



Date: March, 24TH 2020

CIRCULAR Ref.: 0039C/TG/03/20

Subject:” Extension of the validity of the Ships certificates and seafarers due to the COVID-19 problem.

To: Ship-owners / Operators/Managers, Representatives of Togo flagged vessels, Deputy Registrars, Masters, Flag and Port State control Surveyors and Recognized Organizations.

Scope: The purpose of this “Merchant Marine Circular” is to inform all interested parties in relation to the COVID-19 situation it may occur, that a ship cannot fulfill the requirements from the Relevant International Instruments as would normally be required. In particular this Maritime Circular provides: a) guidance relating to applying the concept of “force majeure”, due to delays for surveyors/inspectors or auditors in reaching vessels and complete their work within the required time frame b) guidance relating to the certification of seafarers and the action taken by the International Ship Registry of Togo

References

- a. IMO CircularLetterNo.4204/Add.5, “Coronavirus (COVID-19) – Guidance relating to the certification of seafarers”, 17 March 2020.
- b. IMO Circular Letter No.4204/Add.1 – “COVID-19 – Implementation and enforcement of relevant IMO instruments”, 19 February 2020.
- c. International Registry of Togo Circular No. 0036C/TG/03/20 of 09 March 2020 – (COVID-19) Implementation and enforcement of relevant IMO instruments.
- d. International Registry of Togo Circular No. 0037C/TG/03/20 of 11 March 2020 – (COVID-19) Guidance for Ship Operators for the protection of the health of Seafarers.

Applicability: The Notice applies to all commercial vessels registered in International Ship Registry of Togo guided also by the above-mentioned preventive measures already adopted by the Maritime Administration of Togo

Considering the current situation in relation to the COVID-19:

It may occur that a ship cannot fulfill the requirements from the Relevant Instruments or the follow-up on inspection results as would normally be required. As a basic principle the primary responsibility regarding compliance with the Conventions remains with the owner and flag State.

1. **Extension of Statutory, Surveys, Audits and Inspections:** Since the outbreak of the COVID-19 disease, attendance of statutory surveys has become increasingly difficult. Furthermore, several shipyards cannot accommodate ships, for both booked and planned supervisions requiring dry-docking. In view of these exceptional circumstances, in cases where surveyors, auditors and/or inspectors are not able to undertake scheduled surveys, audit, and inspections due to restrictions imposed by COVID-19, the International Ship Registry of Togo will consider requests for extension/postponement under force majeure or unforeseen exceptional circumstances, on a case by case basis.



2. **Regarding Duration of statutory certificates** (including safety, pollution certificates and certificates according to ISM, ISPS codes, MLC convention and I. Line Convention) in accordance with the relevant conventions requirements, this flag State Administration gives the authority to the Ros recognized and acting on her behalf to consider and extend the validity of certificates, up to three months or to issue short term certificates with validity no more than three months from the expiry date of those statutory certificates expired.

STCW Certification

There will be cases where seafarers will face issues with completing refresher courses for the renewal of personal certification. This could be caused by cancelled courses, quarantine or travel bans. In such cases a maritime administration may extend the validity of such certificates and this should be accepted as a case of force majeure.

3. **Extension of the Validity of Seafarer Certificates beyond their Expiry Date:** Seafarers, in possession of a Certificate of Competency (CoC) issued by another Administration and who are in possession of a Flag State Endorsement issued by the Togolese Maritime Administration and which expires onboard, may extend the validity of this Endorsement by submitting a request to the International Ship Registry of Togo. The request is to include the details of the seafarer, the endorsement number and a copy of a valid (or extension of validity) Certificate of Competency by the issuing Administration of the CoC. The Flag State Endorsement may only be extended up to the date of the extended validity of the CoC. The extension according to this Maritime Circular will be for a period of three (3) months from the date of expiration of the certificate/s, and reviewed whether the granted extension shall require additional period considering the condition of the (COVID-19). If any Third-Party member of the STCW '78 Convention, who issued the Seafarers Certificate of Competency, has not extended it, due to the Corona Virus outbreak, the International Ship Registry of Togo may consider the issuance of a Dispensation Letter.
4. **Extension of Sea Service beyond the seafarer employment agreement period:** Shipowners, Managers, and Operators encountering difficulties in repatriating seafarers onboard vessels registered with the International Ship Registry of Togo, following the expiration of the term established in the Seafarer's Employment Agreement as per relevant rules of the Maritime Labour Convention, may, on a case-by-case basis request to extend the validity of the Agreement for a maximum period of three months, which period may be extended for further periods upon application, should the situation remain the same. Arrangements for repatriation should be made at the earliest possible opportunity.

Medical Certificates

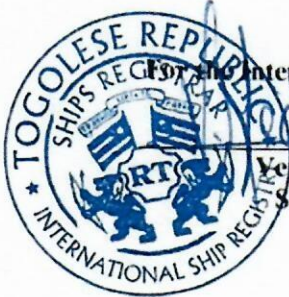
5. In cases where it has been difficult for seafarers to extend their medical certificate this flag administration may allow seafarers to remain on-board by issuing documents which acknowledge seafarers extended stay on board due to force majeure associated with COVID-19.
6. All interested parties are informed to apply the above guidance to avoid problems in the various ports since where the required evidence of extension is missing, the ship will be treated in the normal manner as per the various MoU procedures. ✕



7. The International Ship Registry of Togo will provide additional guidance in accordance with the future evolution of the COVID-19 pandemic situation worldwide.
8. Moreover this Maritime Circular may be amended or canceled at any time taking into consideration any additional guidance and advice provided by the I.M.O. or other Organizations

Your kind compliance for the above will be highly appreciated.

Sincerely,



For the International Ship Registry of Togo

Yera N. Medawar
Yera N. Medawar
Ship Registrar



For the Togolese Maritime Authority

Matchonawe Bakai
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Director