



South African Maritime Safety Authority

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SM14/2/2

Date: 30 March 2020

Marine Notice No. 20 of 2020

COVID-19 Lockdown – Process for extension of Statutory Certificates

TO ALL REGIONAL MANAGERS, PRINCIPAL OFFICERS, SURVEYORS, SHIP OWNERS, SHIP MANAGERS, MASTERS, RECOGNISED ORGANISATIONS, SMALL VESSEL OWNERS, SMALL VESSEL SKIPPERS, AUTHORISED AGENCIES, SAFETY OFFICERS, SERVICE PROVIDERS AND OTHER INTERESTED AND AFFECTED PARTIES

To be read in conjunction with Marine Notice 19 of 2020, Marine Notice 18 of 2020, Marine Notice 16 of 2020, Marine Notice 15 of 2020, Marine Notice 14 of 2020, and Marine Notice 25 of 2014.

Summary

This marine notice serves to inform all stakeholders on the process for obtaining an extension of statutory certificates, for those vessels that are required to be operational as considered forming essential services, that are due to expire during the lockdown period

1. INTRODUCTION

- 1.1 Recalling Marine Notice 13 of 2020 – Coronavirus: Vessels and Seafarers, issued by SAMSA on 16 March 2020, which was issued upon the Presidents National Disaster Declaration following the outbreak of the Coronavirus (COVID-19), SAMSA suspended all statutory surveys, audits and inspections for a period of 14 days, from 16 March to 30 March 2020. The Marine Notice dealt with matters relating to statutory surveys of all types of vessels amongst others.
- 1.2 Subsequently, on 23 March 2020, the President of the Republic declared a lockdown, effective from 23:59 on Thursday, 26 March 2020, for a period of 21 days, to stop the spread of the COVID-19 corona virus.
- 1.3 In compliance with the lockdown, SAMSA offices will be shut for the period 26 March 2020 to 16 April 2020. SAMSA Surveyors will not be undertaking routine survey and inspection activity either domestically or overseas. SAMSA staff will work from home and will be available to deal with any emergencies.
- 1.4 In light of the impending lockdown this Marine Notice addresses matters relating to statutory certificates for all types of vessels.
- 1.5 SAMSA will publish details of the resumption of survey and inspection operations as the situation develops.

2. STATUTORY CERTIFICATES FOR ALL TYPES OF VESSELS

2.1 International Surveys/Audits

Where surveys are due on South African flagged vessels located overseas and it becomes difficult in obtaining the attendance by a surveyor of the vessels Recognised Organisation (RO), SAMSA will

consider the extension of mandatory statutory survey windows by issuance of an exemption beyond the expiry date of the statutory certificate (to delay the required survey of up to three months), on a case by case basis.

Owners / Operators / Masters are advised to apply for an extension to any Principal Officer (PO) in good time, before the expiry date to avoid Port State Control issues, by submitting the following:

- 1) A letter detailing non-availability of a surveyor from the vessels RO.
- 2) Completed Declaration, as attached in the Annex

2.2 Ship Pre-Registration Surveys

Where a ship owner wishes to register a vessel on the South African Flag, and the vessel(s) are located overseas, SAMSA will allow an approved RO to conduct a Pre-Registration Survey on behalf of SAMSA and submit all relevant documentation to the PO of the proposed South African Port of Registry for evaluation and conditional approval.

Owners are advised to contact the PO at the proposed South African Port of Registry to confirm which RO would be approved to carry out the survey.

2.3 Local Safety Surveys

This sub-part applies to all commercially operated vessels >25GT, considered forming essential services and issued with a Local General Safety Certificate (LGSC).

Vessels whose LGSC expires before 30 April 2020, may request an extension on their LGSC for a period of up to 60 days.

To enable the extension of above the following is to be adhered to:

- 1) Owner / Master / Operator to obtain the appropriate safety checklist and complete the checklist as applicable to the class of the vessel and the area of operation, filling in all details and marking any deficiencies noted.
- 2) Owner / Master / Operator to fill and sign the declaration form in the annex and submit it together with the completed checklist to the PO of the local SAMSA office.
- 3) Upon receipt of the duly filled and signed, checklist and declaration form, the PO may consider extending the certificate for an appropriate period, but in no case more than 60 days.
- 4) Any exemptions issued must also be extended, similarly if the vessel has been issued a Safe Manning Document the same must also be extended, copies of these documents must be submitted.
- 5) Extending the validity of a valid Safety certificate incurs no charge. However, if the safety certificate has expired, the certificate cannot be extended and the vessel cannot operate, until a survey has been carried out.

2.4 Hull Surveys:

This sub-part applies to all commercially operated vessels >25GT, considered forming essential services and issued with a Dry-Docking Certificate.

In ports where vessels dry dock during the lockdown period, the Owner / Master / Operator shall inform the Principal Officer so that the Principal Officer may decide on the best course of action to assist the vessel during the dry dock period. SAMSA will endeavour to prevent any financial loss to the vessel

Owner / Operator during the dry dock period, however this may not always be possible. Owners / Operators hereby are notified that dry docking a vessel during the lockdown is at own risk and SAMSA cannot be held liable for any financial loss.

Vessels whose dry dock survey is due before 30 April 2020 may request an extension on their hull certificate for up to 60 days.

For vessels whose Dry-Docking Certificate needs to be extended, the following is to be adhered to:

- 1) Owner / Master / Operator to obtain the “Hull Survey” checklist and complete it, as is applicable and appropriate to the vessel, filling in all details and marking any deficiencies noted.
- 2) Owner / Master / Operator to fill and sign the declaration form in the annex and submit it together with the completed checklist to the PO of the local SAMSA office.
- 3) Upon receipt of the duly filled and signed, checklist and declaration form, the PO may consider extending the certificate for an appropriate period, but in no case more than 60 days.
- 4) The PO may then consider extending the certificate for an appropriate period, but in no case more than 60 days.
- 5) Any exemptions issued must also be extended and copies of such must be submitted.
- 6) Extending the validity of a valid Dry Dock Certificate incurs no charge. However, if the Dry Dock Certificate has expired, the certificate cannot be extended and the vessel cannot operate, until a survey has been carried out.

2.5 Loadline, IOPP and other local statutory certificates including service provider accreditations

This sub-part applies to all commercially operated vessels, considered forming essential services and issued with a Loadline, IOPP or other local statutory certificates including service provider accreditations.

Certificates mentioned in the heading of this sub part which expire before 30 April 2020, may request an extension on their statutory certificates for up to 60 days.

To enable the above the following is to be adhered to:

- 1) Owner / Master / Operator to obtain the appropriate checklist and complete it, as is applicable and appropriate to the vessel or service station, filling in all details and marking any deficiencies noted.
- 2) Owner / Master / Operator to fill and sign the declaration form in the annex and submit it together with the completed checklist to the PO of the local SAMSA office.
- 3) Upon receipt of the duly filled and signed, checklist and declaration form, the PO may consider extending the certificate for an appropriate period, but in no case more than 60 days.
- 4) Any exemptions issued must also be extended and copies of such must be submitted.
- 5) Extending the validity of a valid Statutory certificate incurs no charge. However, if the statutory certificate has expired, the certificate cannot be extended and the vessel cannot operate, until a survey has been carried out.

2.6 Small vessel surveys

- 1) The following types of vessels issued with a Local General Safety Certificates or Certificate of Fitness are not allowed to operate during the lockdown period except those mentioned in 2) below:
 - a) Small power-driven pleasure vessels under 25 GT;
 - b) Small power-driven commercial vessels under 25 GT,
 - c) Sailing pleasure vessels under 100 GT, and

- d) Sailing commercial vessels under 100 GT.
However, safety certificates due to expire during the lockdown period may be considered for extension on the condition that the vessels cannot operate until the lockdown has been lifted. Such vessels will need to comply with the requirements detailed below.
- 2) Small power-driven commercial vessels engaged in operations that are considered forming essential services, whose LGSC expires before 30 April 2020, may request an extension on their LGSC for a period of up to 60 days. Small commercial fishing vessels are considered to fall within this category. Fishing charter vessels are not considered as providing an essential service.
 - 3) To enable extension of all small vessels safety certificates the following must be adhered to:
 - a. Owner / Master / Operator to obtain the appropriate safety checklist and complete the checklist as applicable to the category of the vessel and the area of operation, filling in all details and marking any deficiencies noted.
 - b. Owner / Master / Operator to fill and sign the declaration form in the annex and submit it together with the completed checklist to the PO of the local SAMSA office.
 - c. Upon receipt of the duly filled and signed, checklist and declaration form, the PO may consider extending the certificate for an appropriate period, but in no case more than 60 days.
 - d. Any exemptions issued must also be extended, copies of such must be submitted.
 - e. Extending the validity of a valid Safety certificate incurs no charge. However, if the safety certificate has expired, the certificate cannot be extended and the vessel cannot operate, until a survey has been carried out.

2.7 Servicing of Safety and firefighting equipment

In terms of SOLAS III Regulation 20.8.1.1 the period of servicing of inflatable liferafts, inflatable lifejackets are extended by six months from date of issue of this Marine Notice. subject to a recorded onboard inspection by the Master,

1. If service providers are not able to conduct the annual servicing of firefighting equipment, the annual inspection may be postponed by a maximum of three months provided no defects are identified during onboard inspections and a record of the postponement is kept onboard
2. Routine on-board inspections of Life Saving and firefighting equipment should continue as normal on equipment subject to the above extensions.

2.8 Laid up vessels

A number of vessels will have been laid up for the period of lockdown. The owner is reminded of his obligation to ensure the vessel remains in a safe condition at all times. Owners and skippers may not be able to attend their vessels for monitoring purposes during the lockdown period, SAMSA recommends contacting their insurance to ensure adequate cover is in place. The local port authority may also be requested to provide updates on the vessel status.

3. SAFE MANNING

Under no circumstance may any vessel proceed to sea without the appropriate Safe Manning of the vessel.

<25GT: As per Local General Safety Certificate (LGSC)

>25GT: As per Safe Manning Document (SMD)

It is the responsibility of the Master to ensure that the vessel is safely manned to ensure that the vessel can maintain the appropriate watchkeeping standards, hours of rest and that the vessel can be safely navigated at all times – this includes enabling the vessel to efficiently, effectively deal with any emergency situation onboard.

Merchant Shipping (National Small Vessel Safety) Regulations 2007*

Regulation 14

(2) (a) The owner must, in addition to meeting the requirements of subregulation (1), ensure that the vessel is otherwise sufficiently and efficiently manned.

(b) For the purposes of paragraph (a), a commercial vessel is taken to be sufficiently and efficiently manned if, in the opinion of the Authority, it has a crew of competent persons to enable it to go to sea or be otherwise operated with due regard to the requirements of these regulations and any other safety provisions that may be applicable to the vessel.

(c) In general when determining the adequacy of the crew in accordance with this subregulation, the following must be taken into account:

- (i) the complement normally carried by similar vessels engaged on similar voyages or operations;
 - (ii) the complement that the vessel in question has recently carried on previous voyages or operations;
 - (iii) the nature of the service for which the vessel is intended; and
- any other appropriate considerations.

Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2013

91 Responsibilities of owners and masters

(1) The owner of every ship shall ensure that:

(c) the master and every ship's officer have appropriate experience of the type of ship on which he or she is employed;

(f) the ship's crew can effectively co-ordinate activities in an emergency situation and in performing functions vital to safety or to the prevention or mitigation of pollution;

(g) all seafarers employed on fishing vessels shall have completed approved pre-sea training;

(4)(a) The owner and the master of every ship shall ensure that, in addition to the ship's officers and other persons prescribed by these Regulations or elsewhere in terms of the Act, there are employed as crew of the ship an adequate number and description of persons to ensure that the ship is sufficiently and efficiently manned.

(b) For the purposes of paragraph (a) and regulation 90(4)(c), a ship shall be deemed to be sufficiently and efficiently manned if, in the opinion of the proper officer, it has as crew suitably qualified persons to enable it to go to sea with due regard to the requirements of the life-saving equipment regulations, the collision regulations, the radio regulations, and any other safety provisions that may be applicable to the ship.

(c) The proper officer shall, when determining the adequacy of the crew in accordance with this subregulation, take the following into account:

- (i) the complement normally carried by similar ships employed on similar voyages or operations;
- (ii) the complement that the ship in question has recently carried on previous voyages or operations;
- (iii) the complement adequate to ensure compliance with regulations 92 and 93; and
- (iv) (iv) the nature of the service for which the ship is intended.

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Declaration for the extension of a valid Statutory Certificate

Recalling the Presidents declaration of a national lockdown effective from 23:59 H on 26 March 2020 following the outbreak of the Coronavirus (COVID-19) and taking into account that no staff will be available during the period to conduct surveys, SAMS SA will consider extending the validity of valid statutory certificates for a period up to 60 days. To support the request for extension of the certificate the following declaration is required to be completed by the Owner / Master or responsible person:

Name of Vessel :

Official No./Approved marking :

Name of Owner / Operator :



DECLARATION:

I, _____ HEREBY CERTIFY THAT:

The vessel named above has been examined using the applicable checklist and maintained in compliance with the requirements for the extension of the following certificate:

Certificate (title of certificate) :

Certificate number:

Date of expiry:

The condition of the vessel, it's structure, equipment, fittings, management and operation are satisfactory for the extension of the certificate for a period not exceeding 60 days from the date of expiry of the above.

Signature :

Date :

Name :

Position :

Notes – A copy of this form shall be retained with the vessel for subsequent inspection - A false declaration may render the owner liable to prosecution

For Official use only:

1. Request granted/denied
2. Details of extension

Principal officer signature _____