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Marine Guidance (3 / 2021)

Guiding principles for the further extension of the validity of certificate beyond its statutory maximum during the COVID-19 pandemic

Applicable to: Ship Owners, Operators, Managers, Masters, and Officers of Myanmar registered vessels, Recognized Organizations and Port State Control Officer

References:

- (1) IMO Circular Letter No. 4204/Add.19, Guidance for flag States regarding surveys and renewals of certificates during the COVID-19 pandemic
- (2) IMO Circular Letter No. 4204/Add.19/Rev.1, Guidance for flag States regarding surveys and renewals of certificates during the COVID-19 pandemic

Summary

This guidance provides the step-based approach (guiding principles) to the issuance of short-term certificate for further extension beyond three months in the circumstances where it is impossible to conduct survey, inspection or audit.

1. According to the encouragement of the IMO Secretary General to the Flag States, the issuance of short-term certificates or other measures should be limited to specific situations caused by the COVID-19 pandemic and relevant decisions should be made on a case-by-case basis, the Department of Marine Administration (DMA) adopts the Guiding Principles (step-based approach) developed by International Association of Classification Societies (IACS) and circulated as Annex to the IMO Circular Letter No. 4204/Add.19/Rev.1 to be used as a guidance for applicable alternative arrangements when considering whether to permit statutory certificate extension beyond three months.

2. The Recognized Organizations (ROs) to the DMA are required to comply with the following step-based approach stated in said Guiding Principles for decision-making process when deciding to permit the extended operation of the ship beyond statutory maximum (three months):

Step 1: Have all options for completing the survey and renewing the certificates (using all available means permitted by the Administration) been exhausted?

Step 2: For each case of demonstrated exceptional circumstances and/or force majeure, examine the available information on the ship and its history as a means to considering alternative evidence on the condition of the ship in lieu of completing the survey and offering a recommendation to its flag state.

Step 3: Consider how the requirements of the convention and classification rules can be shown to be met in the interim without changing the requirements themselves.

Step 4: Use verification requirements which are based on accepted survey procedures.

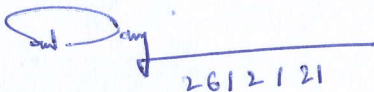
Step 5: Consider alternative evidence for assessing compliance to account for:

- a. Confidence (how accurate a representation of the actual condition is this?)
- b. Durability (i.e. how long can this be considered a valid evidence before revalidation is required?)

Step 6: Concluding with an overall documented evidence on which the extension period and any service restrictions are based

3. The ROs to the DMA may issue the short term certificate with the validity for not more than three months from the extended date of expiry or until the survey or audit or inspection can take place, whichever comes first.

4. The existing Marine Guidance (9/2020) issued on 3rd November 2020 is replaced by this Marine Guidance.



26/2/21

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