



REPUBLIC OF THE MARSHALL ISLANDS

MARITIME ADMINISTRATOR

Marine Notice

No. 2-011-54

Mar/2019

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

SUBJECT: Conducting Surveys and Issuing International Convention and National Certificates for Private Yachts Limited Charter

- References:**
- (a) **RMI Yacht Code ([MI-103](#))**
 - (b) **RMI Maritime Act 1990 ([MI-107](#))**
 - (c) **RMI Maritime Regulations ([MI-108](#))**
 - (d) **RMI Marine Notice [2-011-43](#), *Registration of Tenders and Issuance of Tender Statements of Compliance***
 - (e) **RMI Marine Guideline [2-11-15](#), *Organizations Acting on Behalf of the Republic of the Marshall Islands Maritime Administrator***

PURPOSE

This Notice outlines the revised requirements for conducting surveys and issuing international convention and national certificates by or on behalf of the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”).

It supersedes Rev. Jun/2018. An amended §2.1.2 clarifies the pre-registration inspection requirements.

APPLICABILITY

This Notice applies to all Private Yachts Limited Charter (PYLC) regardless of size.

DEFINITIONS

This Marine Notice uses terminology defined in the RMI Maritime Regulations (MI-108), §1.03 and the RMI Yacht Code (MI-103), Chapter I, §3.0.

REQUIREMENTS

1.0 International Statutory Convention Certificates

1.1 Classed PYLCs

Classed PYLCs must have their international convention statutory certificates issued by their Classification Society. However, the audits, surveys and inspections along with issuing the relevant certification may be carried out by a Classification Society or an Appointed Representative (AR) where the PYLC voluntarily complies with the following:

- .1 International Safety Management (ISM) Code;
- .2 International Ship and Port Facility Security (ISPS) Code, or
- .3 Maritime Labour Convention, 2006 (MLC, 2006).

1.2 Unclassed PYLCs

All unclassified PYLCs must have their applicable international convention statutory surveys and certification carried out by Class or an AR

2.0 PYLC Flag State Compliance

2.1 General

- 2.1.1 All PYLCs, regardless of gross tonnage (GT), must be certified to comply with the RMI Yacht Code ([MI-103](#)).
- 2.1.2 For all newly registering PYLCs less than 400 GT, the yacht may register as a private yacht for no more than 30 days before the initial Compliance Verification is completed and the short-term PYLC Compliance Certificate (PYLCCC) is issued. Under these circumstances, a separate pre-registration inspection is not required and a Certificate of Registry valid for 30 days will be issued.
- 2.1.3 Failure to complete the initial Compliance Verification within 30 days of registration could lead to the invalidity of the Certificate of Registry and may result in deletion of the PYLC from the RMI Registry.
- 2.1.4 For PYLCs of 400 GT or more, the initial Compliance Verification and issuing of a short-term PYLCCC (valid up to five months) must be carried out by an AR prior to registration under the RMI flag.
- 2.1.5 A short-term PYLCCC must be forwarded by the AR to the Administrator for review. Once the yacht has satisfied the requirements of the RMI Yacht Code (MI-103), a full-

term PYLCCC will be issued by the Administrator. This full-term PYLCCC is valid for five years, but its validity is subject to an annual Compliance Verification within the three (3) month period before or after the anniversary date.

2.1.6 For all PYLCs, regardless of GT, the annual Compliance Verification must be carried out by an AR.

2.1.7 PYLCs that carry a tender must comply with §4.0 of this Notice.

2.1.8 In cases where §2.1.2 applies, the owner must complete the *Declaration of Private Use - Not for Hire* ([MI-127PY](#)) acknowledging their responsibility to meet certain safety and environmental pollution prevention requirements.

2.2 Re-Registration for PYLCs

2.2.1 Upon the re-registration of a PYLC, where the new owner wishes to maintain the same (mandatory or voluntary) compliance, the previously issued PYLCCC may be carried forward. To carry the compliance forward, the yacht must be in good standing with the required compliance level, have valid statutory certificates, and the annual Compliance Verification must be within the annual window (See §3.2 below).

2.2.2 If re-registration occurs after the anniversary date and the annual Compliance Verification has not yet occurred, it must be completed within 30 days, but not later than the end of the annual window.

2.2.3 Yachts that are within their renewal window must complete the renewal Compliance Verification prior to re-registration.

2.2.4 Yachts that have been issued a short-term PYLCCC or have active deficiencies from the last Compliance Verification, must close all outstanding deficiencies with the AR prior to re-registration.

2.2.5 Inspections, surveys, and audits relating to the statutory certificates must be carried out as required by the respective convention requirements.

2.2.6 Yachts carrying a PYLCCC wishing to re-register as a private yacht may do so without a pre-registration inspection, provided the applicable international statutory convention certificates are valid.

3.0 Compliance Verifications

3.1 Scheduling Compliance Verifications

3.1.1 The PYLC owner or representative must contact an AR directly to make the necessary arrangements for scheduling and completing Compliance Verifications. Annual and renewal Compliance Verifications must be scheduled and completed within the

3.3.3 PYLCs completing their renewal Compliance Verification after the expiration of the PYLCCC shall be issued a new PYLCCC valid for no more than five (5) years from the existing certificate's expiration.

3.4 Special or Unscheduled Compliance Verifications

The Administrator may require a yacht to undergo a special or unscheduled Compliance Verification. This may be required where the PYLC has been subject to a port State control examination or detention, or where an additional audit by the Classification Society or AR has been deemed necessary by the Administrator. Additional charges may apply for these special or unscheduled Compliance Verifications.

3.5 Overdue Compliance Verifications

3.5.1 If a yacht is unable to undergo a required Compliance Verification within the annual window, the owner must apply to the Administrator, via the AR, for an extension. The application must be in writing and state the reason the certificates cannot be renewed or the reason the Compliance Verification cannot be conducted in the appropriate timeframe.

3.5.2 If no extension is granted and a certificate becomes invalid or a Compliance Verification becomes overdue, the yacht is immediately prohibited from engaging in any charter activities. If the Compliance Verification or the certificate remains overdue for more than 30 days without an extension, the Administrator will revoke, without any prior notification, the yacht's Compliance Certificate and the yacht will be prohibited from chartering. If deemed necessary, the Administrator may, at its discretion, downgrade the yacht to a private yacht.

3.5.3 Once the yacht has been downgraded to a private yacht or the Compliance Certificate has been revoked, the yacht must undergo a renewal Compliance Verification to reinstate the Compliance Certificate. There is a fee for reinstatement, which is detailed in RMI Marine Notice [1-005-2](#), *Consolidated Fees and Charges List for Official Yacht Documents and Services*. This fee does not include the AR's charges for conducting the inspection.

4.0 Tender Registration and Compliance

Tenders carried on board any size PYLC must be issued a *Tender Statement of Compliance* (MI-289TSC) per RMI Marine Notice [2-011-43](#).