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Circular Letter No.4245
1 April 2020

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

Subject: **Communications from the Governments of:**
i the Kingdom of Sweden; and
ii the Republic of Turkey

The Governments of the Kingdom of Sweden and the Republic of Turkey have sent the attached communications, dated 31 March and 30 March 2020 respectively, with the request that they are circulated by the Organization.

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

Notification by Sweden - measures to mitigate disruption to the maritime sector caused by the worldwide coronavirus pandemic (COVID-19)

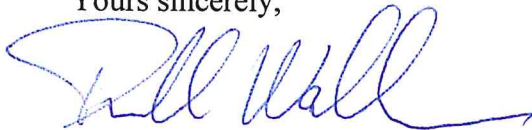
Secretary General,

The Government of Sweden would like to commend the IMO for the continuous work to ensure uninterrupted flow of commerce by sea in these difficult times.

We fully support your call to apply a practical and pragmatic approach in this extraordinary situation. Please find attached a notification regarding the measures taken by Sweden to mitigate disruption to the maritime sector caused by the worldwide coronavirus pandemic (COVID-19). We kindly ask the information to be circulated to the IMO member States.

The Government of Sweden takes this opportunity to assure you of its highest cooperation.

Yours sincerely,



Pernilla Wallin
Deputy Civil Aviation and Maritime Director

To whom it may concern

Swedish measures due to the impact of Covid-19

The Swedish Transport Agency has adopted the following measures in order to mitigate disruption to the maritime sector caused by the worldwide coronavirus pandemic (Covid-19 outbreak) and to protect the health and well-being of employees in the sector.

The Swedish Transport Agency considers the Covid-19 outbreak to be a force majeure situation and is implementing the following measures with immediate effect from 1 April 2020.

This information can be found and downloaded from the Swedish Transport Agency's website: <https://transportstyrelsen.se/sv/sjofart/>

1. Survey and Statutory Certification of Swedish Ships

Ship owners and managing companies must do their utmost to ensure compliance with all requirements regarding statutory surveys and audits (including internal audits), servicing of equipment, drills, etc. In cases where this is impossible due to the worldwide impact of the effects of the COVID-19 outbreak, the following measures/actions will be applied with regard to all Swedish flagged ships, including vessels of less than 500 GT.

1.1 Duration of statutory certificates

The Swedish government has decided that all ships' statutory certificates that expire on or after the 1st of April and before 1st of September 2020 will remain valid for 6 months from the date of expiry of the certificate *without* a specific decision or approval from the Swedish Transport Agency or the RO.

The expired certificate is valid along with this notice. There is no need to approach the Swedish Transport Agency take advantage of this extension,

but ships are encouraged to retain a copy of this notice on board for the guidance of officials should it be required.

In case the above-mentioned provision allowing for an extension of the validity of a certificated is applied, the shipowner shall notify the RO or, where applicable the Swedish Transport Agency, hereof. The notification shall include evidence that the ship has a plan that covers how the ship will be brought back in compliance with the requirements, including when the ship will be scheduled to be subject to the renewal survey and audits.

ROs must make sure necessary surveys and certifications can be carried out as soon as possible within the extended time of validity for all ships making use of the extensions. In all cases, the RO must maintain a record of ships receiving extensions to surveys or certificates and ensure the Swedish Transport Agency is kept informed about the ongoing status.

1.2 Interval of surveys and audits

Shipowners and managing companies must take efforts to make arrangements for the survey/audit/inspection of their vessels at the earliest opportunity within the window provided by the regulations and, where the operation of the vessel permits, in an area with no or limited instances of infection by coronavirus.

In the event that it is not possible for a ship to comply with the requirements of the surveys, inspections and audits, the decision regarding validity of certificates referred to above under 1.1 applies also in relation to the fact that required statutory surveys, including annual/periodical/intermediate/renewal/bottom surveys, cannot be held within the expiry window.

This extension also refer to servicing of equipment and certificates issued by service providers surveys, verifications and inspections on behalf of the Swedish Transport Agency, including, but not limited to, service providers certifying life-saving equipment, fire-fighting equipment, etc.

a. ISM and ISPS

Annual ISM internal audits may be postponed for 3 months, as described in paragraph 12.1 of the ISM Code in cases where audits cannot be carried out due to travel restrictions imposed by COVID-19. Similarly, annual internal audits under the ISPS Code may also be postponed for 3 months. In such case the shipowner shall notify the RO or, where applicable the Swedish Transport Agency, hereof.

b. General information

The IMO Conventions allows an extension of 3 months, however, the Swedish Government has, due to the exceptional situation in relation to COVID-19, chosen to allow an extension longer than these 3 months to cause the least possible disruption.

The Swedish Transport Agency's contact details with regard to this matter: sjofartstillsyn@transportstyrelsen.se

2. Extension of the validity of seafarer documents beyond their expiry date

The Swedish government has adopted a regulation (SFS 2020:154) that stipulates that a medical certificate with a validity of 1 year or longer, a Certificate of Competency (CoC) and/or a Certificate of Proficiency (CoP) that expires on or after the 1st of April and before 1st of September 2020 will remain valid for 6 months from the date of expiry of the certificate without a specific approval from the Swedish Transport Agency.

The certificates are not required to be replaced by new certificates on which the extended date of expiry is stated.

3. Swedish endorsement of foreign certificates

The Swedish government has adopted a regulation (SFS 2020:154) that stipulates that If another country than Sweden has issued the seafarer's national CoC or CoP and that country issues an extension of the validity, (a general extension is acceptable), the validity of the Swedish endorsements, based on the national CoC or CoP, will automatically be considered extended for the same period but in no case longer than 6 months from the original expiry.

The individual seafarer will not be required to submit an application or replace his/her endorsement with a new document on which the extended date of expiry is stated.

4. Information regarding permission for a seafarer to serve in a capacity for which he/she does not hold the appropriate certificate

In compliance with Article VIII of the STCW Convention and Swedish law (SFS 2003:438), the Swedish Transport Agency may issue a dispensation permitting a specified seafarer to serve in a capacity for which he/she does not hold the appropriate certificate for a period not exceeding 6 months.

Any dispensation granted for a post shall be granted only to a person properly certificated to fill the post immediately below. Where certification of the post below is not required, a dispensation may be issued to a person whose qualifications and experience are of clear equivalence to the requirements for the post to be filled. If a person holds no appropriate certificate, he or she can be granted a dispensation for a capacity requiring the lowest certificate of competency, if it is evident that he/she on account of his/her training and experience is able to perform the duties concerned.

Before issuing a dispensation the Swedish Transport Agency shall request the opinion of the relevant national maritime labour union. A dispensation can not be issued for a longer period than six months at a time.

Dispensation can not be granted to a master or a chief engineer officer except on domestic voyages.

An application for dispensation shall be made to the Swedish Transport Agency on the following e-mail address:
sjofart.behorighet@transportstyrelsen.se

5. Information in case of difficulties to maintain safe manning in circumstances of exceptional urgency/force majeure

According to Swedish law (SFS 2003:364), the Master has authority to decide that the ship shall undertake a voyage even if the crew does not comply with the requirements in the table found in the safe manning decision, under the following conditions:

1. the reason that the requirements have not been complied with, is a sudden case of illness in the crew, or some other unforeseen event;
2. the deficiency cannot be rectified before the ship's planned departure; and
3. the ship's existing crew is composed in such a way that the ship's safe navigation and all other aspects of maritime safety are satisfactorily met.

The decision must not entail the ship undertaking a voyage in any other trade area than stated in the safe manning decision; nor must the decision entail deviations from the safe manning decision as regards the master's qualifications.

The decision may be valid for a maximum of one week or, if the voyage to the closest port of destination takes longer, the time needed to sail there.

Before the Master makes such a decision, he/she shall consult with the safety committee onboard or, if the committee is not available, with the safety representative.

Such a decision made by the Master must be recorded in the ship's log and notified to the administration. It should be noted that such a decision, does not require any written approval by the Swedish Transport Agency in order to be valid.

6. PSC

PSC inspections are carried out based on judgement whether the conduct of the inspection would create a risk to the safety of the inspectors, the ship, its crew or the port and taking into consideration the relevant instructions from the Health Authorities; for cases of suspicion or reported Covid 19 incident, the possibilities under Art 8(2)(a) of Directive 2009/16 have been recalled.

The arrangements set out in this notice are intended to provide a pragmatic framework to permit the continued operation of Swedish registered vessels during the current period of disruption caused by the COVID-19 outbreak. The allowances set out in the notice, specifically in the extension of survey periods, are not expressly permitted under the relevant conventions.

Some Port State Control Authorities have already issued guidance on the acceptability of delaying periods for surveys, inspections and audits, etc. in a pragmatic and harmonised manner however operators taking advantage of this notice should be aware that non-compliance with fundamental aspects of the relevant conventions may lead to control action being imposed by an attending Port State Control Officer

7. Final information

It should also be noted that if any maritime administration authority has any questions or difficulties with regard to the extension of Swedish certificates or the content of this notice, please contact the Swedish Transport Agency.

Matters relating to certification of ships:

sjofartstillsyn@transportstyrelsen.se

Matters relating to certification of seafarers and manning:

sjofart.behorighet@transportstyrelsen.se

Gunnar Ljungberg
Swedish Civil Aviation and Maritime Director



REPUBLIC OF TURKEY
Ministry of Transport and Infrastructure
Directorate General for Maritime Affairs

Ref No: 21956
Ankara, 30..March 2020

H.E. Mr. Kitack LIM
Secretary General
International Maritime Organization

Dear Mr. Secretary General,

Operational measures concerning certification related to Novel Corona Virus (Covid-19), taken by the Republic of Turkey is hereby submitted to the Secretary-General of the International Maritime Organization (IMO) as a guidance to assist shipowners, operators, seafarers and recognized organizations that may be experiencing difficulty in conducting ship operations due to Covid-19 outbreak.

Restricted access to shipyards and ports for auditors and surveyors, quarantine implementations, travel restrictions, etc., needs to be considered as a force majeure situation. The measures will only be valid during Covid-19 situation. The items which relate to all Turkish seafarers and all Turkish flagged ships, under the registry of recognized organizations that have been authorized by the Republic of Turkey provide assistance for Covid-19 related delays in conducting statutory surveys, audits and crew changes, etc. to maintain validity of the certificates and documents, Besides, the document determines the conditions which enable recognized organizations to extend certificates and survey period on behalf of the Republic of Turkey.

The Organization is requested to circulate these measures to the attention of the IMO Contracting Governments.

Yours Sincerely,

Ahmet Selçuk SERT
Director General



REPUBLIC OF TURKEY
Ministry of Transport and Infrastructure
Directorate General for Maritime Affairs

**COVID-19 - Extension of Certificates of Vessel, Certificates of Seafarers and
Instructions for Recognized Organizations**

1. Purpose

1.1. This document instructs Recognized Organizations on the extension of statutory inspections and issuance/endorsement of statutory certificates, surveys and audits periods, and seafarers certification due to COVID-19 outbreak.

2. Application

2.1. This document applies to all Turkish flagged ships, under registry of recognized organizations that have been authorized by Republic of Turkey, and all Turkish seafarers.

3. References

3.1. Agreements between the Ministry of Transport and Infrastructure and recognized organizations concerning authorization covers, carrying out surveys, and issuing, endorsing and renewing certificates, in accordance with the “Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)” 2017 set out in the annex of the Resolution A.1120(30) as may be amended for Turkish flagged ships.

3.2. IMO Circular Letter No. 4204/Add.1

IMO Circular Letter No. 4204/Add.2

IMO Circular Letter No. 4204/Add.3

IMO Circular Letter No. 4204/Add.4

IMO Circular Letter No. 4204/Add.5

4. Background

4.1. Since the outbreak of the novel coronavirus disease in 2019 (COVID-19), Turkish Maritime Administration (TMA) has received inquiries from shipowners and Recognized Organizations (RO) regarding postponement of inspections and survey date and extending the validity of statutory certificates due to difficulties caused by the COVID-19 outbreak. This includes an extension of statutory certificates or postponement of bottom inspections as a result of unavailable dry-dock facilities as well as timely completion of ISM internal audits and ISM/MLC/ISPS periodical, annual intermediate and renewal



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Ministry of Transport and Infrastructure
Directorate General for Maritime Affairs

verifications. Inquiries regarding Certificates of Competency, Certificates of Proficiency and Minimum Safe Manning Documents are received as well.

4.2. Travelling, both nationally and internationally, has become increasingly more difficult due to imposed travel bans. Combined travel restrictions implemented by governments and companies cause difficulties for providing surveyors and auditors as well as continued training of seafarers, revalidation of certificates of competencies, medical certificates, etc., when needed. Furthermore, numerous shipyards cannot accommodate vessels, even for booked and planned inspections and surveys which require dry-dock.

4.3. Based on the above conditions, the TMA considers the COVID-19 outbreak to be a force majeure situation.

4.4. For the TMA, the main focus is that Turkish flagged ships shall maintain their operations despite possible expired certificates caused by the current and probable COVID-19 situation.

5. Instructions

The TMA has decided that certificates and survey and audit period may be granted up to 3-month extension according to nature of certificates and surveys. TMA has circulated instructions to its recognized organizations with detailed explanations.

5.1. The TMA has authorized its recognized organizations to extend certificates and period of survey and audits as well as conducting their audits by using remote method and issue electronic certificates on behalf of Republic of Turkey during Covid-19 pandemic.

5.2. The extension will also apply to certificates issued by service providers including, but not limited to issued re-certifying life-saving equipment, fire-fighting equipment.

5.3. While all reasonable efforts should be taken to ensure that statutory certificates are kept valid, ROs are hereby authorized to grant extension as described in paragraph 5.1 above.

5.4. The TMA has granted extension of 3 months from the expiry date of the Seaman's Books, Certificates of Competencies (COC), GMDSS Radio Operator Certificates (ROC/GOC/REO), STCW Certificates and Medical Fitness Certificates expiring before 24 June 2020 without any further application or approval.

5.5. RO's shall inform the TMA of when and to which vessels are granted extension under paragraph 5.1