

FLAG STATE PERFORMANCE SELF-ASSESSMENT FORM
(in accordance with MSC/Circ.889/MEPC/Circ.353)

GENERAL

1. Name of State/Associate Member

REPUBLIC OF BULGARIA

2. Name of contact person responsible for the completion of this form

CAPT. SERGEY TZARNAKLIYSKI
EXECUTIVE DIRECTOR
EXECUTIVE AGENCY "MARITIME ADMINISTRATION"¹

Name of Administration:

EXECUTIVE AGENCY "MARITIME ADMINISTRATION"
WITHIN THE MINISTRY OF TRANSPORT, INFORMATION TECHNOLOGY AND COMMUNICATIONS

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.3 Indicate to which of the following international instruments your State is a Party and which (optional) MARPOL 73/78 Annexes have been ratified

| | Yes | No |
|-------------------|-------------------------------------|--------------------------|
| SOLAS 74 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| SOLAS Protocol 78 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| SOLAS Protocol 88 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| MARPOL 73/78 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Annex III | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Annex IV | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Annex V | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Annex VI | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| LL 66 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| LL Protocol 88 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| TONNAGE 69 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| COLREG 72 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹ Throughout the whole text Executive Agency "Maritime Administration" (EAMA) and Bulgarian Maritime Administration (BMA) should be considered as one and the same governmental body.

UNCLOS



Clarifications, comments or additional information on Question 3:

4.1 How many merchant ships of 100 gross tonnage and upwards, subject to the relevant instruments you indicated in question 3, are currently flying the flag of your State? 66 ships

4.2 What is the total gross tonnage of merchant ships flying the flag of your State? 445727,94 GT

The figures given above are as of 30th of March 2012

Clarifications, comments or additional information on items 4.1 and 4.2:

Fishing vessels, barges and vessels operating exclusively in Bulgarian waters are excluded from the total number of merchant ships of 100 GT and upwards.

INTERNAL CRITERIA

Legal framework

5. Does your Administration have the necessary laws in force to implement international maritime safety and pollution prevention instruments with regard to:

| | Yes | No |
|---|-------------------------------------|--------------------------|
| .1 the construction, equipment and management of ships; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| .2 the prevention, reduction and control of pollution of the marine environment; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| .3 the safe loading of ships; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| .4 the manning of ships; | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| .5 the safety of navigation (including taking part in mandatory reporting and routing systems), maintenance of communications and prevention of collisions? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Clarifications, comments or additional information on Question 5:

Detailed information on the Bulgarian legislation, enforcing the IMO instruments, has been submitted with our previous SAF's.

6. Does your Administration have the necessary laws in force to ensure the provision of penalties of adequate severity to discourage violation of international instruments to which your State is a Party? Yes No

Detailed information on the Bulgarian legislation, enforcing the IMO instruments, has been submitted with our previous SAF's.

7. Does your Administration have the necessary laws in force to provide for ship inspections to ensure compliance with international maritime safety and pollution prevention standards, to which your State is a Party? Yes No

Detailed information on the Bulgarian legislation, enforcing the IMO instruments, has been submitted

with our previous SAF's.

8. Does your Administration have the necessary laws in Force to take legal action against ships which have been identified as not being in compliance with the international instruments to which your State is a Party? Yes No

Detailed information on the Bulgarian legislation, enforcing the IMO instruments, has been submitted with our previous SAF's.

9. Does your Administration have the necessary laws in force to carry out the required casualty investigations? Yes No

The Ordinance on investigation has been amended to comply with the actual international and European standards and copy of the amended ordinance is attached.

Enforcement

10. Does your Administration have an infrastructure, including personnel with appropriate technical expertise and experience, to:

- .1 identify ships flying the flag of your State which are not in compliance with international maritime safety and pollution prevention requirements? Yes No
- .2 take action against ships flying the flag of your State which have been identified as not being in compliance with international maritime safety and pollution prevention requirements?

- If yes, against how many such ships was action taken for each of the previous 5 years*?

| 2007 | 2008 | 2009 | 2010 | 2011 |
|------|------|------|------|------|
| 56 | 70 | 39 | 36 | 30 |

In compliance with the requirements of the Mandatory Regulation (Order) No.89 of the Executive director, stated above, 30 FSC inspections were carried out throughout the year 2011.

The findings with regard to the application of international conventions, codes and national requirements are as follows:

- in 6 inspections there were no any deficiencies found,
- in 7 inspections there were less than 5 deficiencies,
- in 8 inspections between 5 and 10 deficiencies were found,
- in 9 inspections more than 10 deficiencies were found

Actions taken by the FSC inspectors:

The FSC inspectors have prescribed measures and fixed the time limits for rectification of all deficiencies found during the inspections. The masters of all ships with established non-compliances were required to report in due course the rectification of these non-conformities. The deficiencies were rectified before the departure of the respective ships.

11. Did your Administration investigate detentions by port States of ships Yes No

flying the flag of your State for each of the previous 5 years*? (see also question 28)

- If yes, indicate how many such detentions were investigated

| 2007 | 2008 | 2009 | 2010 | 2011 |
|------|------|------|------|------|
| 10 | 9 | 4 | 6 | 2 |

| No. | Name of the ship | MoU on PSC | PSC detention | | FSC Inspection | | Number of deficiencies found |
|-----|------------------|------------|---------------|----------------------|----------------|------------------|------------------------------|
| | | | Date | Place | Date | Place | |
| 1 | Kamenitza | Med MoU | 21.07.2011 | Jorf Lasfar, Morocco | - | - | - |
| 2 | Plovdiv * | Paris MoU | 31.08.2011 | Koper, Slovenia | 02.09.2011 | Koper, Slovenia | 2NC |
| 3 | EMONA | Black Sea | 20.05.2011 | Nikolayev, Ukraine | 30.05.2011 | Burgas, Bulgaria | 7 |
| 4 | - | - | - | - | - | - | - |
| 5 | - | - | - | - | - | - | - |

* Additional ISM audit was carried out by DMA-Burgas

Recognized organizations acting on behalf of the Administration

12. Which organizations has your Administration recognized for the purpose of delegation of authority under the relevant instruments you indicate under question 3?

Clarifications, comments or additional information on Question 12:

- Bulgarian Register of Shipping (BRS)
- Germanischer Lloyd (GL)
- Lloyd's Register of Ships (LR)
- Bureau Veritas (BV)
- Russian Maritime Register of Ships (RMRS)

13. When your Administration delegates authority to recognized organizations, does it follow resolutions A.739(18) and A.789(19) as minimum requirements, the requirements in SOLAS 74, regulation XI/1, and the analogous requirements in MARPOL 73/78 in any delegation of authority? Yes No

Detailed information on the Bulgarian legislation, enforcing the IMO instruments mentioned above, has been submitted with our previous SAF's.

14. Has your Administration provided IMO with a copy of the formal agreement or equivalent legal arrangements with the recognized organizations listed in question 12? Yes No

With the SAF, submitted by our agency in 2008, the BMA has provided IMO with a copy of the

Agreement, concluded between the latter and the Russian Maritime Register of Ships (RMRS) as well as Krasio Ltd.

With the SAF, submitted by our agency in 2005, the BMA has provided IMO with a copy of the Agreement, concluded between the latter and the Bulgarian Register of Shipping (BRS) and in 2006 in attachment to the filled in SAF, copies of the concluded Agreements in 2005 between the Bulgarian Maritime Administration and Lloyd's Register of Ships (LR) and the Bulgarian Maritime Administration and Germanischer Lloyd (GL) were provided as well.

The Agreement with BV was signed in 2011 and a copy of the signed agreement is attached thereto.

The contract, concluded with Krassio Ltd., recognized by the BMA as radio surveyor only, is terminated and since 2010 Krassio Lrd. is not acting as a recognized organization on the behalf of the Bulgarian Maritime Administration. IMO was duly notified.

15. Indicate which survey and/or certification functions your Administration has delegated to the recognized organizations referred to in question 12.

Function Surv/Audit Approval Cert

| | INSTRUMENT | Authorization (Certificate/Endorsement) | | | Stability Review (Yes, No, N/A) |
|------------|---|--|--|-----------|--|
| | | Renewal | Annual/ Intermediate/ Periodical | Exemption | |
| 1 | SOLAS Convention 1974 (as amended) | | | | |
| 1.1 | Cargo Ship Safety Construction Certificate | P | P | L | YES |
| 1.2 | Cargo Ship Safety Equipment Certificate | P | P | L | N/A |
| 1.3 | Cargo Ship Safety Radio Certificate | P | P | L | N/A |
| 1.4 | Passenger Ship Safety Certificate | P | N/A | L | YES |
| 1.5 | Safety Certificate for High Speed Craft | P | P | L | YES |
| 1.6 | Carriage of Liquefied Gases in Bulk | | | | |
| 1.6.1 | Certificate of Fitness for ships built on or before 31 October 1976 | P | P | L | YES |
| 1.6.2 | Certificate of Fitness for ships built after 31 October 1976 but before 1 July 1986 | P | P | L | YES |
| 1.6.3 | International Certificate of Fitness for ships on or after 1 July 1986, IGC Code | P | P | L | YES |
| 1.7 | Carriage in Bulk of Dangerous Chemicals | | | | |
| 1.7.1 | Certificate of Fitness for ships built before 1 July 1986, BCH Code | P | P | L | YES |
| 1.7.2 | Certificate of Fitness for ships built on or after 1 July 1986, IBC Code | P | P | L | YES |
| 2 | Other | | | | |
| 2.1 | Document of Authorization for the Carriage of Grain in Bulk | N/A | N/A | N/A | YES |

| | | | | | |
|----------|---|-----|-----|---|-----|
| 2.2 | Document of Compliance with the Special Requirements for Ships Carrying Dangerous Goods | P | N/A | L | N/A |
| 2.3 | Document of Compliance with the Code of Safe Practice for Solid Bulk Cargoes (BC Code) | P | N/A | L | N/A |
| 2.4 | Document of Compliance with the Code of Safe Practice for Cargo Stowage and Securing | N/A | N/A | L | N/A |
| 2.5 | Document of Compliance with the Code of Safe Practice for Carriage of Timber Deck Cargoes | N/A | N/A | L | N/A |
| 2.6 | Special Ship Safety Certificate in accordance with Resolution A.534(13) | P | P | L | N/A |
| 2.7 | Mobile Offshore Drilling Unit Codes 1979 and 1989 | P | P | L | YES |
| 2.8 | Code of Safety for Diving Systems | P | P | L | N/A |
| 2.9 | Code of Safety for Dynamically Supported Craft | P | N/A | L | YES |
| 3 | MARPOL Convention 73/78 (as amended) | | | | |
| 3.1 | Annex I – International Oil Pollution Prevention Certificate | P | P | L | YES |
| 3.2 | Annex II – International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (NLS) | P | P | L | N/A |
| 3.3 | Annex IV – International Sewage Pollution Prevention Certificate | P | N/A | L | N/A |
| 3.4 | Annex VI – Statement of Compliance and/or International Air Pollution Prevention Certificate (Pending the entry into force) | P | P | L | N/A |
| 4 | International Regulations on Preventing Collision at Sea, 1972 (as amended) | | | | |
| 5 | International Convention on Tonnage Measurement of Ships, 1969 (as amended) | | | | |
| 6 | International Convention on Load Lines, 1966 (as amended) | | | | |
| 7 | International Convention on the Control of Harmful Anti-Fouling Systems (as amended) | | | | |
| 7.1 | International Anti-Fouling System Certificate and/or Declaration of Anti-Fouling System (Pending the entry into force) | N/A | N/A | L | N/A |

2. Application of types of authorizations

2.1 The types of authorizations mentioned in par. 1 shall apply as noted:

- .1 P – Partial authorization to perform plan review, carry out surveys, endorse the full-term certificates and issue interim certificates;
- .2 L – Limited authorization on a case by case basis;
- .3 N/A – Not Applicable.

(The above data is from Annex 1 to the Agreement governing the delegation of statutory functions and certification services for vessels registered in the Republic of Bulgaria between the Bulgarian Maritime Administration and the BRS, LR, GL, RS, BV)

Clarifications, comments or additional information on Question 15:

The Bulgarian Maritime Administration in compliance with the requirements of the Merchant Shipping code (Art. 73, para. 1 and 2) and the Ordinance No. 4 of 9 January 2004 on Recognition of Organizations for Surveys of Ships and Shipowners has delegated the surveys as stated in the table below to the above mentioned RO's. The issue of certificates is carried out by BMA on the grounds of survey reports of the recognized organization.

16. Indicate, for the instruments you listed under question 3, which survey and/or certification functions are carried out by your Administration.

| <u>Function</u> | | <u>Surv/Audit</u> | <u>Approval</u> | <u>Cert</u> |
|---|----|-------------------|-----------------|-------------|
| 1. Cargo Securing Manual | 1 | √ | √ | √ |
| 2. Certificate of Fitness (dangerous chemicals) | 2 | | | √ |
| 3. Certificate for masters, officers or rating | 3 | √ | √ | √ |
| 4. Construction and Equipment Certificate | 4 | | | √ |
| 5. Document of Compliance (ISM) | 5 | √ | √ | √ |
| 6. Document of Compliance (dangerous goods) | 6 | | | √ |
| 7. Enhanced survey report file | 7 | | | √ |
| 8. Exemption Certificate (SOLAS) | 8 | √ | | √ |
| 9. Intact Stability Booklet | 9 | | √ | √ |
| 10. International Load Line Certificate | 10 | | | √ |
| 11. International Load Line Exemption Certificate | 11 | √ | √ | √ |
| 12. International Tonnage Certificate | 12 | √ | √ | √ |
| 13. IOPP Certificate | 13 | | | √ |
| 14. Manifest/stowage plan (dangerous goods) | 14 | | √ | √ |
| 15. Minimum Safe Manning Document | 15 | | √ | √ |
| 16. Passenger Ship Safety Certificate | 16 | √ | | √ |
| 17. Safety Construction Certificate | 17 | | | √ |
| 18. Safety Equipment Certificate | 18 | | | √ |
| 19. Safety Management Certificate (ISM) | 19 | √ | | √ |
| 20. Safety Radio Certificate | 20 | | | √ |
| 21. SOPEP | 21 | | √ | √ |
| 22. International Ship Security Certificate | 22 | √ | √ | √ |

All initial surveys are carried out by the Bulgarian Maritime Administration

1. Does your Administration carry out the verification and monitoring functions specified in resolution A.739(18)?

Yes No

2. How does your Administration carry out the verification and monitoring functions specified in resolution A.739(18)?

Clarifications, comments or additional information on Question 18:

The monitoring and control on the performance of the ROs of the delegated statutory surveys and tasks is exercised on the grounds of the provisions of Section V "Monitoring and Control" of Ordinance No. 4. As provided for in the respective provisions, the BMA at least once in two years carries out assessments of the compliance of the ROs with the requirements concerning safety and prevention of pollution to the marine environment and with the provisions of Section II of the Ordinance. Apart from the provisions of Ordinance No.4, the requirements and scope of the monitoring are further specified in the concluded agreements in the appendix thereto (annex IV "Audit Procedures" to the respective agreement). A written procedure, which is part of the BMA's Quality Management System yet, prescribes in details the whole process of exercising monitoring on the ROs. During the preceding four year period the ROs were inspected as follows:

1. Bulgarian Register of Shipping (BRS)
 - 2011 from 14 till 17 November 2011 was carried out audit
 - 23.09.2010 – the activity of BRS was inspected in connection with a renewal inspection, carried out on m/v "Ocean Team"
 - 21 - 22.07.2008. audit,
 - 24 - 25. 01.2008 audit,
 - 17 - 18.12.2007 monitoring of carrying out an annual ship survey;

The results of the conducted audits, monitoring and bilateral meetings as well as the respective corrective measures are reflected in the respective protocols thereof.

2. Germanischer Lloyd
 - 2011 from 14 till 17 November 2011 was carried out audit
 - 27.03.2009. – audit
3. Lloyd's Register of Ships
 - 25.03.2009. – audit
 - 2011 from 14 till 17 November 2011 was carried out audit
4. Russian Maritime Register of Ships
 - 2011 from 14 till 17 November 2011 was carried out audit
 - 26.03.2009 – audit

3. How often does your Administration verify and monitor the work of the recognized organizations acting on its behalf?

BMA monitors the work of ROs regularly in conformity with the Ordinance and procedure mentioned in item 18 above.

20. How does your Administration take specific responsibility for international certificates issued on its behalf by dependent territories/second registers?

The Republic of Bulgaria has not dependent territories and a second register.

Casualty and incident investigation

- | | | |
|---|-------------------------------------|--------------------------|
| 21. Does your Administration have the means (financial and administrative) to ensure that thorough and prompt casualty and incident investigations into all cases of serious and very serious casualties, as defined in paragraphs 4.2 and 4.3 of the annex to Res.A.849(20), are carried out? | Yes | No |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Clarifications, comments or additional information on Question 21:

The attached hereto Ordinance No.23 is based on the IMO Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code).

22. For each of the previous 5 years*, for ships flying the flag of your State:

.1 How many serious and very serious casualties and incidents were investigated?

| 2007 | 2008 | 2009 | 2010 | 2011 |
|------|------|------|------|------|
| 0 | 2 | 1 | 0 | 0 |

.2 How many such casualties and incidents were reported to IMO? Yes No

23. Can your Administration provide to IMO, on request, evidence which shows that casualties and incidents on ships flying the flag of your State have been investigated? Yes No

The established special unit within the Ministry of Transport, Information Technology and Communications is obliged to carry out investigation, prepare report and promulgate it on the website of the Ministry of Transport and to maintain the hard copy archive. All documents concerning the investigations are available within the special unit team premises.

24. For each of the previous 5 years*, has your Administration provided the IMO with the mandatory annual reporting required by article 11.1(f) of MARPOL 73/78? Yes No

Note: The Bulgarian Maritime Administration regularly provides IMO with the mandatory annual reporting required by Art. 11.1(f) of MARPOL 73/78 since 1999.

25. How many allegations of violations, according to article 4 of MARPOL 73/78, have been made against ships flying the flag of your State in each of the previous 5 years* ?

.1 How many investigations or legal proceedings has your Administration carried out in the previous 5 years* in accordance with articles 4 and 6 of MARPOL?

.2 In how many cases did your Administration report back to the reporting State or to IMO in each of the previous 5 years*?

| | 2007 | 2008 | 2009 | 2010 | 2011 |
|------------------------------|------|------|------|------|------|
| Allegations (25) | 0 | 1 | 0 | 0 | 0 |
| Investigations (25.1) | 0 | 1 | 0 | 0 | 0 |

EXTERNAL CRITERIA

26. For each of the previous 5 years* , how many ships flying the flag of your State:

- .1 have been involved in serious or very serious casualties?
- .2 have become total losses or constructive total losses?

- .3 have caused severe pollution**?
- .4 What casualty rate per 1000 ships does this represent?
- .5 What is the total tonnage involved as a percentage of the total fleet?

| Year | 2007 | 2008 | 2009 | 2010 | 2011 |
|-------------------------------|------|-------|------|------|------|
| Casualties (26.1) | 1 | 2 | 0 | 0 | 0 |
| Losses (26.2) | 0 | 1 | 0 | 0 | 0 |
| Pollution (26.3) | 0 | 1 | 0 | 0 | 0 |
| Casualty rate per 1000 (26.4) | 8,85 | 27,78 | 0 | 0 | 0 |
| % of Tonnage (26.5) | 2,58 | 4,02 | 0 | 0 | 0 |

27. In each of the previous 5 years*, how many lives have been lost:

- .1 in casualties involving ships flying the flag of your State?
- .2 due to occupational accidents (i.e. other than from casualties to ships) on ships flying the flag of your State?

NB - Includes: falls; boarding or disembarking; accidents on deck and in machinery spaces; deaths in enclosed spaces; but does not include: accidents ashore, homicide; suicide; or deaths from disease or natural causes.

| Year | 2007 | 2008 | 2009 | 2010 | 2011 |
|------------------------|------|------|------|------|------|
| Ship casualties (27.1) | 0 | 13 | 0 | 0 | 0 |
| Occupational | 5 | 3 | 6 | 3 | 0 |

28.1 For each of the previous 5 years* , how many ships flying the flag of your State were detained, within the scope of SOLAS 74, MARPOL 73/78, LL 66 or COLREG 72, by port States?

- .2 What detention rate per 1000 ship inspections does this represent? (see also question 11).

| Year | 2007 | 2008 | 2009 | 2010 | 2011 |
|----------------------|-------|-------|-------|--------|-------|
| Detentions (28.1) | 19 | 13 | 4 | 11 | 3 |
| Rate per 1000 (28.2) | 84,44 | 57,02 | 29,85 | 100,00 | 43,47 |

Note: The above figures are calculated on the basis of the data from the regional MoUs on PSC, listed in the table below (see the table below, containing data on the 2011 PSC inspections under different MoUs of ships flying Bulgarian flag).

| MoU on PSC | Total number of inspected Bulgarian ships during 2011 | Total number of detained Bulgarian ships during 2011 |
|----------------------------------|---|--|
| Paris | 30 | 1 |
| Mediterranean | 12 | 1 |
| Black Sea | 27 | 1 |
| Vina del Mar | 0 | 0 |
| Tokyo | 0 | 0 |
| Indian MoU | 0 | 0 |
| TOTAL: inspected/detained | 69 | 3 |

*or from the date your Government became a Party to the relevant instrument if that is later.

** Severe *pollution* is a case of pollution which, as evaluated by the coastal State(s) affected or the flag State, as appropriate, produces a major deleterious effect upon the environment, or which would have produced such an effect without preventive action.