

Subject

Application for Service Extensions or Dispensations of life-savings/fire-fighting appliances and Extension of Statutory Certificates for Marshall Islands Flag Ships

ClassNK

Technical Information

No. TEC-0730
Date 15 April 2008

To whom it may concern

The Government of the Marshall Islands has notified the procedures of the Service Extensions/Dispensations and Extension of Certificates for the ships flying Marshall Islands flag as below.

1. Service Extensions or Dispensations of life-savings/fire-fighting appliances

As instructed by the Marine Notice No.2-011-26 as attached, Application Procedure for Service Extensions/Dispensations of certain equipment or life-savings/fire-fighting appliances for the ships flying Marshall Islands flag has been notified.

In case where the ship owner, ship manager or ship master requests any Service Extensions or Dispensations of them with a legitimate grounds, please contact the Administration directly using Form TEC-02 in Marine Notice No.2-011-26.

2. Extension of Statutory Certificates

As instructed by the Technical Circular 13 as attached, the procedure of Extension of Statutory Certificates has been notified.

If unavailability of dry dock or repair facilities is the basis for the extension, documentation from at least three facilities contacted citing unavailability and a confirmed booking for proposed dry dock are to be submitted to the Survey Department.

For any questions about the above, please contact:

NIPPON KAIJI KYOKAI (ClassNK)
Survey Department, Administration Center, Head Office
Address: 4-7 Kioi-cho, Chiyoda-ku, Tokyo 102-8567, Japan
Tel.: +81-3-5226-2027 / 2028
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Attachment:

1. Marine Notice No.2-011-26 : Application for Service Extensions/Dispensations
2. Technical Circular 13 : Guidelines for Extending the Period of Validity of a Certificate

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**REPUBLIC OF
THE MARSHALL ISLANDS**

**OFFICE OF THE
MARITIME ADMINISTRATOR**

Marine Notice

No. 2-011-26

1/08

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

SUBJECT: Application for Service Extensions / Dispensations.

Reference:

- (a) SOLAS Consolidated Edition 2004
- (b) MARPOL 73/78 Consolidated Edition 2006
- (c) MODU Code Consolidated Edition 2001
- (d) Marine Notice 2-011-4
- (e) Technical Circular #4

PURPOSE:

This Notice clarifies terminology used to describe allowances issued by the Administration in accordance with statutory provisions, and establishes the Administration's policy for their issuance and use.

APPLICABILITY:

This Notice applies to all ships, MODUs and mobile offshore units (MOUs)

REQUIREMENTS:

1.0 Terminology

It has been noted while assessing certain technical issues, there is an occasional lack of consistency when referring to various allowances or authorizations that can be issued by the Administration. Due to differences associated with the handling of these actions, providing a clear definition for each is of merit. Therefore, the Administration is establishing the following basic definitions for reference when addressing such issues:

1.1 Exemption

An Exemption is a permanent release from compliance with a Statutory Convention requirement due to the existence of specific circumstances as sanctioned by the provisions of that Convention. The 'Exemption Certificate' is linked to, and retained with, its associated statutory certificate, and is issued by the Recognized Organization (RO) issuing that certificate under authorization from the Administration, which shall be in accordance with reference (e). Authorization for issuance of an Exemption Certificate

is considered on a case by case basis formed on the existence of some measure of equivalency to meet the intent of the requirement being exempted and a recommendation from the RO. Certain Exemptions, when granted, are required to be communicated to the International Maritime Organization (IMO).

1.2 **Equivalence (or Measure of Equivalency)**

Equivalence is an arrangement which provides the same general level of safety or intent of a Convention requirement without meeting all criteria for full compliance. Such arrangements can be accomplished, either independently or in combination with, alternative equipment, additional procedures/precautions, operational restrictions, etc. Equivalences, when granted, are required to be communicated to the IMO.

1.3 **Dispensation**

A temporary allowance granted in writing (Dispensation Letter) by the Administration to permit a ship to proceed without being in full compliance with a specific Convention requirement due to mitigating circumstances preventing the immediate rectification of the subject deficiency. Dispensations are issued with time specific corrective action requirements compliance with which are reportable to the Administration by the expiration date.

1.4 **Extension**

A postponement of the term of validity of a Statutory certificate, servicing interval, or Dispensation, in accordance with the provisions of the relevant Convention, due to extenuating circumstances encountered that prevent the crediting of a requisite task prior to the nominal due date. Extensions of servicing intervals in particular are referred to as "Service Extensions." Extensions are also issued with time specific corrective action requirements compliance with which are reportable to the Administration by the expiration date.

2.0 **Application Procedure for Service Extensions / Dispensations**

2.1 When applying for or submitting a proposal for issuance of a Dispensation Letter or Service Extension, the Administration will require for consideration specific information regarding the details and circumstances concerning the issue, as well as the corrective action plan to rectify the issue in timely fashion.

2.2 In an effort to ensure consistent response and handling of such requests by the Administration, and to facilitate the communication of all required information for consideration, form TEC-02 shall be used by Marshall Islands ship owners and operators when submitting such requests to the Administration. To expedite handling and response, all applicable sections of the form shall be filled in with sufficient detail and accuracy. The completed form shall then be submitted to Marshall Islands Technical Services at the following email address or fax number:

Email: technical@register-iri.com

Fax: +1 (703) 860-2284

- 2.3 Form TEC-02 is appended to the end of this Marine Notice, or is available online at the following link:

<http://www.register-iri.com/forms/tec-02.doc>

3.0 Service Extensions

- 3.1 The Administration recognizes that on occasion due to exceptional circumstances, difficulty can be encountered when scheduling the servicing of certain equipment or life-savings / fire-fighting appliances, as required by various Convention regulations, at approved servicing facilities. Requests to extend the servicing intervals in accordance with the provisions of reference (a) are only considered by the Administration when exceptional circumstances exist. Requests should be fully justified by substantiation of circumstances and plans to service at first opportunity.
- 3.2 Service Extensions are generally limited to the minimum period of time necessary for the ship to reach a port where rectification of the task can be accomplished.

4.0 Dispensation Letters

- 4.1 Dispensation Letters are issued with a specific term limit of validity – either for a single voyage, or for a set period of time, and are generally limited to the minimum period of time necessary for the ship to reach a port where rectification of the deficiency can be accomplished. In some cases where warranted, the RO may also be contacted to provide a recommendation for issuance of the Dispensation Letter, to follow-up with verification of the corrected item and/or issuance of a short term Statutory certificate in accordance with reference (d). In all cases, some measure of equivalency should be identified to be put in place and adhered to for the duration of the Dispensation Letter.
- 4.2 While it would not be practical to list every situation in which a Dispensation Letter would be required, the same basic principle should be followed when considering what situations would necessitate notification. For example, damage to or failure of any life saving or survival equipment required under SOLAS Chapter III (such as Lifeboat damage, Lifeboat engine failure, Inflatable Liferaft lost, etc.) or failure of any navigational equipment installation required under SOLAS Chapter V (such as Radar, VDR, Speed Log, etc.) would fall into this category.
- 4.3 Ultimately, it shall be understood that the failure of or damage to ANY piece of equipment, installation or appurtenance mandated by any Statutory Convention requirement shall be immediately reported to the Administration with a completed Dispensation application (form TEC-02), along with all relevant supporting documentation demonstrating the nature of the difficulty encountered, temporary measure of equivalency in place and proposed corrective action plan to rectify the deficiency as expeditiously as possible. Prompt notification is critical to ensure the deficiency is properly addressed and to mitigate possible Administrative or PSC action against the vessel and Owner/Operator.

APPENDIX I

REPUBLIC OF THE MARSHALL ISLANDS



*Office of the
Maritime Administrator*

**APPLICATION FOR SERVICE EXTENSION / DISPENSATION
from
Marshall Islands Maritime Authority
on behalf of Owner**

1. Name of Vessel:	2. Official Number:	3. IMO Number:
4. Name & Title of Person submitting application:	5. Contact Numbers:	6. Date submitted:
7. Description of service extension/dispensation requested (details of equipment involved, proposal, etc.):		
8. Reason for service extension/dispensation requested (circumstances necessitating the extension/dispensation):		
9. Corrective Action Plan (anticipated location/date for completion of repairs or servicing, itinerary of vessel, etc.):		
10. Is Class informed? Yes <input type="checkbox"/> No <input type="checkbox"/>	11. Is Class attendance arranged? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, date of survey:	
12. Comments (recommendation from Class, if applicable):		
FOR MARITIME ADMINISTRATOR USE ONLY		
Comments by Maritime Authority:		
Name & Title of Officer of Maritime Authority:	Approved: <input type="checkbox"/> Rejected: <input type="checkbox"/> Need more information: <input type="checkbox"/>	Date reviewed: Dispensation valid until:



REPUBLIC OF THE MARSHALL ISLANDS

OFFICE OF THE MARITIME ADMINISTRATOR

11495 COMMERCE PARK DRIVE
RESTON, VIRGINIA 20191-1507

TEL: (703) 620-4880
FAX: (703) 476-8522

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TECHNICAL CIRCULAR

Circular Number: 13

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Guidelines for Extending the Period of Validity of a Certificate

1.0 Introduction

- 1.1 The Administration recognizes that on occasion due to exceptional circumstances, difficulty can be encountered when scheduling docking or repair facilities for Statutory survey requirements, necessitating an extension of the Docking and/or Renewal Surveys.
- 1.2 As per MSC-MEPC.5/Circ.1, it is noted that in SOLAS and other mandatory IMO instruments the following provisions apply:

“If a ship at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of a certificate, but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases *where it appears reasonable to do so*. No certificate shall be extended for a period longer than three months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate.”

- 1.3 In such instances where an extension of the Docking and/or Renewal Surveys is sought, the Marshall Islands Administration is instructing its Recognized Organizations (ROs) involved in the Statutory survey and certification of Marshall Islands registered vessels to be guided as follows.

2.0 Instructions

- 2.1 All Statutory Renewal Surveys shall be progressed and carried out to the maximum extent possible by their nominal due dates, equivalent in scope to at least an annual survey required by the relevant certificate, with the exception of the Docking Survey items.
- 2.2 For those Renewal Surveys which are not completed, either the original harmonized certificate can be extended by endorsing Regulation I/14(e) or short term Statutory certificates can be issued for the same period of validity as the extension period per paragraph 3.2, subject to authorization by the Administration based on the recommendation by the Classification Society.

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- 2.3 In cases where a dry docking is required, but cannot be carried out, an underwater inspection of the ship's bottom shall be carried out before the nominal Docking Survey due date.
- 2.4 In cases where an underwater inspection is not possible (e.g. poor water visibility, draft restrictions, excessive current, refusal by the port Authority), an internal inspection of the ship's bottom structure, to the maximum extent practicable, may be considered.
- 2.5 In case of extensions of not more than one (1) month in lieu of underwater inspection of vessel's bottom, a general examination afloat to determine the vessel's fitness for continued service during the extension period, including examination and testing of the steering machinery as considered necessary, review of onboard records to confirm satisfactory operation of the propulsion machinery, and that no damages and/or groundings have occurred since the last attendance by Classification Society may be considered. In addition external examination of the saltwater systems with particular attention to non-metallic expansion pieces (if fitted), sea valves and their attachments to the sea chests/side shell should also be carried out.

3.0 Conditions for Extension

- 3.1 The ship should only be allowed to sail directly to a named final agreed cargo discharge port and then directly to a named agreed port to complete the survey and/or dry docking, which shall be clearly described in the ship operator's request for extension. If the final cargo discharge port is not known at the time of the extension request, a tentative port or range of ports may be accepted in special cases.
- 3.2 The extension period should only be for the minimum amount of time needed for the ship to complete its agreed voyage and to complete the survey and/or dry docking under the relevant certificate(s).
- 3.3 The condition of the ship found by the surveys indicated above should be considered by the attending Class Surveyor in determining the duration, distance and operational restrictions, if any, of the voyage needed to complete the survey and/or dry docking.
- 3.4 The extension period of the relevant Statutory certificate(s) should not exceed the period of validity of the certificate which may be issued to document compliance with the structural, mechanical and electrical requirements of the recognized Classification Society.
- 3.5 For consideration of a Docking and/or Renewal Survey extension, proper and reasonable circumstances should be considered as follows:
- 3.5.1 The unavailability of dry docking or repair facilities or the unavailability of essential material, equipment or spare parts for dry docking;

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3.5.2 Delays incurred by action to avoid severe weather conditions;

3.5.3 Unanticipated delays at loading/discharge facilities.

3.6 Extensions for Docking or Renewal Surveys shall not be granted for commercial reasons.

4.0 Documentation

4.1 A request for an extension of a Docking or Renewal Survey shall be made by the ship operator to the vessel's Classification Society, who in turn shall submit a documented proposal to the Administration with appropriate recommendations.

4.2 If unavailability of dry dock or repair facilities is the basis for the extension, the Administration shall be provided with documentation from at least three facilities contacted citing unavailability, and a confirmed booking for the proposed dry dock. Please note that the Administration is aware that there are shipyards prepared to and are issuing stock letters of unavailability. Certain letters may be questioned by the Administration.
