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Circular Letter No.4235/Add.5
1 October 2020

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

Subject: **Communication from the Government of the Federal Republic of
Germany**

The Government of the Federal Republic of Germany sent the attached communication, dated 29 September 2020, with the request that it be circulated by the Organization.



Bundesministerium für Verkehr und digitale Infrastruktur • Postfach 20 01 00, 53170 Bonn

Mr
Kitack Lim
Secretary-General
International Maritime Organization
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London SE1 7SR
United Kingdom of Great Britain and Northern
Ireland

Subject: Update on German measures concerning COVID-19

Reference to: IMO Circular letters No. 4235, No. 4235/Add.2 and No. 4235/Add.3

Our reference: WS20/6278.4/6

Datum: Bonn, 29 September 2020

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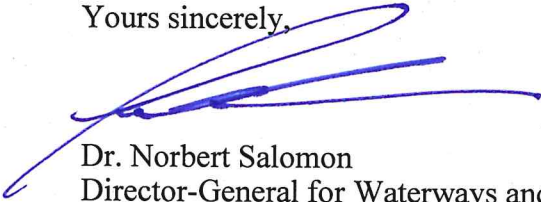
Dear Secretary-General,

With reference to Circular letters No. 4235, No. 4235/Add.2 and No. 4235/Add. 3 I would like to inform you about updated German measures concerning the COVID-19 pandemic which are included in the annex.

I would kindly ask you to forward the information to the other IMO Member States.

Once again, I would like to thank you and your staff for supporting the international shipping industry in coping with the COVID-19 crisis.

Yours sincerely,


Dr. Norbert Salomon
Director-General for Waterways and Shipping
Federal Ministry of Transport and Digital Infrastructure

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Federal Republic of Germany



Current measures of the German flag as a consequence of the COVID-19 pandemic

As at: 14 September 2020

Due to the worldwide corona pandemic, the German flag, in the past, temporarily issued or renewed ship certificates even without surveys. Since ship surveys are carried out again, the German flag is currently following the recommendations made by IMO in its Circular Letter No. 4204/Add.19/Rev.2 of 22 July 2020 and will only waive surveys in exceptional circumstances.

Irrespective of this, we, the German flag, will continue to support seafarers and shipping companies in all respects in order to ensure that they hold valid certificates.

1. Statutory ship certificates

The following applies to German-flagged ships:

- As was the case before the outbreak of the corona pandemic, the issuance and renewal of ship certificates requires the prior inspection of the ships by surveyors of the recognised classification societies or the Ship Safety Division of the BG Verkehr or the Federal Maritime and Hydrographic Agency (BSH). Moreover, it is again necessary to conduct surveys (intermediate surveys) for the endorsement of certificates.
- Only in exceptional circumstances – for example if a survey cannot be conducted in a port due to COVID-19 safeguard measures – can the German flag waive the survey on a case-by-case basis and after assessment of the following documents.

For the field of ship certificates and ISM:

1. Declaration of the shipowner explaining what circumstances / special conditions arising from COVID-19 restrictions make it impossible to conduct a survey
2. Declaration/recommendation of the classification society responsible for the ship, including consultation of the latest class status records
3. Evaluation of existing conditions of the classification society responsible for the ship (class conditions)
4. Access to the report of the last inspection of the ship's bottom, indicating IW (In Water) or Dry Docking
5. Evaluation of the results from the databases of the respective port State control regime (PSC MoUs)
6. Evaluation of the latest ISM audit report

7. For non-convention ships (which are not subject to international conventions, such as SOLAS and others) and fishing vessels with a length of more than 24 metres: evaluation of the latest flag state reports

For the field of ISPS, including the International Ship Security Certificate (ISSC):

1. Declaration of the shipowner explaining what circumstances / special conditions arising from COVID-19 restrictions make it impossible to conduct a survey
2. Declaration/recommendation of the classification society responsible for the ship (as RSO)
3. Evaluation of the results from the databases of the respective port State control regime (PSC MoUs, Thetis-EU MarSec)
4. Evaluation of the latest ISPS audit report

In these exceptional circumstances, the German flag can issue electronic short-term certificates that are valid until the date on which a survey of the ship is possible. Even in these exceptional circumstances, shipping companies must comply with all technical and operational provisions on their ships.

2. Seafarers' certificates

Due to COVID-19 mitigation measures, the following rules with regard to seafarers' certificates apply:

- The validity of all seafarers' certificates (certificates of competency, certificates of proficiency and documentary evidence) issued by the German shipping administration or by certified course providers that expired before 1 September 2020 is extended by 6 months; no application by the individual seafarer is needed for this purpose.
- The validity of endorsements of recognition issued by the German shipping administration is extended by up to 6 months. The extension of the validity of the endorsements of recognition is in line with the measures taken in the context of the corona crisis by the relevant certificate-issuing administration.

3. Port State Control

Germany endeavours to resume the performance of regular port State control inspections, while ensuring compliance with special protection measures for port State control inspectors and crews.

4. Security inspections

Germany is again carrying out the following security inspections and control measures:

- inspections by the flag State in accordance with Section 19 of Part A of the ISPS Code (see no. 1 "Statutory ship certificates");
- inspections by the flag state in accordance with Section 4.4 of Part A of the ISPS Code; in individual cases, remote inspections are also possible;
- control measures in accordance with SOLAS XI-2 Regulation 9.1 as well as Regulation 9.2.5.3 on board foreign-flagged ships in German ports.

5. Statutory ship certificates required under the provisions of the German Maritime Labour Act

In the case of an expired maritime labour or fishing labour certificate, the same principles as described in no. 1 ("Statutory ship certificates") apply.

6. MARPOL and Ballast Water inspections, inspections in accordance with the Sulphur Directive

In principle, the Water Police forces of the federal states are again carrying out ship inspections in accordance with MARPOL, the Ballast Water Convention, the AFS Convention as well as the EU Sulphur Directive 2016/802 without limitations, provided the necessary distancing rules and hygiene measures can be observed.

Further updated information can be found at:

<https://www.deutsche-flagge.de/de/coronavirus>