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Lettre circulaire No 4268
16 avril 2020

Destinataires : Tous les Membres de l'OMI
Organisations intergouvernementales
Organisations non gouvernementales bénéficiant du statut consultatif

Objet : **Communication des Gouvernements de :**
i la République d'Indonésie; et
ii Tuvalu

Les Gouvernements de la République d'Indonésie et de Tuvalu ont envoyé les communications ci-jointes*, datées du 15 avril 2020, en demandant qu'elles soient diffusées par l'Organisation.

* En anglais seulement.



KEMENTERIAN PERHUBUNGAN
DIREKTORAT JENDERAL PERHUBUNGAN LAUT

JL. MEDAN MERDEKA BARAT No. 8
JAKARTA - 10110

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Ref. No. : UM.002/33/11/DJPL/2020

Jakarta , 15 April 2020

H.E. Mr. KITACK LIM
Secretary-General
International Maritime Organization
4th Albert Embankment
London
SE1 7SR
United Kingdom

Subject : Re : Coronavirus (COVID-19) – Guidance relating to the certification of seafarers

Dear Secretary General,

In reference to the circular letter No. 4204/Add.5, The Directorate General of Sea Transportation of Ministry of transportation (the "Administrator") is informing the Organization, In response to the escalating situation, the Administrator has issued Circular letter No. SE. 11 Years 2020 sets out temporary process and procedures to be follow as a result of the pandemic onto a dedicated webpage (<https://www.pelaut.go.id>), which will continue to be updated based on the rapidly changing circumstances. It would be grateful for the IMO Secretariat to disseminate the attached information to all Member States and relevant stakeholders.

The Directorate General of Sea Transportation avails itself of this opportunity to renew to the Secretary General of IMO, the assurances of its highest consideration

Yours sincerely,

R. AGUS H. PURNOMO
Director General of Sea Transportation
Ministry of Transportation
Republic of Indonesia



- Cc.
1. Ambassador Extraordinary and Plenipotentiary of Republic Indonesia to United Kingdom/Permanent Representative of the Republic of Indonesia to IMO;
 2. Secretary for Directorate General of Sea Transportation, DGST;
 3. Director of Marine Safety and Seafarers, DGST;
 4. Transportation Attaché, Embassy of the Republic of Indonesia in London/Alternate Permanent Representative of the Republic of Indonesia to IMO.

"Mentaati Peraturan Pelayaran Berarti Mendukung Terciptanya Keselamatan Berlayar"



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CIRCULAR LETTER

No. SE.11 Year 2020

REGARDING

**CONTINGENCY PLAN
FOR SEAFARERS AND SHIP OWNERS/OPERATORS DUE TO COVID-19**

1. In accordance with the Circular Letter International Maritime Organization (IMO) No.4202/Add.5 on 17th March 2020 regarding Coronavirus (COVID-19) – Guidance relating to the certification of seafarers, addressed to all IMO member countries, intergovernmental and consultative non-governmental organizations (N-GO).

COVID-19 related-links are as follows:

- a. Circular Letter No.4204/Add.5 (17th March 2020) Coronavirus (COVID-19) – Guidance relating to the certification of seafarers.
 - b. Circular Letter No.4204/Add.4 (5th March 2020) contains ICS Coronavirus (COVID-19) – Guidance for ship operators for the protection of the health of seafarers.
 - c. Circular Letter No.4204/Add.3 (2nd March 2020) – Operational considerations for managing COVID-19 cases/outbreak on board ships.
 - d. Circular letter No.4204/Add.2 (21st February 2020) contains the Joint Statement IMO-WHO on the Response to the COVID-19 Outbreak and encourages Member States and International Organizations to disseminate it as widely as possible.
2. Considering that many of the port countries imposed various shipping and maritime operational restrictions as an effort to anticipate the spread of the COVID-19 outbreak, such as:
 - a. Delay on port clearance;
 - b. Delay on embarking and disembarking crew or passengers;
 - c. Delay on loading and unloading cargo, fuel, water, and food;
 - d. Quarantine imposition or ship refusal entering the port (in extreme case), etc.
 3. Referring to paragraphs 1 (one) and 2 (two) above, Directorate General of Sea Transportation, Ministry of Transportation makes practical and pragmatical contingency plans for seafarers and ship owners/operators, as follows:
 - a. Every seafarer having Certificate of Competency (CoC) and Certificate of Endorsement (CoE) in accordance with the provisions stipulated by Directorate General of Sea Transportation, Ministry of Transportation Republic of Indonesia, which expires in the period from 1st March 2020 to 31st May 2020 (or as otherwise stipulated by local government relating to COVID-19) and seafarers working on Indonesian-flagged or foreign-flagged ships operating in all Indonesian territorial waters must send a self-declaration (bit.ly/SelfDeclaration) and copy of the expired certificate to Directorate General of Sea Transportation cq. Directorate of Marine Safety and Seafarers through email: kepelautan@dephub.go.id and a temporary Certificate of Endorsement (CoE) will be issued which is valid for 6 months.

“Mentaati Peraturan Pelayaran Berarti Mendukung Terciptanya Keselamatan Berlayar”

- b. Minimum Safe Manning Document can be given exemption on a case by case basis if the crew must be signed off due to COVID-19 exposed and the ship owner or operator has not been able to provide a replacement, by providing a risk assessment in advance by the ship owner or operator.
- c. The company is obliged to inform every seafarer on board the ship regarding the risk of being infected with COVID-19, and to explain the reasons why they must remain on board, as well as to take protective and regulatory measures for the seafarer return, to follow the direction of the local health authority and to adhere to the health protocols applied by each country.
- d. Sign on documents for seafarers having departure documents and ticket to destination country of placement can be signed on and departed taking into account the safety and health of seafarers, as well as the policies of the destination country regarding COVID-19.
- e. If Seafarer's Employment Agreement (SEA) has been finished, the SEA can be considered still valid until the seafarer return or until a new SEA is issued. Ship owner or operator have to return the seafarer in the first place and prepare the replacement if possible.
- f. Regarding Seaman Book which expired when the seafarer is still on-board ship and the ship cannot enter the destined port or country applying lockdown policy due to COVID-19, the Seafarer Book is stated valid until the ship is able to enter a port which its Port State Control/Administrator allows the seafarer reaches the Indonesian Embassy to update the documents and/or if it is not possible until the due of Seafarer's Employment Agreement.
- g. Ship owner or operator is responsible for any surcharge of the seafarer return cost, medical treatment cost, cost related with the return of a seafarer suspected of being infected with COVID-19. If necessary, the ship owner or operator have to contact Deposit Insurance Corporation to ensure the insurance or any other financial guarantee regarding the issue.
- h. Regarding sea service for seafarer working on board ship without any cargo or on board of lay-up ship, it will be still recognized as the sea service to fulfill the requirements for Certificate of Competency (CoC) or Certificate of Proficiency (CoP) issuance.
- i. Cadet or Apprentice carrying internship on board ship and cannot continue his internship due to COVID-19 outbreak, however, the cadet or apprentice has finished his 9 months of internship on board ship is valid for the requirement to continue his study and/or to issue his Certificate of Competency.
- j. In accordance with STCW Regulation I/9 and MLC 2006 Reg.A1.2, the Medical Certificate for Seafarers in a certain condition such as COVID-19 outbreak is valid for 3 months after it expired.
- k. Every Certificate of Recognition (CoR) of foreigner working on board of Indonesian-flagged ship in accordance with STCW Regulation I/10, which expires in the period from 1st March 2020 to 31st May 2020, the seafarer can send a copy of Certificate of Recognition (CoR) and this Circular Letter to Directorate General of Sea Transportation cq. Directorate of Marine Safety and Seafarers through email: kepelaotan@dephub.go.id and a temporary Certificate of Recognition (CoR) will be issued which is valid for 3 months.

4. This Circular Letter is valid for 3 (three) months, starting from the stated date.

Stated in : J A K A R T A
Date : 24th March 2020

DIRECTOR GENERAL OF SEA TRANSPORTATION


R. AGUS H. PURNOMO





TUVALU SHIP REGISTRY

Singapore Operations Office:

10 Anson Road #25-16, International Plaza, Singapore 079903

Tel: (65) 6224 2345 Fax: (65) 6227 2345

Email: info@tvship.com Website: www.tvship.com

MARINE CIRCULAR

MC-2/2020/1

04/2020

FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Port Authorities, Flag State Inspectors

SUBJECT: EXTENSION OF SEAFARERS' EMPLOYMENT AGREEMENT SERVICE PERIOD AND CERTIFICATES OF ENDORSEMENT DUE TO COVID-19

DEFINITIONS:

The following abbreviations stand for:

- "SEA" – Seafarers' Employment Agreement
- "COC" – Certificate of Competency in accordance to the STCW
- "COE" – Certificate of Endorsement (issued against an officer's COC / GOC / DCE / SSO)
- "COP" – Certificate of Proficiency in accordance to the STCW
- "DCE" – Dangerous Cargo Endorsement (e.g. Advanced Oil/Chemical Tanker Certificate)
- "GOC" – GMDSS Operator Certificate
- "MC" – Medical Certificate
- "SSO" – Ship Security Officer Certificate
- "STCW" – International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended

The term "Administration" shall mean the Tuvalu Ship Registry.

PURPOSE:

The purpose of this circular is to address the heightened immigration measures and travel restrictions put in place by an increasing number of countries which may result in difficulties for ship owners to arrange change of crew when their SEAs expire, and for seafarers to have their COCs/COPs/MCs revalidated prior to the expiry of their Tuvalu COE.

REFERENCES:

- (a) Tuvalu Marine Circular MC-1/2020/1 – Coronavirus Pandemic (COVID-19)
- (b) Tuvalu Merchant Shipping (Maritime Labour Convention 2006) Regulations
- (c) Tuvalu Registry Circular RC-5/2012/1 – Crew Endorsement Application

APPLICATION:

This circular applies to all seafarers serving on board Tuvalu flagged vessels.

CONTENTS:

1. Extension of SEA

- 1.1. International efforts to stem the spread of COVID-19 has led to an increasing number of countries and their port authorities placing immigration restrictions which may result in difficulties for ship owners to arrange change of crew when the SEAs of the crew expire.
- 1.2. In order to address the issue, the Administration hereby wishes to inform all parties concerned that a seafarer's service period may be extended on condition that any such extension is:
 - 1.2.1. agreed by the seafarer voluntarily in writing; and
 - 1.2.2. is properly set out in the SEA which shall be in accordance to the Tuvalu Merchant Shipping (Maritime Labour Convention 2006) Regulations

2. Extension of Tuvalu Certificates of Endorsement (COE)

- 2.1. Tuvalu COEs that expire due to the seafarers being unable to revalidate their COCs, COPs and/or MCs due to travel restrictions imposed will be able to apply to crewing@tvship.com to have the COEs extended on condition that the National Authority issuing the COC and/or COP has issued an official notice or letter of extension.
- 2.2. In the event that an official notice or letter of extension by the National Authority cannot be produced, then the Administration may, on a case-to-case basis, issue a short term dispensation letter to allow the seafarer to continue to sail in his/her present capacity until the vessel is able to call at the first port where the seafarer can be replaced or repatriated. Please contact technical@tvship.com to apply for a dispensation if required.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry



TUVALU SHIP REGISTRY

Singapore Operations Office:

10 Anson Road #25-16, International Plaza, Singapore 079903

Tel: (65) 6224 2345 Fax: (65) 6227 2345

Email: info@tvship.com Website: www.tvship.com

MARINE CIRCULAR

MC-4/2020/1

04/2020

FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Recognized Organizations, Port Authorities, Flag State Inspectors

SUBJECT: MANAGING STATUTORY SURVEYS & CERTIFICATES, ISM, ISPS, MLC 2006 AND FSI DURING COVID-19

DEFINITIONS:

The following abbreviations stand for:

- “FSI” – Flag State Inspection
- “ISM Code” – International Management Code for the Safe Operation of Ships and for Pollution Prevention
- “ISPS Code” – International Ship and Port Facility Security Code implemented through chapter XI-2
- “ISSC” – International Ship Security Certificate
- “MLC” – Maritime Labour Certificate
- “MLC 2006” – Maritime Labour Convention, 2006
- “PSC” – Port State Control
- “RO” – Recognized Organization as defined by IMO Resolution A.789(19)
- “SMC” – Safety Management Certificate

The term “Administration” shall mean Tuvalu Ship Registry.

PURPOSE:

This circular is valid up till 31 December 2020, unless otherwise extended, revised or revoked, and serves to address the challenges faced by the shipping industry caused by COVID-19 when it comes to the arrangement of statutory surveys, audits and inspections due to heightened precautionary measures undertaken which have resulted in travel restrictions imposed by countries around the world.

REFERENCES:

- (a) Tuvalu Marine Circular MC-1/2020/1 – Coronavirus Pandemic (COVID-19)

APPLICATION:

This circular applies to all Tuvalu flagged vessels.

CONTENTS:

The Administration encourages all government agencies and industry stakeholders to recognize this as a force majeure situation that will necessitate flexibility, and that it is imperative that the owner/manager and the RO work together to maintain the validity of statutory certificates by means of physical and remote survey techniques where possible.

However, where adequate justification and supporting documentation shows that the above is not possible, then the Administration will, in consultation with the RO (with exception of section 6), consider taking the below measures under force majeure on a case-to-case basis.

1. Statutory Surveys and Certificates:

Postponement of survey, servicing of equipment, and/or certificate extension beyond the maximum three (3) months in the event where scheduled surveys (drydock surveys, statutory surveys including IOPP renewal survey) are unable to be performed, either by physical attendance or remote means, due to restrictions imposed by COVID-19.

2. DOC (ISM Code):

2.1. Extending the DOC where the company cannot complete the required initial or annual verifications.

3. SMC (ISM Code):

3.1. Extending the Interim SMC where the initial ISM shipboard audit cannot be carried out.

3.2. Extending the intermediate ISM audit and authorize RO to issue Short Term SMC with the corresponding validity.

3.3. Extending the SMC where the renewal ISM shipboard audit cannot be carried out.

4. ISSC (ISPS Code):

4.1. Extending the Interim ISSC where the initial ISPS shipboard verification cannot be carried out.

4.2. Extending the intermediate ISPS verification and authorize RO to issue Short Term ISSC with the corresponding validity.

4.3. Extending the ISSC where the renewal ISPS shipboard verification cannot be carried out.

5. MLC (MLC 2006):

5.1. Extending the Interim MLC where the initial MLC 2006 shipboard verification cannot be carried out.

5.2. Extending the intermediate MLC 2006 verification and authorize RO to issue Short Term MLC with the corresponding validity.

5.3. Extending the MLC where the renewal MLC 2006 shipboard verification cannot be carried out.

6. Annual FSI:

6.1. Extending the annual FSI or consider remote inspection techniques where possible.

Applications for any of the above measures shall be made to technical@tvship.com either through the ship owner, ship manager, or RO together with supporting documentation.

Examples of supporting documentation (acceptable in electronic form) may include the following:

- a) Statement from a port authority notifying that the vessel is quarantined and/or that no one is authorized to attend the vessel; or
- b) Statement or letter from a Flag State Inspector, RO Auditor and/or RO Surveyor stating that they are unable to attend the vessel in the port where the inspection, audit or survey was scheduled to take place due to travel or port restrictions; or
- c) Statement or letter from the shipyard stating that they are unable to accommodate the vessel on the date previously agreed.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry
