MARINE SAFETY ADVISORY No. 27-16

To: Owners/Operators, Masters, Nautical Inspectors, Recognized Organizations

Subject: ISSUANCE OF DISPENSATION LETTERS—CHANGE OF PROCESS

Date: 30 August 2016

In order for the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) to better align its procedures with various international conventions, some adjustments are necessary to how and when dispensation letters are issued.

Currently, when an owner/operator reports the failure of a piece of equipment related to a statutory certificate and the vessel is at sea, the Administrator typically generates a letter of dispensation with sufficient validity to reach either the next port of call or a port where repairs can be done. However, if repairs cannot be completed within a reasonable time frame the Administrator asks the owner/operator to contact the vessel’s Recognized Organization (RO) (Classification Society or Appointed Representative) and request the issuance of a short term certificate or a Condition of Authority (CA), Statutory Recommendation, Memo, or equivalent.

This process will now change. Instead of a dispensation letter, the Administrator will now generate a “Letter of Acknowledgment of a Condition Onboard,” unless the failure reported is specifically defined as a dispensation under a Convention, Code or RMI law or regulation.

Application for an Acknowledgement of Condition Onboard shall be made through the RO for all cases where the deficiency is either one which, when subjected to Port State Control, would be detainable or which potentially affects the safety of the vessel or the efficiency or completeness of its life-saving appliances or other equipment. In either case, the vessel owner or operator must contact the RO who will cause an investigation to be initiated to determine whether a survey is necessary and to provide detailed recommendations for proposed corrective actions. A risk assessment shall also be provided to the Administrator along with the recommendation.

Every Letter of Acknowledgment of Condition Onboard, including those for minor findings, will be issued by the Administrator with a specific limited term of validity, either for a single voyage or for a set period of time. This term of validity is generally to be limited to the minimum period of time necessary for the ship to reach a port where rectification of the deficiency can be accomplished.

This MSA expires one (1) year after its issuance, unless otherwise noted, extended, superseded, or revoked.
The purpose of the MSA is to provide advance notice to RMI vessel owners and operators that
the Administrator will be making this change in September 2016. The change will not occur until
the Administrator formally publishes its implementing requirements in the form of a Marine
Notice.

Questions or concerns may be addressed to technical@register-iri.com.