

No.28 Procedure for Statutory Certification at Change of Flag without Change of Class

(Rev.0
July 2009)

(Rev.1
June 2016)

1. General

1.1 The purpose of this Procedural Requirement is to lay down common procedures and minimum statutory survey requirements for Societies in case of Change of Flag.

1.2 However, this Procedural Requirement does not prevent the Societies from expanding the scope of statutory surveys at their own discretion or upon specific instructions of the relevant flag State Administration.

1.3 Surveys carried out for Change of Flag at a date which is outside of appropriate time windows for the periodical surveys of the corresponding certificate issued by, or on behalf of, the losing flag Administration are to be understood as additional surveys which are carried out solely for the purpose of Change of Flag. These surveys do not replace the surveys required to be carried out within the appropriate time windows.

1.4 If a vessel was constructed originally without a known flag State, the Society shall verify the vessel complies with national requirements of the gaining flag State Administration prior to issue the relevant certification.

2. Application

2.1 This document is applicable if the new registering flag State Administration has authorized the Society for survey and/or certification on its behalf and if the ship is subject to the requirements of the applicable international Conventions and mandatory Codes. Survey procedures are in accordance with the applicable international Conventions and mandatory Codes.

2.2 This document does not specifically deal with audit/verification and/or certification procedures in accordance with the ISM Code, the ISPS Code and MLC 2006. Relevant procedures for ISM are more specifically laid down in item 14.4 of the ISM Code and PR 9, for ISPS in section A.19.4.2 of the ISPS Code and PR 24 and for MLC 2006 in Standard A5.1.3.7 of MLC 2006 and PR 36. For ISM, ISPS and MLC 2006 these more specific requirements refer in connection with Change of Flag.

2.3 For flag States being Party of the SOLAS and LL1988 Protocols, the 'Survey Guidelines under the Harmonized System of Survey and Certification' / IMO Resolution A.1104(29), as amended, are to be observed.

For flag States not signatory to the SOLAS and/or LL1988 Protocols, the requirements for SOLAS 1974, Regulation I/14 and/or for LL 1966, Article 14 are to be observed.

Note:

1. This Procedural Requirement applies from 1 July 2009.
2. Revision 1 of this Procedural Requirement applies from 1 January 2017.

No.28 3. Scope of Surveys

(cont) 3.1 In addition to the surveys indicated in 3.2, it will be insured that the new flag, port of registry and ship's name are indicated, as applicable, on statutory documents (Stability booklet, SOPEP, etc.) and life boats, life rafts, life buoys, etc..

3.2 If the Change of Flag is to be undertaken outside the windows of the **due dates** for surveys of new certificates which are going to be issued by, or on behalf of, the gaining Flag Administration, then the scope of surveys for the main statutory certificates are to be:

3.2.1	SOLAS Safety Construction:	Annual Survey
3.2.2	SOLAS Safety Radio:	Renewal Survey/Periodical Survey
3.2.3	SOLAS Safety Equipment:*	Annual Survey
3.2.4	SOLAS Passenger Ship Safety Cert.:	3.2.1 + Lifesaving and Fire-fighting means and 3.2.2
3.2.5	Load Line:	Annual Survey
3.2.6	MARPOL Annex I:	Annual Survey
3.2.7	MARPOL Annex II:	Annual Survey
3.2.8	MARPOL Annex IV:	Renewal Survey
3.2.9	MARPOL Annex VI:	Annual Survey
3.2.10	Fitness Cert. Gas/Chemicals:	Annual Survey

* When changing from HSSC to Non-HSSC, the following applies:

- a. If Change of Flag occurs within 2 years of the initial/last renewal, an Annual Survey is required.
- b. If Change of Flag occurs after 2 years of the initial/last renewal, a renewal survey is required.

Note: Specific requirements of the Flag State Administration related to the above statutory certificates are also to be considered.

3.3 For other statutory certificates not listed above the scope of survey is to be at least the scope of the relevant annual survey.

3.4 If **due dates** for surveys of new certificates, which are going to be issued by, or on behalf of, the gaining Flag Administration, are **within the applicable time windows** for surveys, then the appropriate renewal/intermediate/periodical/annual surveys shall be carried out. Due consideration to the circumstances shall be given in order to avoid unreasonable burdens as could be inter alia a necessary dry-docking of the ship for renewal survey of the SOLAS Cargo Ship Safety Construction Certificate or similar.

3.5 Surveys conducted within a three months' time period prior to the date of Change of Flag may be credited towards Change of Flag with the exception of SOLAS Safety Radio survey.

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3.6 If the Society was not authorized by the previous flag State Administration for survey and/or certification or if the losing flag State Administration was not a Party to the relevant Convention, then appropriate initial/renewal surveys are to be carried out for SOLAS Safety Radio, Safety Equipment, Passenger Ship Safety Certificate, Load Line, MARPOL Annex I, Annex II, Annex IV & Annex VI and Fitness Cert. Gas/Chemicals.

4. Obligations and reporting

4.1 The Society has the obligation to address the information related to Change of Flag as specified by the gaining flag State Administration in terms of authorization. In case of Alternative Design and Arrangements or exemptions are involved, the information or documentation for approval of the Alternative Design and Arrangements or an exemption pertaining to statutory aspects should be addressed to the gaining flag State Administration for any further instructions.

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