



**REPUBLIC OF
THE MARSHALL ISLANDS**
MARITIME ADMINISTRATOR

Marine Notice

No. 1-000-4

Rev. 6/15

TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS

SUBJECT: Maritime Administrator Policy, Goals and Measures Used Toward the Effective and Efficient Implementation of Mandatory IMO Instruments in Accordance with the Republic of the Marshall Islands Statement of Policy for the Marshall Islands Maritime Program

- References:**
- (a) IMO Resolution [A.973\(24\)](#), “Code for the Implementation of Mandatory IMO Instruments”
 - (b) IMO Resolution [A.974\(24\)](#), “Framework for the Voluntary IMO Member State Audit”
 - (c) IMO Resolution [A.1018\(26\)](#), “Further Development of the Voluntary IMO Member State Audit Scheme”
 - (d) RMI Maritime Act, 1990, as amended, ([MI-107](#))
 - (e) RMI Maritime Regulations, as amended, ([MI-108](#))
 - (f) RMI Vessel Registration and Mortgage Recording Procedures, as amended, ([MI-100](#))
 - (g) RMI [MI-300](#)

PURPOSE:

This Notice documents and promulgates the Republic of the Marshall Islands (RMI) Maritime Administrator’s (the “Administrator”) policies, goals and measures used in keeping with the requirements of section 102, “Statement of Policy,” of the RMI [Maritime Act](#) 1990, as amended (the “[Maritime Act](#)”) as it relates to the implementation and enforcement of IMO Resolution [A.973\(24\)](#), reference (a) above. These policies, goals and measures are intended, and shall be construed, to encourage and foster the growth and development of foreign and domestic commerce; to promote and protect the national defense and security of the RMI to preserve and protect the marine environment; and to regulate a uniform national program of marine safety, inspection, security and documentation.¹

This Notice supersedes Rev. 11/13 and reflects the updating of section 12 and the hyperlinking of referenced documents throughout where possible.

¹ RMI Maritime Act 1990, Chapter 1, Part I, § 102.

BACKGROUND:

1. The RMI is a sovereign nation that is a full member of the United Nations (UN), since 1991, and its maritime agency, the International Maritime Organization (IMO), since 1998. The RMI is a Party to the conventions, cited in reference (a), which pertain to maritime safety, security, and marine environmental protection. The RMI is an active participant in the deliberations of the IMO and is one of the original sponsors of the concept of the Member State Audit Scheme, reference (b) above. The RMI has fully delegated the responsibility and authority for the implementation of flag State functions detailed by reference (a) above to the Trust Company of the Marshall Islands, Inc. (TCMI) as the RMI Maritime Administrator². By virtue of this delegation, the Administrator is responsible for the development of policy, goals and measures to be taken for the implementation, enforcement and performance measurement of the Statement of Policy.
2. Pursuant to section 155 of the [Maritime Act](#), the international conventions and agreements to which the RMI is or may become a state Party, shall be complied with by all vessels documented under the laws of the RMI which are engaged in foreign trade and, to the extent determined applicable, to domestic watercraft as defined in Chapter 9 of the [Maritime Act](#), fishing vessels and yachts. The international conventions and agreements listed in 9.1 of this Notice shall have full effect as if specifically enacted by statute and set forth in the [Maritime Act](#), and thus, shall have the force of law.³
3. For the information of Owners, Operators and Masters, the Administrator causes to be published periodically through Marine Notice No. [2-011-1](#) a list of the national standards established by the Administrator, as well as a list of all applicable international treaties, conventions, protocols, codes, regulations and agreements, which have or shall come into force and to which the RMI is or shall become a Party or has declared a national standard.

POLICY FOR THE ACHIEVEMENT OF THE STATEMENT OF POLICY

4. The Administrator is committed to providing the highest quality ship registry and flag State administration found anywhere in the world. The premise of this commitment is the Administrator's understanding of the need to balance timely and effective compliance with the provisions of the United Nations Convention on the Law of the Sea (UNCLOS), all international conventions, regulations, procedures and practices contained in IMO instruments, and other mandatory instruments to which the RMI is a Party, with the professional knowledge of, and pragmatic appreciation for, the complexities of conducting international trade in today's world without unnecessary interference.
5. Shipowners and operators in today's international marine transportation industry require a flag State administration that:
 - Provides an established and efficient administration of the registration process for ships that is compatible with the operation of their vessels;

2 RMI Maritime Regulations, Chapter 1, § 1.01.1.

3 RMI Maritime Act 1990, Chapter 1, Part V, § 155.

- Provides a respected regulatory atmosphere regarding safety, security, and marine environmental protection;
- Maintains a registry consisting of vessels and seafarers meeting international standards, owned and operated by quality minded owners and ship managers;
- Will never knowingly compromise the safety and security of passengers, crews, ships or cargos; and
- Is capable and willing to act decisively and responsively whenever or wherever necessary.

6. Shipowners require competence, respectability, convenience, and quality service. The Administrator, through its certified Quality Management System, dedicates its work with shipowners, operators, professional mariners, recognized organizations, and appropriate flag State, port State, and contracting government officials toward reaching equitable solutions and timely responses to all enquiries and situations. Ways to improve upon the RMI Maritime Program and services as changes occur in the industry and regulatory arena are always being sought. Timely distribution of safety, security and environmental information in this regard is a top priority for the Administrator.

7. The Administrator's Maritime Services Group, its associates, Recognized Organizations (ROs), and Appointed Representatives (ARs) are held accountable for their actions at all times. Likewise, it is expected that shipowners and managers of ships entitled to fly the RMI flag shall maintain the high standards established by the Administrator through its legislation and regulations and the international conventions to which the RMI is a Party.

8. It is the mission of the Administrator that highly regarded professional support of these policies be maintained for the benefit of all it serves. When services are readily available and acceptable vessel operations are not interrupted or disturbed, all concerned benefit. The Administration shall continue to strive toward serving this mission through the following goals to conform to the policies for the achievement of the purposes of this Statement of Policy.

GOALS TO CONFORM TO POLICY

9. The goals of the Administration as a flag State to conform to policies for the achievement of the purposes of this Statement of Policy, as they relate to reference (a), are broad in nature and have required specific implementation measures to be used that are detailed below.

9.1 Goal 1 – The effective and efficient implementation and enforcement of the following international conventions:

- .1 the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS 1974), accession 1988;
- .2 the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS PROT 1978), accession 1988;
- .3 the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS PROT 1988), accession 1995;

- .4 the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended (MARPOL 73/78), accession 1988, Annexes I through V signatory 1988;
 - .5 the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL PROT 1997) , Annex VI accession 2002;
 - .6 the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 2010 (STCW 1978), accession 1989;
 - .7 the International Convention on Load Lines, 1966 (LL 66), accession 1988;
 - .8 the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (LL PROT 1988), accession 1994;
 - .9 the International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 1969), accession 1989; and
 - .10 the Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended (COLREG 1972), accession 1988.
 - .11 the Maritime Labour Convention, 2006 (MLC, 2006); ratification 2007.
- 9.2 Goal 2 – Adherence to IMO recommendations, as appropriate.
- 9.3 Goal 3 – Continuous review and verification of the effectiveness of the Administrator’s ability to meet its international obligations by:
- .1 Striving to achieve zero port State control detentions for ships registered in the RMI;
 - .2 Maintaining a maritime safety and security record that is in the top 10% of the flags in the world;
 - .3 Reducing accidental and operational pollution of the marine environment by ships registered in the RMI;
 - .4 Administering a maritime personnel licensing and certification program that provides oversight, service, and value to the seafarers serving aboard ships registered in the RMI and to the shipowners that engage them;
 - .5 Providing timely, comprehensive, and competent service and technical assistance to shipowners, operators, and crews aboard ships registered in the RMI; and
 - .6 Conducting comprehensive and competent investigations of reportable maritime casualties that occur on ships registered in the RMI.

MEASURES TOWARD ESTABLISHMENT AND MAINTENANCE OF THE GOALS

10. Each goal has a list of measures that are to be taken to achieve the specific goal. Review of the status of achievement for each goal is done on a daily, weekly, monthly, quarterly, and yearly basis as necessary and corrective measures or additional initiatives are to be developed and implemented as appropriate to maintain the goals. The participation and cooperation of shipowners, managers, ship masters, ROs, and ARs is expected, as appropriate.

10.1 Goal 1- Measures to be taken for the effective and efficient implementation and enforcement of the conventions listed in section 9.1 of this Notice, with respect to reference (a) above:

- Promulgate legislation to address compliance with and enforcement of the conventions.
- Ratify and deposit of the instruments of ratification to IMO.
- Implement amendments to applicable international conventions consistent with the time frame specified.
- Establish a worldwide cadre of competent, trained, and professional flag State RO and AR surveyors, nautical safety inspectors, and investigators.
- Establish and maintain a certified quality management system.
- Specific attention to be given to fulfillment of flag State obligations concerning the implementation and assessment of the effectiveness of the measures undertaken.
- Annual flag State self-assessments reported to the IMO and US Coast Guard.
- Semiannual Quality Council review and assessments of overall fleet performance and compliance with the relevant international conventions and counseling on current industry issues and concerns.
- Quarterly Maritime Services and IT Technical Group meetings.
- Annual flag State safety inspections of all vessels in the flag, and special flag State safety inspections as appropriate.
- Monthly fleet and shipmanager compliance assessments.

10.2 Goal 2 – Measures to achieve adherence to IMO recommendations, as appropriate.

- Participate at all relevant IMO Committee and Sub-committee meetings.
- Review and report national policy established on non-mandatory resolutions, circulars, and codes to the IMO.
- Notice, information, and specific advice concerning recommendations to be provided by [Marine Notices](#), [Marine Guidelines](#), [Marine Safety Advisories](#), [Ship Security Advisories](#) and [Technical Circulars](#).

10.3 Goal 3 - Measures to accomplish continuous review and verification of the effectiveness of the flag State's ability to meet international obligations.

.1 Strive to achieve zero port State control detentions for RMI vessels by:

- Consultation, coordination, and oversight of those ROs, Recognized Security Organizations, and ARs delegated specific statutory responsibility by the Administrator.

- Distribution of information to the fleet concerning PSC campaigns.
 - Reviewing and responding to inspection reports by flag State inspectors and surveyors.
 - Providing timely legislative and regulatory information to the fleet and ship owners and operators via [Marine Notices](#), [Marine Guidelines](#), [Marine Safety Advisories](#), etc.
 - Providing guidance to masters concerning conduct during port State control inspections.
 - Comprehensive vessel and company vetting to control the quality and legality of ships entering the fleet.
 - Monthly fleet assessment to target vessels of specific interest for additional supplemental flag State boarding and inspection.
- .2 Maintain a maritime safety and security record that is in the top 10% of the flags in the world by:
- Requiring classification and statutory surveys to be conducted only by delegated ROs that are full members of the International Association of Classification Societies (IACS).
 - Conducting flag State inspections on an annual or more frequent basis through an international network of highly qualified and trained nautical inspectors.
 - Reviewing conditions of class requirements from the Administrator's delegated ROs.
 - Reviewing vessels on RO watch lists.
 - Monitoring international advisories concerning safety equipment problems and development and transmission of advisories to the fleet.
 - Evaluating the safety record of other fleets through Lloyd's data service and comparing the RMI's fleet to other flag States.
 - Reviewing lessons learned from the Implementation of IMO Instruments (III) Subcommittee reports, Marine Accident Investigations Branch (MAIB) reports, National Transportation Safety Board (NTSB) reports, and distribution of findings as appropriate.
 - Posting of accident investigation results on the Administrator's website, as appropriate.
- .3 Reduce accidental and operational pollution of the marine environment by ships registered in RMI through:
- Ratification and enforcement of conventions established for the protection of the environment.
 - Comprehensive implementation of the Condition Assessment Scheme for single hull tankers.
 - Routine and special inspection of vessels by flag State exclusive inspectors.
 - Occasional surveys and additional audits by RO surveyors.
 - Periodic review of class survey, SIRE and RightShip reports.
 - Daily review of World Check Database.

- .4 Establish a world class maritime personnel license and certification program that provides oversight, service, and value to seafarers and shipmanagers by:
 - Maintaining “White List” approval of the Administrator’s processes and procedures for giving full force and effect to the STW 1978 from the IMO panel of experts.
 - Participation in IMO HTW (formerly STW) Subcommittee meetings.
 - Establishing and monitoring a system of receiving/filing agents.
 - Close coordination and periodic oversight of crewing and manning agencies.
 - Weekly monitoring of seafarer documentation production processes and delivery.
- .5 Provide timely, comprehensive, and competent service and technical assistance to ship owners, operators, and crews aboard ships registered in the RMI through:
 - Establishment and maintenance of competent and qualified duty officers capable of responding on a 24/7 basis.
 - Establishment of field offices in major maritime cities throughout the world.
 - Participation in the IMO meetings.
 - Providing competent technical and administrative advice on all issues relevant to achieving and maintaining national and international regulatory compliance.
 - Maintenance of a robust and globally accessible information technology system in order to leverage and maximize the Administrator’s workforce.
- .6 Conducting competent and comprehensive investigations of reportable maritime casualties that occur on ships registered in the RMI through:
 - Compliance with the IMO Code for the Conduct of Maritime Casualty Investigation.
 - Timely conduct of serious and very serious maritime accident investigations by independent investigators.
 - Participation in the Maritime Accident Investigators International Forum (MAIIF).
 - Maintenance of a list of qualified and competent maritime accident investigators.
 - Maintenance of comprehensive fleet casualty data.
 - Timely filing of reports on casualties to IMO.

OVERALL IMPLEMENTATION OF THE STATEMENT OF POLICY

11. Quality Management System

The Administrator has an established and fully documented Quality Management System certified to ISO 9001 Standards, which provides policy and goals to establish and maintain the Statement of Policy for the Maritime Program. It is incumbent upon all Administrator personnel to be familiar with and committed to the implementation, enforcement, measurement and achievement of the goals set out herein. Over time, measures are amended or modified as necessary to achieve the desired goals.

12. [MI-300](#)

The [MI-300](#), reference (g) above, is comprised of the RMI [Maritime Act](#), [Maritime Regulations](#), [Marine Notices](#), [Marine Guidelines](#), [Vessel Registration and Mortgage Recording Procedures](#), [Yacht Code](#), [Requirements for Seafarer Certification](#), [Requirements for Seafarer Certification by Examination](#), [Rules for Marine Investigations](#), [Rules for Marine Administrative and Adjudicatory Proceedings](#) and [Mobile Offshore Unit Standards](#).⁴

12.1 The Maritime Act, 1990, as amended, [MI-107](#)

Refer to the Purpose of this Notice above.

12.2 RMI Maritime Regulations, as amended, [MI-108](#)

[Regulations](#) are promulgated by the authority of TCMI, which has been duly appointed by the Cabinet to act as the Maritime Administrator, to administer the provisions of the [Maritime Act](#). These Regulations are subject to the direction and control of the Administrator and all documents referred to in the [Maritime Act](#) or [Regulations](#) are submitted to the Administrator for examination and approval.⁴

12.3 [Marine Notices](#)

[Marine Notices](#), when properly promulgated by the office of the Administrator, have the force and effect of Regulations.⁵

12.4 [Marine Guidelines](#)

[Marine Guidelines](#), when promulgated by the office of the Administrator, serve as recommendations to shipowners, ship operators, companies, and all other concerned parties and should be considered for incorporation into management system policies and operational procedures to assure the safety and security of ships and crews and the protection of the marine environment.⁵

12.5 Vessel Registration and Mortgage Recording Procedures, as amended, [MI-100](#)

The [MI-100](#) publication provides vessel owners, operators, charterers, lending institutions, and their representatives with a useful source of information on the registration of vessels in the RMI and the recording of ship mortgages and related instruments under RMI law. Maritime, financial, and legal centers throughout the world have full access to the RMI Registry through the offices of the Administrator in Baltimore, Dalian, Dubai, Ft. Lauderdale, Geneva, Hamburg, Hong Kong, Houston, Imabari, Istanbul, London, Long Beach, Majuro, Mumbai, New York, Piraeus, Reston, Rio de Janeiro, Roosendaal, Seoul, Shanghai, Singapore, Taipei, Tokyo and Zurich. Pursuant to the [Maritime Act](#), a ship may be

⁴ RMI Maritime Regulations, Chapter 1, Regulation 1.01.4.

⁵ RMI Maritime Regulations, Chapter 1, Regulation 1.01.1.

registered and a mortgage, Bill of Sale or related instrument in proper form may be recorded at any of the offices of the Administrator.

12.6 Yacht Code, as amended, [MI-103](#)

The [Yacht Code](#) outlines the requirements for the construction, machinery, equipment and stability of yachts registered in the RMI. Further, the [Yacht Code](#), in conjunction with the relevant international conventions to which the RMI is a party, sets the standards and substantial equivalencies for safety, security, pollution prevention and seafarer accommodations appropriate to the size of the yacht, taking into consideration instances where it is not reasonable or practicable to comply fully with international conventions. The level of safety the [Yacht Code](#) requires is commensurate with the current expectations of the general public and the maritime industry.

12.7 Requirements for Seafarer Certification, as amended, [MI-118](#), and Requirements for Seafarer Certification by Examination, as amended, [MI-118E](#)

The standards established by the Administrator pursuant to this publication comply fully with the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STW 1978 Convention). They not only include the STCW Code requirements, but also the RMI requirements, which contain more stringent standards than the STCW Code.

12.8 Rules for Marine Investigations, [MI-260](#)

These [Rules](#) are promulgated under the authority of the [Maritime Act](#) and they govern the conduct of all marine administrative proceedings of the RMI Registry. These [Rules](#) implement and enforce the [Act](#) and the [Regulations](#) and presume that the Investigating and Hearing Officers have a working familiarity with the [Maritime Act](#) and the [Regulations](#)

12.9 Rules for Marine Administrative and Adjudicatory Proceedings, [MI-264](#)

These [Rules](#) shall apply to all Marine Administrative and Adjudicatory Proceedings conducted by the Administrator and/or its duly designated representative(s) involving vessels under the RMI flag and organizations, entities and persons subject to the [Act](#) and/or the [Regulations](#). They are intended to implement and enforce the provisions of the [Act](#), the [Regulations](#) and International Conventions and Agreements to which the RMI is a party or which it has implemented.

12.10 Mobile Offshore Unit Standards, [MI-293](#)

These MOU Standards adopt as national regulation and make mandatory to all MOUs (as defined in section 2.0 below), the International Maritime Organization (IMO) Code for the Construction and Equipment of Mobile Offshore Drilling Units (1979 MODU Code); the IMO Code for the Construction and Equipment of Mobile Offshore Drilling Units, 1989 (1989 MODU Code); and the IMO Code for the Construction and Equipment of Mobile

Offshore Drilling Units, 2009 (2009 MODU Code). These MOU Standards also impose additional requirements on RMI flagged MOUs; contain the Administrator’s clarifications to and interpretations of the 1979, 1989 and 2009 MODU Codes (hereinafter, “MODU Codes”); and provide requirements for those MOUs constructed before 31 December 1981

12.11 Familiarization with National Maritime Legislation, [MI-105A](#)

Although not officially a part of the [MI-300](#), this document is included as an additional document. It consists of excerpts from the [MI-107](#) and [MI-108](#) that are considered particularly pertinent. A person holding a valid certificate issued by a State fully applying the provisions of the STW 1978 Convention, and who is not otherwise disqualified in the opinion of the Administrator or other official to whom application is made, must be familiar with the RMI national maritime legislation relevant to the functions to be performed by the applicant for which he or she has applied for certification in order to be considered eligible for an equivalent RMI certificate. The [MI-105A](#) is required reading for management level ship’s officer candidates at the time of application. This requirement is also stated in IMO Resolution [A.891 \(21\)](#) as a condition for the issuance of a certificate of competence as an Offshore Installation Manager for service on mobile offshore units.

13. Shipowner and Master Responsibilities

- 13.1 Shipowners and Masters are required to be familiar with and ensure that their vessels are in compliance with the requirements of all RMI standards and applicable international treaties, conventions, protocols, codes, and agreements, which have come into force and to which the RMI is a Party.⁶
- 13.2 In the event of failure to comply, the Administrator, or an official who is authorized to act for and on behalf of the Administrator, may suspend or cancel a vessel’s Certificate of Registry and/or impose a monetary penalty not to exceed US\$1,000,000 per incident or violation, and/or set such other conditions as may be necessary to bring about compliance with RMI standards, maritime, maritime-related conventions, and other international agreements to which the RMI is a Party, and which are in force, or the provisions of which are applied by the RMI in advance of the official date of their entry into force.⁷

⁶ RMI Maritime Regulations, Chapter 2, Regulation 2.11.3.

⁷ RMI Maritime Regulations, Chapter 2, Regulation 2.11.11.