

*S.I. 111/2011***MERCHANT SHIPPING (TRAINING, CERTIFICATION,
MANNING AND WATCHKEEPING) REGULATIONS**

(SECTIONS 67 AND 289)

*[Commencement 1st January, 2012]***PART I
PRELIMINARY**

- Citation. **1.** These Regulations may be cited as the Merchant Shipping (Training, Certification, Manning and Watch-keeping) Regulations.
- Interpretation. **2.** In these Regulations —
- Ch. 268. “Act” means the Merchant Shipping Act;
- “appropriate certificate” means a certificate issued and endorsed in accordance with the Act and these regulations and entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level or responsibility specified therein on a ship of the type, tonnage or power and means of propulsion indicated by the endorsement while engaged on the particular voyage concerned;
- “approved” in the STCW Convention so far as given effect by these regulations means approved by The Bahamas Maritime Authority;
- “Authority” means The Bahamas Maritime Authority as defined in section 2 of The Bahamas Maritime Authority Act;
- Ch. 283. “BCH Code” means the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, as amended, published by the International Maritime Organisation;
- “Bulletin” means The Bahamas Maritime Authority’s Bulletin;
- “certificate of competency” means an appropriate certificate issued by The Bahamas Maritime Authority for the purposes of regulation 8;
- “certificate of proficiency” means an appropriate certificate issued by The Bahamas Maritime Authority for the purposes of regulation 8;

“chemical tanker” means a ship constructed or adapted and used for the carriage in bulk of any liquid product listed in the BCH Code and the IBC Code;

“constructed” means a craft —

- (a) the keel of which is laid; or
- (b) construction of which has commenced comprising at least 50 tonnes or 1 per cent of the estimated mass of all structural material, whichever is the less;

“crew” means all persons including the master employed in any capacity on board a ship;

“GC Code” means the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk;

“GMDSS” means the Global Maritime Distress and Safety System;

“gross tonnage” means —

- (a) in relation to a ship having alternative tonnages, the higher of these tonnages; and
- (b) in relation to a ship having its tonnage determined both under Part II and regulation 16 of the Merchant Shipping (Tonnage) Regulations 1982, the tonnage determined under regulation 16;

“hazardous cargo” means a cargo which is or may be explosive, flammable, toxic, health-threatening or capable of polluting the environment;

“high-speed craft” means a craft capable of a maximum speed, in metres per second (m/s), equal to or exceeding: $3.7V^{0.1667}$ where: V= volume of displacement corresponding to the design waterline (m³), excluding craft the hull of which is supported completely clear above the water surface in non-displacement mode by aerodynamic forces generated by ground effect;

“IBC Code” means the 1994 edition of the International Code for the Construction and Equipment of Ships Carrying Chemicals in Bulk, as amended, published by the International Maritime Organisation;

“IGC Code” means the 1993 edition of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, as amended, published by the International Maritime Organisation;

“inspector” means an inspector appointed under section 169 of the Act;

“ISPS Code” means the International Ship and Port Facility Security Code;

“length” has the meaning assigned to it under the Merchant Shipping (Tonnage) Regulations, 1982;

“liquefied gas tanker” means a ship constructed or adapted and used in the carriage of any liquefied gas or other product listed in the GC Code or the IGC Code;

“master” has the meaning assigned to it under the Act but in the absence of a person designated as master, the master shall be deemed to be the person in command of the ship;

“near-coastal voyage” means a voyage —

- (a) from The Bahamas to the ports or port facilities in Turks and Caicos Islands, Haiti, Dominican Republic and North Cuba, between Havana and Antilla and which is never more than 150 miles from the nearest port of refuge; and
- (b) which is a home-trade voyage as defined under section 2 of the Act;

“officer” means a member of the crew, other than the master, designated as such by the Act or these regulations or, in absence of such designation, by collective agreement or custom;

“oil tanker” means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes a combination carrier when it is carrying a cargo or part cargo of oil in bulk;

“passenger ship” means a ship carrying more than 12 passengers;

“pleasure craft” means a vessel primarily used for sport or recreation;

“propulsion power” means the total maximum continuous rated output power in kilowatts of all the ship’s main propulsion power as stated on the ship’s certificate of registry or other official document;

“rating” means a member of the ship’s crew other than the master or an officer;

“ro-ro passenger ship” means a passenger ship with ro-ro cargo spaces or special category spaces as defined in Chapter II-2 of the International Convention for the Safety of Life at Sea 1974 as amended; ’

“safe manning document” means a document, specifying the minimum manning level, issued —

- (a) in the case of a Bahamian ship, by The Bahamas Maritime Authority; and
- (b) in the case of any other ship, by the Administration of the flag State;

“seafarer” includes master and seaman;

“seagoing” means going beyond the territorial waters of The Bahamas;

“STCW Code” means the Seafarers’ Training, Certification and Watchkeeping Code adopted by the 2010 Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;

“STCW Convention” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;

“tanker” means a chemical tanker, a liquefied gas tanker or an oil tanker.

PART II TRAINING AND CERTIFICATION

3. This Part applies to masters and seamen employed in ships registered in The Bahamas other than fishing vessels, pleasure crafts and non-commercial yachts. Application.

Grades of
certificate of
competency.

4. (1) A certificate of competency shall be granted in accordance with section 68 of the Act in each of the following other grades —

- (a) GMDSS operator; or
- (b) electro-technical officer.

(2) The certificate of competency granted in accordance with section 68 of the Act, shall be in Form 1 in the First Schedule with such variations as the circumstances require.

First Schedule.

Qualification as
an officer.

5. A person is qualified, for the purposes of sections 67 and 69 of the Act, for ships on voyages outside near-coastal limits, if that person holds a certificate of competency or licence in one of the following capacities —

- (a) master;
- (b) chief mate;
- (c) officer in charge of a navigational watch;
- (d) chief engineer officer;
- (e) second engineer officer;
- (f) officer in charge of an engineering watch;
- (g) electro-technical officer; or
- (h) GMDSS radio operator.

Recognition of
certificate.

6. (1) The Authority may recognise a certificate issued by the Authority of another Party to the STCW Convention to a master, officer, GMDSS radio operator, electro-technical officer or any other trained person, if the Authority is satisfied that —

- (a) the requirements of the STCW Convention, STCW Code or other relevant Convention or Code as applied by The Bahamas concerning standards of competence, standards of proficiency, the issue and endorsement of certificates, and record keeping are fully complied with; and
- (b) prompt notification will be given to the Authority of any significant change in the arrangements for training and certification provided in compliance with the STCW Convention.

(2) Where the Authority recognises a certificate pursuant to paragraph (1), the Authority may endorse such certificate to attest its recognition, if the Authority is satisfied that the requirements of the STCW Convention or the STCW Code under paragraph (1) have been complied with.

(3) The endorsement referred to under paragraph (2), shall be in Form 3 in the First Schedule with such variations as the circumstances require.

First Schedule.

7. (1) A certificate, licence and an endorsement issued to masters, officers and other trained persons under regulations 5 and 6 shall not be valid for seagoing service unless revalidated at intervals not exceeding 5 years.

Revalidation of certificate, licence and endorsement.

(2) A certificate referred to in regulation 8 granted pursuant to the Merchant Shipping (Radio Installations) Regulations 1992 shall not be valid for seagoing service unless revalidated at intervals not exceeding 5 years.

(3) A master and an officer shall, for continuing seagoing service on ships referred to in regulations 11, 12 and 13, successfully complete refresher training as specified by the Authority.

8. (1) An officer serving in the capacity set out in column 1 of the table in the Second Schedule shall hold an appropriate certificate for that capacity. A person shall only be entitled to be issued with an appropriate certificate if that person complies with the criteria in the regulations annexed to the STCW Convention as set out in column 2 of the table in the Second Schedule in relation to that entry, and any other requirements as specified by the Authority.

Appropriate certificate.
Second Schedule.

(2) A person assigned shipboard safety, security or environmental protection task shall have received training or instruction for the specific task, and an appropriate certificate or documentary evidence of such training shall be required.

(3) Where the appropriate certificate is a certificate of proficiency or documentary evidence, that certificate shall contain —

Second Schedule.

- (a) the name and signature of the duly authorised official;
- (b) the certificate number;
- (c) the name and date of birth of the holder of the certificate;
- (d) the signature of the holder of the certificate;
- (e) the title of the certificate;
- (f) the number of the STCW Convention regulation or STCW Code section under which the holder of the certificate was qualified;
- (g) the date of issue of the certificate; .

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- (h) the date of expiry of the certificate;
 - (i) a photograph of the holder of the certificate; and
 - (j) any other information that the Authority deems necessary.

First Schedule.

(4) The certificate of proficiency shall be in Form 2 in the First Schedule with such variations as the circumstances require.

(5) An appropriate certificate, other than a certificate of competency and a certificate of proficiency, shall be in a form as determined by the Authority.

Ratings.

9. (1) A rating forming part of a navigational watch on a ship of 500 gross tonnage or more, other than ratings under training and ratings whose duties while on watch are of an unskilled nature, shall hold a certificate conforming to the requirements of paragraph (2) or (3).

(2) A certificate as an able seafarer deck shall not meet the requirements of this regulation unless the person to which the certificate is issued complies with the criteria set out in regulation II/5.2 in the Annex to the STCW Convention.

(3) A certificate as a navigational watch rating shall not meet the requirements of this regulation unless the person to which the certificate is issued complies with the criteria set out in regulation II/4.2 in the Annex to the STCW Convention.

(4) A rating forming part of an engine-room watch or designated to perform duties in a periodically unmanned engine-room on a ship powered by main propulsion machinery of 750 kW propulsion power or more, other than ratings under training and ratings whose duties are of an unskilled nature, shall hold a certificate conforming to the requirements of paragraph (5) or (6).

(5) A certificate as an able seafarer engine shall not meet the requirements of this regulation unless the person to which the certificate is issued complies with the criteria set out in regulation III/5.2 in the Annex to the STCW Convention.

(6) A certificate as an engine-room watch rating shall not meet the requirements of this regulation unless the person to which the certificate is issued complies with the criteria set out in regulation III/4.2 in the Annex to the STCW Convention.

(7) An electro-technical rating serving on a sea-going ship powered by main propulsion machinery of 750 kW propulsion power or more, other than and ratings under training and ratings whose duties are of an unskilled nature, shall hold a certificate conforming to the requirements of paragraph (8).

(8) A certificate as an electro-technical rating shall not meet the requirements of this regulation unless the person to which the certificate is issued complies with the criteria set out in regulation III/7.2 in the Annex to the STCW Convention.

10. No person shall be deemed to be qualified as a radio operator on a GMDSS ship as required by regulation 16 of the Merchant Shipping (Radio Installation) Regulations, 1992, unless that person —

Radio operator on GMDSS ship.

- (a) is at least 18 years of age;
- (b) has completed approved education and training; and
- (c) meets the standard of competence specified in section A-IV/2 of the STCW Code.

11. (1) An officer assigned specific duties and responsibilities related to cargo or cargo equipment on a tanker shall have completed an approved basic training or approved seagoing service required by section A-V/1-1 or A-V/1-2 of the STCW Code for the tanker on which the officer serves.

Training and qualifications of master, officer and other personnel on tanker.

(2) A master, chief engineer officer, chief mate, second engineer officer and any person with immediate responsibility for loading, discharging and care in transit or handling of cargo on tankers shall, in addition to meeting the requirements of paragraph (1), have —

- (a) experience appropriate to their duties on the tanker on which they serve; and
- (b) completed the approved advanced training set out in section A-V/1 - 1 or A/V/1-2 of the STCW Code, appropriate to their duties on the tanker on which they serve.

(3) A master and an officer shall not be qualified in accordance with paragraph (1) or (2) unless they hold an appropriate certificate or their existing certificate is endorsed in the manner provided under these Regulations.

(4) Where training in accordance with this regulation is completed by a person other than those specified

in paragraphs (1) and (2), and the training is not included in the qualifications for a certificate or licence to be issued, a separate certificate of proficiency or documentary evidence, which indicates that the holder of the certificate has attended a course in basic training shall be required.

Training and qualifications of master, officer, rating and other personnel on passenger ship.

12. (1) This regulation applies to masters, officers, ratings and other personnel serving on board passenger ships including ro-ro passenger ships.

(2) Prior to being assigned shipboard duties on a passenger ship, seafarers to which this regulation applies shall have completed the training required by paragraphs (4) to (7) in accordance with their capacity, duties and responsibilities.

(3) A seafarer who is required to be trained in accordance with paragraphs (4), (5) and (6) shall, at intervals not exceeding 5 years, undertake appropriate refresher training as specified by the Authority.

(4) A master, officer and any other personnel designated on muster lists to assist passengers in emergency situations shall have completed training in crowd management as specified in section A-V/2, paragraph 1 of the STCW Code.

(5) A master, chief engineer officer, chief mate, second engineer officer and any person designated on muster lists as having responsibility for the safety of passengers in emergency situations on board passenger ships shall have completed approved training in crisis management and human behaviour as specified in section A-V/2, paragraph 3 of the STCW Code.

(6) Personnel providing direct service to passengers in passenger spaces shall have completed the safety training specified in section A-V/2, paragraph 2 of the STCW Code.

(7) A master, chief engineer officer, chief mate, second engineer officer and any person assigned immediate responsibility for embarking and disembarking passengers, loading, discharging or securing cargo, or closing hull openings on board ro-ro passenger ships shall have completed approved training in passenger safety, cargo safety and hull integrity as specified in section A-V/2, paragraph 4 of the STCW Code.

(8) The training referred to in this regulation shall not be deemed to have met the requirements of this

regulation unless the person completing the training has been issued with documentary evidence of the training.

13. (1) This regulation applies to masters, officers, ratings and other personnel serving on high-speed craft constructed on or after 1st January, 1996.

Training and qualifications of master, officer, rating and other personnel on high-speed craft.

(2) Prior to being assigned shipboard duties on a high-speed craft, a master and an officer with an operational role shall have completed training in accordance with section 18.3 of the International Code of Safety for High-Speed Craft.

(3) The training referred to in this regulation shall be approved by the Authority, and documentary evidence of successful completion of the training shall be required.

14. (1) A seaman shall receive familiarisation training in personal survival techniques or receive sufficient information and instruction in accordance with paragraph 1 of section A-VI/1 of the STCW Code before being assigned to shipboard duties.

Familiarisation training and instruction, basic safety training and instruction.

(2) Where familiarisation training is provided under paragraph (1) it shall be approved by the Authority.

(3) A seaman with designated safety or pollution prevention duties in the operation of a ship shall have completed appropriate basic safety training or received appropriate basic safety instruction in accordance with paragraph 2 of section A-VI/1 of the STCW Code before being assigned to any such duties.

(4) Where basic safety training is provided under paragraph (3), it shall be approved by the Authority.

(5) Where training is completed in accordance with this regulation and the training is not included in the qualifications for a certificate or licence to be issued, a separate certificate of proficiency or documentary evidence, which indicates that the holder of the certificate has attended a course of training in basic safety shall be required.

15. (1) A person designated to launch or take charge of survival craft or rescue boats other than fast rescue boats shall have a certificate of proficiency in such craft.

Training in survival craft, rescue boat and fast rescue boat.

(2) No person shall be issued with a certificate under paragraph (1), unless that person meets the criteria

specified in regulation VI/2.1 in the Annex to the STCW Convention.

(3) A person designated to launch or take charge of fast rescue boats shall have a certificate of proficiency in such boats.

(4) No person shall be granted a certificate under paragraph (3), unless that person meets the criteria in regulation VI/2.2 in the Annex to the STCW Convention.

(5) For the purposes of this regulation —

“survival craft” means a craft capable of sustaining the lives of persons in distress from the time of abandoning the ship;

“rescue boat” means a boat designed to rescue persons in distress and to marshall survival crafts;

“fast rescue boat” means a rescue boat which —

(a) is not less than 6 metres and not more than 8.5 metres in length; and

(b) is capable of manoeuvring for at least 4 hours at a speed of at least 20 knots in calm water with a qualified crew of 3 persons and at least 8 knots with a full complement of persons and equipment.

Training in advanced fire-fighting.

16. (1) A seaman designated to control fire-fighting operations shall have successfully completed advanced training in techniques for fighting fire in accordance with section A-VI /3 of the STCW Code and shall meet the standards of competence specified therein.

(2) Where training in advanced fire-fighting is not included in the qualifications for a certificate or licence to be issued, a separate certificate of proficiency or documentary evidence, which indicates that the holder of the certificate has attended a course of training in advanced fire-fighting shall be required.

Training in medical first aid and medical care.

17. (1) A seaman designated to provide medical first aid on board a ship shall meet the standard of competence in medical first aid as specified in paragraphs 1 to 3 of section A-VI/4 of the STCW Code.

(2) A seaman designated to take charge of medical care on board a ship shall meet the standard of competence in medical care as specified in paragraphs 4 to 6 of section A-VI/4 of the STCW Code.

(3) Where training in medical first aid or medical care is not included in the qualifications for a certificate or licence to be issued, a certificate of proficiency or documentary evidence, which indicates that the holder of certificate has attended a course of training in medical first aid or medical care shall be required.

18. (1) A person designated as a ship security officer shall have completed security training as specified in regulation VI/5.1 in the Annex to the STCW Convention and a certificate of proficiency which indicates that the holder of the certificate has attended a course of training in security shall be required.

Training in security.

(2) A seaman on board a ship to which the ISPS Code is applicable shall, prior to being assigned any such duty —

- (a) have received security-related familiarisation;
- (b) have completed security-awareness training or received instruction in accordance with paragraphs 1 to 4 of section A-VI/6 of the STCW Code; and
- (c) meet the standards specified in the STCW Code.

(3) A seaman with designated security duties shall meet the standards of competence specified in paragraphs 6 to 8 of section A-VI/6 of the STCW Code.

(4) Where training in security is not included in the qualifications for a certificate or licence to be issued, a certificate of proficiency shall be required.

19. (1) Certificates, licenses and endorsements issued under these regulations shall be issued by the Authority on receipt of any fee payable, and delivered to the person applying for that certificate, licence or endorsement.

Validity, record and surrender of certificate, licence or endorsement.

(2) A certificate, licence or endorsement shall remain valid for seagoing service only so long as the holder can comply with the standards and conditions as to medical fitness and professional competency or proficiency to act in the appropriate capacity specified by the Authority.

(3) A record of all certificates, licenses and endorsements issued under this Part, or which have expired or have been revalidated, suspended, cancelled or reported lost or destroyed and any alteration of or any other matters affecting such certificates, licenses or endorsements shall be kept by the Authority.

(4) Where the holder of a certificate is issued with an appropriate certificate at a higher level under these regulations, that holder shall surrender the first mentioned certificate to the Authority for cancellation.

(5) Where a person is convicted of an offence under section 70 of the Act, or where a certificate, licence or endorsement is issued and the conditions for its issuance under this Part or specified by the Authority have not been complied with, then the holder of the relevant certificate, licence or endorsement shall deliver that certificate, licence or endorsement to such person as directed by the Authority for cancellation.

Refusal to issue or revalidate certificate, licence or endorsement.

20. (1) Notwithstanding that an applicant for a certificate of competency, certificate of proficiency, licence or endorsement complies with the standards or fulfills the conditions specified by the foregoing provisions of this Part, the Authority shall not issue or revalidate the certificate, licence or endorsement applied for unless satisfied, having regard to all the relevant circumstances, that the applicant is a fit person to be the holder of the certificate, licence or endorsement and to act in the capacity to which it relates.

(2) Where the Authority intends to refuse to issue or revalidate a certificate of competency, certificate of proficiency, licence or endorsement, the Authority shall give notice in writing to the applicant, who shall be entitled, before a date specified in the notice, to require the application to be reviewed at an inquiry.

(3) Where an applicant, before the date mentioned in paragraph (2), has required his case to be reviewed at an inquiry, the Authority shall cause an inquiry to be held by one or more persons appointed by the Authority.

Approval of training and seagoing service.

21. (1) A company shall submit a written request to the Authority to issue an appropriate certificate, where the approval of training or seagoing service is required.

(2) The Authority may grant an approval to the company under paragraph (1), if the Authority is satisfied that the required standards of training under the STCW Convention, STCW Code or other relevant Convention or Code, have been compiled with.

**PART III
MANNING**

22. This Part applies to —

Application.

- (a) seagoing ships which are registered in The Bahamas wherever they may be; and
- (b) other ships when in the territorial waters of The Bahamas,

but does not apply to fishing vessels or pleasure crafts.

23. (1) A company shall ensure that —

Responsibilities of company, master and others.

- (a) a seaman assigned to any of its ships holds an appropriate certificate in respect of any function that seaman is to perform on that ship;
- (b) a seaman on any of its ships has the training specified in Part II, in respect of any function that seaman is to perform on that ship; and
- (c) documentation and data relevant to a seaman employed on its ship are maintained and readily available for inspection and include, documentation and data on their experience, training, medical fitness, proficiency and competency in assigned duties.

(2) Nothing in paragraph (1) shall prohibit the allocation of tasks for training under supervision or in case of *force majeure*.

(3) A company shall provide written instructions to the master setting out the policies and procedures for seafarers who are newly employed on board its ship.

(4) The policies and procedures referred to in paragraph (3) shall include —

- (a) allocation of a reasonable period of time during which each newly employed seaman will have an opportunity to become acquainted with —
 - (i) the specific equipment the seaman will be using or operating; and
 - (ii) ship-specific watchkeeping, safety, security, environmental protection and emergency procedures and arrangements the seaman needs to know to perform the assigned duties properly; and
- (b) designation of a knowledgeable crew member who will be responsible for ensuring that an opportunity is provided to each newly employed

seaman to receive essential information in a language the seaman understands.

(5) A master and a crew member designated with an obligation under paragraph (4) shall carry out that obligation.

Safe manning document.

24. (1) A company shall ensure that, in relation to every ship of 500 gross tonnage or more and any other ship as determined by the Authority —

- (a) a safe manning document is in force in respect of the ship and the manning of the ship;
- (b) a safe manning document is kept on board the ship at all times; and
- (c) the manning of the ship is maintained at all times at levels not lower than those specified in the safe manning document.

(2) No ship shall proceed to sea unless there is on board a valid safe manning document issued in respect of the ship, and the manning of the ship complies with that document.

(3) A company applying for a safe manning document in respect of a ship registered in The Bahamas shall —

- (a) submit to the Authority a proposal as to the numbers and grade of personnel the company determines to be sufficient for the ship to be safely manned; and
- (b) in preparing the proposal under subparagraph (a), take into account any guidance issued by the Authority and the International Maritime Organisation.

(4) A company shall, after issue of a safe manning document, promptly notify the Authority of any changes to that document.

(5) Subject to paragraph (4), a safe manning document issued pursuant to the Merchant Shipping (Safe Manning Document) Regulations, 1992 prior to the revocation of these regulations shall continue to be valid.

PART IV WATCHKEEPING

Application.

25. This Part applies to —

- (a) seagoing ships which are registered in The Bahamas wherever they may be; and
- (b) other ships when in the territorial waters of The Bahamas,

but does not apply to fishing vessels or pleasure crafts.

26. (1) Subject to regulation 29, a company or an employer shall, so far as is reasonably, practicable, ensure that the master and seamen do not work more hours than is safe in relation to the safety of the ship and the master’s and seamen’s performance of their duties.

General duty of company, employer and master.

(2) Subject to regulation 29, a master shall, so far as is reasonably practicable, ensure that the seamen do not work more hours than is safe in relation to the safety of the ship and the seamen’s performance of their duties.

27. A master or a seaman shall, so far as is reasonably practicable, ensure that he is properly rested when commencing duty on a ship and that he obtains adequate rest during the periods when he is off duty.

Duties of master and seaman.

28. (1) A company shall produce a schedule of duties and rest periods for masters and seamen.

Schedule of duties and rest periods.

(2) Where a company is not the employer of the master and seamen, the company shall consult any other person who is the employer of the master or seamen before the production of the schedule under paragraph (1).

(3) A company may arrange with the employer referred to under paragraph (2) to produce a schedule of duties and rest periods for the master and seamen and that employer shall be subject to the duties of the company under this regulation.

(4) A schedule complies with this regulation, where that schedule —

- (a) sets out the hours of work and rest periods for the master and seamen whose work include regular watchkeeping duties and designated safety, security and prevention of pollution duties in accordance with the provisions of section A-VIII/1 of the STCW Code;
- (b) specifies the periods of watchkeeping, the rest periods between watches, and the total daily and weekly periods of watchkeeping and rest periods;

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- (c) provides a minimum of 10 hours of rest in any 24-hour period and 77 hours in any 7-day period. The hours of rest may be divided into not more than two periods, one of which shall be at least 6 hours in length and the intervals between consecutive periods of rest shall not exceed 14 hours.
- (5) Notwithstanding paragraph (4)(c), the required hours of rest may —
- (a) be reduced on condition that the rest period is not less than 70 hours in any 7-day period and shall not extend beyond two consecutive weeks and the intervals between two periods of exceptions on board shall not be less than twice the duration of the exception; and
- (b) be divided into not more than three periods, one of which shall be at least 6 hours in length and neither of the other two periods shall be less than one hour in length and shall not extend beyond two 24-hour periods in any 7-day period and the intervals between consecutive periods of rest shall not exceed 14 hours.
- (6) A company shall ensure that the schedule is displayed on the ship to which it relates in a position accessible to the crew.
- (7) A master shall, so far as is reasonably practicable, ensure that the rest periods provided for are not less than those specified in the schedule.
- (8) A master shall maintain a copy of the schedule and a record of all deviations from its requirements for rest periods for a period of 2 years from the date the schedule was introduced, and make such copies and records available for inspection by an inspector.
- (9) A master or a person authorised by him shall keep record of a seafarer's hours of rest and such record shall be signed by the seafarer and master or a person authorised by him at least once each month.

Exception for emergencies.

29. (1) The requirements for rest periods specified in regulation 28(4) need not be maintained in case of an emergency or in other overriding operational conditions.

(2) Without prejudice to the generality of paragraph (1), a master or a seaman may participate in a navigational, engine-room or machinery watch although he has not had

the rest period provided by the schedule produced pursuant to regulation 28, and the master may exceed, and a seaman may be required to exceed, the schedule’s work or duty periods, where in the opinion of the master it is necessary in an emergency threatening the safety of the ship or the life of any person or threatening damage to property or the environment.

(3) Pursuant to paragraph (1), where the master or seaman has worked within a rest period prescribed by the schedule, his name shall be entered in the record required to be maintained by regulation 28 together with the reason for so working.

30. (1) A master shall ensure that the watchkeeping arrangements for the ship are at all times adequate for maintaining safe navigational and engineering watches in accordance with Chapter VIII of section A of the STCW Code.

Arrangements for watchkeeping.

(2) Without prejudice to the duties of the master under paragraph (1), the master shall give directions to the deck navigational watchkeeping officers responsible for navigating the ship safely during their periods of duty, in accordance with Part 3-1 of section A-VIII/2 of the STCW Code and any requirements specified by the Authority.

(3) A chief engineer officer shall ensure that the engineering watchkeeping arrangements for the ship are at all times adequate for maintaining a safe watch, in accordance with Part 3-2 of section A-VIII/2 of the STCW Code, and when deciding the composition of the watch shall observe the principles set out in Part 3-2 of that section and any requirements specified by the Authority.

31. (1) A master of a ship which is safely moored or safely at anchor under normal circumstances in port shall arrange for an appropriate and effective watch to be maintained.

Watchkeeping arrangements in port.

(2) The arrangements referred to under paragraph (1), shall be in accordance with Part 4 of section A-VIII/2 of the STCW Code and any operational guidance issued by the Authority.

32. (1) A master of a ship which is carrying hazardous cargo and which is in port, even when safely moored or safely at anchor, shall, in addition to any watchkeeping arrangements required under regulations 30 and 31, in the case of —

Watchkeeping arrangements in port for ship carrying hazardous cargo.

- (a) a ship carrying hazardous cargo in bulk, ensure that a safe deck watch and safe engineering watch are maintained by the ready availability on board of duly qualified officers, and ratings, where appropriate; and
- (b) a ship carrying hazardous cargo other than in bulk, ensure that in organising safe watch-keeping arrangements he takes account of the nature, quantity, packing and stowage of the hazardous cargo and of any special conditions on board, afloat and ashore.

(2) The watchkeeping arrangements under paragraph (1), shall take account of any principles and requirements specified by the Authority.

Carriage of documents.

33. Without prejudice to regulation 23, a company and master shall ensure that there are carried at all times on board a ship all original certificates and other documents issued pursuant to the STCW Convention and other relevant international requirements indicating the qualification of any member of the crew to perform functions which they are required to perform aboard the ship in the course of their designated duties.

Inspection of foreign registered ship.

34. (1) An inspector may inspect any ship which is not a Bahamian ship for the purposes of —

- (a) verifying that seamen or persons serving on board, who are required to be certificated, hold valid appropriate certificates;
- (b) verifying that the number of persons serving on board comply with the safe manning requirements; and
- (c) assessing the ability of the seamen on the ship to maintain the watchkeeping standards required by these regulations, where there are grounds for believing that such standards are not being maintained because, while in a port in The Bahamas or in the approaches to that port, any of the following has occurred —
 - (i) the ship has been involved in a collision, grounding or stranding;
 - (ii) there has been an unlawful discharge of substances from the ship when underway, at anchor or at a berth;
 - (iii) the ship has been manoeuvred in an erratic or unsafe manner, or navigational course

markers or traffic separation schemes have not been followed; or

- (iv) the ship has otherwise been operated in such manner as to pose a danger to persons, property or the environment.

(2) Where an inspector finds on inspection any deficiency specified in paragraph (3), the inspector shall notify in writing, the master of the ship, and in the case of a ship registered outside The Bahamas, the nearest maritime, consular or diplomatic representative of the flag State.

(3) The deficiencies referred to in paragraph (2) are —

- (a) a failure of any seaman, required to hold an appropriate certificate, to have a valid appropriate certificate or valid exemption or dispensation from that requirement;
- (b) a failure to comply with the safe manning document;
- (c) a failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the competent authority of the country in which the ship is registered;
- (d) an absence on watch of a person qualified to operate equipment essential to safe navigation, safety radio communications or the prevention of marine pollution;
- (e) an inability of the master to provide adequately rested persons or persons who are otherwise fit for duty for the first watch at the commencement of a voyage and for subsequent relieving watches;
- (f) a failure to provide proof of professional proficiency for the duties assigned to seafarers for the safety of the ship and the prevention of pollution.

35. Where it is found that —

- (a) in relation to a Bahamian ship, there is any contravention of these regulations; or
- (b) in relation to a foreign ship, there is —
 - (i) any contravention of regulations 23, 30, 31 or 32; or
 - (ii) a failure to correct a deficiency specified in regulation 34(3) after notification to a

Power to detain ship.

master pursuant to regulation 34(2), and there is in consequence a danger to persons, property or the environment,

the ship may be detained if it is a foreign ship or the certificate of registry suspended if it is a Bahamian ship in accordance with section 170 of the Act.

PART V MISCELLANEOUS

Guidance on training, certification, manning and watchkeeping.

36. The Authority may provide guidance on training, certification, manning and watchkeeping in its Bulletin.

Penalties.

37. (1) A company which contravenes regulation 23(1) or (3), 24(1), 26(1), 28(1) or (6) or 33 commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

(2) A master who contravenes regulations 9, 23(5), 26(2), 27, 28(7), (8) or (9), 29(2), 30(1) or (2), 31, 32 or 33 commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

(3) A member of the crew who contravenes regulation 23(5) commits an offence and is liable on summary conviction to a fine not exceeding three hundred dollars.

(4) A chief engineer officer who contravenes regulation 30(3) commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

(5) An employer who contravenes regulation 26(1) commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

(6) A seaman who contravenes regulation 27 commits an offence and is liable on summary conviction to a fine not exceeding two hundred dollars.

(7) It shall be a defence for a person charged with an offence under these regulations, that he took all reasonable steps to avoid commission of the offence.

(8) In any proceedings for an offence under these regulations consisting of a failure to do something as far as is reasonably practicable, it shall be the duty of the accused

to prove that it was not reasonably practicable to do more than was in fact done to satisfy the duty or requirement.

38. The Authority may grant, on such terms, if any, as the Authority may specify, exemptions and dispensations from any or all of the provisions of these regulations for classes or individual cases. Exemptions and dispensations.

39. The Authority may, until 31st December, 2016, accept any certificate, licence or endorsement granted pursuant to sections 68 and 69 of the Act and regulations made thereunder prior to the coming into force of these regulations. Savings.

40. *Repeals.*

FIRST SCHEDULE**(Regulation 4)****FORM 1****CERTIFICATE OF COMPETENCY***Crest of**The Bahamas Maritime Authority*

COMMONWEALTH OF THE BAHAMAS

Certificate issued under the International Convention on
Standards of Training, Certification and Watchkeeping
for Seafarers, 1978, as amended

The Government of the Commonwealth of The Bahamas certifies that:

SURNAME	GIVEN NAMES

has been found duly qualified in accordance with regulation (insert STCW regulation) of the STCW Convention, as amended, and has been found competent to perform the following functions, at the levels specified, subject to any limitations indicated until the expiry of this certificate:

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

The lawful holder of this certificate may serve in the following capacity or capacities specified in the applicable safe manning requirements of the Administration:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No.: _____

Date of Issue: _____

Date of Expiry: _____

(Official Seal)

Signature of duly authorised official

Name of duly authorised official

The original of this certificate must be kept available in accordance with regulation I/2, paragraph 11 of the STCW Convention while its holder is serving on a ship.

Date of birth of the holder of the certificate: _____

Signature of the holder of the certificate: _____

Photograph of the holder of the certificate:



FORM 2

(Regulation 8)

CERTIFICATE OF PROFICIENCY

Crest of

The Bahamas Maritime Authority

COMMONWEALTH OF THE BAHAMAS

Certificate issued under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended

The Government of the Commonwealth of The Bahamas certifies that:

SURNAME	GIVEN NAMES

has been found duly qualified in accordance with (insert regulation of STCW Convention or section of STCW Code). The lawful holder of this certificate is accordingly deemed to be proficient to be assigned tasks, duties and responsibilities in the trained capacity and serve on board a Bahamian registered ship until the date of expiry shown below:

Certificate No.: _____

Date of Issue: _____

Date of Expiry: _____

(Official Seal)

Signature of duly authorised official

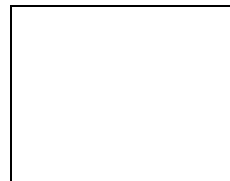
Name of duly authorised official

The original of this certificate must be kept available in accordance with regulation I/2, paragraph 11 of the STCW Convention while its holder is serving on a ship.

Date of birth of the holder of the certificate: _____

Signature of the holder of the certificate: _____

Photograph of the holder of the certificate:



FORM 3

(Regulation 6)

**ENDORSEMENT ATTESTING THE
RECOGNITION OF A CERTIFICATE**

Crest of

The Bahamas Maritime Authority

COMMONWEALTH OF THE BAHAMAS

Endorsement Attesting the Recognition of a Certificate under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended

The Government of the Commonwealth of The Bahamas certifies that:

CERTIFICATE NUMBER	SURNAME	GIVEN NAMES	ISSUING GOVERNMENT

is duly recognised in accordance with regulation I/10 of the STCW Convention, as amended, and the lawful holder is authorised to perform the following functions, at the levels specified, subject to the limitations indicated until or until the date of expiry of any extension of the validity of this endorsement as may be shown over-leaf:

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

The lawful holder of this endorsement may serve in the following capacities specified in the applicable safe manning requirements of The Bahamas Maritime Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Endorsement No.: _____

Date of Issue: _____

Date of Expiry: _____

(Official Seal)

Signature of duly authorised official

Name of duly authorised official

The original of this endorsement must be kept available in accordance with regulation I/2, paragraph 11 of the STCW Convention while its holder is serving on a ship.

Date of birth of the holder of the certificate: _____

Signature of the holder of the certificate: _____

Photograph of the holder of the certificate:



SECOND SCHEDULE

(Regulation 8)

TABLE OF CRITERIA FOR APPROPRIATE CERTIFICATES

Column 1	Column 2
Officer in charge of a navigational watch on a ship of 500 gross tonnage or more, and a ship of less than 500 gross tonnage not engaged on near-coastal voyages	Regulation II/1.2
Master or chief mate on a ship between 500 and 3000 gross tonnage or more, and a ship of less than 500 gross tonnage not engaged on near-coastal voyages	Regulation II/2.4
Master or chief mate on a ship of 3000 gross tonnage or more	Regulation II/2.2
Master or chief mate on a ship of less than 3000 gross tonnage	Regulation II/2.4
Officer in charge of a navigational watch on a ship of less than 500 gross tonnage engaged on near-coastal voyages	Regulation II/3.4
Master or chief mate on a ship of less than 500 gross tonnage engaged on near-coastal voyages	Regulation II/3.6
Officer in charge of an engineering watch in a manned engine-room, or designated duty engineer officer in a periodically un-manned engine-room, on a ship powered by main propulsion machinery of 750 kW propulsion power or more	Regulation III/1.2
Chief or second engineer officer on a ship powered by main propulsion machinery of 3000 kW propulsion power or more	Regulation III/2.2
Chief and second engineer officer on a ship powered by main propulsion machinery of between 750 kW and 3000 kW propulsion power	Regulation III/3.2
Electro-technical officer on a ship powered by main propulsion machinery of 750 kW propulsion power or more	Regulation III/6.2
GMDSS radio operator performing radio duties on a ship required to participate in the GMDSS	Regulation IV/2.2