

GIBRALTAR MARITIME ADMINISTRATION
(Ministry of Maritime Affairs)



Watergate House
2/8 Casemates Square
Gibraltar

Tel (+350) 200 46862 / 47771 / 50424
Fax (+350) 200 47770
e-mail: maritime.survey@gibraltar.gov.gi
maritime.registry@gibraltar.gov.gi

Shipping Guidance Notice – 036

To: Ship Owners, Operators and Classification Societies

Confirmation of Marine Equipment Directive (No 96/98/EC) Compliance

1. To ensure Gibraltar registered ships comply with the requirement of the MED the following procedures are to be followed;
2. **Ships built and completed under a non-EU flag State and Changing to Gibraltar Flag**
 - a. Before agreeing to accept the ship the Administration requires a declaration by the owners to the effect that the ship is either MED compliant or compliant with international convention equivalents **and** a written undertaking to replace any non-MED compliant items when they become time expired or defective with MED compliant equipment
 - b. The ship can flag to the Gibraltar register and may be handled as a change of flag in accordance with Article 8 of the MED Directive.
 - c. In this case, the equipment has to be in compliance with MED Directive and / or meet an international standard as certified by one of the ROs recognized by the Administration.
 - d. A comprehensive list of the non-MED compliant items, including details of the standards to which each item is approved, and confirmation that it has been inspected by the attending surveyor, must be provided to the GMA at the earliest opportunity before registration.
 - e. A Statement of Compliance confirming the MED compliance has to be provided to the GMA at the earliest opportunity, prior to registration under Gibraltar flag.
 - f. A Statement of Compliance should be issued by the attending surveyor after finalizing and delivery of the ship if this is different to the Statement issued under 2e above.
 - g. List all equipment that is non-MED type-approved on the reverse side of the Statement of Compliance. The list should include the equipment's name, "Approved by ..." and "Approval No."
 - h. Forward the Statement immediately after issuing to the GMA.

3. The Administration will decide on the treatment of any non MED equipment and what changes, if any, have to be made to this equipment either before the ship is accepted or in the future.
4. **For new builds. and transfers from EU flags:**
 - a. The ship's equipment should be MED compliant.
 - b. Before agreeing to accept the ship the Administration require a declaration by the owners to the effect that the ship is being built to EU standards and will be MED compliant on completion.
 - c. A Statement of Compliance confirming the MED compliance has to be provided to the GMA at the earliest opportunity, prior to registration under Gibraltar flag.
 - d. In the unlikely event that any equipment is not MED type-approved, list such items on the reverse side of the Statement of Compliance. The list should include the equipment's name, "Approved by ..." and "Approval No."
5. The Administration will decide on the treatment of any non MED equipment and what changes, if any, have to be made to this equipment either before the ship is accepted or in the future.
6. **Ships built under a non-EU flag State but changing flag to Gibraltar at a very late stage of construction and prior to delivery**
 - a. The Administration may, at the discretion of the Maritime Administrator, accept new ships which have been built for another flag administration subject to them having been certified by the original flag and a full set of statutory certificate issued.
 - b. The conditions in 2 above will be the minimum requirements and some equipment may have to be replaced.
7. The Administration will decide on the treatment of any non MED equipment and what changes, if any, have to be made to this equipment either before the ship is accepted or in the future.

Alan Cubbin
Maritime Administrator

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