



Coronavirus (COVID-19) - MCA approach to a phased return to survey and certification activity.

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

*This notice should be read with MIN 612(M+F) as amended and MIN 622(M) as amended.
This MIN expires 01st June 2022*

Summary

This MIN sets out the UK approach to survey and certification as the restrictions on the maritime industry necessary due to the Coronavirus pandemic (COVID-19) are steadily eased. It allows a phased return to the statutory framework of surveys, inspections and audits on board UK domestic vessels using a risk-based process, recognising that in some cases it may not be feasible to immediately return to survey and inspection activity.

1. Introduction

- 1.1 At the onset of the COVID-19 Pandemic, the MCA put in place a pragmatic framework for the certification of UK registered vessels to enable their continued operation, set out in MIN 612(M+F) as amended.
- 1.2 As the national and international restrictions put in place as a result of the pandemic ease there is a clear need to set out a framework for the resumption of survey, inspection and audit of UK registered vessels, developed with due regard to the resources available and the risks associated with the ongoing operation of un-surveyed vessels.
- 1.3 In all cases, vessels are expected to comply with the prevailing government guidelines in respect of the measures required to be in place for the protection of persons from COVID19.

2. Internationally trading cargo ships returning under the main IMO conventions

- 2.1 Internationally trading cargo vessels operating under the main Conventions are generally surveyed by Recognised Organisations (RO's) acting under the authority of the Secretary of State. The certification of these vessels carried out under MIN 612(M+F) as amended will continue to be recognised up to the expiration of any short-term certificate issued.



- 2.2 Guidance to operators and RO's on the use of alternative measures for the assurance of the condition of vessels against the relevant statutory and Class standards on UK registered ships where the completion of traditional surveys may not be possible is provided in MIN 622(M+F).
- 2.3 The suspension of the Alternative Compliance Scheme (ACS) and Enhanced Authorisation Scheme (EAS), detailed in MGN 568(M) and MGN 561(M) respectively, will continue until re-implemented by the MCA. ACS Certificates will be re-issued following the resumption of the scheme but in the interim period should be removed from circulation when their validity lapses.

3. Internationally trading passenger ships operating under the main IMO Conventions

The survey of internationally trading passenger ships will be dealt with in the same manner as cargo ships set out in section 2 however, Passenger Ship Safety Certificate surveys will remain the responsibility of the MCA and any proposed variation to the survey requirements of these ships will be agreed on a case by case basis.

4. Domestic passenger ships

- 4.1 Domestic passenger ships are subject to detailed surveys including examination of the outside of the ships bottom and regular audits of the Safety Management system under which they operate.
- 4.2 The provisions within this section only apply to United Kingdom vessels operating as UK Class IV, V, VI and VI(a) ships, Class B, C or D as defined in the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 and Ships certified under the Small Seagoing Passenger Ship (SSPS) Code whilst engaged only on voyages within the United Kingdom. Exceptions to these vessel operations will be considered on a case-by-case basis.
- 4.3 The provisions of this section will apply to Passenger High Speed Craft operating within the UK.
- 4.4 Initial surveys of vessels not holding certificates valid for passenger operation in the 2019 calendar year will be considered on a case-by-case basis by the MCA on application.
- 4.5 Operation is dependent on a declaration by the owner that the vessel remains in full compliance with the requirements of the certificate held and a commitment that should the vessel or its operation fail to meet the required standards it will be withdrawn from service and the MCA notified through the local Marine Office.
- 4.6 A template for the standard declaration is contained in Annex A and should be forwarded to the local Marine Office prior to the vessel entering service or prior to the expiration of any short-term certificate issued under MIN 612(M) as amended as appropriate.
- 4.7 A Passenger Ship Safety Certificate, or in the case of a High Speed Craft a High Speed Craft Safety Certificate and Permit to Operate, may be issued by the MCA on receipt of the required declaration by the operator which will be valid for operation until the corresponding anniversary date in 2021 however, the MCA reserve the right to complete an inspection of the vessel prior to the issuance of the relevant certificate.
- 4.8 On the successful completion of the required surveys in the three months prior to the expiration of the relevant certificate issued under this MIN, a certificate aligned with the anniversary date of that previously held may be issued. For vessels subject to the



Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 or those holding a High Speed Craft Safety Certificate, the expiration date of the new certificate should be aligned with that of the previous certificate held, or where a renewal survey was due in 2020, not later than the corresponding date in 2025.

- 4.9 Provided that the vessel has not been modified in a way which would change the stability characteristics of the vessel and on production to the MCA of relevant information about the ship showing that the lightweight survey or test is not necessary at the required interval, a stability verification due within the calendar year 2020 may be deferred until the corresponding date in 2021.
- 4.10 Operators and masters are reminded of their overarching responsibility to ensure that the equipment, structure, machinery and operation of the passenger ship under their responsibility remains in full compliance with the regulatory requirements.
- 4.11 No change to a surveyable item of equipment or modification to the vessel, other than a like-for-like substitution, is permitted without consultation with, and the agreement of, the local MCA Marine Office.
- 4.12 Operators are required to maintain compliance with the Domestic Safety Management (DSM) requirements appropriate to their certification as follows:
- 4.12.1 Vessels operating under the International Safety Management Code (ISM) should maintain their compliance with that standard with any proposed variation being agreed on case-by-case basis with the local MCA Marine Office.
- 4.12.2 Vessels holding a valid Domestic Safety Management Certificate or in the case of a vessel to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply, holding a combined Passenger Ship and Safety and Domestic Safety Management Certificate, endorsed, in the 2019 calendar year are permitted to operate under the terms of the certificate held without undertaking the required verifications in the 2020 calendar year.
- 4.12.3 Self-Assessments/internal audits of the DSM System should continue to be completed and the reports submitted to the MCA as required regardless of the suspension of survey activity on this class of vessel.
- 4.12.4 Where a ship is in year two of its survey cycle in 2020, the required intermediate/midterm/internal audit of the safety management system may be deferred until the third anniversary in full compliance with the DSM Code.
- 4.12.5 Vessels in year three of its survey cycle in 2020, where the DSM intermediate/midterm/internal audit was not completed in the previous year may, following the completion and submission of the annual DSM Self-Assessment, defer the required audit to the corresponding date in 2021.
- 4.12.6 It is anticipated that the operational procedures in use on board all Domestic Passenger Ships will take account of the prevailing government guidance with respect to the mitigation of risks associated with the Covid-19 Pandemic. These procedures should be documented as an annex to the Domestic Safety Management manual and which may be subject to inspection.
- 4.13 The MCA will maintain an enhanced system of inspection during the interim period before the reinstatement of the survey programme in 2021. The system will incorporate an extended programme of incognito inspections of vessels in service as well as unannounced inspections by MCA Surveyors.



- 4.14 Operators shall make their vessels available as necessary to facilitate the inspection.
- 4.15 The MCA will be robust in addressing any non-compliances identified during inspections which may include requiring the vessel being removed from service until a full survey, to the standard required for re-certification, can be completed.
- 4.16 The inspections conducted in accordance with section 4.13 are not chargeable however, should it be determined that a survey is required an application and deposit of funds to cover the activity at the standard rate will be required.

5. UK Fishing Vessels

5.1 UK Fishing vessels have been subject to a schedule of short-term certification provided for in MIN 612(M+F). It is the intention of the MCA to reinstate the inspection and survey schedule on fishing vessels from the 20th July 2020 as set out in sections 5.2 to 5.4 below.

5.2 Small Fishing Vessels of Less than 15 m Length Overall – MSN 1871(F).

5.2.1 Operators should contact the local MCA Marine Office to commence making arrangements for the survey/inspection of their vessels at the earliest opportunity within the window provided by the regulations or, where the vessel has been issued with a short-term certificate, prior to the expiration of that certificate.

5.2.2 Limited extensions to a short-term certificate issued on the basis of a declaration as set out in MIN 612(M+F) will be considered on an individual basis in cases when an MCA surveyor is not available but will not be granted for other reasons except in exceptional circumstances.

5.2.3 Where considered appropriate due to the remote geographical location of certain vessels, at the discretion of the local Marine Office, the issue of short-term certificates may be considered 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/875984/MSIS27.1_Annex1_R03.20.pdf

5.2.4 Operators should contact their local Marine Office for details of the evidence required to demonstrate compliance in order to use this process.

5.3 Fishing Vessels of 15 m Length Overall to Less than 24 m Registered Length - MSN 1872(F).

5.3.1 The MCA will recommence initial surveys for new constructions, or on transfer to the UK register prior to the issue of a UK Fishing Vessel Certificate, from 20th July 2020 and operators are advised to contact the local MCA Marine Office to commence making arrangements for the survey/inspection of their vessels at the earliest opportunity.

5.3.2 Vessels must be presented for survey when significant repairs or modifications are undertaken.

5.3.3 For vessels already certified under MSN 1872(F) the annual self-certification assessment must be maintained.

5.3.4 Where the inspection window for the mid-term inspection on a vessel as required by section 1.3.6 of the Code opened on or after 21st July 2019 but no such



inspection has been completed, continued operation is dependent on a declaration by the operator that the vessel remains in full compliance with the requirements of the certificate held and a commitment that should the vessel or its operation fail to meet the required standards it will be withdrawn from service and the MCA notified through the local Marine Office.

- 5.3.5 A template for the standard declaration is contained in Annex B and should be forwarded to the local Marine Office prior to the vessel entering service or prior to the expiration of any short-term certificate issued under MIN 612(M+F).
- 5.3.6 The MCA will review the declaration from the operator and the inspection history of the vessel and will assess whether an inspection is required prior to the vessel entering service. If no mid-term inspection is required, a waiver letter will be issued for the conduct of the mid-term inspection.
- 5.3.7 Where a renewal survey is required, the same declaration is required by the operator that the vessel remains in full compliance with the requirements of the certificate held with a commitment that should the vessel or its operation fail to meet the required standards it will be withdrawn from service and the MCA notified through the local MCA Marine Office.
- 5.3.8 The MCA will review the declaration from the operator and the inspection history of the vessel and will assess whether a survey is required. If no renewal survey is required, a UK Fishing Vessel Certificate may be issued, valid to the corresponding anniversary date in 2021. The MCA retain the ability to require the vessel to be presented for survey or inspection prior to the issue of a certificate.
- 5.3.9 On the successful completion of the required survey prior to the expiration of a UK Fishing Vessel Certificate issued under this MIN, the expiration date of the new certificate issued should not be later than the corresponding anniversary date in 2025.
- 5.3.10 Operators are reminded that they retain the responsibility meet the requirements for the construction and use of fishing vessels as set out in the Code.

5.4 Fishing Vessels of 24 m Registered Length and over – MSN 1873(F)

- 5.4.1 Where a vessel is subject to survey by a Classification Society to contribute to the survey for the issue of an International Fishing Vessel Certificate the operator should liaise directly with the relevant Classification Society for the conduct of the necessary surveys.
- 5.4.2 The Classification Societies have been provided with full authorisations for the conduct of International Fishing Vessel Certificate Surveys and arrangements may be made directly with the appropriate Classification Society for the conduct of relevant surveys.
- 5.4.3 The MCA have set out their Policy for the use of alternative measures for the conduct of surveys on internationally trading vessels within MIN 622 (M+F) and where circumstances dictate, the measures set out in that MIN may be used for the conduct of surveys on Fishing Vessels of 24m Registered length and over.
- 5.4.4 Where necessary, in accordance with section 1.3.7.3 of MSN1873(F), the MCA will consider extending the certificate for a maximum of five months, on a case-by-case basis at the discretion of the local Marine Office.



- 5.4.5 In respect of Certificates that expire or surveys which fall due after the 20th July 2020, the MCA will only issue Short-term Certificates in exceptional circumstances noting that MSN 1873(F) provides for limited extensions to certificates which may be used to facilitate the conduct of the required surveys (MSN 1873(F) Section 1.3.7.3)
- 5.4.6 Where the inspection window for the intermediate survey on a vessel as required by section 1.3.5.1 of the Code closed on or after 23rd March 2020 but no such survey has been completed, continued operation is dependent on a declaration by the operator that the vessel remains in full compliance with the requirements of the certificate held and a commitment that should the vessel or its operation fail to meet the required standards it will be withdrawn from service and the MCA notified through the local Marine Office.
- 5.4.7 The MCA will review the declaration from the operator and the inspection history of the vessel and will assess whether a survey is required prior to the vessel entering service. If no intermediate survey is required, a waiver letter will be issued indicating the MCA's acceptance however the intermediate survey should be completed not later than the date corresponding to the closure of the intermediate window in 2021.
- 5.4.8 Operators are reminded that they retain the responsibility meet the requirements for the construction and use of fishing vessels as set out in the Code.
- 6. Vessels operating under the MCA Small Commercial Vessel (SCV) codes of practice.**
- 6.1 For a vessel certificated under one of the SCV Codes of Practice, including those certified under the Code for High Speed Offshore Service Craft (HS-OSC), it is envisaged that a Certifying Authority (CA) will be able to appoint a surveyor to complete the required surveys prior to the expiration of any short-term certificate issued under MIN 612(M+F).
- 6.2 MIN 612(M+F) permits limited extensions to the validity of short-term certificates issued through necessity during the period affected by the COVID-19 Pandemic and these may continue to be used whilst MIN 612(M+F) remains in force but only in respect of restrictions directly resulting from the COVID-19 Pandemic.
- 6.3 Where a vessel is operating outside the UK under a Code certificate, every effort should be made to complete the required surveys. Where the CA is considering using alternative measures to verify that the condition of the vessel complies with the intent of the relevant Code these will be considered by application to the MCA by the Certifying Authority supported by a description of why the survey/inspection cannot be completed as required and details of the alternative measures proposed. An overview of the policy on the use of alternative measures and the application process is provided in MIN 622(M+F). Application should be made by the CA to alternative.measures@mcga.gov.uk.
- 6.4 The use of UK certificates overseas is dependent on the acceptance of the local authorities for their use. Noting that the use of alternative measures or short-term extensions to certificates fall outside the requirements of the relevant Code, nothing in this MIN prevents a Port State Authority from acting as they consider appropriate however, should issues arise the CA and MCA should be informed without delay.
- 6.5 The use of alternative measures for vessels operating in the UK will only be considered in exceptional circumstances.



- 6.6 The primary concern of the Certifying Authority when considering the duration of any extension or any proposed alternative measure must be the safety of the crew and the protection of the environment.
- 6.7 The MCA acts as a Certifying Authority in their own right. In a number of cases vessels certified by the MCA also hold Domestic Passenger Ship Safety Certificates or Fishing Vessel Safety Certificates. Operators of such dual certificated vessels may take advantage of the policy set out in sections 4 and 5 of this MIN with respect to the certification held in respect of those requirements however for the maintenance of the relevant Code certificate, the surveys should be completed as required through arrangement with the local Marine Office.
- 6.8 The operator of a dual certificated vessel may, with the agreement of the MCA, suspend the Code certificate held without prejudicing the ongoing certification once the required Coding survey has been completed.

7. Non-mandatory inspections

Non-Mandatory inspections will be conducted at the discretion on the MCA

8. Insert subject heading

Ad-hoc mandatory surveys such as those for load-line exemptions for tows, repositioning voyages and guardship duties will be conducted at the discretion on the MCA as resource availability dictates. Operators are advised to make arrangements with their local Marine Office at the earliest opportunity.

More Information

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