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Circular Letter No.4244
31 March 2020

To: All IMO Members
Intergovernmental organizations
Non-governmental organizations in consultative status

Subject: **Communication from the Government of Montenegro**

The Government of Montenegro has sent the attached communication, dated 20 March 2020, with the request that it is circulated by the Organization.

ANNEX



Montenegro

Ministry of Transport and Maritime Affairs
Directorate for maritime transport and inland navigation

Address: 46 Rimski trg
81000 Podgorica, Montenegro
tel: +382 20 234 179
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Number: 345/20-05-2320/1

Podgorica: 20 March 2020

DECISION ON CONDUCTING TEMPORARY MEASURES CAUSED BY COVID-19 PANDEMIC

Due to the situation caused by the COVID-19 pandemic, the Ministry of Transport and Maritime Affairs of Montenegro (hereinafter: the Ministry) has decided to take temporary measures for seafarers who are unable to recover all the documents they need to carry out their duties aboard ships.

The provisional measures caused by the COVID-19 pandemic, which may be considered as Force Majeure, relate to the general extension of the validity of seafarers' identity documents to enable them to work legally on board.

1. EXTENSION OF VALIDATION OF MARITIME DOCUMENTS AFTER EXPIRY DATE

1.1 Certificate of Competency (CoC) and Certificate of Proficiency (CoP)

The Ministry has decided to grant the validity of the Montenegrin Certificates of Competency (CoC) and Certificates of Proficiency (CoP) which expire before 20 June 2020, additional validity up to 3 (three) months. Seafarers whose authorization have expired or will expire during this period will not have to apply for the extension in question.

1.2. Seafarer's Health Certificates

Regarding Temporary Measures Caused by the COVID-19 Pandemic, which may be considered as a Force Majeure Regarding a Seafarer's Certificate of Health, the Ministry has decided to apply the emergency provisions permitted by regulation I/9 of the STCW Convention of 1978, as amended by regulation 1.2. MLC 2006 Convention as amended. Based on the above, the Ministry permits a seafarer to work on a ship, provided that the seafarer holds a seafarer's health certificate with an expiry date to which a period of not more than 3 (three) months is added.

2. EXTENSION OF THE EMPLOYMENT CONTRACT VALIDITY WITH SHIPPING OPERATORS OR COMPANIES

Due to difficult conditions and inability to organize voluntary return (repatriation) of a seafarer to Montenegro, shipping operators or companies, it is allowed to extend the validity

of the employment contract for a maximum of 3 (three) months, with the consent of the seafarer with the proposed extension period.

In such situations, it is necessary to execute an additional contract for the work of the shipping company, i.e. the company with the seafarer under the same conditions as in the basic contract.

3. NOTICE

The Ministry will notify all interested organizations (IMO, ILO, EMSA and others) of the interim measures taken due to the COVID-19 pandemic. These measures will also be published on the official website of the Ministry: www.msp.gov.me

CONTACT FOR ADDITIONAL INFORMATION

For all additional clarifications you may contact the email address: kabinet@msp.gov.me



Osman Nurković
THE MINISTER



Crna Gora

Ministarstvo saobraćaja i pomorstva
Direktorat za pomorski saobraćaj i unutrašnju plovidbu

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Broj: 345/20-05-2320/1

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ODLUKA O PREDUZIMANJU PRIVREMENIH MJERA UZROKOVANIH COVID-19 PANDEMIJOM

Zbog situacije nastale pandemijom COVID-19, Ministarstvo saobraćaja i pomorstva Crne Gore (u nastavku: Ministarstvo) je donijelo odluku da preduzme privremene mjere za pomorce koji nijesu u mogućnosti da odnove sva dokumenta koja su im potrebna za obavljanje poslova na brodovima.

Privremene mjere uzrokovane COVID-19 pandemijom koja se može smatrati višom silom, se odnose na opšte produženje važenja ličnih dokumenata pomoraca kako bi im se omogućio zakonski rad na brodu.

1. PRODUŽENJE VAŽENJA POMORSKIH DOKUMENATA NAKON DATUMA ISTEKA

1.1 Ovlašćenja o osposobljenosti (CoC) i Ovlašćenja o posebnoj osposobljenosti (CoP)

Ministarstvo je donijelo odluku da se važenju crnogorskih ovlašćenja o osposobljenosti (CoC) i ovlašćenja o posebnoj osposobljenosti (CoP) koja ističu prije 20. juna 2020. godine, dodijeli opšte produženo važenje do 3 (tri) mjeseca. Pomorci, kojima su istekla ili će u ovom periodu isteći ovlašćenja, neće morati da podnose zahtjev za predmetno produženje važenja ovlašćenja.

1.2. Uvjerenja o zdravstvenoj sposobnosti pomorca

Privremene mjere uzrokovane COVID-19 pandemijom koja se može smatrati višom silom, u pogledu uvjerenja o zdravstvenoj sposobnosti pomorca, Ministarstvo je donijelo odluku da primijeni odredbe za hitne slučajeve dozvoljene propisom I/9 STCW Konvencije iz 1978. godine, sa izmjenama i dopunama propisa 1.2. MLC Konvencije iz 2006. sa izmjenama i dopunama. Na osnovu navedenog, Ministarstvo dozvoljava pomorcu da radi na brodu pod uslovom da pomorac posjeduje uvjerenje o zdravstvenoj sposobnosti pomorca sa datumom isticanja važenja na koji se dodaje vremenski period ne duži od 3 (tri) mjeseca.

2. PRODUŽENJE TRAJANJA UGOVORA O RADU SA BRODAROM ILI KOMPANIJOM

Zbog otežanih uslova i nemogućnosti organizovanja dobrovoljnog povratka (repatrijacije) pomorca u Crnu Goru, brodarima ili kompanijama je dozvoljeno produženje važenja ugovora o radu za najviše 3 (tri) mjeseca, uz saglasnost pomorca sa predloženim vremenskim periodom produženja.

U ovakvim situacijama, potrebno je, zaključiti dodatni ugovor o radu broдача, odnosno kompanije sa pomorcem pod istim uslovima koji su važili u osnovnom ugovoru.

3. OBAVJEŠTENJE

O preduzetim privremenim mjerama uzrokovanim COVID-19 pandemijom, Ministarstvo će obavijestiti sve zainteresirane organizacije (IMO, ILO, EMSA i druge). Navedene mjere će takođe biti objavljene na službenim internetskim stranicama Ministarstva: www.msp.gov.me

4. KONTAKT ZA DODATNE INFORMACIJE

Za sva dodatna pojašnjenja možete se obratiti na mail adresu: kabinet@msp.gov.me




Osman Nurković
MINISTAR