



Instruction to RO

Nr 18 Application of the Marine Equipment Directive (MED) on board Curaçao flag vessels.

Date Entry Into Force: 01 September 2017

Art. 23 of the Regulation Safety Seagoing Vessels of Aruba, Curaçao en Saint Martin regulates the placement on board of ship's equipment in accordance with the provisions of guideline 96/98/EC or Marine Equipment Directive (MED).

For the majority of ship's equipment the conventions determine that the equipment shall be type approved by the Administration. In 1996 the EU has established a guideline with harmonized standards for ship's equipment (guideline 96/98/EC or MED), as amended with the MED 2014/90/EU effective from 18 September 2016, which determines that, as far as the MED is applicable, equipment shall only be placed on board when provided with the conformity mark described in Annex D to the MED (i.e. the wheel mark). This wheel mark replaces the previously required national type approval.

This instruction aims to provide clarification as to the practical application of the MED, and contains the following provisions:

1. The MED applies to equipment on 'new' Netherlands flag ships (i.e. built on or after 1 January 1999).

It also applies to equipment on existing Curaçao flag ships (i.e. built prior to 1 January 1999) where such equipment was not previously carried on board, or where equipment which was previously carried on board is replaced, except where international conventions permit otherwise.

2. The RO shall ensure when issuing or renewing the relevant certificates that the equipment on board Curaçao flag ships complies with art. 23 to 25a of the Regulation Seagoing Vessels of Aruba, Curaçao en Saint Martin (RVZ ACSM).

Art. 23 of the RVZ regulates the placement on board of the so-called "wheel mark approved" equipment in accordance with the MED.

3. Where equipment, falling under the provisions of the MED, needs to be replaced in exceptional circumstances which shall be duly justified, and where it is not practicable in terms of reasonable time, delay and cost to place on board EC type-approved (i.e. wheel marked) equipment, other equipment may be placed on board. In such cases MAC shall be consulted prior to the equipment being placed on board, accompanied by a well founded proposal.

4. In the case of a new ship (built on or after 1 January 1999) under foreign flag which, irrespective of its flag, is to be transferred to the Curaçao register, such a ship shall, on transfer, be subject to inspection by the RO to verify that the actual condition of its equipment corresponds to its certificates and either complies with the MED and bears the wheel mark, or is equivalent.

Equivalent in this respect means that the equipment is accompanied by documentation, issued by a Member State of the IMO which is a party to the relevant convention, certifying compliance with the same international instruments (i.e. testing standards) as those mentioned in the MED.



MAC considers the issuance of the relevant certificates to a transferred ship and the endorsement of the record of equipment equivalent to the certificate referred to in article 8.3 of the MED.

In case of doubt MAC shall be consulted.

5. Equipment certified by the United States Coast Guard in accordance with the Mutual Recognition Agreement (MRA) between the European Community and the USA (Council Decision 2004/425/EC) is considered equivalent to MED certified (i.e. wheel marked) equipment in all cases.