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1. **Bahamas**

1.1. **Bahamas Maritime Law**

The Bahamas Maritime Law is contained within the following publications:

- The Bahamas Merchant Shipping Act
- The Officers Guide to Bahamas Merchant Shipping Legislations
- The “BMA Information Bulletins”
- The Bahamas National Requirements (BNR) (which has consolidated previous Bahamas interpretations and guidance on technical matters as they relate to International Conventions and/or Codes)



Details or links to the above are available online at: www.bahamasmaritime.com
(and <http://laws.bahamas.gov.bs>)

1.2. **Bahamas Flag State File**

Copies of the above BMA documents, in their latest revision, shall be retained in Company offices and on board all Bahamian registered ships in a Flag State File. It may be in either hard copy or digital form.

1.3. **Official Log Book and Crew Agreement Articles:**

- Bahamas registered ships are required to carry Official Log Books (OLB)
It is recommended that OLB should be opened preferably on the first day of the calendar year i.e. 01-January and closed on or about 31-December in order to produce an yearly OLB.
The OLB should be kept on board the ship for a reasonable period of time (ie one year) after the end of its recommended annual coverage and then sent to the Company for keeping for a period of up to 7 years.
The Crew list referred to in the OLB may be maintained electronically with appropriate reference in the OLB
- The Crew Articles are best to be opened/closed at the same time as the annual OLB and send back to the Company Office for further record keeping together with the OLB

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1.4. Bahamian Inspection Requirements (reference BMA Bulletin 66)

The Bahamas Merchant Shipping Act Section 172 requires that all Bahamian registered ships, except for pleasure craft, are to be satisfactorily inspected on an annual basis (within a 6 months window around a set anniversary date) by a Bahamas Maritime Authority (BMA) Approved Nautical Inspector.

Under normal circumstances, no more than three consecutive annual inspections should be conducted by the same Bahamas approved nautical inspector. Where the same inspector has carried out the last three consecutive annual inspections, the Company should appoint an alternative inspector to carry out the next annual inspection, where practicable.

On completion of a satisfactory inspection a Certificate of Inspection (COI) will be issued. Every applicable Bahamian registered ship shall display a valid COI at a prominent location either on the navigation bridge or within the ship's accommodation.

1.5. Port State Control Inspections (reference BMA Bulletin 85)


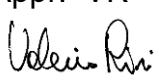
The Company is required to send copies of every PSC inspection report to the BMA as soon as possible *after the inspection*.

1.6. Passenger Ships requirements for dry docking and bottom inspections (reference BMA Bulletin 73)

BMA passenger ship basic requirement is for a drydock twice in any five year period, as determined by the Load Line certificate.

Bottom inspections are required annually. During the drydocks they shall be performed out of the water and the remaining annual inspections of the outside of the ship's bottom may be carried out in-water for all passenger ships which are not ro-ro, provided that an appropriate Classification Society notation for in-water survey is assigned to the ship, and the interval between bottom inspections in drydock does not exceed 36 months.

For ships of less than 15 years of age (at the time the relevant docking is due), an application may be made to permit one bottom inspection in drydock/out of the water in any five year period



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1.7. Loadline requirements

- Freeboard Notice
FRE13/a "Draught of Water and Freeboard Notice" should be posted in some conspicuous place on board the ship, where it can be seen by all members of the crew, before the ship leaves any dock, wharf, harbour or other place for the purpose of proceeding to sea and is to be kept so posted until after the ship arrives at any other dock, wharf, harbour or place. The date and time of recording the above particulars on each occasion must be entered in the Official Log Book.
- Watertight Doors (WTDs) closure (*Bulletin 96*)
Ships in need to leave certain WTDs open during navigation when NOT under potentially hazardous conditions are to send an assessment to their Recognized Class Society for review and approval.
- Opening of Passenger Ships Side Shell Doors when at Anchor
Recognised Organisations may authorize certain doors to be opened for operation of the vessel while not under way or passenger embarkation without reference to the BMA. Letters of authorization may be issued on behalf of The Commonwealth of The Bahamas in order to satisfy particular port authority requirements

1.8. Safety requirements

- Abandon Ship Drills
The Master has discretion to modify or postpone drills which are required under SOLAS Chapter III though the justification is to be entered into the Official Log Book and the required drill has been carried out at the earliest practical opportunity thereafter.
- Safety of Lifeboats (*Bulletins 72, 87, 98, 100, 117*)
The IMO MSC Circulars relevant to this subject are to be applied in order to reduce accidents whilst launching and recovering lifeboats during abandon ship drills (the guidance of those Circulars have been incorporated in this SMS).

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Failure to carry out:

- the required maintenance and recording activities required by the above circulars, in particular:
 - manufacturer's instructions and recommendations
 - the Company's procedures for maintenance and inspection
 - records of lifeboat drills
 - records of inspection and maintenance of equipment, including details
 - of the competent persons undertaking the activity
 - abandon ship drills without a suitable explanation entered into the Official Log Book,
 - the required drills within the scope of any exemption allowable by SOLAS Chapter III requirements

is to be considered as a non-conformity and as an 'operational failure' and specifically reported to the Bahamas Maritime Administration (BMA) (reference BMA Bulletin 72)


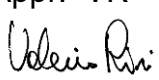
BMA accepts applications proposing replacing of Davit Winch Brake Remote Release Gear with alternative manual arrangements provided that a responsible officer oversees the lowering of the lifeboat in constant two way UHF communications with it, direct line of sight of it and direct contact with the person operating the local davit winch break release

Use of Fall Prevention Devices (FPDs) is to be considered (reference BMA Bulletin 117)


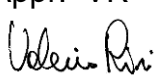
The annual thorough examination of Lifeboats on load release gear and launching appliances should be the manufacturer or authorised representative by the manufacturer and if not in business another authorised competent person

Wires (Bulletin 100) – In the case of anti-rotational wires or wires with sheathed cores, the inspection, maintenance and effectiveness of greasing is to be determined in accordance with manufacturer's instructions.

- Fire Fighting Equipment (Bulletin 97)
 - annual examination by a competent person required

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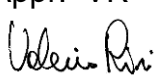
- fixed CO2 and Halon Systems should have all high pressure and pilot cylinders weighed, activating heads removed where possible and work pressure tested every two years
- *fixed CO2 all control valves are to be internally examined.*
- *Number of portable fire extinguishers:*
 - *Ships built before 01Jan2009:*
 - *In accordance with Class, and*
 - *In accommodation spaces, service spaces and control stations – no less than 5 units, and*
 - *Additionally application of MSC.1/Circ.1275 is encouraged where practicable*
 - *Ships built on or after 01Jan2009:*
 - *As per MSC.1/Circ.1275, and*
 - *In accommodation spaces, service spaces and control stations – no less than 5 units*
- hydro tests required for
 - fire extinguishers – every 10 years
 - fixed systems cylinders – every 10 years
- use of Halon for fire fighting allowed
- *Automatic Sprinkler Systems (Bulletin 150)*
 - *Water quality must be assessed through periodic sampling and analysis in accordance with the manufacturer's instructions*
 - *Base line water quality should be established at the following times:*
 - *Prior to the delivery of the ship from the building yard but, after all installation testing has been completed*
 - *Whenever the system is flushed and re-filled with water in accordance with manufacturer's maintenance instructions or after operation/testing.*

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- *All initial and basis testing shall be conducted onboard during the Annual PSSC Survey in the presence of a Recognised Organisation surveyor as follows:*

<i>Age of System</i>	<i>< 5 years</i>	<i>Initial Testing</i>
	<i>≥ 5 years</i>	<i>Basic Testing</i>

- *Initial testing*
 - *Test a minimum of two sprinklers for proper operation at pilot pressure as per MSC.1/Circ.1432*
 - *Assess water quality*
- *Basic testing*
 - *Two sprinklers in 10 sprinkler sections should be tested (20 sprinklers in total). The test samples should be taken from different areas of the ship. For consistency, it is important that two sprinkler tests are recorded and documented from each tested section.*
 - *Take water samples*
- **EEBDs (Bulletin 29)**
A Risk Assessment is required to determine the location and numbers of EEBD onboard in agreement with the Recognized Organization; min two spares should be carried in a control station and one EEBD clearly marked and designated for training
- **Water Tight Doors (Bulletin 96)**
WTDs in order to remain open during navigation should be authorised by the RO based on a risk and floatability assessments and depending on the SOLAS II-1 standards they comply with.
- *Windows, Side Scuttles, Storm Covers and Deadlights on Passenger Ships (Bulletin 154)*
 - *A Risk Assessment (based on operating area and voyage duration) is required for the appropriate number of portable deadlights to be carried for each size of windows (side scuttles) which might be at risk in heavy seas, in addition to those required under the Load Lines Convention, if any.*

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- Spare glasses for the above shall be 4% of the total number of windows but min 2.
- Sufficient repair material shall be available onboard to ensure effective temporary repairs can be made till the window is replaced.
- A Risk Assessment is to be performed for seating and communal areas in way of windows and side scuttles.

1.9. Pollution Prevention requirements

- Marpol Annex I Oil - Oil Record Books (ORB)
The BMA has issued guidance on the information to be entered into the Oil Record Book
(Part 1). Refer to BMA Information Bulletin No.84
- Marpol Annex IV - Sewage
The Bahamas is not a signatory to Annex IV at this time. However, Recognised
Organisations are authorized to conduct Annex IV surveys on behalf of the Commonwealth of The Bahamas. A Statement of Compliance may be issued in lieu of a Convention certificate
- Marpol Annex V – Garbage
There are no survey or certification requirements for Annex V. There are currently no special instructions
- Marpol Annex VI – Air Emissions
Bahamas implements the Marpol VI requirements
Bulletin 123 lists specific procedures for sourcing HCFC refrigerants in EU

1.10. Nautical requirements

- *Notices* to Mariners and Nautical publications, *lists of Lights, Tide Tables, etc.* may be carried in electronic format (see Bulletin No.51) *provided that:*
 - *Are officially issued by an authorised/approved organisation*
 - *Are available to the OOW on the bridge without limitations*

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- *The computer used shall be dedicated for information storage and retrieval and shall always be connected to the emergency source of power.*
- *For back up, the digital publications shall also be installed on another computer onboard, which shall also be made available to the OOW within a short period of time.*

- **ECDIS (Bulletin 51)**

- *It is the responsibility of the Company to determine the form of chart to be used onboard as the primary means of navigation.*
- *Approved back-up arrangements are as follows:*

Primary System	Back-up Arrangement
ECDIS operating with electronic navigational chart (ENC) mode	Either: a second independent ECDIS which has a separate power supply and data input, operating with electronic navigational chart (ENC) mode. OR Paper charts (adequate and up to date for the intended voyage).
ECDIS operating in the Raster Chart Display System (RCDS) Mode.	Paper charts (adequate and up to date for the intended voyage).


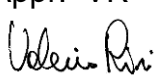
- *EDCIS training required for EDCIS even if not used as Primary Means of Navigation (Bulletin 138) Generic per IMO model course 1.27*
- *Ship (per make and model installed) specific [type specific]*
- *ISM Familiarization with the ECDIS equipment fitted, back-up arrangements, sensors and peripherals.*

1.11. ILO (International Labour Organization) requirements

- **Crew Accommodation (Bulletin 139)**

- ***ILO/MLC Standards***

The Bahamas Merchant Shipping (Crew Accommodation) Regulations are intended to give effect to ILO Convention 133 standards, which are supplementary to ILO Convention 92. Therefore, accommodation on board Bahamian ships shall be



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surveyed for compliance with Bahamas Merchant Shipping (Crew Accommodation) Regulations utilising the standards set out in ILO Convention 133.

Recognised Organisations may, at the Owner's request, issue a Statement of Compliance with ILO 133. Annual inspection is not required but a re-survey shall be conducted in the event of a major modification that affects the accommodation.

- *Modifications to accommodations on existing ships*
The requirements of MLC 2006 are generally to be applied to the modified/new accommodation. The BMA should be contacted for advice on the scope of application of MLC 2006 requirements for such conversions, prior to commencing work.
- *Onboard Inspections*
Crew accommodation, food and potable water supplied/storage spaces/handling equipment to be inspection by the Master or a designated officer at intervals not to exceed 7 days and recorded in the Official Log Book.
- *Potable Water*
Is to be treated as per the Bahamas Merchant Shipping (Crew Accommodation Regulations) and UK MCA MGN 397.

- **Lifting Gear**
Bahamas Merchant Shipping (Hatches and Lifting Plant) Regulations give effect to the requirements of ILO Convention 152 for ship's lifting gear. Annual inspections of lifting gear must be carried out by a "competent person". The meaning of "competent person" is defined in BMA Information Bulletin No. 89 may include a suitably knowledgeable, trained and experienced senior member of the crew.
- **Personnel Elevators**
Bahamas regulations and ILO 152 do not apply to personnel elevators. Shipboard elevators are subject to the ASME Elevator Code A.17.1. The UK Maritime and Coastguard Agency (MCGA) Code of Safe Working Practice (Section 19.21), which refers to the BS 5655 series, may be accepted as an equivalent.
Required inspections are:

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- routine inspection and test at intervals not exceeding six months,
- periodic inspections at one, three and five years,
- acceptance inspection at the commissioning of a new or altered elevator.

Emergency instructions and signs are to be posted in order to ensure safe operation and use.



1.12. STCW requirements

- The Company must verify the validity and authenticity of all seafarers' sea service, certificates and documents. This responsibility remains irrespective of the Company used as a recruitment and placement (manning/crewing) agent to arrange the placement of seafarers onboard ships
- The seafarers' training and certification requirements are detailed in BMA Bulletin 130 and 135 and:
 - All persons who are employed or engaged onboard AND who have been assigned safety or pollution prevention duties shall receive basic training or instructions satisfying the requirements of STCW Code A-VI/1.2. The training or instruction shall be appropriate to the assigned duties taking into consideration that on ships carrying passengers or supernumeraries the seafarer may be required to provide assistance or guidance to these persons
 - All persons employed or engaged onboard should receive crowd management training and safety training for personnel providing direct service to passengers in passenger spaces
- "CRA" ("acknowledgement of receipt of an application for a flag state endorsement")

STCW regulation I/10.5 allows a seafarer to serve in any capacity, other than radio operator, for a period of three months, while holding a valid certificate issued by another Party. The document issued by the Bahamas Maritime Authority to comply with this regulation is the CRA (reference BMA Bulletin 31 and 108). The CRA is also used, as an administrative aid for GMDSS applications

- Seafarers Medical Examinations and Certificates (reference BMA Bulletin 103)



The BMA will accept Seafarers Medical Certificates issued by

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- medical practitioners in The Bahamas
- medical practitioners approved by the Administration of a country with whom the Bahamas has a Reciprocal Recognition Agreement (see BMA Information Bulletin.108, Annex 3)
- medical practitioners approved by the Administration of the country of the seafarer's origin
- an approved medical practitioner (as above) especially appointed by the Company for this purpose

The Seafarers Medical Certificate must *be in English and shall* include the following minimum information

- a title to signify that it is a "Seafarer's Medical Certificate"
- reference to STCW Regulation I/9 or ILO-73 (1946) or ILO-147 (1976) or ILO Maritime Labour Convention 2006 (MLC-06) or ILO/WHO/D.2/1997 "Guidance for conducting Medical Fitness Examination for Seafarers"
- reference to approval by the Administration (where applicable)
- seafarer's name, nationality and date of birth
- *identity document reference* number
- *declaration of approved medical practitioner:*
 - *Confirmation that identification documents were checked at the point of examination*
 - *Hearing meets medical standards*
 - *Unaided hearing satisfactory?*
 - *Visual acuity meets standards?*
 - *Colour vision* meets standards? (colour vision assessment only needs to be conducted every six (6) years)*
 - *Date of last colour vision test*
 - *Fit for duties?*
 - *Any limitations or restrictions on fitness? If "Yes", specify limitations or restrictions.*
 - *Is the seafarer free from any medical condition likely to be aggravated by service at sea or to render the seafarer unfit for such service or to endanger the health of other persons onboard?: Y/N*

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- *Date of medical examination*
- *Expiry date of certificate*
- *Approved medical practitioner's name, signature (a seal or stamp is preferable)*
- *Seafarer's signature (confirming seafarer is informed of the content and the right to review/appeal)*


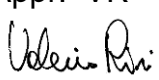
Provided the seafarer does not develop any medical condition that may render the medical certificate invalid, the certificate shall remain valid for a period of 5 years (from the date of issue) in the case of seafarers aged between *over 18 years*; and *one year* for seafarers *aged under 18 years*.

- *Record of Employment, Bahamas Seaman's Record Book (SRB) and Certificate of Discharge (reference BM Bulletin 107)*


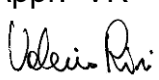
The record of Employment onboard a Bahamian ship shall not include any statement as to the quality of the seafarer's work, character, ability or the seafarer's wages. That information should be recorded and issued separately in a Report of Conduct Certificate or similar document.

The record of employment or sea service onboard a Bahamian ship maybe recorded in a Seaman Record Book (SRB) or discharge document.

- *Seaman's Record Book (SRB) - Although not mandatory, the Bahamian SRB has been produced in response to demand from industry bodies and individuals for a consolidated record of Sea Service / Discharge. It is NOT a national identity document (ie for the purpose of ILO 185). It does not have an expiry date bit it is recommended to apply every 10 years.*
- *Certificate of Discharge – Where a seafarer is not in possession of a Bahamas SRB or equivalent Discharge Book issued by his own country, a Certificate of Discharge may be issued onboard the vessel. If provided onboard it should contain as a minimum:*
 - *Name of seafarer*
 - *Capacity of seafarer onboard*
 - *Details of ship*
 - *Type of voyages*
 - *Date of joining and leaving the ship*
 - *Signature of the Master*

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- Safe Manning and Safe Manning Document (SMD) / Certificate
 - Clarification of certain capacities (reference BMA Bulletin 115)
 - ✓ The terms Cadet, Apprentice, Assistant Engineer or Trainee Rating will include persons undergoing training but not yet qualified for a capacity identified in the SMD. All of the above such persons must complete Basic Training (four elements of the STCW Code A-VI/1) before joining a ship
 - ✓ The ship shall carry a doctor when there are 100 or more persons onboard, engaged on voyages during which the ship may remain more than 36 hours steaming distance from a port with proper medical facility.
 - ✓ One designated person holding a GMDSS-GOC shall remain in charge of communication duties for the entire duration of an emergency until the master gives the order for evacuation of the ship
 - Manning of Passenger Ships
 - ✓ Suitably trained persons in addition to those stipulated in the SMD must be appointed to meet the requirements of the Emergency Muster List for guidance of passengers to assembly points, muster stations and survival crafts and any other associated emergency duties
 - ✓ Whenever more seafarers are employed for the ranks and positions stipulated in the SMD or if capacities of marine crew are employed that are not identified in the STCW (ie refrigeration engineers, carpenters, plumbers or other persons with similarly specialized skills etc), they all must complete basic training before joining the ship and receive familiarization training immediately upon joining the vessel
 - ✓ Passenger ships may employ additional hotel staff and other non-marine crew such as shop-keepers, barbers, laundrymen etc. Such persons **must be given familiarization and basic training as applicable.**

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▪ Manning levels below the SMD



In exceptional circumstances where the manning level falls below that of the SMD e.g. due to crew illness, unexpected repatriation on compassionate grounds etc., the vessel may as a measure of force-majeure, sail with one person less than that stipulated in the SMD (except for the capacities of master and chief engineer) for maximum 14 days or till the next port, if the intended voyage is more than 14 days. The BMA must be notified of such cases, OLB entry made and hours of rest and work requirements complied with.

- *Safety Familiarization and Basic Training, Instruction and Certification (Bulletin 151)*
 - *All persons, except passengers, serving onboard Bahamian ships receive safety familiarization training or instruction prior to being assigned to their shipboard duties.*
 - *Safety familiarization training or instruction shall be carried out by a suitably competent person such as a safety officer.*
 - *All persons with designated safety or pollution prevention duties serving onboard Bahamian ships shall have a valid Certificate (or Certificates) of Proficiency that relate(s) to the basic training or instruction appropriate to their assigned shipboard duties.*
 - *All basic training or instructions shall be approved by the BMA or by an Organisation/Institution approved by the BMA to undertake the training.*
 - *There is no requirement for a Bahamas Flag State Endorsement (FSE) for safety familiarization or basic training or instruction.*

1.13. Applications for Exemptions, Extensions, and/or Equivalence to International Convention Requirements (reference BMA Bulletin 8)

Such requests are to be addressed to the Recognized Class Society or body which issued the relevant certificate, justifying the reason for it, time period requested, safety measures that have been/will be introduced, other supporting documentation.

Only Matters related to Safe Manning Documents, Ship Radio Licences and LRIT Conformance Test Report”, *Declaration of MLC Compliance part I, MLC*

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exemptions, equivalence or interpretations and associated matters are to be referred to the Bahamas Maritime Authority directly.

1.14. Reporting of Hazardous Occurrences (**Bulletin 4**)

Incident Reporting:

- *The Owner or Master is required to report particulars of an incident to the BMA to the fullest extent at the earliest opportunity.*
- *Typical operational incidents which are to be reported include the following (note this is not an exhaustive list and the BMA Casualty Section should be consulted if in doubt):*
 - *Damage to the vessel and its machinery including lifeboats*
 - *Collision or damage caused by a vessel*
 - *Stranding or grounding*
 - *Loss of life*
 - *Total loss of vessel*
 - *Missing persons*
 - *Pollution and/or damage to the environment*
 - *Acts of piracy or armed robbery*
 - *Fire and/or explosion*
 - *Serious injury*
 - *Abandonment of a vessel*
 - *COLREGS violations*

• **Contact Details**



BMA Casualty Investigation section:

Telephone: +44 20 7562 1300

Fax: +44 20 7614 0666

Email: casualty@bahamasmaritime.com

- An **Initial Report** should be communicated to the BMA Casualty Investigation Section above within 4 hours of the incident, via telephone, fax or email with brief details of the incident stating also whether VDR data has been preserved (obligatory for serious casualties).

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- The **Casualty Reporting FORM (CFR1 – see last section)** must be submitted as soon as practicable by email or fax however other supporting documents (logbook copies, Companies investigation reports etc may be sent at a later date when available)
- *In the event of a serious marine casualty resulting in major damage, pollution, multiple serious injuries or loss of life outside the office hours, contact the BMA Emergency Response Officer:
Telephone +44 7977 471 220
Email: tech@bahamasmaritime.com*

Stowaways and Smuggled Migrants:

- *Stowaway(s) must be reported by the Master to the BMA using Form: SIR – see last section.*
- *Smuggled Migrants, or similar persons, must be reported by the Master to the BMA using Form: SMR – see last section*

Occupational Health Incidents:


- *All accidents to seafarers resulting in loss of life or serious injury must be reported to the BMA within 4 hours.*
- *Reports of occupational health incidents (**where the injured person is off work for 3 days or more, or if hospitalised for at least 1 day**) must be reported by the Master to the BMA using Form ORF1 – Occupation Health Incident Form – see last section.*

Crimes or alleged criminal activity including drugs or psychotropic substances:

- *Reports of crimes or alleged criminal acts, except for acts of piracy or armed robbery against a ship, are to be reported using the general email address crime@bahamasmaritime.com*

Notifiable diseases other than occupational diseases:

- *Notification outbreak of the infectious diseases listed below shall be made by email in free-form text*

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Acquired Immune Deficiency Syndrome (AIDS)	Actinomycosis	Anthrax
Beriberi	Cancer	Cerebro-Spinal Fever
Chickenpox	Cholera	Asiatic
Climatic Bubo	Dengue	Diphtheria
Dysentery (Amoebic and Bacillary)	Erysipelas	Favus
German Measles	Glanders	Granuloma Venerum
Hepatitis (all forms)	Hookworm Infection	Leprosy
Malaria	Measles	Mumps Paratyphoid Fever
Plague	Polio myelitis	Puerperal Fever
Rabies	Rocky Mountain	Scarlet Fever
Smallpox	Spotted Fever	Tetanus
Trachoma	Trichinosis	Tuberculosis (all forms)
Typhoid Fever	Typhus Fever	Vincent's Angina
Whooping Cough	Yellow Fever	

Returns of births and deaths:

- To follow up an initial report of a birth or death onboard a Bahamian ship, a "Return of Birth" (RBD2 – see last section) or "Return of Death" (RBD1 – see last section) form must be submitted as soon as practicable by email or fax to the BMA Casualty Investigation Section.

Reporting Forms:

The reporting forms referenced above are available for download at:

<http://www.bahamasmaritime.com/downloads/casualty-reporting/>