

Circular 257/2022

To: Vessel Owners, Managers, Masters, Officers, Deputy Registrars and Other Interested Parties.

Subject: Procedure to apply for an Extension, Exemption/Waiver or a Dispensation.

Date: 12th January 2022

Summary

In view of the high volume of queries for Extensions, Exemptions, Waivers and Dispensation this Administration is receiving, Owners/Managers are kindly invited to note the following indications to guarantee a correct and timely management of all requests.

Glossary

An Extension Certificate is issued when a survey due date cannot be met, and when applicable Regulations allow so (refer to Resolution A.1140(31), para. 5.9, to ISM Code 13.14 and 14.3 and to ISPS code 19.3.5).

An Exemption Certificate or Waiver Certificate is issued when Regulations allow specifically Flag Administration to exempt or waive the vessel with a particular requirement, often because of their trading area, specific cargo carried or operating conditions.

A Dispensation Certificate is issued when because of a defect identified, the vessel is not complying with Regulations, thus exempting *temporary* the vessel from such requirement.

Role of the vessel's Class/Recognized Organization

Except for Exemptions/Waivers, every query should be addressed to the entity that issued the relevant Certificate: Class, Recognized Organization or Maritime Cook Islands, whichever is applicable.

Class and R.O. will seek Flag concurrence directly.

Extensions

Queries must be submitted well in advance on the expiry date of the certificate or survey: at least one month for renewal surveys, dry bottom surveys and for other annual surveys/servicing (for example: annual service for liferaft).

Every query will be considered on a case-by-case basis, and it should be accompanied by documented evidence justifying the need of the extension.

In case of dry dock survey extension requests, at least three different shipyards letters should be submitted.

Except for specific circumstances – to be documented – extensions will be granted for maximum 3 months without further postponements.

ISM, ISPS, MLC Extensions

Queries related to the ISM, ISPS, MLC Certification should be requested as per the below schedule:

- SMC and ISSC: at least one month before the end of the renewal verification window
- MLC: at least one month before the end of the renewal inspection window; extensions to the MLC certificate will be evaluated on a case-by-case basis and no extensions will be guaranteed for the Interim MLC certificate.
- DOC: no extensions will be granted for the DOC inspections. The Flag can authorize, on a case-by-case basis, remote DOC verifications.

COVID-19 Extensions (to be read in conjunction to MCI Circular letter 227/2020)

In view of the mutated COVID-19 outbreak conditions and new developments at the IMO and ILO, any kind of extension request should be accompanied by supporting documentation proving that pandemic disruptions are effectively prevent the survey(s) to be completed within due date.

Exemptions/Waivers

Requests should include the applicable regulation to be exempted or waived, regulation that allows the exemption/waiver, and the expiry date of the relevant certificate. Depending on the actual Regulation to be exempted/waived, additional documentation to prove applicability could have to be submitted.

Class/RO may be requested to advise on existing arrangements onboard or mitigating measures adopted.

Dispensation

Requests should always be accompanied by supporting documentation proving the impossibility to fix the issue in the port where the vessel is, a proposed corrective action and mitigating measures to reduce the risk to sail not complying with a statutory requirement.

Class/RO will be invited to issue a Conditional/Short term statutory certificate involved in the defect valid until dispensation expiry date.

Owners and managers can address their queries to the following email address:

technical@maritimecookislands.com