



# Technical Circular

No.: 037/2020

Date: 3<sup>rd</sup> April 2020

## **Subject: Cook Islands – Guidance relating to extension of Seafarers Certificates, SEA, surveys, audits, inspections due to outbreak of COVID-19**

1. Maritime Cook Islands (MCI) has issued Circular No. 224, 227, 228 & Circular No. 229 (copies attached) providing guidance with regard to extensions, postponements of Seafarers Certificates, Seafarers Employment Agreement, 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. Extension of the validity of Seafarers Certificate of Competency (CoC) and Certificate of Proficiency (CoF):**

- a. As of 01<sup>st</sup> April 2020, Administration will grant a general extension for the validity of all Cook Islands CoC and CoP due to expire before 01 July 2020 for an extended period of **4 months** from the date of expiry.
- b. The individual seafarer will not be required to submit an application for extension pending the COVID-19 restrictions.
- c. Administration will evaluate following the 4 month period to determine if the term is to be extended further.

### **B. Extension to MCI Endorsement of Certificate (CoE):**

For seafarers holding CoCs and CoPs issued by other states that have expired as on 01 April 2020 OR are due to expire between the 01 April – 01 July 2020, and are unable to make arrangements for revalidation due to travel restrictions imposed, Administration will accept continued service aboard the vessel subject to receipt of:

- an official statement issued by the State confirming that the validity of the underlying certificate has been extended accordingly; or
- a general extension of the validity of the national CoCs or CoPs issued by the State issuing the underlying certificate.

Based on above, Administration will reissue the CoE to reflect the extension.

**C. Extension of Seafarers Employment Agreement (SEA):**

Administration will issue extraordinary exemptions from the requirements of MLC Standard A2.4 (ii) for any seafarer who is not permitted by the State of the port at which he/she was scheduled to disembark, and as a result will be on board the vessel for more than 11 months.

Requests for such extraordinary exemptions must be addressed to [mlc@maritimecookislands.com](mailto:mlc@maritimecookislands.com) at least 1 week in advance of the scheduled disembarkation date.

**D. Extension of Statutory Certificates, Surveys, Audits and Inspections:**

- a. Administration will apply the concept of ‘force majeure’ where statutory work, docking or servicing cannot be carried out in circumstances arising due to COVID-19.
- b. Owners and managers that are experiencing problems in arranging statutory visits, docking or mandatory servicing of critical equipment may submit an extension request to Administration.
- c. Vessels holding statutory certificates issued by MCI must submit a request in writing to their flag representative (Deputy Registrar and/or Fleet Manager) not earlier than 30 days before the survey window closing or docking/servicing deadline.
- d. The written request to include supporting objective evidence that would justify the application of force majeure; MCI will assess requests on a case by case basis.
- e. Vessels holding statutory certificates issued by an RO on behalf of the Cook Islands must contact the RO to make necessary arrangements for extensions. ROs are required to inform Administration, requesting concurrence on possible extension recommendations.
- f. Vessels’ Owners and Managers will continue to be responsible to maintain safety, environmental and labour standards, according to the applicable instruments, for the entire period of the extension, and are required to report immediately to Administration on any technical failure, deficiency or nonconformity arising during the extension period.

**E. Copy of Original Certificates and Official Documents:**

In consideration of the exceptional circumstances, Administration will allow temporarily for copies of certificates and other official MCI documents to be kept onboard instead of originals. This applies to all certificates and official documents issued by MCI **after 20 March 2020**.

A copy of MCI circular No. 228 must be placed in the ships' documents for Authorities prompt reference.

2. Ship owners/ operators and masters of Cook Islands flagged ships are advised to be guided by above.

**Enclosure:**

1. Maritime Cook Islands Circular No. 224
2. Maritime Cook Islands Circular No. 227
3. Maritime Cook Islands Circular No. 228
4. Maritime Cook Islands Circular No. 229

**Circular 224/2020**

**To:** Vessel Owners, Managers, Deputy Registrars and other interested parties

**Subject:** Extension of Seafarers' Employment Agreement (SEA) Service Period Due to Outbreak of Novel Coronavirus (2019-nCoV) and MLC temporary exemption.

**Attachment:** MCI Circular 136/2015.

**Date:** 13<sup>th</sup> February 2020

**A. Summary**

In January 2020, the World Health Organisation (WHO) declared that the outbreak of novel coronavirus (2019-nCoV) constituted a Public Health Emergency of International Concern (PHEIC).

International efforts to stem the spread of the outbreak 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.**

In light of the above MCI will issue extraordinary exemptions from the requirements of MLC Standard A2.4 (ii) for any seafarer who is not permitted by the State of the port at which he/she was scheduled to disembark, and as a result will be on board the vessel for more than 11 months.

Requests for such extraordinary exemptions must be addressed to [mlc@maritimecookislands.com](mailto:mlc@maritimecookislands.com) at least 1 week in advance of the scheduled disembarkation date.

For further information or clarification please contact the MLC department at  
[mlc@maritimecookislands.com](mailto:mlc@maritimecookislands.com)

**Circular 227/2020**

**To:** Owners, Managers, Fleet Managers, Deputy Registrars, Recognized Organizations.

**Subject:** COVID-19 – Extension of mandatory surveys, audits, inspections and validity of statutory certificates.

**Date:** 19<sup>th</sup> March 2020

**Summary**

Maritime Cook Islands (MCI) understands that, following the outbreak of COVID-19, an increasing number of countries are implementing travel restrictions and access limitations that are likely to cause delays for -

- Flag States and Recognised Organizations (ROs), in reaching vessels and completing statutory work within the required timeframe; and
- vessels needing to complete docking and servicing of critical equipment according to the requirements of applicable instruments.

MCI will be applying the concept of “force majeure” where statutory work, docking or servicing cannot be carried out in circumstances arising due to COVID-19; in such circumstances MCI may permit extensions, relaxing the standards of the regulations referenced in paragraphs 5.2, 5.3, 5.6, 5.9 and 5.10 of Assembly Resolution 1120(30), as well as any other applicable standards that MCI may deem appropriate.

Owners and managers that are experiencing problems in arranging statutory visits, docking or mandatory servicing of critical equipment may submit an extension request to MCI.

Vessels holding statutory certificates issued by MCI must submit a request in writing to their flag representative (Deputy Registrar and/or Fleet Manager) **not earlier than 30 days before the survey window closing or docking/servicing deadline.**

The written request shall include supporting objective evidence that would justify the application of force majeure; MCI will assess requests on a case by case basis.

Vessels holding statutory certificates issued by an RO on behalf of the Cook Islands must contact the RO to make necessary arrangements for extensions. ROs are required to inform MCI, requesting concurrence on possible extension recommendations.

MCI would like to highlight that vessels’ Owners and Managers will continue to be responsible to maintain safety, environmental and labour standards, according to the applicable instruments, for the entire period of the extension, and are required to report immediately to MCI any technical failure, deficiency or non-conformity arising during the extension period.

MCI will continue to monitor the COVID-19 pandemic and take necessary steps to ensure suitable response to the situation, flagged vessels, crew, managers, and owners.

Maritime Cook Islands might amend or cancel this circular at any time taking into consideration any change or advise provided by Authorities in respect to COVID-19 outbreak.



DETAILS OF ENTITY APPLYING FOR EXTENSION (OWNERS / MANAGERS / MASTER / CLASS):

GIVE DETAILS WITH JUSTIFICATION FOR THE GRANTING OF THE EXTENSION:

\_\_\_\_\_ at \_\_\_\_\_  
*(Date of request dd/mm/yyyy)*                      *(Place of request)*

\_\_\_\_\_    \_\_\_\_\_  
*(Name of entity applying for extension)*    *(Signature)*

**Circular 228/2020**

**To:** Owners, Managers, Fleet Managers, Deputy Registrars, Recognised Organisations, Surveyors and other interested parties.

**Subject:** COVID-19 – Format of documentation on board Cook Islands' Vessels

**Date:** 25<sup>th</sup> March 2020

**Summary**

With reference to the restrictions put in place in several countries following the the COVID-19 outbreak, which have limited the access to port areas and in some instances have disrupted mail delivery and courier services, Maritime Cook Islands (MCI) have experienced an increasing difficulty to deliver onboard its registered vessels original MCI documents and certificates. Therefore, in consideration of the exceptional circumstances, Maritime Cook Islands will allow **temporarily** for copies of certificates and other official MCI documents to be kept onboard **instead of originals**.

**This circular applies to all certificates and official documents issued by MCI after 20 March 2020.**

MCI will continue working with Owners and Manager to make sure **pdf scanned copies** of the official documents are duly printed and kept on board and to ensure that the original certificates and documents are delivered onboard as soon as possible.

Authorities can address enquiries about the validity of any pdf/printed copy of MCI official documents to [fleet@maritimecookislands.com](mailto:fleet@maritimecookislands.com) and to [technical@maritimecookislands.com](mailto:technical@maritimecookislands.com)

**A copy of this circular must be placed in the ships' documents for Authorities prompt reference.**

Maritime Cook Islands might amend or cancel this circular at any time taking into consideration any change related to COVID-19 restrictions and considerations.

## **Circular 229/2020**

**To:** Deputy Registrars, Vessel Owners, Managers, Masters and other interested parties.

**Subject:** Coronavirus (COVID 19) Guidance relating to the certification of Cook Islands Seafarers and Seafarers serving aboard Cook Islands flagged vessels.

**References:** IMO Circular Letter No.4204/Add.5 – Coronavirus (COVID-19) Guidance relating to the certification of seafarers

**Date:** 1st April 2020

### **Background**

Since the outbreak of the coronavirus disease in 2019 (COVID-19), Maritime Cook Islands (MCI) have received urgent inquiries from vessel owners and managers regarding the extension of the validity of Cook Islands Certificates of Competency, Proficiency and Endorsement due to difficulties caused by the COVID-19 outbreak.

MCI recognizes that travelling both domestically and internationally has become difficult as travel bans have been imposed by countries all around the world.

Based on the above conditions, MCI considers the COVID-19 outbreak to be a force majeure situation and therefore provide the following guidelines to ensure that Cook Islands seafarers and seafarers serving aboard Cook Islands vessels continue to serve during this time.

### **Cook Islands Certificate of Competency (CoC) and Cook Islands Certificate of Proficiency (CoP)**

As of April 01<sup>st</sup> 2020, MCI will grant a general extension for the validity of all Cook Islands CoC and CoP due to expire before July 01<sup>st</sup> 2020 for an extended period of 4 months from the date of expiry.

The individual seafarer will not be required to submit an application for extension pending the COVID-19 restrictions. MCI will evaluate following the 4 month period to determine if the term will be extended further.

### **Cook Islands Endorsement Certificate (CoE)**

For seafarers holding CoCs and CoPs issued by other states that have expired as at 01<sup>st</sup> April 2020 **OR** are due to expire between the 01<sup>st</sup> April – 01<sup>st</sup> July 2020, and are unable to make arrangements for revalidation due to travel restrictions imposed – MCI will accept continued service aboard the vessel subject to receipt of:

- an official statement issued by the State confirming that the validity of the underlying certificate has been extended accordingly; or
- a general extension of the validity of the national CoCs or CoPs issued by the State issuing the underlying certificate.

MCI will then reissue the CoE to reflect the extension.

MCI may amend this circular at any time, taking into consideration any change or advise provided by Authorities in respect to the COVID-19 outbreak.



Should you require any further assistance or information, please contact the STCW Certification Department email [stcw@maritimecookislands.com](mailto:stcw@maritimecookislands.com)