



Rev. 0

**REPUBLIC of SAN MARINO  
MARITIME AUTHORITY**

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**San Marino Policy Letter**

**SMPL – 2021-TEC-012**

**07 July 2021**

**San Marino Ship Register SMSR**

**Instructions to Recognised Organisations**

TO: Recognised Organisations, Ship Owners, Managers, Masters, Seafarers, SMSR partners, SMSR brokers, Surveyors, and the general public.



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## **Introduction**

The San Marino Maritime Navigation Authority SM MNA has authorised Recognised Organisations who are IACS members to undertake surveys, audits, verifications, and inspections, and to issue relevant statutory certification to San Marino-flagged vessels and management companies. The list of currently authorised Recognised Organisations is available online at San Marino Ship Register's website [www.smsr.sm](http://www.smsr.sm).

## **Instructions to Recognised Organisations**

### **1. Implementation of statutory requirements**

- (a) Unless otherwise specified by the Administration, procedures for the change of flag to San Marino shall follow IACS procedural requirement n. 28.
- (b) Recognised Organisations are authorised by the SM MNA to apply the requirements of the relevant Conventions and Codes as amended or modified. Such authorisation includes the approval of plans and documents that may be referred to within the respective Convention and Code requirements, as amended.
- (c) The Recognised Organisation shall implement relevant interpretations, recommendations, and clarifications issued by the Administration via San Marino Policy Letters and Bulletins, and where not otherwise specified, those issued via IMO Resolutions and Circulars.
- (d) Should IMO or national guidelines not be available, relevant technical standards of the Recognised Organisation, including IACS Unified Requirements, Unified Interpretations, Procedural Requirements, etc., should be considered.
- (e) Any proposals for alternative or equivalent arrangements shall be submitted to the Administration for approval.

### **2. Statutory surveys**

- (a) Surveys shall be conducted in accordance with IMO Resolution A.1140(31) "Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)", 2019 unless otherwise explicitly agreed by the Administration.
- (b) If the Annual, Intermediate, Periodic survey/audit/verification/inspection, or bottom surveys



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required by a Statutory Convention or Code are not carried out before the due date, (end of range date), or commenced within the range date, but not completed before the end of the range date, the affected certificates cease to be valid.

- (c) In cases of force majeure, the Administration may authorise the issuance of short-term certification until the first available opportunity. When applying for short-term certification, the Recognised Organisation shall provide full details of the situation, including relevant documentary evidence of attempts to have the surveys/audit/verification/inspection completed within the range dates and other supporting information.
- (d) In the cases stated in (b) and (c), existing certification shall be withdrawn, and the appropriate surveys/audits/verification/inspection undertaken to the extent of the survey that was not carried out (annual, intermediate, periodic, or bottom survey). New certificates shall be issued upon successful completion of the visit. The new certificate issuance shall be based on the date of completion of the visit to revalidate the certification, and the expiry date shall be the same as the original certificates.
- (e) The endorsement sections of the new certificate for the current and previous annual, intermediate, periodic survey/audit/verification/inspection or bottom survey are to be struck through.

**3. Exclusive Surveyors**

- (a) The Recognised Organisation shall only use exclusive surveyors, auditors, and inspectors to carry out statutory survey and issue certification on behalf of the Administration.
- (b) Exclusive surveyors, auditors, and inspectors are persons solely employed by the Recognised Organisation, duly qualified, trained, and authorised to carry out all relevant tasks as related upon their employer, in accordance with IACS procedural requirements.
- (c) In exceptional cases where the Recognised Organisation finds that its own exclusive surveyor is not available, the Recognised Organisation shall inform the Administration, who may then nominate an exclusive surveyor of one of the other San Marino Recognised Organisations, subject to mutual agreement.
- (d) The Recognised Organisation may subcontract radio surveys to non-exclusive surveyors in



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accordance with the relevant provisions of section 5.9 of part 2 IMO Resolution MSC.349(92) Code for Recognised Organisations (the RO Code). In such cases, the RO shall still be responsible for the certification on behalf of the Administration.

**4. Statutory Certification**

- (a) The Recognised Organisation shall make available all survey, audit, verification, and inspection reports, as well as interim and full-term certificates to the Administration for consultation.
- (b) The Administration shall be given access to online databases for the consultation of survey reports, certification, and other statutory documents and plans issued on behalf of the Administration.
- (c) For all statutory documents which must be carried on board ships that require approval by the Administration, a Recognised Organisation may proceed according to the requirements set by the respective Convention.
- (d) Certification issued in conjunction with an exemption, extension, or equivalent arrangement shall follow the Administration's instructions as well as the provision of the relevant Convention, in addition to the procedural systems of the Recognised Organisation. The alternative arrangements shall only be valid for a specific ship and for the period of time agreed upon by the Administration.
- (e) Where a ship is surveyed and found to be in compliance with a Convention that is either not in force or has not been ratified by the San Marino Government, a Statement of Compliance shall be issued on behalf of the SM MNA. This certification is subject to the same validity and verification process as a Convention certificate.
- (f) When the subject Convention is both in force and ratified by the San Marino Government, the Statement of Compliance may be replaced directly with a Convention certificate, without survey, with the expiry date being no later than that of the existing Statement of Compliance.
- (g) The SM MNA is to be notified of any changes which affect the Certificate of Registry or Class Certificate, including:
  - i. Building details, e.g., ship being rebuilt, re-measured, or undergoing major conversion.



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- ii. Ship or vessel type.
- iii. Propulsion and engine details (e.g., total power, means of propulsion, type of engines).
- iv. Ship dimensions (length, breadth, depth).
- v. Number of persons being accommodated.
- vi. Tonnage (Gross, Net).
- vii. Equipment fitted or removed to carry out a major modification.

**5. Compliance with statutory requirements**

(a) Recognised Organisation surveyors are authorised to require the rectification of deficiencies identified during surveys, which may include repair works to the ship. In addition, surveyors are authorised to carry out surveys under the MARPOL and SOLAS Conventions, if requested to do so by the appropriate authorities of a Port State<sup>1</sup>.

(b) the Recognised Organisation attending a survey shall immediately inform the Administration and ensure that appropriate corrective action is taken where the condition of a ship or its equipment<sup>2</sup>:

- does not correspond substantially with the particulars of the relevant statutory certificate;
- is such that the ship is not fit to proceed to sea without danger to the ship or persons on board;
- presents an unreasonable threat of harm to the marine environment;
- presents a threat to the security of destination ports or coastal states; or
- poses a significant danger to seafarers' safety, health, or security.

(c) Should such corrective action not be undertaken, the relevant certificate shall be withdrawn, and the SM MNA notified immediately. The appropriate authorities of the Port State shall also

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<sup>1</sup> SOLAS Chapter I, Regulation 6(b); MARPOL Annex I, Regulation 6.3.2; MARPOL Annex II, Regulation 8.2.3; MARPOL Annex IV, Regulation 4.4; MARPOL Annex VI, Regulation 5; and MLC Regulation 5.1.4.7(c).

<sup>2</sup> SOLAS Chapter I, Regulation 6(c); MARPOL Annex I, Regulation 6.3.3; MARPOL Annex II, Regulation 8.2.5; MARPOL Annex IV, Regulation 4.5; MARPOL Annex VI, Regulation 5.3.3; and MLC Regulation 5.1.4.7(c).



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be notified immediately.

- (d) Where serious deficiencies are identified, the guidance on detainable deficiencies given in Section 3 of Appendix 2 of the IMO Procedures for Port State Control 2019 (Assembly Resolution A.1138(31)) and IACS Recommendation 98 should be used as an illustrative, non-exhaustive list of deficiencies which are considered as serious concerns.
- (e) For minor items, the Recognised Organisation shall follow the requirements specified in the most recent version of IACS Recommendation 98.
- (f) In such cases where the requirements of a specific Convention or Code are temporarily not applicable under particular circumstances, the Recognised Organisation shall specify such measures or supplementary equipment as may be available to permit the vessel to proceed to a suitable port where permanent repairs or rectifications can be carried out or replacement equipment fitted. The Administration is to be notified immediately, in order to issue the appropriate conditional certificates.
- (g) The SM MNA is to be notified of any suspension and/or withdrawal of Class. In any case where Class is withdrawn from a ship in service and where a surveyor attends the ship, Recognised Organisations are authorised to remove from the ship all statutory certificates that have been issued by, or on behalf of San Marino, concurrent with the removal of Class certificates.
- (h) Whenever an accident occurs to a ship or a defect is discovered which affects the safety and integrity of the ship or the efficiency or completeness of its equipment covered by statutory conventions, the company shall immediately report the details of the accident or defect to the SM MNA and Recognised Organisation responsible for issuing the relevant certificates. If the ship is in or proceeding to the port of another Contracting Government, the master or company shall also report details of the accident or defect to the appropriate authorities of the Port State to avoid unduly delay or detention, if they are not declared.

## **6. Dual Class**

The SM MNA allows for dual Class arrangements, provided that the Classification Society acting as a Recognised Organisation for the survey and certification process is recognised by the



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Administration. Where both Classification Societies are San Marino Recognised Organisations, statutory certificates are to be issued solely by one of the two Classification Societies.