



THE REPUBLIC OF THE UNION OF MYANMAR
MINISTRY OF TRANSPORT AND COMMUNICATIONS
DEPARTMENT OF MARINE ADMINISTRATION
No-363/421, Corner of Merchant & Theinbyu Road,
Botataung Township, Yangon, Myanmar

E-mail: dma@motc.gov.mm, dma.myan@gmail.com
P.O.Box: 194

Tel: +95-1-397640
Fax: +95-1-397641

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Marine Guidance (1 /2020)

Extending the validity of the certificates to the Myanmar registered vessels trading in international voyage due to the outbreak of 2019 Novel Coronavirus

Applicable to: Ship owners, Operators, Managers, Masters and Officers of Myanmar registered vessels and Recognized Organizations

Summary

This guidance provides a practical approach to Myanmar registered vessels which are unable to be arranged the surveys, inspections and audits required for compliance with the relevant Mandatory Instruments due to the restrictions arisen from the outbreak of 2019 Novel Coronavirus (COVID – 19).

1. The entire global shipping industry is currently being posed a serious challenge of the COVID -19 pandemic and there are travel and quarantine restrictions for surveyors, superintendents, technicians and service providers. The Department of Marine Administration of Myanmar (DMA) has recognized that there is a reasonable case for force majeure or unforeseen exceptional circumstances.
2. The purpose of this Marine Guidance is to extend the survey, audit and inspection windows and allow to continue working in maritime trade for Myanmar registered vessel its certificate are expired before 30th June 2020.
3. This Marine Guidance provides guideline on maintaining validity of statutory certificates and Document of Compliances issued under the following Conventions and relevant Codes:
 - a. International Convention for the Safety of Life at Sea, 1966, and Protocol of 1988, as amended (SOLAS);
 - b. International Convention for the Prevention of Pollution from Ships (MARPOL);
 - c. International Convention on Load Lines, 1966 and Protocol of 1988, as amended (Load Line);
 - d. International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWMC);
 - e. The Maritime Labour Convention, 2006 (MLC);
 - f. The International Safety Management Code (ISM) and the International Ship and Port Facility Security Code (ISPS).

4. In a such case a surveyor is not able to conduct scheduled surveys due to the restrictions of travelling or cancellation of scheduled dry docking, the DMA authorizes Recognized Organizations (ROs) for extension/ postponement the period between outside of ship's bottom surveys and extending the validity of certificates or issuing short term statutory certificates for up to three months. This is to be followed up by docking & outside of ship's bottom survey at the earliest opportunity.
5. The DMA temporarily permits extension/ postponement to annual ISM and ISPC internal audits for up to three months, in cases where it is not physically possible to attend and remote audit is not practicable.
6. For SMC and DOC periodical audits, the RO may issue a new SMC or DOC valid for three months or until the audit can take place, whichever comes first.
7. For SMC and DOC renewal audits, the DMA authorizes ROs to issue three months extension, where requested by the Ship owner/Operator, to existing SMC and DOC certificates.
8. For ISSC intermediate audits, the RO may issue a new SMC or ISSC valid for three months or until the audit can take place, whichever comes first.
9. With regards to ISSC renewal audits, the DMA authorizes ROs to issue three months extensions, where request by the Ship owner/Operator, to existing ISSC Certificates.
10. The DMA authorizes ROs to issue a short-term Maritime Labour Certificate for three months, in the cases where the renewal or intermediate inspection is not practicable.
11. The RO shall state that the certificate has been issued to allow the ship to continue on its intended voyage and to complete the survey/inspection at the first port where surveyors/inspectors are available. When the renewal or intermediate inspection has been completed, a full-term Certificate may be issued with its expiry date not later than 5 years from the expiry date of its origin.
12. For extending the period between outside of the ship's bottom survey and the validity of certificates for more than three months due to the consequences of the pandemic, Ship owner/Operator needs to submit the evidence that the efforts which have been made to secure dry-dock space together with the recommendation of RO, the DMA will consider for further extensions to intermediate and renewal survey to be carried on dry-dock beyond three months. Before submission the application for further extension, the Ship owner/Operator shall apply to the RO for an extension and prepare the ship to allow a survey to the maximum extent possible while out of a dry-dock.
13. In all cases, the RO must maintain a record of ships receiving extensions to surveys or certificates and ensure the DMA is kept informed about the ongoing status. If the RO has a proposal other than above description, those will be considered on a case-by-case basis by the DMA.

14. The ROs are requested to take into account for the transitional arrangement to the HSSC of Myanmar registered vessel issued by the DMA with Marine Guidance (5/2019) and (6/2019) which should not be a hindrance for the implementation of this Guidance.

15. The temporary measures described in this Guidance will remain in place for three months from 31 March 2020 and further review and amendment shall be taken in place accordingly to the situational develops.



Thaung Kyaing

Director General

Department of Marine Administration