



**REPUBLIC OF
THE MARSHALL ISLANDS**
MARITIME ADMINISTRATOR

Marine Notice

No. 1-006-1

Jul/2018

**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF
MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS**

SUBJECT: DATA PRIVACY CONSENT: SEAFARERS AND FILING AGENTS

- Reference:**
- (a) **EU Regulation 2016, 679** *on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation (GDPR))*, issued 27 April 2016
 - (b) **Republic of the Philippines Act No. 10173**, *Data Privacy Act of 2012*, enacted 25 July 2011
 - (c) **Republic of the Philippines**, *Implementing Rules and Regulations of the Data Privacy Act of 2012*, issued 24 August 2016
 - (d) **RMI Maritime Act ([MI-107](#))**, §109
 - (e) **RMI Maritime Regulations ([MI-108](#))**, §1.06.1
 - (f) **RMI Filing Agents Manual ([MI-280](#))**
 - (g) **RMI Requirements for Seafarer Certification ([MI-118](#))**

PURPOSE

This Marine Notice establishes requirements and procedures for using the new *Data Privacy Consent Form for Seafarers and Filing Agents*, [MI-273C](#), (“Consent Form”), when applying for seafarer documentation or Filing Agent approvals from the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”).

BACKGROUND

Laws and regulations to protect personal information have been enacted in the European Union and the Philippines. These new requirements, as reflected in the Reference section, impact the way the Administrator may collect, process, use, and retain certain personal information. Namely, persons seeking services from the Administrator must provide their consent for the use of their personal information before any such services can be provided. Services affected include issuing seafarer documentation, providing personal information to legal authorities, seafarer documentation verification, and ensuring compliance with due diligence and trade restrictions requirements. The consent acknowledges that there is a possibility that some private information may be made public as the Administrator conducts its business.

APPLICABILITY

This Notice applies to all persons:

- 1) applying for or renewing RMI seafarer documentation; or
- 2) seeking approval as an authorized RMI Filing Agent.

Any seafarer application or Filing Agent approval request received by the Administrator prior to 25 May 2018 (the date the GDPR entered into force) will be processed without a Consent Form.

REQUIREMENTS

1.0 Personal Information - Protection and Consent for its Use

1.1 All persons must complete and submit a Consent Form ([MI-273C](#)) prior to:

- 1.1.1 Applying or renewing seafarer documentation under the RMI Seafarer Certification Requirements ([MI-118](#)).
- 1.1.2 Applying for an officer's examination under the RMI Seafarer Certification by Examination ([MI-118E](#)).
- 1.1.3 Seeking approval as a RMI Filing Agent in accordance with the RMI Filing Agents Manual ([MI-280](#)).

The Administrator will not process any of the above until the Consent Form is received.

- 1.2 The privacy consent is valid for five (5) years.
- 1.2 The Administrator's full data privacy policy is found at:
<https://www.register-iri.com>.

2.0 Seafarer Documentation Requests

2.1 A Consent Form must be completed:

- 2.1.1 by all applicants for RMI seafarer documentation; or
- 2.1.2 for any new or renewal Seafarer's Identification and Record Book (SIRB) request (Form [MI-273](#) or Form [MI-271](#) for online system applications).

2.2 If a Consent Form has not been submitted earlier, then one must be filed with the RMI when:

- 2.2.1 a Special Qualification Certificates (SQC) is requested (using Form MI-273) and the seafarer has a valid SIRB;

- 2.2.2 a new or renewal endorsement to an officer's Certificate of Competency (CoC) is requested (using Form [MI-105](#)) and the seafarer has a valid SIRB;
- 2.2.3 a request is made for a replacement seafarer certificate (Form [MI-116](#) for officer certificate); or
- 2.2.4 a request is made for an examination for officer certification (Form [MI-105E](#)).

3.0 Filing Agent Approval Requests

- 3.1 Filing Agent applications contain the names of up to three (3) persons. The Administrator may require an identity document submission for each person named on the application form, *Filing Agent Authorization Form* ([SICD-281](#)). Accordingly, the Data Privacy Consent Form ([MI-273C](#)) would need to be completed by each of these persons.

4.0 Data Privacy Consent Form Completion and Submission

- 4.1 MI-273C is to be [completed on-line](#). Complete and submit the appropriate form (Seafarer's Consent or Filing Agent's Consent).
- 4.2 The system will generate an email confirming that the submission has been received.
- 4.3 Form MI-273C may be submitted in hard copy when the portal cannot be utilized.
- 4.4 Seafarer documentation and Filing Agent approvals can be issued only after a properly completed Consent Form is received.

5.0 Distribution and Questions

- 5.1 RMI ship owners and operators are asked to share this Marine Notice with their crewing departments and manning agents.
- 5.2 Contact dataprivacy@register-iri.com for questions on the data privacy requirements.