



**DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**  
**MERCHANT SHIPPING SECRETARIAT**  
**MINISTRY OF PORTS AND SHIPPING**

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## **MSN 17/2016**

20th May 2016

**Notice to All Ship-Owners, Operators, Training Institutes, Masters of Sri Lankan Flagged Ships, and Recognized Organizations.**

### **Recognized Organizations**

#### **References**

- a. Resolution A. 739 (18) -Guidelines for the authorization of organizations acting on behalf of the Administration, as amended by resolution MSC.208(81),
- b. Resolution A.789(19) adopted On 23 November 1995 - Specifications on the Survey and certification functions of Recognized Organizations acting on behalf of the administration
- c. Resolution MSC.349(92) adopted on 21<sup>st</sup> June 2013 -Code for the Recognized Organizations
- d. Resolution MSC.208(81) adopted on 18<sup>th</sup> May 2006 – Amendment to Resolution A. 739 (18)

#### **1. General**

1.1 Under the provisions of regulation I/6 of SOLAS 1974, article 13 of LL 66, regulation 6 of MARPOL Annex I and regulation 8 of MARPOL Annex II and article 6 of TONNAGE 69, The Merchant Shipping Secretariat (MSS) may authorize Recognized Organizations (RO) to act on its behalf in statutory certification and services, determination of tonnages to ships entitled to fly the flag of Sri Lanka as required by these conventions and any other specific requirement of the flag. Such authorizations shall not require ROs to perform actions that impinge on the rights of Sri Lanka.

1.2 The MSS shall not authorize functions beyond RO's capabilities. In this respect, the flag State shall take into consideration appendix 2 of the RO Code for authorization.

1.3 The MSS should cooperate with each other with the objective of ensuring that ROs to whom they delegate authority adhere to the provisions of the RO code.

## **2. Objective**

This procedure explains the criteria against which organizations are assessed towards recognition and authorization and the guidelines for the oversight by the Merchant Shipping Secretariat of Sri Lanka (MSS).

## **3. Application**

This procedure applies to all organizations being considered for recognition or that are recognized by the MSS to perform, on its behalf, statutory certification and services under mandatory IMO instruments.

## **4. Communication of Information**

The MSS shall communicate to, and deposit with, the Secretary-General of IMO a list of ROs for circulation to the interested parties for information of their officers, and a notification of the specific responsibilities and conditions of the authority delegated to ROs.

### **5.0 Transparency of RO**

The MSS has determined that the information concerning the status of ships certified by RO's shall be available to the interested parties on the web site of each RO, as follows:

- Name of the vessel,
- IMO Number,
- Call Sign,
- Type of certificate,
- Number of Certificate,
- Date of issue of the Certificate,
- Expiry Date of the Certificate including the window range for upcoming inspections.

Further to the information stated above the RO shall post the Survey Report and any outstanding deficiency or notation to the ship, this information will available only for the MSS.

### **6.0 Communication/Cooperation with Flag State**

Whenever an RO or a Classification Society establish or develop new rules or regulations, they shall notify the MSS, in order to, provide the flag considerations. The RO shall establish the appropriate communication in relation to:

- a) Enquiries, contracts or other handling, including amendments; and
  - b) Flag State feedback, including conformity issues pertaining to statutory certification and services,
- Relevant communication should be sent by RO's to the following email address. [dmsmos@sltnet.lk](mailto:dmsmos@sltnet.lk)

## **7.0 Resources of RO**

MSS shall determine that the RO has adequate resources in terms of technical, managerial and survey capabilities to accomplish the tasks being assigned, in accordance with the IMO resolution MSC.349 (92), on behalf of the MSS.

## **8. Instructions to RO**

The following procedure to be followed in carrying out statutory certification and services, and actions to be followed in the event that a ship is found not fit to proceed to sea without danger to the ship or persons on board, or presenting unreasonable threat of harm to the marine environment.

### 8.1 Ship not fit to proceed to sea

In cases where the condition of a ship or its equipment does not correspond substantially with the particulars of the relevant statutory certificate, or is such that the ship is not fit to proceed to sea without danger to the ship or persons on board, or presents an unreasonable threat of harm to the marine environment, or a threat to the security of destination ports or coastal states, or a significant danger to seafarers' safety, health or security, the Recognized Organization or attending surveyor shall immediately ensure that corrective action is taken and shall in due course notify the MSS. If such corrective action is not taken the relevant certificate should be withdrawn and the MSS notified immediately and, if the ship is in the port of another Party, the appropriate authorities of the port State shall also be notified immediately. For the purposes of these requirements, such cases include:

- Where serious deficiencies are identified during any survey or visit to a ship. The guidance on detainable deficiencies given in Section 3 of Appendix 2 of the IMO Procedures for Port State Control 2011 (Assembly Resolution A.1052 (27)) as amended and IACS Recommendation 98 should be used as an illustrative list of deficiencies which are considered as serious;
- Failure to complete any class or statutory survey, audit or inspection within due date;
- Where any proposed condition of class, statutory condition or equivalent remark, issued in conjunction with serious deficiencies, prevents the completion of survey.

### 8.2 Acceptable forms of statutory certificates

With regards to the issuance and use of statutory certificates, the MSS has implemented the following policy:

Statutory certificates must be issued as either a:

- full-term certificate
- interim certificate
- short-term certificate

A “Short-Term” Certificate shall be issued after authorization by the MSS.  
Refer to item 8.2.3 and 8.2.4 of this notice.

### Requirements for the issuance of the different certificate forms

#### **8.2.1 Full-term**

A “full-term” 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 “full-term” certificate may also be issued or reissued after revalidation when all deficiencies, which may have led to the issuance of a “short-term” certificate, have been corrected. The certificate is issued in the format prescribed by the applicable convention with a term of validity as set forth in that convention.

#### **8.2.2 Interim**

An “interim” certificate may be issued by RO upon satisfactory completion of a survey in order to permit the ship to trade while the “full-term” certificate is being prepared by the RO's head or regional office.

Where a change of flag and/or ownership has taken place with no change of RO necessitating the re-issuance of “full-term” certificates, “interim” certificates should be issued without the need for survey while “full-term” certificates are being prepared for the balance of the term of the preceding certificates.

#### **8.2.3 Short-term**

A “short-term” certificate may be issued after the MSS 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.

The issuer of a “short-term” certificate shall state that the vessel is temporarily 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.

Such a “short-term” certificate shall replace the “full term” certificate, which is to be removed, and permits 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 MSS.

## 8.2.4 Conditions for issuing a short-term certificate

Referring to the IACS guidance list on major deficiencies (IACS Rec.98), 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 of the RO, before the vessel will be allowed to proceed under a “short term” certificate.

RO is authorized to issue short term certificates for the following specific scenarios after contacting the MSS. This shall be done by contacting the MSS’S officials by phone followed by an email ([dmsmos@sltnet.lk](mailto:dmsmos@sltnet.lk)).

Phone no: (normal working hours) - +94 11 2435127, +94 11 2430305, +94 11 2324002

Mobile no: (after working hours) - +94 776853939, +94 712178116

- a. Temporary increases in personnel onboard: In case of increases in personnel onboard, where required additional personal life-saving appliances are fitted and verified, extra life raft capacity in lieu of lifeboat capacity may be acceptable for small increases of personnel and short durations.
- b. In the event of damaged lifeboats for SOLAS cargo ships: Issuance of a short term safety equipment certificate is acceptable when additional life raft capacity equivalent to that of the damaged lifeboat is installed appropriately.
- c. Loss of anchor

RO is authorized to issue short term certificates for cargo ships without prior contacting the MSS when only minor deficiencies are found, which cannot be corrected in the port of survey. In this context, a minor deficiency is one which would not be categorized as detainable by the IMO Procedures for Port State Control.

In every instance where a short term certificate has been issued without prior contacting the administration, a copy has to be sent to the MSS, using the e-mail address ([dmsmos@sltnet.lk](mailto:dmsmos@sltnet.lk)).

In all other cases where it is necessary to issue a “short-term” certificate, the RO on behalf to the owners/operators, is to seek the approval of the MSS appraising it of the situation, providing a recommendation based on RO’s evaluation of the situation, and providing it with a copy of the certificate issued by the RO.

## 9. Quality Management System Certification

The RO's quality management system shall be periodically assessed and certified in accordance with the applicable international quality standards by a qualified body, accredited to comply with ISO/IEC 17021:2006 standard by an accreditation body that is signatory to the International Accreditation Forum (IAF) and recognized by the MSS.

## **10. Records**

RO shall maintain the following records.

.1 All records related to monitoring activities such as:

- a) Plans,
- b) Reports,
- c) Non-conformity reports,
- d) Corrective and preventive action reports, and
- e) Follow-up reports, if available.

.2 Results of oversight programme review; and

.3 Records related to personnel covering subjects, such as:

- aa) Assigned personnel competence and performance evaluation;
- bb) Monitoring and/or audit team selection; and
- cc) Maintenance and improvement of competence

All ships records shall be maintained during the ship's life period provided that the ship will remain registered under Sri Lankan flag.

## **11. Authorization**

Any organization which is a member of the International Association of Classification Societies (IACS) that requests authorization shall apply to the MSS together with any information, documents and papers evidencing their conformity to the IMO resolution MSC.349 (92), Code for Recognized Organization

## **12. Agreement between the MSS and the Recognized Organizations (ROs)**

In that, MSS shall establish a formal written agreement with the organization being authorized which should as a minimum include the elements as set out in appendix 3 of the RO code in order to have a legal basis under which the authorization of statutory certification and services is administered.

## **13. Oversight of RO**

The MSS will carry out the oversight of RO as per the guidance given in part 3 of the RO code.

Objectives of the oversight is

- To ensure that the statutory, regulatory and contractual requirements are followed by RO
- To reduce the risks to the flag state
- RO evaluation

### **13.1 Auditing of RO**

The MSS may choose to recognize audits performed in accordance with the IACS quality System certification scheme on RO by an independent body of auditors accepted by the MSS. In that MSS will carry out systematic review of reports of the quality management system audits conducted by the independent body.

Objectives of the audit are to ensure whether the RO is carrying out its responsibilities in accordance with the Authority Assignment Protocol and whether the RO is maintaining its position at the stage of its authorization.

### **13.2 Monitoring of RO**

The MSS has established a system to ensure the adequacy of statutory certification and services provided by the RO.

13.2.1 in that RO shall;

- a. Communicate with the MSS as per the paragraph 6.0
- b. Report to MSS whenever one of the following events occurred;
  - Detention by Port State Control
  - Detention by Flag State
  - Casualty
  - Un-fulfillment with the international and national requirements in connection with statutory certificates
  - Danger to the ship, persons on board, or the marine environment
  - Non conformities after an ISM audit
  - Non conformities after ISPS verification

13.2.2 Flag State Inspection (FSI) shall conduct as per FSI program and evaluate each case as per the FSI program.

### **13.3 Review of Oversight Programme**

The implementation of the oversight programme under the above paragraph 13.0, will be reviewed at appropriate intervals, reviewed to assess whether its objective have been met and to identify opportunities for improvement.

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