



**REPUBLIC OF
THE MARSHALL ISLANDS**
MARITIME ADMINISTRATOR

Marine Guideline

No. 1-11-1

Jan/2018

TO: ALL SHIPOWNERS, OPERATORS, MASTERS, AND OFFICERS OF RMI-REGISTERED VESSELS, AND RECOGNIZED ORGANIZATIONS

SUBJECT: Lay-Up of Vessels

- References:**
- (a) **IMO Circular [MSC-MEPC.7/Circ.9](#), Guidelines For The Reactivation Of The Safety Management Certificate Following An Operational Interruption Of The Safety Management System Due To Lay-Up Over A Certain Period**, issued 14 July 2014
 - (b) **IMO Circular [MSC.1/Circ.1295](#), Guidance In Relation To Certain Types Of Ships Which Are Required To Transmit LRIT Information On Exemptions And Equivalents And On Certain Operational Matters**, issued 8 December 2008
 - (c) **RMI Maritime Regulations ([MI-108](#))**
 - (d) **RMI Vessel Registration and Mortgage Recording Procedures ([MI-100](#))**
 - (e) **RMI Mobile Offshore Unit Standards ([MI-293](#))**, §3.11
 - (f) **RMI Marine Notice [2-011-25](#), Long-Range Identification and Tracking of Ships**

SUPERSEDES

This Guideline supersedes Revision 9/15, and includes revisions covering manning planning to ensure the vessel is manned in accordance with its Minimum Safe Manning Certificate (MSMC) upon reactivation. It also clarifies the requirements for a vessel safety inspection after lay-up.

PURPOSE

This Guideline outlines the issues to be considered, and procedures recommended to be followed, for vessels going into, being in, and coming out of lay-up.

APPLICABILITY

This Guideline applies to all Republic of the Marshall Islands (RMI) flagged vessels going into official lay-up. It does not include yachts undergoing winterization or refit.

PROCEDURES

1.0 General

- 1.1 Prior to lay-up, a plan for vessel preparations before and its maintenance while in lay-up should be developed by the owner in consultation with the:
- 1.1.1 **Classification Society¹:** The vessel owner or operator should directly contact the Classification Society to determine the lay-up impact on the Statutory Survey and Certification status. Many Class organizations have established guidance documents or services to assist owners with preparations for lay-up and have established procedures for vessel maintenance during layup. The plan for lay-up should include, but not necessarily limited to:
- a) the extent of intended manning;
 - b) addressing needs for firefighting, lifesaving, stability, and watertight integrity;
 - c) the level and type of pre-lay-up preservation measures;
 - d) the level and maintenance type during lay-up;
 - e) whether Classification Society and Statutory Certificates will be maintained; and
 - f) any contingency measures in place in case of emergencies during lay-up.
- 1.1.2 **Underwriters:** The vessel's owner should consult with the hull and machinery underwriter and Protection and Indemnity (P&I) Club for guidance prior to the vessel's removal from service. Coverage terms will be likely affected by the change in status and P&I Club rules may vary regarding premiums, policy characteristics, and additional inspections.
- 1.1.3 **Port and Coastal State Authorities:** The local port or coastal authorities should be contacted in advance to determine any specific requirements or regulations that may be imposed on the vessel while moored or anchored at the lay-up location. For example, these authorities may require confirmation of certain coverages (such as oil pollution, wreck removal, salvage costs, etc.), or mandate minimum manning levels. The owner should also confirm the layup period length with the local authorities to ensure that the vessel will not have to be moved during that period.
- 1.1.4 **RMI Maritime Administrator (the "Administrator"):** The Administrator should be advised by the vessel owner or the Classification Society (who will also act on the Administrator's behalf as a Recognized Organization (RO)), that lay-up preparations are being made. Registration records can be updated when the transfer to lay-up has begun.

¹ Owners of unclassified Commercial Yachts **less than 500 gross tons (GT)** or unclassified Private Yachts of any size may elect to have surveys and certification carried out by an Appointed Representative (AR).

2.0 Application to the Administrator

2.1 Vessels Already Registered With RMI

2.1.1 Request for Registration in Laid-Up Status

A Vessel owner should request from the Administrator a restricted *Certificate of Registry not valid for navigation or operation*. This can be done with a letter or email that:

- a) requests a change in status to a vessel in lay-up;
- b) provides the date of vessel's withdrawal from service;
- c) states the exact lay-up site location for the vessel;
- d) provides the expected lay-up duration (if known); and
- e) describes an outline of the intended layup state: e.g. fully manned, partially manned, or unmanned.

2.1.2 Affidavit

A notarized statement (RMI Form [MI-245](#), *Affidavit re: Confirmation of Class Status*), stating that the vessel will not be moved or navigated while in laid-up status, must be filled out and signed by the vessel owner. It should be sent to the Administrator in hard copy but may be initially submitted electronically as a scanned document with the hard copy to follow.

2.1.3 Letter and Affidavit Submission

The letter requesting a vessel registration in laid-up status (§2.1.1, above), along with the notarized statement (§2.1.2 above) may be sent to any of the Administrator's offices worldwide. A complete listing of [offices and contact information](#) can be found on the website.

2.1.4 Certificates

- .1 A restricted *Certificate of Registry not valid for navigation or operation* will be issued by the Administrator, superseding the vessel's current Certificate of Registry which then must be surrendered and delivered to the Administrator, or an official who is authorized to act for and on the Administrator's behalf.
- .2 The restricted *Certificate of Registry not valid for navigation or operation*, or a notarized copy, must be kept aboard the vessel while in lay-up.
- .3 In cases where the vessel is (or will be) in an unmanned lay-up, the Radio License also should be surrendered. In cases where personnel will remain on board and the radio remains active, the Radio License need not be surrendered.

- .4 The Administrator may require other certificates to be surrendered on a case-by-case basis, depending on the lay-up type.
- .5 The date of receipt of the RMI certificates required to be surrendered will be considered the start date of the official lay-up period.

2.2 New Builds or Change of Flag Vessels Intending RMI Registration

Vessels not currently RMI-flagged but seeking to register in laid-up status under the RMI flag, require a different application process. See [MI-100](#), Chapter III, §4, and contact any Administrator [Office](#) for further assistance.

3.0 Other Factors to Consider

3.1 Manning

- 3.1.1 Vessel manning, and provision of valid seafarer employment contracts, while in lay-up is the owner's responsibility, and should be developed in coordination with the port or coastal State authorities and the P&I club. Manning should be sufficient to ensure the vessel is maintained (§3.2 below), meets safety and security requirements (§3.3 below), and does not become a pollution risk (§3.4 below).
- 3.1.2 When a vessel is to be in an unmanned lay-up, all parties are to be made aware of this and the plans and procedures developed should reflect this condition.

3.2 Maintenance

It is the owner's responsibility to ensure that vessel's basic structural and watertight integrity, stability, and along with the essential machinery and systems, are properly maintained during lay-up. Minimum routine maintenance should be carried out to ensure the vessel's integrity, and its essential equipment and systems during lay-up, as well as confirming that the vessel does not pose a safety or pollution risk. The vessel's Classification Society may assist the owner in developing and implementing the necessary maintenance program during lay-up.

3.3 Safety and Security

- 3.3.1 It is the owner's responsibility to ensure that the vessel is safe and secure during lay-up. Those Ship Security Plan (SSP) elements that may be applicable to the vessel while in lay-up need to remain in force. For example, security measures should be in place to guard against encroachment by unidentified intruders. Port or coastal State authorities also may have specific requirements in these areas.
- 3.3.2 Systems for the comfort and safety of personnel on board (such as accommodation systems, firefighting, life saving devices and gear, etc.) should be commensurate with the number of persons onboard and must be operational and ready for use in normal and emergency situations.

- 3.3.3 It is the owner's responsibility to ensure that the vessel does not present any pollution hazards during lay-up. The vessel is subject to requirements for all current International Convention for the Prevention of Pollution from Ships (MARPOL) that would apply if the vessel remained in active service, as well as those specific to port or coastal States.

3.5 Long-Range Identification and Tracking (LRIT)

RMI Marine Notice [2-011-25](#), §11.3, contains requirements for temporarily stopping LRIT information transmissions during lay-up. See also International Maritime Organization (IMO) Circular [MSC.1/Circ.1295](#), paragraph 7.

3.6 Other

Additional information relative to vessels in laid-up status is provided in RMI Maritime Regulations ([MI-108](#)), §1.10.

4.0 Reactivation

4.1 Owner Reactivation Responsibilities

At the end of the lay-up, it is the owner's responsibility to:

- 4.1.1 bring all inspections and surveys up to date, re-activate all Classification Society and Statutory certificates, re-establish full insurance coverage with the P&I Club or other acceptable insurer, arrange with the Administrator to issue a Certificate of Registry valid for navigation or operation, and pay all outstanding fees, taxes, and registration costs that may be due at the time. The RO can provide assistance relative to statutory inspections and surveys and the issuance of relevant certificates during reactivation;
- 4.1.2 verify that the vessel's safety management system is reactivated, and where appropriate, it complies with the International Safety Management (ISM) Code and to ensure that the Safety Management System (SMS) is functional once the vessel is taken back into service.²
- 4.1.3 consider the lead time necessary to fully re-man the vessel for reactivation, as the vessel must comply with its MSMC. Dispensations for manning levels below those required on the MSMC will not be considered; and
- 4.1.4 take the appropriate steps to reactivate the vessel's LRIT system and re-instate the vessel's Radio License, if surrendered.

4.2 Certificate of Registry Valid for Navigation

- 4.2.1 Before issuing a Certificate of Registry valid for navigation or operation, the

² For further information, see IMO Circular [MSC-MEPC.7/Circ.9](#), *Guidelines for the Reactivation of the Safety Management Certificate Following an Operational Interruption of the Safety Management System Due to Lay-Up Over a Certain Period*;

Administrator will require the satisfactory completion of an RMI Safety Inspection. For any vessel that has been officially laid-up over six (6) months, this will be the equivalent to an Initial Safety Inspection. All deficiencies identified must be corrected, as required.

- 4.2.2 Where the vessel is to be towed to a shipyard or repair facility for reactivation, this may proceed once a restricted Certificate of Registry not valid for navigation or operation is issued. The RO can advise the owner if a Towing Certificate or any specific approvals may be required for the tow.
- 4.2.3 A vessel intending to proceed under its own power to a shipyard or repair facility for reactivation, must arrange with the Administrator for a new *Certificate of Registry valid for navigation*. This may be obtained after carrying out the necessary surveys and inspections and the relevant certificates are issued. Otherwise, the vessel should be towed.