



# SEYCHELLES MARITIME SAFETY ADMINISTRATION MERCHANT SHIPPING NOTICE ON THE PROCEDURES FOR THE ISSUANCE OF DISPENSATIONS

Merchant Shipping Notice 11/2018

## Reference:

- a) **Merchant Shipping Act, 1995 and subsequent amendments**
- b) **STCW Convention, 1978, as amended**

## 1. Objective

The objective of this Merchant Shipping Notice is to set conditions for issuance of dispensations for the posts of masters and officers of ships engaged on unlimited voyage taking into account safety, security, environment and fatigue.

## 2. Scope of Application

This Merchant Shipping Notice applies to all shipping companies requesting dispensations for the posts of masters and officers of ships engaged on limited voyages.

## 3. Definition

For the purpose of this Merchant Shipping Act, unless expressly provided otherwise:

- 1) **“Certificate of Competency (COC)”** means a certificate issued and endorsed for masters, officers and GMDSS radio operators in accordance with the provisions of chapters II, III, IV or VII of the STCW Convention and entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level of responsibility specified therein.
- 2) **“Circumstances of Force Majeure”** means a specific circumstance in which general directorate decides to issue /not issue dispensation to the request of shipping company.



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- 3) **“Company”** means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by these Codes of practices;
- 4) **“Chemical Tanker”** means a ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the International Bulk Chemical Code;
- 5) **“Chief Mate”** means the officer next in rank to the master and upon whom the command of the ship will fall in the event of the incapacity of the master;
- 6) **“Chief Engineer Officer”** means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;
- 7) **“Deck Officer”** means an officer qualified in accordance with the provisions of chapter II of the STCW Convention, 1978 as amended;
- 8) **“Dispensation”** means a document issued as per provisions of this Merchant Shipping Notice issued by the Seychelles Maritime Safety Administration for issuance of dispensation entitling the lawful holder of a certificate of competency to perform in a higher capacity than stated in his/ her CoC, for specified period and on a certain ship;
- 9) **“Engineer officer”** means an officer qualified in accordance with the provisions of regulation III/I, III/2 or III/3 of the STCW Convention, 1978, as amended;
- 10) **“Master”** means the person having command of a ship;



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- 11) **“Officer”** means a member of the crew, other than the master, designated as such by national law or regulations or, in the absence of such designation, by collective agreement or custom;
- 12) **“Passenger Ship”** means a ship as defined in the International Convention for the Safety of Life at Sea, 1974, as amended;
- 13) **“Second Engineer Officer”** means the engineer officer next in rank to the chief engineer officer and upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the chief engineer officer;
- 14) **STCW Convention, 1978 as amended”** means international convention on standards of training, certification and watch keeping for Seafarers, 1978, as amended;
- 15) **STCW Code** means the seafarers' training, certification and watchkeeping (STCW ) code as adopted by the 1995 conference resolution 2, as it may be amended by the international maritime organization;
- 16) **“Unlimited Voyages”** means voyages not limited to the near coastal voyages;
- 17) **“SMSA”** Seychelles Maritime Safety Administration.

#### 4. Conditions for the Issuance of Dispensation

- 1) In circumstances of exceptional necessity, the Administration may, if it deems this does not cause danger to persons, property or the environment, issue a dispensation permitting a specified seafarer to serve in a specified ship for a specified period not exceeding six months in a capacity, other than that of the radio operator, except as provided by the



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relevant Radio Regulations, for which he does not hold the appropriate certificate, provided that the person to whom the dispensation is issued shall be adequately qualified to fill the vacant post in a safe manner to the satisfaction of the competent authorities;

- 2) Dispensations shall not be granted to a master or chief engineer officer, except in circumstances of *force majeure* and then only for the shortest possible period;
- 3) Any dispensation granted for a post shall be granted only to a person properly certificated to fill the post immediately below;
- 4) Where certification of the post below is not required, a dispensation may be issued to a person whose qualification and experience are, in the opinion of the Administration, of a clear equivalence to the requirements for the post to be filled, provided that, if such a person holds no appropriate certificate, he or she shall be required to pass a test accepted by the Authority as demonstrating that such a dispensation may safely be issued. In addition, the Administration shall ensure that the post in question is filled by the holder of an appropriate certificate as soon as possible;
- 5) The Administration shall inform the IMO of the total number of dispensations in respect of each capacity for which a certificate is required that have been issued during the year to seagoing ships, together with information as to the numbers of those ships above and below 1600 gross register tons respectively.



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- 6) Shipping company must have taken all necessary steps to fill the vacant post by a seafarer holding appropriate certificate or recognition endorsement as soon as possible.

### **5. Procedures for requesting dispensation**

- 1) Receive request for granting of dispensation under article VIII of STCW 78 Convention. Company provides all information Ref : PC – Form – 01
- 2) Relevant Chief Examiner/ Examiner evaluates the applications, and issue dispensation up on the fulfillment of the dispensation issuance procedure stipulated in Article 4.

Issued on 18 January 2018



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### Annex

#### APPLICATION FOR DISPENSATION

- \* Ship Name
- \* Port of Registry
- \* IMO No
- \* Official No.
- \* Call Sign
- \* Ship's present Locations
- \* Intended date of departure
- \* Intended voyages over the dispensation period request
- \* Particulars of cargo at presently loaded on board and particulars of cargo expected to be loaded during the dispensation period request.
- \* Name and the certificate No of the Master
- \* Particulars of the post the dispensation is required.
- \* The date which the post fell vacant.
- \* Particulars why became vacant
- \* Particulars of efforts being made to locate the properly qualified replacement
- \* Full name of the seafarers
- \* Date of birth
- \* Experience within the previous 2 years.
- \* Certificate No held.
- \* Country issued
- \* Date of issue
- \* Date of endorsement
- \* Last revalidation & date of expiry.

#### 6. Maintenance of the records

For more effective monitoring of dispensation granted, the following records in respect of all dispensations issued shall be maintained

Seychelles Maritime Safety Administration, Trinity House: 2<sup>nd</sup> floor, Victoria, Mahe, Seychelles,  
Tel. +2484224866, Email:- [dg@smsa.sc](mailto:dg@smsa.sc) website:[www.seymaritimesafety.com](http://www.seymaritimesafety.com)



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- \* Name of the company.
- \* Name of the ship
- \* IMO number of the ship
- \* Type of vessel
- \* Gross Tonnage and propulsion power
- \* The capacity concerned
- \* Seafarer's name
- \* Seafarer's nationality
- \* Seafarer' date of birth
- \* The number of the sealer's certificate of competency
- \* The number of the recognition endorsement, if applicable.
- \* The country issuing the certificate of competency.
- \* The number and validity period of the dispensation

**Note 1:** the related information regarding total number of dispensation issued shall be reported to the Secretary General of the IMO



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MINISTRY OF FOREIGN AFFAIRS, AND TRANSPORT  
Department of Transport

**Seychelles Maritime Safety Administration**

New Port, P. O. Box 912, Republic of Seychelles

Tel: 4224866, Telefax 4224829, E-mail: [dg@smsa.sc](mailto:dg@smsa.sc)

*Please address all correspondence to the Director General*



Our Ref: SMSA/TC/6

Date:

### DISPENSATION CERTIFICATE

Issued under the provisions of the

#### Particulars of Vessel

Name :

Port Of Registry:

Official Number :

Call Sign :

Issued under the authority of  
The Government of Seychelles by the Seychelles Maritime Safety Administration

The Seychelles Maritime Safety Administration under the authority of the Government of the Republic hereby confirmed that **xxxxx** holding **CDC** number **xxxxx** and Certificate of Competency number **xxxxx** is allowed to function as the **xxxxxx** of the above vessel. The dispensation issued to **xxxxx** is valid from **xxxxx** till **xxxxx**. The vessel is expected to sail from port of **xxxxx** on **xxxxx** to **xxxxx** Island and back around the **xxxxx**

This dispensation is issued under the merchant shipping Act No. **III (19(1))** dated **1992 (S.I. 56 of 1995)** of Seychelles

Seychelles Maritime Safety Administration, Trinity House: 2<sup>nd</sup> floor, Victoria, Mahe, Seychelles,  
Any queries please contact the undersigned.  
Tel: +2484224866, Email: [dg@smsa.sc](mailto:dg@smsa.sc) website: [www.seymaritimesafety.com](http://www.seymaritimesafety.com)

Tel: (248) 4224866 Fax: (248) 4224829

Email: [director@smsa.sc](mailto:director@smsa.sc)





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*Please address all correspondence to the Director General*

### SEYCHELLES MARITIME SAFETY ADMINISTRATION

#### Dispensation Application Form

1. Ship Name : .....
2. Port of Registry: .....
3. IMO No : .....
4. Official No: .....
5. Call Sign: .....
6. Ship's present Locations : .....
7. Intended date of departure : .....
8. Intended voyages over the dispensation period request : .....

Seychelles Maritime Safety Administration, Trinity House: 2<sup>nd</sup> floor, Victoria, Mahe, Seychelles,  
Tel. +2484224866, Email:- [dg@smsa.sc](mailto:dg@smsa.sc) website:[www.seymaritimesafety.com](http://www.seymaritimesafety.com)



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- 9. Particulars of cargo at presently loaded on board and particulars of cargo expected to be loaded during the dispensation period request.: .....
- 10. Name and the certificate No of the Master : .....
- 11. Particulars of the post the dispensation is required. : .....
- 12. The date which the post fell vacant: .....
- 13. Particulars why became vacant : .....
- 14. Particulars of efforts being made to locate the properly qualified replacement:  
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- 15. Full name of the seafarers: .  
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- 16. Date of birth : .....
- 17. Experience within the previous 2 years.  
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- 18. Certificate No held: .....
- 19. Country issued : .....



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20. Date of issue : .....
21. Date of endorsement : .....
22. Last revalidation & date of expiry: .....