



Contact

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Date

17 June 2020

Corona virus (COVID-19) Contingency Plan and Guidelines **Revision 2**

1) Scope

Unless otherwise stated, this contingency plan applies to all ships flying the flag of the Netherlands (including fishing trawlers \geq 75 meters).

In general, ships should remain subject to the existing statutory regime of survey and certification as far as possible. In cases where it is not possible, the provisions of this contingency plan may be applied.

Whilst compiling the contingency plan, the Human Environment and Transport Inspectorate **has taken into account IMO Circular Letters No.4204 and its addenda.**

2) Background

Since the outbreak of the coronavirus disease in 2019 (hereafter referred to as 'COVID-19'), the Human Environment and Transport Inspectorate has received inquiries from ship-owners and Recognized Organizations (ROs) regarding postponement of inspections and extending the validity of mandatory certificates due to difficulties caused by the COVID-19 outbreak. This includes an extension of statutory certificates or postponement of bottom inspections as a result of unavailable dry-dock facilities as well as timely completion of ISM Internal Audits and ISM/ISPS/MLC periodical verifications on board ships as well as at the office (DOC-audits). Periodical verifications include the annual, periodical, intermediate, additional and renewal verifications. Interim and initial verifications are however excluded and, shall be dealt with on a case by case approach.

Certificates of Competency, Certificates of Proficiency and Minimum Safe Manning Documents are taken into account as well.

Travelling, both nationally and internationally, has become increasingly difficult as travel bans have been imposed. Combined travel restrictions given by governments and companies cause difficulties with providing ships surveyors. Furthermore, numerous shipyards are not able to accommodate ships, even for booked and planned inspections and surveys which require dry-docking.

Based on the above conditions, the Human Environment and Transport Inspectorate considers the COVID-19 outbreak to be a **force majeure** situation.

For the Human Environment and Transport Inspectorate, the main focus is that ships registered under the flag of the Netherlands are able to continue to operate despite possible expired certificates caused by the current COVID-19 outbreak.

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3) Ship certificates and surveys

The shipowner is responsible for ensuring that all ships are operating according to all applicable regulations.

This provision is applicable to all statutory surveys and certificates. Shipowners are advised to contact their RO for the extension of all class related certification services.

The shipowner shall verify as to whether the insurance and liability coverages remain in place following an extension of the validity of the certificates as described in this document.

The basic premise is that ships are regularly surveyed and certified in accordance with the applicable requirements.

When this is not possible, the following applies:

A Statutory ship certificates requiring an extended validity

The Human Environment and Transport Inspectorate has decided that all ships' statutory certificates which expire before **September 19th 2020** will remain valid with an extension of **3 months** without approval from the Human Environment and Transport Inspectorate or the RO.

The extension will also apply to certificates issued by service providers conducting services on behalf of the Administration or RO, including, but not limited to service providers re-certifying life-saving equipment, fire-fighting equipment or radio equipment.

The subject ship certificates are not required to be replaced by new certificates on which the extended date of expiry is stated.

The above also applies in relation to expiration of the validity of certificates due to the fact that required annual / periodical / intermediate /renewal / additional surveys cannot be held within the expiry of the window by **September 19th 2020**.

In such cases where surveys are to be held / completed outside the time window, Human Environment and Transport Inspectorate will agree with that. The appropriate text for restore shall be used in these cases. The scope of survey that is to be used, may be the same as if subject survey would have been held within the original window.

ISM and ISPS

The annual ISM internal audits are postponed for 3 months, as described in paragraph 12.1 of the ISM Code in cases where audits cannot be carried out due to travel restrictions imposed by the COVID-19 outbreak.

However, if the company wishes so an annual internal ISM audit may also be carried out on board by the crew:

The Master may audit the Engine Department and the Chief Engineer may audit the Bridge Department, if possible under remote supervision from qualified internal auditor/DPA from the Company.

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When the situation of the COVID-19 outbreak allows it, the company should carry out a follow up audit as soon as possible to verify whether safety and pollution-prevention activities comply with the safety management system.

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Based on paragraph 13.14 of the ISM Code and paragraph 19.3.5 of Part A of the ISPS Code, an extension of the validity of the Safety Management Certificate and Ship Security Certificate with 3 months is allowed for.

Remote inspection techniques / remote audits

The intention of the COVID-19 contingency plan is to avoid remote surveys and/or audits. This is especially based on the fact that ship owners / managers are already very busy coping with the inherent consequences of COVID-19. Also it is acknowledged that remote surveys and/or auditing will most probably take more time. Therefore, the Human Environment and Transport Inspectorate solely allows for remote survey and/or audits under following conditions;

1. The initiative for remote survey / auditing must come from the ship owner / manager, with the agreement of the Master and the other personnel of the ship;
2. The decision to accept and perform remote survey / audits is up to the RO. The RO shall have strict guidelines / requirements in order to assess if it is possible at all and the work shall be performed accordingly;
3. Remote survey / audits shall be in compliance with the relevant IACS requirements, procedures and recommendations;
4. Remote survey / audits are only allowed where such is not in conflict with relevant statutory requirements;
5. As for remote auditing in relation to ISM-Code, ISPS Code and MLC, 2006 Convention: for now such is only allowed for annual DOC audits. (note: for company internal audits, see above)

Please note that the Human Environment and Transport Inspectorate has decided the above because of current exceptional circumstances. This is why above guidance is only valid for the period that this COVID-19 contingency plan is in force.

Application to specific ship types

The provisions as stated above may also be applied to the following ship types:

- Any ship classed and certified under the Human Environment and Transport Inspectorate (SI Klasse);
- Any ship classed by Register Holland Classebureau Zeevaart;
- Sport fisherman's vessels; and
- Seagoing sailing passenger ships.

In cases where ships are intended to sail with passengers (e.g. sailing passenger ships and sport fisherman's vessels), taking into account the COVID-19 measures

of the Dutch government and the RIVM in particular, this may lead to restrictions for the operation of the ship.

Reporting

ROs must keep track of all extensions granted.

For merchant ships: all extensions shall be reported afterwards by the RO and sent to: nsi-tez-kv@ilent.nl

For trawlers: all extensions shall be reported afterwards by the RO and sent to: visserij@ilent.nl

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B Statutory ship certificates requiring a prolonged extension beyond 3 months

It should be noted that extending the validity of a statutory ship certificate beyond 3 months is an extraordinary measure which is not covered in the relevant Conventions.

Careful consideration should therefore be given to any request (by a shipowner) for an extension of the validity of any statutory ship certificate(s) in addition to the general extension of 3 months granted by the Human Environment and Transport Inspectorate for statutory ship certificates of which the validity originally expired between 19th of March 2020 and 19th of June 2020.

Any such request shall be well-founded (related to the continuing difficulties due to the COVID-19 outbreak).

In case a ship that already made use of the provisions for extending the validity of the statutory ship certificates (period before 19th of June 2020) and still cannot be surveyed by an RO due to continued COVID-19 related difficulties, the shipowner may submit a well-founded request to the RO for an extension of the validity of a statutory ship certificate(s) in addition to the general extension of 3 months granted by the Human Environment and Transport Inspectorate for statutory ship certificates of which the validity originally expired between the 19th of March 2020 and 19th of June 2020. Upon receipt of the request, for these cases, the IMO Circular Letter No. 4204/Add. 19 and more specific, the annexed Guiding Principles are applicable and the Administration and RO shall use the following step-based approach:

Step 1: Have all options for completing the survey and renewing the certificates (using all available means permitted by the Administration) been exhausted?

Step 2: For each case of demonstrated exceptional circumstances and/or force majeure, examine the available information on the ship and its history as a means to considering alternative evidence on the condition of the ship in lieu of completing the survey and offering a recommendation to its flag State

Step 3: Consider how the requirements of the convention and classification rules can be shown to be met in the interim without changing the requirements themselves

Step 4: Use verification requirements which are based on accepted survey procedures (these are bespoke to each classification society/RO)

Step 5: Consider alternative evidence for assessing compliance to account for:

a. confidence (how accurate a representation of the actual condition is this?)

b. durability (i.e. how long can this be considered a valid evidence before revalidation is required?)

Step 6: Concluding with an overall documented evidence on which the extension period and any service restrictions are based

After the RO has received a well-founded request from a shipowner for an extension of the validity of a statutory ship certificate(s) in addition to the general extension of 3 months granted by the Human Environment and Transport Inspectorate for statutory ship certificates of which the validity originally expired between 19th of March 2020 and 19th of June 2020, and has supplemented the aforementioned shipowner's request in accordance with the Annex to IMO Circular Letter No. 4204/Add.19, the RO shall contact the Human Environment and Transport Inspectorate to determine the conditions under which the extension may be granted.

The extension request will also mention, if applicable, the certificates issued by service providers conducting services on behalf of the Administration or RO, including, but not limited to service providers re-certifying life-saving equipment, fire-fighting equipment or radio equipment.

The above mentioned also applies to the extension beyond the already provided extension of the validity for 3 months of the Document of Compliance (ISM), International Safety Management Certificate, or the International Ship Security Certificate.

C Ballast Water Management Convention

For ships that have not yet installed a BWTS the validity of the IOPP certificate determines the applicability of B-3, therefore extension of the IBWMC is only possible if the IOPP certificate is extended for the same period. The discharge of ballast water remains subject to acceptance of the authorities of the country concerned.

Reference is also made to any appropriate provisions stipulated in IMO Circular BWM.2/Circ.62 - *Guidance on contingency measures under the BWM Convention*.

Shipowners and managers are encouraged to make a printed copy of this COVID-19 Contingency Plan as well as the Statement of this special arrangement for ships' survey and certification which can be found on www.ilent.nl and keep these available on board the ship, which may be presented upon request to the relevant authorities.

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4) Musterlists and drills on board passenger ships

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Musterlists

In the event of passenger ships without passengers or much less passengers on board due to the COVID-19 crisis, a ship owner may opt to significantly reduce the number of hotel personnel on board.

On such occasions the following is applicable concerning the Musterlist:

- The ship owner shall prepare a temporary Musterlist for the reduced complement of persons on board. This shall ensure that all emergency duties (Damage control, firefighting and lifesaving appliances) remain covered. Subject temporary Musterlist shall be approved by the Classification Society.

Drills

In order to safeguard the health of the crew, but still maintain compliance as much as possible from a safety perspective it is in principle up to the ship owner to take appropriate measures.

With respect to the drills as required by SOLAS (see attached document) such measures may include, but are not limited to:

- Crew drills may be restricted to those mandatory drills required by SOLAS;
- Crew drills may be conducted by individual teams, to maintain social distancing as much as possible;
- The use of table top exercises may be taken into consideration as an alternative for certain teams;
- Drills, such as Damage Control and Tank Entry/Rescue drills, which require crew to be in close proximity may be conducted as table top exercises or instructional sessions, so that social distancing is maintained
- Ships designated as being "in quarantine" should not to conduct any drills until the quarantine has been lifted.

5) Maritime Declaration of Health in the Port of Rotterdam / Amsterdam

The Port Authority Rotterdam and the Port Authority Amsterdam demand all seagoing ships to submit a Maritime Declaration of Health at least 6 hours prior to arrival at the pilot station <https://www.portofrotterdam.com/en/shipping/port-health-authority> (Rotterdam) and <https://www.portofamsterdam.com/en/news-item/corona-protocol-coronavirus-marine-traffic> (Amsterdam).

The Port Coordination Centre coordinates the follow up if required.

Ship Sanitation Certificate

Please find information on: www.shipsanitation.nl

6) Exemptions to the Minimum Safe Manning Document (MSMD)

If a crew member needs to leave the ship due to urgent circumstances and cannot be replaced immediately due to COVID-19 travel restrictions, a

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dispensation can be requested for with the use of the form: "Application for temporary exemption for crew composition", which can be downloaded from: <https://english.ilent.nl/documents/forms/2016/10/20/form-application-temporary-exemption-for-crew-composition> (English) or <https://www.ilent.nl/onderwerpen/aanvragen-certificaten/documenten/formulieren/2016/10/20/formulier-aanvraag-tijdelijke-ontheffing-bemanningsamenstelling> (Dutch).

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Subject temporary dispensation for the crew composition can, if so desired, have a period of validity of at least 3 months and will be free of charge until **September 19th 2020**.

7) Issue or Revalidation of a Dutch Certificate of Competency (CoC) or a Certificate of Proficiency (CoP) for tankers, Polar Code or IGF

In order to face community based mitigation measures surrounding COVID-19, the Human Environment and Transport Inspectorate will grant a general extension for the validity of the following merchant marine personnel certificates:

- Certificates of Competency;
- Certificates of Proficiency;

The Human Environment and Transport Inspectorate has received several indications that seafarers may experience challenges completing STCW training courses required for the renewal of certain merchant marine personnel certificates. This could be caused by community based mitigation measures such as school closures, social distancing, or travel restrictions.

As a result, the Human Environment and Transport Inspectorate will grant a general extension to the validity of all Certificates of Competency and Certificates of Proficiency which are required by the Dutch Manning Act and accompanying legislation.

As of **March 19th 2020**, the validity of Dutch Certificates of Competency and - Proficiency which will expire before **September 19th 2020**, are granted an extended validity of **6 months** (from date of expiry). The individual seafarer will not be required to submit an application for renewal pending the COVID-19 related restrictions.

The extended validity has been granted in order to provide sufficient time for the situation to get back to normal.

For the sake of good order it is noted that Kiwa Register provides the possibility of digitally applying for a Dutch Certificate of Competency. This service will remain in place for seafarers who are in a position to submit such an application.

For more information see: <https://www.kiwaregister.nl/productpagina-scheepvaart>

As soon as new Certificates of Competency and Certificates of Proficiency can be issued, their period of validity of five years will start from the expiry date of the previous certificates.

8) Seagoing service

All days spent on the ship when it is fully crewed and operational or warm layed-up, although not carrying cargo, will be accepted as valid seagoing service for the revalidation of the CoC.

9) Dutch Seaman's Book

As of **March 19th 2020** the validity of Dutch seaman's books which will expire before **September 19th 2020**, are granted also an extended validity of **6 months** (from date of expiry).

10) Certificates of Proficiency (CoP) for ratings

CoPs for ratings of which the validity has been extended by a generic measure by the subject administration will also remain to be accepted as valid for service on board Dutch flagged ships.

11) Recognition of a Certificate of Competency (CoC) or Certificate of Proficiency (CoP)

1. Dutch recognitions issued before COVID-19 outbreak
 - a. The Recognition of the CoC / CoP is still valid – no additional measures needed.
 - b. The underlying CoC / CoP and therefore the Recognition has expired or will expire soon. If the validity of the underlying CoC / CoP is individually or generically extended by the national maritime authority, the validity of the Recognition is also extended automatically. No action required.
2. Application of a new or renewed Dutch recognition since the COVID-19 outbreak
 - a. The national CoC / CoP is valid. An application for a Dutch recognition can be submitted according to the normal procedure at KIWA Register. The seafarer will automatically be granted a Certificate of Receipt of Application (CRA), valid for 3 months. If more time is needed for the verification, a second CRA will be issued. After the successful verification has taken place, a Dutch Recognition of the national CoC is issued.
 - b. The national CoC / CoP has expired but it has been individually or generically extended by the national maritime authority. An application for a Dutch recognition can be submitted at KIWA Register. The seafarer will automatically be granted a Certificate of Receipt of Application (CRA), valid for 3 months or shorter if the extension is less than 3 months. The application will be put on hold until a new national CoC / CoP is issued.

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12) Seafarers with expired Certificates of Proficiency

(= safety training)

For a Dutch CoC holder whose Safety Training certificates have expired or will expire before **September 19th 2020**, is also granted an extended validity of **6 months** (from date of expiry), provided that the certificates were valid on **March 1st 2020**.

13) Seafarers with expired Certificates of Proficiency

(= medical training)

If the master and, where applicable, the seafarer designated to provide medical assistance on board the ship holds an expired training certificate for medical first aid and / or medical care, he or she is granted an extended validity of **6 months** (from date of expiry), provided that the certificate was valid on **March 1st 2020**.

14) Seafarer Medical Certificate

Seafarer Medical Certificates which will expire before **September 19th 2020**, are granted an extended validity of **6 months** (from date of expiry) and may also be used for the application of a CoC at KIWA Register.

15) Medical equipment

Medical equipment with an expiry date in between **March 19th 2020 and September 19th 2020** is recognized as valid medical equipment.

16) Maritime Labour Convention (MLC 2006)

Seafarers who are onboard a ship beyond their Seafarer Employment Agreement (SEA) for reasons connected to COVID-19.

The company shall inform its seafarers at all times of the risks of infection, the reasons why they must remain on board, the protective measures which have been taken, **the appropriate personal protective equipment that is provided** and the arrangements for their repatriation.

A SEA shall remain valid until the seafarer has been repatriated. If the SEA has expired, the validity of the SEA must be extended or a new SEA shall be issued and the reasons for this decision shall be documented. The company shall make sure that the seafarers are repatriated at the first available opportunity. **A SEA can only be extended beyond 11 months if there is a mutual and documented consent of both the seafarer and the employer. The master may sign the extension of the SEA on behalf of the employer. The seafarer shall receive a copy of the extension of the SEA. The already accrued entitlement to paid annual leave continues to exist and continues to accrue during the extension of the SEA.**

Joining and Repatriation of seafarers from ships

The instructions and restrictions issued by several affected countries is constantly updated.

Many Governments have now introduced national and local restrictions such as:

- Delayed port clearance
- Prevention of crew or passengers from embarking or disembarking which makes shore leave and crew changes impossible
- Prevention of unloading or loading cargo or stores, or taking on fuel, water, food and supplies
- Imposition of quarantine or refusal of port entry to ships in extreme cases

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Passengers at airports can be screened before boarding an aircraft or they are obliged to fill in a health check questionnaire as well as a thermal scan test. The Master should verify with the local port authority if crew change or repatriation is possible.

For more information, the ILO has provided the [Information note on maritime labour issues and coronavirus \(COVID-19\)](#) and the [Statement of the Officers of the STC on the coronavirus disease \(COVID-19\)](#).

17) Shipowner liability

Shipping companies remain liable for costs pending repatriation such as medical care, crew transfer, isolation etc. If in doubt, please contact the financial security provider to confirm that the insurance or other financial security is in place for additional costs.

18) Port State Control

Port State Control has issued the TEMPORARY GUIDANCE RELATED TO COVID-19 FOR PORT STATE CONTROL AUTHORITIES on **May 18th 2020** in which they require that when a ship does not comply with the requirements of the surveys, inspections and audits contained in the relevant convention instruments, the ship must provide evidence to the port State that the Flag state has agreed to an exceptional delay specific to COVID-19. There should also be evidence that the ship has a plan that covers how the ship will be brought back into the regular survey or audit cycle.

19) Ships which are not allowed to enter a port

If your ship is not allowed to enter a port, please contact the Human Environment and Transport Inspectorate for assistance (**088-489 0000**).

20) Important information

The *Rijksinstituut voor Volksgezondheid en Milieu* (RIVM) is leading in the response of the Netherlands to the Coronavirus (COVID-19) global outbreak. The latest news you can find here: <https://www.rivm.nl/coronavirus/covid-19>.

Further information can be found on:
<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

and in the Circular(s) issued by the IMO(ICS Coronavirus (COVID-19) Guidance for ship operators for the protection of the health of seafarers)

For questions regarding merchant shipping please contact: nsi-tez-kv@ilent.nl
or **088-489 0000**

For questions regarding fishery or sport fisherman's vessels please
contact: visserij@ilent.nl or **088-489 0000**

The Human Environment and Transport Inspectorate will notify the IMO
secretariat, the relevant stakeholders such as Port State Control MoUs of this
contingency plan and guidance.

**This contingency plan has been drawn up taking into account the current
information available concerning the COVID-19 outbreak. Any significant
developments necessitating a revision of this document will be
considered by the Human Environment and Transport Inspectorate and
implemented accordingly.**

The Minister of Infrastructure and Water Management,
On his behalf,
The Head of Department Human Environment and Shipping Licensing,



Dhr. ir. C. Hoppener

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