

Directive 2009/16/EC of the European Parliament and of the Council of  
23 April 2009 on port State control (Recast) (Text with EEA relevance)

*Article 20*

**Right of appeal**

- 1 The owner or operator of a ship or his representative in the Member State shall have a right of appeal against detention or refusal of access by the competent authority. An appeal shall not cause the detention or refusal of access to be suspended.
- 2 Member States shall establish and maintain appropriate procedures for this purpose in accordance with their national legislation.
- 3 The competent authority shall properly inform the master of a ship referred to in paragraph 1 of the right of appeal and the practical arrangements relating thereto.
- 4 When, as a result of an appeal or of a request made by the owner or the operator of a ship or his representative, a detention order or a refusal of access order is revoked or amended:
  - a Member States shall ensure that the inspection database is amended accordingly without delay;
  - b the Member State where the detention order or refusal of access order is issued shall, within 24 hours of such a decision, ensure that the information published in accordance with Article 26 is rectified.