

No.12 Procedure for Statutory Certification at Change of Class without Change of Flag

(Rev.0
July 2009)

(Rev.1
Nov. 2012)

(Rev.2
June 2016)

1 General

1.1 This Procedural Requirement lays down common procedures and minimum requirements for statutory surveys and certification which Societies subject to verification of compliance with QSCS shall follow at change of class, when there is no change of Flag involved.

1.2 However, this Procedural Requirement does not prevent the gaining Society from expanding the scope of statutory surveys at its own discretion or in accordance with the requirements or instructions of the relevant flag State Administration.

1.3 For general guidance, the gaining Society may refer to IACS Recommendation 98 "Duties of Surveyors under Statutory Conventions and Codes". For specific guidance in these cases, the gaining Society shall refer to its agreement with, or instruction from, the flag State Administration.

2 Application and Definitions

2.1 This procedure assumes the flag State Administration has authorized the gaining Society to issue statutory certificates on its behalf.

2.2 This document does not apply in case of transfer of ISM and ISPS Code certification between Societies acting as R.O., which is governed in IACS PR18, and MLC 2006 certification, which is governed by IACS PR36.

2.3 Statutory Conditions to be read throughout this Procedural Requirement should be according to the definition of Recommendation 98

2.4 'Conditions of Class' to be read through this Procedural Requirement according to the definition of "Recommendations/Conditions of Class' included in PR35.

2.5 'Plan Appraisal" means the process of plan and document review and/or approval in accordance with the authorization by the flag State Administration.

2.6 For definitions of 'permanent, interim and conditional certificates, refer to IACS Recommendation 98, for other terminologies not defined in this Procedure, reference is to be made to the definitions in IACS PR1A.

Notes:

1. This Procedural Requirement applies from 1 July 2009.
2. Revision 1 of this Procedural Requirement applies from 1 July 2013.
3. Revision 2 of this Procedural Requirement applies from 1 January 2017.

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3 Obligations and reporting

3.1 Societies shall follow the principles as contained in Section A- Procedural Requirements of IACS PR1D or PR1A, as applicable, in order to comply with the applicable requirements of paragraph 3.9.3.4, 3.9.3.5 and 3.9.3.6 of RO Code (IMO Resolution MSC. 349(92)).

In cases where one of the Societies is not subject to verification of compliance with QSCS and does not fulfil its obligations or provide adequate cooperation as required in RO Code, the remaining Society who holds a QSCS certificate should make an effort in good faith to fulfil its own obligations as deemed necessary and possible based on its professional judgement, the relevant requirements of RO Code, and special instruction requested from the flag State Administration.

3.2 Other than surveys to be held to the extent as required below in this Procedural Requirement, as the special precautions taken for transfer of statutory certification, it is noteworthy that:

3.2.1 For vessels subject to PR1A, the gaining Society is not to issue any new certificates, or other documents enabling the vessel to trade until all overdue surveys of class and all overdue conditions of class, previously issued against the vessel as specified by the losing Society, have been completed and rectified by:

- a) the gaining Society, for vessels less than 15 years of age^(Note 1);
- b) the losing Society, for vessels 15 years of age and over.

3.2.2 For vessels subject to PR1D, the principles contained in 3.2.1 above shall be followed. In case where 3.2.1 b) as noted above is unable to be implemented, the gaining Society shall seek to undertake the relevant obligations, or request special instruction from the flag State Administration.

4 Plans and information

4.1 At its own discretion or upon the specific requirements or instructions of the flag State Administration, the gaining Society shall request, from the owner, the appraisal or submission of plans, documents or alternative technical information to support the issuance of statutory certificates or other documents. However, having made an effort in good faith to obtain the information, if it proves not practicable to acquire certain plans as required, equivalent/alternative technical data must be provided prior to issuing any certificates.

4.2 In cases where the vessel has been previously classed by the gaining Society or a Society subject to verification of compliance with QSCS, the submission of plans may be specially considered subject to confirmation of no alteration/modification to the vessel.

4.3 In addition to 4.2 as above, historical statutory documentation as listed in IACS Recommendation 117 shall, within the limitations set by the Flag state concerned and by national legal constraints, be duly transferred between Societies if requested by the gaining Society. In case of Alternative Design and Arrangements involved, the documentation of approval of Alternative Design and Arrangements pertaining to statutory aspects should be requested to be submitted by the Owner or provided by the losing Society. Transfer of additional material supporting the issuance of statutory certification shall be considered by the losing Society, upon request by the gaining Society.

(Note 1) To be calculated from the date of delivery to the date of the request to change class is received by the gaining Society.

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5 Scope of surveys

5.1 For vessels subject to IACS PR1D, regardless of the type of statutory certificate or its remaining validity period, the gaining Society shall carry out a full Renewal Survey prior to issuing any certificate to replace the one previously issued by the losing Society.

5.2 For vessels subject to IACS PR1A, the gaining Society may take into account the type of the previously issued statutory certificate and its remaining validity period to determine the scope of surveys to be held as noted below:

5.2.1 If the vessel's existing certificate is expired or is valid through an extension at the date of change of class, the gaining Society shall carry out a full Renewal Survey prior to issuing any certificate.

5.2.2 If the vessel has a permanent/interim certificate issued by the losing Society at the date of change of class, the following procedures are applicable:

- a) Prior to the issuance of a Passenger Ship Safety Certificate the gaining Society shall carry out a full Renewal Survey.
- b) Prior to the issuance of a Cargo Ship Safety Radio Certificate, the gaining Society shall carry out a full Renewal Survey (in case of non-HSSC certification) or a full Periodical Survey (in cases of HSSC certification). In cases where the Cargo Ship Safety Radio survey carried out due to change of class is not to be credited as periodical or renewal survey and the service supplier used by the losing Society is acceptable to the gaining Society, the survey may be limited to a general verification by the attending surveyor based on the last service report.
- c) For other statutory certificates, the gaining Society shall carry out a Mandatory Annual Survey.

5.2.3 If the vessel has a conditional certificate or a full term certificate, which validity is limited by Statutory conditions existing with assigned due date, issued by the losing Society at the date of change of class, in addition to the scope of surveys to be held as indicated in 5.2.2 above, the deficiencies/defects with the details of any relevant requirements or provisos, noted on or attached with certificate should be re-examined by the gaining Society.

5.2.4 During a Mandatory Annual Surveys and/or the Periodical Survey for Safety Radio as noted above, if the Surveyor finds any detainable deficiencies/defects or a significant number of minor deficiencies/defects which indicate the condition of the vessel or its equipment does not correspond substantially with the particulars of the certificate issued by the losing Society, then a full Renewal Survey shall be carried out prior to the issuance of any certificate.

5.3 In case of change of class due to the losing Society's authorization for statutory surveys being withdrawn or terminated by the flag State Administration, the gaining Society may request special instruction from the flag State Administration for the scope of surveys to be held, which are to be not less than the requirements in 5.1 and 5.2 as noted above.

6 Type and validity period of certificates

6.1 For type and validity period of certificate to be issued, the gaining Society may refer to IACS Recommendation 98, taking into account the validity period of the existing certificate, the existing deficiencies/defects (if any), and new deficiencies/defects if found. If a permanent certificate is issued by the gaining Society on completion of survey not credited as renewal

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survey, its validity period is not to exceed the validity period of the existing permanent certificate issued by the losing Society which it replaces.

Societies may issue interim certificates pending issuance of the permanent certificate by their head office if that is their practice.

6.2 In cases where the outstanding Statutory conditions previously issued against the vessel by the losing Society exist at the date of change of class and therefore a new certificate is to be issued by the gaining Society upon completion of relevant surveys as noted above, the validity of the certificate is subject to the outstanding Statutory Conditions related to existing deficiencies/defects being completed by the due date as specified by the losing Society. The new certificate should be issued with the appropriate expiry date according to the certificate previously issued by the losing Society.

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