

Commonwealth of Dominica**Office of the Maritime Administrator**

- TO:** **ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, MODU's AND RECOGNIZED ORGANIZATIONS**
- SUBJECT:** **Issuance and Use of Statutory Certificates.**
- REFERENCE:** (a) **Dominica Maritime Regulation 2.2.1, Compliance with International Conventions**
(b) **SOLAS Chapter I, Part B, Surveys and Certification**
(c) **IACS Guidance List on Major Deficiencies.**
- PURPOSE:** **This Circular clarifies terminology used to describe statutory certificates and establishes the Administration's policy for their issuance and use.**
- APPLICABILITY:** **This Circular applies to all vessels in the Dominica registry, including all MODU's.**

REQUIREMENTS:**1.0 "Conditional" Certificates**

1.1 The Office of the Maritime Administrator views "conditional" certificates as being "internal" to class requirements thereby having no validity in the statutory certificate scheme. These certificates should be used as "deficiency letters" or notifications of required corrections or repairs as a condition of class, and nothing more. Some class societies currently utilize these certificates in an inappropriate manner, and it is the Administration's view that such use has become detrimental to some shipowners.

1.2 When a convention certificate is issued, the issuer is stating that the vessel meets a certain required standard. That standard is assumed to be upheld by the vessel owner until it is time to re-affirm this at the next mandatory annual, intermediate or renewal survey. The use of the term "conditional" and issuance of "conditional" certificates is misleading. Therefore, the term "conditional" certificates must not be used when referring to statutory certificates and the issuance of statutory certificates to vessels under the Dominica international registry.

2.0 Statutory Certificates

With regards to the issuance and use of statutory certificates, the Administration is implementing the following policy:

2.1 Acceptable Forms

Statutory certificates must be issued either as a "permanent" certificate, "interim" certificate, or a "short term" certificate.

2.2 Permanent

A "permanent" certificate may be issued upon satisfactory completion of an initial or periodical/renewal survey indicating that the ship and its equipment meet the applicable provisions of a particular convention. A permanent certificate also may be issued or reissued after revalidation that all outstanding deficiencies, which led to issuance of a "short term" certificate, have been corrected. Certificates must be issued in the format prescribed by the applicable convention with a term of validity as set forth in that convention.

2.3 Interim

An "interim" certificate may be issued by an attending Surveyor upon satisfactory completion of a survey in order to permit the ship to trade while the Society's head or regional office is preparing the permanent certificate.

2.4 Short Term

- .1 A "short term" certificate may be issued after the Administration's consent when minor deficiencies are found to exist which do not prevent the ship from proceeding to sea without danger to the ship, to the persons on board or to the marine environment, but which cannot be corrected in the port of survey.
- .2 There is a need for some form of temporary or short-term certificate detailing requirements or conditions on a vessel. The issuer of a "short term" certificate is stating that the vessel temporarily is not in full compliance with the applicable statutory requirement but does meet certain required standards that should provide a generally equivalent level of safety for a specified period of time by the expiration of which more acceptable and permanent full compliance is provided.
- .3 Such a short-term certificate shall replace the permanent certificate, which is to be removed, and shall permit a ship to proceed to a port where the necessary corrections will be made. In such cases, the validity of short-term certification shall not exceed more than two (2) months, except when specifically allowed by the Administration.

3.0 Conditions for the Issuance of Short Term Certificates

- 3.1 Referring to the IACS guidance list on major deficiencies, it must be understood that under circumstances which require the issuance of a "short term" certificate, any major deficiency must be relegated to minor status first, to the satisfaction of the attending Surveyor, before the vessel will be allowed to proceed under a "short term" certificate.
- 3.2 In every instance where it is necessary to issue a "short term" certificate, the owner/operator, or class society on behalf of the owner/operator, is to seek the approval of the Office of the Deputy Maritime Administrator appraising it of the situation. The Administration shall be provided with a copy of the certificate issued by the class society. In the event of a subsequent altercation with port State control authorities, the Administration will then already be aware of the circumstances allowing it to respond accordingly.
- 3.3 While the Administration agrees that the owner/operator has a responsibility to make certain that conditions onboard a vessel do not deteriorate after the issuance of a "short term" certificate, this does not relieve the class society from the obligation to monitor and follow up on vessels issued such certificates, especially when the owner/operator has allowed the short term certificate to expire.

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