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Circular Letter No.4283/Add.3
5 January 2021

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 4 January 2021, with the request that it be circulated by the Organization.

GOVERNEMENT
DE LA
RÉPUBLIQUE DE
VANUATU



GOVERNMENT
OF THE
REPUBLIC OF
VANUATU

AMBASSADOR AND PERMANENT REPRESENTATIVE TO THE
INTERNATIONAL MARITIME ORGANIZATION

Monday 04th January 2021

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

Vanuatu Maritimes Services Ltd. (VMSL) as the Administrator of the Vanuatu International Ship Registry has issued the attached policies with regards:

1. Seafarers Employment Agreement (SEA)
2. Seafarers Documentation
3. ISM/ISPS/MLC Verifications
4. Copies of Certificates and Documents in Electronic Format
5. Surveys

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.vanuatumaritimships.com>.

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

Yours sincerely,

Laurent Parenté



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COVID-19 (Rev. 2)

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 modified by FSL 123120.GEN.

3. Seafarers Documentation

Letter of Comfort, dated 16 September 2020, has been issued to provide further extensions addressing **Expired Medical Certificates, Expired STCW Certificates and Seaman's Record Books.**

4. ISM/ISPS/MLC Verifications

Letter of Comfort has been revised to provide guidance with regard to internal audits only. Extensions related to **ISM, ISPS and MLC verifications** are authorized on the case by case basis. The request is to be submitted by the RO/RSO.

5. Copies of Certificates and Documents in Electronic Format

Policy has been published as Fleet Safety Letter 121718.GEN.

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:**

Standard A2.4 – Entitlement to leave

...

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.

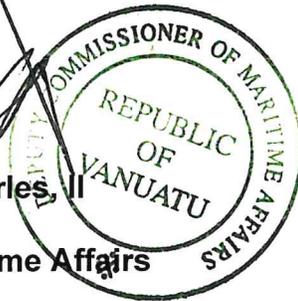
6. Finally, be informed that the exemption given through this Fleet Safety Letter will be reviewed within a period of 45 (forty-five) days in which it will be decided whether the exemption granted is maintained or terminated.

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.


Captain Patrick Michael DeCharles,
by direction of the
Deputy Commissioner of Maritime Affairs
The Republic of Vanuatu





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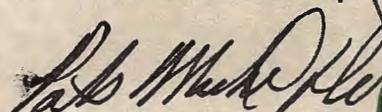
FLEET SAFETY LETTER 123120.GEN

31 December 2020

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

Coronavirus and Seafarers Employment Agreement (SEA)

1. This Fleet Safety Letter is issued to reiterate the points stated in the Fleet Safety Letters 031420.GEN issued on 14 March 2020; 063020.GEN issued on 30 June 2020 and 093020.GEN issued on 30 September 2020 extending the seafarer's period of service on board due to the Coronavirus Pandemic with all benefits established under Standards A2.4 (Entitlement to Leave) and A2.5.1. (Repatriation) of the Maritime Labour Convention 2006. (MLC).
2. Any seafarer on a Vanuatu flagged vessel that has been granted an extension either specifically or automatically under the previous Fleet safety Letters 031420.GEN; 063020.GEN or 093020.GEN issued on 30 September 2020 and the vessel's owner/manager/agent cannot relieve and repatriate any affected seafarer due to any travel restrictions caused by the pandemic it is hereby automatically extended up to and including 30 June 2021.
3. All efforts should be made where practical to make the appropriate crew changes as the conditions allow. If and when a vessel calls on a port that requires an Approved Repatriation Plan, VMSL requests that the proposed plan be submitted at least 72 hours prior to the arrival to avoid issues in the port.


Captain Patrick Michael DeCharles, II
by direction of the
Deputy Commissioner of Maritime Affairs
The Republic of Vanuatu



FSL 123120.GEN

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LETTER OF COMFORT

31 December 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 industry 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/Rev.1 dated 2 April 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:

1. Vanuatu Endorsements and I.D. books issued based on a National CoC that have or will expire on or before 30 June 2021 will be extended pursuant to the extension granted by the National CoC letter of extension. Seafarers who are actively working on expired credentials that meet the expiration criteria must carry ALL expired credentials including the letter from the National Agency extending the National CoC with a copy of this notice.
2. STCW Endorsements: STCW Certificates requiring refresher courses that have or will expire on or before 30 June 2021 will be extended pursuant to the extension granted by the National CoC letter of extension. Seafarers who are actively working on expired credentials that meet the expiration criteria carry ALL expired credentials including the letter from the National Agency extending the National CoC with a copy of this notice.
3. STCW Medical Certificates: Normally STCW Medical Certificates and Drug testing are valid for 3 months from the expiration date in accordance with STCW Regulation I/9. Due to the Pandemic, Seafarers who are actively working on expired medical certificate are primarily extended to 31 March 2021 and must carry the expired certificates with a copy of this notice and are further extended until repatriated or allowed ashore to conduct medical and drug testing.

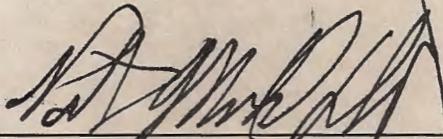
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4. For Vanuatu National CoCs issued in the Oil and Gas industry such as but not limited to: OIM, Barge Supervisor, Ballast Officer, etc. that have or will expire on or before 31 March 2021 are extended until 30 June 2021. Seafarers who are actively working on expired credentials that meet the expiration criteria must carry the expired credential with a copy of this notice.
5. No application is required to be made for the aforesaid interim revalidation.
6. Notwithstanding the above, whenever the revalidation of the expired certificate is to be carried out, the normal fees will apply and the new validity date shall be for a period equal to the new National CoC expiration date or in the case of a Vanuatu National CoC five years from the original expiration date. In other words, no benefit shall accrue to the Seafarer due to the extension granted under this Letter of Comfort.

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

www.vanuatumaritimships.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.



Captain Patrick Michael DeCharles
Executive Vice President
by direction of the
Deputy Commissioner of Maritime Affairs





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LETTER OF COMFORT

14 September 2020

Sub: COVID-19: ISM internal audits

This LETTER OF COMFORT confirms that items (a), (b) and (c) of section 2 of the Letter of Comfort issued on 1 April 2020 related to ISM internal audits is still valid. The section has been reproduced below for ready reference.

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.

Respectfully,



Roderick A. Acquie
Director of Operations
Email: racquie@vanuatuships.com

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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 Vanuatu-registered 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 *electronic format* 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. *Electronic communication* 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
The Republic of Vanuatu