Entry into Turkish Ports

Notice to: Ship Owners/ Managers/ Operators/ Surveyors/ Auditors

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The Ministry of Transport and Infrastructure of Türkiye has issued a new regulation concerning the implementation of Port State Control. This regulation governs foreign-flagged vessels and their crew members when calling at or anchoring within Turkish ports, port facilities, and offshore installations.

The Regulation is structured into four main parts:

- Part 1: General and Introductory Provisions
- Part 2: Responsibilities of the Administration and Port State Control Officers
- Part 3: Inspection Principles and Procedures
- Part 4: Final and Miscellaneous Clauses

Key Provisions and Consequences

Members should pay close attention to the following critical points outlined in the regulation:

Detention and Banning Orders

- A vessel detained in Türkiye or another MoU signatory state that sails without clearance or fails to
 proceed to its declared repair yard will be prohibited from entry into all Turkish ports for a period of
 six months.
- Vessels detained in Türkiye on three or more separate occasions within a 36-month period will face a
 12-month ban from all Turkish ports.
- A subsequent detention occurring within 12 months following the expiration of this ban will lead to an
 extended ban of 24 months.
- After the ban period concludes, the vessel will be subject to an inspection upon its first call to a Turkish port.
- A vessel that is detained again after having been banned on two prior occasions will be subject to a
 permanent ban from entering Turkish Ports.
- Bans imposed by regional MoUs based on the number of detentions will be recognized and enforced by Turkish authorities.
- The Administration reserves the right to deny entry to vessels flying flags identified as 'black-listed' or 'non-performing,' or those classified as substandard.

Appeal Procedures

- Shipowners, operators, or Flag States have the right to contest a detention order. It is important to note that **filing an appeal does not suspend the detention order**.
- Appeals must be lodged with the Administration within one month of the detention notice.
- In cases of what is considered wrongful detention or delay, the owner/operator is entitled to seek legal recourse. The responsibility for proving the wrongful nature of the action (**burden of proof**) rests with the owner/operator.

Post-Detention Procedures

- Should the rectification of deficiencies not be feasible at the port of detention, the vessel may be granted permission to sail to the nearest suitable repair facility. This facility must be chosen by the Master and sanctioned by the Port Authority, with the voyage subject to conditions agreed upon by the Flag State and accepted by the Port State Control Officer (PSCO).
- Entry may be granted to a banned vessel by the Port Authority in exceptional circumstances, specifically for overriding safety concerns or to prevent pollution.

Schedule of Fees and Costs

- The operator or their representative is liable for the costs associated with **two or more inspections** on the same vessel. The fee for each subsequent inspection will be double the previous one.
- All inspection fees for banned ships, conducted after the ban has expired, are payable by the operator or their representative.
- Fees for inspections or related services conducted **beyond standard working hours** at port authorities will also be charged to the operator or their representative.
- A vessel's detention will not be lifted until all outstanding fees have been settled in full.

Action Required

All Ship Owners, Managers, and Operators are strongly advised to thoroughly review the provisions of this new Regulation and take all necessary measures to ensure their vessels and operations are in full compliance to avoid severe penalties.

Detailed information regarding URACOS circulars, including updates on regulations and guidelines, can be found at https://uracos.org/circulars.

Best Regards

UNITED REGISTRATION AND CLASSIFICATION OF SERVICES