



Comando Generale del Corpo delle Capitanerie di porto

Reparto VI - Sicurezza della navigazione e Marittima



COVID-19 e Diritto Marittimo

Le certificazioni delle navi e la formazione del personale marittimo al tempo del coronavirus

12 giugno 2020



Le certificazioni delle navi

<http://www.guardiacostiera.gov.it/normativa-e-documentazione/Pages/circolari.aspx>

PORT STATE CONTROL			
Nr	PROTOCOLLO	DATA	ARGOMENTO
1	Nota di coordinamento nazionale PSC	06.03.2020	Ispezioni PSC nei porti nazionali - Coronavirus
2	Nota di coordinamento nazionale PSC	06.04.2020	CIC 2020
3	Nota di coordinamento nazionale PSC	8.04.2020	PSCircular 97 in merito all'applicazione di alcune regole della MLC 2006
			Information note on maritime labour issues and coronavirus (COVID-19)
			PSCircular 97 TEMPORARY GUIDANCE RELATED TO COVID-19 FOR PORT STATE CONTROL AUTHORITIES
4	Circolare MOU 24	29.04.2020	Attività di "port State control" nei confronti di navi ONG che approdano nei sorgitori nazionali
5	Nota di coordinamento nazionale PSC	09.05.2020	Paris MoU Press release on updated and public guidance COVID-19 PRESS RELEASE AND PSCircular 97 (rev.2)

PERSONALE NAVIGANTE			
Nr	PROTOCOLLO	DATA	ARGOMENTO
1	Lettera Circolare 34468	19.03.2020	Emergenza epidemiologica da COVID-19 – Proroga scadenza Certificati di addestramento per corsi STCW
2	Lettera Circolare 34597	19.03.2020	Emergenza epidemiologica da COVID-19 – Proroga scadenza attestati di addestramento per il corso "Istruzione e addestramento per il personale in servizio su navi passeggeri" (D.D. 15 febbraio 2016).
3	Lettera Circolare 34461	19.03.2020	Emergenza epidemiologica da Covid-19 – Proroga termini per l'effettuazione aggiornamenti corsi in materia di "Maritime Security".
4	Lettera Circolare 34888	20.03.2020	Emergenza epidemiologica da COVID-19 – Addestramento specifico e familiarizzazione con il sistema ECDIS di bordo.

MERCİ PERICOLOSE			
Nr	PROTOCOLLO	DATA	ARGOMENTO
1	Circolare - serie: Mercı Pericolose - n. 37	31.03.2020	Coronavirus (nCov-201) - Formazione in scadenza del "personale di terra" operante nel trasporto marittimo delle merci pericolose



Le certificazioni delle navi

<http://www.guardiacostiera.gov.it/normativa-e-documentazione/Pages/circolari.aspx>

FLAG STATE			
Nr	PROTOCOLLO	DATA	ARGOMENTO
1	Circolare - non di serie - n. 04	06.03.2020	Coronavirus (nCov-2019) - Visite/ispezioni a bordo
2	Circolare - non di serie - n. 05	16.03.2020	Coronavirus (nCov-2019) – Visite in Commissione
3	Circolare - non di serie - n. 06	16.03.2020	Coronavirus (nCov-2019) – Service periodici eseguiti da ditte esterne
4	Dp - U.0033646	17.03.2020	Directive EU 2017/2110 - pre-commencement and regular inspection - Emergenza sanitaria COVID-19
5	Circolare - non di serie - n. 09	19.03.2020	Coronavirus (nCov-2019) – Visite carena a secco
6	Circolare - non di serie - n. 10	23.03.2020	Coronavirus (nCov-2019) – Proroga dei certificati di sicurezza del naviglio nazionale
7	Dp - U.0035892	24.03.2020	Emergenza sanitaria n. Cov-19. Chiarimenti
8	Circolare - non di serie - n. 11	31.03.2020	Decreto dirigenziale 16 luglio 2002, n. 641 – Modalità di revisione delle zattere di salvataggio gonfiabili, delle cinture di salvataggio gonfiabili, dei dispositivi di evacuazione marini e degli sganci idrostatici – Stazioni di revisione – Coronavirus (nCov-19), ispezioni periodiche in Commissione
9	Circolare - non di serie - n. 13	06.04.2020	Coronavirus (nCov-2019) – Costruzione e service dei dispositivi di salvataggio
10	Circolare - non di serie - n. 14	08.04.2020	Coronavirus (nCov-2019) – Attività di valutazione della conformità per la certificazione degli equipaggiamenti marittimi, con particolare riguardo all’applicazione della direttiva 2014/90/UE (MED) – Disposizioni applicative
11	Circolare - non di serie - n. 15	10.04.2020	Coronavirus (nCov-2019) – Istruzioni operative per la per certificazione MLC,2006
12	Circolare - non di serie - n. 16	30.04.2020	Coronavirus (nCov-2019) – Proroga dei certificati di sicurezza del naviglio nazionale rientrante nel campo di applicazione del D.P.R. 8 novembre 1991, n. 435
13	Circolare - non di serie - n. 17	01.05.2020	Coronavirus (nCov-2019) – Durata massima del servizio reso a bordo dal personale navigante - MLC,2006
14	Circolare Serie Istruzioni ad Organismi Affidati: n. 22/2020	14.05.2020	Coronavirus (nCov-2019) – Prove/verifiche e visite delle sistemazioni di carico e scarico e degli altri mezzi di sollevamento.
15	Circolare - non di serie - n. 19	17.05.2020	Coronavirus (nCov-2019) – Visite ed ispezioni alle navi.



Certificazione della nave

Le ispezioni relative al rilascio o alla convalida dei certificati statutari sono state regolate da diverse lettere circolari: 4/2020, 5/2020 , 10/2020 , 16/2020 e 19/2020

Circular Letter No.4231/Add.6
Annex, page 1

ANNEX

Rome, 15 May 2020
(i.o.c. Rear Admiral (ITCG) Luigi GIARDINO
e-mail: segreteria.norato6@unif.gov.it)



**Ministry of Infrastructures and
Transport**
Italian Coast Guard Headquarters
Safety of Navigation and
Maritime Security Department

HE Mr. Kitack Lim
Secretary General of
International Maritime Organization



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Subject: Measures to Address Covid-19.

Dear Secretary-General Lim,

Unprecedented and unexpected developments brought about by the rapid spread of coronavirus (COVID-19) are having a major impact on the health of the world's population.

For this reason, governments have been implementing measures to limit the spread of Covid-19, *inter alia*, by denying travel or by imposing 14 days of quarantine.

In its efforts to abide by these restrictions, the Italian Coast Guard Headquarters has been facing difficulties in carrying out its usual activities and in carrying out the processes of verifying and certifying ships.

In particular, ships are in many cases no longer in the position to be inspected and surveyed on-site and the Italian Coast Guard Headquarters is therefore granting the extension of the statutory certification in application of the relevant conventions.

Consequently, once the period of grace elapses, the Italian Coast Guard will return to normal on-site survey procedures. If this is not possible we will:

- Carry out remote survey/inspection techniques; and
- Issue a short-term certificate with validity limited to 12 (twelve) months.

We would like to ask the Secretariat to kindly disseminate this information regarding the ship's certification to all Member States of the IMO.

Your valuable attention to this matter would be very much appreciated.

The Italian Coast Guard takes this opportunity to renew the assurances of its highest consideration.

The General Commander
Vice Admiral (ITCG) Giovanni PETTORINO

4 ALBERT EMBANKMENT
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Circular Letter No.4231/Add.6
15 May 2020

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

Subject: **Communication from the Government of the Republic of Italy**

The Government of the Republic of Italy has sent the attached communication, dated 15 May 2020, with the request that it is circulated by the Organization.



Certificazione della nave

Le ispezioni relative al rilascio o alla convalida dei certificati statuari sono state regolate da diverse lettere circolari: 4/2020, 5/2020 , 10/2020 , 16/2020 e 19/2020

- On-site
- proroga
- On-site
- Remoto e rilascio di un certificato short term (12 mesi)



Ispezioni alla carena

In caso di giustificata impossibilità per la nave di entrare in bacino, l'ispezione alla carena a secco può essere rinviata subordinatamente al positivo risultato di un'ispezione alla carena a nave galleggiante.



**Ministry of Infrastructures and
Transport**
*Italian Coast Guard Headquarters
Safety of Navigation and
Maritime Security Department*

Rome, 23rd March 2020
(p.o.c. Rear Admiral (ITCG) Luigi GIARDINO
e-mail: segreteria_rsparto6@mit.gov.it)

HE Mr. Kitack Lim
Secretary General of
International Maritime Organization



E

Subject: Measures to Address Covid-19.

Dear Secretary-General Lim,

Stringent restrictions have been implemented by the Coastal States as a result of the coronavirus outbreak. In its efforts to abide by these restrictions, the Italian Coast Guard Headquarters is facing criticism related in particular to a sharp slowdown of ships going into dry-dock and, in some cases, the banning of ships' access.

Consequently, ships are no longer in the position to start the dry-dock survey by the time required by SOLAS Regulation I/10(a)(v), although it has been demonstrated that the dry-dock was scheduled well in advance.

In adapting to these changes and in order to ensure the ships' safety, the Italian Coast Guard has introduced measures to verify – within the time period established by the current rules - the condition of the bottom of the ships flying the Italian flag.

In particular, in cases of justified impossibility for the ship enter dry-dock, it has been decided that the in dry - dock bottom ship's inspection can be postponed subject to the satisfactory result of an in-water bottom survey. In light of the ongoing emergency situation, this is the approach we will continue to take until 30th June 2020.

We would therefore like to ask the Secretariat to kindly have this information regarding the postponement of the required bottom dry-dock inspection circulated to all Member States of the IMO.

Your valuable attention to this matter is very much appreciated.

The Italian Coast Guard avails itself of this opportunity to renew the assurances of its highest consideration.

The General Commander
Vice Admiral (ITCG) Giovanni PETTORINO

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Circular Letter No.4231/Add.1
2 April 2020

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

Subject: **Communications from the Government of the Republic of Italy**

The Government of the Republic of Italy has sent the attached communication, dated 23 March 2020, with the request that it is circulated by the Organization.



Maritime Security



Brussels, 18 May 2020
(OR. en)

7901/20

Interinstitutional File:
2020/0068(COD)

CODEC 373
TRANS 201
MAR 74
PE 22

INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down specific and temporary measures in view of COVID-19 outbreak and concerning the validity of certain certificates, licences and authorisations and the postponement of certain periodic checks and training in certain areas of transport legislation
– Outcome of the European Parliament's first reading
(Brussels, 13 to 16 May 2020)

Article 16

Extension of time limits provided for in Regulation (EC) No 725/2004

Article 17

Extension of time limits provided for in Directive 2005/65/EC



Service periodici

Controllo periodico delle stazioni di revisione (Zattere, giubbotti, MES e ganci idrostatici)

Procedure di valutazione della conformità eseguite da organismi notificati ai sensi della direttiva 2014/90/UE (Direttiva MED) per la certificazione degli equipaggiamenti marittimi.

Costruttori e service di mezzi di salvataggio (LSA).

Corsi di aggiornamento del personale che opera nel settore delle merci pericolose.



**Ministry of Infrastructure and Transport
Italian Coast Guard Headquarters
VI Department – Safety of Navigation and Maritime Security**

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International
Labour
Organization

**Information note on maritime labour
issues and coronavirus (COVID-19)**

7 aprile 2020

a. proroga – ricorrendone i presupposti - della validità del Certificato nave per 3 mesi;

b. dispensa – singole unità e per singoli viaggi - dal “divieto di rinuncia al congedo annuale (cd. *annual leave*)” previsto dallo standard A2.4, paragrafo 3, della MLC,2006.

Subject: M/V “MARIA CRISTINA RIZZO” – IMO No. 9448592

TO WHOM IT MAY CONCERN

The Italian Coast Guard Headquarters respectfully recalls to the attention of your good Administration that the COVID-19 pandemic is a serious crisis that has far-reaching impact on many fronts, including global trade and crew changes.

Given this situation:

Having regard to the application submitted by RB RD Armatori S.r.l. dated 3rd June 2020 aimed to obtain a dispensation from the prohibition on forgoing annual leave under Standard A2.4, paragraph 3, of the MLC,2006;

Having regard to the “*Information note on maritime labour issues and coronavirus (COVID-19)*”, issued by ILO on 7th April 2020, in particular points 19 and 20;

Having regard to the provisions of Standards A2.4 paragraph 2 and 3 and A2.5 paragraph 2 of the MLC,2006;

Having regard to the ILO FAQs point C.2.4.c and C.2.1.j;

Considering the Italian Coast Guard Headquarters Circular letter 17/2020, dated 1st May 2020, by which – with the agreement of the Italian Competent Authority – it has been granted the extension of the maximum duration of service period on board;

Having regard to the:

- Seafarers’ – Mr. ARCEO PABLO NANTES and Mr. LALOGO JAY GONZALES – consents to remain on board beyond the default 11-month maximum period of service established by MLC,2006 demonstrated by the SEAs signed by the parties;
- Seafarer’s – Mr. IGOT REYNALDO ALEGRES – consent to remain on board beyond the 14-month maximum period of extended of service, established by MLC,2006 demonstrated by the SEA signed by the parties;

Having regard to the:

- Assurance submitted by the ship’s Company and instruction given to the Master regarding the application of the following precautionary measures:
 - the working period assigned is limited - considering the rank - and the rest period granted higher than the provisions of Standard A2.3 para 5 letter (b) of the MLC, 2006;
 - The work/rest record book filled out considering the work/rest hours actually performed;
 - The working hours reduction not affecting the seafarer’s wage;
 - Telephone cards or internet access for connections with family distributed free of charge;
 - Video conference or telephone contact with a psychologist arranged;

Having regard to:

- Master’s statement assuring that the danger caused by the fatigue of seafarers, especially those whose duties involve navigational safety and the safe and secure operation of the ship will be taken into account;
- Voyage plan showing that the ship is bound for a COVID-19 area;
- Amendments to the relevant parts of the Declaration of Maritime Labour Compliance – Part II;
- Company declaration stating how the crews’ rights are protected in light of the extended stay on board and what plans have been planned to repatriate the crew as expeditiously as possible;

Taking into consideration:

- Article V point (2) of the FAL Convention;
- IMO Circular letter about the contingency situation of COVID-19;

the Italian Coast Guard – Safety of Navigation and Maritime Security Department

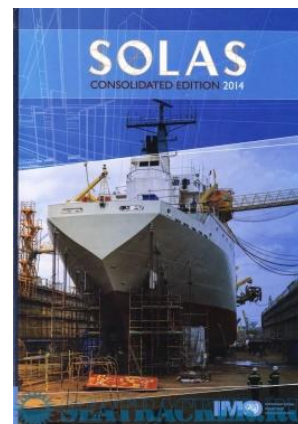
DISPENSES

M/v “MARIA CRISTINA RIZZO” – Italian flag, IMO No. 9448592 for a voyage from Tanjung Bara (Indonesia) to Haimen (China) to be carried out within 12th June 2020 - from the prohibition on forgoing annual leave under Standard A2.4, paragraph 3, of the MLC,2006, for imperative reasons of public health emergency such as the need to contain the current COVID-19 pandemic.

Rome, 4th June 2020

**The Head of Safety of Navigation
and Maritime Security Department
Rear Admiral UH (ITCG) Luigi GIARDINO**

STATISTICA	
May 2020	April/May 2020
Standard A2.4, para. 3 - MLC,2006	Regulation V/14 e V/3 SOLAS Convention 74, as amended
45	27





Circular Letter No.4204/Add.1
19 February 2020

Circular Letter No.4204/Add.6
27 March 2020

Circular Letter No.4204/Add.11
24 April 2020

Circular Letter No.4204/Add.14
5 May 2020

Circular Letter No.4204/Add.18
26 May 2020

Circular Letter No.4204/Add.4/Rev.1
28 May 2020



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COUNCIL
32nd extraordinary session
Agenda item 4

C/ES.32/4/5
13 May 2020
Original: ENGLISH
Pre-session public release:

**PROPOSALS FOR THE FACILITATION OF SHIPPING
DURING THE COVID-19 PANDEMIC**

Comments on documents C/ES.32/4/1, C/ES.32/4/2 and C/ES.32/4/3

Submitted by Italy

SUMMARY

Executive summary: This document contains comments on documents C/ES.32/4/1, C/ES.32/4/2 and C/ES.32/4/3 and includes proposals aimed at ensuring the free movement of seafarers and marine personnel

Strategic direction, if applicable: Not applicable

Output: Not applicable

Action to be taken: Paragraph 7

Related documents: C/ES.32/4/1, C/ES.32/4/2 and C/ES.32/4/3

1 Italy would like to draw the attention of the Council and Member States to the issues arising from the Covid-19 emergency relating to crew changeover operations and other supplementary maritime activities, which are seriously affecting the whole maritime transport chain.

Da: VILHELMSSON Anders <Anders.Vilhelmsson@consilium.europa.eu>

Inviato: mercoledì 29 aprile 2020 14:45:47

A: RPUE IT - Aviamar; Ina Miškulin; .BRUEEU VERK-2-EU Drexler, Sarah; sabine.pontzen@bmeia.gv.at; Schockaert Kristof - Belgium - Brussels EU; Stephan.stanchev@bg-permrep.eu; cantoniou@dms.gov.cy; carlos.ortiz@reper.maec.es; 'Margit Markus Moossen; 'Kaikkonen Mervi'; reka.marton@mfa.gov.hu; AVRILLIER Paul; Theodora Mardaki; Siobhan.Kelly2@dfa.ie; lauris.kanderis@mfa.gov.lv; Arturas.Kungys@eu.mfa.lt; alain.hoffman@cam.etat.lu; emma.a.la-ferla@gov.mt; xander.hoekman@minbuza.nl; Anna.Latuszek@msz.gov.pl; jsl@reper-portugal.be; tomas.vagner@mzv.cz; Eva.Zatkova@mzv.sk; maja.strnad-mesko@gov.sj; niklas.da.silva@gov.se; Nevenka Žiža
Cc: SELLIER Barbara; Del Papa Giuliana; DONNADILLE Quentin (Trainee); Nevenka Žiža
Oggetto: RE: IT comment to Council Conclusions

Cara Gioconda, dear all,

The Presidency and I have had a close look at your suggestion, which raises a very pertinent issue. However, we wonder if your proposal would not fit better in the part which talks about seafarers and inland navigation workers. Could this be an acceptable solution for you and other delegations:

RECOGNISING the **crucial** role of seafarers and inland navigation workers in this respect, **including their right to fair treatment**, and the need to alleviate the negative socio-economic impact of the COVID-19 pandemic on the waterborne transport sector

Kind regards,

Anders

Crew change in 2020





La formazione del personale marittimo



**Sospensione di tutte le attività
di formazione in aula**

DPCM 8.3.2020





Proroga 6 mesi

Lettere circolari

- COPs;
- Istruzione e addestramento per il personale in servizio su navi passeggeri;
- **Maritime security** (SSO, CSO, DCSO, PFSO, DPFSO, PSO, DPSO ed istruttore certificato).



**Ministry of Infrastructures and
Transport**

*Italian Coast Guard Headquarters
Safety of Navigation and
Maritime Security Department*

Rome, 20th March 2020
(p.o.c. Rear Admiral (ITCG) Luigi GIARDINO
e-mail: segreteria.reparto@mit.gov.it)

HE Mr. Kitack Lim
Secretary General of
International Maritime Organization

Subject: Measures to Address Covid-19.

Dear Secretary-General Lim,

The Italian Coast Guard Headquarters presents its compliments and has the honour to confirm receipt of the Circular letter No. 4204/Add.5 dated 17th March 2020.

In its fight to contain the spread of COVID-19, the Government of Italy has declared a state of emergency and has been forced to exercise strict measures - one of which, inter alia, has been to close all seafarers' training centers in Italy that are recognized and controlled by the Italian Coast Guard.

The provisions of the Manila Amendments state that in order to renew the certification required by Chapter VI of the STCW Convention, it is compulsory to attend the following refresher courses:

- ◆ Basic Training Regulation VI/1 and corresponding Section A-VI/1 points 2, 3 and 4;
- ◆ Survival Craft and Rescue Boat Regulation VI/2.1 and corresponding Section A-VI/2 points 5 and 6;
- ◆ Fast Rescue Boat Regulations VI/2.2 and corresponding Section A-VI/2 points 11 and 12;
- ◆ Advanced fire-fighting - Regulation VI/3 and corresponding Section A-VI/3 points 5 and 6.

In this regard, in order to prevent the spread of COVID-19 and properly address it, the CoPs relating to the above-mentioned training courses have been extended with the following conditions:

- a. Extensions are limited to 6 months;
- b. Extensions are granted only to seafarers with adequate experience who have already served in that position and:
 - are serving on board with certification expiring during the course of their employment; or
 - are due to embark and are in possession of expired certificates.

We would therefore like to ask the Secretariat to kindly have this information regarding the extension of the CoPs communicated to all Member States of the IMO. Your valuable attention to this matter is very much appreciated.

The Italian Coast Guard avails itself of this opportunity to renew the assurances of its highest consideration.

**The General Commander
Vice Admiral (ITCG) Giovanni PETTORINO**

Firmato Digitalmente da/Signed by:
GIOVANNI PETTORINO

In Data/On Date:
venerdì 20 marzo 2020 11:57:38



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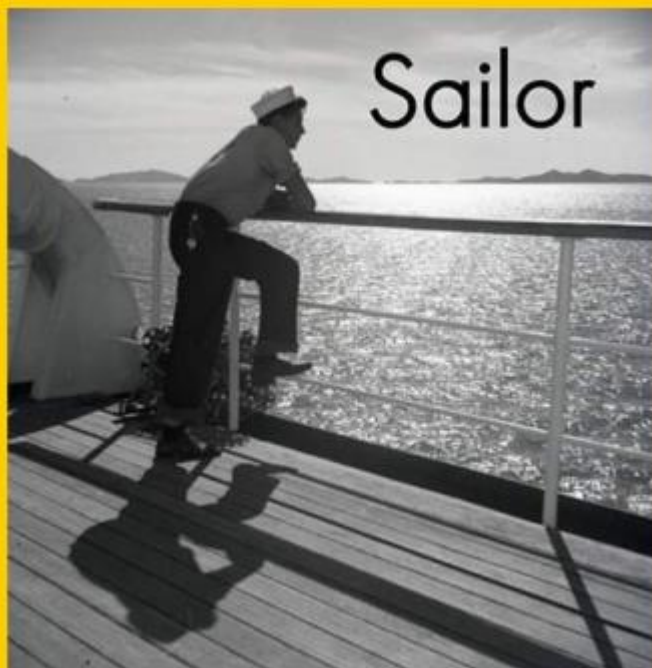
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Circular Letter No.4231
24 March 2020

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

Subject: **Communications from the Governments of:**
i **the Republic of Italy; and**
ii **the Kingdom of Norway**

The Embassy of the Republic of Italy and the Government of the Kingdom of Norway have sent the attached communications, dated 20 March and 13 March 2020, respectively, with the request that they are circulated by the Organization.





Grazie per l'attenzione

Amm. Isp. (CP) Luigi Giardino
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