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Circular Letter No.4283 29 April 2020

To: All IMO Members

Intergovernmental organizations

Non-governmental organizations in consultative status

Subject: Communication from the Government of the Republic of Vanuatu

The Government of the Republic of Vanuatu has sent the attached communication, dated 19 April 2020, with the request that it is circulated by the Organization.



ANNEX

GOUVERNEMENT DE LA RÉPUBLIQUE DE VANUATU



GOVERNMENT OF THE REPUBLIC OF VANUATU

AMBASSADOR AND PERMANENT REPRESENTATIVE TO THE INTERNATIONAL MARITIME ORGANIZATION

Monday 19th April 2020

His Excellency Kitack Lim Secretary General International Maritime Organization 4 Albert Embankment SE1 7SR London United Kingdom

Secretary General,

Subject: Vanuatu's measures in relation to COVID-19

Firstly, we would like to extend our sincere gratitude for your call for practical and pragmatic approach to ensure that the flow of commerce by sea is not be unnecessarily disrupted at this unprecedented time

We support fully that in this difficult times, the ability for shipping services and seafarers to deliver vital goods, including medical supplies and foodstuffs, is central to responding to, and eventually overcoming, this pandemic.

Vanuatu Maritimes Services Ltd. (VMSL) as the Administrator of the Vanuatu International Ship Registry has prepared the following policies to assist Vanuatu registered vessels and all seafarers serving thereon during the pandemic.

Noting the invitation in IMO Circular Letter No.4204/Add.5/Rev.1 of 2 April 2020, Vanuatu would respectfully request that the Secretariat issues a Circular Letter to all Member States, NGO's and IGO's, for circulation of the enclosed policies.

Copies of the latest versions are enclosed for your reference and parties can obtain the most updated guidance from VMSL website: https://www.vanuatumaritimeships.com.

Please accept, Secretary General, the assurance of my highest consideration.

Yours sincerely.

Laurent Parenté

PERMANENT REPRESENTATIVE

INTERNATIONAL MARITIME DRGANIZATION

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COVID-19

1. General

Vanuatu Maritimes Services Ltd. (VMSL) as the Administrator of the Vanuatu International Ship Registry has prepared the following policies to assist shipowners during the pandemic.

2. Seafarer Employment Agreement (SEA)

Policy has been published as Fleet Safety Letter 031420.GEN which has been attached for ready reference.

3. Seafarers Documentation

Letter of Comfort has been issued to provide extensions addressing **Expired Medical Certificates, Expired STCW Certificates and Seaman's Record Books.** The letter has been attached for your ready reference.

4. ISM/ISPS/MLC Verifications

Letter of Comfort has been issued to provide extensions addressing **ISM**, **ISPS and MLC verifications**. The letter has been attached for your ready reference.

5. Copies of Certificates and Documents in Electronic Format

Policy has been published as Fleet Safety Letter 121718.GEN which has been attached for ready reference.

6. Surveys

Requests to extend statutory surveys due to the pandemic situation are to be submitted by the Recognized Organization with the procedures/survey requirements to be applied to grant the extension. The Administration accepts remote surveys provided that the procedures are submitted for review prior to the survey.

Respectfully,

Roderick A. Acquie by the direction of the

Deputy Commissioner of Maritime Affairs

The Republic of Vanuatu

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FLEET SAFETY LETTER 031420.GEN

14 March 2020

Applicable to: This FLEET/SAFETY LETTER is to be brought to the attention of Masters, seafarers, ship-owners, ship managers, operators, manning agencies, Port State Control Officers or any other government or official agency regarding Vanuatu registered vessels and all seafarers serving thereon.

Coronavirus and Seafarers Employment Agreement (SEA)

- 1. The purpose of this Merchant Marine Notice is to inform that with the outbreak of the Novel coronavirus (2019-nCoV), the WHO declared a state of global health emergency, causing massive uncertainty across the global trade, resulting in additional implication for the regular shipping operations.
- 2. The coronavirus outbreak coincided with the Chinese New Year holiday, and the Chinese government has taken the unusual step of extending the break for up to a week in order to reduce the spread of the contagion. Given the rapid spread of the virus it seems likely that the shutdown could be extended even further.
- 3. This policy is having an effect for crew changes. With extensive travel restrictions to and within China, moving personnel has become more difficult, and ports outside of China are carefully scrutinizing seafarers who have recently visited affected areas.
- 4. Is the purpose of this Marine Notice to inform that in those cases where it is not possible to change the crew due to this situation, this Administration consider appropriate to make an exemption to Standard A2.4.3, and Standard A2.5.1.2(b) of the Maritime Labour Convention, 2006, as amended, in order to extend the seafarers period of service on board, due to the WHO global health emergency which stated:

<u>Standard A2.4 – Entitlement to leave</u>

3. Any agreement to forgo the minimum annual leave with pay prescribed in this Standard, except in cases provided for by the competent authority, shall be prohibited.

Standard A2.5.1 - Repatriation

- 2.Each Member shall ensure that there are appropriate provisions in its laws and regulations or other measures or in collective bargaining agreements, prescribing:
- (b) the maximum duration of services periods on board following seafarer is entitled to repatriation such periods to be less than 12 months; ...
- 5. In those case where the exemption is required, please be informed that by the end of the extension provided all the seafarers will have the right to have their annual leave with pay, and to be duly repatriated, as prescribed by the Standard A2.4.3, and Standard A2.5.1.2(b) of the Maritime Labour Convention, 2006, as amended, accordingly.
- 6. Finally, be informed that the exemption given through this Fleet Safety Letter will be reviewed within a period of 45 (forty-five) days in which it will be decided whether the exemption granted is maintained or terminated.
- 7. Further Extensions / exemptions will be granted through an Authorization Letter issued by the VMSL-NY Office, and must be requested through one of VMSL's Special Agent Offices located in either Japan, Korea or Istanbul (detailing the vessel name, and crew name and position on board) and attached with the following requirements:

a-Copy of Crew List of the vessel.

b-Copy of the Seafarer Employment Agreement (SEA) of each seafarer requesting the extension.

NIMISSIONER OF

Captain Pátrick Michael DeCharles

by direction of the

Deputy Commissioner of Maritime Affairs

The Republic of Vanuatu



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LETTER OF COMFORT

23 March 2020

Sub: Extension of Merchant Mariner Credential Endorsements and Medical Certificates

TO WHOM IT MAY CONCERN:

This LETTER OF COMFORT provides guidance concerning a Seafarer's Certificate of Competency (CoC); Certificates of Proficiency (CoP); Medical Certificates and Drug Testing regarding the action being taken by Vanuatu Maritime Services, Ltd (VMSL) as the Administrator of the Vanuatu International Ship registry (VISR) due to the novel coronavirus and the disease it causes (COVID-19). VMSL is doing this in keeping with international guidance to meet the challenge of this disease and in response to a number of questions and concerns raised by the maritime inclustry and Seafarers.

VMSL has also reviewed statements by the International Maritime Organization (IMO) and other administrations to ensure alignment with respect to the extension of endorsements issued in accordance with the Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW). VMSL is taking a pragmatic approach consistent with the IMO Secretary General's circular Letter No.4204/Add.5 dated 17 March. 2020.

To mitigate the impact to the seafarers and the industry caused by the novel coronavirus disease COVID-19, VMSL is taking the following actions:

- Endorsements and I.D. books issued based on a National CoC that expired between 1
 March 2020 and 31 July 2020 is extended until 31 October 2020 or until the National
 CoC expires including any applicable National extension. Seafarers who are actively
 working on expired credentials that meet the expiration criteria must carry the
 expired credential with a copy of this notice.
- 2. STCW Endorsements: STCW endorsements that expired between 1 March 2020 and 31 July 2020 are extended until 31 October 2020 or until the National CoC expires including any applicable National extension. Seafarers who are actively working on expired credentials that meet the expiration criteria must carry the expired credential with a copy of this notice.

- 3. STCW Medical Certificates: STCW Medical Certificates and Drug testing are valid for 3 months from the expiration date in accordance with STCW Regulation I/9. Seafarers who are actively working on expired medical certificate that meet the expiration criteria must carry the expired certificate with a copy of this notice.
- 4. For Vanuatu National CoCs issued in the Oil and Gas industry such as but not limited to: OIM, Barge Supervisor, Ballast Officer, etc. that expired between 1 March 2020 and 31 July 2020 are extended until 31 October 2020. Seafarers who are actively working on expired credentials that meet the expiration criteria must carry the expired credential with a copy of this notice.

VMSL may be issuing additional guidance on the above Seafarer Certificates and other administrative measures that will be posted on its website:

www.vanuatumaritimeships.com.

If you have any Questions, please visit the website or contact Captain P. Michael DeCharles at (973) 981 4643 to direct you to the correct department personnel.

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OF

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Captain Patrick Michael DeCharles

Executive Vice President by direction of the

Deputy Commissioner of Maritime Affairs JATT



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LETTER OF COMFORT

1 April 2020

Sub: COVID-19: ISM internal audits and ISM/ISPS/MLC verifications

TO WHOM IT MAY CONCERN:

This LETTER OF COMFORT provides guidance to accommodate any possible disruptions with regard to ISM/ISPS/MLC verifications:

- 1. This Administration considers COVID-19 an exceptional situation.
- 2. With respect to internal audits, we accept the alternatives below:
 - 2a. Masters may audit the Engine Department and Chief Engineers may audit the Bridge Department under the remote supervision from a qualified internal auditor/DPA of the company.
 - 2b. A fully remote audit performed by a qualified internal auditor/DPA of the company is also acceptable.
 - 2c. In the alternatives described under 2a and 2b above, all requirements of the ISM Code must be met.
 - 2d. The due date of any internal audit due by 30 April 2020 is extended by this policy for 90 days from its due date. The extension shall be communicated to the Administration with the alternative to be utilized.
- 3. Recognized Organizations are authorized to postpone any ISM/ISPS/MLC audit due by 31 May 2020 for a period of not more than 90 days from the due date without prior authorization provided that the Administration is informed about the extension. For renewal/initial audits, the due date is the expiration date of the relevant certificate. In the case of annual/intermediate audits, the due date is the last day of the permissible window. This authorization is only valid for COVID-19 reasons.

Letter of Comfort: ISM/ISPS/MLC Page 1 of 2

- 3a. All other cases must be submitted to the Administration for approval. When informing the Administration, please include:
 - i. Due date of the audit
 - ii. copy of the relevant certificate
- 4. In the case of interim certificates expiring by 31 May 2020, the Administration will authorize an extension of the Interim certificate for the period necessary to complete the initial audit/verification/inspection.
- 5. This policy will be reviewed and revised as the COVID-19 situation continues to evolve.

Roderick A. Acquie Director of Operations

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FLEET / SAFETY LETTER 121718.GEN

17 December 2018

Applicable to: This FLEET / SAFETY LETTER supersedes FLEET / SAFETY LETTERS 120914.GEN dated 9 December 2014 and 031717.GEN dated 22 March 2017 and should be brought to the attention of ship-owners, ship managers, operators and Masters of Vanuaturegistered ships.

Acceptance of Copies of Certificates and Documents in Electronic Format

- 1. Copies of certificates and documents in electronic format issued by the Deputy Commissioner of Maritime Affairs and electronically communicated by any of the Vanuatu Maritime Services Limited Offices or Special Agents are acceptable in lieu of the originals until such time as the originals may be placed on board at a convenient port provided that the issue date of any copy does not exceed 90 days.
- 2. It is understood that <u>electronic format</u> means having your data accessible by a computer either on a hard or flash drive, burned to a cd or accessible online. If scanned/typed documents can be viewed on a computer, they are considered in an electronic format.
- 3. <u>Electronic communication</u> is, but not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system.
- 4. The electronic format definition includes a paper document that has been scanned and/or converted to a computer file. Accordingly, a copy in electronic format is acceptable in either an electronic form (soft copy) or as printed output (hard copy).
- 5. Acceptable copies in electronic format include scanned copies, soft or hard, of the certificates and documents.
- 6. Verification can be obtained by contacting this office at the email noted above.

Roderick A. Acquie by the direction of the Deputy Commissioner of Maritime Affairs

REPUBLIC

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The Republic of Vanuatu