

Republic of the Marshall Islands

MARITIME ADMINISTRATOR

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MARINE SAFETY ADVISORY No. 24-20

To: Owners/Operators, Masters, Nautical Inspectors, Recognized Organizations

Subject: HANDLING THE VALIDITY OF SHIP CERTIFICATES DUE TO COVID-19

Date: 02 July 2020

This Marine Safety Advisory (MSA) supersedes MSA No. 14-20. It provides information on handling ship certification and survey challenges due to restrictions imposed as a result of the Coronavirus disease (COVID-19) pandemic. This guidance will be kept under review, updated as necessary, and remain valid until revoked or until 12 months passes after the publication date. This MSA specifically does not address passenger ships.

1.0 General

- 1.1 Since the release of MSA No. 14-20, the COVID-19 pandemic continues to evolve. The situation varies depending upon location and is subject to change over time. Therefore, to address all situations where a ship is experiencing difficulty in completing surveys, the Republic of the Marshall Islands Maritime Administrator (the “Administrator”) requires the principles in International Maritime Organization (IMO) Circular [MSC-MEPC.5/Circ.1](#) and IMO Circular Letter No. [4204/Add.19](#), to be applied when extensions are requested.
- 1.2 Where the Recognized Organization (RO) considers that there is a reasonable case for force majeure due to COVID-19, the Administrator will consider an application to extend survey windows and allow a ship to continue trading. While force majeure may be applicable to all ships, an extension to continue to trade must not be provided to ships with substandard conditions onboard, or ships with unique characteristics where the RO would not facilitate a further extension of trading. Any substandard conditions must be rectified prior to allowing continued operation.
- 1.3 A reasonable case for force majeure due to COVID-19 may include the ship being quarantined, or if there are travel or quarantine restrictions preventing the necessary surveyor(s), essential superintendents, technicians or service teams attending, and the limitation of any specialised equipment, facility, or essential spares being delivered to the ship.
- 1.4 In all cases the RO must maintain a record of ships receiving extensions to surveys, or certificates, and ensure a list of affected ships is available upon a request from the Administrator.

This MSA expires one (1) year after its issuance, unless otherwise noted, extended, superseded, or revoked.

- 1.5 With regards to surveyor attendance to witness rectification of statutory deficiencies of a minor nature, the Administrator has no objection to an alternative evidence-based proposal which is acceptable to the RO.
- 1.6 The guidance below outlines a practical approach to compliance during this pandemic and its aftermath and when the extensions, previously granted, become due adding to the current demands. If the RO has a proposal other than below then these will be reviewed on a case-by-case basis by the Administrator.

2.0 Certificates covered by this MSA

2.1 This MSA provides guidance on maintaining validity of statutory certificates issued under the following Conventions:

- International Convention for the Safety of Life at Sea (SOLAS)
- International Convention for the Prevention of Pollution from Ships (MARPOL)
- International Convention on Load Lines, 1966, as Amended by the Protocol of 1988 (Load Line)
- International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWMC)

2.2 Please refer to the Administrator's COVID-19 [webpage](#) for guidance on certificates issued in accordance with the International Safety Management Code, the International Ship and Port Facility Security Code, and the Maritime Labour Convention, 2006.

3.0 Extending the period between surveys and validity of certificates for up to three months

When a ship is not in a port where it can be surveyed, IMO Circular [MSC-MEPC.5/Circ.1](#) may be applied. At the first opportunity according to the ship's voyage itinerary, it should be attended by a surveyor for the purpose of either completing the survey or performing an extension survey. When physical attendance is not possible or feasible, the Administrator may accept alternative arrangements such as a remote survey with live video streaming where this is available through the RO.

4.0 Extending the period between surveys and the validity of certificates by more than three months

When a survey cannot be completed within an initial three month extension then, the six steps as part of the guiding principles for considering a statutory certificate extension beyond three months outlined in the Annex of IMO Circular Letter No. [4204/Add.19](#) may be followed.

- 4.1 Extensions to surveys beyond three months should only be considered when any expiring conditions of Class or Statutory Authority can be satisfactorily assessed and extended. Such extensions must not be granted to ships with substandard conditions onboard.
- 4.2 Alternative compliance methods can be considered provided there is supporting evidence that the intent of the Survey Guidelines under the Harmonized System of Survey and Certification (HSSC) (IMO Assembly Resolution [A.1140\(31\)](#)) can be met. The survey should be progressed as far as practical, and any extension survey that took place during the initial three-month extension may be taken as contributory in effect.
- 4.3 For dry-docking extensions due to extreme extenuating circumstances, provided there is evidence suggesting best efforts have been made to secure dry-dock space, the Administrator will consider extensions to intermediate and renewal dry-docking beyond three months. The operator should apply to the RO for an extension and prepare the ship to allow a survey to the maximum extent possible while out of a dry-dock. The extent of this preparation must be agreed with the RO prior to commencement of surveys. All Class and statutory surveys must have been progressed as far as practicable while afloat, leaving only the minimum pending items to be checked in dry-dock. Where it is relevant to the age and type of ship, and safe to do so, the scope of the survey should also consider the enhanced survey program. Any minor deficiencies can be recorded as Conditions of Class, or Statutory Conditions, as appropriate, with due date until dry-docking. Major deficiencies must be rectified. Class and short-term statutory certificates should be issued to reflect the pending items that remain to be tested and surveyed.

For the extension to be agreed, the ship's Class must also be willing to consider the validity of the main Class certificate, since in accordance with IMO Circular [MSC-MEPC.5/Circ.1](#), "the extension period of the relevant statutory certificate(s) should not exceed the period of validity of the certificate which may be issued to document compliance with the structural, mechanical and electrical requirements of the recognized classification society."

5.0 Ships experiencing problems installing and commissioning Ballast Water Management Systems (BWMS)

The following is advice for when the date for D-2 compliance for a ship has passed and there are issues installing and commissioning a BWMS. The ship must maintain an approved plan for conducting a D-1 ballast water exchange. A remark should be made in the Ballast Water Record Book that the BWMS is not operational and covered by a short-term certificate. The below are some specific scenarios; others may be dealt with in a similar manner.

- 5.1 The ship cannot enter a dry-dock.
- 5.1.1 Consider part holding the International Oil Pollution Prevention (IOPP) renewal survey and postponing the IOPP certificate renewal. Maintain the current D-1 Ballast Water Management option on International Ballast Water Management Certificate (IBWMC).

5.2 The ship can enter a dry-dock but is not able to install the BWMS because the equipment is in another location with quarantine restrictions.

5.2.1 Consider continuing with the dry-dock and preparing the ship to receive the BWMS and complete the installation without going back to dry-dock. The RO may issue a short term IBWMC, valid for three months, indicating the D-1 Ballast Water Management method. The certificate should be annotated with text to the effect: “The BWMS could not be installed due to COVID-19. Prior to any ballast discharge the relevant coastal State must be contacted to discuss contingency measures, guidance on these can be found in IMO Circular [BWM.2/Circ.62](#). The ship has a ballast water exchange method approved to the D-1 standard and the Administrator has no objections to D-1 exchange being used in-lieu of the BWMS, however concurrence from the coastal State must be obtained before this option can be used.”

5.2.2 Alternatively, consider delaying the dry-dock (see §5.1 above).

5.3 The ship is able install the BWMS, but due to travel restrictions/quarantine is unable to commission the BWMS.

5.3.1 Complete the dry-dock and BWMS installation and renew all certificates. The RO may issue a short-term IBWMC, valid for three months, indicating only the D-2 Ballast Water Management method. The certificate should be annotated with text to the effect: “The BWMS is not functional. Prior to any ballast discharge the relevant coastal State must be contacted to discuss contingency measures, guidance on these can be found in IMO Circular [BWM.2/Circ.62](#). The ship has a ballast water exchange method approved to the D-1 standard and the Administrator has no objections to D-1 exchange being used in-lieu of the BWMS, however concurrence from the coastal State must be obtained before this option can be used.”

6.0 Contact

All inquiries regarding information in this MSA should be sent to the Administrator at: technical@register-iri.com.