

Isle of Man Ship Registry Technical Advisory Notice

Guidance for Shipowners Following Invasion of Ukraine

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1. Introduction

The invasion of Ukraine on 24th February 2022 has created significant disruption in the country, with mass movement of people and closure of common transport links. Several countries have implemented travel restrictions and sanctions in response to the war that are likely to affect seafarers.

The situation remains dynamic and is liable to change at short notice as the war progresses or countries impose further sanctions. This notice will be updated as appropriate.

2. SEAs

The Ship Registry recognises that due to the current situation in Ukraine, seafarers may wish to remain on board beyond the end of their SEA, similarly, travel restrictions may make the repatriation of Ukrainian and other nationality seafarers difficult.

The Ship Registry permits SEAs to be extended beyond a seafarer's contracted term up to 12 months (minus the annual leave entitlement) without notifying the Ship Registry subject to the following criteria being met:

- The extension of the SEA is mutually agreed after consultation between the shipowner, the seafarer and relevant seafarer's organisations (if applicable);
- It is documented by way of a new SEA or addendum to the current SEA, signed by both parties; and
- The service period does not exceed a period of 12 months minus the seafarer's annual leave entitlement (or any alternative limit prescribed by an applicable CBA)

The seafarer's entitlement to repatriation does not lapse when an SEA is extended.

Within MLC there is no provision to extend an SEA beyond 12 months, however, the Ship Registry recognises the unique circumstances of the situation and will consider extensions to an SEA beyond the maximum service period on a case-by-case basis.

Where appropriate, we will confirm by email that the Flag State has no objection to the extension under the current circumstances. Where this facility is required, please contact marine.survey@gov.im with the following information:

- Seafarer's start date
- Seafarer's SEA expiry date
- Seafarer's rank
- Name of vessel
- Seafarer's Nationality
- Written confirmation from the seafarer requesting the extension
- Reason for extension



The Ship Registry further recognises that there are Ukrainian seafarers who may wish to return home prior to the end of their contract to be with their families. MLC allows an SEA to be terminated early on compassionate grounds without penalty and although there is no obligation, we would urge shipowners to consider all appropriate means of honouring these requests.

Shipowners should be aware of the increased fatigue risk on seafarers who have extended their contracts beyond 11 months and should consider appropriate control measures such as rearranging work patterns to allow for additional rest periods/shore leave and undertaking risk assessments on ship fatigue levels.

3. Repatriation

As detailed in [MLN 2.5](#), "seafarers are entitled to be repatriated in the event of a ship being bound for a war zone as defined by the United Kingdom Warlike Operations Committee or the seafarer's SEA, to which the seafarer does not consent to go."

The UK Warlike Operations Committee has declared all Ukrainian, Russian and International Waters north of 44° North in the Black Sea as a war zone. Any seafarer has the right not to proceed to a war zone, in which event they must be repatriated to their country of residence, or other mutually agreed location, at the company's expense.

For Ukrainian seafarers choosing to be repatriated, this may require a mutually agreed change of repatriation destination. The Marine Transport Workers' Trade Union of Ukraine (MTWTU) has issued an [Official Statement on Crew Change of Ukrainian Seafarers](#). This provides guidance on the repatriation of Ukrainian seafarers in the current climate.

4. Recruitment & Placement Companies

Shipowners using crewmembers supplied by recruitment and placement companies (refer to [MLN 1.4](#)) based in Ukraine may find the company they are using has been unable to complete their annual inspection due to the ongoing situation and certificates carried onboard are no longer current or endorsed.

As a non-ratifying party to the MLC, Shipowners making use of Ukrainian R&P companies must provide information to the Ship Registry or a Recognised Organisation regarding the regulation of the service to ensure it operates to the standards required by MLC ([10.1](#)). In most cases, this will take the form of a statement of compliance issued by a classification society.

To avoid issues during Port State Control and similar, the Ship Registry advises shipowners to contact the responsible party and request an extension in light of the current circumstances.

To facilitate this, Shipowners should email MarineMLC.DfE@gov.im explaining their specific situation and we will issue a 'no objection' email as supporting evidence from the Flag State.

5. Wages

A seafarer's SEA will stipulate the method of payment for the seafarer's wages and in most cases will be in the form of bank transfer. This may no longer be possible or suitable given the situation and may be changed following discussion with the seafarer. MTWTU advise that payment in cash may be appropriate. The Ship Registry permits payment of wages in cash provided there is written consent from the seafarer. We do not require to see this but it should be retained on board for future audit purposes.



6. Documentation

The Ship Registry recognises IMO Circular letter No 4232/Add.18 issued on 16th November 2022. This Circular extends the validity of Ukrainian Certificates of Competency and Certificates of Proficiency to seafarers until 30th June 2023.

Flag State Endorsements will be extended in line with the same as required, and should be applied for by emailing seafarers@gov.im. There is no charge for this service.

7. Wellbeing

Shipowners should remain aware of the potential emotional impact caused by the war on seafarers who are away from their families during this difficult time.

We would urge owners to consider appropriate mitigating measures such as providing increased connectivity on board to allow seafarers to communicate with their families and access entertainment on board.

We feel now is an appropriate time to remind seafarers of the [Crew Matters App](#) offered by the Ship Registry and the wide range of services it provides to those in need on board Isle of Man flagged vessels. The app is free of charge to whoever requires it.

Please note - The Isle of Man Ship Registry cannot give legal advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.

