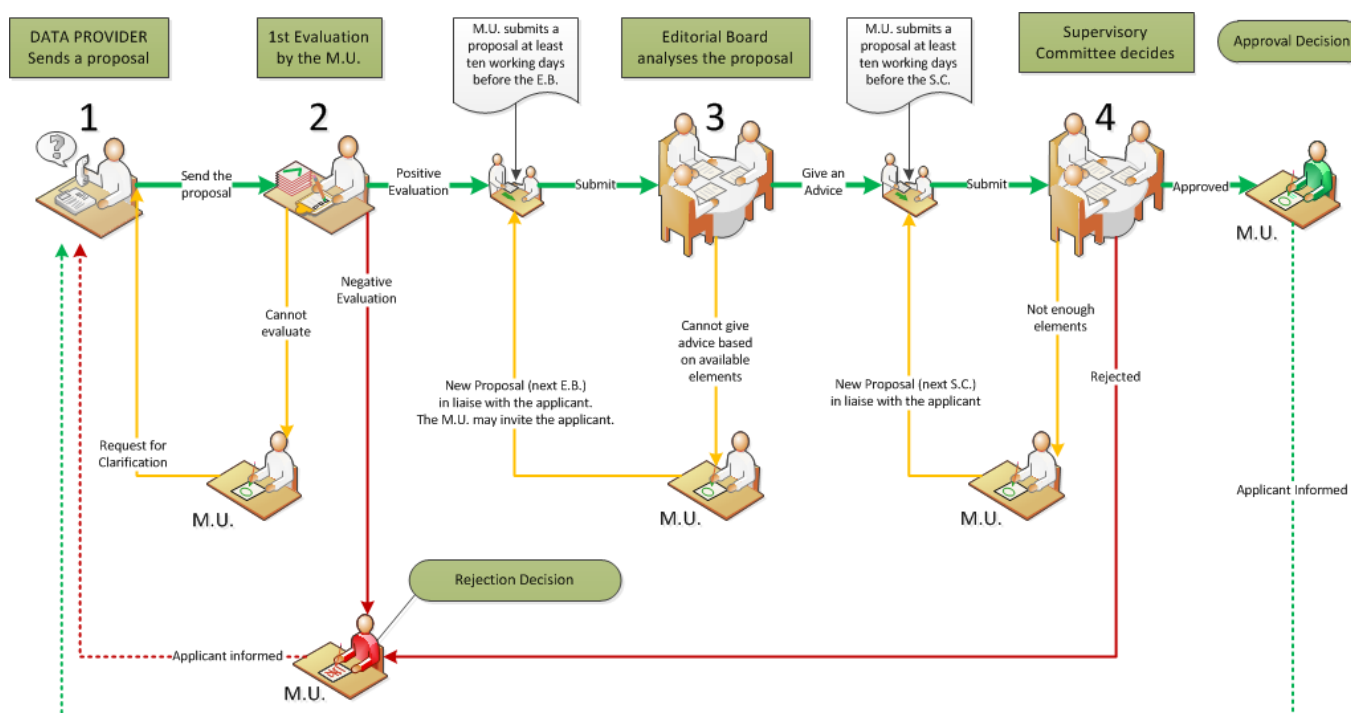


Figure 1 - Data Providers Accreditation Procedure (DPAP)

1.3. GOALS

The goal of the DPAP is to:

- achieve equal treatment for all applicants;
- ensure that applicants meet a minimum set of criteria before being approved;
- ensure that future data providers provide added value¹ to Equasis;
- ensure that all data providers enrich Equasis with reliable, publicly available and first-hand safety related data.

In addition, it is envisaged that all applications will be handled in a timely manner and presented with all the required supporting documentation to the Editorial Board and the Supervisory Committee. Furthermore, the procedure should ensure that all decisions (positive or negative) are substantiated and that the reasons for a rejection are communicated to the applicant.

¹ As regard the principle of added value to Equasis, this should be considered in the light of the objectives of Equasis as described on its website: "Equasis will help promote the exchange of unbiased information and transparency in maritime transport and thus allow persons involved in maritime transport to be better informed about the performance of ships and maritime organisations with which they are dealing".

1.4. TARGET AUDIENCE

This document is addressed to the Equasis Management Unit, the Editorial Board and the Supervisory Committee.

This document applies to both existing data providers and the potential applicants. It is only applicable to data providers within the scope of this document as described in Chapter 1.1.

1.5. REMOVAL OF ACCREDITATION

This procedure does not formally describe the process for withdrawing the accreditation of an existing Equasis data provider. However, it is understood that, if a data provider ceases to comply with the criteria set in Chapter 4 of the DPAP, this would be considered as grounds for the Management Unit to propose the withdrawal of its accreditation.

Such a decision needs to be taken by the Supervisory Committee, taking into consideration the advice of the Editorial Board.

2. Category of Data Providers

Equasis has a number of data providers, which are not of the same nature. These providers represent a wide variety of actors in the shipping community, from enforcement entities to owners, managers and associations. In these circumstances it is impracticable to apply the same criteria to all. Consequently the data providers are classified according to the following categories which, in principle, are governed by the nature of their core business and the data they hold and may therefore provide to Equasis.

It should be noted that once an entity becomes a data provider it is entitled to:

- participate in the Equasis Editorial Board;
- have a hyperlink in Equasis directing users to the data provider's web-site;
- be referred in Equasis as a data provider;
- be given a disclaimer on Equasis.

This list is not exhaustive and may be extended on a case by case basis depending on the bilateral agreement that is signed between Equasis and each data provider.

2.1. CATEGORY OF DATA PROVIDERS

- **Core Data Providers.** This category contains providers that are providing core information on ships and companies that will appear in Equasis. When the DPAP was approved, there was only one provider in this category and it was outside the scope of this document as it was governed by a contract as a result of a public tender.
- **PSC regimes.** Port State Control is a check on visiting foreign ships to verify that they comply with international rules on safety, pollution prevention and seafarers' living and working conditions. PSC regimes exist around the globe (geographical scope) and a number of them already provide Equasis with part of their inspection results.
- **Classification Societies.** Classification societies issue certificates of compliance for ships according to their rules, regulations and procedures on Classification matters. They also issue Type Approval for compliance against International or National Standards or Engineering practice or codes. When acting on behalf of a flag State as a "Recognised Organisation", they may issue statutory certificates in relation to International Regulations.
- **P&I clubs and Insurance companies.** Private entities that provide third party liability insurance (P&I: Protection and Indemnity) for ships, owners and charterers. This category also includes insurance companies that may cover the ship itself, its crew, machinery and equipment, as well as issues related to liability.
- **Intergovernmental Organisations, Federations and National/EU Agencies:** UN agencies, international federations, regional organisations, specialised National or EU agencies. These providers may hold data related to ship safety or accidents.
- **Private companies or associations from the Maritime Industry:** International, Regional and sub-regional associations or forums. These providers may hold ship

safety related data, lists of ships that are members of their company or association as well as data related to the ownership, management or financial operators of individual ships.

2.2. LIST OF APPROVED DATA PROVIDERS

The list of approved Data Providers is available online on the Equasis Website in the section "About Equasis > Providers". This information is available without registration.

For quick reference, follow this link:

http://www.equasis.org/EquasisWeb/public/About?fs=About&P_ABOUT=ProvidersNotConnected.txt

3. Criteria for Equasis Data Providers

3.1. INTRODUCTION

In order to apply a uniform and fair procedure for evaluating applications from potential data providers, the DPAP shall be supported by concrete evaluation criteria. The following criteria shall be applied taking into account the category of the data provider, as described in chapter 2 of this document.

3.2. MANDATORY CRITERIA

The following criteria are considered fundamental for the operation of Equasis and are to be applied to the category of all data providers to which the DPAP is applicable:

1. Data are to be related to the general goals of Equasis (see Chapter 1.3);
2. Data are to be provided free of charge;
3. Data are to be provided on an individual basis for ships;
4. Data are to be provided on an individual basis for companies;
5. Data are to be provided on a regular basis to Equasis. The intervals will be defined in the Data Exchange Protocol;
6. Data are to be provided in an electronic format;
7. Data are to be first-hand;
8. Data to be provided shall be owned by the provider or the provider shall possess legal clearance to disseminate them publicly;
9. There shall be no constraints on data provided becoming publicly available through Equasis.

3.3. QUALITY CRITERIA

The following criteria are considered fundamental for the credibility of Equasis. The quality criteria will be applied to all categories of providers falling within the scope of this procedure that are not composed of public administration or intergovernmental organisations (i.e.: Classification Societies, Insurance/P&I and Private companies or associations)

1. The applicant shall implement a quality process covering at least the following:
 - data collection;
 - data verification;
 - data accuracy;
 - ensuring that data is not subjective.

AND

2. The applicant has a proven record of being established for more than five years at the date of the application.

3.4. SPECIAL CRITERIA

The following criteria are to be applied, taking into account the nature of the applicant:

1. PSC regimes have a dedicated procedure annexed to this document, but for quick reference the following criteria apply to PSC regimes:
 - a. The PSC regime shall have a centralised database, where all inspection reports are reported and stored;
 - b. The PSC regime shall endeavour to submit reports on a regular basis and as quickly as possible from the date of the actual inspection on board;
 - c. The PSC regime must have observer status in the IMO.
2. If the data provider is a Classification Society that is not a member of the International Association of Classification Societies, the following criteria shall apply:
 - a. The Classification Society shall have a centralised database, where all inspection reports and related certificates are reported and stored;
 - b. If the Classification Society acts as a "Recognised Organisation", it shall provide evidence for its recognition by the flag States for which it is performing statutory work;
 - c. The Classification Society shall endeavour to submit reports and certificates on a regular basis and as quickly as possible from the date of the actual inspection on board.
3. If the data provider is a Classification Society that is member of the International Association of Classification Societies, no special criteria are applied. It is considered that complying with the internal process of membership of IACS is sufficient.
4. If the data provider is an Insurance and P&I company:
 - a. The company shall provide evidence of its registration as an Insurance / P&I entity;
 - b. The company, or group of companies in the case of a joint proposal, shall provide evidence that the data to be provided represent:
 - i. at least 0.5% of the active world merchant fleet (approx. 350 sea going ships); or
 - ii. at least 10% of the active world merchant ship for a specific type of ship or market share.
5. If the data provider is an Intergovernmental Organisation, Federation or a National or EU Agency no special criteria are applied.
6. If the data provider is a private company or association from the Maritime Industry:
 - a. The company or association shall have a centralised database, where all related information is stored;

- b. The company, or group of companies in the case of a joint proposal, shall provide evidence that the data to be provided for individual ships represent:
 - i. at least 0.5% of the active world merchant fleet (approx. 350 sea going ships); or
 - ii. at least 10% of the active world merchant ship for a specific type of ship or market share.
- c. The company, or the group of companies in the case of a joint proposal, shall provide evidence that the data to be provided for individual companies represent:
 - i. at least 5% of the total number gross tonnage of the active world merchant fleet; or
 - ii. at least 10% of the total number of ships in the active world merchant fleet.
- d. If the data provider is an association, then it must have observer status in the IMO.

4. Steps of the Procedure

4.1. APPLICATION

A company that wishes to become a data provider for Equasis shall inform the Management Unit in writing. The Management Unit shall ensure that the DPAP is communicated to the applicants.

The application shall be sent by e-mail preferably but also by fax or post to the attention of the "Equasis Management Unit" and shall include as a minimum the following information:

1. Name and address of the applicant;
2. Contact details of a focal point for queries relating to the application;
3. Brief description of the organisation showing in particular who will be responsible for Equasis matters;
4. Description of the data that would be provided to Equasis;
5. Evidence that the mandatory criteria described in chapter 3.2 are met;
6. Evidence that the quality criteria described in chapter 3.3 are met;
7. Which of the special criteria described in chapter 3.4 applies and evidence enabling this part of the application to be assessed.

In the context of the DPAP, the Equasis Management Unit can be contacted using the following details:

Method	Contact point
<i>Email</i>	secretariat@equasis.org
<i>Telephone</i>	+351 21 1209 251
<i>Fax</i>	+351 21 1209 261
<i>Postal Address</i>	c/o EMSA Equasis Management Unit - Unit B.3 Cais do Sodré Praça Europa, 4 1249-206 Lisboa, Portugal

4.2. EVALUATION

The Management Unit will on receipt of the application:

1. Assess whether the data that would be provided may help to fulfil the goal of Equasis by adding value to the database, as described in Chapter 1.3;
2. Assess whether the applicant fulfils all the mandatory criteria in chapter 3.2;
3. Assess whether the applicant fulfils all the quality criteria in chapter 3.3;
4. Assess whether the applicant fulfils the special criteria set out in chapter 3.4. The quantitative criteria shall be assessed, but they are subject to derogation and non-compliance shall not block the procedure at this stage;
5. Request additional information or clarification from the applicant.

Where the information submitted by the applicant does not meet the criteria set out in chapters 3.2 to 3.4, the Management Unit shall inform the applicant that its request has been rejected and will not be taken further.

Where the information submitted by the applicant meets the criteria set in chapters 3.2 to 3.4, then the Management Unit shall inform the applicant that its request has been approved for further consideration by the Editorial Board.

4.3. OPINION OF THE EDITORIAL BOARD

The Management Unit shall present to the Editorial Board a complete proposal regarding an applicant that meets the criteria set out in chapters 3.2 to 3.4.

The Editorial Board shall assess the proposal and provide a positive or a negative opinion to the Supervisory Committee. Before reaching an opinion, the Editorial Board will assess the following:

1. Are the data to be provided related to the scope and objectives of Equasis;
2. Does the data to be provided add value to the end users.

If the Editorial Board considers the application of merit to Equasis then a positive opinion shall be forwarded to the Supervisory Committee.

If the Editorial Board considers the application of **no** merit to Equasis, then a negative opinion shall be forwarded to the Supervisory Committee.

If deem necessary and before forwarding its opinion to the Supervisory Committee, the Editorial Board may request clarification about the application or suggest modifications to the initial proposal. In this case, the Management Unit should contact the applicant and request an amended proposal, which it then submits to the Editorial Board. If some aspects of the application remain unclear at this stage, the Management Unit may invite the applicant to a meeting with the Editorial Board to answer the questions of the Editorial Board. The applicant can then update its proposal to take into account the comments of the Editorial Board.

This possibility can be used only once for each application and the Editorial Board shall give its opinion after the second submission.

The Management Unit shall draft the opinion of the Editorial Board for consideration by the Supervisory Committee. Prior to its submission to the Supervisory Committee, this opinion shall be validated by the Editorial Board through a silent procedure no later than two weeks before the Supervisory Committee meeting. Both positive and negative opinions shall be presented.

4.4. DECISION OF THE SUPERVISORY COMMITTEE

The Management Unit shall present the opinion of the Editorial Board on the application to the Supervisory Committee as well as any additional cost or burden² expected for Equasis if the application is approved.

The Supervisory Committee shall assess the opinion and reach a decision. In reaching its decision, the Supervisory Committee shall assess in particular the following:

1. Are the data to be provided related to the scope and objectives of Equasis;

² In order to evaluate any additional cost or burden, some new elements may be required from the applicant, for example, the technical protocol that should be used to transfer the data to Equasis. If there is a possibility to provide the data in a format equivalent to what is already provided to Equasis by another provider, the financial consequences will be greatly reduced.

2. Are the data to be provided of added value to the end users;
3. Are additional costs or burdens expected when adding the data provider to Equasis;

In case the Supervisory Committee considers the application of merit to Equasis then a decision to accept the application shall be adopted.

In case the Supervisory Committee considers the application of **no** merit to Equasis then a decision to reject the application shall be adopted.

The Supervisory Committee has the right to reject both a positive and a negative opinion of the Editorial Board, but in that case, the Supervisory Committee must present its decision to the Editorial Board in writing.

Before accepting or rejecting an application definitively, the Supervisory Committee may formulate a counter-proposal or request clarification from the applicant. The Supervisory Committee may also request a trial period before reaching a final decision on whether or not to accept the application.

In such cases, the Management Unit shall revert to the applicant seeking the additional information or clarifications requested, before reporting the outcome to the next Supervisory Committee. This mechanism can be used as many times as necessary until the Supervisory Committee is ready to make a final decision on the application.

The Editorial Board will be informed of the discussions and decisions of the Supervisory Committee regarding this procedure.

When the final decision is taken by the Supervisory Committee, the Management Unit shall draft the decision and inform the applicant accordingly.

5. Review

The owner of this document is the Head of the Management Unit, who is also responsible for the periodic review and updating of the document at least every three years. The Editorial Board may also initiate a review of this document at any time.

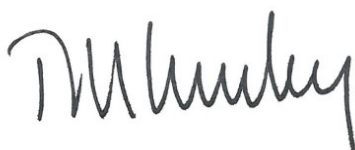
For traceability reasons, all previous versions of this procedure will be retained by the Management Unit, with comments and annotations included to give the background to its amendments.

When this document is reviewed or updated, the Supervisory Committee shall validate the new version after consultation with the Editorial Board.

This document enters into effect on the date of its signature by the co-chairs of the Equasis Supervisory Committee, following its approval by the Supervisory Committee.

Upon approval of the DPAP, the PSC procedure in the Annex shall become a part of this document.

The undersigned has approved the "Data Providers Accreditation Procedure (DPAP)".

A handwritten signature in black ink, appearing to read "Theresa Crossley".

Theresa Crossley
Head of Department Implementation
European Maritime Safety Agency

A handwritten signature in black ink, appearing to read "Régine Bréhier".

Régine Bréhier
Directeur des Affaires Maritimes
Direction des Affaires Maritimes (France)

and Co-Chairmen of the Equasis Supervisory Committee

Annex I: Criteria to become a Port State Control Data Provider

This Annex presents the criteria for new Port State Control data providers to Equasis, as decided by the Supervisory Committee on the 26th of November 2009.

1. General Criteria

- A PSC MoU must have a central database,
- Member countries must send inspection reports to the central database,
- The PSC MoU must have observer status with one of the PSC regimes that are currently data providers to Equasis,
- The PSC MoU shall have a code of good practice similar to the one that the Paris and Tokyo MoU are preparing.

2. Criteria for each member country to have its PSC data displayed in Equasis

- PSC data from a member country which has not ratified the following IMO conventions will not be displayed:
 - SOLAS
 - Load Line
 - STCW
 - MARPOL
- PSC data from a member country which is on the black list of current PSC data providers will not be displayed