



**REPUBLIC OF  
THE MARSHALL ISLANDS**  
**MARITIME ADMINISTRATOR**

**Marine Notice**

**No. 2-011-26**

**Aug/2017**

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

**SUBJECT: Application for Service Extensions / Dispensations**

- References:**
- (a) **SOLAS**, *International Convention for the Safety of Life at Sea*, Consolidated Edition 2014
  - (b) **MARPOL**, *International Convention for the Prevention of Pollution from Ships*, Consolidated Edition 2011
  - (c) **2009 MODU Code**, *Code for the Construction and Equipment of Mobile Offshore Drilling Units*, 2009, 2010 Edition
  - (d) **RMI Marine Notice [2-011-4](#)**, *Issuance and Use of Statutory Certificates*
  - (e) **RMI [Technical Circular 4](#)**, *Issuance of Certificates and Documents of Compliance by Recognized Organizations*

## **PURPOSE**

This Notice clarifies terminology used to describe allowances issued by the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) in accordance with statutory provisions, and establishes the Administrator’s policy for their issuance and use. This Notice supersedes Rev. 7/14 and reflects the removal of Appendix 1 and the addition of hyperlinks to RMI Form [TEC-02](#), *Application for Service Extension / Dispensation*.

## **APPLICABILITY**

This Notice applies to all ships and mobile offshore units (MOUs)

## **REQUIREMENTS**

### **1.0 Terminology**

It has been noted while assessing certain technical issues, there is an occasional lack of consistency when referring to various allowances or authorizations that can be issued by the Administrator. Due to differences associated with the handling of these actions, providing a clear definition for each is of merit. Therefore, the Administrator is establishing the following basic definitions for reference when addressing such issues:

#### **1.1 Exemption**

An Exemption is a permanent release from compliance with a Statutory Convention requirement due to the existence of specific circumstances as sanctioned by the provisions of that Convention. The ‘Exemption Certificate’ is linked to, and retained with, its associated statutory certificate, and

is issued by the Recognized Organization (RO) issuing that certificate under authorization from the Administrator, which shall be in accordance with RMI [Technical Circular 4](#). Authorization for issuance of an Exemption Certificate is considered on a case by case basis formed on the existence of some measure of equivalency to meet the intent of the requirement being exempted and a recommendation from the RO. Certain Exemptions, when granted, are required to be communicated to the International Maritime Organization (IMO).

## 1.2 **Equivalence (or Measure of Equivalency)**

Equivalence is an arrangement which provides the same general level of safety or intent of a Convention requirement without meeting all criteria for full compliance. Such arrangements can be accomplished, either independently or in combination with, alternative equipment, additional procedures/precautions, operational restrictions, etc. Equivalences, when granted, are required to be communicated to the IMO.

## 1.3 **Dispensation**

A temporary allowance granted in writing (Dispensation Letter) by the Administrator to permit a ship to proceed without being in full compliance with a specific Convention requirement due to mitigating circumstances preventing the immediate rectification of the subject deficiency. Dispensations are issued with time specific corrective action requirements compliance with which are reportable to the Administrator by the expiration date.

## 1.4 **Extension**

A postponement of the term of validity of a Statutory certificate, servicing interval, or Dispensation, in accordance with the provisions of the relevant Convention, due to extenuating circumstances encountered that prevent the crediting of a requisite task prior to the nominal due date. Extensions of servicing intervals in particular are referred to as "Service Extensions." Extensions are also issued with time specific corrective action requirements compliance with which are reportable to the Administrator by the expiration date.

## 2.0 **Application Procedure for Service Extensions / Dispensations**

2.1 When applying for or submitting a proposal for issuance of a Dispensation Letter or Service Extension, the Administrator will require for consideration specific information regarding the details and circumstances concerning the issue, as well as the corrective action plan to rectify the issue in timely fashion.

2.2 In an effort to ensure consistent response and handling of such requests by the Administrator, and to facilitate the communication of all required information for consideration, RMI Form [TEC-02](#) shall be used by RMI ship owners and operators when submitting such requests to the Administrator. To expedite handling and response, all applicable sections of the form shall be filled in with sufficient detail and accuracy. The completed form shall then be submitted to RMI Technical Services at the following email address or fax number:

**Email:** [technical@register-iri.com](mailto:technical@register-iri.com)

**Duty Officer Fax:** +1-703-860-2284

### **3.0 Service Extensions**

- 3.1 The Administrator recognizes that on occasion due to exceptional circumstances, difficulty can be encountered when scheduling the servicing of certain equipment or life-savings / fire-fighting appliances, as required by various Convention regulations, at approved servicing facilities. Requests to extend the servicing intervals in accordance with the provisions of the International Convention for the Safety of Life at Sea (SOLAS) are only considered by the Administrator when exceptional circumstances exist. Requests should be fully justified by substantiation of circumstances and plans to service at first opportunity.
- 3.2 Service Extensions are generally limited to the minimum period of time necessary for the ship to reach a port where rectification of the task can be accomplished.

### **4.0 Dispensation Letters**

- 4.1 Dispensation Letters are issued with a specific term limit of validity – either for a single voyage, or for a set period of time, and are generally limited to the minimum period of time necessary for the ship to reach a port where rectification of the deficiency can be accomplished. In some cases where warranted, the RO may also be contacted to provide a recommendation for issuance of the Dispensation Letter, to follow-up with verification of the corrected item and/or issuance of a short term Statutory certificate in accordance with RMI Marine Notice [2-011-4](#). In all cases, some measure of equivalency should be identified to be put in place and adhered to for the duration of the Dispensation Letter.
- 4.2 While it would not be practical to list every situation in which a Dispensation Letter would be required, the same basic principle should be followed when considering what situations would necessitate notification. For example, damage to or failure of any life saving or survival equipment required under SOLAS Chapter III (such as Lifeboat damage, Lifeboat engine failure, Inflatable Liferaft lost, etc.) or failure of any navigational equipment installation required under SOLAS Chapter V (such as Radar, Voyage Data Recorder (VDR), Speed Log, etc.) would fall into this category.
- 4.3 Ultimately, it shall be understood that the failure of or damage to ANY piece of equipment, installation or appurtenance mandated by any Statutory Convention requirement shall be immediately reported to the Administrator with a completed Dispensation application (RMI Form [TEC-02](#)), along with all relevant supporting documentation demonstrating the nature of the difficulty encountered, temporary measure of equivalency in place and proposed corrective action plan to rectify the deficiency as expeditiously as possible. Prompt notification is critical to ensure the deficiency is properly addressed and to mitigate possible Administrative or port State control (PSC) action against the vessel and Owner/Operator.