



# Technical Circular

No.: 067/2020

Date: 01<sup>st</sup> May 2020

**Subject: Sri Lanka MSN 02/2020-Revised Reg. Guidance on extraordinary measures relating to ship's statutory certificates, seafarer's certification and contract of employment resulting due to COVID-19 pandemic**

1. The Maritime Administration of Sri Lanka, vide Merchant Shipping Notice 02/2020-Revised has adopted following extraordinary measures with respect to ship's statutory certification and the seafarers certificates and contract of employment in view of outbreak of COVID-19 pandemic.
  - A. **Seafarers Certification:** Following measures are applicable to seafarers holding certificates issued by Sri Lankan Administration and who have joined ships prior to 1 march 2020.
    - a. **Certificates of Competency and Certificates of Proficiency** which have expired or will be expiring after 01/05/2020 **will remain valid until 01/10/2020.**
    - b. **Seaman's Book (CDC)** issued by Sri Lanka which have expired or will be expiring after 01/05/2020 **will remain valid until 01/10/2020.**
    - c. **Certificates of Recognition** (Endorsements attesting the recognition of national certificates of competency) which have expired or will be expiring after 01/05/2020 **will remain valid for a maximum period up to 01/10/2020**, or an earlier date as provided by a similar extension issued by the Competent Authorities of the Country which issued the certificate of competency.
    - d. **Medical certificates** issued by the approved medical practitioners of Sri Lanka which have expired or will be expiring after 01/05/2020 **will be granted a general extension of 3 months from the date of expiry.**
    - e. **Contract of Employment of Seafarers** may be extended by another 3 months provided that such extension are agreed by the seafarer voluntary in writing and such extension should also be set out properly in the contract of employment. All extensions shall be communicated to this administration within two weeks of signing.
  - B. **Statutory Surveys:** Following measures are applicable for ship's certificates with date of expiry falling between 01 May 2020 and 01 October 2020.

- a. **Surveys in areas not affected by Covid-19:** Owners/Operators/Managers are to make every effort to carry out surveys/ audits/ inspections of their vessels as early as possible and, if practicable, within the window provided by the relevant International Maritime Conventions at locations and under conditions which will not adversely affect the health of the personnel involved.
- b. **Extension of surveys:** Subject to authorization by the Administration, **an extension of up to 03 months** from the last date of the period of window of the survey may be granted on case by case basis for the annual/ intermediate/ periodic or renewal surveys for all ships' statutory certificates under force majeure. Application for applicable extension of surveys/inspections or validity of statutory certificates are to be submitted to the Administration, before the due date of the surveys or expiry date of the statutory certificates together with an undertaking from the Master of the vessel confirming the satisfactory condition of the vessel.

The extension will cover extending the mandatory drydocking requirements for renewal of statutory certificates and intermediate surveys. Extension of a vessel's dry-docking surveys or annual/ intermediate/ periodic or renewal surveys of statutory certificates will include servicing and calibration of ship's equipment as required by IMO Conventions and the Administration will consider postponement under exceptional circumstance to extend surveys and inspections **for a maximum period of three months**. All reasonable efforts are to be taken by the ship owners and/or operators to ensure that ship's equipment servicing and calibrations are maintained. Administration has authorized ROs to grant an extension of servicing and calibration of equipment on behalf of the Administration.

- c. **Short Term Certificate:** In the event that the authorised RO is unable to attend the vessel to complete a survey or inspection leading to the endorsement or renewal of a relevant certificate, then a short-term certificate may be issued with **validity of not more than 3 months** from the date of expiry of the current certificate or from the last date of the window period in the case of endorsements of certificates. It remains the responsibility of the operator and the Master to ensure that the vessel is maintained and operated in accordance with the statutory requirements for the duration of the short-term certificate.

On expiry of the short-term certificate, or earlier if circumstances permit, a survey or inspection, is to be completed and a new full term certificates issued, aligned with the date of expiry of the previous certificate.

In the case of endorsement for the completion of periodical surveys following remark to be added –

***“Survey completed outside the window as authorized by the flag administration”***

## **C. International Safety Management (ISM) Code and, International Ship and Port Facility Security (ISPS) Code:**

If an auditor cannot attend ISM/ISPS upcoming audits or verifications due before 01 July 2020 due to restrictions imposed as a result of the COVID-19 outbreak, Administration is to be notified and relevant authorization is to be obtained, unless specified otherwise, as below:

### **I. ISM Code:**

- a. Internal Annual ISM Verification:** Authorisation is required for a 3-month extension to the 12-month interval for shore-side (company) and shipboard internal audits. The audit may be postponed for a further 3 months without further authorisation from the Administration. For audits to be carried out during the 3-month extension period, the Administration will accept a remote audit in lieu of a physical audit. No further authorisation to carry out a remote internal audit is required from the Administration. This may also be applied to internal audits which are required to be completed prior to the external verification.
- b. Initial ISM Verification:** Authorisation is required for an extension of the Interim Safety Management Certificate (SMC) with validity for a minimum period required to complete the initial verification and for a period no longer than 3 months.
- c. Intermediate ISM Verification:** Authorisation is required for the issuance of a short- term SMC that is valid for a period of no longer than 3 months.
- d. Renewal ISM Verification:** Authorisation is required for an extension of the SMC for no longer than 3 months.
- e. Document of Compliance Verification:** Authorisation is required for the issuance of a short-term DOC, valid for a period of no longer than 3 months, in the event that a company is unable to complete the necessary verifications due to the current Covid-19 circumstances. Administration accepts a remote audit in lieu of a physical audit.

### **II. ISPS Code:**

- a. Internal Annual ISPS Verification:** Authorisation is required for a 3-month extension to the 12-month interval for shore-side (company) and shipboard internal audits. The audit may be postponed for a further 3 months without further authorisation from the Administration. For audits to be carried out during the 3-month extension period, the Administration accepts a remote audit in lieu of a physical audit. No further authorisation to carry out a

remote internal audit is required from the Administration. This may also be applied to internal audits which are required to be completed prior to the external verification

- b. Initial ISPS Verification:** Authorisation is required for an extension of the Interim Ship Security Certificate (ISSC) with validity for a minimum period required to complete the initial verification and for a period no longer than 3 months
- c. Intermediate ISPS Verification:** Authorisation is required for the issuance of a short- term ISSC with validity of no longer than 3 months.
- d. Renewal ISPS Verification:** Authorisation is required for an extension of the ISSC for no longer than 3 months.

**III. Remote Audits:** The Administration may accept a remote audit in lieu of the onboard audit and DOC audits whenever the RO/RSO confirms that such audits may be carried out by the adopted remote auditing techniques.

- 2. Ship owners/ operators and masters of Sri Lanka flagged ships are advised to be guided by above.
- 3. **This Technical Circular supersedes and revokes our earlier Technical Circular No. 043/2020, dated 06<sup>th</sup> April 2020.**

**Enclosure:** Sri Lanka Merchant Shipping Notice 02/2020-Revised, dated 28 April 2020.

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**MSN 02/2020 – Revised**

28 April 2020

**Notice to: Port State Control Authorities**

**Sri Lankan Ship-Owners, Operators, Managers and Masters**

**Seafarer Recruitment and Placement Service Providers**

**Recognized Organizations**

**Guidance relating to the ships' statutory certificates, certification of seafarers and contract of employment of Seafarers - Extraordinary measures implemented in response to COVID-19 pandemic**

MSN 02/2020 dated 22 March 2020 has outlined the extraordinary measures adopted by the Merchant Shipping Secretariat (MSS) due to COVID-19 outbreak.

In view of the recent developments and uncertainty that have been caused by the pandemic and having assessed the difficulties faced by the seafarers and ship-owners, the Merchant Shipping Secretariat has taken a pragmatic approach which includes following further measures for the force majeure arising due to the COVID-19.

**MSN 02/2020 has been revised with effect from 01 May 2020.**

**1. Seafarers' Certification**

Following measures are applicable to seafarers who are holders of certificates issued by Sri Lanka and who have joined ships prior 01 March 2020.

- a. Certificates of Competency and Certificates of Proficiency** which have expired or will be expiring after 01/05/2020 will remain valid until 01/10/2020.
- b. Seaman's Book (CDC)** issued by Sri Lanka which have expired or will be expiring after 01/05/2020 will remain valid until 01/10/2020.
- c. Certificates of Recognition** (Endorsements attesting the recognition of national certificates of competency) which have expired or will be expiring after 01/05/2020 will remain valid

for a maximum period up to 01/10/2020, or an earlier date as provided by a similar extension issued by the Competent Authorities of the Country which issued the certificate of competency.

- d. **Medical certificates** issued by the approved medical practitioners of Sri Lanka which have expired or will be expiring after 01/05/2020 will be granted a general extension of 3 months from the date of expiry.
- e. **Contract of Employment of Seafarers** may be extended by another 3 months provided that such extension agreed by the seafarer voluntary in writing and such extension should also be set out properly in the contract of employment. All extensions shall be communicated to this administration within two weeks of signing.

Seafarers are not required to apply for any extensions mentioned above.

## 2. Statutory Surveys for Sri Lanka Flagged Vessels

Following measures are applicable for ships' certificates with dates of expiry falling between 01 May 2020 and 01 October 2020.

- a. **Surveys in areas not affected by Covid-19:** Owners/Operators/Managers are expected to make every effort to carry out surveys/ audits/ inspections of their vessels as early as possible and, if practicable, within the window provided by the relevant International Maritime Conventions at locations and under conditions which will not adversely affect the health of the personnel involved.
- b. **Extension of surveys:** Subject to authorization by MSS an extension up to 03 months from the last date of the period of window of the survey may be granted on case by case basis for the annual/ intermediate/ periodic or renewal surveys for all ships' statutory certificates under *force majeure*. Application for applicable extension of surveys/inspections or validity of statutory certificates shall be submitted to MSS, before the due date of the surveys or expiry date of the statutory certificates together with an undertaking from the Master of the vessel confirming the satisfactory condition of the vessel.  
This extension shall cover extending the mandatory drydocking requirements for renewal of statutory certificates and intermediate surveys. Extension of a vessel's dry-docking surveys or annual/ intermediate/ periodic or renewal surveys of statutory certificates shall include servicing and calibration of ship's equipment as required by IMO Conventions and the MSS will consider postponement under exceptional circumstance to extend surveys and inspections for a maximum period of three months. All reasonable efforts should be taken by the ship owners and/or operators to ensure that ship's equipment servicing and

calibrations are maintained. ROs are hereby authorized to grant an extension of servicing and calibration of equipment on behalf of MSS.

- c. **Short Term Certificate:** In the event that the authorised RO is unable to attend the vessel to complete a survey or inspection leading to the endorsement or renewal of a relevant certificate, then a short-term certificate may be issued with validity of not more than 3 months from the date of expiry of the current certificate or from the last date of the window period in the case of endorsements of certificates. It remains the responsibility of the operator and the Master to ensure that the vessel is maintained and operated in accordance with the statutory requirements for the duration of the short-term certificate.

On expiry of the short-term certificate, or earlier if circumstances permit, a survey or inspection, shall be completed and a new full term certificates issued, aligned with the date of expiry of the previous certificate.

In the case of endorsement for the completion of periodical surveys following remark to be added “**Survey completed outside the window as authorized by the flag administration**”

### **3. International Safety Management (ISM) Code and, International Ship and Port Facility Security (ISPS) Code**

If an auditor or inspector cannot attend ISM/ISPS upcoming inspections, audits, or verifications due before 01 July 2020 due to restrictions imposed as a result of the COVID-19 outbreak, a Recognised Organisation (RO) or a Recognised Security Organisation (RSO) shall notify the MSS and obtain relevant authorisation, unless specified otherwise, as below:

#### **ISM Code**

- a. **Internal Annual ISM Verification:** Authorisation is required for a 3-month extension to the 12-month interval for shore-side (company) and shipboard internal audits. The audit may be postponed for a further 3 months without further authorisation from the MSS. For audits to be carried out during the 3-month extension period, the MSS will accept a remote audit in lieu of a physical audit. No further authorisation to carry out a remote internal audit is required from the MSS. This may also be applied to internal audits which are required to be completed prior to the external verification.
- b. **Initial ISM Verification:** Authorisation is required for an extension of the Interim Safety Management Certificate (SMC) with validity for a minimum period required to complete the initial verification and for a period no longer than 3 months.
- c. **Intermediate ISM Verification:** Authorisation is required for the issuance of a short- term SMC that is valid for a period of no longer than 3 months.

- d. **Renewal ISM Verification:** Authorisation is required for an extension of the SMC for no longer than 3 months.
- e. **Document of Compliance Verification:** Authorisation is required for the issuance of a short-term DOC, valid for a period of no longer than 3 months, in the event that a company is unable to complete the necessary verifications due to the current Covid-19 circumstances. MSS will accept a remote audit in lieu of a physical audit. No further authorisation to carry out a remote internal audit is required from the MSS.

### **ISPS Code**

- a. **Internal Annual ISPS Verification:** Authorisation is required for a 3-month extension to the 12-month interval for shore-side (company) and shipboard internal audits. The audit may be postponed for a further 3 months without further authorisation from the MSS. For audits to be carried out during the 3-month extension period, the MSS will accept a remote audit in lieu of a physical audit. No further authorisation to carry out a remote internal audit is required from the MSS. This may also be applied to internal audits which are required to be completed prior to the external verification
- b. **Initial ISPS Verification:** Authorisation is required for an extension of the Interim Ship Security Certificate (ISSC) with validity for a minimum period required to complete the initial verification and for a period no longer than 3 months
- c. **Intermediate ISPS Verification:** Authorisation is required for the issuance of a short- term ISSC with validity of no longer than 3 months.
- d. **Renewal ISPS Verification:** Authorisation is required for an extension of the ISSC for no longer than 3 months.

### **Remote Audits**

The MSS may accept a remote audit in lieu of the onboard audit and DOC audits whenever the RO/RSO confirms that such audits may be carried out by the adopted remote auditing techniques.



#### **4. Guidance for Recognised Organisations**

For statutory certificates issued by an RO, and the issuance of a short-term certificate or an extension as provided on the basis of this MSN, the MSS should be notified as soon as practicable by email to [dmsmos@sltnet.lk](mailto:dmsmos@sltnet.lk).

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