



Instruction to RO

No. 26 - Polar Code certification

Date entry into force: 01 December 2019

Introduction

The Netherlands flag State Administration has authorized the Recognized Organizations to act on its behalf to certify ships under SOLAS Chapter XIV and the Polar Code. This mandate concerns all ship safety and environmental related tasks assigned to the administration within these regulations. Specifically SOLAS Chapter XIV, Regulation 1 to 4, the introduction of the Code, the relevant chapters of Part I-A, II-A and taking the guidance of the relevant parts of I-B and II-B into account.

The above excludes Part I-A Chapter 12 of the Polar Code referring to manning and training and the mandatory STCW requirements. This part remains a task for the flag State Administration.

Application

Unless expressly provided otherwise, chapter XIV of SOLAS applies to ships operating in polar waters, certified in accordance with chapter I of SOLAS. Polar waters are defined in the Code.

The Polar Code requires a (statutory) Polar Ship Certificate on:

- New ships constructed on or after 1 January 2017;
- Ships constructed before 1 January 2017 by the first intermediate or renewal survey, whichever occurs first, after 1 January 2018.

An important principle of the Polar Code is that it provides regulations and recommendations where SOLAS, MARPOL and the STCW code lack appropriate safety-, environment- and safe manning standards to operate within the polar waters. These extra regulations further minimize risk and 'add on' to existing conventions/codes regulations. In other words a ship will always need statutory SOLAS I certificates before a Polar Certificate can be issued.

General

The Polar Code covers the full range of design, construction, equipment, operational, training and environmental protection matters.

The Polar Code includes mandatory measures covering safety (part I-A) and pollution prevention (part II-A) and recommendatory provisions for both (parts I-B and II-B).

The code requires (SOLAS Chapter I) ships intending to operate in the defined waters of the

Antarctic and Arctic to apply for a Polar Ship Certificate, which classifies ships as:

- Category A ship - ships designed for operation in polar waters at least in medium first-year ice, which may include old ice inclusions;
- Category B ship - a ship not included in category A, designed for operation in polar waters in at least thin first-year ice, which may include old ice inclusions; or
- Category C ship - a ship designed to operate in open water or in ice conditions less severe than those included in Categories A and B.

In addition, there are criteria for application of various requirements such as temperature, ice operation, maximum time to rescue and high latitude.



These criteria are to be determined in an operational assessment that takes into account the area and period of operation. The assessment is to determine the hazards and conditions likely to be encountered in order to establish operational limitations and the range of procedures required, taking into account the assessment and the vessel's capabilities.

In issuing the Polar Ship Certificate (PSC), the conditions and operational limitations established by the assessment are to be taken into account in order that:

- Operational limitations may be set out on the certificate;
- The methodology to assess operational capabilities and limitations in ice is identified; and
- The applicability of regulations dependent on operating conditions, e.g., low temperature, may be determined.

Ships are also required to carry a Polar Water Operational Manual, to provide the Owner, Operator, Master and crew with sufficient information regarding the ship's operational capabilities and limitations to support their decision-making process.

In line with the goal-based approach used in SOLAS, each chapter in the safety part of the Code sets out goals, functional requirements and regulations. Chapter topics, in addition to the Polar Waters Operational Manual, include: ship structure; stability and subdivision; watertight and weather tight integrity; machinery installations; operational safety; fire safety/protection; life-saving appliances and arrangements; safety of navigation; communications; voyage planning; manning and training.

If the ship meets all applicable regulations, it is deemed to meet all the functional requirements in the safety part of the Code.

As MARPOL does not use a goal-based approach, the environmental part of the Code only sets out operational requirements for the prevention of oil pollution; prevention of pollution from noxious liquid substances from ships; prevention of pollution by sewage from ships; and prevention of pollution by discharge of garbage from ships.

Ships to which the Polar Code applies, having a keel lay date from 01-01-2017, scheduled to operate within the polar regions shall comply with all requirements of the code, including the construction requirements. Ships built after this date which are not constructed under the polar code provisions, may not be able to obtain a Polar Ship Certificate without a (sometimes significant) reconstruction of the ship, before the ship is allowed to operate within the polar regions.

Certification

Polar Code text:

1.3 Certificate and survey

1.3.1 Every ship to which this Code applies shall have on board a valid Polar Ship Certificate.

1.3.2 Except as provided for in paragraph 1.3.3, the Polar Ship Certificate shall be issued after an initial or renewal survey to a ship which complies with the relevant requirements of this Code.

1.3.3 For category C cargo ships, if the result of the assessment in paragraph 1.5 is that no additional equipment or structural modification is required to comply with the Polar Code, the Polar Ship Certificate may be issued based upon documented verification that the ship complies with all relevant requirements of the Polar Code. In this case, for continued validity of the certificate, an on board survey should be undertaken at the next scheduled survey.



1.3.4 The certificate referred to in this regulation shall be issued either by the Administration or by any person or organization recognized by it in accordance with SOLAS regulation XI-1/1. In every case, that Administration assumes full responsibility for the certificate.

1.3.6 Polar Ship Certificate validity, survey dates and endorsements shall be harmonized with the relevant SOLAS certificates in accordance with the provisions of regulation 1/14 of the SOLAS Convention. The certificate shall include a supplement recording equipment required by the Code.

The Polar Water Operational Manual (PWOM) is an integral part of the polar certificate. Without a PWOM no certificate shall be issued. In those cases where ISM procedures are related to polar operations these ISM procedures shall be included or referred to in the PWOM and vice versa¹.

It is important for ship operators to clearly indicate which ISM procedures are part of, or compile, the PWOM. This in order to prevent discussions during port State control inspections.

The ship shall be issued a Polar Ship Certificate stating the standard Polar Service Temperature (PST) based on the actual conditions and equipment placed on board. The equipment placed on the polar certificate equipment list, taking SOLAS Chapter XIV, Regulation 4 (alternative design and arrangements) into account, shall be verified to be on board during each survey and stay on board as long as the certificate is valid.

Dual certification

In cases where voyages are undertaken in areas or season with lower PST, the relevant equipment, is to be placed onboard before sailing under those conditions. The different scenarios including the additional equipment and requirements shall be described in the PWOM (or if deemed more efficient in separate PWOMs). If the vessel is eligible² to operate under a lower Polar Service Temperature, a condition/recommendation/memoranda may be stated on the PSC as follows:

“Vessel is eligible for Polar certification with Polar Service Temperature “xx” Degrees Celsius, a Polar Ship certificate will be issued to that effect, subject to a verification by RO confirming the required additional polar equipment and its operational readiness before the polar voyage (season) commences”.

The procedure to be eligible to sail under lower PST conditions should be documented in the operational procedures under the ISM code and/or in the PWOM, and shall be subject to a verification to confirm that the ship is compliant to the lower PST, after which the new/amended PSC shall be issued and available on board. In case the original certificate is retained on board, this shall be subject to the same procedure as required for dual load line certification (see: https://puc.overheid.nl/nsi/doc/PUC_1348_14/).

The Polar Ship Certificate issued for the lower PST conditions shall cease to be valid when additional equipment is removed from the ship. This shall be reported to the RO which will (re)issue the original Polar Ship Certificate (or as referenced above, the procedure on dual certification is followed). If the request for a lower operational temperature is limited to a duration or a voyage and only a short-term PSC was issued that will automatically result in the certificate becoming invalid and the equipment may be removed from the vessel.

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¹ In some cases the RO dealing with the Polar Code certification is not the same as RO dealing with the ISM certification. In cases of alleged non-compliance the other RO shall be notified.

² Information is provided in order to facilitate shipowner when offering the ship for potential clients.