



Willemstad, 31 March 2020

Notice to Shipping 10

MAC COVID-19 Contingency Plan and Guidelines

To : Ship owners, Local representatives, Ship operators and agencies, Masters, RO's, Marina and Yacht Association/Operators, PSC MOU's

Applicable to : MAC COVID-19 Contingency Plan and Guidelines

Effective as from : 31 March 2020

Scope

This contingency plan applies to all ships flying the Kingdom flag of Curacao, including fishing vessels engaged in international trade, registered in Willemstad. It takes [IMO Circular Letter No.4204/Add.5 of 17 March 2020](#) into account.

Background

This contingency plan and guidelines concern the postponement of inspections and extending the validity of mandatory certificates, *due to difficulties caused by the COVID-19 outbreak, which is considered to be a force majeure*. This includes an extension of statutory certificates or postponement of bottom inspections as a result of unavailable dry-dock facilities, as well as timely completion of ISM Internal Audits and ISM/ISPS/MLC periodical verifications. Certificates of Competency, Certificates of Proficiency, Endorsements, Declarations, Dispensations for the Master and Minimum Safe Manning Documents are taken into account as well. . With periodical is also meant / included the Periodical / Renewal / Additional verifications. Initial verifications are however excluded, this shall have to be dealt with on a case by case situation, as this means that no verification has been done at all so far.

Certificates of Competency, Endorsements, Declarations, Dispensations for the Masters, Certificates of Proficiency and Minimum Safe Manning Documents are taken into account as well.



The guidelines can be used as evidence in Port State Control that Flag has agreed to the extension of certificates and documents issued by her, or on her behalf, and includes instructions on when and how ships will be brought back into the regular cycle of surveys and audits, once the COVID-19 situation stabilizes.

Validity of Certificates

The ship owner is responsible to ensure that all ships are operating according to all applicable regulations.

The ship owner shall verify if the insurance coverage remains in place if the expired certificates are extended.

MAC, in consultation with its RO's and other issuing authorities, has decided that all ships' certificates which expire before July 1st, 2020 will remain valid for 3 months, without approval from MAC or the RO. The extension will also apply to certificates issued by service providers conducting services on behalf of the Administration or RO, including, but not limited to, service providers re-certifying life-saving equipment, fire-fighting equipment or radio equipment. The subject ship certificates are not required to be replaced by new certificates on which the extended date of expiry is stated.

The above includes certificates that expire, due to the fact that periodic surveys cannot be held within the expiry of the window before July 1st, 2020. In such cases where surveys are to be held / completed outside the time window, due to the COVID-19 situation, MAC will agree with that. The appropriate text for restore shall be used in these cases. The scope of survey that is to be used, may be the same as if subject survey would have been held within the original window.

Surveys and/or audits

Furthermore, the annual ISM internal audits are postponed for 3 months, as described in paragraph 12.1 of the ISM Code in cases where audits cannot be carried out, due to travel restrictions imposed by COVID-19.

However, if the company so wishes an annual internal ISM audit may also be carried out on board by the crew:



The Master may audit the Engine Department and the Chief Engineer may audit the Bridge Department, if possible under remote supervision from qualified internal auditor/DPA from company.

When the Corona crisis is over, the Company should attempt to carry out a follow up audit of the vessel.

In the ISPS Code Part A paragraph 19.3.5 an extension of the ISPS certificate is allowed for three months. The same extension is granted in these COVID-19 circumstances.

RO's which has the alternative to conduct surveys, audits and/or verification processes to maintain the validity of the certificates via a remote process through external specialists as has been requested already by different RO's are authorized to perform this until indicated by the Flag Administration.

The ship owner shall notify the RO's Netherlands branch focal point office, in case they make use of the above- mentioned provision. RO will inform MAC afterwards of ships making use of these provisions. Ships sailing under direct MAC supervision, shall notify the MAC directly via expertise@maritimecuracao.org.

This Notice to Shipping can be found on the MAC website: <http://www.maritimecuracao.org>.

Crew documents

Minimum Safe Manning Document (MSMD) exemptions

If a crew member needs to leave the ship, due to urgent circumstances and cannot be replaced immediately due to COVID-19 related travel restrictions, a dispensation can be requested for with the use of the form: "Application for temporary exemption for crew composition", which can be downloaded directly from the MAC website (www.maritimecuracao.org). Subject temporary dispensation for the crew composition will have a period of validity of at least three months.

Certificates of Competency (CoC's), Certificates of Proficiency (CoP's), Endorsements, Declarations, Dispensations for Masters

MAC has received indications that seafarers may experience challenges completing STCW training courses, required for the renewal of certain merchant marine personnel certificates. This could be caused by community based mitigation measures,



such as school closures, social distancing, or travel restrictions. For this reason, MAC will grant a general extension to the validity of all Certificates of Competency and Certificates of Proficiency, Endorsements, Declarations, Dispensations for the Masters which are required by the Curacao Manning Act and accompanying legislation.

As of March 31st 2020, the validity of Curacao Certificates of Competency and - Proficiency which will expire before July 1st, 2020, are granted an extended validity of 4 months (from date of expiry). The individual seafarer will not be required to submit an application for renewal pending the COVID-19 related restrictions. After the period of 4 months, it will be evaluated if this period will be extended for another period of 4 months. As soon as new CoC's, CoP's, Endorsements, Declarations and Dispensations can be issued, their period of validity of five years will start from the expiry date of the previous certificates.

If a seafarer has not been issued a Curaçao Recognition of a CoC before and an extension is therefore not the case, it is not possible to apply for a Recognition of a CoC without a valid, long term CoC issued by the maritime authority in his home country.

The extended validity has been granted, in order to provide sufficient time for the situation to get back to normal and to avoid reduced capacity issues, when new STCW courses become again available.

Seagoing service

All days spent on the ship when it is fully crewed and operational or in hot lay-up, although not carrying cargo, will be accepted as valid seagoing service for the revalidation of the CoC.

Curacao Seaman's Book

As of March 31st, 2020, the validity of Curacao seaman's books which expire before July 1st, 2020, are granted an extended validity of 4 months (from date of expiry).

Validity of Endorsements

The validity of endorsements is linked to the validity of the seafarer's national Certificate of Proficiency (CoP) or Certificate of Competence (CoC). If the seafarer's



national CoC or CoP is renewed, *and in cases where a seafarer is unable to apply for a new CoC in his home country, he must request the maritime authority of the home country to issue a Statement, to prolong the validity of the original CoC for a period of min. three months.*

If the administration that has issued the seafarer's national CoC or CoP, chooses a general extension of the validity of the national CoC or CoP, the validity of the Curacao endorsement issued based on the current CoC/CoP, will automatically be considered extended accordingly. In this case, the seafarer will not be required to submit an application.

Certificates of Proficiency (= safety training)

For a Curacao CoC holder, whose Safety Training certificates have expired or will expire before July 1st, 2020, an extended validity of 4 months (from date of expiry) is granted, provided that the certificates were valid on March 1st 2020.

Crew drills and training

Ships that have no cases of COVID-19 can continue to carry out drills and training as normal. For all other ships, the following applies: crew drills will be restricted to those mandatory drills required by SOLAS. Crew drills will be conducted by individual teams, to maintain Social Distancing and can be (partly) conducted as table top exercises. Not all teams are required to participate at the same time, the drill can be spread out. Drills with external organizations, such as shipyards, are not to be carried out. *Ships designated as being “in quarantine” are not to conduct drills and training until the quarantine is lifted.*

Maritime Labour Convention (MLC 2006)

The ILO is in the process of writing a Guidance for COVID-19 in relation to MLC.

Information for seafarers, who remain onboard a ship beyond their Seafarer Employment Agreement (SEA), for reasons connected to COVID-19, the master of ship owner shall inform its seafarers at all times of the risks of infection, the reasons why they must remain on board, the protective measures which have been taken, and the arrangements for their repatriation. *A SEA shall remain valid, until the seafarer has been repatriated. If the SEA has expired, the validity of the SEA must be extended, or a new SEA shall be issued and the reasons for this decision shall be documented.*



The company shall make sure that the seafarers are repatriated at the first available opportunity. Any extension shall be recorded in the ship's official logbook.

Shipping companies remain liable for costs pending repatriation such as medical care, crew transfer, isolation etc. If in doubt, please contact the financial security provider to confirm that the insurance or other financial security is in place for additional costs.

Seafarer Medical Certificate

If a Seafarer Medical Certificate expires during the voyage, or at a location where it is not possible to obtain a new medical certificate, the medical certificate which is expired can still be used for a period of maximum 3 months beyond the expiry date. Seafarer Medical Certificates with expire date between March 31st and July 1st, 2020, are recognized as valid Seafarer Medical Certificates. For the application of a CoC, such a Seafarer Medical Certificate may be expired for maximum 3 months.

Port State Control (PSC)

MAC uses the Caribbean MoU Guidelines on COVID-19 for its PSC activities in the ports of Curacao. If a ship cannot comply with the requirements of the surveys, inspections and audits contained in the relevant convention instruments, due to the COVID-19 situation, the ship must provide evidence that its Flag state has agreed to an exceptional delay specific to COVID-19. There should also be evidence that the ship has a plan that covers how the ship will be brought back into the regular survey or audit cycle, after the period of extension has ended.

The Minister of Traffic, Transport and Urban Planning,
On his/her behalf,

Jan Sierhuis, director
Head of the Shipping Inspection in Curacao

