

Republic of the Marshall Islands

MARITIME ADMINISTRATOR

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MARINE SAFETY ADVISORY No. 14-20

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

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

Date: 24 March 2020

This Marine Safety Advisory (MSA) provides information on handling ship certification and survey challenges due to restrictions imposed as a result of the Coronavirus disease (COVID-19) pandemic. It applies to statutory surveys coming due prior to 01 July 2020. This guidance will be kept under review and updated as necessary. This MSA specifically does not address passenger ships.

1.0 General

- 1.1 The Republic of the Marshall Islands Maritime Administrator (the “Administrator”) recognizes that due to the COVID-19 pandemic there will be difficulties encountered when scheduling docking or repair facilities for statutory survey requirements, necessitating an extension of docking and other surveys. It is also recognized that local quarantine measures may prevent surveyors, superintendents, and technicians from attending ships.
- 1.2 Where the Recognized Organization (RO) considers that there is a reasonable case for force majeure due to COVID-19, the Administrator will favorably consider an application to extend survey windows and allow a ship to continue trading for up to three months. Further extensions are presented later in this MSA. While force majeure may be applicable to all ships, an extension to continue to trade must not be provided to ships which for one reason or another are suspected to be substandard, or ships with unique characteristics where the RO would not facilitate a further extension of trading.
- 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 the Administrator is kept informed about the ongoing status.

This MSA expires one (1) year after its issuance, unless otherwise noted, extended, superseded, or revoked.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. 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 dry-docks and the validity of certificates for up to three months

Notwithstanding force majeure cases already presented in §1.0 of this MSA, for renewal extensions of up to three months please refer to [Technical Circular No. 13](#).

4.0 Extending the period between dry-docks and the validity of certificates for more than three months

- 4.1 For 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 current limit of this extension will be up to six months. This will be kept under review as the result of the efforts to tackle the pandemic become clearer. 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.

- 4.2 The ship's Classification Society (Class) must also be willing to consider the validity of the main Class certificate, since in accordance with International Maritime Organization (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."
- 4.3 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 give consideration to 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.

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 extending certificate renewal and maintain the current D-1 Ballast Water Management option on International Ballast Water Management Certificate (IBWMC). See [Technical Circular No. 13](#).
- 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.