

# Palau International Ship Registry



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## MARINE NOTICE 130.3

**To: SHIPOWNERS, MANAGERS, MASTERS AND OFFICERS,  
RECOGNIZED ORGANIZATIONS AND FLAG STATE INSPECTORS.**

**Subject: APPLICATION FOR EXEMPTIONS, WAIVERS, EXTENSIONS AND  
EQUIVALENT CERTIFICATES**

### 1. Reference

- 1.1 SOLAS, International Convention for the Safety of Life at Sea (SOLAS), Edition 2014, as amended
- 1.2 MARPOL, Consolidated Edition 2014, as amended
- 1.3 Palau Maritime Regulations, Sections 5,7

### 2. Purpose

- 2.1 This Notice clarifies terminology used to describe allowances issued by the Palau Ship Registry Administrator in accordance with statutory provisions and establishes the Palau Ship Registry Administrator's policy for their issuance and use.

### 3. Applicability

- 3.1 This Notice is applicable to all the Republic of Palau flagged vessels, including MODUs.

### 4. Definitions

- 4.1 Exemption: An Exemption is a permanent release from compliance with a Statutory Convention requirement due to the existence of specific circumstances as sanctioned by the provisions of that Convention. The Exemption Certificate is linked to, and retained with, its associated statutory certificate, and is issued only by Palau Ship Registry Administrator Head Office.
- 4.2 Equivalent: Equivalent is an arrangement which provides the same general level of safety or intent of a Convention requirement without meeting all criteria for full compliance. Such arrangements can be accomplished, either independently or in combination with, alternative equipment, additional procedures/precautions, operational restrictions, etc. Equivalentents, when



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granted by Palau Ship Registry Administrator, will be communicated to the IMO.

- 4.3 Waiver or Attestation Letter: A waiver is a temporary allowance granted in writing only by Palau Ship Registry Administrator to permit a ship to proceed without being in full compliance with a specific Convention requirement due to mitigating circumstances preventing the immediate rectification of the subject deficiency. Waivers are issued for a specific time allowing specific corrective action to take place, which once completed shall be reported to Palau Ship Registry Administrator. Such report should be received before the expiration date provided in the Waiver.
- 4.4 Extension: An Extension is a postponement of the term of validity of a Statutory certificate, servicing interval, in accordance with the provisions of the relevant Convention, due to extenuating circumstances encountered that prevent the crediting of a requisite task prior to the nominal due date. Extensions of servicing intervals in particular are referred to as "Service Extensions." Extensions are issued for a specific time allowing specific corrective action to take place, which once completed shall be reported to Palau Ship Registry Administrator. Such report should be received before the expiration date provided in the Extension.
5. Application for Exemptions, Equivalentents, Waiver and Extension:
  - 5.1 Requests for Exemption / Equivalentents /Waiver / Extension Authorization are to be submitted by filling out the relevant [Application A012](#).
  - 5.2 Exemptions application(s) shall be received from the Ship's owner/operator, legal representative or the Recognized Organization issuing the respective statutory certificate. The [Application \(A012\)](#) should be filled specifying the Convention and Regulation to be exempted, the grounds for exemption, and if there is any condition(s) or alternative(s) that the vessel have in order have the Exemption approved.
  - 5.3 Equivalent application can be received directly by Recognized Organization. The application should show detailed information of the alternative / equivalent.
  - 5.4 Extensions / Waivers / Attestations application(s) shall be received from the Ship's owner/operator, legal representative or the Recognized Organization.



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The Application for Extensions / Waiver should describe in clarity the reasons why the vessel cannot comply with the provisions at the time. If the vessel is detained, a full detention report needs to be presented. The Palau Ship Registry Administrator may impose further conditions including specific time for compliance, verification from repair yard, verification from service providers, technician, etc.

- 5.5 In case that the Application for Exemption, Waiver, Attestation, Equivalent / Extension is submitted by the Ship's owner/operator or legal representative, it shall be duly signed/endorsed by the respective Recognized Organization of the vessel.
- 5.6 All Exemptions, Waivers, Attestations, Equivalents and Extensions must be paid in full at the time of application and proof of payment should be shown in order to proceed with the approval / issuance.

## 6. Reporting

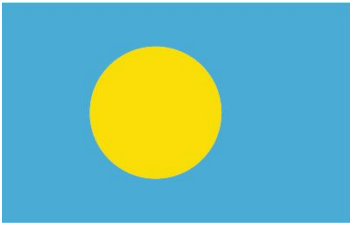
- 6.1 All exemptions and equivalents issued for the IMO Mandatory Instruments by the Palau Ship Registry Administrator are to be communicated and reported to the IMO according to IMO requirements.
- 6.2 The report should be done through the GISIS system and within 30 days of the issuance of the exemption.

## 7. Exemptions for ships of novel kind

- 7.1 In accordance with SOLAS Chapter 1, regulation 4(b), the Palau Ship Registry Administrator may exempt a ship which embodies features of a novel kind from any of the provisions of SOLAS Chapter II-1, the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages.
- 7.2 An exemption under paragraph 5.1 may only be granted to a ship if the Palau Ship Registry Administrator, is satisfied that the ship it complies with safety requirements which:
  - a. are adequate for the service for which it is intended;
  - b. ensure the overall safety of the ship; and
  - c. are acceptable to the Governments of the States to be visited by the ship.



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## 8. Equivalentents

- 8.1 Alternative and/or equivalent design and approval is expected to be carried out only for ship functions, systems or components that either directly or indirectly proposes alternative ways of compliance with prevailing regulations.
- 8.2 Equivalent arrangements in accordance with SOLAS Chapter 1 regulation 5, if SOLAS Chapter II-1 requires that:
  - a. a particular fitting, material, appliance or apparatus, or type thereof, must be fitted or carried in a ship, or
  - b. any particular provision must be made
- 8.3 The Palau Ship Registry Administrator may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried or any other provision to be made in that ship.
- 8.4 An equivalent arrangement may only be permitted if the Palau Ship Registry Administrator is satisfied by trial or otherwise that the fitting, material, appliance or apparatus, or type or provision is at least as effective as that required by SOLAS.
- 8.5 Several approaches can be followed for the approval of an alternative and/or equivalent design is to compare the innovative design to existing designs to demonstrate that the design has an equivalent level of safety. In order to demonstrate an equivalent level of safety, functional requirements and performance criteria should be established for essential ship functions, which should be met by the alternative and/or equivalent design.
- 8.6 An alternative approach could be to carry out a risk analysis of the alternative and/or equivalent design and compare it to overall risk evaluation criteria.

## 9. Important Actions:

- 9.1 Recognized Organizations are to inform this Administration immediately if a Statutory Certificates directly affecting the exemption is cancelled in order for the Administration to formally withdraw the exemption certificate and inform the shipowner/ manager accordingly.



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## 10. General Guidance

10.1 The Palau Ship Registry Administrator will follow the MSC.1/Circ.1455 - GUIDELINES FOR THE APPROVAL OF ALTERNATIVES AND EQUIVALENTS AS PROVIDED FOR IN VARIOUS IMO INSTRUMENTS as provided by the IMO for the review and approval of equivalents.

## 11. Contact

For further questions, please do not hesitate to contact the Technical Department of the Palau Ship Registry Administrator at [technical@palaureg.com](mailto:technical@palaureg.com)

**\*\*This Marine Notice supersedes  
Marine Circular 130.2**

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