



# Technical Circular

No.: 107/2020

Date: 25<sup>th</sup> July 2020

## **Subject: Barbados Maritime Bulletin No. 329 on COVID-19 Guidance**

1. Barbados Maritime Administration has issued Bulletin No. 329 providing guidance with regard to extensions, postponements of Seafarers Certificates, surveys, audits, inspections etc as outlined below. These measures are temporary and their duration will be based on the global evolution of the COVID-19 pandemic.

### **a. Actions to be taken in case of suspected cases:**

Where COVID-19 case is suspected, medical advice is to be sought from the public health authorities in the country where the ship is located and instructions to be followed. Also the Administration is to be reported at: [registry@barbadosmaritime.com](mailto:registry@barbadosmaritime.com)

### **b. Barbados Initial, Annual and Pre-Registration Inspections:**

- i. Where an initial or annual inspection cannot be carried out before the end of the inspection window, the owner/operator is to advise the Administration providing full supporting information. Inspections shall be carried out at the first port where an inspector is available.
- ii. The requirement for pre-registration inspections may be waived until **30 Sept. 2020** for ships on a case by case basis.
- iii. All ships proposed for registration, with the exception of new builds, remain subject to a preregistration technical documentation review.

### **c. Extension of Surveys:**

- i. Where a surveyor is not able to undertake scheduled surveys due to restrictions imposed by COVID-19, including cancellation of scheduled dry docking and/or bottom survey, and remote survey is not practicable, Administration authorizes its Recognised Organisations (RO) to consider applications for extension/postponement under force majeure or unforeseen exceptional circumstances and administratively issue short term statutory certificates **for up to 3 months without prior approval of the Administration**. This is to be followed up by a physical survey at the earliest opportunity.
- ii. For statutory surveys delegated to Barbados ROs, the ROs to consider the application, which should include full supporting information, before issuing short-term certification. The Master is to provide a statement to the RO confirming the



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. While we have taken utmost care to be as factual as possible, readers/ users are advised to verify the exact text and content of the Regulation from the original source/ issuing Authority.

structure or equipment to be surveyed remains fit for purpose and has not been subject to any damage.

- iii. Where the structure or equipment to be surveyed does not remain fit for purpose, or has suffered damage, or the RO does not support the application, the RO is to provide full details to Administration, who will then consider on a **case-by-case basis** and provide instructions to the RO.

**d. Extension of ISM and ISPS Internal Audits:**

- i. Administration temporarily permits extensions to annual ISM internal audits for **up to 3 months** (as per para 12.1 of the ISM Code) in cases where it is not physically possible to attend and remote audit is not practicable. This is to be followed up by a physical audit at the earliest opportunity.
- ii. The Company Security Officer may postpone internal ISPS audits for **up to three (3) months** in cases where it is not physically possible to attend, and remote audit is not practicable. This is to be followed up by a physical audit at the earliest opportunity.

**e. Extension of ISM External Audits:**

- i. For interim ISM DOC audits where it is not physically possible to attend and remote audit is not practicable, **Administration may permit the issue of interim DOC** upon receipt by the RO of a statement from the Company confirming that the safety management system is in place and meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.
- ii. For interim ISM SMC audits where it is not physically possible to attend and remote audit is not practicable, **Administration permits the issue of interim SMC, without prior approval of the Administration**, upon receipt by the RO of a statement from the Master confirming that the safety management system is in place and meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.
- iii. For initial ISM DOC and SMC audits where it is not physically possible to attend and remote audit is not practicable, **Administration permits the issue of a second interim DOC/SMC for up to 6 months, without prior approval of Administration**, upon receipt by the RO of a statement from the Company/Master confirming that the safety management system meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.
- iv. For SMC and DOC periodical audits, if these are not completed within the range date the certificate ceases to be valid as per ISM Code. In such circumstances, the RO may issue a new SMC or DOC **valid for 3 months** or until the audit can take place, whichever comes first, without prior approval of Administration.

v. For SMC and DOC renewal audits, and noting the provisions of ISM Code 13.14, Administration authorizes its ROs to issue **3-month extensions**, where requested by the Company, to existing SMC and DOC Certificates, without prior approval of the Administration.

**f. Extension of ISPS External Audits:**

- i. For interim ISSC audits where it is not physically possible to attend and remote audit is not practicable, **Administration permits the issue of an interim ISSC, without prior approval of the Administration**, upon receipt by the RO of a statement from the Company Security Officer and Ship Security Officer confirming that:
- a) A Ship Security Assessment has been completed.
  - b) A copy of the Ship Security Plan (SSP) is on board and there is evidence that the SSP has been submitted to the RO for approval.
  - c) The security measures identified in the Ship Security Plan are in place and the provisions of paragraph 19.4.2 of the ISPS Code have been met. This is to be followed up by a physical audit at the earliest opportunity.
- ii. For initial ISSC audits where it is not physically possible to attend and remote audit is not practicable, **Administration permits the issue of a second interim ISSC for up to 6 months** upon receipt by the RO of a statement from the Company Security Officer and Ship Security Officer, as per 3.6.1. i to iii, without prior approval of the Administration. This is to be followed up by a physical audit at the earliest opportunity.
- iii. For ISSC intermediate audits, if these are not completed within the range date, the certificate ceases to be valid as per ISPS Code A19.3.8. In such circumstances, the RO may issue a new ISSC **valid for 3 months** or until the audit can take place, whichever comes first, without prior approval of the Administration.
- iv. For ISSC renewal audits, noting the provisions of ISPS Code A-19.3.5, **Administration authorizes its ROs to issue 3-month extensions**, where requested by the Company, to existing ISSC Certificates, without prior approval of the Administration.

**g. Extension of Maritime Labour Inspection:**

- i. For interim MLC inspections where it is not physically possible to attend and remote inspection is not practicable, **Administration permits the issue of an interim MLC for up to 6 months, without prior approval of the Administration** upon receipt by the: RO of a statement from the Company/Master confirming that;
- a) the applicable requirements of MLC 2006 have been met.
  - b) An approved Declaration of Maritime Labour Compliance Part I is on board or evidence provided that it has been requested from the Administration.

- c) DMLC Part II is available in draft or evidence provided that it has been submitted to the RO.

This is to be followed up by a physical audit at the earliest opportunity.

- ii. For initial MLC inspections where it is not physically possible to attend and remote audit is not practicable, **Administration permits the issue of a second interim MLC for up to 6 months, without prior approval of the Administration**, upon receipt by the RO of a statement from the Company/Master, as per above i (a to c).  
This is to be followed up by a physical audit at the earliest opportunity.
- iii. MLC 2006 does not provide for the issue of extensions to existing MLC Certificates without inspection. However, in this exceptional situation, **Administration authorizes its ROs to administratively issue a short-term Maritime Labour Certificate for 3 months, without prior approval of the Administration** in cases where the renewal or intermediate inspection cannot be conducted due to COVID-19 restrictions.
- iv. The RO is to state that the certificate has been issued to allow the ship to continue on its intended voyage and complete the inspection at the first port where inspectors are available. When the renewal or intermediate inspection has been completed a full-term Maritime Labour Certificate may be issued with its expiry date not later than 5 years from the expiry date of the original full-term Maritime Labour Certificate.

**h. Remote audits and surveys:**

Administration will consider requests for remote audits and surveys where supported by the RO.

**i. Seafarers and Manning:**

Owners/ operators are to be guided by IMO Circular Letter No.4204 and ILO Statement from the “Special Tripartite Committee of the Maritime Labour Convention 2006 as amended”.

**j. Extension of Seafarers Employment Agreement:**

- i. In cases where crew members may have to continue their service **beyond 12 months**- or their contractual period onboard as stated in their original Seafarers’ Employment Agreement (SEA) because of travel restrictions imposed due to the outbreak of the COVID-19 pandemic, Administration will consider such extensions to be force majeure and therefore not a breach of the Maritime Labour Convention, 2006, (MLC) as amended.
- ii. A new SEA is to be arranged for the crewmembers in question, and it is to be stated that the seafarers are entitled to repatriation at no cost to the seafarer at one week’s notice.
- iii. The following text is to be inserted into the renewed contract:

*“The seafarer is permitted to terminate the contract giving 7 days’ notice when the force majeure situation caused by the COVID-19 pandemic permits him/her to travel to his/her destination safely and securely”.*

**k. Expired Medical Certificates:**

If any seafarer’s Medical Certificate expires whilst he/she is on board, the seafarer can continue his/herservice for **up to 3 months** or until a new certificate can be issued, whatever comes first.

**l. Expired STCW Certificates and Certificates of Recognition (Endorsements):**

- i. If a Certificate of Competency (CoC) or a Certificate of Proficiency (CoP) that Barbados Maritime has endorsed expires and the issuing State has extended the period for which the certificate is valid, this document/endorsement shall automatically be extended by Administration for the same period.
- ii. All STCW, MLC and Minimum Safe Manning Documents will be issued electronically by e-mail during COVID-19 restrictions and will not be printed. The documents will be printed on their respective templates and couriered to clients as soon as the measures to prevent the spread of coronavirus have been lifted.

**m. Seaman’s Record Books:**

- i. Administration is currently restricted in the use of courier and mail services to send seaman’s record books to clients.
  - ii. Where seafarers are not in possession of a Seaman’s Record Book, Administration requests that the Master issues a Record of Service.
  - iii. Notwithstanding the above, Administration will still issue Seaman’s Record Books and clients are encouraged to apply for such.
  - iv. Administration will send the original Seaman’s Record Books by courier as usual when full access to courier services is available.
2. Ship owners/ operators and masters of Barbados flagged ships are advised to be guided by above.
  3. **This Technical Circular supersedes and revokes earlier Technical Circular No. 027/2020, dated 31 March 2020.**

**Enclosure:**

Barbados Maritime Bulletin No. 329, dated 20 July 2020.

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## **1. Purpose**

**1.1.** This bulletin is issued by Barbados Maritime Ship Registry (BMSR) to provide information on COVID-19 (formerly called novel coronavirus) related issues.

## **2. Actions to be taken in case of suspected cases**

**2.1.** Where COVID-19 is suspected, medical advice should be sought.

**2.2.** The advice of public health authorities in the country where the ship is located when cases are suspected should be sought and any instructions followed.

**2.3.** Owners/operators are requested to report any suspected or confirmed cases of COVID-19 to BMSR email: [registry@barbadosmaritime.com](mailto:registry@barbadosmaritime.com)

## **3. Inspections, surveys and audits**

**3.1.** As a result of the outbreak and the serious challenges the COVID-19 pandemic poses to the shipping industry, BMSR is taking a pragmatic and practical approach regarding extensions, postponements, etc. as outlined below. These measures are temporary, and their duration will be based on the global evolution of the COVID-19 pandemic.

### **3.2. Barbados Initial, Annual and Pre-Registration Inspections**

**3.2.1.** BMSR inspectors should not put themselves at risk and likewise not put ship's crews at risk - this means they will follow the guidance of the health authorities in the country where they are located and may decline to attend ships.

**3.2.2.** Where an initial or annual inspection cannot be carried out before the end of the inspection window, the owner/operator shall advise BMSR providing full supporting information. Inspections should be carried out at the first port where an inspector is available.

**3.2.3.** The requirement for pre-registration inspections may be waived until 30 Sept. 2020 for ships on a case by case basis.

**3.2.4.** All ships proposed for registration, with the exception of new builds, remain subject to a pre-registration technical documentation review.

### **3.3. Surveys**

**3.3.1.** Where a surveyor is not able to undertake scheduled surveys due to restrictions imposed by COVID-19, including cancellation of scheduled dry docking and/or bottom survey, and remote survey is not practicable, BMSR authorises its Recognised Organisations (RO) to consider applications for extension/postponement under *force majeure* or unforeseen exceptional circumstances and administratively issue short term statutory certificates for up to 3 months without prior approval of BMSR (see also Bulletin No. 323). This is to be followed up by a physical survey at the earliest opportunity.

**3.3.2.** For statutory surveys delegated to Barbados ROs, the ROs shall consider the application, which should include full supporting information, before issuing short-term certification. The Master shall provide a statement to the RO confirming the structure or equipment to be surveyed remains fit for purpose and has not been subject to any damage.

**3.3.3.** Where the structure or equipment to be surveyed does not remain fit for purpose, or has suffered damage, or the RO does not support the application, the RO shall provide full details to BMSR. BMSR will then consider on a case-by-case basis and provide instructions to the RO.

### **3.4. ISM and ISPS Internal Audits**

**3.4.1.** Timely completion of ISM internal audits is amongst the most frequently reported difficulties. BMSR

therefore temporarily permits extensions to annual ISM internal audits for up to 3 months (as per para 12.1 of the ISM Code) in cases where it is not physically possible to attend and remote audit is not practicable. This is to be followed up by a physical audit at the earliest opportunity.

**3.4.2.** The Company Security Officer may postpone internal ISPS audits for up to three (3) months in cases where it is not physically possible to attend, and remote audit is not practicable. This is to be followed up by a physical audit at the earliest opportunity.

### **3.5. ISM External Audits**

**3.5.1.** For interim ISM DOC audits where it is not physically possible to attend and remote audit is not practicable, BMSR may permit the issue of interim DOC upon receipt by the RO of a statement from the Company confirming that the safety management system is in place and meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.

**3.5.2.** For interim ISM SMC audits where it is not physically possible to attend and remote audit is not practicable, BMSR permits the issue of interim SMC, without prior approval of the BMSR, upon receipt by the RO of a statement from the Master confirming that the safety management system is in place and meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.

**3.5.3.** For initial ISM DOC and SMC audits where it is not physically possible to attend and remote audit is not practicable, BMSR permits the issue of a second interim DOC/SMC for up to 6 months, without prior approval of BMSR, upon receipt by the RO of a statement from the Company/Master confirming that the safety management system meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.

**3.5.4.** For SMC and DOC periodical audits, if these are not completed within the range date the certificate ceases to be valid as per ISM Code. In such circumstances, the RO may issue a new SMC or DOC valid for 3 months or until the audit can take place, whichever comes first, without prior approval of BMSR.

**3.5.5.** For SMC and DOC renewal audits, and noting the provisions of ISM Code 13.14, BMSR authorises its ROs to issue 3-month extensions, where requested by the Company, to existing SMC and DOC Certificates, without prior approval of BMSR.

### **3.6. ISPS External Audits**

**3.6.1.** For interim ISSC audits where it is not physically possible to attend and remote audit is not practicable, BMSR permits the issue of an interim ISSC, without prior approval of BMSR, upon receipt by the RO of a statement from the Company Security Officer and Ship Security Officer confirming that:

1. A Ship Security Assessment has been completed.
2. A copy of the Ship Security Plan (SSP) is on board and there is evidence that the SSP has been submitted to the RO for approval.
3. The security measures identified in the Ship Security Plan are in place and the provisions of paragraph 19.4.2 of the ISPS Code have been met. This is to be followed up by a physical audit at the earliest opportunity.

**3.6.2.** For initial ISSC audits where it is not physically possible to attend and remote audit is not practicable, BMSR permits the issue of a second interim ISSC for up to 6 months upon receipt by the RO of a statement from the Company Security Officer Ship Security Officer, as per **3.6.1.** i to iii, without prior approval of BMSR This is to be followed up by a physical audit at the earliest opportunity.

**3.6.3.** For ISSC intermediate audits, if these are not completed within the range date the certificate ceases to

be valid as per ISPS Code A19.3.8. In such circumstances, the RO may issue a new SMC or ISSC valid for 3 months or until the audit can take place, whichever comes first, without prior approval of BMSR.

**3.6.4.** For ISSC renewal audits, noting the provisions of ISPS Code A-19.3.5, BMSR authorises its ROs to issue 3-month extensions, where requested by the Company, to existing ISSC Certificates, without prior approval of BMSR.

### **3.7. Maritime Labour Inspections**

**3.7.1.** For interim MLC inspections where it is not physically possible to attend and remote inspection is not practicable, BMSR permits the issue of an interim MLC for up to 6 months, without prior approval of BMSR, upon receipt by the: RO of a statement from the Company/Master confirming that

1. the applicable requirements of MLC 2006 have been met.
2. An approved Declaration of Maritime Labour Compliance Part I is on board or evidence provided that it has been requested from BMSR.
3. DMLC Part II is available in draft or evidence provided that it has been submitted to the RO.

This is to be followed up by a physical audit at the earliest opportunity.

**3.7.2.** For initial MLC inspections where it is not physically possible to attend and remote audit is not practicable, BMSR permits the issue of a second interim MLC for up to 6 months, without prior approval of BMSR, upon receipt by the RO of a statement from the Company/Master, as per **3.7.1** (i to iii).

This is to be followed up by a physical audit at the earliest opportunity.

**3.7.3.** MLC 2006 does not provide for the issue of extensions to existing MLC Certificates without inspection. However, in this exceptional situation, BMSR authorises its ROs to administratively issue a short-term Maritime Labour Certificate for 3 months, without prior approval of BMSR in cases where the renewal or intermediate inspection cannot be conducted due to COVID-19 restrictions.

**3.7.4.** The RO shall state that the certificate has been issued to allow the ship to continue on its intended voyage and complete the inspection at the first port where inspectors are available. When the renewal or intermediate inspection has been completed a full-term Maritime Labour Certificate may be issued with its expiry date not later than 5 years from the expiry date of the original full-term Maritime Labour Certificate.

### **3.8. Remote audits and surveys**

**3.8.1.** BMSR will consider requests for remote audits and surveys where supported by the RO.

## **4. Seafarers and Manning**

**4.1.** Reference is made to IMO Circular Letter No.4204 and ILO Statement from the “Special Tripartite Committee of the Maritime Labour Convention 2006 as amended”.

### **4.2. Seafarer Employment**

**4.2.1.** In cases where crew members may have to continue their service beyond 12 months- or their contractual period onboard as stated in their original Seafarers’ Employment Agreement (SEA) because of travel restrictions imposed due to the outbreak of the COVID-19 pandemic, BMSR will consider such extensions to be *force majeure* and therefore not a breach of the Maritime Labour Convention, 2006, (MLC) as amended.

**4.2.2.** A new SEA shall be arranged for the crewmembers in question, and it shall be stated that the seafarers

are entitled to repatriation at no cost to the seafarer at one week's notice.

**4.2.3.** The following text shall be inserted into the renewed contract:

*The seafarer is permitted to terminate the contract giving 7 days' notice when the force majeure situation caused by the COVID-19 pandemic permits him/her to travel to his/her destination safely and securely.*

#### **4.3. Expired Medical Certificates**

4.3.1. If any seafarer's Medical Certificate expires whilst he/she is on board, the seafarer can continue his/her service for up to 3 months or until a new certificate can be issued, whatever comes first.

#### **4.4 Expired STCW Certificates and Certificates of Recognition (Endorsements)**

**4.4.1.** If a Certificate of Competency (CoC) or a Certificate of Proficiency (CoP) that Barbados Maritime has endorsed expires and the issuing State has extended the period for which the certificate is valid, this document/endorsement shall automatically be extended by BMSR for the same period.

**4.4.2.** All STCW, MLC and Minimum Safe Manning Documents will be issued electronically by e-mail during COVID-19 restrictions and will not be printed. The documents will be printed on their respective templates and couriered to clients as soon as the measures to prevent the spread of coronavirus have been lifted.

#### **4.5. Seaman's Record Books**

**4.5.1.** BMSR is currently restricted in the use of courier and mail services to send seaman's record books to clients.

**4.5.2.** Where seafarers are not in possession of a Seaman's Record Book, BMSR requests that the Master issues a Record of Service.

**4.5.3.** Notwithstanding the above, BMSR will still issue Seaman's Record Books and clients are encouraged to apply for such.

**4.5.4.** BMSR will send the original Seaman's Record Books by courier as usual when full access to courier services is available.

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