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Circular Letter No.4232/Add.5
27 August 2020

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

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

The Government of the Republic of Poland has sent the attached communication, dated 26 August 2020, with the request that it be circulated by the Organization.



Embassy
of the Republic of Poland
in London

47 Portland Place
London W1B 1JH

London, 26 August 2020 r.

H. E Kitack Lim
Secretary-General
International Maritime Organization
4, Albert Embankment
London
SE1 7SR

Dear Secretary General

The Embassy of the Republic of Poland in the United Kingdom of Great Britain and Northern Ireland would like to inform that to prevent and minimize the impact on the shipping industry and especially on seafarers resulting from the COVID-19 pandemic, the Ministry of Maritime Economy and Inland Navigation of the Republic of Poland has implemented measures as described in the attached updated Guidelines on extending the validity of seafarers' maritime documents in the period of COVID-19 pandemic state.

In line with Circular Letter No.4204/Add.5/Rev.1 Annex 1, page 1 of 2nd April 2020 on Coronavirus (COVID 19) Guidance relating to the certification of seafarers we would like to kindly request that the attached Guidelines are circulated among IMO Member Governments and Organizations.

The Embassy of the Republic of Poland in the United Kingdom of Great Britain and Northern Ireland avails itself of this opportunity to renew to the Secretary-General of the International Maritime Organization the assurances of its highest consideration.

With highest regards

Małgorzata Buszyńska

1st Counsellor, Permanent Representative of
the Republic of Poland to the International
Maritime Organisation (IMO)



MINISTER
OF MARITIME ECONOMY
AND INLAND NAVIGATION

Warsaw, 21st August, 2020

DEM.WKK.2.0212.1.2020.BD_v3

TRANSLATION

**Guidelines on extending the validity of seafarers' maritime documents
in the period of *COVID-19 pandemic state*^{i, ii}**

Due to the *extending pandemic state over the whole country and*ⁱⁱ rapid spread of SARS-CoV-2 virus (causing COVID-19) and the measures to prevent, counteract and fight COVID-19 in Poland and other countries, and

having regard to the problems related with the temporary restrictions on the functioning of educational institutions, including maritime education units, and the temporary restrictions on the movement of citizens, and

*having regard the restriction obliged to the governmental offices and accessibility for the citizens introduced by the Council of Ministers*ⁱⁱ

whereas seafarers encounter considerable difficulties with revalidating certificate of competency, certificates of proficiency and medical certificates, and *having in mind the seafarers difficulties with the safe returning to the country and revalidation their personal documents caused by the pandemic state all over the world*,ⁱⁱ

following the guidelines set out in Circular Letter No.4204/Add.5 of 17 March 2020 of the International Maritime Organisation on Guidance relating to the certification of seafarers, and

having regard to the exceptional and extraordinary circumstances,

the Minister of Maritime Economy and Inland Navigation introduces the following guidelines for seafarers, shipping companies and maritime authorities and, for information, to other countries' administration and control bodies.

Seafarers holding certificate of competency or certificates of proficiency that have expired or will soon expire, who meet the conditions for revalidation under the provisions of the relevant Regulation¹, may apply to maritime offices *on-site*ⁱⁱ or electronically, provided that they send scans or copies of the documents required with a relevant statement (confirming their authenticity). Detailed information can be found on the websites of maritime authorities.

1. Extension of seafarer's documents

1.1. Certificates of proficiency revalidated based on a completed refresher training:

- Certificate of proficiency in personal survival techniques
- Certificate of proficiency in basic fire prevention and fire fighting
- Certificate of proficiency in basic safety training (integrated)

¹ Regulation of the MMEIN of 23 April 2018 on training and qualifications of the crew members of sea-going vessels (Polish Journal of Laws, item 802).

- Certificate of proficiency in advanced fire fighting
- Certificate of Proficiency in survival craft and rescue boats other than fast rescue boats
- Certificate of Proficiency in fast rescue boats
- Certificate of proficiency in medical care

and those that expired on 1 February 2020ⁱ or later and cannot be revalidated due to exceptional circumstances resulting from COVID-19 outbreak remain valid until *31 December 2020*ⁱⁱ. Such an extension does not require any separate official confirmation.

1.2. Certificate of competency that expired on 1 March 2020 or later and cannot be revalidated due to exceptional circumstances resulting from COVID-19 outbreak remain valid until *31 December 2020*ⁱⁱ. Such an extension does not require any separate official confirmation.

1.3. *Revoked*ⁱⁱ

1.4. The above extension applies primarily to seafarers who are currently aboard vessels and due to the imposed restrictions may not return to the country and ⁱⁱ revalidate their certificate of competency or certificates of proficiency.

1.5. Due to the extraordinary circumstances of such an extension, where the epidemic risk is contained *and the pandemic state in the country will be revoked*ⁱⁱ, , seafarers holding documents that have been extended under this procedure should, where possible, immediately as soon as possibly remedy all deficiencies, as required, in order to revalidate their documents in accordance with the provisions of the Regulation¹.

1.6. *Seafarers staying at the country and their certificate of competency or certificates of proficiency have expired or will soon expire, shall immediately revalidate their personal documents as soon as possible.*ⁱⁱ

2. Extension of maritime pilots' documents

2.1. Holders of maritime pilot diplomas and pilot's licenses that have expired or will soon expire, who meet the conditions for revalidation under the provisions of the relevant Regulation², may apply electronically to maritime offices, provided that they send scans or copies of the documents required with a relevant statement (confirming their authenticity). Detailed information can be found on the websites of maritime authorities.

2.2. Pilot's diplomas and licenses that expired on 1 March 2020 or later and cannot be revalidated due to exceptional circumstances resulting from COVID-19 outbreak remain valid until 1 September 2020. Such an extension does not require any separate official confirmation.

3. Medical certificateⁱⁱ

3.1. *Medical certificate issued by medical practitioner (recognised by maritime administration) have expired or will expire from 1 March 2020 , it is deemed valid for a period of 60 days after the pandemic state introduced in Poland will be revoked*³.

3.2. *Seafarers are obliged to hold such medical certificates with expired validity and obtain new ones as soon as possible.*

4. Extension of contracts

4.1. On a case-by-case basis, shipping companies or employment agencies (acting on behalf of a shipping company) that encounter problems with repatriation of seafarers after the deadline set in the seafarer's employment agreement (drafted in line with MLC) may extend the agreement for the

²Regulation of the Minister of Maritime Economy and Inland Navigation of 17 November 2017 on maritime piloting (Polish Journal of Laws of 2018, item 38).

³ art. 15 zzzt of the Act on 2 March 2020 on the extraordinary measures related to the prevention, counteraction and combating COVID-19, other infectious diseases and emergencies caused by them (J.L pos. 374 as amended)

maximum period of three months. This period may possibly be further extended if the situation resulting from the epidemic does not allow repatriation.

- 4.2. Notwithstanding the foregoing, measures relating to repatriation should be taken as soon as possible.
- 4.3. If a seafarer's employment agreement needs to be extended, an annex should be concluded, providing the seafarer with the same working conditions as in the agreement.
- 4.4. In the case of such an extension, shipping companies operating vessels that fly the Polish flag and employment agencies placing seafarers to work on vessels flying the Polish flag are required to provide the data of the seafarer(s), including the data on the current agreement validity periods, to the directors of maritime offices competent for the vessel's port of registration, to the e-mail addresses of the Flag State Inspections.

5. Final provisions

- 5.1. It should also be noted that due to the lack of relevant international arrangements some maritime administration authorities may refuse to recognise the extension of certificates. Therefore, should you have any doubts as to the application of the above guidelines or wish to obtain more details, please contact maritime offices.
- 5.2. The aforementioned guidelines apply to certificate of competency and certificates of proficiency issued by the Polish maritime administration and to medical certificates issued by medical practitioners recognised by the Polish administration. These guidelines may be changed without prior notice. They may be modified or repealed if any decisions, directives or other acts are adopted at the level of the European Union or the International Maritime Organisation. If this is the case, the guidelines will be updated or withdrawn as appropriate.
- 5.3. Any *questions on* ⁱⁱ extension of seafarers' documents should be sent to a special e-mail addresses of maritime offices:
 - Maritime Office in Gdynia – wdm.gdynia@umgdy.gov.pl
 - Maritime Office in Szczecin – wdm1@ums.gov.pl
- 5.4. Up-to-date information will be published on an ongoing basis on the websites of the Maritime Offices www.umgdy.gov.pl and www.ums.gov.pl.

Anna Moskwa
Undersecretary of State
on behalf of Minister
Maritime Economy and Inland Navigation
/- signed by qualified
electronic signature/

i Amendments implemented since the last version of the Guidelines of 19 March 2020:

- Point 1.1 – the date 1 March 2020 is replaced by the 1 February 2020

ii Amendments implemented since the last version of the Guidelines of 25 March 2020 were indicated into the text by *italics*:

- Title and the preamble have been adapted to the actual situation and legal changes i.e. pandemic state introduction
 - Point 1.1 and 1.2 – the date 1 September 2020 is replaced by the 31 December 2020
 - Point 1.3 – has been revoked
 - Point 1.4 – add the sentence “return to the country”
 - Point 1.5 – sentence “the movement of citizens and the operation of maritime education units is restored” has been replaced by “and the pandemic state in the country will be revoked”
 - Add a Point 1.6
 - Point 3 Medical certificate – whole point has been changed
 - Point 5.3 – the word “applications” replaced by “questions”
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