

MGN 345 (M)

Alternative Compliance Scheme

Notice to all operators, shipowners, masters and all UK Recognised Organisations

This notice replaces MGN 300 and should be read in conjunction with MSN 1672 (as amended), MSN 1751 and MSN 1769

PLEASE NOTE:-

Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel and you should consider seeking independent legal advice if you are unsure of your own legal position.

Summary

This guidance note advises on:

- the requirements of the Alternative Compliance Scheme (ACS) for Shipowners/operators and Recognised Organisations;
- the appropriate certification to be issued to participants of the scheme;
- the requirements for vessels (new buildings, flag-ins and existing vessels) under ACS.

1. Introduction/ Background

- 1.1 The Alternative Compliance Scheme (ACS) streamlines the survey and certification process whilst maintaining standards and minimising duplication of effort with classification societies.
- 1.2 This scheme delegates all survey work to UK's authorised classification societies. This allows the MCA to maintain an oversight of the structure of the ship and its management systems through ACS inspections (for issuance of Certificates of Inspection), ISM audits, ISPS audits and ILO inspections. All statutory certificates except ISM DOC / SMC and ISSC (which remains the responsibility of the MCA) are issued by the classification societies.

2. Eligibility

- 2.1 The Alternative Compliance Scheme is available to all UK registered vessels other than passenger ships, which trade internationally and to which the principal maritime conventions apply.

2.2 For a vessel to be eligible and to be considered, the following conditions shall apply:

- The vessel has not been detained within the previous 36 months.
- During any port state control inspection within the previous 12 months no inspection report shall have recorded more than 5 deficiencies.
- The vessel is classed with one of the Classification Societies authorised by the UK viz. ABS, BV, DNV, GL, LR, NKK and RINA
- The owner shall permit access by the MCA to any or all records, files, reports, documents and certificates held or issued by the ACS classification society the vessel is classed with.
- The owner or operator shall notify the MCA one-month in advance of all in water surveys or dry docking dates.

3. Entry into the Scheme

3.1 The owner or operator of a vessel applies to the UK Ship Register (UKSR) for enrolment into the scheme. This is made by completing the form titled *Request to Participate in the Alternative Compliance Scheme for UK Registered Vessels* (MSF 4753) and submitting this together with the Application for Survey and Inspection (MSF 5100), both are available on the MCA website or directly from a Marine office. The UK Ship Register verifies the eligibility of the vessel to enter the scheme. On confirmation of the vessel satisfying the entry criteria, the UK Ship Register forwards this confirmation to the Survey branch.

3.2 A date where the vessel can be inspected is included in the application form. For new buildings or ships flagging in to the UK the inspection may be undertaken on delivery or during the surveys for change of flag. Upon successful completion of inspection an Interim Certificate of Inspection (Col) (MSF 1114) is issued by the MCA Lead Surveyor or CSM with same expiry date of the vessel's Interim Safety Management Certificate (SMC). Another inspection is conducted in conjunction with the initial ISM/ISPS audits and a full term Col is issued with the SMC. For ships already on the flag the full term Col (MSF 1115) is issued, if the CSM is satisfied with the condition of the vessel. All surveys except the ISM, ISPS audits and ILO inspections are undertaken by the relevant ACS Classification Society as they fall due. The Col indicates that the vessel is on the ACS scheme.

3.3 To minimise disruption to ship routines the owner may wish to harmonise the date of the Col with that of the Harmonised System of Survey and Certification (HSSC) scheme. In such circumstances however it should be borne in mind that operational systems will need to be viewed on board as part of the ISM audit and as such sufficient shipboard personnel and equipment will need to be available to facilitate this.

4. Responsibilities under the ACS scheme

Sl. No.	Owner / Operator	MCA	Classification Society
New Builds			
1	Send an application for entry into the scheme to the UKSR	Verify entry criteria, advise applicant of outcome and send confirmation to Survey Branch – UKSR. Issue Instrument of Appointment (IOA) to the class surveyors - Survey Branch. Visit the shipyard to assess	Carry out surveys during new construction on receipt of IOA.

Sl. No.	Owner / Operator	MCA	Classification Society
		the QA procedures and the class society local office (only for the 1 st ship in a series) – Lead Surveyor.	
2	Request for inspection, ISM, ISPS interim audits and ILO inspection on completion of new-build.	Issue interim Col with the interim SMC– Lead Surveyor. Inform class society about entry into scheme – Survey Branch.	Issue all statutory certificates on completion of new construction surveys.
3	Request for initial audits of ISM, ISPS and ILO.	Issue full term Col with the SMC after an inspection in conjunction with the initial ISM/ISPS/ILO audit/inspection – Lead Surveyor.	
4	Request for surveys as they fall due.	Carry out an inspection in conjunction with the intermediate / renewal audits / inspections for ISM, ISPS and ILO and issue full term Col or endorse the certificate as the case may be – Lead Surveyor.	Carry out surveys and endorse certificates as required (no IOA required).
5	Notify MCA of dates and location of docking surveys.	Attend docking survey based on a statistical sample – Survey Branch	Carry out surveys as required (no IOA required)
Flag In			
1	Send an application for entry into the scheme.	Verify entry criteria, advise applicant of outcome and send confirmation to Survey Branch – UKSR.	
2	Request for flag in surveys.	Issue Instrument of Appointment (IOA) to the class surveyors - Survey Branch. Issue interim Col with the interim SMC – Lead Surveyor Inform class society about entry into scheme – Survey Branch.	Carry out flag in surveys on receipt of IOA. Issue all statutory certificates on completion of surveys
3	Request for initial audits of ISM, ISPS and ILO.	Issue full term Col with the SMC after an inspection in conjunction with the initial ISM/ISPS/ILO audit/inspection – Lead Surveyor	

Sl. No.	Owner / Operator	MCA	Classification Society
4	Request for surveys as they fall due.	Carry out an inspection in conjunction with the intermediate / renewal audits / inspections for ISM, ISPS and ILO and issue full term Col or endorse the certificate as necessary – Lead Surveyor	Carry out surveys as required (no IOA required)
5	Notify MCA of dates and location of docking surveys.	Attend docking survey based on a statistical sample – Survey Branch	Carry out surveys as required (no IOA required)
Existing ships			
1	Send an application for entry into the scheme.	Verify entry criteria, inform the applicant of the outcome and send confirmation to Survey Branch – UKSR. Advise CSM of fitness to enter the scheme – Survey Branch If satisfied with the condition of the vessel, issue Full term Col with the SMC - CSM Inform class society about entry into scheme – Survey Branch.	
2	Request for surveys as they fall due.	Carry out an inspection in conjunction with the intermediate / renewal audits / inspections for ISM, ISPS and ILO and issue full term Col or endorse the certificate as necessary – Lead Surveyor.	Carry out surveys as required (no IOA required) and continue endorsing certificates issued by the MCA until their expiry after which new certificates can be issued by Class.
3	Notify MCA of dates and location of docking surveys.	Attend docking survey based on a statistical sample – Survey Branch.	Carry out surveys as required (no IOA required).

5. Damage surveys and Marine Casualties

5.1 Nothing in the Scheme shall be interpreted as limiting or restricting the authority of the MCA to exercise control over vessels as provided in existing laws and regulations. The Marine Accident Investigation Branch (MAIB) will conduct marine casualty investigations as authorised and required by UK legislation. Following any marine casualty, participating vessel owners must authorise the ACS Classification Society to assess the condition of the affected vessel and approve repairs.

Generally, the MCA will accept the classification society's approval of recommended repairs in non-reportable marine incidents. In cases involving reportable marine incidents, the MCA may take into account the classification society's repair recommendations.

5.2 However, the MCA retains ultimate authority to review and approve temporary repair proposals in cases in which damage to the vessel involves or is likely to result in a pollution incident or safety hazard. Generally, the MCA will accept the Classification Society's approval of recommended permanent repairs when the vessel no longer poses an immediate pollution or navigation safety threat.

6. Revocation of a Col and Detentions

6.1 The MCA retains the authority to deny or revoke certification, or to detain participating vessels based on factors such as:

- the vessel's involvement in a marine casualty or pollution incident,
- failure to correct an ACS Classification Society's condition of class or statutory deficiency
- uncorrected MCA inspection deficiencies,
- unreasonable delays in complying with conditions of class or in correcting statutory deficiencies or MCA marine inspection deficiencies,
- expiry or invalidation of required documents,

A detention may result in a vessel being re-examined more frequently by the MCA.

Annex

Table of authorisation for issuing statutory certification.

More Information

UK Ship Register
Maritime and Coastguard Agency
Bay 1/25
Spring Place
105 Commercial Road
Southampton
SO15 1EG

Tel : +44 (0) 23 8032 9197
Fax : +44 (0) 23 8032 9447
e-mail: ukshipregister.co.uk

General Inquiries: 24 Hour Infoline
infoline@mcga.gov.uk
0870 600 6505

MCA Website Address: www.mcga.gov.uk

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Statutory certificates authorised to ACS Classification Societies by MCA

STATUTORY CERTIFICATE	Initial	Full Term	Short Term	Annual/ Intermediate	Exemption
Cargo Ship Safety Construction (SAFCON)	F	F	A	F	N
Cargo Ship Safety Equipment Certificate (SEC)	F	F	A	F	N
Cargo Ship Safety Radio Certificate	F	F	A	F	N
Cargo Ship Safety Certificate	F	F	A	F	N
High Speed Craft Code	N	N	N	N	N
International Oil Pollution Prevention Certificate (IOPP)	F	F	A	F	N
International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk	F	F	A	F	N
International Sewage Pollution Prevention Certificate	F	F	A	F	N
International Air Pollution Prevention Certificate (MARPOL Annex VI)	F	F	A	F	N
International Load Line Certificate	F	F	A	F	N
International Tonnage Certificate	F	F	A	F	N
International Anti-Fouling System Certificate	F	F	A	F	N
Document of Authorisation for the Carriage of Grain	F	F	A	F	N
International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk (GC & IGC Codes)	F	F	A	F	N
International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (IBC & BCH Codes)	F	F	A	F	N
Document of Authorisation for the carriage of grain	F	F	A	F	N
MODU Code Safety Certificate	F	F	A	F	N
Document of Compliance for Carriage of Dangerous or Bulk Cargoes (IMDG/ BC)	F	F	A	F	N
International Regulations on Preventing Collision at Sea (COLREGS)	F	F	A	F	N
ILO Convention 178 on Crew Accommodation	N	N	N	N	N
ISM Safety Management Certificate (1)	N	N	A	C	N
International Ship Security Certificate	N	N	A	C	N
Passenger Ship Safety Certificate	N	N	N	N	N

F- Full authorisation, **N** – No, **C** - Case by Case Basis,

(1) Audit carried out in exceptional cases by Class, certificate issued by MCA

A – Advise MCA of the need to issue a short term certificate where significant defects would affect the issue of a full term certificate.