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## **Passenger Ships - Five Year Certificates - Change in Policy**

### **Notice to all shipowners, masters and surveyors**

*This notice replaces the General Exemption issued on 18 December 2003 associated with MIN 160*

*This MIN expires on amendment of SI 2010 No. 680*

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#### **Summary**

Since 2003 the MCA has issued five yearly Passenger Ship Safety and Domestic Safety Management certificates to Class IV, V and VI domestic passenger ships, based on the existing annual survey system. This was as a result of a proposed cost and time saving measure. It has become apparent that there have been no cost or time savings for either operators or the MCA and additional problems have been unintentionally created. Therefore, the MCA will revert to issuing certificates annually as before 2003.

### **1. Introduction/ Background**

1.1 In December 2003, the MCA issued a General Exemption as a trial to permit a combined five year certificate to be issued instead of separate Passenger and Domestic Safety Management Certificates, issued with a validity of 12 months. This was a paper exercise with the intention of reducing the administrative burden on both the MCA and operators due to the number of certificates to be issued each year; the survey and audit regimes did not change.

1.2 It has become apparent that new certificates are having to be issued more frequently for a variety of reasons. It has also caused some confusion with operators who may have been led to believe that the annual survey is somehow less onerous than the five year renewal survey, which is not the case. It was never intended that the certificate issued every five years held any more validity than the one year survey cycle on which it is based.

### **2. Current Policy**

2.1 The current Merchant Shipping (Survey and Certification) Regulations require passenger ships to be issued with certificates for a period of validity not exceeding 12 months. Regulation 13(5) provides "a Passenger Certificate shall be issued for a period of validity not exceeding 12 months".



2.2 Similarly, the Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001 and MSN 1754 (The Safety Management Code For Domestic Passenger Ships of Classes III – VI (A)) (DSM Code) require certificates to be linked to the same 12 month validity as the Passenger Certificate, and are issued subject to an additional (mid-term) audit between three and six months after the issue of the Passenger Certificate.

2.3 The DSM Code regulations have been discussed over recent years and the MCA has carried out a recent consultation on changes to these. These regulations will introduce a different regime which is likely to require different certificates.

2.4 The Domestic Passenger Ships Directive, 2009/45/EC as amended, requires annual certificates for seagoing ships; proposals by the MCA to extend 5 yearly certification to ships covered by the Directive were rejected in 2011 by the European Commission.

2.5 Having reviewed feedback from experience of using these combined certificates a number of unexpected problems have been identified and no cost savings have been realised. In light of this and the above changes the MCA intends to simplify the certification regime and issue certificates on an annual basis.

### **3. Issues**

3.1 Since their introduction a number of problems have been identified with the use of the combined five year certificates, these have included:

- Since only the front of the certificate is usually displayed on board ship, the validity can appear to be five years without need for annual endorsements. This is misleading as the validity is dependent on the annual endorsements, however these are not usually visible as they are on the back of the certificate.
- Since the certificates need to last for five years some operators have laminated them to keep them in good condition, however this prevents annual endorsements, requiring a new certificate to be issued.
- Many certificates do not last five years, due to wear and tear and exposure to the marine environment, especially on small boats. In this case the certificate will need to be re-issued.
- There are often changes required to ownership or other details on the certificate within the five year period resulting in a need for the certificate to be re-issued.
- There is a misconception amongst some operators that the annual survey or audit is somehow less onerous than a renewal survey as required by the regulations (every year).
- Some operators have missed their annual renewal surveys, potentially due to the lack of visibility of the dates.
- Confusion arises as a large number of Class VI vessels are only permitted to operate during restricted periods (summer time 1 April – 31 October) but the certificate may show a date of expiry much later than 31 October.
- UK policy does not align with European policy for domestic passenger ship certification.

### **4. Simplified Policy**

4.1 From the 01 April 2015 the MCA will cancel the general exemption, bringing Regulation 13(5) of the Merchant Shipping (Survey and Certification) Regulations 1995 back into force and aligning survey and certification cycles for passenger ships with European and International norms. Any vessels completing surveys on or after this date will be issued with a new certificate having a validity period of one year, coincident with the annual survey Anniversary Date. Any five year certificate will be cancelled from the date of the issue of the new certificate.



4.2 This change in policy was discussed at the Domestic Passenger Ship Steering Group meeting on 18 November 2014.

4.3 This policy change will not affect domestic passenger ships certificated under MSN 1823 immediately. For these vessels the certification regime will remain as that which is set out in Statutory Instrument SI 2010 No. 680 until the SI can be amended to introduce this change.

4.4 This change will not affect the current policy regarding inspection of the vessel's hull externally within three months prior to the anniversary date (expiry date of new certificates), or waiver where this has been agreed

4.5 It should be noted that, although the Survey and Certification regulations are currently under review, this policy will not be affected by the changes to these regulations.

## 5. Action

5.1 To note this change in policy. No action is required of operators.

## More Information

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