



# **The Seychelles Maritime Safety Administration Merchant Shipping Notice on Application of Mandatory and Non-mandatory Requirements for Seychelles Registered Foreign Going Vessels**

## **Merchant Shipping Notice No. 04/2018**

**Subject: Guidance and Instructions for Recognised Organisations, Ship Builders, Ship Owners, Managers and Masters serving on board Seychelles registered foreign going vessels**

- References:**
- (a) Merchant Shipping Act 1995 and amendments of 2014**
  - (b) SMSA Quality Manual**
  - (c) IMO mandatory Instruments Implementation Code ( III Code)**
  - (d) SOLAS Convention, 1974 as amended and Protocol of 1988, MARPOL, 1978 Annex I and II, MLC, 2006, LOAD LINE Convention, 1966 as amended, Protocol 1988**

### **1. Purpose**

This Merchant Shipping Notice provides guidance on the technical standards which are to be applied on Seychelles registered foreign going ships.

### **2. General**

- 1) The technical requirements for Seychelles registered foreign going vessels are the applicable International Conventions of the International Maritime Organisation (IMO), International Labour Organisation (ILO), and International Telecommunication Union (ITU), together with amendments and mandatory resolutions that have been adopted and which have been enacted through the Seychelles Merchant Shipping Act.
- 2) The Conventions ratified by the Government of Seychelles which apply to Seychelles registered ships are listed Merchant Shipping Notice 05/ 2018.



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- 3) Conventions to which Seychelles is a Party and that require survey, certification and certification by Recognized Organizations delegated by Seychelles are applied “as amended”, unless otherwise stated.
- 4) Recognised Organisations, in line with their authorisation, are required to support and implement where practicable, non-mandatory international requirements when performing approval, survey, audit and certification.
- 5) In applying standards, Recognised Organisations delegated by Seychelles must take account of any relevant interpretation, clarification or other advice issued by the Seychelles Maritime Safety Administration (SMSA) in any Administrative issuances.
- 6) In the absence of such SMSA issued direction, IMO guidance as contained in IMO Resolutions and Circulars should be considered.
- 7) In the absence of either flag State or IMO guidance, relevant technical standards of the Recognised Organisation, including IACS Unified Requirements, Unified Interpretations, Procedural Requirements, etc. must be considered. Masters, Ship owners, managers, recognized organizations and builders shall take the above into account.

### **3. Interpretations, Exemptions and Equivalents**

3.1. While interpretations of the applicable instruments as well as the determination of equivalents or the acceptance of substitutes to the requirements of the applicable instruments are the prerogative of the Administration, ROs acting on behalf of SMSA will cooperate in their establishment, as necessary.



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3.2. Exemptions from the requirements of the applicable instruments are the prerogative of the Administration and must be approved by the Administration prior to issuance.

3.3. In instances where, temporarily, the requirements of an applicable instrument cannot be met under particular circumstances, surveyors of the ROs delegated by Seychelles will 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 effected or replacement equipment fitted.

3.4. SMSA informs all the concerned that procedures for the issuance of exemptions and equivalents is provided in Merchant Shipping Notice 08/ 2017.

#### **4. Issuance of Document of Compliance**

In instances where request has been received to document compliance with a Convention which is not ratified or acceded to by Seychelles, and where a ship is surveyed and found to be in compliance with such Convention ROs my issue a document of Compliance .

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