



Instruction to RO No. 23.

Policy, Practice and Procedures for Lay Up and re-commissioning of a Netherlands Registered and certificated seagoing commercial Vessel.

Date entry into force: 1/1/2015

1. Purpose

1.1. This Instruction provides guidance and, where necessary, instructions in the process of laying up and re-commissioning of a Netherlands registered and certificated seagoing commercial vessel for ship owners and Recognized Organizations.

2. Application

2.1. This Instruction applies to all Netherlands registered and certificated seagoing commercial vessel which are to be laid up and re-commissioned.
2.2. The NSI has authorized the relevant Recognized Organization(s) (RO's) and Recognized Security Organization (RSO's) to perform surveys and the issuance of statutory certificates. Reference is the agreement between NSI and the RO's and RSO's. ISM may be certified by another RO than the RO classing the vessel.

3. General

3.1. The Company or ship owner, has to inform the RO and RSO (if applicable) before the ship is laid-up, and the Netherlands Shipping Inspectorate (NSI) has to be informed in turn by the RO/RSO, by e-mail. (NSI-TEZ-KV@ilent.nl).

3.2. If no notification is made by the Company or ship owner, the NSI will assume that the vessel is trading normally and maintaining a full regime of certification, surveys and inspections, including normal manning for such operations.

3.3. Failure to notify the relevant RO's and RSO of a vessel entering lay-up, or to maintain a safe and secure lay-up, will be regarded as a serious ISM non-conformity and ISPS deficiency. When ISM and/or ISPS are/is not applicable, non reporting effects the risk factor for flag state control.

3.4. The Company has to contact the RO and RSO and inform the RO and RSO about the proposed length of the lay-up if known. The Company must implement lay-up procedures as necessary, including that of the RO, RSO, insurers, port authorities etc.

3.5. In general the RO's/RSO's have lay-up procedures and instructions in place. These lay-up procedures and instructions applied by the RO's should be followed. Failure to do so may result in the ship's class being suspended. (see also 4.2).



4. Surveys and Certification

4.1. Statutory certification is normally only required when vessels are trading. Therefore, depending upon the proposed length of the lay-up, and taking into account any requirements of the port or coastal State of the lay-up location, the Company should consider whether to maintain or suspend these certificates.

4.2. RO's/RSO's have procedures for laying up vessels and, bearing in mind that one provision is that vessels remain in Class, compliance with those requirements will be adequate to maintain such.

4.3. If a vessel is laid up for a prolonged period, the RO/RSO may decide upon suspension or cancellation of statutory certificates as long as this is compatible with the location and the requirements of the port or coastal State.

5. International Safety Management (ISM) Code

5.1. The care of a vessel during lay-up should remain with the ISM Company, the NSI will accept the suspension of the ISM certification of the vessel provided that:

- i. all requirements of the port or coastal State are met;
- ii. all requirements of the Recognized Organization are met;
- iii. depending on the type of lay-up a minimal safe manning is agreed upon by the port and coastal State and NSI; and
- iv. emergency procedures are in place for the minimal safe manning / crew remaining on board;

In case no manning is required under i.ii or iii, the requirement under iv is not applicable.

5.2. The audit requirements on reactivation of the vessel will depend on the length of time the vessel is laid up and will be based on IMO MSC-MEPC.7/Circ.9. In general, lay-up in excess of 6 months will require interim certification in accordance with ISM Code 14.4.

6. International Ship and Port Facility Security (ISPS) Code

6.1. The continued validity of the vessel's ISPS certification will be an important element in the reactivation of the vessel. NSI strongly recommends that the International Ship Security Certificate (ISSC) be maintained throughout lay-up. This will aim at keeping the ship secure during the lay-up period and may avoid undesired security risks when the ship is reactivated.



6.2. Specific procedures may need to be added to the Ship Security Plan depending upon the extent or "depth" of the lay-up. In each case this will be managed and audited by the Recognised Security Organisation, which will correspond directly with the NSI wherever clarification is necessary.

6.3. Where the circumstances described in paragraph 5.1 above exist, the Company must communicate with the Recognised Security Organisation to ensure that the Ship Security Plan covers that operation. In that respect, the SSP shall indicate the required security personnel on board.

6.4. If the vessel is integrated into the port facility security system, the records of suspension and subsequent reactivation of the ISSC should clearly reflect that in order to demonstrate continuity of Security. If the ship is laid up within the port which is ISPS relevant then she shall be integrated into the port facility security system. However this is the responsibility of the Port facility security officer.

7. LRIT

7.1. Normal procedures for LRIT will apply. If the LRIT equipment is deactivated or switched off, the Netherlands Coastguard centre should be informed.

8. Manning and MLC

8.1. When a vessel is laid up, normal manning may be reduced appropriate to the status and operational requirements of the vessel and in principle, the Safe Manning Document **valid for the trading ship** does not apply **to the ship** in lay-up condition and is considered suspended. Any reduction in manning should be considered in consultation with the relevant port or coastal State Authority.

8.2. In some cases, the port or coastal State Authority may wish to have the manning level in lay-up approved by the NSI. The Company should then submit a [manning plan](#) to the NSI (nsi@ILenT.nl).

8.3. When drafting a manningplan as per instruction under 8.2 the NSI recommends that the following should be considered when assessing an appropriate manning level:

- i. a suitably qualified person should remain in charge of the vessel for the proposed lay-up period and that the manning available should include sufficient numbers of trained persons to meet any emergency situation. In such circumstances, communication must be maintained with the local authorities so that further assistance may be immediately obtained when required;
- ii. the location of the vessel;
- iii. the equipment and systems remaining in operation;
- iv. the method by which the vessel is kept in position (moorings, anchorage etc.); and
- v. local authorities requirements.



An amended SMD **in lay-up condition** shall be issued , in accordance with the reduced operations of the ship.

8.4. Where crew members or watchmen are accommodated on board a vessel which is laid up, appropriate welfare facilities are to be made available. This is to include, as a minimum:

- i. Adequate provision of, or access to, potable water;
- ii. Adequate provision of, or access to, fresh food;
- iii. Adequate provision of, or access to, cooking, cleaning, washing, sanitary and laundry facilities;
- iv. Arrangements for access to medical facilities, particularly for any emergencies; and
- v. Adequate heating, ventilation and lighting facilities.

9. Re-commissioning

9.1. This will be a matter for the Company and the Recognized Organization to consider. While re-commissioning the vessel, the manning must be kept under review taking into account the reactivation of machinery and equipment and the associated hazards.

9.2 Before the vessel resumes trade, the Company shall contact the relevant RO and RSO and apply for full certification.

The RO should inform the NSI when the vessel is provided with the necessary certificates and documents to resume trade.

All previously cancelled, suspended or outdated certificates, audits and inspections are to be revalidated and the manning restored to that required by the Safe Manning Document before the vessel sails from her port of lay-up

9.3 In order to get the vessel under full certification, the following procedures are to be followed:

1) When all statutory certificates remain valid and all periodical surveys and audits are carried out within the required window, no additional surveys are required.

2) When statutory certificates lose their validity or are suspended, a restore procedure is to be applied. The extent of the survey/audit depends on the period the validity was expired or suspended. In case the reactivation is between the date of issue and intended periodical/intermediate survey date, the survey scope shall be of an intermediate/periodical-survey .

Reactivation after the intended window for intermediate/periodical in the scope of a renewal. In case The RO deviates from this scope of statutory survey, a well founded proposal has to be submitted to the NSI.

Reference is made to the the IMO Res. 1053(27) ; 5.6 Revalidation of certificates.



3) Depending on the date of the bottom survey (if out of range with the date of validity of the Safety or Safety Equipment or National Safety certificate), the special survey date may be changed. Reference is made to the the IMO Res. 1053(27) ; 5.5 Application of "special circumstances".

4) If the re-commission cannot be completed on lay-up site e.g. requires dry-docking, the company shall contact the relevant RO and apply for a single voyage permission. The RO shall submit a well founded proposal, based on the provisions of IACS Procedural Requirement PR 1C, A.1.8, which has to be accepted by NSI.