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To: Distribution

Subj: ISSUANCE AND ACCEPTANCE OF ELECTRONIC CERTIFICATES

Ref: (a) FAL.5/Circ.39 Rev.2 "Guidelines for the Use of Electronic Certificates"

1. PURPOSE. This policy letter provides guidance for the issuance and acceptance of certain electronic certificates to U.S. flag vessels and those foreign-flagged vessels trading in U.S. waters subject to Port State Control.
2. ACTION. Representatives of a U.S. Coast Guard Authorized Classification Society (ACS) delegated authority under Title 46 Code of Federal Regulations (CFR) Part 8, a Recognized Organization (RO) delegated authority under 33 CFR Part 96, a Third Party Organization (TPO) approved under 46 CFR Subchapter M, and Coast Guard Officer(s) in Charge, Marine Inspection (OCMI), to include U.S. Coast Guard Marine Inspectors (MIs) and Port State Control Officers (PSCOs), should apply the provisions of this policy as described herein. Nothing in this policy letter requires a vessel owner, operator, ACS or RO to request or issue electronic certificates. Rather, this policy is intended to communicate the conditions under which electronic certificates may be issued on behalf of and accepted by the Coast Guard.
3. DIRECTIVES AFFECTED. None
4. BACKGROUND. Traditionally, Contracting Governments and Recognized Organizations authorized to act on their behalf have issued signed paper certificates to document compliance with International Maritime Organization (IMO) instruments. Recognizing that paper certificates are subject to loss or damage and can be impractical to send to globally-trading vessels, certain Contracting Governments pioneered the use of electronic certificates. However, in some cases, these Administrations experienced instances of Port State Control interventions where the validity of electronic certificates, including printed versions of the certificates, was questioned by the PSCO. The IMO developed reference (a) to standardize features to both alleviate the problems inherent in reliance on paper certificates and provide a mechanism for verifying authenticity of electronic certificates. For example, an electronic certificate could be as simple as a signed, scanned, and printed document or as complex as a totally digital version viewed on the issuer's website. Reference (a) is intended to address the full range of options for creating, issuing, and viewing electronic certificates.

5. DISCUSSION. The Coast Guard acknowledges that electronic certificates can be a practical alternative to paper certificates provided there is a reliable method to verify the validity and authenticity of the certificate(s). To that end, Enclosures (1) and (2) have been developed based on the guidance provided in reference (a). Enclosure (1) details the provisions under which electronic certificates may be issued by an ACS, RO, or TPO to U.S. Flag vessels. Enclosure (2) details the provisions under which electronic certificates will be accepted by the U.S. Coast Guard on foreign-flagged vessel subject to Port State Control. Nothing in this policy letter limits the MI or PSCO from requesting additional information to verify the authenticity or validity of an electronic certificate.
6. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS. Environmental considerations were examined in the development of this policy and have been determined to be not applicable.
7. DISCLAIMER. This guidance is not a substitute for applicable legal requirements, nor is in itself a regulation. It is not intended to nor does it impose legally-binding requirements on any party. This guidance represents the Coast Guard's current thinking on this topic and may assist industry, mariners, the general public, and the Coast Guard, as well as other federal and state regulators, in applying statutory and regulatory requirements. Alternative approaches for complying with these requirements may be acceptable if the approach satisfies the requirements of the applicable statutes and regulations.
8. QUESTIONS. Questions or concerns regarding this policy may be directed to the Office of Commercial Vessel Compliance, COMDT (CG-CVC) via e-mail to CG-CVC@uscg.mil. This policy letter and other domestic vessel policy documents are posted on the CG-CVC website at <http://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Inspections-Compliance-CG-5PC-/Commercial-Vessel-Compliance/CG-CVC-Policy-Letters/>.

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- Encl: (1) Issuance and Acceptance of Electronic Certificates on U.S. Flag Vessels  
(2) U.S. Coast Guard Acceptance of Electronic Certificates during Port State Control Exams

## **ISSUANCE AND ACCEPTANCE OF ELECTRONIC CERTIFICATES ON U.S. FLAG VESSELS BY THIRD PARTIES**

1. Representatives of a U.S. Coast Guard ACS delegated authority under Title 46 Code of Federal Regulations (CFR) Part 8, a RO delegated authority under 33 CFR Part 96, or a TPO approved under 46 CFR Subchapter M, may issue, revise, endorse, or extend electronic certificates in accordance with existing authorizations, delegations,<sup>1</sup> related program policies, and the provisions of this policy.
  
2. The following certificates and Statements of Voluntary Compliance (SOVC) may be issued in electronic format:
  - a. International Tonnage Certificate (1969)
  - b. International Load Line Certificate
  - c. International Oil Pollution Prevention Certificate
  - d. International Sewage Pollution Prevention Certificate (SOVC only; see NVIC 1-09)
  - e. Document of Compliance (ISM)
  - f. Safety Management Certificate
  - g. International Anti-fouling System Certificate
  - h. International Air Pollution Prevention Certificate
  - i. International Energy Efficiency Certificate
  - j. Passenger Ship Safety Certificate<sup>2</sup>
  - k. Cargo Ship Safety Construction Certificate (see footnote 2)
  - l. Cargo Ship Safety Equipment Certificate
  - m. International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (NLS Certificate)
  - n. International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (IBC Code)
  - o. Certificate of Fitness for the Carriage of Liquefied Gases in Bulk (GC Code)
  - p. International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk (ICG Code)
  - q. Certificate of Fitness for Offshore Support Vessels (Resolution A.673(16))
  - r. High-Speed Craft Safety Certificate (ACP Vessels only; see NVIC 6-99)

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<sup>1</sup> See [summary of table of authorizations](#) (also available at <http://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Commercial-Regulations-standards-CG-5PS/acp/>) for specific certificate delegations by ACS and RO. Certificates not specifically mentioned in this table are annotated with the relevant Coast Guard policy which prescribes conditions on which certificates may be delegated.

<sup>2</sup> If the vessel is subject to the IGF Code, the ACS may not issue the PSSC or CSSC with IGF Code Endorsement (see Resolution MSC.392(95)) until such time as the cognizant OCMI has determined that the vessel meets the requirements of the IGF Code per [CG-ENG Policy Letter 01-12, CH-1](#), Enclosure (1), paragraph 2.1. This determination should be provided in writing by the cognizant OCMI to the ACS. If the vessel was subject to a design basis letter or agreement, rather than the IGF Code, the PSSC/CSSC should not be endorsed for IGF Code compliance.

- s. Document of compliance with the special requirements for ships carrying dangerous goods
  - t. Mobile Offshore Drilling Unit Safety Certificate
  - u. Maritime Labour Convention (MLC) Certificate and Declaration of Maritime Labor Compliance (DMLC) Part I (SOVC Only, See NVIC 02-13, Change 1)
  - v. Document of Authorization for the Carriage of Grain<sup>3</sup>
  - w. Cargo Securing Manual Approval (33 CFR 97.300)
  - x. Cargo Gear Certificates and Registers (46 CFR Parts 31.10-16 & 91.25-25)
  - y. Towing Safety Management Certificate (46 CFR Subchapter M)<sup>4</sup>
3. The ACS, RO, or TPO should ensure that electronic certificates have the following features:
- a. Validity and consistency with the format and content required by the relevant international convention or instrument, as applicable;
  - b. Protection from edits, modifications or revisions other than those authorized by the issuer or the Administration;
  - c. A unique tracking number<sup>5</sup> to be used for verification<sup>6</sup>;
  - d. A printable and visible symbol that confirms the source of issuance.
4. Any ACS, RO, or TPO that issues electronic certificates on behalf of the U.S. Coast Guard should ensure that:
- a. The electronic certificates are available, viewable, and printable in the applicable ACS, RO, or TPO database and accessible by the Coast Guard at all times.
  - b. Prior to issuing any certificate electronically, the ACS, RO, or TPO should provide verification instructions to the Coast Guard at [CG-CVC-1@uscg.mil](mailto:CG-CVC-1@uscg.mil), and to the vessel owner so that these verification instructions will be available onboard any ship to which electronic certificates have been issued to ensure that electronic certificates can be validated quickly if the PSCO has a reason to question them.
5. The ACS, RO, or TPO should ensure that websites for online viewing or verifying electronic certificates are constructed and managed in accordance with established information security

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<sup>3</sup> The Document of Authorization (DoA) for the Carriage of Grain may only be issued by the National Cargo Bureau (NCB). While the NCB is not required to issue electronic certificates, if electronic DoA's are issued the provisions of paragraphs (c) and (d) apply. See 46 CFR 172.015.

<sup>4</sup> TPOs with a valid TPO Approval Letter issued by the Coast Guard may issue TSMS Certificates electronically.

<sup>5</sup> Unique tracking number means a string of numbers, letter or symbols used as an identifier to distinguish an electronic certificate issue by an Administration or its representative from any other electronic certificate issued by the same Administration or its representative.

<sup>6</sup> Verifying (Verification) means a reliable, secure and continuously available process to confirm the authenticity and validity of an electronic certificate using the unique tracking number and other data contained on or embedded in the electronic certificate.

standards for access control, fraud prevention, resistance to cyber attacks, and resilience to man-made and natural disasters.<sup>7</sup>

6. Ship owners, operators, and crews on ships that use electronic certificates and have a Safety Management System (SMS), as described in section 11 of the International Safety Management (ISM) Code or a Towing Vessel Safety Management System (TSMS), as described in 46 CFR Subchapter M, should ensure that these certificates are addressed in either the SMS or TSMS. ROs and TPOs should verify the provisions for electronic certificates are included in the SMS during ISM verifications or TSMS audits.
7. Instructions for verifying electronic certificates should be available onboard ships. Likewise, any necessary equipment for verifying the validity of the certificates (computer access, Quick Response (QR) reader, etc) should be provided onboard for verification purposes.
8. Certificates that are issued directly by the Coast Guard will continue to be issued in paper format for the time being.<sup>8</sup>
9. Certificates issued by other agencies of the U.S. Flag Administration including those required to be issued under the authority of the Environmental Protection Agency (EPA) and the Federal Communications Commission (FCC) will continue to be issued in the traditional manner or as otherwise accepted or delegated by those respective agencies.

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<sup>7</sup> Such as the International Organization for Standardization/International Electrotechnical Commission 27000 series standards and similar guidelines, including requirements of the Administration (USCG Does not have specific requirements at this time).

<sup>8</sup> Form letters constituting Documentary Evidence of Financial Security required under MLC regulations 2.5 and 4.2 will be issued electronically by the Coast Guard Office of Commercial Vessel Compliance (CG-CVC-1). See [NVIC 02-13, Change \(1\)](#).

**U.S. COAST GUARD ACCEPTANCE OF ELECTRONIC CERTIFICATES  
DURING PORT STATE CONTROL (PSC) EXAMINATIONS**

1. U.S. Coast Guard PSCOs will verify required certificates in accordance with the guidance provided in the Procedures for Port State Control, 2011 (IMO Resolution A.1052(27)) , or revised Assembly Resolution, and will accept electronic certificates in accordance with paragraph (7) of reference (a).
2. Administrations or ROs that issue electronic certificates should ensure the certificates have the features prescribed in paragraph (4) of reference (a).
3. Instructions for verifying electronic certificates should be available onboard ships. Likewise, any necessary equipment for verifying the validity of the certificates (computer access, Quick Response (QR) reader, etc) should be provided onboard for verification purposes.
4. The PSCO shall accept electronic certificates unless there is objective evidence that leads to questions regarding the validity of a certificate. In such cases, the PSCO should use the instructions provided onboard the ship to verify the certificate(s) being questioned. Invalid electronic certificates and failure to provide instructions for verifying the electronic certificates may lead to control actions onboard the ship.
5. Certificates of Compliance (CoC) for foreign tank vessels, passenger vessels, mobile offshore drilling units, floating production storage and offloading (FPSO), and floating production and storages (FPS) issued by the Coast Guard will continue to be issued in paper format. However, an OCMI may authorize, on a limited basis, transmittal of the original CoC to the vessel, via email in extenuating circumstances.
6. Vessels that have the ability to email or provide online access to documents prior to arrival within the U.S. may provide the means for the OCMI to review the documents electronically before conducting a PSC exam. The OCMI's review of the documents prior to the PSC exam may reduce the PSCOs' time on board and enable the crew to return to vessel operations in a timely manner.