
4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

Circular Letter No.4235/Add.9
6 April 2023

To: All IMO Members
Intergovernmental organizations
Non-governmental organizations in consultative status

Subject: **Communication from the Government of the Federal Republic of Germany**

The Government of the Federal Republic of Germany has sent the attached communication, dated 5 April 2023, with the request that it be circulated by the Organization.



Bundesministerium für Digitales und Verkehr • Postfach 20 01 00, 53170 Bonn

Mr
Kitack Lim
Secretary-General
International Maritime Organization
4 Albert-Embankment

London SE1 7SR
United Kingdom of Great Britain and Northern
Ireland

Dr. Norbert Salomon
General Director Waterways and
Shipping

Robert-Schuman-Platz 1
53175 Bonn

Postanschrift:
Postfach 20 01 00
53170 Bonn

Tel. +49 228 99-300-4400
Fax +49 228 99-300-4499

www.bmdv.bund.de

Subject: Update on German measures concerning COVID-19

Reference to: IMO Circular letters No. 4235, No. 4235/Add.2,
No. 4235/Add.3, No. 4235/Add.5, No. 4235/Add.6 and No. 4235/Add.8

Our reference: WS20/6278.4/6

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Dear Secretary-General,

With reference to Circular letters No. 4235, No. 4235/Add.2, No. 4235/Add. 3
No. 4235/Add. No. 4235/Add.6 and No. 4235/Add.8

I would like to inform you about updated German measures concerning the
COVID-19 pandemic which are included in the annex.

I would kindly ask you to forward the information to the other IMO Member
States.

Once again, I would like to thank you and your staff for supporting the interna-
tional shipping industry in coping with the COVID-19 crisis.

Yours sincerely,

Dr. Norbert Salomon
Director-General for Waterways and Shipping
Federal Ministry of Transport and Digital Infrastructure





Bundesrepublik Deutschland

Federal Republic of Germany



Current measures of the German Flag as a consequence of the COVID-19 pandemic

As at: 30 March 2023

Due to the global coronavirus pandemic, the German flag has in the past temporarily issued or renewed ship certificates without surveys. Since ship surveys are now being carried out again, the German Flag is currently following the recommendations made by IMO in its Circular Letter No. 4204/Add.19/Rev.3 of 22 July 2020 and will only waive surveys in exceptional circumstances.

In addition, refresher courses for seafarers are again being offered and conducted reliably so that all prerequisites for the renewal of certificates of competency can be met.

Therefore, the German Flag has decided to revoke the package of measures implemented for reasons of the COVID-19 pandemic as from 30 June 2023.

1. Statutory ship certificates

The following applies to German-flagged ships:

- As was the case before the outbreak of the COVID-19 pandemic, the issuance and renewal of ship certificates requires the prior inspection of the ships by surveyors of the recognised classification societies or the Ship Safety Division of BG Verkehr or the Federal Maritime and Hydrographic Agency (BHS). Moreover, it is once again necessary to conduct surveys (intermediate surveys) for the endorsement of certificates.
- Only in exceptional circumstances – for example if a survey cannot be conducted in a port due to COVID-19 safeguard measures – can the German Flag waive – until 30 June 2023 – the survey on a case-by-case basis and after assessment of the following documents:

Ship certificates and ISM:

1. Declaration of the shipowner explaining the circumstances/special conditions as a result of the COVID-19 restrictions that make it impossible to conduct a survey
2. Declaration/recommendation of the classification society responsible for the ship, including consultation of the latest class status records
3. Evaluation of existing conditions of the classification society responsible for the ship (class conditions)
4. Access to the report of the last inspection of the ship's bottom, indicating IW (In Water) or Dry Docking
5. Evaluation of the results from the databases of the respective port state control regime (PSC MoUs)
6. Evaluation of the latest ISM audit report
7. For non-convention ships (which are not subject to international conventions, such as SOLAS and others) and fishing vessels with a length of more than 24 metres: evaluation of the latest flag state reports

ISPS, including the International Ship Security Certificate (ISSC):

1. Declaration of the shipowner setting forth the circumstances / special conditions as a result of COVID-19 restrictions that make it impossible to conduct a survey
2. Declaration/recommendation of the classification society which is responsible for the ship (as RSO)
3. Evaluation of the results from the databases of the respective port state control regime (PSC MoUs, Thetis-EU MarSec)
4. Evaluation of the latest ISPS audit report

In these exceptional circumstances, the German Flag can issue electronic short-term certificates that are valid until the date on which a survey of the ship is possible. Even in these exceptional circumstances, shipping companies must comply with all technical and operational provisions on their ships.

2. Seafarers' certificates

Due to COVID-19 mitigation measures, the following rules apply with regard to seafarers' certificates; however, they do not apply beyond 30 June 2023:

- The validity of all seafarers' certificates (certificates of competency, certificates of proficiency and documentary evidence) issued by the German shipping administration or by certified course providers that expired before 1 July 2021 is extended by 6 months; no application by the individual seafarer is needed for this purpose.
- The validity of endorsements of recognition issued by the German shipping administration is extended by up to 6 months. The extension of the validity of the endorsements of recognition is in line with the measures taken in the context of the coronavirus crisis by the relevant certificate-issuing administration.

3. Port State Control

Germany is resuming the performance of regular port state control inspections.

4. Security inspections

All security-related inspections and checks (ISPS A 19, ISPS A 4.4 as well as SOLAS XI-2/9.1 and 9.2) are taking place again in compliance with all required hygiene measures.

5. Statutory ship certificates required under the provisions of the German Maritime Labour Act

In the case of an expired maritime labour or fishing labour certificate, the same principles as described in no. 1 ("Statutory ship certificates") apply; this, too, is limited until 30 June 2023.

6. MARPOL and ballast water inspections, inspections in accordance with the Sulphur Directive

In principle, the river police forces of the federal states are again carrying out ship inspections in accordance with MARPOL, the Ballast Water Convention, the AFS Convention as well as the EU Sulphur Directive 2016/802 without limitations in compliance with all necessary hygiene measures.