

St. Kitts & Nevis International Ship Registry

*Flying the flag of the
Federation worldwide.*

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Maritime Circular to Maritime Registrars, Shipowners, Masters, Managers & Operators of St. Kitts & Nevis Ships, Classification Societies, Recognised Organisations, Recognised Security Organisations, Surveyors of Ships & Flag State Inspectors to this Administration, Seafarers & Member States

Maritime Circular No. MC/08/09

DATE: 1st August 2009

PROCEDURE TO BE FOLLOWED FOR THE APPLICATION FOR AN EXEMPTION FROM, AN EXTENSION OF AND/OR ACCEPTANCE OF AN EQUIVALENT ARRANGEMENT TO, AN INTERNATIONAL CONVENTION REQUIREMENT

1) INTRODUCTION

The purpose of this Maritime Circular is to outline the procedure Owner/Managers & Class Societies/Recognised Organisations (Class/RO) should follow if Owners/Managers are requesting any of the following:

- i. Exemption from an IMO Convention or National requirement;
- ii. Extension of statutory survey period or validity of certificate issued under an international convention; or
- iii. Postponement of a survey, servicing period or any other applicable national or international requirement.
- iv. Acceptance of an equivalent arrangement to an IMO convention requirement;
- v. Acceptance, at the time of reflagging to St. Kitts & Nevis, of the continuation of an existing Exemption, granted under the previous Flag.

2) PROCEDURE

Requests for the above shall be submitted by the Owner/Manager in writing, preferably using Application Form A16 (attached to this Maritime Circular and can be downloaded from www.stkittsnevisregistry.net). Requests for exemptions from the provisions of those requirements dealt with by **SKANReg** e.g. Safe Manning Certs, Ship Station Licences, etc., should be directed to **SKANReg** preferably via a Maritime Registrar; requests for 'technical' exemptions should be sent to the Class Society/Recognised Organisations (Class/RO) or other body which issued the relevant certificate. Information supplied with the application should include, but not be limited to, the following:

- Reason and justification for application
- Time period requested
- Safety measures that have been or will be introduced
- Supporting documentation
- Details of ship's schedule should a verification survey by **SKANReg** be required

Owner/Managers should insert in the Application where necessary, details of any technical analysis conducted by themselves, using any relevant IMO methodology wherever possible, such as described in IMO Circulars MSC/Circ. 1002, MSC.1/Circ.1212, etc.

Recognised Organisations shall review applications made and then submit their assessment in writing to St. Kitts & Nevis International Ship Registry. The assessment shall, amongst other things, take into consideration:

- Provisions contained in any applicable IMO Convention, Code or IMO Circulars;
- Any relevant National (St. Kitts & Nevis) requirements;
- Reason and justification for application;
- Urgency of the application.

In their submission to **SKANReg**, the Recognised Organisation shall indicate their support or reservation of any aspect of the application, and if relevant, any recommendation(s) and/or conditions that should be considered. All submissions shall be in a written format although if time constraints dictate, verbal submissions may be accepted on the understanding that the assessment is conducted and any agreement formally documented to **SKANReg** in accordance with these instructions at the earliest opportunity. **SKANReg** will notify the Recognised Organisation & Owner/Manager of its decision and/or any comments. **SKANReg** may issue the 'Exemption Certificate' (with Copy to the Class/RO), instruct the Class/RO to issue it or other instructions as are deemed relevant for the case in question. A fee may be charged to the Owner by **SKANReg** when granting the Exemption.

3) SKANReg APPROVAL

If the **SKANReg** approves an application, Class/RO shall ensure that the conditions, if any, under which the approval was accepted are endorsed either on the existing affected statutory certificate or on the new certificate, or that an appropriate certificate is issued in accordance with the Recognised Organisation's established procedures. **Copy of the documentation/certificates issued by the Class/RO MUST be sent to or made available to SKANReg soonest possible – and no later than 14 days - after they are issued by the Class/RO.**

4) URGENT CASES

In urgent cases, the attention of Class/RO is drawn to the relevant clauses within the "Agreement for Delegation of Statutory Services" between themselves & this Administration, that where, temporarily, the requirements of an applicable instrument (IMO Convention or Code, National Rules) cannot be met, the Class/RO's surveyor will specify such measures or supplementary equipment as may be available and/or necessary to permit the vessel to proceed to a suitable port where permanent repairs or rectifications can be effected or replacement equipment fitted. In such cases, **copy of the documentation issued by the Class/RO MUST be immediately sent to SKANReg.**

5) CONTINUATION OF EXISTING EXEMPTION AT TIME OF REFLAGGING.

In cases where an Exemption has been granted by the previous flag and at the time of reflagging the Owner/Manager wishes to continue with the Exemption, the Class/RO may temporarily allow the Exemption, subject to the original conditions under which it was granted still being valid, whilst an Application to **SKANReg** is made as described above. **A copy of any documentation issued by the Class/RO or issuing body at the time of reflagging in connection with this, MUST be immediately sent to SKANReg.**

In all cases all decisions taken by the **SKANReg** shall be treated on a case-by-case basis, and are not a general approval unless otherwise stated by the **SKANReg**.

Please be guided accordingly.

Yours truly,



Nigel E Smith
International Registrar of Shipping and Seamen



ST KITTS & NEVIS INTERNATIONAL SHIP REGISTRY



*The Saint Christopher & Nevis Merchant Shipping Act No. 24 of 2002
Department of Maritime Affairs, Ministry of Public Works, Utilities, Transport and Posts*

To be completed by the Owner/Owner's Agent when requesting an exemption or dispensation from any provisions of the Merchant Shipping Act or associated regulations or any IMO Convention to which St Kitts & Nevis is a party.

PLEASE COMPLETE CLEARLY IN CAPITAL LETTERS IN BLACK INK OR BY USE OF A TYPEWRITER

VESSEL DETAILS

Name of Vessel

Official Number

IMO Number

DETAILS OF OWNER

Name of Owner :

IMO Owner Number (if known) :

We being the Owner/Owner's Agent ~~(delete as applicable)~~ of the above mentioned vessel do hereby apply to St Kitts & Nevis International Ship Registry for an Exemption Certificate / Letter of Dispensation ~~*(delete as applicable)~~ according to Sections 187 and 445 of the Merchant Shipping Act No. 24 of 2002, for the reasons as more fully described below.*

1) Equipment and/or regulation for which the Exemption / Dispensation is requested:

2) Reasons for requesting the Exemption / Dispensation:

3) Regulation that grants the right to an Exemption / Dispensation:

4) Validity of the Statutory or other Certificate to which the Application for Exemption refers:
(Copy of Certificate to be attached to this request)

5) Classification Society/Recognised Organisation responsible for the Issuing of the Statutory Certificate:

6) Special conditions or further remarks:

Signature of Applicant

Print Name

Date of Application

Authority under which this document is signed (if applicable) i.e. Officer (Director) of company or Owner's Agent etc
