

Isle of Man Ship Registry Technical Advisory Notice

COVID-19 - Advice to Ship Operators

Ref. 002-20 (Rev.5)
Issued 23 Sep 2020

1. Introduction

Please be aware as the COVID-19 pandemic continues this TAN will be updated with the latest information from the Ship Registry. Revision 4 has been issued on 19th June 2020.

The Isle of Man Ship Registry wishes to provide updated guidance on disruption caused by COVID-19. The ongoing situation will continue to be monitored and the advice will be updated as required.

2. General Guidance

Information on COVID-19 relevant to the maritime industry can be found on the following websites:

[International Maritime Organisation](#)
[International Maritime Health Association](#)
[World Health Organisation](#)
[International Chamber of Shipping](#)
[International Labour Office](#)

Specific guidance for ship operators for the protection of the health of seafarers is available in various IMO Circular Letters which are being regularly updated, the latest versions are available on the [International Maritime Organisation's website](#).

3. Seafarer's Certification and Minimum Safe Manning

3.1 Seafarer's Certification

If the following documents are expiring or have expired and are unable to be renewed as a result of issues relating to COVID-19, the following course of action should be taken:

- a) STCW Certificate of Competency (CoC)
Seafarers are advised to contact their CoC issuing Authority requesting an extension to their existing CoC.
- b) STCW Basic Refresher Training
The general requirements for refresher training are noted in [TAN 001-16](#). Where seafarers are unable to complete the refresher training required by STCW due to COVID-19 related disruption and their Certificate of Proficiency has lapsed, seafarers should contact the administration under who's authority the certificate is issued to request an extension. Any such extension will be considered valid for service on Isle of Man-registered vessels.
- c) Isle of Man (Flag State) Endorsement
The Ship Registry will issue a Flag State Endorsement to CoCs that have been extended by their CoC issuing Authority with the new expiry date as stated on the CoC. The application for the Endorsement should be submitted using the normal procedure



stated in [MSN 051](#). The Ship Registry will waive the fee for the Endorsement if evidence is included with the application that the extension is as a result of issues related to COVID-19.

d) Medical certificate

If a medical certificate expires whilst the seafarer is at sea, the certificate is allowed to remain in force until the next port of call where the seafarer can obtain a medical certificate from a qualified medical practitioner. This is permitted for up to 3 months and there is no requirement to contact the Ship Registry. If the period will exceed 3 months, please contact the Ship Registry to obtain our agreement, together with evidence that the seafarer was unable to arrange a medical.

If a seafarer is urgently required to join a ship with an expired medical certificate, the Ship Registry must be contacted to request permission. The procedure for this is stated in [MLN 1.2](#).

3.2 Issues that affect the ship's Minimum Safe Manning Document (MSMD)

If a seafarer is unable to join a ship or has to leave a ship because of COVID-19 and this affects the ship's MSMD, the Ship Registry must be contacted to request permission to sail with fewer seafarers than stated in the MSMD. The Ship Registry will make an assessment of the vessel's manning levels and permission may be given for the ship to sail with a temporary dispensation from the minimum manning levels.

4. MLC Implications

4.1 Financial Security

Under the Maritime Labour Convention 2006, seafarers are required to have coverage for medical care (Standard 4.1), repatriation (Standard A2.5.2) and contractual claims for sickness and injury (Standard A.4.2.1). Shipowners are urged to check with their providers that their insurance or financial security covers seafarers for COVID-19 related issues and extend their coverage if necessary.

4.2 SEA Extensions

The Ship Registry is aware that travel restrictions related to COVID-19 are disrupting scheduled crew changes. In some cases, it may be necessary to extend SEAs of the current crew, however this should only be done as a last resort. For instance, if repatriation is not possible through scheduled ports of call, consideration should be given to divert the ship to a port where repatriation is possible.

If seafarers cannot be repatriated, SEAs can be extended without contacting the Ship Registry provided the following criteria are met:

- The extension of the SEA is mutually agreed after consultation between the shipowner, the seafarer and relevant seafarer's organisations (if applicable);
- It is documented by way of a new SEA or addendum to the current SEA, signed by both parties; and
- The service period does not exceed a period of 12 months minus the seafarer's annual leave entitlement (or any alternative limit prescribed by an applicable CBA)

If any of the above criteria cannot be met then the Shipowner should prepare a repatriation plan, which addresses at least the following matters:



- Arrangements being explored/made for repatriation at the earliest opportunity and how these will be communicated to the seafarers concerned on an ongoing basis
- The views of the seafarers concerned
- Measures for the assessment of crew fatigue, stress or other mental health difficulties and mitigation measures
- Measures to support the general wellbeing of the affected seafarers such as increased internet connectivity to contact friends/family

Once this has been completed the Ship Registry should be contacted to inform us that the maximum service period (12 months minus annual leave entitlement) has been exceeded but the vessel has in place a repatriation plan, as per the above, that will be adhered to.

When an SEA has been extended in line with the above criteria, the Shipowner shall ensure that the seafarer is repatriated at the earliest opportunity, even if this is part way through the extension period. At all times the Shipowner shall keep seafarers informed of the reasons for deferral of repatriation and alternative arrangements being made.

Any seafarers who have been onboard beyond the maximum service period should be prioritised for repatriation.

4.3 Quarantine/Self-isolation

All seafarers should follow the guidance from the relevant health authorities concerning quarantine and self-isolation. If a situation requiring quarantine or self-isolation arises whilst the seafarer is in the service of the ship, it shall be counted as part of their service period. This applies whether the seafarer is required to be quarantined/isolated on board the vessel or ashore.

If a seafarer is quarantined during their travel to or from the ship, this shall also count as part of their service period. If a seafarer is required to isolate at home after repatriation, this shall not be counted as part of the service period.

4.4 Seafarer's Health & Safety

Under Regulation 4.1 of MLC, Seafarers shall be covered by adequate measures for the protection of their health. In the context of COVID-19, this must be considered to include the provision of items such as hand sanitiser and personal protective equipment such as face masks and gloves. The shipowner should also provide information on how seafarers can limit their possible exposure to COVID-19 and reduce it's spread.

Where a case of COVID-19 is suspected to have occurred on board a vessel, Seafarers must have access to prompt and adequate medical care whether that be on board or ashore. Shipowners should also refer to [World Health Organisation guidelines](#) on managing Covid-19 outbreaks on board ships.

4.5 Recruitment and Placement Services

This section applies to Recruitment & Placement Service providers who are registered with the Isle of Man Ship Registry. Due to difficulties in attending the offices of licence holders, the Isle of Man Ship Registry will have extended the due date of all inspections due to take place before 30th September 2020 to 1st November 2020.



5. Survey & Certification

The following section applies to disruption caused to statutory surveys or audits as a result of COVID-19. This may be because an IOM or RO surveyor is unable to attend a vessel due to travel restrictions or issues with the availability of dry-dock facilities.

5.1 Delay in RO Statutory Surveys/Audits

In the event that an RO is unable to undertake a statutory survey or audit, the RO concerned shall submit to the Ship Registry an application for the extension of surveys, inspections or audits and/or the validity of statutory certificates accompanied by a recommendation of the course of action to be followed. All reasonable requests will be looked on favourably and the issuance of short term certification will be authorised on a case-by-case basis.

5.2 Delay in Dry Docking

The Ship Registry will also look favourably on requests for the extension of a vessel's dry docking, or servicing of critical equipment as required under the respective IMO Conventions. In all cases such applications should be supported by the vessel's RO and shall include the reasons and evidence why the vessel is unable to comply. It is strongly advised that owners and managers submit such applications to the RO before the due date of the surveys/audits or expiry date of the statutory certificate in order to avoid port State control issues.

5.3 Delay in Isle of Man General Inspections (GIs)

Where a GI is due and an IOM surveyor is unable to attend, the Ship Registry will issue an exemption on a case-by-case basis with a suitable time scale.

5.4 Delay in IOM Statutory surveys on Large Commercial Yachts

This applies in cases where the Ship Registry undertakes statutory surveys on large yachts i.e. for ISPS, ISM, MLC and REG Yacht Code Compliance surveys.

The Company or yacht should continue to contact the Ship Registry in good time to request an attendance within the survey/audit window. If we are unable to attend we will look favourably at issuing short term certification on a case-by-case basis with a suitable time scale.

5.5 Internal ISM Audits

If a Company is unable to undertake internal ISM audits within 12 months, this period can be extended to 15 months and there is no requirement to inform this office. Beyond 15 months please contact this office and on a case-by-case basis, we will look favourably on issuing an agreement to extend the period beyond 15 months.

However, as the COVID-19 pandemic continues the Ship Registry will now permit remote internal ISM audits (including ISPS/MLC as necessary) to be completed in lieu of physical internal audits. A remote audit will be considered to have replaced a physical audit in order to maintain the internal audit cycle.

There is no requirement to advise the Ship Registry that a remote audit is taking place, nor for the company's internal audit procedures to be verified by this office. Instead, this will be verified at the ship's next external ISM audit and/or Flag State General Inspection to ensure all parts of the ISM Code part A section 12 are followed.

Remote audits will only be permitted during the COVID-19 Pandemic, once this is over physical internal audits will resume.



5.6 Isle of Man Ship Registry Pre-registration surveys

The Company shall advise the Ship Registry as soon as the date and location for the pre-registration survey is known and we will consider whether attendance is possible. If it is not, we will determine either that the pre-registration survey is postponed. Alternatively we will attend the vessel at a mutually agreed location, for an initial general inspection after the registration on a case-by-case basis.

6. Frequently Asked Questions

Q. We wish to lay up a vessel due to reduced trade during the Covid-19 outbreak. What are the MLC implications of this?

A. If the seafarer's employment is terminated then it must be done in accordance with the provisions of MLC. This includes (but is not limited to), the appropriate notice period, payment for annual leave accrued but not taken and repatriation. Please contact our Survey Department to discuss any survey and certification issues.

Q. A seafarer's SEA states that all leave must be taken in the year in which it is accrued, however due to travel disruption they are unable to leave the vessel on their scheduled date and therefore cannot take their annual leave within that year. What happens to their annual leave?

The seafarer's annual leave entitlement should not be lost and should be taken at a mutually agreeable time and place. If the seafarer is beyond the maximum service period stated in MLC, then they must be allowed to take their accrued leave at the earliest opportunity.

Q. A seafarer has signed an SEA which is scheduled to commence on a specified date. Due to travel restrictions, the seafarer is unable to travel to the vessel to fulfil their duties. How should the period between their scheduled start date and actual start be dealt with?

A. The Isle of Man Ship Registry can only enforce the provisions of MLC and unfortunately such a situation is not covered by MLC. We would recommend taking legal advice this matter.

Q. A seafarer has requested to leave the vessel early in order to care for their family during the Covid-19 outbreak. What are the shipowner's obligations?

A. MLC allows the employment relationship to be terminated without penalty for compassionate reasons. The Shipowner should consider the specifics of such a request to see whether this would be appropriate.

Please note - The Isle of Man Ship Registry cannot give legal advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.

