



Luxembourg, 20 March 2020

Circular **CAM 002/2020** **updated version 17 November 2020**
O/Ref.: BB/111514
Subject: Extraordinary measures related to crew documents and ship certificates in relation to the COVID-19 Pandemic

To: All Accredited Shipping Managers, ship owners, ship operators, Masters, RO/RSOs, Flag State Inspectors, designated persons of Luxembourg flagged ships,

In view of the disruptions and difficulties the maritime sector is currently facing because of the COVID-19 Pandemic, the following temporary measures have been taken by this administration in regards to:

1. Service beyond period of validity of the Seafarer Employment Agreement (SEA)

Due to COVID-19 related shutdowns and other measures, shipowners, managers and operators might face difficulties in repatriating seafarers following the expiration of the term established in the SEA.

Force Majeure Clause (*)

Upon motivated request by the shipowner, this administration may authorize seafarers to continue being engaged under their seafarer's employment agreement beyond 11 months, provided individual seafarers consent to such extensions (Standards A2.4.2, A2.4.3 and A2.5.1 paragraph 2b of the MLC).

To this avail, the following documentation must be submitted to the CAM before the seafarer's stay on board reaches the 11-month deadline:

- a) Date(s) of signing-on of the seafarer(s) concerned;
- b) Extension of the SEA(s);
- c) Documentary evidence confirming the shipowner's efforts to carry out the crew change in one or more ports of call, prior to the 11 months stay on board;
- d) Voyage plan(s) and estimated date and port for the crew change.

Should this request be receivable, an authorization will be issued and forwarded to the shipowner. In this case, both the seafarer(s) and shipowner agree for the seafarer(s) to forego annual leave. Likewise, if a seafarer wishes to be repatriated, his request must be taken into account as far as practicable, at the next possible port of call. Measures for repatriation of the seafarer(s) should however be taken as early as possible.

2. Extension of the validity of seafarer documents beyond their expiry date

2.1 Endorsements attesting the Recognition (EaR's) of Certificates of Competency (CoC's) and/or Certificates of Proficiency (CoP's)

Seafarers, in possession of a Certificate of Competency (CoC) and/or a Certificate of Proficiency (CoP) which may expire during an extension of their stay on board may have the validity of their Endorsement attesting the Recognition of a CoC and/or CoP extended for a period up to 3 months.

(*) Please refer to MSC 102/INF.26 - Information on seafarer protection and safe crew changes during the COVID-19 pandemic - of 19 October 2020, MSC 102/22/8 - Recommended framework of protocols for ensuring safe ship crew changes and travel during the COVID-19 pandemic - of 16 October 2020, Resolution MSC.473 (ES.2) - Recommended action to facilitate ship crew change, access to medical care and seafarer travel during COVID 19 - adopted by IMO on 21 September 2020, Circular Letter No.4204/Add.30 of 10 September 2020 - Joint statement IMO / ILO / ICAO / United Nations on the recognition of seafarers as key workers and the elimination of obstacles to crew changes.

Applications are to be submitted via Guichet Unique.

Supporting documents, and in particular a copy of the expired CoC and/or CoP endorsed with a new expiry date by the issuing Administration shall be uploaded through GU as soon as available.

2.2 Seamen's Books (SB) and Attestations Cook

Expiring seaman's books and/or Attestations for Cooks can be extended by submitting a new application via Guichet Unique.

2.3 Medical Certificates

In view of the exceptional circumstances of force majeure, this administration has decided to follow the provisions for urgent cases allowed by Regulation 1/9 of the STCW Convention as amended, and Regulation 1.2 of the MLC Convention 2006, as amended.

Seafarers with a medical certificate about to expire or no longer valid will be allowed to keep serving on board for a period of up to 3 months.

3. Extension of statutory certificates, surveys, audits and flag state inspections

Since the outbreak of the COVID-19 disease, attendance of statutory surveys, audits and flag state inspections 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, when and where surveyors, auditors and/or flag state inspectors are unable to undertake scheduled surveys, audits and flag state inspections due to restrictions imposed by COVID-19, this administration will consider requests for extension/postponement under force majeure or unforeseen exceptional circumstances, on a case by case basis within the regulatory framework of International, European and national legislation.

As statutory surveys are delegated to Recognised Organisations, the respective RO shall make an application to this administration on the owner's behalf, including all supporting information. Requests are to be sent to this administration at cam@cam.etat.lu.

These measures are applicable as of today and will remain in force until they are either recalled or amended. Additionally, SOLAS Article IV b and STCW Article VIII might also be kept in mind. This administration remains of course at the disposal of all interested parties for any further information.



(s.) Robert BIWER
Government Commissioner
for maritime affairs

Adequate dissemination of this information within your company is requested. For documentation purposes, a copy of this circular should be kept on board and made available to all interested parties. In order to verify the circular or the procedure explained, this administration may be contacted at:

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