

# REGULATIONS FOR THE ISSUE OF STATUTORY CERTIFICATES

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# REGULATIONS FOR THE ISSUE OF STATUTORY CERTIFICATES

## Chapter 1 GENERAL PROVISIONS

### 1.1 General

**1** NIPPON KAIJI KYOKAI (hereinafter referred to as “the Society”) will, when requested, issue certificates in accordance with currently valid International Conventions or International Codes (hereinafter referred to as “the Conventions, etc.”) for ships classed or intended to be classed with the Society, or installations registered or intended to be registered in the Society, following the provisions specified in these Regulations.

Statutory certificates will be issued by the Society under the authority of the flag state of the ship. When specifically requested, the Society may issue statutory certificates to ships not classed with the Society *mutatis mutandis* in accordance with the provisions of these Regulations.

**2** Notwithstanding the provisions of paragraph **1**, the Society may decide not to issue certificates or may, without prejudice to the powers of the flag state, invalidate certificates issued by the Society and require the shipowner to return them in cases where in the reasonable judgement of the Society a particular circumstance will expose the Society or ships classed with the Society to loss of social credibility or other adverse effects, or such issuance of certificates is considered not appropriate for other reasons. For instance, the following circumstances are included:

- (1) the Society decides such issuance of certificates may expose the Society to sanction, prohibition or restriction imposed by a State, Supranational or International Governmental Organization or may conflict with applicable laws or regulations; or
- (2) the Society suspects the ship or the installations of not being in continued compliance with the Conventions, etc., or not being properly maintained and operated by the shipowner, and subsequently verifies its suspicions through surveys conducted to detect any non-compliance with the Conventions, etc.

## **Chapter 2 CERTIFICATES AND THEIR VALIDITY**

### **2.1 Statutory Certificates**

#### **2.1.1 Definitions**

In these Regulations, “statutory certificates” mean the following certificates including those certificates of compliance required under the Conventions, etc. to be kept on board the ships:

- (1) International Load Line Certificate
- (2) Cargo Ship Safety Construction Certificate
- (3) Cargo Ship Safety Equipment Certificate
- (4) Cargo Ship Safety Radio Certificate
- (5) Cargo Ship Safety Certificate
- (6) Passenger Ship Safety Certificate
- (7) Exemption Certificate
- (8) International Oil Pollution Prevention Certificate
- (9) International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk
- (10) International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk
- (11) International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk
- (12) Certificates in compliance with the International Safety Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code)
  - (a) Document of Compliance (DOC)
  - (b) Safety Management Certificate (SMC)
  - (c) Interim Document of Compliance (Interim DOC)
  - (d) Interim Safety Management Certificate (Interim SMC)
- (13) International Ship Security Certificate (ISSC) and Interim International Ship Security Certificate (Interim ISSC)
- (14) International Sewage Pollution Prevention Certificate
- (15) Certificate of Fitness for Ship Carrying Dangerous Goods
- (16) International Air Pollution Prevention Certificate
- (17) Engine International Air Pollution Prevention Certificate
- (18) International Anti-Fouling System Certificate
- (19) International Energy Efficiency Certificate
- (20) Maritime Labour Certificate (MLC) and Interim Maritime Labour Certificate (Interim MLC)
- (21) Polar Ship Certificate
- (22) International Ballast Water Management Certificate
- (23) Statements of Compliance related to fuel oil consumption reporting

#### **2.1.2 Correlation between Classification of Ships / Registration of Installations and Statutory Certificates**

**1** The statutory certificates, which can be issued for ships classed or intended to be classed with the Society, are as follows:

- (1) International Load Line Certificate
- (2) Cargo Ship Safety Construction Certificate
- (3) International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk
- (4) International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk
- (5) Certificate of Fitness for Ship Carrying Dangerous Goods

**2** The statutory certificates which can be issued for ships that have installations registered or intended to be registered with the Society are to be as follows according to the type of installations:

- (1) Marine Pollution Prevention Installation
  - (a) International Oil Pollution Prevention Certificate

- (b) International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk
- (c) International Sewage Pollution Prevention Certificate
- (d) International Air Pollution Prevention Certificate
- (2) Safety Equipment
  - Cargo Ship Safety Equipment Certificate
- (3) Equipment for Radio Installations
  - Cargo Ship Safety Radio Certificate
- (4) Anti-Fouling Systems on Ships
  - International Anti-Fouling System Certificate
- (5) Ballast Water Management Installations
  - International Ballast Water Management Certificate
- 3** For cargo ships, a Cargo Ship Safety Certificate may be issued as an alternative to the Cargo Ship Safety Construction Certificate, the Cargo Ship Safety Equipment Certificate and the Cargo Ship Safety Radio Certificate issued separately under the provisions of **-1(2)**, **-2(2)** and **-2(3)** respectively.
- 4** A Passenger Ship Safety Certificate may be issued for passenger ships classed with or intended to be classed with the Society or installations registered with or intended to be registered with the Society in connection with safety equipment and radio installations.
- 5** Concerning **-1(2)**, **-2(2)** and **(3)**, **-3**, and **-4**, exemption certificates may be issued as necessary.

## 2.2 Validity of Statutory Certificates

### 2.2.1 Validity

- 1** The validity of statutory certificates is to be as follows according to the kind of statutory certificate, and unless otherwise provided for by the flag state of the ship.
- (1) International Load Line Certificate: *5 years*
  - (2) Cargo Ship Safety Construction Certificate: *5 years*
  - (3) Cargo Ship Safety Equipment Certificate: *5 years*
  - (4) Cargo Ship Safety Radio Certificate: *5 years*
  - (5) Cargo Ship Safety Certificate: *5 years*
  - (6) Passenger Ship Safety Certificate: *1 year*
  - (7) Exemption Certificate: the same as the relevant Convention Certificate
  - (8) International Oil Pollution Prevention Certificate: *5 years*
  - (9) International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk: *5 years*
  - (10) International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk: *5 years*
  - (11) International Certificate of Fitness for the Carriage of Dangerous Liquid Chemicals in Bulk: *5 years*
  - (12) Certificates in compliance with the ISM Code
    - (a) DOC *5 years*
    - (b) SMC *5 years*
    - (c) Interim DOC not longer than *12 months*
    - (d) Interim SMC not longer than *6 months*
  - (13) ISSC and Interim ISSC
    - (a) ISSC: *5 years*
    - (b) Interim ISSC: not longer than *6 months*
  - (14) International Sewage Pollution Prevention Certificate: *5 years*
  - (15) Certificate of Fitness for Ship Carrying Dangerous Goods: *5 years*
  - (16) International Air Pollution Prevention Certificate: *5 years*
  - (17) MLC and Interim MLC
    - (a) MLC: *5 years*
    - (b) Interim MLC: not longer than *6 months*
  - (18) Polar Ship Certificate
    - (a) *5 years* for cargo ships
    - (b) *1 year* for passenger ships

(19) International Ballast Water Management Certificate: 5 years

(20) Statements of Compliance related to fuel oil consumption reporting

(a) Those issued in accordance with *Regulation 6.6 of MARPOL Annex VI*:

1 year and 5 months as a maximum (valid for the calendar year (defined in **1.1.2, Part 8 of the Rules for marine pollution prevention systems** hereinafter the same) in which it is issued and for the first five months of the following calendar year)

(b) Those issued in accordance with *Regulation 6.7 of MARPOL Annex VI*:

2 years and 5 months as a maximum (valid for the calendar year in which it is issued, for the following calendar year, and for the first five months of the subsequent calendar year)

**2** For ships specifically designated by the Society, the Society may extend the validity of statutory certificates in accordance with the provisions of International Conventions, etc. under the direction of the Government of the flag state.

### **2.2.2 Maintenance of Validity**

To maintain the validity of the statutory certificates issued by the Society, specified surveys required by the Conventions, etc. are to be conducted and endorsement by the Society is to be obtained.

## Chapter 3 ISSUE OF STATUTORY CERTIFICATES

### 3.1 Issue of Statutory Certificates

#### 3.1.1 General

1 The builder, owner or master of a ship, who intends to obtain statutory certificates, is to present the Registry Certificate of the ship issued by the Government of the flag state, and submit a written application for the issue thereof to the Society. However, compliance with the Rules for the Audit and Registration of Safety Management Systems is required for the issue of the certificates in compliance with the ISM Code prescribed in **2.1.1(12)**, compliance with the Rules for the Audit and Registration of Ship Security Management Systems is required for the issue of the ISSC and Interim ISSC prescribed in **2.1.1(13)**, compliance with the Rules for Marine Engine Emission Verification is required for the issuance of the Engine International Air Pollution Prevention Certificate prescribed in **2.1.1(17)**, and compliance with the Rules for the Inspection and Registration of Maritime Labour Systems is required for the issuance of the MLC and Interim MLC prescribed in **2.1.1(20)**.

2 The Society may issue a provisional certificate with a maximum validity of five months for the period as deemed necessary, before a full term certificate is issued.

### 3.2 Rewriting of Statutory Certificates

When the descriptions of the statutory certificate are changed, the owner or master of the ship is to present the Registry Certificate of the ship issued by the Government of the flag state at the earliest opportunity, and submit a written application for rewriting the relative certificate to the Society.

### 3.3 Reissue of Statutory Certificates

When the statutory certificate is soiled or lost, the owner or master of the ship is to submit a written application for the reissue of the statutory certificate to obtain replacement thereof in due course.

### 3.4 Endorsement of Statutory Certificates

The owner or master of a ship, who wishes to obtain endorsement for the statutory certificate specified in **2.2.2**, is to submit a written application to the Society for endorsement accompanied by the statutory certificate for which the endorsement is required.

### 3.5 Extension of Validity of Statutory Certificates

The owner or master of a ship, who wishes to extend the validity of the statutory certificate issued by the Society, is to submit a written application to the Society for the extension thereof stating the reasons for the extension.

### 3.6 Returning Statutory Certificates

The owner or master of a ship, who encounters any of the following, is to return the statutory certificate issued by the Society to the Society at the earliest convenience.

- (1) The ship sinks or is scrapped.
- (2) The classification of the ship or the registry of installations concerned is deleted.
- (3) The validity of the statutory certificate is expired.
- (4) The descriptions on the statutory certificate are changed, and a revised certificate is issued.
- (5) The original statutory certificate is found after having a replacement issued in accordance with the provisions of **3.3**. In this case, the original statutory certificate is to be returned to the Society.
- (6) Aside from those stated above, when it is specifically requested by the Society to return the statutory certificate.

## **Chapter 4 FEES AND EXPENSES**

### **4.1 Fees and Expenses**

Fees and expenses will be charged in accordance with the provisions provided separately, in the following cases:

- (1) A statutory certificate is issued.
- (2) A statutory certificate is reissued or rewritten.
- (3) Endorsement is made for a statutory certificate.
- (4) The validity of a statutory certificate is extended.
- (5) The survey specified in **5.1.1** is carried out.
- (6) Apart from the above, when the survey for maintenance of the validity of the statutory certificate is carried out.

## **Chapter 5 MISCELLANEOUS**

### **5.1 General**

#### **5.1.1 Inspection by the Administration of Port State**

When the owner or master of a ship in possession of a statutory certificate issued by the Society is requested by the Administration of the Port State to have the Society inspect the ship, the owner or master is to make an application to the Society at the earliest convenience.

#### **5.1.2 Issue of Certificate of Fitness Relating to the Conventions, etc.**

The provisions of this Regulation apply mutatis mutandis to the following cases irrespective of whether or not the ship is classed with or the installations are registered with the Society, and Certificates of Fitness relating to the Convention, etc. will be issued upon request.

- (1) The ship is one to which the International Convention does not apply.
- (2) The Government of the state in which the ship is registered is a non-member of the International Convention(s).

#### **5.1.3 Exemption under the National Laws and Regulations of a Flag State**

Notwithstanding the provisions of **Chapter 1** to **Chapter 3**, matters prescribed under the National Laws and Regulations of the flag state are to be dealt with in accordance with such laws and regulations.