

Số: 11/BTK-VPIMOVN
V/v: Hướng dẫn sử dụng
Giấy chứng nhận điện tử.

Hà Nội, ngày 02 tháng 02 năm 2015

Kính gửi:

- Vụ Pháp chế (Bộ Giao thông vận tải);
- Vụ Vận tải (Bộ Giao thông vận tải);
- Vụ Tổ chức cán bộ (Bộ Giao thông vận tải);
- Vụ An toàn giao thông (Bộ Giao thông vận tải);
- Vụ Khoa học công nghệ (Bộ Giao thông vận tải);
- Các Thành viên Ban Thư ký IMO Việt Nam.

Tổ chức Hàng hải Quốc tế (IMO) gửi các Quốc gia thành viên Thông tri số FAL.5/Circ.39/Rev.1 ngày 07/10/2014 về Hướng dẫn sử dụng Giấy chứng nhận điện tử.

Mục đích của Hướng dẫn là nhằm tạo thuận lợi cho việc sử dụng cũng như chấp thuận Giấy chứng nhận điện tử, giảm bớt gánh nặng hành chính cho các cơ quan hành chính, các sỹ quan kiểm tra nhà nước cảng biển, thuyền bộ và các bên liên quan khác do giấy chứng nhận truyền thống gây ra.

IMO yêu cầu các Quốc gia thành viên phổ biến Hướng dẫn cho tất cả các bên liên quan, đặc biệt là những người có liên quan trong quá trình cấp, chứng thực và điều chỉnh giấy chứng nhận điện tử nhằm đảm bảo tính pháp lý của giấy chứng nhận điện tử.

Văn phòng IMO Việt Nam xin gửi nguyên bản Thông tri số FAL.5/Circ.39/Rev.1 theo địa chỉ: <http://www.vinamarine.gov.vn> – Thông tin IMO để Quý Cơ quan, Quý thành viên xử lý theo thẩm quyền./.

Nơi nhận:

- Như trên;
- TTK - Thứ trưởng Nguyễn Văn Công (để b/c);
- Lưu: VPIMOVN.

**TL. TỔNG THƯ KÝ
TRƯỞNG VĂN PHÒNG**



Phan Nguyễn Hải Hà

4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

FAL.5/Circ.39/Rev.1
7 October 2014

GUIDELINES FOR THE USE OF ELECTRONIC CERTIFICATES

- 1 The Facilitation Committee, at its thirty-ninth session (22 to 26 September 2014), approved the attached *Guidelines for the use of electronic certificates* (the Guidelines).
- 2 Member Governments are invited to bring the Guidelines to the attention of all stakeholders, in particular, those who are involved in the process of issuance, maintenance, endorsement and revision of electronic certificates, such as recognized organizations, port State control officers, shipowners and crew, agents and vetting companies.
- 3 Member Governments are also invited to take the necessary actions at the national level to ensure that adequate legislation is in place for the use and acceptance of electronic certificates, as may be required.
- 4 Member Governments, international organizations and non-governmental organizations with consultative status are also invited to bring to the attention of the Committee, at the earliest opportunity, the results of the experience gained from the use of the Guidelines for consideration of action to be taken.
- 5 This circular revokes FAL.5/Circ.39.

ANNEX

GUIDELINES FOR THE USE OF ELECTRONIC CERTIFICATES

1 Introduction

1.1 The Organization aims to reduce the administrative burden on Administrations, port State control officials, ships' crews and other stakeholders caused, amongst other reasons, by reliance on traditional paper certificates.

1.2 Signed paper certificates issued by Governments and recognized organizations authorized to act on their behalf have been the traditional means of documenting compliance with IMO requirements.

1.3 Contracting Governments using electronic certificates, including printed versions of electronic certificates, have experienced instances of port State control officers or other stakeholders denying the validity of these certificates, resulting in a burden to the master and crew, shipowner or operator, port State control officers, Administration and other stakeholders.

1.4 In addition, ships have experienced instances of port State control actions because a traditional paper certificate has been issued but has not arrived on the ship or the traditional paper certificate has been damaged or lost.

1.5 Establishing a recognized set of features for using electronic certificates should help alleviate problems inherent in reliance on paper.

2 Purpose

The purpose of these Guidelines is to facilitate the use and acceptance of electronic certificates.

3 Definitions

For the purpose of these Guidelines:

- .1 *Certificate* means a document issued by an Administration or its representatives that is used to show compliance with IMO requirements and used to describe operating conditions, crewing requirements, and ship equipment carriage requirements. The term "certificate" does not include publications, manuals, instructions or ships' logs used to record ongoing operations;
- .2 *Electronic certificate* means a certificate issued in an electronic format;
- .3 *Electronic signature* means data in electronic form which is attached to or logically associated with other electronic data to serve as a method of authentication of the issuer and contents of the electronic data;
- .4 *Printed version of electronic certificate* means a paper printout produced from the electronic certificate;

- .5 *Unique tracking number* means a string of numbers, letters or symbols used as an identifier to distinguish an electronic certificate issued by an Administration or its representative from any other electronic certificate issued by the same Administration or its representative; and
- .6 *Verifying* means a reliable, secure and continuously available process to confirm the authenticity and validity of an electronic certificate using the unique tracking number.

4 Features

4.1 Administrations that use electronic certificates should ensure that these certificates have the following features:

- .1 validity and consistency with the format and content required by the relevant international convention or instrument, as applicable;
- .2 protected from edits, modifications or revisions other than those authorized by the issuer or the Administration; and
- .3 a unique tracking number used for verification as defined in paragraphs 3.5 and 3.6.

4.2 Administrations that use websites for online viewing or verifying electronic certificates should ensure that these sites are constructed and managed in accordance with established information security standards for access control, fraud prevention, resistance to cyberattacks and resilience to man-made and natural disasters.¹

4.3 Shipowners, operators and crews on ships that carry electronic certificates should ensure that these certificates are controlled through the safety management system, as described in section 11 of the International Safety Management Code.

4.4 Electronic signatures applied to electronic certificates should meet authentication standards, as adopted by the Administration.

5 Verification

Instructions for verifying (see paragraph 3.6) the information contained in the certificate, including confirmation of periodic endorsements, when necessary, should be available on board the ship.

6 Notifications

Administrations deciding to issue or authorize issuance of electronic certificates are invited to inform the Committee on their experience. All Administrations are urged to communicate to the Organization through the relevant module in the Global Integrated Shipping Information System (GISIS), when available, the list of certificates categories identified in FAL.2/Circ.127-MEPC.1/Circ.817-MSA.1/Circ.1462 which will be issued by the Administration or its representative as electronic certificates.

¹ Such as the International Organization for Standardization/International Electrotechnical Commission 27000 series standards and similar guidelines, including requirements of the Administration.

7 Acceptance

All stakeholders should accept electronic certificates containing the features identified in section 4. These electronic certificates should be verified, when necessary, following the instructions available on board the ship (see paragraph 3.4). Furthermore, port State control officers, in accepting electronic certificates, should follow the *Procedures for Port State Control, 2011* (resolution A.1052(27)).

8 Implementation

Administrations should put in place the necessary procedures in order to ensure that all related stakeholders' needs, capacities and expectations are taken into consideration before and during the implementation of electronic certificates.
