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## CIRCULAR Belize – Change of Flag

Notice to: Ship Owners/ Managers/ Operators/ Surveyors/ Auditors

C24062 | 12 November 2024

This Circular is issued to advise that the International Merchant Marine Registry of Belize (IMMARBE) has issued Merchant Marine Notice [MMN-24-007](#) which gives guidance on the procedures for a change of flag, change of Company (ISM) and change of RO/RSO.

MMN-24-007 supersedes MSN-0003, 0004, 0011 & 0031.

Key Points:

General Requirements:

- The guidelines are additional to authorizations given to ROs/RSOs in the 'Agreement Governing the Delegation of Statutory Certification'.
- RO/RSOs are to submit a request for necessary authorization directly to the Administration using the Recognised Organisation Survey Request – Form TDF-033. No services are to be provided before the official authorization has been received.
- The RO/RSO is to promptly notify the Administration of any outstanding recommendations along with proposed actions. No vessel is to be issued certificates if there are outstanding recommendations.
- A vessel which is detained may not transfer RO/RSO until all deficiencies have been rectified and Flag authorisation obtained.

- Any deviation from the requirements is to be communicated to the Belize Administration, Technical Department for consideration and relevant instructions. Merchant Marine Notice MMN-24-003 refers.

### Change of Flag Survey:

#### **With no Change of RO:**

- Where the due dates for surveys of existing certificates fall within +/- 3 months of the time of a change of flag, then the renewal / intermediate/periodical/annual surveys/audits, is to be carried out immediately.
- Where the change of flag is not accompanied by a change in the ISM Company, surveys shall be limited to the scope of the applicable annual surveys.
- Where the change of flag is accompanied by a change of the ISM Company, the scope of surveys for safety equipment is to be upgraded to that of the renewal survey.
- Surveys for statutory certificates other than the safety equipment are to be conducted in line with annual surveys and intermediate audits as required.

#### **With Change of RO:**

- The scope of surveys/audits must meet the requirements for a renewal survey/audit.

### Change of Company

- When there is a change in ISM Company/Operators, the owners/operators are to apply to the RO for the reissuance of relevant certificates.
- Owners/operators must apply to the Administration through their designated office for new CSR, MSMC, and DMLC Part I Certificates to reflect the change in the ISM, as required by the DOC, ISM, ISPS audits, and MLC 2006 inspections.

### Change / Transfer of RO and/or RSO

#### **Responsibilities of the gaining RO and RSO:**

- Before accepting any request for transfer of vessel certification, the gaining RO/RSO is to notify IMMARBE of such a request by providing the general particulars of the Company and vessel and details of the survey/audit requested, using Form TDF-033 - Recognized Organization Survey Request.
- The gaining RO must review all existing certificates and documentation to ensure that the ship's certificates have not been withdrawn or invalidated by IMMARBE or the losing RO.
- All outstanding recommendations given by the losing RO must be followed up and rectified before the transfer unless otherwise agreed by IMMARBE.
- Any major non-conformities must be closed out or downgraded by the losing RO.

- No transfer of certification is to be performed by the gaining RO without conducting the necessary surveys/audits.
- The surveys/audits conducted by the gaining RO must address all elements of the relevant Conventions, Codes, Statutory Instruments, Circulars, Merchant Marine Notices and the Belize Merchant Shipping (Registration) Act, as adopted by the Administration.
- If the transfer of certification occurs within the +/- 3 month window of the mandatory surveys/audits, those mandatory surveys/audits are to be conducted at that time.
- If the surveys/audits are not successful, the transfer of certification is to be considered invalid. The gaining RO is to inform IMMARBE immediately with a full explanation of the reasons for such failures.

### **Responsibilities of the Losing RO and RSO**

- When transferring certification from one RO to another, the losing RO is to provide the gaining RO with access to the ship's history file, which must include:
  - Any overdue surveys;
  - Any overdue recommendations or conditions;
  - Any operating conditions issued against the ship;
  - Any operating restrictions issued against the ship; and
  - Relevant technical information, including drawings, plans, and documents, as per the applicable guidelines developed by the Organization.
- Upon transfer of RO, the losing RO is to cancel the issued certificates and transfer all relevant documentation to the gaining RO.

### **New Certificates**

- New Certificates can be issued by the gaining organization only after all surveys/audits have been satisfactorily completed and all recommendations or overdue conditions of Class previously issued in respect of the ship have been completed as specified by the losing Organization.
- Regarding the validity of statutory certificates, all certificates are to be maintained according to the Survey Guidelines under the Harmonized System of Survey and Certification (HSSC).

### **Mixing of Recognized Organizations (RO)**

- The Belize Administration does not permit the mixing of ROs except where one RO is responsible for all Statutory Certificates and another is responsible for DOC, SMC, ISSC audits, MLC 2006, and CICA inspections.

### **Exceptions**

- If a new vessel is registered with an existing fleet under the Belize Flag, it may use the fleet's current DOC, even if it differs from the RO/RSO that issued the SMC, ISSC, MLC 2006, CICA certifications

- If a vessel in an existing fleet uses a DOC that differs from the fleet's DOC, the Owner must contact the RO to update the vessel's DOC to align with that of the fleet.
- The DOC issued shall comply with the requirements of the ISM Code for the types of ships.

### Reporting

- Under MMN-23-003, the following submissions must be submitted either electronically or through the Society's database, to Belize Administration as soon as possible:
  - reporting on Statutory Surveys and Certification Status to IMMARBE,
  - statutory survey reports and certificates for changes in Flag, RO, RSO, ISM Company surveys/audits.

### Fees

- Fees will be per MMN-24-005.

### Disciplinary Measures

- Failure to adhere to the requirements outlined in the Notice may result in disciplinary action as deemed appropriate by IMMARBE. This may include, but is not limited to:
  - Suspension nor revocation of the vessel's certification
  - Imposition of fines or penalties
  - Restrictions on the vessel's operations or trading activities.
  - Other legal actions as specified under the Belize Merchant Ships (Registration) Act (in its latest revision\_ and Statutory Instrument 56 of 1999 (as revised).

### Act now

All Ship Owners / Managers / Operators should review the notice and adhere to its guidance.