



MIN 612 (M+F) Amendment 4

Coronavirus (COVID-19) - MCA approach to survey and certification of UK vessels.

Notice to all Surveyors, Recognised Organisations, Certifying Authorities, Authorised Persons, Ship Operators, Ship Owners, Masters, Officers and Crew

*This MIN should be read in conjunction with MIN 622(M+F) and MIN 623(M+F)
This MIN expires 1st June 2021*

Summary

This MIN set out the policy of the MCA with respect to UK Vessels which were prevented from arranging the Surveys, Inspections and Audits required for compliance with the relevant Statutory Instruments due to the ongoing Coronavirus (COVID-19) outbreak.

This MIN has been substantially amended and is issued as amendment 4 to set out the specific provisions of the earlier versions of the MIN which remain in place as the industry transitions to a position where survey, inspection, audit and maintenance activities become feasible as the effects of the COVID-19 Pandemic ease. Reference should be made to Amendment 3 of this MIN for details of the previous arrangements in place. It is important to read this amended MIN in conjunction with MIN 622(M+F) and MIN 623(M+F).

1. Impact of Coronavirus (COVID-19) on the provision of statutory activities

- 1.1 The MCA put in place contingency plans to mitigate disruption to essential statutory activities during the current worldwide Coronavirus pandemic.
- 1.2 The plans acknowledged that UK registered vessels may have found it difficult to arrange the surveys, audits, inspections and servicing activities required under national and international regulations due to a lack of availability of surveyors, a restriction on surveyor travel to reach the port of survey or a local outbreak of coronavirus which increases the risk to health.
- 1.3 From the 23rd March 2020, MCA Surveyors suspended routine survey and inspection activity either domestically or overseas. The relevant Recognised Organisations (RO's) and Certifying Authorities (CA's) developed their own policies on their ability to conduct surveys, inspections and audits as appropriate.



- 1.4 The MCA will be resuming survey, audit and inspection activity, following a risk-based approach, on 20th July 2020. It should be noted that not all activities will recommence on this date.
- 1.5 From the date of issue of this amendment, operators may commence making arrangements in accordance with its content.

2. Arrangement of statutory surveys of internationally trading ships

- 2.1 The MCA has extended the authorisations provided to their RO's for the conduct of Safety Management Certificate and Document of Compliance Audits (SMC and DOC), International Ship Security Certificate Audits (ISSC), Maritime Labour Certificate Inspections (MLC), Safety Construction (SAFCON) and Safety Equipment Certificate Surveys (SEC) on all internationally trading UK cargo vessels to facilitate the engagement of local surveyor resource. This authorisation is irrespective of whether the vessel is engaged on the Alternative Compliance Scheme (ACS) as set out in MGN 568(M) or not. The ACS scheme has been suspended until further notice. These authorisations remain in place until withdrawn.
- 2.2 Ship operators are encouraged to commence making arrangements for the survey/audit/inspection of their vessels by the relevant RO at the earliest opportunity within the window provided by the regulations and, where the operation of the vessel permits, in an area with no or limited instances of infection by coronavirus.
- 2.3 An operator requiring the Audits or surveys set out in section 2.1 should make arrangements for the conduct of the activities directly with the RO if possible.
- 2.4 Interim and Initial Audits will be dealt with on an individual basis by the MCA which may involve the use of local RO auditors.
- 2.5 From the 20th July 2020 it is the intention that audits, surveys and inspections will be conducted as required. Alternative measures for the conduct of surveys may be considered in accordance with the process set out in MIN 622(M+F).
- 2.6 Earlier versions of this MIN provided for measures leading to the issue of a short-term certificate to enable continued operation. Any certificate issued under the terms of earlier amendments of this MIN will remain valid until expiration, subject to continued compliance.
- 2.7 It remains the responsibility of the company and Master to ensure that the vessel is maintained and operated in accordance with the statutory requirements for the duration of any short-term certificate issued under the provisions of earlier versions of this MIN.

3. Routine servicing of Life Saving and Fire Fighting Apparatus

- 3.1 SOLAS III Regulation 20.8.1.1 permits an administration to extend the period of servicing of inflatable liferafts, inflatable lifejackets and Marine Evacuation Systems (MES) to 17 months where servicing at the required interval is impracticable. The MCA recognised that servicing facilities were restricted due to the COVID-19 outbreak and therefore, subject to an onboard inspection by the Master, the MCA was content to extend the servicing of inflatable liferafts, inflatable lifejackets and MES to 17 months but not later than six months from 21 March 2020 (i.e. 21 September 2020). Where operators took advantage of this allowance the policy remains in place however, extensions required from 20 July 2020 onwards must be agreed by the MCA on a case-by-case basis according to the process in place prior to the pandemic.
- 3.2 SOLAS III Regulation 20.8.2 requires the rotational deployment of MES in conjunction with the servicing required by regulation 20.8.1. The MCA is content for the period of a scheduled



rotational deployment to be extended in line with the servicing schedule set out in section 3.1, above.

- 3.3 Routine on-board inspections of Life Saving Apparatus should continue as normal on equipment subject to the above extensions.
- 3.4 The routine on-board inspection and maintenance of Fire-Fighting Apparatus should continue in line with MSC.1/Circ.1432. Where servicing of equipment by an external service provider was required but the provider was unable to attend the vessel for matters associated with COVID-19 the MCA were content for such servicing to be postponed by up to three months provided that on-board inspections did not identify any defects. A record of any postponement should be retained on board. The MCA is content to recognise the deferrals put in place under this policy until the three month period ends but from 20 July 2020 any required servicing should be completed as scheduled unless agreed on a case-by-case basis with the relevant MCA Marine Office.

4. Dry-docking and In-Water Surveys

- 4.1 The MCA recognised that the COVID-19 outbreak impacted the ability of operators to complete the dry-docking, or in-water surveys, required under the relevant IMO Conventions.
- 4.2 MIN 622(M+F) sets out the process to be followed for the use of alternative measures to credit for surveys as necessary.

5. Servicing, Testing and Calibration of Equipment

Where equipment on board a vessel was required to be serviced or calibrated through an external service provider every effort should have been made to ensure such activity was completed within the required period. The MCA accepted that the restrictions being placed on industry as the result of the COVID-19 outbreak may have resulted in operators being unable to secure the services of external providers and put in place an extension to the service period limited to three months. The MCA is content to recognise the deferrals put in place under this policy until the three month period ends but from 20 July 2020 onwards any required servicing should be completed as scheduled unless agreed on a case-by-case basis with the relevant MCA Marine Office.

6. Internal audit requirements

- 6.1 Section 12.1 of the ISM Code requires that the Company carry out internal safety audits on board and ashore at intervals not exceeding twelve months to verify whether safety and pollution-prevention activities comply with the safety management system. In exceptional circumstances, this interval may be exceeded by not more than three months.
- 6.2 The MCA accepts that the current situation clearly meets the definition of exceptional circumstances and will accept deferral of the next scheduled internal audits required by section 12.1 of the ISM Code by up to no more than 15 months from the date of the previous internal audit without a requirement for approval by the MCA to do so. The requirement for internal audit during an interim period will be dealt with on a case by case basis.



7. Documents of Compliance (DOC)

- 7.1 Where an operator requires an audit of their Safety Management System for the endorsement or renewal of the Document of Compliance required by Part B, Section 13 of the ISM Code the company should engage with the MCA at the earliest opportunity to arrange for the audit to be undertaken, noting that the MCA are trialling the conduct of remote DOC audits. In exceptional cases, should neither the MCA, an RO acting under their authorisation from the MCA nor another contracting government be able to complete the required audit, consideration will be given in exceptional cases to issuing a short term DOC for a period not exceeding three months on the basis of a declaration by the Designated Person that the Safety Management System remains in full compliance with the requirements of the ISM Code.

8. Vessels Laying-Up

- 8.1 An operator considering laying their vessel up during the outbreak of COVID-19 should contact the MCA for guidance on the requirements regarding survey, audit and inspection during this period.
- 8.2 Operators laying their vessels up overseas should co-ordinate with their Customer Service Manager or designated MCA contact as appropriate regarding the requirements and co-ordination with the local authorities.

9. Port State Control

- 9.1 The arrangements set out in this MIN and associated documents are intended to provide a pragmatic framework to permit the continued operation of UK registered vessels during the current period of disruption caused by the COVID-19 outbreak. The allowances set out in the MIN, specifically in the extension of survey periods, are not expressly permitted under the relevant conventions.
- 9.2 Some Port State Control Authorities have already issued guidance on the acceptability of delaying periods for surveys, inspections and audits, etc. in a pragmatic and harmonised manner however operators taking advantage of the MCA guidance should be aware that non-compliance with fundamental aspects of the relevant conventions may lead to control action being imposed by an attending Port State Control Officer.
- 9.3 Should Port State Control action be taken during an inspection of a UK Registered ship, the MCA should be informed without delay to allow the Agency to engage with the Port State Control authority directly.

10. Other Vessel Operations

- 10.1 Other operators within the UK have been following a similar framework as provided for internationally trading large vessels. Operators are strongly advised to consult MIN 623(M+F) for details of the MCA policy in place from 20 July 2020.
- 10.2 Where equipment on board a vessel was required to be serviced or calibrated through an external service provider every effort should have been made to ensure such activity was completed within the required period. The MCA accepted that the restrictions being placed on industry as the result of the COVID-19 outbreak may have resulted in operators being unable to secure the services of external providers and put in place a limited extension to the service period. The MCA is content to recognise the deferrals put in place under this policy until the three month period allowed for



ends but from 20 July 2020 onwards any required servicing should be completed as scheduled unless agreed on a case-by-case basis with the relevant MCA Marine Office.

10.3 Routine on-board inspections of safety equipment should continue as normal.

10.4 Vessels may have been laid-up during the period of the COVID-19 Pandemic. When re-entry into service is planned the circumstances will dictate whether a survey can be completed leading to the issue of a full-term certificate or the endorsement of the current certificate endorsed, maintaining the original expiration date. Operators should consult MIN 623(M+F) and their local MCA Marine Office for details of the requirements.

10.5 Domestic Passenger Vessels

10.5.1 The requirements for Domestic Passenger Vessels are set out in detail within MIN 623(M+F).

10.6 Operators of vessels certified under the MCA Small Commercial Vessel Codes of Practice:

10.6.1 The requirements for Small Commercial Vessels are set out in detail within MIN 623(M+F).

10.7 Operators of UK Fishing vessels:

10.7.1 The requirements for UK Fishing Vessels are set out in detail within MIN 623(M+F).

10.7.2 Where under the previous amendments to this MIN, the MCA waived the requirements for a declaration by an organisation authorised or recognised by the Secretary of State on completion of the Radio Survey, the MCA will continue to accept this waiver only in respect of short-term certificates issued. For surveys completed after 20th July 2020 under the terms of MIN 623(M+F) the relevant survey should be completed.

10.7.3 It remains the responsibility of the company and Master to ensure that the vessel is maintained and operated in accordance with the statutory requirements for the duration of the short-term certificate.

11. Recommencement of services

11.1 As the industry starts to move towards a phased return to operation, the measures set out in MIN 623(M+F) provide a route to facilitate that return.

11.2 It is expected that all shipping operations will be conducted in accordance with the prevailing government guidance on the mitigation of COVID-19 risks appropriate to the area of operations, the responsibility for the risk mitigations lies with the operator. Such measures should be incorporated in the Domestic Safety Management system, International Safety Management system or operational procedures as appropriate.



12. Review and update of guidance during the COVID-19 outbreak.

- 12.1 The MCA will remain operational to support operators during the COVID-19 outbreak through its network of Marine Offices and HQ Branches utilising the Business Continuity plans in place as individual sites are affected.
- 12.2 Guidance and information to follow in the event of COVID-19 outbreak impacting UK seafarer services is contained in MIN 611(M+F) and associated guidance on the GOV.UK website.
- 12.3 The outbreak of COVID-19 currently affecting the majority of countries around the world is fast-moving and the dynamic nature of the response to it by national governments is such that the contents of this MIN and associated guidance on GOV.UK will by necessity be continuously reviewed and new revisions published as the situation changes. Operators should ensure that they reference the most recent version when planning for future activities.

13. Tonnage Measurement.

- 13.1 The tonnage regulations require the physical measurement of a vessel for the calculation of tonnage required for registration. In light of the difficulties in arranging surveys for this measurement to take place and to facilitate registration, the MCA issued a general exemption which permitted, under certain conditions, the assessment of tonnage remotely.
- 13.2 From 20 July 2020 the General Exemption provided is withdrawn.
- 13.3 Vessels measured under the terms of the General Exemption must, under the terms of that exemption, complete a formal measurement by a surveyor or authorised measurer at the earliest opportunity and a new Tonnage Certificate issued as necessary.
- 13.4 The withdrawn General Exemption is provided in Annex A for reference only

14. Application and Fees.

- 14.1 Fees for the activities of the MCA will be charged at the standard rate set out in the Fees Regulations. Application for services, where required, should be made to the local MCA Marine Office.

15. Guidance for Recognised Organisations and Certifying Authorities.

- 15.1 For statutory certificates issued by an RO or CA, they were empowered to issue a short-term certificate for a period of validity not exceeding three months from the date of expiration of the current certificate or closure of the survey window, without the relevant survey, audit or inspection being carried out on board following the principles set out in this MIN. The RO or CA as appropriate should retain a copy of the declaration received and the certificate issued for provision to the MCA if required. Limited extensions to short-term certificates may, however, be considered on a short-term basis where the delivery of a service is directly affected by the COVID-19 Pandemic, for example where a local lock-down is imposed by central Government.
- 15.2 A short-term certificate issued under the terms of this MIN may be transmitted in electronic format to the vessel for presentation to officials as required.



More Information

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telephone numbers are correct at time of publishing

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GENERAL EXEMPTION

The Secretary of State, in exercise of his powers under Section 85(6) of the Merchant Shipping Act 1995 hereby exempts:

All vessels wishing to become UK Registered

From the requirements of:

- a) Regulation 4(1) of Part II of The Merchant Shipping (Tonnage) Regulations (SI1997 No1510) as amended, which requires a United Kingdom ship of 24m in length and over to be measured by a surveyor.
- b) Regulation 12B of Part IIa of The Merchant Shipping (Tonnage) Regulations (SI1997 No1510) as amended, which requires Fishing Vessels of 15metres or more in length overall but less than 24metres in length to be measured by an authorised measurer.
- c) Regulation 14(1) of Part III The Merchant Shipping (Tonnage) Regulations (SI1997 No1510) as amended, which requires United Kingdom ships of less than 24metres in length, other than fishing vessels to be measured by a surveyor or by a measurer appointed by an organisation authorised by the Secretary of State.
- d) Regulation 3 of The Merchant Shipping (Fishing Vessels Tonnage) Regulations (SI1988 No1909) as amended, which requires a Fishing Vessel of less than 24metres, where part VI A of the Merchant Shipping (Tonnage) Regulations 1997 does not apply, to be measured by an Authorised Measurer.

Recognising the serious nature of Coronavirus (COVID-19), the restrictions it is placing on the movement of personnel and availability of Surveyors or Authorised Measurers, the MSA will permit the issuance of a Tonnage Certificate without the subject vessel being physically measured.

Calculations and measurements are to be completed as per the relevant regulations and are acceptable when obtained from the following:

1. A sister vessel of a series build which is in possession of an existing Tonnage Certificate, issued on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland.
2. Measurements taken from drawings of the vessel.

On the condition that at the earliest opportunity the vessel is formally measured. Should the measurement result in a variation of tonnage greater the 2% the tonnage certification should be re-issued.



This general exemption should be attached to any tonnage certificate issued under the exemption granted by it.

This exemption, which may be modified or revoked at any time, shall otherwise remain valid until:

23rd March 2021

Issued, dated this 24th day of March 2020.

A handwritten signature in blue ink, appearing to read 'Katy Ware', written in a cursive style.

Katy Ware
Director of Maritime Safety and Standards
for the Secretary of State

