



Instruction to RO's

Nr 5. Permit art 2bis Ships Act

Date entry into force: 15 June 2018

1 Introduction

Articles 2 and 2bis of The Netherlands Shipping Act state which ships are exempted from the requirements of the Shipping Act when undertaking a voyage. The following ships can be exempted if a Permit (Permit art 2bis), issued by the Head of the Shipping Inspectorate (Maritime Authority of Curaçao) is obtained:

- Cat I ships being towed without crew on board;
- Cat. II ships only in an exceptional case undertaking a short voyage;
- Cat. III ships performing their sea trials anywhere in the world;
- Cat. IV ships, being built in Curaçao for foreign flag or sold to a foreign country and which have to sail to their destination abroad.

As stated in the Appendix to Annex I of the Agreement of June 1st 2012 the RO is authorized to perform the inspections on ships applying for a Permit based on article 2bis. The purpose of these inspections is to make certain that the ship is in all respects fit to complete the voyage safely. The Permit itself is issued by the Maritime Authority of Curaçao or by the RO on specific request from the Administration. The permit is only valid for a limited period. Depending on the type of ship, the duration of the voyage, the weather conditions and the number of persons on board the requirements for safety equipment and manning will be set.

The permit is issued for only a single voyage from any port and only applicable for vessels registered in Curaçao.

2 Procedure to obtain a Permit article 2bis.

The RO shall, on request of the ship owner who wants to obtain a Permit article 2bis, perform the inspections, approvals and certifications as mentioned underneath for the different categories of ships. The owner will provide the RO with all necessary information about the voyage to be undertaken such as: port and date of departure / port of destination / information of the route / number of people on board. The RO shall issue a statement to confirm that the relevant inspections, approvals and certifications have been carried out. With this statement the ship owner can apply for a Permit article 2bis to the Maritime Authority of Curaçao (see contact details below) under submission of:

- the statement by the RO
- the certificates issued by the RO, if any
- the application for a special Certificate of Registry
- information about the voyage to be undertaken, such as: port and date of departure / port of destination / information of the route / number of people on board.
- in case of a manned voyage: a manning proposal for the voyage to be undertaken (Cat II, III and IV).
- In case of Cat. IV: an application for a Continuous Synopsis Record (CSR)



The Maritime Authority of Curaçao shall, based on the proposal of the applicant, decide on the minimum required crew for the voyage to be undertaken and state this in the Permit. If the Permit is granted the Inspectorate will issue at the same time a special Certificate of Registry (NL: buitengewone Zeebrief) and a CSR (if applicable). The Permit is not valid without the Certificate of Registry and the CSR.

3 Inspections, approvals and certifications to be carried out by RO

The following inspections, approvals and certifications have to be conducted by RO:

Cat I) Ships being towed without crew on board:

1. If a bottom inspection has been carried out by the RO within the past three years, the RO should review the report of this inspection. If no bottom inspection has taken place in this period or the report is not available, a bottom inspection in a dry-dock has to be carried out. In the exceptional case there is no dry-dock available in the present port, a bottom inspection can be carried out by Class approved divers with suitable equipment under direction of a Class Surveyor.
2. Load line inspection
3. Marpol inspection to make sure that oil filtering equipment is properly shut off and that the ship is no hazard to the environment due to oil or other substances that might leak out of the ship.
4. approval of the strength calculations or valid Class certificate
5. approval of the stability calculations
6. declaration that the ship is in satisfactory condition for the intended towed voyage.

Cat II) Ships only in an exceptional case undertaking a voyage:

1. inspection of safety equipment
2. approval of the Safety plan
3. approval of GMDSS installation for the relevant sea area
4. Marpol Inspection
5. approval of Load line calculation
6. approval of the stability calculation for the conditions during the voyage
7. valid Class certificate
8. valid (provisional) tonnage certificate
9. inspection of medical equipment in accordance with directive 92/29/EEC

Cat III) Ships performing sea trials:

1. inspection of safety equipment
2. approval of the Safety plan
3. approval of GMDSS installation for the relevant sea area
4. Marpol Inspection
5. approval of Load line calculation
6. approval of the stability calculation for the conditions during the voyage
7. approval of the strength calculations
8. valid (provisional) tonnage certificate



9. approval of the protocol of the inclining test
10. inspection of medical equipment in accordance with directive 92/29/EEC*

* directive 92/29/EC has been implemented and detailed in the Regulation seagoing vessels under articles 25 and 49, and under Annex 5 of this Regulation. It should be noted that extra personnel, not forming part of the registered crew (i.e. the crew responsible for the routine operation of the ship) need not be taken into account in determining the quantities of medical equipment to be supplied on board. Generally the medical equipment placed on board for the purpose of use of the ship after delivery already covers the required quantities. Nevertheless this should be verified.

Cat IV) Ships, being built in Curacao for foreign flag or sold to a foreign country and which have to sail to their destination abroad:

1. all the items mentioned under Cat II or III
2. approval of SOPEP
3. ISM interim audit and certificate
4. ISPS interim audit and certificate
5. inspection of medical equipment in accordance with directive 92/29/EEC

Ships of Category IV are usually provided by RO with short-term international certificates. These short-term certificates should be issued by the RO after the article 2bis certificate has been issued. The short-term certificates cannot have a longer validity than the article 2bis certificate, the tonnage certificate or the certificate of registry.

Annex 1 to this instruction provides a guidance (not limitative) with regard to inspections to be carried out.

4 Contact details

The ship owner has to send his application for a Permit art 2bis, including the abovementioned documents to:

Ministry of Traffic, Transport & Urban Planning
Maritime Authority of Curaçao
Kaya Afido z/n - Seru Mahuma
Curaçao
Telephone +5999-8393700
Mobile +5999-5647000
E-mail expertise@maritimecuracao.org



Annex 1

Items to be inspected for a permit art. 2bis

- check whether fire- and safety-plan including muster list has been installed in the appropriate places;
- visual examination and operational test (if applicable) of WT bulkheads and doors;
- visual examination and operational test of fixed fire extinguishing system (ask for inspection report if available);
- check availability of sufficient portable fire extinguishers;
- visual examination and operational test of fire doors;
- operational test of fire detection and alarm system (random check);
- check availability of sufficient fire-fighter's outfits;
- visual examination and operational test of fire mains, pumps and hydrants, including emergency fire pump;
- visual examination of structural fire protection;
- visual examination of insulation of hot surfaces (> 220°C) in accordance with SOLAS II-2/4.2.2.6;
- visual examination and operational test (fuel/engine) of lifeboats, if installed;
- visual examination and operational test (fuel/engine) of rescue boat. Visual examination only in case a Marcus life net or other alternative has been installed;
- visual examination of life-rafts (special attention to the correct installation of the hydrostatic releases);
- check availability of sufficient personal life-saving appliances, in accordance with SOLAS III/7.2 and III/32.3, i.e. lifejackets AND immersion suits for every person on board. When the voyage or sea trials are undertaken in warm climates, the ship may be relieved from the requirement to carry immersion suits for every person on board, subject to the Guidelines for assessment of thermal protection (MSC/Circ.1046), in which case MAC has to be consulted;
- check availability of a line-throwing appliance and sufficient distress flares;
- operational test of bilge system and pumps (ER/forepeak/alarms);
- check engine alarms;
- operational test of emergency source of electrical power;
- operational test of engine emergency stop;
- visual examination and operational test of emergency lighting, emergency exits, escape routes/doors/hatches;
- visual examination and operational test of emergency steering gear;
- operational test of automatic change over of generator sets;
- visual examination of anchor gear;
- operational test of general alarm;
- operational test of communication between bridge/ER/emergency steering gear/emergency telegraph (tel. lists available);
- operational test of remote control for SOS valves;
- check availability of sufficient nautical charts and nautical publications;
- visual examination and operational test of navigation lights and shapes in accordance with Col. Reg. (special attention to NUC lights).
- medical equipment (except for cat. I)

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