



Department of Marine Administration - Yangon Myanmar

**Policy for the Implementation of the Transfer of Flag
(According to MARPOL Annex I & IV)**

Operational Procedure : QOP - 72 - 01- (07)

Revision: 0

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DISTRIBUTION DATE:

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Subj: INTERIM GUIDANCE FOR TRANSFER OF FLAG (ACCORDING TO MARPOL ANNEX I & IV)

Ref:(a) International Convention for the Prevention of Pollution from ship (MARPOL), Regulations 10.9.3 of Annex I –Regulations for the Prevention of Pollution by Oil from ships.

(b) International Convention for the Prevention of Pollution from shop (MARPOL), Regulations 8.8.2 of Annex IV- Regulations for the Prevention of Pollution by Sewage from ships.

1. Purpose:

This policy letter provides interim guidance to ensure that, Myanmar and other flag oceangoing ships are transferring of flag, in compliance with MARPOL 73/ 78 and amendments to reference.

2. Action:

Myanmar flag state Surveyors and recognized Surveyors shall use this interim guidance in the oversight of their respective Myanmar flag and foreign flag ships transferring of flag.

3. Directives Affected:

April 21 2014.

4. Background:

MARPOL ANNEX I, REGULATION FOR THE PREVENTION OF POLLUTION BY OIL FROM SHIP. On May 4, 1988, the Republic of the Union of Myanmar was signed for the MARPOL Annex (1) & (2) and enters into force on August 4, 1988. MARPOL ANNEX

Approved by & date:	Approved by & date:
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Originated by :	This Revision Date :
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IV, REGULATION FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIP. On April 5, 2016, the Republic of the Union of Myanmar was signed for the MARPOL Annex IV and enters into force on July 5, 2016.

5. Enforcement:

Myanmar flag state officers should verify a foreign flag ship's compliance with MARPOL Annex - I during normally scheduled inspection. For Myanmar ships operating strictly on domestic routes, compliance should be verified by Myanmar Flag state Surveyors during normally scheduled inspections, but an educational outreach and awareness approach is encouraged. However, current enforcement options remain in place for willful and egregious violators or repeat offenders.

6. Limitation :

- (a) For **MARPOL Annex – I**, Upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Government of the Republic of the Union of Myanmar issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulations 6.4.1 and 6.4.2 of this Annex. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificate carried by the ship before the transfer and, if available, copies of the relevant survey reports.

Regulation 6.4.1 The condition of the ship and its equipment shall be maintained to conform with the provisions of the present Convention to ensure that the ship in all respects will remain fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

Regulation 6.4.2 After any survey of the ship under paragraph 1 of this regulation has been completed; no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey, without the sanction of the Administration, except the direct replacement of such equipment and fittings.

- (b) For **MARPOL Annex – IV**, Upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Government of the Republic of the Union of Myanmar issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulations 4.7 and 4.8 of this Annex. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the

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Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificate carried by the ship before the transfer and, if available, copies of the relevant survey reports.

Regulation 4.7 The condition of the ship and its equipment shall be maintained to conform with the provisions of the present Convention to ensure that the ship in all respects will remain fit to proceed to sea without presenting an unreasonable threat of harm to the marine environment.

Regulation 4.8 After any survey of the ship under paragraph 1 of this regulation has been completed; no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey, without the sanction of the Administration, except the direct replacement of such equipment and fittings.

After completion of the following procedures the transfer of flag is accepted and issued Myanmar Government Certificates:-

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Application for Foreign going Vessels IOPP / ISPP (Flag change survey)

Certificate issue procedure

