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Sub.: Procedure for laying-up vessels within port limits anywhere in the world – reg.

In view of the recent sustained downturn/recession in global shipping, the Directorate General of Shipping, Govt. of India, has been receiving requests regarding the reduction in manning scales for Indian flag vessels laid up at ports in India as well as overseas.

2. Section 76 of the Merchant Shipping Act, 1958, as amended, requires every Indian ship, at sea, port, or place to engage such number of persons as may be prescribed. This office has accordingly, issued several circulars/letters specifying the minimum safe manning of personnel/ crew required to be provided on different types of merchant ships. This office has also provided for reduced manning for ships idling at berth/safe anchorage vide its Circular NT SAFMAN – 2/2004 dated 10.02.04 [F. No. 8-NT(17)/96–Pt.] and Engineering Circular No. 121 of 10 dated 06.10.10 [F. No. ENG/PSC/1421].

3. Definition –

- 3.1 The term lay-up or ‘laid-up’ in relation to any vessel, means that a vessel is idling & is not employed, without any cargo & is not engaged in any commercial operation, or is undergoing repairs.
- 3.2 The term ‘Cold lay-up’ means a non-operational state of the vessel, with the machinery of the vessel, including its generators etc., not being operational and the vessel being unable to be brought to a state of readiness at a short notice.
- 3.3 The term ‘Hot lay-up’ means a non-operational state of the vessel, but its generators and other associated machineries are operational. In addition, the main engine of the vessel is not immediately available for use, but is capable of being used after the period required for making the main engine operational.

4. Lay-up at anchorage is only permissible in safe anchorages where wind, currents etc., are not expected to pose any danger to the vessel.
5. Owners of Indian flag vessels intending to lay-up their vessel [‘Cold lay-up’ or ‘Hot lay-up’] within port limits are required to comply with the following:
 - 5.1 Obtain permission from the jurisdictional port authorities where the vessel is intended to be laid-up and comply with the conditions imposed by the port authority thereof.
 - 5.2 Ensure that tankers [of oil, chemical, gas etc.,] do not have any flammable vapours in their cargo tanks and have valid gas free certificates from the appropriate agency(ies), for the purpose.
 - 5.3 Ensure that the vessel has valid insurance cover in respect of third party liabilities in respect of wreck removal, oil pollution and salvage costs, as a minimum, for the duration of the lay-up.
 - 5.4 Ensure that the vessel has valid insurance cover in respect of compensation for loss of life / disability/ medical attention / injury etc., for seafarers employed on board the vessel.
 - 5.5 Inform the Registrar of the vessel at its port of registry of the proposed lay-up of the vessel.
 - 5.6 Inform the jurisdictional Mercantile Marine Department, if the lay-up is in any Indian port.
 - 5.7 Ensure that the class status of the vessel is changed to ‘lay-up’ status.
 - 5.8 Ensure that the vessel shall have towing rope/wire rigged and ready for use (at the forward and/or aft of the vessel as required by the port) for assisting vessels to be able to render assistance at short notice.
 - 5.9 Ensure that at least two independent means of communication are available with the laid-up vessel.
 - 5.10 Ensure that security measures necessary to maintain the security aspects of the vessel are always maintained to the required standards, including the standards specified by the port.
 - 5.11 Ensure that the LRIT [Long Range Identification & Tracking] transmission of the vessel is discontinued during the period of lay-up.
 - 5.12 Ensure that the minimum manning scales of vessels are at least as follows:

5.12.1 Hot lay-up alongside and at mooring – owner/manager of the vessel shall ensure that the minimum rest hour requirements and other MLC requirements are complied with.

5.12.1.1 Nautical : Officer in-charge of navigation watch – 1
 Rating forming part of navigational watch – 2

5.12.1.2 Engine : Officer in-charge of engineering watch – 1
 Rating forming part of engineering watch – 2

5.12.2 Hot lay-up at anchorage – owner/manager of the vessel shall ensure that the minimum rest hour requirements and other MLC requirements are complied with

5.12.2.1 Nautical : Management level officer – 1
 Operational level officer – 1*
 Rating forming part of navigational watch – 2

(*may be dispensed with for non-tanker vessels of less than 3000 GT, or if the minimum safe manning document of the vessel for harbour operations specifies the requirement of only one deck officer).

5.12.2.2 Engine : Management level officer – 1
 Operational level officer – 1**
 Rating forming part of engineering watch – 2

(**may be dispensed with for non-tanker vessels of less than 3000 KW, or if the minimum safe manning document of the vessel for harbour operations specifies the requirement of only one engineer officer).

5.12.3 Cold lay-up alongside berth – at least 1 (one) person having knowledge about ships (i.e. Rating). Vessels greater than 10,000 GT shall have one additional person having knowledge about ships (i.e. a minimum of at least two persons).

5.12.4 Cold lay-up at mooring – at least 2 (two) persons having knowledge about ships (i.e. Ratings)

5.12.5 Cold lay-up at anchorage – vessel to comply with the port regulations of the concerned port with regard to manning requirements.

6 The laid-up vessel shall be inspected at frequent intervals by qualified personnel of the company to ensure that the condition of the vessel does not deteriorate.

7 The company shall also ensure that weather conditions are monitored regularly and in case the weather conditions deteriorate, additional qualified personnel, as required under the circumstances, are to be immediately provided to the vessel to ensure its safety.

8 Owners of laid-up vessels may enter into agreements with emergency service providers to render assistance to the vessel in case of any emergency.

9 The Safety Management System of the company shall have contingency procedures to deal with emergencies that can arise on laid-up vessels. The system should also ensure that inspections of such vessels are carried out by responsible officials at frequent intervals and any deterioration in the vessel's condition is promptly attended to & also reported to the port & flag state authorities concerned.

10 Noting the fact that laid-up vessels have manning less than those specified in the minimum safe manning document, such vessels will not be able to ensure the upkeep of the vessel, including its engines, machinery, hull, etc., to the specified national and international standards of functionality & maintenance during the period of lay-up. A vessel to be reactivated after being laid-up shall, therefore, comply with following for its reactivation:

10.1 If reactivation is being carried out within the specified window period of the validity of the certificates of the vessel, then, a general inspection of the vessel is to be carried out by the concerned classification society to confirm continued compliance by the ship with the requirements of the relevant certificates.

10.2 If the annual surveys are not completed within the specified window period, the surveys equivalent to the scope of an intermediate survey (excluding docking survey) shall be carried out by the concerned classification society while reinstating the certificates.

10.3 The Regulation 10 of Chapter-1 of the SOLAS Convention, with respect to minimum two inspections of outside the ship's bottom, during the five years period of validity of the Cargo Ship Construction Certificate shall be complied with. The dry docking dates will remain unchanged due to the lay-up.

10.4 The '*guidelines for the reactivation of the safety management certificate following an operational interruption of the safety management system due to lay-up over a certain period*' issued vide the International Maritime Organisation [IMO] Circular 'MSC-MEPC.7/Circ.9 dated 14.07.14' shall also be complied with.

11 This MS Notice supersedes this office Nautical Circular NT SAFMAN – 2/2004 dated 10.02.04 [F. No. 8-NT(17)/96-pt dated 10.02.04] and Engineering Circular No. 121 of 2010 dated 06.10.10 [F. No. ENG/PSC/1421].

¹² This is issued with the approval of the Director General of Shipping & Additional Secretary to the Govt. of India.

Sd/-

(Capt. K. P. Jayakumar)

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