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Circular Letter No.4286/Add.2
7 October 2021

To: All IMO Members
Intergovernmental organizations
Non-governmental organizations in consultative status

Subject: **Communication from the Government of the Republic of Kenya**

The Government of the Republic of Kenya has sent the attached communication, received on 7 October 2021, with the request that it be circulated by the Organization.



"For safe and efficient water transport"

KENYA MARITIME AUTHORITY

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Mombasa, Kenya.

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KMA/SS/2/1/30

28th September, 2021

His Excellency Kitack Lim

Secretary General

International Maritime Organization

4 Albert Embankment

London SE1 7SR

Your Excellency,

GOVERNMENT OF KENYA MEASURES IN RESPECT OF DISRUPTIONS CAUSED BY COVID-19 FOR THE MARITIME

The Government of the Republic of Kenya presents its compliments to the Secretary General and applauds the Secretariat for support and advice to the international shipping community during this unprecedented covid-19 pandemic period.

This is to inform you that the Republic of Kenya, through the Kenya Maritime Authority has caused the issuance of the attached marine circular providing guidance on temporary measures on ascertaining the validity of documents of seafarers affected by restrictions due to COVID-19 pandemic, IMO and ILO Instruments.

It is requested that the Secretariat circulates the circular to all Member States and other interested parties.

The Republic of Kenya avails itself this opportunity to renew to your Excellency and the IMO the assurances of its highest consideration.

Yours faithfully

Mr. John O. Omingo
HEAD OF COMMERCIAL SHIPPING
FOR: DIRECTOR GENERAL



KENYA MARITIME AUTHORITY

P.O Box 95076 - 80104, Mombasa, Kenya,

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MARINE NOTICE

NO. 2 OF 2021

27th September 2021

IMPLEMENTATION OF THE MERCHANT SHIPPING ACT, 2009

DURING THE COVID-19 PANDEMIC PERIOD

TO: Ship Owners, Seafarers, Surveyors, Recognized Organizations (ROs), Boat Owners/Operators, Shipping Agents and Seafarer Recruitment and Placement Agents

1. SCOPE

This Notice sets out temporary measures in relation to the validity of seafarers' documents affected by restrictions due to the COVID-19 pandemic.

2. APPLICABILITY

This Notice applies to Kenyan seafarers ashore and those currently serving ONBOARD vessels engaged on international voyages and near-costal voyages.

3. INTRODUCTION

The COVID-19 outbreak has been declared a pandemic by the World Health Organization (WHO). The Ministry of Health and the International Maritime Organization have issued guidelines on prevention of further spread of the virus.

The Kenya Maritime Authority (the Authority) has noted the disruption caused by the outbreak and the difficulty encountered by seafarers in continuing to be in compliance with the requirements of Merchant Shipping Act, 2009 and other IMO Instruments to revalidate their certificates due to travel restrictions and challenges faced by Maritime education and Training institutions to offer revalidation courses while in compliance with the social distancing and other COVID-19 protocols.

The Authority considers the impact and challenges posed COVID-19 pandemic and is implementing these guidelines with immediate effect.

4. SEAFARERS' DOCUMENTS

4.1 Certificates Affected

In view of the challenges in updating seafarers' documents due to restriction of movement and social distancing measures, the Authority hereby grants an extension for the validity of the following certificates/documents which will expire or are due to expire between 1st August 2021 and 31st December 2021:

- a) Certificates of Competency (CoCs);
- b) Certificates of Proficiency (CoPs); and
- c) Seafarer Medical Certificates.
- d) Seafarer Discharge books (CDCs)

4.2 Validity of Certificates

The validity of CoCs and CoPs, which are due to expire, will be granted an extended validity of 6 months (from date of expiry) or until 1st April 2022, whichever is earlier.

The validity of STCW, Non- STCW and Medical Certificates, which are due to expire, is hereby extended for 6 months (from date of expiry) or until 1st April 2022, whichever is earlier.

Seafarers who are unable to renew a filled-up discharge book should request that all seafarer discharges or engagements are recorded on paper (paper discharge) or testimonials issued upon disengagement from the ship.

Seafarers who are currently onboard/working with expired documents that meet the expiry criteria as stated must carry the expired document with a copy of this Notice for inspection and presentation when requested to do so.

5. SEAFARERS' EMPLOYMENT AGREEMENTS (SEA) AND MINIMUM SAFE MANNING

Where a seafarer's employment agreement expires or is due to expire between 1st August 2021 and 31st December 2021, and/or there is a challenge in repatriating the seafarer due to current travel restrictions, the SEA may be extended by a further six months from the date of expiry by agreement between the ship owner and the seafarer. In this situation, the same terms and conditions as originally agreed will continue to apply with arrangement for repatriation at the earliest opportunity.

The ship owner /Manager should contact the Authority for issuance of dispensation or a revised Minimum Safe Manning Document as may be applicable, in case where a crew member needs to

disembark from the ship due to urgent circumstances and cannot be immediately replaced due to COVID-19 restrictions.

6. VALIDITY OF THIS NOTICE

This Notice may be amended or canceled at any time taking into consideration any additional guidance and advice provided by the Ministry of Health, IMO and other Organizations.

Any further request for information or assistance should be made through the contacts provided above.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke at the bottom.

Mr. Robert Mutegi Njue 'ndc' K
DIRECTOR GENERAL

