



**DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**  
**MINISTRY OF HIGHWAYS, PORTS AND SHIPPING**  
**DIRECTOR GENERAL'S OFFICE OF MERCHANT SHIPPING**

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**MSN 04/2014**

07<sup>th</sup> October 2014

**Notice to Principals of Approved Maritime Training Colleges, Ship Owners, Managers, Operators, Recruiting Agencies, Port State Control Officers & Recognize Organizations.**

**PROCEDURE & GUIDELINES FOR THE ISSUE OF AN DISPENSATION**

**1.0 Objective**

In compliance with article VIII of the STCW Convention, as amended in 2010, Para 22.0 of the Gazette No 1818/37 of Democratic Socialist Republic of Sri Lanka, issued on 12<sup>th</sup> July 2013, has given legal provision to Director General of merchant shipping in Sri Lanka to issue Dispensation to a seafarer.

**2.0 Application**

2.1 Subject to this above, the Director General of Merchant Shipping ( DGMS) may, in exceptional circumstances, if in his or her opinion there is no danger to persons, property or the environment, issue a dispensation permitting a specified seafarer to serve on a specific ship for a period, not exceeding 6 months, in a capacity for which that person does not hold the appropriate certificate, provided that the DGMS is satisfied that the person to whom the dispensation is issued is adequately qualified to fill the vacant post in a safe manner.

The DGMS may not issue a dispensation under paragraph (2.0),

- (a) To a seafarer to serve as the radio operator except as provided for by the Radio Regulations, or
- (b) To a master or chief engineer officer except in circumstances of force majeure and then only for the shortest possible period

2.2 A dispensation under paragraph (2) may not be issued to a person unless that person is properly certificated for the post immediately below that for which a dispensation is sought

2.3 Where certification of the post immediately below that for which a dispensation is sought is not required by the Convention the DGMS may issue a dispensation to a person whose qualification and experience are in the opinion of the DGMS of equivalence to the requirements of the post to be filled, provided that if such a person holds no certificate of competency, the person shall be required to pass a test accepted by the DGMS as demonstrating that the dispensation may be issued.

2.4 The DGMS shall ensure that the vacant post is filled by an appropriate certificate holder as soon as possible.

### **3.0 Procedure**

#### **3.1 APPLICATION FOR THE ISSUE OF AN DISPENSATION**

When a dispensation to a seafarer is sought, the Company which is responsible for the safe management of ship shall forward an application “**Application for the issue of a Dispensation**” (Form DISP/1-2010), along with declarations (as per Para 3.45 & Para 3.46) directly to Director General’s Office of Merchant Shipping, Examination Unit or through their local agent via e-mail, fax or post.

**Form DISP/1-2010** – Shall be filled by Company

Declaration as per **Para 3.46** by the seafarer who receives the dispensation certificate.

Declaration as per **Para 3.45** by the Master, in the case of a 2(b), by the DPA or Tech.Superintendent.

Applications may be obtained from the Director General’s Office of Merchant Shipping or may be directly downloaded from the website [www.dgshipping.gov.lk](http://www.dgshipping.gov.lk).

It must be noted that the application form for the issue of a dispensation (Form DISP/1-2010) will be revised from time to time. Applicants must use the latest version available at the time of application. Applications made with outdated versions of (Form DISP/1-2010) may be rejected.

### **3.2 Completion of the Application**

The application Form DISP/1-2010 must be completed in English language and the information must be printed legibly in capital letters. Failure to complete the application form, properly giving all the required information, may result in the rejection of the application or delay in its processing.

The declarations, as per Para 3.45 & Para 3.46, must be signed by the seafarers themselves. Failure of the declarants to reproduce the signature shown on his declaration may result in the cancellation, withdrawal or suspension of the dispensation.

### **3.4 DOCUMENTS TO BE SUBMITTED WITH EACH APPLICATION FOR THE ISSUE OF A DISPENSATION**

Each application for the issue of a Dispensation Certificate must be supported by the following:

Seafarer's information to whom the dispensation is applied,

1. Two passport size photographs.
2. A certified copies of the CoC and endorsement/s
3. Certified copy of Seafarer's identification document
4. Certified copy of Passport.
5. Record of sea service within last 05 years.
6. Photocopy of the Medical fitness certificate.

7. Seafarers statement as per **Para 3.46**

Company,

- 1 Request letter from Company
- 2 Master's declaration as per **Para 3.45**
- 3 Fees as per fees regulation

Note: Above documents shall be attested by the Master of the vessel or responsible officer at the management company.

### **3.41 Failure to submit all the required documents will result in rejection of the application**

If the documents required are not in English language, an official duly certified translation of the documents in English must also be submitted with the

application. The translations must identify the translator for verification purposes.

### **3.42 Photographs**

Two passport size (3.5 x 4.5 cm) photographs, facial front view of the applicant, taken within a year preceding the application with the applicant's name and surname printed on the reverse side.

### **3.44 Medical fitness certificate**

Photocopy of the medical fitness certificate issued in accordance with the relevant provisions of MLC 2006 and the International Convention on Standards of Training Certification and Watchkeeping for Seafarers, STCW78, as amended, by or on behalf of the Government of Sri Lanka or any other competent Authority the certificates of competency of which are recognized by the Government of Sri Lanka at the time of application.

The medical fitness examination must be carried out not more than 03 months before the date of submission of this application and shall have a validity period of not less than 09 months from the date of submission of application.

### **3.45 Master's declarations**

As per STCW Section A-VIII/1 and Para 30.0 of the Gazette No 1818/37 of Democratic Socialist Republic of Sri Lanka, issued on 12<sup>th</sup> July 2013;

Masters shall submit a signed declaration stating that due to dispensation above section of the STCW and local regulations will not be violated and safety of the vessel will not be compromised at any stage of the intended voyage.

### **3.46 Seafarer's declarations**

Officers or ratings who obtained a certificate of dispensation to perform duties higher than that of his Certificate of Competency or Certificate of Proficiency or level of knowledge, skill and experience in the case of 2.3 shall declare that he or she is confident that he or she could perform the functions of the rank immediately above in safe and efficient manner.

### **3.46 Fees**

The required fee as per the fees regulation shall be paid to the Director General's Office on week days before 3 PM.

### **3.47 DELIVERY OF DISPENSATION CERTIFICATE**

As applications are submitted through companies, the Dispensation Certificates will be delivered to the Companies concerned.

Notwithstanding the above, Dispensation Certificates may be delivered to the Overseas Offices of the Department or to Diplomatic Missions of the Sri Lanka, abroad, and applicants will be informed via facsimile, e-mail or fax to obtain their documents from the aforementioned offices.

### **3.48 VALIDITY, REPLACEMENT AND RENEWAL OF A DISPENSATION CERTIFICATE**

Dispensation Certificates shall have the maximum validity period of 06 months

Dispensation may be renewed on expiry if a proper qualified seafarer has not been located, but the total period by all such renewals must not exceed six months.

In such cases, Management Company may request DGMS in writing of their requirement of an extension of the validity period of the dispensation with justification for doing so.

### **3.49 REPLACEMENT OF ENDORSEMENT ATTESTING THE RECOGNITION OF A NON SRI LANKAN CERTIFICATE**

If the Dispensation Certificate is stolen or lost or it is destroyed, notification should be given immediately to the Director General's Office of Merchant Shipping and an application for a replacement Certificate (Form DISP/1-2010) should be made. Fees shall be paid as per the fees regulation

### **3.50 REJECTION OF AN APPLICATION FOR THE DISPENSATION CERTIFICATE**

Applications for the issue of a Dispensation Certificates is subject to the approval

of this Administration. If an application is not approved the company will be promptly informed of the reasons.

### **3.51 SUSPENSION AND WITHDRAWAL OF A DISPENSATION CERTIFICATE**

The Dispensation Certificate remains the property of the Republic of Sri Lanka and it may be suspended or withdrawn by this Administration at any time on account of a disciplinary offence or incompetent or any other cause as provided for, in the Sri Lankan legislation.

This Administration will maintain a list of suspended or withdrawn Dispensation Certificates & their companies.

### **3.53 NON FULLFILLMENT OF MANING REQUIREMENTS**

Regulation I/14 of the STCW Convention, as amended in 2010 & Para 29(1) b. of the Gazette No 1818/37 of Democratic Socialist Republic of Sri Lanka, issued on 12<sup>th</sup> July 2013 require companies to manned their ships in compliance with applicable safe manning requirements of the administration.

It's the responsibility of Company to manned their ships as per the Minimum Safe manning Certificates issued by Sri Lankan Maritime Administration and it's a detainable deficiency under Para 32.(2) of the Gazette No 1818/37 of Democratic Socialist Republic of Sri Lanka, issued on 12<sup>th</sup> July 2013.

Company/ Master shall inform DGMS upon fulfilling the manning requirement as per safe manning certificate with documentary evidence.



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<b>Examination Unit</b>	<b>APPLICATION FOR A DISPENSATION CERTIFICATE</b>	<b>Form DISP/1-2010</b>
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**Official use only**

**1.0 Vessel Data;**

1.1	Name of Vessel		
1.2	IMO No		
1.3	Gross Tonnage		
1.4	Deadweight ( Summer)		
1.5	Port of Registry		
1.6	Official No		
1.7	Year Of Built & Place		
1.8	Owner name & Address		

**2.0 Voyage Related Data;**

2.1	Last Port		
2.2	Present Location		
2.3	Estimated Time of Departure		
2.4	Next Port		
2.5	Duration of Passage from current location to next port		
2.6	Next ports within next 30 days		
2.7	Description of voyage specifying present type and quantity of cargo		

	and intended cargo operations, specify condition of stability at each stage of voyage.		
2.8	Present weather & weather throughout the intended passage		

### 3.0 Dispensation related data

3.1	Name of Master		
3.2	CoC No Date of Issue Date of Expiry Country of Issue		
3.3	Post the dispensation is required		
3.4	Date the post fell vacant		
3.5	Why it became vacant		
3.6			

### 4.0 Crew related data

4.1	Name of seafarer who is to perform the vacant post		
4.2	CoC No Date of Issue Date of Expiry Country of Issue		
4.3	Experience in the present Rank		
4.4	Additional qualifications if any		

### 5.0 Company related data

5.1	Name of Company & Address		
5.2	How long proposed seafarer has been known to company & sailing with the company		



5.3	Statement regarding the conduct and ability of seafarer		
5.4	Particulars of efforts being made to locate a properly qualified seafarer.( Attach supporting docs)		
5.5	Give details of method of communication available if an interview is required with the seafarer prior approving the dispensation		

5.6	Details of the other dispensation obtained to seafarers manned by your company		
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Document checklist,

Each application for the issue of Dispensation Certificate must be supported by the following:

Seafarer's information to whom the dispensation is applied,

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2. A certified copies of the CoC and endorsement/s
3. Certified copy of Seafarer's identification document
4. Certified copy of Passport.
5. Record of sea service within last 05 years.
6. Photocopy of the Medical fitness certificate.

7. Seafarers statement as per **Para 3.46**

Company,

1. Request letter from Company
2. Master's declaration as per **Para 3.45**
3. Fees as per fess regulation

Signature ;

Name ;

Designation ;

Date :

Note:Enforcemnt Date of this Notice :15th November 2014