

ADVISORY TO MASTER

Date: 3rd April 2020

Advisory #: 05/2020

Title: Yacht Crew Extensions

We understand that there are many different items that may expire during the time that travel is restricted. Here is the following information that we have gathered.

US B1 Visa Extensions:

Please follow these steps:

- 1. Visit: https://www.uscis.gov/i-539
- 2. File I-539 must be filed before expiration.
- 3. Keep the receipt this is proof they have not violated their stay (the one caveat is if they are denied an extension they will be considered in violation).
- 4. If they leave before they get a response withdraw application with explanation (be sure they are leaving before withdrawing) Provide as much information as possible, letter from vessel and/or management company explaining need for extension (do not make them come back for additional information).

MCA Seafarer Revalidation, Medical Extensions (Notice Attached)

<u>Issue or Revalidation of a UK Certificate of Competency where a seafarer is unable</u> to disembark a vessel

Any seafarer who has completed the requirements for the issue of UK CoC but is unable to post their application to the MCA should send a scanned application form to the MCA. Providing the supporting evidence meets the requirements, the seafarer will be issued with a Temporary CoC valid for a period of 6 months. The applicable email addresses can be found on the application form, or by searching www.gov.uk for "How to apply for a UK deck certificate of competency".

A similar approach will be taken for a seafarer whose CoC expires whilst they are on board. The required documentary evidence should be submitted to the MCA by email where we will issue a

digital temporary certificate valid for a period of 6 months. Email revalidation@mcga.gov.uk using form MSF 4201.

<u>Issue of Certificate of Equivalent Competency (CEC) where a seafarer is unable to</u> <u>disembark a</u> vessel

CRAs can be issued in digital format from an application that is emailed to the MCA (cec@mcga.gov.uk) If a Master's temporary CEC expires whilst serving on board, then provided that the CoC is valid, another temporary CEC valid for a period of six months will be issued.

Seafarers with UK Certificates of Competency (CoC) working on UK flagged vessels, who are unable to disembark a vessel

For a UK CoC holder, the MCA can provide an exemption for those officers who are on board a vessel and their safety training has expired. This will be based on a self- declaration (as per the STCW 2010 Manilla amendments requirements). A similar approach will be followed if a seafarer's CoC expires whilst on board. The CoC will be extended for a period of 6 months. Ship owners/operators should email exams@mcga.gov.uk to request this exemption or for CoC extension requests.

Seafarers with UK CoC working on Non-UK flagged vessels

For a UK CoC holder, the MCA can provide an exemption for those officers who are on board a vessel and their safety training has expired. This will be based on a self-declaration (as per the STCW 2010 Manilla amendments requirements). Ship owners/operators should email exams@mcga.gov.uk to request this exemption.

<u>Seafarers with UK Certificate of Equivalent Competency (CEC) working on UK flagged vessels</u>

The expiry date of a CEC is the same as the expiry date of a seafarers original CoC. If required, the MCA will liaise with the parent administration regarding requests for an extension of a CoC for a seafarer holding a CEC on a UK registered vessels. The MCA will issue CECs against any extension to CoCs (temporary or full). Ship owners/operators should email cec@mcga.gov.uk to request this exemption.

Issue or Revalidation of a UK Certificate of Competency where a seafarer is unable to complete the updating/refresher training requirements but needs to join a vessel

Any seafarer that is unable to complete some or all of the updating refresher requirements for the issue or revalidation of a CoC, should send a scanned application to the MCA*. The seafarer will be issued with a Temporary CoC valid for a period of 6 months providing that they can meet all the other requirements. They will also receive a letter from the MCA extending the validity of the training that they were unable to update/refresh. They should accompany their application with:

- Scanned copies of their original STCW Safety Training Certificate that will no longer be valid; and
- The applicable self-declaration for the STCW training that requires updating/refreshing from MSN 1865 (annex B,C,D and E).

Where STCW requires a standard to be met prior to the issue of a new CoC, the MCA will be unable to issue the CoC until this standard has been achieved.

For new/upgraded Deck CoCs: deck@mcga.gov.uk

For new/upgrades Engineers/ETO's CoCs: engineering@mcga.gov.uk validations (Deck,

Eng or ETO): revalidation@mcga.gov.uk

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Medical fitness certificates

The Merchant Shipping (Maritime Labour Convention) (Medical Certification) Regulations 2010 permit a seafarer whose medical fitness certificate expires during a voyage in a location where it is not possible to obtain a medical fitness certificate accepted for working on a UK ship to continue working for up to three months. If in exceptional circumstances this period is likely to be exceeded, the shipowner should contact the MCA on seafarer.sh@mcga.gov.uk

USCG Mariner Credentials (Notice Attached)

Information can be found here: https://www.dco.uscg.mil/national_maritime_center//

<u>National Endorsements</u>: Merchant Mariner Credentials (MMC) and Medical Certificates (National Endorsements only) that expired between March 1, 2020 and July 31, 2020 are extended until 31 October 2020. Mariners who are actively working on expired credentials that meet the expiration criteria must carry the expired credential with a copy of this notice.

<u>STCW Endorsements</u>: MMCs with STCW endorsements that expired between March 1, 2020 and July 31, 2020 are extended until 31 October 2020. Mariners who are actively working on expired credentials that meet the expiration criteria must carry the expired credential with a copy of this notice.

<u>STCW Medical Certificates</u>: STCW Medical Certificates are valid for 3 months from the expiration date in accordance with STCW Regulation I/9. Mariners who are actively working on expired medical certificate that meet the expiration criteria must carry the expired certificate with a copy of this notice.

Schengen Visa Extensions

Information can be found here: https://www.schengenvisainfo.com/news/eu-commission-guides-member-states-how-to-deal-with-visa-issues-amid-covid-19/

"As per non-EU travellers who are stranded in EU for a period longer than they are authorized by due to restrictions, the Commission asks Member States to not penalize them, but rather to extend their permitted stay in the EU.

"For travellers currently present in the Schengen Area on a short-stay visa who are compelled to stay longer than their visa allows them to, Member States may extend the visa up to a maximum stay of 90 days in any 180 days," the guidelines read.

As per short-stay visa holders and those travelling visa-free who have to stay beyond 90 days in any 180 days, the Commission advises the members to grant these travellers with a long-stay visa or a temporary residence permit.

Additionally, the Commission points out that overstays linked to COVID-19 travel restrictions should not be taken into account when processing future visa applications"

Additional Travel Information:

This link is useful to determining who can travel where:

https://www.iatatravelcentre.com/international-travel-document-news/1580226297.htm

We will endeavor to continue to send out the most up to date information as it comes in.

Please contact us if you have any questions.

Fairport Yacht Support



CORONAVIRUS (Covid-19) Contingency Plan and Guidelines for the services provided to Seafarers and Shipowners by the MCA.

The department of Health & Social Care (DHSC) and Public Health England (PHE) are leading the UK government response to the Coronavirus (COVID-19) outbreak.

You can get up-to-date information about the situation in the UK on:

https://www.gov.uk/guidance/coronavirus-covid-19-information-for-the-public

MCA's response and advice to Industry on services provided are as detailed below:

Joining and Repatriation of seafarers from vessels.

The areas affected by Coronavirus (COVID-19) and the strategy implementation by countries affected by it is constantly evolving.

Many Governments have now introduced national and local restrictions including:

- Delayed port clearance;
- Prevention of crew or passengers from embarking or disembarking (preventing shore leave and crew changes);
- Prevention of discharging or loading cargo or stores, or taking on fuel, water, food and supplies; and
- Imposition of quarantine or refusal of port entry to ships (in extreme cases).

Countries have resorted to screening of passengers at airports and various ports have implemented pre-boarding screenings, including mandatory health check questionnaire accompanied with a thermal scan test. The Master should contact the local port authority to enquire if crew repatriation is available.

Safe Manning Document (SMD) and exemptions to SMD

The SMD will be issued in a digital format. Where it can be demonstrated that a crew member is required to depart a vessel due to the virus and the ship owner/operator is unable to replace them, exemptions to SMD will be considered on a case by case basis. Each request should be supported by risk assessment from the company.

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<u>Seafarers with UK Certificates of Competency (CoC) working on UK flagged vessels,</u> who are unable to disembark a vessel

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Seafarers with UK CoC working on Non-UK flagged vessels

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Issue or Revalidation of a UK Certificate of Competency where a seafarer is unable to complete the updating/refresher training requirements but needs to join a vessel

Any seafarer that is unable to complete some or all of the updating refresher requirements for the issue or revalidation of a CoC, should send a scanned application to the MCA*. The seafarer will be issued with a Temporary CoC valid for a period of 6 months providing that they can meet all the other requirements. They will also receive a letter from the MCA extending the validity of the training that they were unable to update/refresh. They should accompany their application with:

- Scanned copies of their original STCW Safety Training Certificate that will no longer be valid; and
- The applicable self-declaration for the STCW training that requires updating/refreshing from MSN 1865 (annex B,C,D and E).

Where STCW requires a standard to be met prior to the issue of a new CoC, the MCA will be unable to issue the CoC until this standard has been achieved.

*For new/upgraded Deck CoCs: deck@mcga.gov.uk
For new/upgrades Engineers/ETO's CoCs: engineering@mcga.gov.uk
For all CoC Revalidations (Deck, Eng or ETO): revalidation@mcga.gov.uk

Where a Seafarer is unable to complete updating training requirements but needs to join a vessel

Any seafarer required onboard a vessel who is unable to complete some or all the updating/refresher requirements but originally completed the <u>MCA-approved</u> training should send an email to <u>deck@mcga.gov.uk</u> – this should be accompanied with:

- a company letter confirming the vessel they need to join and the date they are required;
- scanned copies of their original STCW Safety Training Certificate that will no longer be valid; and

• The applicable self-declaration for the STCW training that requires updating/refreshing from MSN 1865 (annex B,C,D and E).

The MCA will then issue the seafarer with a letter form the MCA extending the validity of the training that needs updating/refreshing.

Maritime Labour Convention, 2006 (MLC)

<u>Seafarers who are onboard vessel beyond their contracts for reasons connected with the Covid-19 virus.</u>

The company should ensure that seafarers are kept informed of the risks of infection, reasons why they are required to stay on board, any measures being taken for their protection, and arrangements for their repatriation.

A valid Seafarers Employment Agreement (SEA) must remain in force until repatriation. If any of the SEAs have expired, they must be extended, or new ones issued. The company need to ensure that the seafarers are sent home at the first available opportunity. Evidence should be retained by both the seafarer and the company clearly demonstrating the reason why the seafarer was asked to extend their contract.

Shipowner liability

If in doubt, shipping companies should contact their financial security provider to confirm that insurance or other financial security is in place for additional costs pending repatriation (e.g. isolation), medical care, and any costs and expense of crew transfer for suspected cases.

Under MLC provisions relating to repatriation and medical care, shipowners remain liable for costs pending repatriation (e.g. isolation), medical care, and any costs or expense of crew transfer for suspected cases.

Sea-time Matters

Sea time on any vessel which is fully crewed and operational, although not working cargo will be accepted at full rate towards the issue or revalidation of a UK CoC.

Crew who are directly involved in the operation of the vessel that is in warm lay-up will have their service accepted at full rate towards a UK CoC (issue or revalidation).

In the case of cadets who are not able to join vessels due to travel restrictions, alternative sea time for up to 1 month would be accepted by MCA – proposals should be emailed to exams@mcga.gov.uk

- For Deck cadets, up-to 1 month of sea time will be accepted on domestic vessels e.g. Domestic passenger ferries in categorised waters which are over 500 GT.
- For engineering cadets, workshop training or simulator training for 1 month would be accepted in lieu of 1-month sea-service.

The Seafarer Training and Certification Branch will issue Notices of Eligibility (NOE) to candidates who are up to one month short of the required sea time (if a seafarer is over this allowance, we look at it on a case by case basis). Seafarers can take oral exams once they have a NOE, however the full CoC will not be issued until the full sea service requirement has been met.

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Survey and Certification of UK Flagged Vessels

Where surveys are due on vessels located overseas and it becomes difficult for attendance by a surveyor either MCA or RO, the MCA will consider the extension of mandatory statutory survey windows by issuance of short-term certificates, on a case by case basis. Operators are advised to make requests to their Customer Service Managers in good time before the expiry date to avoid Port State Control issues.

Additional information relevant to the Maritime industry can also be found at these websites (Please note: the list is not exhaustive):

International Maritime Health Association

World Health Organisation

International Maritime Organisation

International Chamber of Shipping



Marine Safety Information Bulletin

Commandant U.S. Coast Guard Commercial Regulations & Standards Directorate 2703 Martin Luther King Jr Ave SE, STOP 7501 Washington, DC 20593-7501 MSIB Number: 08-20 Date: March 19, 2020

E-Mail: OutbreakQuestions@uscg.mil

Novel Coronovirus – Mariner Credentials

Extension of Merchant Mariner Credential Endorsements and Medical Certificates

This MSIB provides guidance concerning mariner credentials and medical certificates and the action being taken by the Coast Guard due to the novel coronavirus and the disease it causes (COVID-19). We are doing this in keeping with national guidance to meet the challenge of this disease and in response to a number of questions and concerns raised by the maritime industry and mariners.

The Coast Guard has also been consulting with the International Maritime Organization (IMO) and other administrations to ensure alignment with respect to the extension of endorsements issued in accordance with the Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW). We are taking a pragmatic approach consistent with the IMO Secretary General's circular Letter No.4204/Add.5 dated 17 March, 2020.

To mitigate the impact to the seafarers and the industry caused by the novel coronavirus disease COVID-19, the Coast Guard is taking the following actions:

- Regional Exam Centers and Monitoring Units. Regional Examination Centers and Monitoring Units will be closed until further notice effective immediately. Mariners may cancel or reschedule any REC appointment by contacting NMC's Customer Service Center at 1-888-IASKNMC, by emailing IASKNMC@uscg.mil, or through the NMC online chat system. This includes appointments for application submission, payment of fees associated with an application, or appointments for examinations.
- <u>National Endorsements</u>: Merchant Mariner Credentials (MMC) and Medical Certificates (National Endorsements only) that expired between March 1, 2020 and July 31, 2020 are extended until 31 October 2020. Mariners who are actively working on expired credentials that meet the expiration criteria must carry the expired credential with a copy of this notice.
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- Additional administrative measures: The following items that expire in between March 1, 2020 and July 31, 2020 are extended until October 31, 2020: Additional Information (AI) letters, Qualified Assessor (QA) letters, Designated Examiner (DE) letters, Proctor approval letters, Approval to Test (ATT) letters, and mariner training course certificates.
- <u>Pilot Annual Physical examinations.</u> 46 USC 7101(e)(3) requires that pilots undergo an annual physical examination each year while holding a credential. The Coast Guard does not intend to enforce this requirement given the current national emergency and the lack of medical care. This measure ONLY relaxes the requirement for an annual physical and not the actual medical standards.

The National Maritime Center (NMC) will be issuing additional guidance on the MMC extensions and other administrative measures and will be posted on its website: https://www.dco.uscg.mil/national_maritime_center//. If you have questions, visit the NMC website, or contact the NMC Customer Service Center by using the NMC online chat system, by e-mailing IASKNMC@uscg.mil, or by calling 1-888-IASKNMC (427-5662).

Richard Timme, RDML, U.S. Coast Guard, Assistant Commandant for Prevention Policy sends.