



BERMUDA

MERCHANT SHIPPING (OFFICIAL LOG BOOKS) REGULATIONS 1991

BR 2 / 1992

[made under section 64 of the Merchant Shipping Act 1979 and brought into operation on 10 January 1992]

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SCHEDULE

ENTRIES REQUIRED TO BE MADE IN THE OFFICIAL LOG BOOKS KEPT IN SHIPS REGISTERED IN BERMUDA NOT EXEMPTED FROM THE REQUIREMENTS OF SECTION 64 OF THE MERCHANT SHIPPING ACT 1979 BY REGULATION 3

Citation

1 These Regulations may be cited as the Merchant Shipping (Official Log Books) Regulations 1991.

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Interpretation

- 2 In these Regulations, unless the context otherwise requires—
- “the Act of 1894” means the Merchant Shipping Act 1894 of the United Kingdom;
- “the Act of 1949” means the Merchant Shipping (Safety Convention) Act 1949 of the United Kingdom;
- “the Act of 1967” means the Merchant Shipping (Load Lines) Act 1967 of the United Kingdom;
- “the Act of 1979” means the Merchant Shipping Act 1979 ;
- “appeal against a fine” means an appeal to a superintendent or proper officer in accordance with the Disciplinary Offences Regulations against a fine for a disciplinary offence;
- “appropriate superintendent or proper officer” means a superintendent or proper officer for the place where the ship is at the time referred to in regulation 12(1) (delivery of official log book);
- “the Closing of Openings above the Bulkhead Deck Regulations” means the Merchant Shipping (Closing of Openings in Enclosed Superstructures and in Bulkheads above the Bulkhead Deck) Regulations 1988 of the United Kingdom;
- “the Closing of Openings in Hulls Regulations” means the Merchant Shipping (Closing of Openings in Hulls and in Watertight Bulkheads) Regulations 1987 of the United Kingdom;
- “the Crew Accommodation Regulations” means the Merchant Shipping (Crew Accommodation) Regulations 1978 of the United Kingdom;
- “the Deck Officers Regulations” means the Merchant Shipping (Certification of Deck Officers) Regulations 1991 [*title 31 item 16(v)*];
- “the Disciplinary Offences Regulations” means the Merchant Shipping (Disciplinary Offences) Regulations 1980 [*title 31 item 16(g)*];
- “the Engineer Officers Regulations” means the Merchant Shipping (Certification of Marine Engineer Officers) Regulations 1991 [*title 31 item 16(u)*];
- “entry” means an entry in an official log book (including an entry contained in a separate document annexed to any official log book in accordance with regulation 7) of any particulars specified in column 1 in any paragraph of the Schedule and an entry amending or cancelling such an entry;
- “the Musters Regulations” means the Merchant Shipping (Musters and Training) Regulations 1986 of the United Kingdom;
- “Near Continental trading area” means any location within the area bounded by a line from a point on the Norwegian coast in latitude 62° North to a point 62° North 02° West; thence to a point 58° North 10° West; thence to a point 51° North 12° West; thence to Brest, but excluding all waters which lie to the

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eastward of a line drawn between Kristiansand, Norway, and Hanstholm lighthouse on the North Danish coast;

“officer” means an officer qualified for the purposes of section 41 of the Act of 1979 or duly certificated under the Act of 1894;

“Passenger Ship Regulations 1980” means the Merchant Shipping (Passenger Ship Construction) Regulations 1980 of the United Kingdom;

“Passenger Ship Regulations 1984” means the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984 of the United Kingdom;

“the Repatriation Regulations” means the Merchant Shipping (Repatriation) Regulations 1980 [title 31 item 16(l)];

“the Safety of Navigation Regulations” means the Merchant Shipping (Safety of Navigation) Regulations 2010;

“seaman” in paragraphs 18 and 20 of the Schedule includes the master of a ship;

“ship” means a ship registered in Bermuda but does not include a fishing vessel;

“wages submission” means submission to a superintendent or proper officer under section 15 of the Act of 1979 (which relates to disputes about wages); and

references to the gross or registered tonnage of a ship are, in the case of a ship having alternative gross or alternative register tonnages, references to the larger of its gross tonnages or to the larger of its registered tonnages, as the case may require.

[Section 2 amended by BR 75 / 2010 Sch. 3 effective 1 October 2010]

Exemptions from requirements of section 64(4) of the Merchant Shipping Act 1979 (Official log books)

3 The requirement imposed by section 64 of the Act of 1979 that an official log book shall be kept in every ship registered in Bermuda shall not apply to—

- (a) a ship belonging to the Government of Bermuda;
- (b) a ship of less than 25 gross tons; or
- (c) a pleasure yacht.

Entries in official log books

4 Subject to the provisions of the Merchant Shipping Acts of the United Kingdom (where applicable) and of Bermuda, and of rules and regulations made thereunder entries of particulars specified—

- (a) in column 1 in each paragraph of Part I of the Schedule shall from time to time be made in the official log book kept in every ship not exempted from the requirement of section 64 of the Act of 1979 by regulation 3;

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- (b) in column 1 in each paragraph of Part II of the Schedule shall be so made in the official log book kept in any such ship to which the Disciplinary Offences Regulations apply;
- (c) in column 1 in each paragraph of Part III of the Schedule shall be so made in the official log book kept in any such ship in respect of which a load line certificate has been issued under section 6 or a load line exemption has been issued under section 20 of the Act of 1967, except a ship which is—
 - (i) a sludge carrier;
 - (ii) a dredger;
 - (iii) a hopper barge; or
 - (iv) a tug or tender which, in either case, is on or is about to undertake a voyage of not more than 600 nautical miles in the course of which it is at no time more than 200 miles from a port or place in which the persons on board could be placed in safety and, if it carries passengers, does not carry more than 12; and
- (d) in column 1 in each relevant paragraph of Part IV of the Schedule shall be so made in the official log book kept in any passenger ship referred to in that paragraph.

Making, signing and witnessing of entries

5 (1) Each entry shall be made in the official log book by the person or by one of the persons (or by a person authorised by any such person for that purpose) specified in column 2 in each paragraph of the Schedule.

(2) Each entry shall—

- (a) subject to paragraph (3) of this regulation, be signed by the person or by one of the persons specified in column 2 in each paragraph of the Schedule; and
- (b) subject to the provisions of each paragraph of the Schedule, be witnessed by the person, if any, specified in column 3 in each paragraph of the Schedule.

(3) An entry which is to be signed by the master may, except where the contrary intention appears, be signed by an officer authorised by the master for that purpose.

(4) Each entry shall include the date when it is made.

Offence if entry not signed

6 If an entry which is to be signed or witnessed by the master or by a person who is a member of the crew is not made, signed and witnessed in accordance with the provisions of these Regulations and of the Schedule hereto, the master of the ship at the time when the entry is or should have been made, signed and witnessed shall be guilty of an offence.

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Annexes to official log books

7 If it is not practicable by reason of its length, the circumstances in which it is to be made or for any other reason for an entry to be contained in the official logbook, it shall be contained in a separate document annexed to the official log book and referred to in an entry in the official logbook; and references in these Regulations to an official logbook include references to any document annexed to an official logbook in accordance with this regulation.

False, inaccurate or incomplete entries

8 (1) No person shall make an entry he knows or has reason to believe is false, inaccurate or incomplete.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence.

Time for making of entries

9 (1) (a) Entries of particulars specified in paragraphs 1, 2, 3, 5 and 41 of the Schedule shall be made at the time when an official log book is opened; and

(i) a further entry of particulars specified in paragraph 3 shall be made as soon as practicable after any change of master; and

(ii) a further entry of particulars specified in paragraph 41 shall be made as soon as practicable after a new load line certificate is issued in respect of the ship under section 6 of the Act of 1967;

(b) the entry of particulars specified in paragraphs 7 and 24 of the Schedule shall be made as soon as practicable after the ship arrives at or leaves any dock, wharf, port or harbour as the case may require;

(c) the entry of particulars specified in paragraph 11 of the Schedule shall be made as soon as practicable after every time when each muster should have been held in accordance with the Musters Regulations;

(d) the entries of particulars specified in sub-paragraphs (b) and (c) of paragraph 36 of the Schedule shall be made daily or at such other times during the continuance of the illness or injury as the person making any such entry thinks fit;

(e) the entry of particulars specified in paragraph 42 of the Schedule shall be made before the ship leaves any dock, wharf, or other place for the purpose of proceeding to sea;

(f) every other entry shall be made as soon as practicable after the occurrence to which it relates or, if it amends or cancels an existing entry, as soon as practicable after the person intending to sign it becomes aware of the facts giving rise to the amendment or cancellation.

(2) Subject to regulation 10, no entry shall be made in an official log book after the time referred to in regulation 12(1).

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Amendment and cancellation of entries

10 (1) Subject to the provisions of this regulation, an entry shall not be amended or cancelled.

(2) Where—

- (a) in the case of an entry which was required to be signed by the master, it appears to the person who for the time being is master of the ship that the entry is inaccurate or incomplete; or
- (b) in the case of any other entry, it appears to the person who signed the entry that it is inaccurate or incomplete,

that person shall, if it is practicable to do so before the time referred to in regulation 12(1), make and sign a further entry referring to the entry and amending or cancelling it; and paragraphs (1) and (2)(b) of regulation 5 and regulations 6 and 7 shall apply to the further entry.

(3) Where, after the time referred to in regulation 12(1), it appears to a superintendent or proper officer or to the Registrar of Shipping that an entry is inaccurate or incomplete, he—

- (a) may make and sign a further entry referring to the entry and amending or cancelling it; and
- (b) shall, if it is practicable to do so, inform any master or seaman, to whom any such further entry relates, of its contents.

(4) Any person who fails to comply with paragraph (2) of this regulation shall be guilty of an offence.

Production of official log book

11 (1) The master of a ship shall, on demand, produce to the Registrar of Shipping, a superintendent, a Registry of Shipping surveyor, a proper officer or an officer of customs the official log book required to be kept in the ship.

(2) A master who fails to comply with this regulation shall be guilty of an offence.

Delivery of official log book

12 (1) The master shall, within 48 hours after the time specified in paragraph (2) or in paragraph (3) (as the case may be) of this regulation, or, if it is not practicable within that time, as soon as practicable thereafter, deliver the official log book to the appropriate superintendent or proper officer.

(2) Subject to paragraph (3) of this regulation, the time referred to in paragraph (1) is either—

- (a) if any person is employed in the ship under a fixed term crew agreement, the time when the last person remaining so employed is discharged from the ship; or

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(b) in any other case, the time when the ship first calls at a port more than 6 months after the first entry (other than an entry specified in paragraphs 1, 2, 3, 5 or 41 of the Schedule) is made in the official log book.

(3) If, at the time specified in paragraph (2) of this regulation—

(a) there is pending a wages submission; or

(b) (i) there is pending an appeal against a fine; or

(ii) if no such appeal is pending an entry relates to a fine, which has not been remitted, imposed for a disciplinary offence and in respect of which the time for the giving of notice of appeal by the appellant to the master (in accordance with regulation 12 of the Disciplinary Offences Regulations) has not expired,

the time referred to in paragraph (1) of this regulation is either the time when all such submissions or appeals have been determined by a superintendent or proper officer or withdrawn, or the expiration of 7 days after the time specified in paragraph (2) of this regulation, whichever shall be the earlier.

(4) A master who fails to comply with paragraph (1) of this regulation shall be guilty of an offence.

Offences

13 Any offence under these Regulations shall be punishable on summary conviction with a fine not exceeding \$150.00.

Revocation

14 The Merchant Shipping (Official Log Books) Regulations 1980 are revoked.

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SCHEDULE

(Reg. 4)

ENTRIES REQUIRED TO BE MADE IN THE OFFICIAL LOG BOOKS KEPT IN SHIPS REGISTERED IN BERMUDA NOT EXEMPTED FROM THE REQUIREMENTS OF SECTION 64 OF THE MERCHANT SHIPPING ACT 1979 BY REGULATION 3

PART I
Entries relating to every ship

	Column 1 Particulars of entry	Column 2 Signatory	Column 3 Witness
1	The name of the ship, its port of registry, official number and gross or register tonnage	The master	None
2	The name and address of the registered owner or of the registered managing owner or of the ship's husband or manager.	The master	None
3	The name of the master and the number of his certificate of competency	The master	None
4	Where a person ceases to be master of the ship during a voyage, a record that, in accordance with section 67 of the Act of 1979, he has delivered to his successor the documents relating to the ship or its crew which are in his custody.	The master in person and the former master in person	None
5	The date on and place at which the official log book is opened	The master	None
6	The date on and place at which the official log book is closed	The master	None
7	A record of— the date and hour of departure for sea from, and arrival from sea at, any dock, wharf, port or harbour	The master in person	An officer
8	A record of every notification required by regulation 11 of the Deck Officers Regulations to be made to a proper officer whenever one qualified deck officer less	The master	None

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	than the number required by the regulations is carried.		
9	A record of every notification required by regulation 8 of the Engineer Officers Regulations to be made to a proper officer whether one qualified marine engineer officer less than the number required by the regulations is carried.	The master	None
10	In accordance with regulation 8 of the Musters Regulations a record of each occasion on which a muster, drill or training of the crew in the use of life saving appliances or fire appliances is held on board the ship, the training and type of drill held, and the occasions on which lifeboats, rescue boats and davit-launched liferafts, as applicable, are lowered or launched. Additionally, a record of each occasion on which the appliances and equipment are examined to see whether they are ready for use.	The master	A member of the crew
11	Where a muster, drill, training, or inspection is not held on board the ship when required by the Musters Regulations, a record of why the muster, drill, training or inspection, as the case may be, was not carried out or carried out only in part.	The master	A member of the crew
12	Where any of the following accidents have occurred— (a) there is loss of life or major injury to any person on board, or any person is lost from, a ship or a ship's boat; or (b) a ship is lost or presumed to be lost, or is abandoned or materially damaged; or (c) a ship strands or is in collision; or (d) any material damage is caused by a ship—	The master	A member of the crew

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a description of the casualty and the place where, or the position of the ship when, it occurred.

13	A record of every signal of distress or a message that a vessel, aircraft or person is in distress at sea, observed or received	The master	A member of the crew
14	Where the master, on receiving at sea a signal of distress or information from any source that a vessel or aircraft is in distress, is unable, or in the special circumstances of the case considers it unreasonable or unnecessary to go to the assistance of the persons in distress (in accordance with section 22(1) of the Act of 1949 which relates to a master's obligation to assist vessels, etc., in distress— A statement of his reasons for not going to the assistance of those persons.	The master in person	A member of the crew
15	Where a dispute relating to the amount payable to a seaman under a crew agreement is submitted to a superintendent or proper officer under section 15 of the Act of 1979—		
	(a) a record of the identity of the superintendent or proper officer,	The master (sub-paragraph (a))	A member of the crew
	(b) a statement of the dispute;	The superintendent or proper officer (sub-paragraphs (b) to (d))	None
	(c) a record of whether he accepts the submission; and		
	(d) if he accepts the submission; either—		
	(i) a record of his decision; or		
	(ii) a statement that he is of the opinion that the dispute ought not to be decided by him.		

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16	<p>A record of—</p> <p>(a) every seaman discharged from the ship; and</p> <p>(b) the place, date and time of his discharge.</p>	<p>The person in whose presence the seaman is discharged or (if the seaman is not present at the time he is discharged), the master</p>	<p>A member of the crew</p>
17	<p>Where a proper officer consents to the discharge of a seaman outside Bermuda, a record of his consent</p>	<p>The proper officer (if practicable) or the master in person</p>	<p>If the entry is signed by the master a member of the crew</p>
18	<p>Where a seaman is left behind in any country outside Bermuda or is taken to such a country on being shipwrecked, or a person who became employed in the ship under an agreement entered into outside Bermuda is left behind in Bermuda or is taken to Bermuda on being shipwrecked—</p> <p>a record of—</p> <p>(a) the name of the seaman;</p> <p>(b) the date on which and the place at which the seaman was left behind;</p> <p>(c) the reason, if known to the master, for the seaman being left behind;</p> <p>(d) any provision made by the master on the seaman's behalf to ensure that a superintendent or proper officer is informed that the seaman has been left behind and is given the information referred to in regulation 5(1) of the Repatriation Regulations, identifying the superintendent or proper officer;</p> <p>(e) the seaman's employer being informed that the seaman has been left</p>	<p>The master</p>	<p>A member of the crew</p>

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behind and of the employer being given any particulars required by him.

- 19 Where, in pursuance of regulation 8 of the Repatriation Regulations, the master is required by a superintendent or proper officer to convey a person under a conveyance order—

a record of—

The master

A member of the crew

- (a) the conveyance order, identifying the person to whom it relates, and the superintendent or proper officer by whom it was given;
- (b) any direction received by the master in respect of any such requirement, specifying the direction and the superintendent or proper officer by whom it was given;
- (c) whether the person is engaged as a member of the crew and, if not,
 - (i) the date on which and the place at which he came on board the ship; and
 - (ii) the date on which and the place at which he left the ship.

- 20 In respect of a seaman referred to in an entry made pursuant to paragraph 18 of this Schedule—

The master

A member of the crew

a record of—

- (a) whether he left any property (including money) on board the ship;
- (b) all such property of which the master has taken charge in pursuance of regulation 16(3)(a) of the Repatriation

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Regulations specifying each item of such property;

- (c) each article forming part of such property sold in pursuance of regulation 16(4)(a) of the Repatriation Regulations, and the price received for it;
- (d) each article forming part of such property destroyed or disposed of in pursuance of regulation 16(4)(b) of the Repatriation Regulations and the name of the person to whom disposal was made;
- (e) each article forming part of such property delivered to any person in pursuance of regulation 16(5) or (6) of the Repatriation Regulations specifying the person (whether the seaman, his employer or his next of kin) to whom the delivery was made and the date, place and manner of delivery.

[sic]	A record of any inspection of crew accommodation carried out under regulations 38(2) and 31(2) of Schedule 6 to the Crew Accommodation	The master	A member of the crew
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Regulations showing—

- (a) the date and time of the inspection
- (b) the names and ranks of the persons making the inspection; and
- (c) particulars of any respects in which the crew accommodation or any part thereof was found by any of the persons making the inspection not to comply with those Regulations.

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22	A record of any inspection of provisions and water to be supplied to seamen employed in the ship with the result of the inspection.	The persons making the inspection	None
23	A record of any testing and inspection carried out by the ship's personnel of the rigging of the hoist and a load test to at least 150 kg. under regulation 4(2) of the Safety of Navigation Regulations.	The master	An officer
24	A record of any drill, check and test carried out by the ship's crew of the ship's steering gear, under regulation 4(2) of the Safety of Navigation Regulations.	The master	An officer
25	Where three or more seamen employed in the ship complain to the master under section 25 of the Act of 1979 (which relates to complaints about provisions and water) about the provisions or water provided for the seamen employed in the ship— a record of—		
	(a) the names of the seamen making the complaint;	The master (sub- paragraphs (a) to (e))	One of the seamen making the complaint
	(b) the complaint, specifying—		
	(i) the provisions of (<i>sic</i>) the water complained of; and		
	(ii) the manner in which they are alleged not to be in accordance with regulations made under section 24 of the Act Of 1979 (whether because of bad quality, unfitness for use or deficiency in quantity);		
	(c) action taken by the master on the complaint		

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	(d) whether the seamen state to the master their dissatisfaction with the action taken by the master on the complaint and whether they claim to complain to a superintendent or proper officer;		
	(e) if the seamen claim to complain to a superintendent or proper officer, the arrangements made by the master to enable the seamen to do so;		
	(f) the investigation of the complaint by a superintendent or proper officer; and	The superintendent or proper officer investigating the complaint (sub-paragraph (f))	None
	(g) every examination of provisions and water made under section 25(4) of the Act of 1979.	The person making the inspection (sub-paragraph (g))	None
26	Where by reason of any event it appears to the master that an officer—		
	(a) may be unfit to discharge his duties, whether by reason of incompetency or misconduct or for any other reason; or		
	(b) may have been seriously negligent in the discharge of his duties; or		
	(c) may have failed to comply with the provisions of section 422 of the Act of 1894 (duty to give assistance and information after collision);		
	a record—		
	(i) of the name of the officer and of the grade and number of his certificate;	The master in person	An officer other than the officer referred to in an entry under sub-paragraph (i) of this paragraph
	(ii) of any such event or a reference to any other entry relating to it;		

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- (iii) of any statement made by the officer to the master in respect of that event or those events and which the officer wishes to be recorded; and
 - (iv) that the entries made in pursuance of sub-paragraphs (i) to (ii) of this paragraph have been read over to the officer by the master, and if they are not read over, the reason for not doing so.
- 27 A record of any re-rating (including promotion) of a seaman, with the date upon which the re-rating takes effect. The master A member of the crew
- 28 When a seaman is alleged to have committed a breach of a code of conduct promulgated by the employer and that breach is such that the penalties include the option of dismissal from the ship, a record of such of the following particulars as are relevant—
- (a) the nature of the allegation; The master A member of the crew other than the seaman named in an entry under sub-paragraph (b) of this paragraph
 - (b) the name of the person against whom the allegation is made;
 - (c) that the master has read the allegation to the seaman;
 - (d) that the master has advised the seaman of his right to be accompanied by a friend who may advise him [*sic*] and speak on his behalf;
 - (e) (i) if the seaman admits the allegation, a statement that he admits it;
(ii) in any other case, a statement that the seaman does not admit the allegation;
 - (f) (i) any statement made by the seaman, or by his friend on behalf of the seaman, in answer to the allegation;
(ii) that he declines to make a statement in answer to the allegation;
 - (g) that the master has given a formal warning to the seaman;

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- (h) that the master has given a written reprimand to the seaman;
 - (i) that the master has informed the seaman that he will be dismissed from the ship either at the first opportunity or at the end of the voyage and that the matter will be referred to a shore-based disciplinary committee;
 - (j) that the seaman has been given, and has acknowledged receipt of, a copy of all entries made in the official log book relating to his breach of the Code, together with a copy of any report made to a shore-based disciplinary committee.
- 29 Where a seaman is convicted by a legal tribunal of any offence committed in the ship during a voyage—
- | | | |
|--|-------------------|-----------------------------|
| <p>a record of the conviction and of the punishment inflicted.</p> | <p>The master</p> | <p>A member of the crew</p> |
|--|-------------------|-----------------------------|
- 30 Where, in the opinion of the master, consideration should be given to the prosecution of any person in respect of any conduct in the ship during a voyage (whether under the Merchant Shipping Acts or otherwise)—
- | | | |
|---|-----------------------------|---|
| <p>a record—</p> <ul style="list-style-type: none"> (a) of the event; (b) of the name of the person concerned; (c) of any statement made by the person concerned to the master in respect of that event which that person wishes to be recorded; and (d) that the entries made in pursuance of sub-paragraphs (a) to (c) of this paragraph have been read over by the master to the person concerned. | <p>The master in person</p> | <p>A member of the crew other than the person named in an entry under sub-paragraph (b) of this paragraph</p> |
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|----|---|----------------------|-------------------------|
| 31 | A record of any reduction in the scale of provisions or water to be provided for seamen employed in the ship specifying— | The master | A member of the crew |
| | (a) the reduction made; | | |
| | (b) the reason for the reduction; and | | |
| | (c) the duration of the reduction. | | |
| 32 | Where a child is born in the ship or in one of the ship's boats | | |
| | a record of— | The master in person | The mother of the child |
| | (a) (i) date of the birth | | |
| | (ii) if the birth takes place at sea, the position of the ship by latitude and longitude at the time of the birth and, in any other case, the place of birth; | | |
| | (iii) name (if any) and surname of child; and | | |
| | (iv) sex of child; | | |
| | (b) (i) name and surname of father; | | |
| | (ii) his usual residence; | | |
| | (iii) his nationality; and | | |
| | (iv) his occupation, rank or profession; | | |
| | provided that, if the child is born outside marriage, no particulars of the father shall be entered except at the joint request of the mother and of the person acknowledging himself to be the father, given to the master in writing and signed by both the mother and that person; | | |
| | (c) (i) name and surname of mother; | | |

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- (ii) her maiden surname;
- (iii) her name at marriage, if different from maiden surname;
- (iv) her usual residence; and
- (v) her nationality; and
- (d) the making of a return of the birth, identifying the person to whom the return was made.

33 Where any person dies in the ship or in a ship's boat or is lost from the ship or a ship's boat or where any person employed in the ship dies outside Bermuda—

- a record of—
- (a) the date of the death or loss;
 - (b) (i) if the death takes place in the ship or in a ship's boat or if the deceased is lost from the ship or a ship's boat, the place of death or the position of the ship or of the ship's boat by latitude and longitude at the time of the death or loss (as the case may require);
 - (ii) if the death or loss does not take place in or from the ship or in or from a ship's boat, the place of death;
 - (c) name and surname of deceased;
 - (d) sex of deceased;
 - (e) date of birth (if known) or age;
 - (f) if the deceased was a woman who has been married, her maiden surname (if known);

The master in person (sub-paragraphs (a) to (i))

A member of the crew

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- (g) occupation, rank or profession of deceased;
 - (h) usual residence of deceased at time of death or loss;
 - (i) his nationality;
 - (j) (i) cause of death or loss; and

The ship's doctor or, if there is no ship's doctor, the master in person (sub-paragraph (j)(i))	A member of the crew
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 - (ii) if death not due to natural causes, circumstances of death or loss;

The master in person (sub-paragraphs (j)(ii) to (m))	A member of the crew
--	----------------------
 - (k) if the deceased was lost from the ship or a ship's boat, the steps taken to rescue him;
 - (l) the making of a return of the death, identifying the person to whom the return was made; and
 - (m) the notification of the death to the deceased's next of kin, and the name and address of the next of kin.
- 34 In respect of a seaman dying while or after being employed in the ship—
- a record of—
- | | |
|----------------------|----------------------|
| The master in person | A member of the crew |
|----------------------|----------------------|
- (a) whether he left any property (including money) on board the ship;
 - (b) each item of such property.
- 35 Where an inquiry into the cause of a death is required to be held under section 57 of the Act of 1979—

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a record—

- | | | | |
|------|--|---|------|
| (a) | of the name of the deceased and a reference to the relevant entry made under paragraph 35 of this Schedule; | The master
(sub-paragraph
(a)) | None |
| (b) | of either— | The
superintendent
or proper officer
holding the
inquiry (sub-
paragraph (b)(i)) | None |
| (i) | the name of the superintendent or proper officer holding the inquiry and the date and the place at which the inquiry is held; or | The master
(sub-paragraph
(b)(ii)) | None |
| (ii) | that the inquiry was not held at the next port where the ship calls after the death and where there is a superintendent or proper officer. | | |

36 Where a person employed in the ship falls ill or is injured—

a record of—

- | | | | |
|-----|--|--|-------------------------|
| (a) | the circumstances of the injury; | The master
(sub-paragraph
(a)) | A member of the
crew |
| (b) | the nature of the illness or injury of the symptoms thereof; | The ship's
doctor or (if
there is no
ship's doctor) | A member of the
crew |
| (c) | the treatment adopted; and | the master (sub-
paragraphs (b)
to (d)) | |
| (d) | the progress of the illness or injury. | | |

PART II

ENTRIES RELATING TO SHIPS TO WHICH THE DISCIPLINARY OFFENCES REGULATIONS 1980 APPLY

Column 1 Particulars of entry	Column 2 Signatory	Column 3 Witness
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37 When a seaman is charged with a disciplinary offence under the Disciplinary Offences Regulations 1980—

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	a record—	The master or the officer named in an entry under sub-paragraph (a) of this paragraph	A member the crew of [<i>sic</i>] other than the seaman named in an entry under sub-paragraph (b) of this paragraph
	(a) if the offence is not to be dealt with by the master, of the name of the officer authorised under regulation 5(2) of the Disciplinary Offences Regulations 1980 to exercise the powers and duties of the master in respect of that offence;		
	(b) of the name of the seaman charged;		
	(c) of the charge;		
	(d) that the master or the officer referred to in sub-paragraph (a) of this paragraph has read the charge to the seaman;		
	(e) (i) if the seaman admits the charge, a statement that he admits it; or		
	(ii) in any other case, a statement that the seaman does not admit the charge;		
	(f) (i) particulars of any statement made by the seaman in answer to the charge; or		
	(ii) that he declines to make a statement in answer to the charge;		
	(g) the decision of the master or of the officer referred to in sub-paragraph (a)—		
	(i) as to whether or not he finds that the seaman has committed the offence charged; and		
	(ii) if he finds that the seaman has committed the offence, as to the amount of the fine which he is imposing for that offence or that he is imposing no fine.		
38	If the master remits the whole or part of a fine in accordance with the Disciplinary Offences Regulations, a record of the remission,	The master	None

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- (i) identifying the seaman on whom the fine was imposed;
 - (ii) specifying the amount paid;
 - (iii) identifying the superintendent or proper officer to whom the amount is paid;
- (b) of the receipt by the superintendent or proper officer of the amount specified in the entry made in pursuance of subparagraph (a)(ii) of this paragraph.
- | | |
|---|------|
| The superintendent or proper officer receiving the amount (sub-paragraph (b)) | None |
|---|------|

PART III

ENTRIES RELATING TO SHIPS IN RESPECT OF WHICH A CERTIFICATE HAS BEEN ISSUED UNDER SECTION 6 OR AN EXEMPTION CERTIFICATE HAS BEEN ISSUED UNDER SECTION 20 OF THE MERCHANT SHIPPING (LOAD LINES) ACT 1967 AND WHICH ARE NOT EXEMPTED BY REGULATIONS 4(C) EXCLUDING SHIPS OF CLASS I, II, IIA AND

IV

	Column 1 Particulars of entry	Column 2 Signatory	Column 3 Witness
41	<p>A record of—</p> <p>(a) all the particulars stated in the Load Line Certificate issued under section 6 of the Act of 1967 currently in force in respect of the ship, relating to the freeboards assigned to the ship and the positions of deck-line and load lines;</p> <p>(b) the draught which would be shown on the scales of feet or metres on the stem and on the stern post of the ship if it were on an even keel and so loaded that the upper edge of the summer load line marked on each side of the ship were on the surface of the water.</p>	The master	None
42	<p>A record of—</p> <p>(a) (i) the draughts shown on the scales referred to in paragraph 43(b);</p>	The master	An officer

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(ii) the freeboard on each side of the ship;
and

(iii) the mean freeboard;

taken in each case when the ship is ready to leave any dock, wharf, harbour or other place for the purpose of proceeding to sea;

(b) the density of the water in which the ship was when the particulars referred to in sub-paragraph (a) were taken;

(c) the allowances, if any, to be made in order to determine the mean freeboard which the ship will have when it first reaches salt water after leaving as aforesaid, being allowances in respect of—

(i) the density of the water in which the ship was when the particulars referred to in sub-paragraph (a) were taken; and

(ii) the weight of fuel, water and stores required for consumption before the ship reaches salt water;

(d) the mean draught and mean freeboard which the ship will have on reaching salt water, calculated after making the allowances referred to in sub-paragraph (c);

provided that—

(i) sub-paragraph (c)(ii) and (iii) shall not apply to a home trade ship nor to a ship going between locations in the Near Continental trading area; and

(ii) sub-paragraphs (b), (c) and (d) shall not apply if, at the time when the

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particulars referred to in sub-paragraph (a) were taken, the load line indicating the maximum depth to which the ship could then be loaded in salt water was not submerged.

In this paragraph—
 “freeboard” means the distance measured vertically downwards from the upper edge of the deck-line marked on the side of the ship to the surface of the water;
 “mean freeboard” means the mean of the freeboards on each side of the ship; and
 “mean draught” means the mean of the draughts shown on the scales of feet on the stem and on the stern post of the ship.

PART IV
 ENTRIES RELATING TO SHIPS TO WHICH THE CLOSING OF OPENINGS REGULATIONS APPLY

	Column 1 Particulars of entry	Column 2 Signatory	Column 3 Witness
43	<p><i>(All such ships)</i></p> <p>A record of—</p> <p>(a) the times of the last closing before the ship proceeds on a voyage of the watertight doors and other appliances referred to in regulation 2 of the Closing of Openings in Hulls Regulations, and of the next subsequent opening of such doors and appliances;</p> <p>(b) the times of the opening and closing, while the ship is at sea, of any watertight door pursuant to regulation 3(1)(c) of those Regulations;</p> <p>(c) whether the portable plates referred to in regulation 4 of those Regulations are in place when the ship proceeds to sea, and the times, if any, of the removal and</p>	<p>The master</p> <p>The master</p> <p>The master</p>	<p>An Officer</p> <p>An Officer</p> <p>An Officer</p>

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	replacement of such plates when the ship is at sea; and		
	(d) the occasions on which drills are practiced and inspections made in compliance with the provisions of those Regulations, and whether the appliances to which such drills and inspections relate are in good working order.	The master	An Officer
44	(All such ships) A record of—		
	(a) the times of the last closing, in accordance with regulations 2(1) and 4(1) of the Closing of Openings above the Bulkhead Deck Regulations, of the watertight and weathertight doors referred to in those Regulations and of the next opening of such doors;	The master	An Officer
	(b) the times of the opening and closing of any watertight or weathertight door pursuant to regulations 4(2) and 5 of those Regulations.	The master	An Officer
45	(a) (All ships of Class I, II, IIA and IV as specified in the Passenger Ship Regulations 1980 or 1984 as the case may be) A record of draughts, trim and vertical distances ascertained in accordance with the Passenger Ship Regulations 1980 and the Passenger Ship Regulations 1984.	The master	An Officer
	(b) (Ships of Class I, II, and IIA, and ships of Class IV to which regulation 9L of the Passenger Ship Regulations 1980 or regulation 9L of the Passenger Ship Regulations 1984 applies)	The master	An Officer

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A record of the result of the calculation
required by regulation 5(1) of the
Loading Regulations.

*[Schedule item 32(b)(iv) amended by 2002 : 36 s.8 & Sch. effective 19 January 2004; Schedule amended
by BR 75 / 2010 Sch. 3 effective 1 October 2010]*

[Amended by:

2002 : 36

BR 75 / 2010]