



REPUBLIC OF THE UNION OF MYANMAR
MINISTRY OF TRANSPORT AND COMMUNICATIONS
DEPARTMENT OF MARINE ADMINISTRATION

NO. 363/421, CORNER OF MERCHANT & THEINBYU ROAD,
BOTATAUNG TOWNSHIP, YANGON, MYANMAR

P.O. BOX 194, Fax: +95 1 397641

E-mail: dma.myan@gmail.com
dgdma@myanmar.com.mm

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Marine Guidance (1 / 2018)

USE OF ELECTRONIC CERTIFICATES ON BOARD SHIPS FLYING THE FLAG OF MYANMAR

To: Shipowners, Ship managers and Operators of Myanmar Flagged Ships, Recognized Organizations, Surveyors, FSIs and PSCOs.

Summary

This document serves to issue guidance for the use of electronic certificates on board ships flying the flag of Myanmar.

1. With the aim to reduce the administrative burden on Administrations, port State control officials, ships' crew and other stakeholders caused by, amongst other reasons, the reliance on traditional paper certificates, the Facilitation Committee (FAL) of the International Maritime Organization (IMO), at its fortieth session approved the Guidelines for the use of electronic certificates (FAL.5/ Circ.39/ Rev.2) that provide guidance to facilitate the use and acceptance of electronic certificates.
2. DMA has realized the advantages of electronic certificates such as faster delivery on board, ease to manage, reduced risk of loss and damage and further to prevent falsification of statutory certificates,. Recognized Organizations (ROs) acting on behalf of DMA to conduct survey and certification of Myanmar flagged ships are encouraged to develop such capabilities. DMA has decided to permit issuance of electronic statutory certificates to Myanmar flagged ships by the ROs under certain conditions detailed in this guidance. In this regard, ROs issuing statutory certificates to Myanmar flagged ships on behalf of DMA are authorized and encouraged to develop capabilities to issue electronic version of the statutory certificates to replace the traditional paper statutory certificates.
3.
 - (a) This guidance is applicable only to Statutory Certificates issued by ROs to Cargo ships on behalf of the DMA.
 - (b) This Guidance is applicable to the categories of statutory certificates detailed in IMO Circular FAL.2/Circ.131MEPC.1/Ckc.873MSC.1/Circ.1586 LEc.2/Citc.3 dated 19 July 2017, as amended "List of Certificates and Documents required to be carried on board ships, 2017"
 - (c) The ROs are thus permitted to issue only those Statutory Certificates (detailed in Sub-paragraph (a) & (b) above) for which they are respectively authorized for, as per the authorization granted by DMA via valid RO agreement.
4. The electronic statutory certificates issued by ROs to Myanmar flagged ships shall comply with FAL.5/Circ.39/Rev.2 which contains the following features:
 - (a) validity and consistency with the format and content required by the relevant international convention or instrument as applicable;

- (b) protected from edits, modifications or revisions other than those authorized by the issuer or the DMA;
- (c) a unique tracking number for verification. Unique tracking number means a string of numbers, letters or symbols used as an identifier to distinguish an electronic certificate issued by a RO from any other electronic certificate issued by the same RO;
- (d) reliably and securely verifiable through a conveniently accessible and continuously available platform; and
- (e) a printable and visible symbol that confirms the source of issuance.

5. Electronic signatures applied to electronic certificates shall meet authentication standards equivalent to the Myanmar Electronic Transactions Law, 2004 as amended.

6. The electronic statutory certificates issued by ROs in accordance to FAL.5/Circ.39/Rev.2 for ships flying the flag of Myanmar shall be deemed valid in accordance with all applicable international instruments that Myanmar is a party to. In addition, the RO must provide clear and simple instructions for any party who may wish to verify the validity and authenticity of the electronic statutory certificates. Notwithstanding the compliance with requirements under DMA Myanmar, owners of Myanmar flagged ships should still continue to exercise the necessary due diligence to address any entry and clearance requirements that are specific to each foreign ports that the ship calls at.

7. Owner of Myanmar flagged ship who wishes to be issued with electronic certificates should approach the respective RO to enquire if they were ready to issue the electronic certificates and to confirm the suitability of ship to replace the traditional paper certificates with electronic versions. Upon confirmation by the RO, a letter on the use of electronic certificates will be issued by DMA to the ship stating approval for the ship to be issued with electronic certificates in-lieu of traditional paper certificates. This approval letter is to be placed on board the ship as an additional measure to facilitate acceptance by other port authorities.

8. Note:

- (a) At present, only Cargo Ship Statutory Certificates issued by RO on behalf of DMA Myanmar are being permitted to be issued in an electronic form at shipowner/operator option.
- (b) Statutory Certificates issued by DMA Myanmar shall at present continue to be in signed paper form.
- (c) Shipowners and operators of Myanmar Flagged ships who intend to carry and use electronic certificates shall ensure that these certificates are controlled through the safety management system, as described in section 11 of the International Safety Management Code.



Director General
Department of Marine Administration