



# MIN 612 (M+F) Amendment 1

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## Coronavirus (COVID-19) - MCA approach to survey and certification of UK vessels.

**Notice to all Surveyors, Recognised Organisations, Certifying Authorities, Authorised Persons, Ship Operators, Ship Owners, Masters, Officers and Crew**

*This MIN expires 16<sup>th</sup> September 2020*

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### Summary

This MIN sets out the policy of the MCA with respect to UK Vessels which are prevented from arranging the relevant Surveys, Inspections and Audits required for compliance with the relevant Statutory Instruments due to the ongoing Coronavirus (COVID-19) outbreak.

The MIN has been reissued as Revision 1 on 25<sup>th</sup> March 2020 to incorporate developments in MCA policy and Government guidance regarding the COVID-19 pandemic.

### 1. Impact of Coronavirus (COVID-19) on the provision of statutory activities

- 1.1 The MCA has put in place contingency plans to mitigate disruption to essential statutory activities during the current worldwide coronavirus pandemic.
- 1.2 The plans acknowledge that UK registered vessels may find it difficult to arrange the surveys, audits, inspections and servicing activities required under national and international regulations due to a lack of availability of surveyors, a restriction on surveyor travel to reach the port of survey or a local outbreak of coronavirus which increases the risk to health.
- 1.3 From the 23<sup>rd</sup> March 2020, MCA Surveyors will not be undertaking routine survey and inspection activity either domestically or overseas. The relevant Recognised Organisations and Certifying Authorities will develop their own policies on their ability to conduct surveys, inspections and audits as appropriate. The MCA will publish details of the resumption of survey and inspection operations as the situation develops.



## **2. Arrangement of Statutory Surveys of internationally trading ships**

- 2.1 The MCA has extended the authorisations provided to their Recognised Organisation's (RO's) for the conduct of International Safety Management Certificate Audits (SMC), International Ship Security Certificate Audits (ISSC), Maritime Labour Certificate Inspections (MLC) and Safety Equipment Certificate Surveys (SEC) on all internationally trading UK cargo vessels to facilitate the engagement of local surveyor resource. This authorisation is irrespective of whether the vessel is engaged on the Alternative Compliance Scheme (ACS) as set out in MGN 568(M) or not.
- 2.2 Ship operators are encouraged to commence making arrangements for the survey/audit/inspection of their vessels by the relevant RO at the earliest opportunity within the window provided by the regulations and, where the operation of the vessel permits, in an area with no or limited instances of infection by coronavirus.
- 2.3 An operator requiring the Audits or surveys set out in section 2.1 should make arrangements for the conduct of the activities directly with the RO if possible.
- 2.4 Interim and Initial Audits will be dealt with on an individual basis by the MCA
- 2.5 Vessel flag inspections under the Enhanced Authorisation Scheme (EAS) as set out in MGN 561(M) may be deferred until the current period of uncertainty ends. The MCA will inform operators under the scheme when inspections will recommence.
- 2.6 It is the MCA Policy that should neither the MCA nor an RO acting under an authorisation from the Secretary of State, be able to attend the vessel to complete a survey, verification, audit or inspection leading to the endorsement or renewal of a relevant certificate then the issuing authority may issue a short-term certificate on the basis of a declaration from the Master or responsible person that the vessel remains in compliance with the requirements for of the relevant instrument. A template for the declaration is contained in Annex A to this MIN.
- 2.7 The short-term certificate issued should be valid for not more than three months from the date of expiration of the current certificate or the closure of the required window for the conduct of the required activity.
- 2.8 Where the vessel requires survey due to major repairs or modifications it will only be considered for the issue of a short-term certificate in exceptional circumstances by the MCA.
- 2.9 A short-term certificate issued under the terms of section 2.5 may be transmitted in electronic format to the vessel for presentation to officials as required.
- 2.10 It remains the responsibility of the company and Master to ensure that the vessel is maintained and operated in accordance with the statutory requirements for the duration of the short-term certificate.
- 2.11 On expiration of the short-term certificate, or earlier if circumstances permit, a survey, inspection, audit or inspection to the same standard as that previously required must be completed and a new certificate issued, aligned with the expiration date of the previous certificate.

## **3. Routine Servicing of Life Saving and Fire Fighting Apparatus**

- 3.1 SOLAS III Regulation 20.8.1.1 permits an administration to extend the period of servicing of inflatable liferafts, inflatable lifejackets and Marine Evacuation Systems (MES) to 17 months



where servicing at the required interval is impracticable. The MCA recognises that servicing facilities may not be available due to the restrictions caused by the COVID-19 outbreak and therefore, subject to an onboard inspection by the Master, the MCA is content to extend the servicing of inflatable liferafts, inflatable lifejackets and MES to 17 months but not later than six months from the date of issue of this MIN. Operators are not required to approach the MCA to take advantage of this extension to service periods but should retain a copy of this MIN on board for the guidance of officials should it be required.

- 3.2 SOLAS III Regulation 20.8.2 requires the rotational deployment of MES in conjunction with the servicing required by regulation 20.8.1. The MCA is content for the period of a scheduled rotational deployment to be extended in line with the servicing schedule set out in section 3.1, above.
- 3.3 Routine on-board inspections of Life Saving Apparatus should continue as normal on equipment subject to the above extensions.
- 3.4 The routine on-board inspection and maintenance of Fire-Fighting Apparatus should continue in line with MSC.1/Circ.1432. Where servicing of equipment by an external service provider is required but the provider is unable to attend the vessel for matters associated with COVID-19 the MCA are content for such servicing to be postponed by up to three months provided that on-board inspections do not identify any defects. A record of any postponement should be retained on board.

#### **4. Dry-docking and service requirements**

- 4.1 The MCA recognises that the current outbreak will impact the ability of operators to complete the dry-docking, or servicing of critical equipment, required under the respective IMO Conventions.
- 4.2 Where a ship operator wishes to extend the period between dry-docking or scheduled In-water Survey due to matters associated with the COVID-19 outbreak, application should be made to the MCA for an agreement to extend beyond the relevant required period. In all cases such applications should be supported by the vessel's RO and shall include the reasons and evidence why the vessel is unable to comply. It is strongly advised that owners and managers engage with the RO and submit the relevant documentation before the due date in order to avoid port State control issues.
- 4.3 Any deviation from the requirements for dry-docking or servicing of equipment should be recorded within the Safety Management System and a record of the MCA agreement maintained with the associated statutory certificate.

#### **5. Internal audit requirements**

- 5.1 Section 12.1 of the ISM Code requires that the Company carry out internal safety audits on board and ashore at intervals not exceeding twelve months to verify whether safety and pollution-prevention activities comply with the safety management system. In exceptional circumstances, this interval may be exceeded by not more than three months.
- 5.2 The MCA accepts that the current situation clearly meets the definition of exceptional circumstances and will accept deferral of the next scheduled internal audits required by section 12.1 of the ISM Code by up to no more than 15 months from the date of the previous internal audit without a requirement for approval by the MCA to do so. The requirement for internal audit during an interim period will be dealt with on a case by case basis.



## **6. Documents of Compliance (DOC)**

- 6.1 Where an operator requires an audit of their Safety Management System for the endorsement or renewal of the Document of Compliance required by Part B, Section 13 of the ISM Code then, should neither the MCA nor another contracting government be able to complete the required audit, consideration will be given to issuing a short term DOC for a period not exceeding three months on the basis of a declaration by the Designated Person that the Safety Management System remains in full compliance with the requirements of the ISM Code.
- 6.2 Applications for changes to the applicable ship types the company is able to manage will only be considered in exceptional circumstances.
- 6.3 Companies holding interim DOC's may, on application, be considered for the issue of a short-term DOC with a validity not exceeding 3 months to allow continued operation on the basis of evidence provided by the company that it has implemented a safety management system meeting the full requirements of this Code within the period of validity of the Interim Document of Compliance

## **7. Vessels Laying-Up**

- 7.1 An operator considering laying their vessel up during the outbreak of COVID-19 should contact the MCA for guidance on the requirements regarding survey, audit and inspection during this period.
- 7.2 Operators laying their vessels up overseas should co-ordinate with their Customer Service Manager or designated MCA contact as appropriate regarding the requirements and co-ordination with the local authorities.

## **8. Port State Control**

- 8.1 The arrangements set out in this MIN are intended to provide a pragmatic framework to permit the continued operation of UK registered vessels during the current period of disruption caused by the COVID-19 outbreak. The allowances set out in the MIN, specifically in the extension of survey periods, are not expressly permitted under the relevant conventions.
- 8.2 Some Port State Control Authorities have already issued guidance on the acceptability of delaying periods for surveys, inspections and audits, etc. in a pragmatic and harmonised manner however operators taking advantage of the MCA guidance should be aware that non-compliance with fundamental aspects of the relevant conventions may lead to control action being imposed by an attending Port State Control Officer.
- 8.3 Should Port State Control action be taken during an inspection of a UK Registered ship, the MCA should be informed without delay to allow the Agency to engage with the Port State Control authority directly.

## **9. Other Vessel Operations**

- 9.1 Other operators within the UK are to follow a similar framework as provided for internationally trading large vessels. Operators are encouraged if possible to commence making arrangements for the survey/audit/inspection of their vessels at the earliest opportunity within the window provided by the regulations and, where the operation of the vessel permits, in an area with no or limited instances of infection by coronavirus.



- 9.2 Where a regulation requires an item of equipment to be routinely serviced or maintained the MCA is content to extend the period of servicing or maintenance for the duration of the short-term certificate issued.
- 9.3 Routine on-board inspections of Life Saving Apparatus should continue as normal on equipment subject to the above extension.
- 9.4 Should an operator decide to lay their vessel up and not place it into service until the wider industry is in a position to recommence normal operations then a short-term certificate will not be issued. When re-entry into service is planned the circumstances will dictate whether a survey can be completed leading to the issue of a full-term certificate or the endorsement of the current certificate endorsed, maintaining the original expiration date. Should it not be possible to complete the required surveys, inspections or audits then consideration will be given to issuing a short-term certificate on the basis of a declaration from the operator.

## **9.5 Domestic Passenger Vessels**

- 9.5.1 Domestic Passenger Vessels requiring a survey to renew, or in the case of vessels subject to the requirements of MSN 1823(M) to endorse, their passenger ship safety certificate should in the first instance contact their local Marine Office to arrange the required surveys in accordance with the current arrangements at the earliest opportunity.
- 9.5.2 The MCA will look favourably on requests to defer inspections of the outside of the ships bottom where the COVID-19 outbreak affects their ability to present the vessel for survey. Any request will be agreed on a case-by-case basis and should be supported by a suitable declaration from the operator that the vessel has not suffered any grounding or contact damage since the last inspection.
- 9.5.3 Should the MCA not be in a position to attend the vessel for survey the operator may apply to the MCA for a short-term certificate to be issued supported by a declaration from the operator that the vessel remains in compliance with the requirements of the relevant instruments following the template in Annex A. The decision as to whether a short-term certificate is issued or not lies with the MCA and will be based on the previous survey history of the vessel and the need to maintain the service to facilitate necessary travel in accordance with government guidance. Operators should ensure that the required declaration in Annex A is accompanied by a full description of the intended service.
- 9.5.4 On resumption of normal services, a survey to the extent of a renewal survey will be required.
- 9.5.5 The short-term certificate will be valid for a period not greater than 3 months.
- 9.5.6 Noting that the window for completion of the mid-term DSM audit is 12 months, falling between the second and third anniversaries, extension of this period will only be granted in exceptional circumstances agreed by the local Marine Office.
- 9.5.7 At the renewal survey for a vessel operating under the requirements of MSN 1823(M) the MCA will accept a deferral of the required office audit on a case by case basis should it be required due to restrictions in place because of the COVID-19 outbreak.
- 9.5.8 Noting the extensive window for the completion of the intermediate audit of the DSM Systems of vessels operating solely in categorised waters where it is in possession of a Passenger Ship Safety Certificate issued by the MCA under MSN1823(M) as revised and amended, it is anticipated that operators will make arrangements for the audits to



take place outside the period of risk from the COVID-19 outbreak and extension of this period will only be granted in exceptional circumstances agreed by the local Marine Office

9.5.9 Operators should continue to submit the annual self-assessment reports of the company and vessels to the MCA for review.

## **9.6 Operators of vessels certified under the MCA SCV Codes of Practice:**

9.6.1 Within this section the term survey should be taken to mean annual, mid-term or renewal examinations and the term certificate should be taken to include any annual endorsement of the five-year certificate.

9.6.2 Operators of vessels scheduled for survey during the period of the outbreak should in the first instance contact their certifying authority to make arrangements for the required survey within the required timescales.

9.6.3 In circumstances, where no certifying authority surveyor is available as a consequence of the COVID-19 outbreak, the MCA authorises the Certifying Authority (CA) to issue a short-term certificate on the basis of a declaration from the operator that the vessel remains in compliance with the requirements of the relevant instrument following the template in Annex A. The short-term certificate should be valid for not more than three months from the date of expiration of the previous certificate or the closure of the appropriate survey window.

9.6.4 On expiration of the short-term certificate, or earlier if the circumstances permit, the required survey should be undertaken, and a new certificate issued with an expiration date aligned with that of the original certificate.

9.6.5 Operators should ensure that annual inspections for self-certification are completed as required.

9.6.6 During the period of the short-term certificate the requirement for an annual disc is waived.

9.6.7 No short-term certificate may be issued to a vessel requiring an initial survey which has not been previously certified.

## **9.7 Operators of UK Fishing vessels:**

9.7.1 Operators of UK Registered Fishing vessels are encouraged to commence making arrangements for the survey/inspection of their vessels at the earliest opportunity within the window provided by the regulations and, where the operation of the vessel permits, in an area with no or limited instances of infection by coronavirus.

9.7.2 For vessels complying with the requirements of MSN 1871(F), where the circumstances dictate that it is not possible to complete a renewal inspection as required, the operator should apply to the MCA for a short-term Small Fishing Vessel Certificate to be issued supported by a declaration from them that the vessel remains in compliance with the relevant requirements following the template in Annex A. The MCA will assess, on the basis of the declaration and the previous inspection and operator history of the vessel, whether it is appropriate to issue a short-term certificate to the vessel.





- 9.7.2.1 Operators should ensure that the inspection for Annual Self Certification is completed as required.
- 9.7.2.2 For inspections at change of ownership, Operators should liaise with the local Marine Office to arrange for an inspection when possible.
- 9.7.2.3 Where the vessel requires an inspection due to major repairs or modifications it will only be considered for the issue of a short-term certificate in exceptional circumstances.
- 9.7.2.4 Short-term certificates will only be issued in lieu of initial inspections based on the process for inspections in remote areas as set out in the Instructions for the Guidance of Surveyors Part 27 (MSIS 27) Annex 1 – Under 15m LOA Inspection Regime, Annex 8. This document is available at available on-line on gov.uk at :
- [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/857054/MSIS27.1\\_Annex1\\_R01.20.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/857054/MSIS27.1_Annex1_R01.20.pdf)
- Operators should contact their local Marine Office for details of the evidence required to demonstrate compliance.
- 9.7.2.5 The short-term certificate issued will be valid for not more than three months from the date of expiration of the current certificate or a date agreed by the MCA as appropriate.
- 9.7.2.6 On expiration of the short-term certificate, or earlier if the circumstances permit, the required inspection should be undertaken and a new certificate issued with an expiration aligned with the original certificate.
- 9.7.3 For vessels complying with the requirements of MSN 1872(F) Amendment 1, where the circumstances dictate that it is not possible to complete a renewal survey as required, the operator should apply to the MCA for a short-term United Kingdom Fishing Vessel Certificate to be issued, supported by a declaration by the operator that the vessel remains in compliance with the relevant requirements following the template in Annex A. The MCA will assess, on the basis of the declaration and the previous inspection and operator history of the vessel, whether it is appropriate to issue a short-term certificate to the vessel.
- 9.7.3.1 Where the vessel requires survey due to major repairs or modifications it will only be considered for the issue of a short-term certificate in exceptional circumstances.
- 9.7.3.2 Operators should ensure that the inspection for Annual Self Certification is completed as required.
- 9.7.3.3 For inspections at change of ownership, Operators should liaise with the local Marine Office to arrange for an inspection when possible.
- 9.7.3.4 The short-term certificate issued will be valid for not more than three months from the date of expiration of the current certificate or a date agreed with the MCA.
- 9.7.3.5 On expiration of the short-term certificate, or earlier if the circumstances permit, the required inspection should be undertaken and a new certificate issued with an expiration aligned with that of the original certificate.



- 9.7.4 For vessels complying with the requirements of MSN 1873(F), where the circumstances dictate that it is not possible to complete Annual, Intermediate and Renewal Surveys as required, the operator should apply to the MCA for a short-term International Fishing Vessel Certificate to be issued, supported by a declaration from the operator that the vessel remains in compliance with the requirements of the relevant requirements following the template in Annex A. The MCA will assess, on the basis of the declaration and the previous inspection and operator history of the vessel, whether it is appropriate to issue a short-term certificate to the vessel.
- 9.7.4.1 Where the vessel requires survey due to major repairs or modifications it will only be considered for the issue of a short-term certificate in exceptional circumstances.
- 9.7.4.2 The short-term certificate issued will be valid for not more than three months from the date of expiration of the current certificate, the closure of the required window for the conduct of the required activity or a date agreed with the MCA.
- 9.7.4.3 On expiration of the short-term certificate, or earlier if the circumstances permit, the required inspection should be undertaken and a new certificate issued with an expiration aligned with that of the original certificate.
- 9.7.5 Where a Code requires a declaration by an organisation authorised or recognised by the Secretary of State on completion of the Radio Survey by them, the MCA will waive this requirement for the issue of the short-term certificate if the operator is unable to secure the services of the radio surveyor due to the current outbreak of COVID-19
- 9.7.6 A short-term certificate issued under the terms of sections 8.4.3, 8.4.4 or 8.4.5 may be transmitted in electronic format to the vessel for presentation to officials as required.
- 9.7.7 It remains the responsibility of the company and Master to ensure that the vessel is maintained and operated in accordance with the statutory requirements for the duration of the short-term certificate.

## 10. Maintenance of life-line services

- 10.1 There is a possibility that the outbreak of COVID-19 will affect services to islands and remote areas of the UK. Noting the nature of these services in supporting key activities such as the provision of emergency support to outlying communities, the MCA will work in a pragmatic way to ensure that measures are put in place which will facilitate such life-line services whilst maintaining an equivalent level of safety. Operators should apply to their local Marine Office should a need arise which is in conflict with a regulatory requirement.

## 11. Review and update of guidance during the COVID-19 outbreak.

- 11.1 The MCA will remain operational to support operators during the COVID-19 outbreak through its network of Marine Offices and HQ Branches utilising the Business Continuity plans in place as individual sites are affected.
- 11.2 Guidance and information to follow in the event of COVID-19 outbreak impacting UK seafarer services is contained in MIN 611(M+F).





11.3 The outbreak of COVID-19 currently affecting the majority of countries around the world is fast-moving and the dynamic nature of the response to it by national governments is such that the contents of this MIN will by necessity be continuously reviewed and new revisions published as the situation changes. Operators should ensure that they reference the most recent version when planning for future activities.

## 12. **Tonnage Measurement.**

12.1 The tonnage regulations require the physical measurement of a vessel for the calculation of tonnage required for registration. In light of the difficulties in arranging surveys for this measurement to take place and to facilitate registration the MCA have issued a general exemption which will permit, under certain conditions, the assessment of tonnage remotely. Once survey activity is recommenced in the industry, a measurement will be necessary, and a new tonnage certificate issued if necessary. The General Exemption is contained in Annex B to this MIN.

## 13. **Fees.**

13.1 The assessment of applications and the issue of short-term certificates will incur a fee at the standard rate. Application should be made using the MSF 5100 form available for download from gov.uk (Search for MSF 5100 on [www.gov.uk](http://www.gov.uk)). The completed MSF 5100 should be accompanied by a deposit to cover one hour's work (£147) and the relevant declaration.

## 14. **Guidance for Recognised Organisations and Certifying Authorities.**

14.1 The aim of this MIN is to provide a basis for the continued operation of UK vessels during the period of the COVID-19 outbreak.

14.2 Where an RO or CA is able to conduct a survey on board a vessel in compliance with the normal course of survey and certification, no notification is required to the MCA and the certificate may be issued or endorsed as necessary.

14.3 When it is not possible for a surveyor to conduct a survey or audit on board, if the original certificate has been issued by the MCA, then the short-term certificate will be issued by the MCA on the basis of the declaration received.

14.4 For statutory certificates issued by an RO or CA, they are empowered to issue a short-term certificate for a period of validity not exceeding three months from the date of expiration of the current certificate or closure of the survey window, without the relevant survey, audit or inspection being carried out on board following the principles set out in this MIN. The RO or CA as appropriate should retain a copy of the declaration received and the certificate issued for provision to the MCA if required.

14.5 A short-term certificate issued under the terms of this MIN may be transmitted in electronic format to the vessel for presentation to officials as required.



## More Information

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## Declaration for issuance of Short-Term Certification

Recognising the serious nature of the Coronavirus (COVID-19) and the restrictions it is placing on the movement of personnel and availability of staff, the MCA will permit the issuance of a short-term certificate with a validity not longer than three months from the date of expiration of the current certificate or closure of the relevant survey window. To support the application for the issue of the certificate the following declaration is required to be completed by the Master or responsible person :

**Name of Vessel :** **IMO/Official No./Callsign :**

**Registered Owner / Operator :**

**Area and description of intended Operation :**

**Description of nature of life-line service provided :**

### DECLARATION: I HEREBY CERTIFY THAT:

The above-named vessel has been maintained in compliance with the requirements for the issue of a short-term certificate:

**Certificate :**

**Date of expiration of previous certificate :**

The condition of the vessel, it's structure, equipment, fittings, management and operation are satisfactory for the issue of a short-term certificate not exceeding three months from the date of expiration of the above certificate / date of closure of the appropriate survey window (delete as appropriate).

**Signature :** **Date :**

**Name :** **Position :**

**Notes – A copy of this form shall be retained with the vessel for subsequent inspection - A false declaration may render the owner liable to prosecution.**





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## GENERAL EXEMPTION

The Secretary of State, in exercise of his powers under Section 85(6) of the Merchant Shipping Act 1995 hereby exempts:

### All vessels wishing to become UK Registered

From the requirements of:

- a) Regulation 4(1) of Part II of The Merchant Shipping (Tonnage) Regulations (SI1997 No1510) as amended, which requires a United Kingdom Ship of 24m in length and over to be measured by a surveyor.
- b) Regulation 12B of Part IIa of The Merchant Shipping (Tonnage) Regulations (SI1997 No1510) as amended, which requires Fishing Vessels of 15metres or more in length overall but less than 24metres in length to be measured by an authorised measurer.
- c) Regulation 14(1) of Part III The Merchant Shipping (Tonnage) Regulations (SI1997 No1510) as amended, which requires United Kingdom ships of less than 24metres in length, other than fishing vessels to be measured by a surveyor or by a measurer appointed by an organisation authorised by the Secretary of State.
- d) Regulation 3 of The Merchant Shipping (Fishing Vessels Tonnage) Regulations (SI1988 No1909) as amended, which requires a Fishing Vessel of less than 24metres, where part IIA of the Merchant Shipping (Tonnage) Regulations 1997 does not apply, to be measured by an Authorised Measurer.

Recognising the serious nature of Coronavirus (COVID-19), the restrictions it is placing on the movement of personnel and availability of Surveyors or Authorised Measurers, the MCA will permit the issuance of a Tonnage Certificate without the subject vessel being physically measured.

Calculations and measurements are to be completed as per the relevant regulations and are acceptable when obtained from the following:

1. A sister vessel of a series build which is in possession of an existing Tonnage Certificate. issued on behalf of the Government of the United Kingdom of Great Britain and Northern Ireland.
2. Measurements taken from drawings of the vessel.

On the condition that at the earliest opportunity the vessel is formally measured. Should the measurement result in a variation of tonnage greater the 2% the tonnage certification should be re-issued.



This general exemption should be attached to any tonnage certificate issued under the exemption granted by it.

This exemption, which may be modified or revoked at any time, shall otherwise remain valid until:

23<sup>rd</sup> March 2021

Issued, dated this 24<sup>th</sup> day of March 2020.



**Katy Ware**  
Director of Maritime Safety and Standards  
for the Secretary of State

