Since issuing Marine Safety Advisory (MSA) No. 27-16, the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) has received a number of questions. This MSA is intended to answer those questions and provide greater clarity to the impending change.

Question: Will operators now be required to contact the Recognized Organization (RO) instead of notifying directly the Administrator every time there is a failure of a piece of equipment related to a statutory certificate in order for the Administrator to proceed with the issuance of an Acknowledgment of Condition Onboard?

Answer: No. When a vessel is at sea and a deficiency or defect is discovered, a request should be made to the Administrator for the issuance of an Acknowledgment of Condition Onboard, as applicable. The Acknowledgement of Condition Onboard is issued with a specific term limit of validity – either for a single voyage, or for a set period of time, and is generally limited to the minimum period of time necessary for the ship to reach a port where rectification of the deficiency can be accomplished. In some cases the RO will also be contacted to provide their recommendation and to follow-up with verification of the corrected item and/or issuance of a short term Statutory certificate.

Question: So, what is the main difference between an Acknowledgement of Condition Onboard and a Dispensation as currently issued?

Answer: The same basic principle should be followed. They are both written communications from the Administrator that serve the same purpose of recognizing that: 1) there is a deficient condition on board the vessel; 2) a corrective action plan has been put in place by the operator; and 3) there is a defined date for rectification of the deficiency. The difference is that Dispensations will only be issued where an applicable Convention, Code or Regulation explicitly utilizes the term “dispensation” and permits the issuance of such. All other deficient conditions will be dealt with by the issue of an Acknowledgment of Condition Onboard.
Question: What entity issues the Acknowledgement of Condition Onboard?

Answer: Only the Administrator may issue an Acknowledgement of Condition Onboard and will do so for an item not explicitly requiring a Dispensation (as detailed in the applicable Statutory Convention or Code, RMI law or regulation).

Question: Will the TEC-02 Form remain unchanged and should it be used in the future?

Answer: The TEC-02 Form will be revoked. Instead of filling out a form, operators will now be able to send an email containing the pertinent information.

Question: What is the cost of an Acknowledgment of Condition Onboard?

Answer: Like currently issued Dispensation Letters, there is no cost associated with the issuance of an Acknowledgment of Condition Onboard by the Administrator.

Question: Exactly what documents will be affected under this new program?

Answer: The documents affected by this new program that will be reissued in due course are: Marine Notice 2-011-26; Marine Notice 2-011-4; Technical Circular 4; and the document issued by the Administrator, which will now be an Acknowledgment of Condition Onboard (TEC-15). As noted above, Form TEC-02 will be revoked.

Question: Should operators update their procedures to incorporate the new program changes?

Answer: Not yet. It is premature. MSA No. 27-16 was issued as an advance notice of impending changes. This MSA further clarifies the program. Please wait until the documents noted in the question above are formally issued.

Questions about the new process should be directed to: technical@register-iri.com.