



TUVALU SHIP REGISTRY

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MARINE CIRCULAR

MC-1/2012/1

1/2012

FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Classification Societies

SUBJECT: GUIDANCE FOR NON-CONVENTION VESSELS

PURPOSE:

This Marine Circular is to provide technical guidance for all concerned parties on the treatment of Non-convention vessels registered in Tuvalu.

APPLICATION:

The guidelines apply to Non-convention vessels which include cargo ships and barges engaged in maritime navigation, whose length overall is 12 metres or over, and for which the provisions of the Conventions listed as follows do not apply:

1. The International Convention for the Safety of Life at Sea (SOLAS), 1974, as modified by its Protocol of 1988;
2. The International Convention on Load Lines (LL), 1966, as modified by its Protocol of 1988;
3. The International Convention on Standards of Training, Certification and Watchkeeping (STCW), 1978, as amended;
4. The International Convention for the Prevention of Pollution from Ships (MARPOL), 1973/78; and
5. International Regulations for Preventing Collisions at Sea (COLREG), 1972

Where the provisions in force of the above Conventions apply to the ships, including barges, subject to the Tuvalu Non-convention Regulations, those provisions shall be considered to be part of the Tuvalu Non-convention Regulations and shall consequently apply.

REFERENCES:

1. Tuvalu Non-convention Regulations (Edition 1 July 2011)
2. IACS Rec No. 99

CONTENTS:

1. Non-convention vessels with keel laid and completion on or after 1 July 2011

- 1.1. The Tuvalu Non-convention Regulations shall apply to non-convention vessels as defined above with keel laid on or after 1 July 2011.

2. Exceptions, Exemptions and Equivalents of the Tuvalu Non-convention Regulations

- 2.1. The Tuvalu Non-convention Regulations do not apply to:
 - 2.1.1. existing cargo ships and barges, unless expressly provided otherwise;

- 2.1.2. ships belonging to the State and used for non-commercial purposes, ships of war and troopships;
 - 2.1.3. passenger ships;
 - 2.1.4. pleasure craft not engaged in trade;
 - 2.1.5. fishing vessels;
 - 2.1.6. wooden ships of primitive build; and
 - 2.1.7. ships, including barges, whose overall length is less than 12 metres.
- 2.2. This Administration may exempt from any requirement in these regulations that it regards as either impracticable or unreasonable for any vessel in view of the distance of the ship's area of operation from its base port, the type of ship, the weather conditions and the absence of general navigational hazards, provided that it complies with such other requirements which, in the opinion of this Administration, are adequate for the service for which it is intended.
- 2.3. This Administration may accept any type of appliance, apparatus, extinguishing medium or arrangement, which is not in accordance with the Tuvalu Non-convention Regulations, if this Administration is satisfied that it is not less effective.

3. Non-convention vessels with keel laid and completion before 1 July 2011

- 3.1. The Tuvalu Non-convention Regulations are not applicable as they are treated as "Existing Vessels".
- 3.2. For Existing Vessels, this Administration will accept the vessel as it is wherever practicable based on the national non-convention regulations of the flag of the vessel at time of construction.

4. Non-convention vessels with keel laid before 1 July 2011 but completion after 1 July 2011

- 4.1. For such cases, this Administration will accept IACS Rec No. 99 - "Recommendations for the Safety of Cargo Vessels of less than Convention Size".

Should further guidance be required on the above subject, please contact this Administration at: technical@tvship.com

Note: The following appendix relating to the subject is available for download and is listed below:

Appendix 1 : Tuvalu Non-convention Regulations (Edition 1 July 2011)

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry