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Circular Letter No.4235/Add.6
22 December 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 has sent the attached communication, dated 22 December 2020, with the request that it be circulated by the Organization.



Federal Republic of Germany



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

As at: 22 December 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 Maritime Administration and approved training providers that will expire before 1. July 2021 is extended by 6 month. 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.
- The German Maritime Administration continues to accept applications for the issuance of certificates, will process them as far as possible under the current circumstances and recommends seafarers to apply as usual.
- For the time being, the following rules will apply: Seafarers whose certificates of competency and proficiency (documents) will expire in the near future and who are registered for a refresher course that will not take place due to the spread of COVID-19 can submit the application form as usual. Seafarers will receive their documents regularly renewed for 5 years, provided that all other requirements are met and proof of registration for the refresher course, including the cancellation, is attached to the application form. The administrative notice issued together with the documents will include an obligation to submit documentary evidence of refresher training within six months from the date of the issuance of the documents. For safety reasons, this regulation does not apply to the participation in courses required for the first qualification that are cancelled due to COVID-19.

3. Port State Control

At the moment Port state control inspections take place in Germany only due to [overriding factors](#) and under observation of special protective measures for the PSCOs and the crew.

4. Security inspections

- Inspections in accordance with ISPS Code Part A Section 19 (see 1. "Statutory ship certificates") may be carried out in compliance with all necessary hygiene measures,
- Inspections by the flag state in accordance with ISPS Code Part A Section 4.4 are not carried out; in individual cases, however, this can also be done as a remote inspection,
- Random inspections according to SOLAS XI-2 Regulation 9.1 as well as Regulation 9.2.5.3 on board foreign flagged ships in German ports are suspended.

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/en/coronavirus?set_language=en