Introduction

We have provided this Guide for the use of Masters and senior officers serving aboard Barbados registered ships. We hope to offer simple, clear information on our shipping legislation and the regulations that apply to Barbados flagged ships.

Masters and other seafarers are always welcome to contact the Barbados Ships’ Registry if advice or information is required. Whilst there is a great deal of information on our website at www.barbadosmaritime.com we will be glad to be of assistance if you need any further information. The best way to contact the Registry is by email to registry@barbadosmaritime.com

Tel: +44-(0)207-636-5739

Emergency after hours contact number: +44(0)7939 312822

Address:
Barbados Ships’ Registry, Barbados High Commission, 1 Great Russell Street, London WC1B 3ND

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Manning on board

All merchant ships registered on the Barbados shipping register must have a valid Minimum Safe Manning Document. Minimum Safe Manning Documents are only issued by the Ship Registry after consultation with the Owner or Manager, following receipt of the minimum safe manning proposal. Class and other organisations are not permitted to issue Safe Manning Certificates for Barbados ships.

The Safe Manning Document will state the numbers and ranks of officers and crew members that are required to be on board. The crew numbers on board must never be allowed to go below the minimum as stated in the Certificate.

If, however, circumstances arise such as emergency repatriation of a crew member, the Ship Registry should be contacted to request a dispensation to permit the vessel to sail to the next most convenient port where a replacement crew member may be embarked. The Master must ensure that the remaining crew continues to comply with the Hours of Rest regulations (see section 2). The Principal Registrar will review any such request and if the ship may safely sail will issue a short-term dispensation. A copy of any such dispensation issued should be retained on board for review by Port State Control officers in the case of the ship being inspected.

Any changes that may affect the manning requirement, including any change to the trading area, modifications to the ship of equipment and machinery should cause re-evaluation of the manning requirements and a new proposal made to the Registry.

See “Manning Guidelines” at Appendix 1.

Barbados Officer Endorsements

Barbados Ships’ Registry does not issue Certificates of Competency (CoCs), but does issue endorsements of other foreign administration CoCs. Bulletins listing the countries whose CoCs are recognised are updated from time to time and available to view or download from our website at www.barbadosmaritime.org. All officers must have a valid STCW95 endorsement document issued by the Barbados Ships’ Registry. Only the Ships’ Registry can issue these endorsements and they must be applied for by the ship’s owners or managers, or a crewing agency authorised by the owner or manager. Individual seafarers cannot apply directly for an endorsement. The Master must ensure that all the officers who require a Barbados endorsement have one and that they also have the original of their national certificates of competency.

If an officer does not have a Barbados endorsement when he joins then you should check that an endorsement has been applied for. Applications are made by the owner / manager or authorised crewing agency and if an application has been made a stamped confirmation from the Ships’ Registry will be available (i.e. a CRA or ‘Certificate of Receipt of Application’). The maximum period permitted to sail using only the CRA is three months. The CRAs are sent to the manager or owner as soon as the application is received and found acceptable by the Ships’ Registry. A copy of this letter should then be retained on board until such time as the officer’s endorsement arrives on board.
These procedures are important and must be followed to show any Port State Control Inspector that the Company has followed the correct procedures for the application for Barbados endorsement. This should eliminate the possibility of the ship being detained.

1. Watch Keeping Ratings

Barbados Ships’ Registry does not issue endorsements to Ratings, but all Deck and Engine Room Ratings assigned to watch keeping duties must be in possession of STCW Reg. Watch Rating Certificates appropriate to their duties.

Watch Rating certificates issued by countries are quite acceptable in Barbados ships provided they are issued by countries which are parties to the STCW Convention.

Barbados has implemented regulations via the Statutory Instrument (S.I.) 2001 No.44 re Safe Manning, Watch-keeping and Hours of Work). This can be found in the Shipping Act on the cd provided on first registration of the ship.

Alternatively you can find the requirements in the actual STCW Code where the competency requirements for Navigational Watch Ratings are in STCW Section A-II/4 and the requirements for Engine Room watch ratings in STCW Section A-III/4.

2. HOURS OF WORK AND REST

Introduction

The internationally agreed requirements for Hours of Rest are contained in Section A- VIII/1 of the STCW78/95 Code. You should have a copy of the STCW Convention on board and the Registry requires that all Barbados ships carry a copy of this.

The applicable Barbados regulations are contained in the Shipping (Safe Manning, Watch-keeping and Hours of Work) Regulations 2001 (Statutory Instrument No.44).

The “rest” provisions in the STCW Convention apply to watch-keeping officers but the additional requirements in the Maritime Labour Convention 2006 make rest provisions applicable to all seafarers. The two sets of requirements are very similar and both apply to Barbados ships. They must be followed, and carefully documented.

Hours of rest

Every seafarer must be provided with not less than 10 hours rest in total in any 24 hour period, provided that:

- The 10 hour period may be divided into not more than two periods one of which shall be not less than 6 hours,
- The interval between consecutive periods of rest shall not exceed 14 hours; and
- The minimum hours of rest shall not be less than 77 hours in any 7 day period.
Situations when a seafarer is on call but is free to sleep may be counted as rest, but if at any time the normal period of rest is disturbed by call-outs to work, the Master or a person authorised by him has to ensure that the seafarer is provided with an adequate compensatory period of rest.

The time when the designated duty engineer officer in a ship with a UMS class notation is free to sleep, may also be counted as “rest”. However, any time that the officer is called to answer an alarm condition has to be considered as work and as a break in that rest and when that happens the amount of rest due to him has to be recalculated.

Your ship should have an “Hours of Rest Schedule”. This may comprise a document, or a computer display, that has been drawn up by the owner or manager (whoever is responsible for operating the ship) in conjunction with the Master. It has to show the maximum watch periods and minimum rest periods to be observed by all crew members.

The “operator” cannot change this document without consulting with the Master. The operator has a duty to ensure that sufficient personnel are provided so that the rest periods can be complied with. The “schedule of shipboard working arrangements” or an accurate print out of it, if it is kept as a computer file, must be posted up in a prominent place on board accessible to all the crew. Port State Control Officers, and Barbados Nautical Inspectors, will expect to see this when they come on board and will record a deficiency if it is not available and posted up (A model format of the schedule of working arrangements is provided on the Barbados publications cd which is included in the set of shipboard documents on first registration).

Any deviations from the hours of rest in the schedule must be recorded with an explanation of why this occurred. These records must be available for inspection on board at any time. You can decide where the deviations are recorded and you can use any method that is effective provided that the records are available.

The regulations place a duty on the Master to ensure that all crew involved in watch keeping are properly rested and that arrangements are adequate to maintain a safe watch at all times. You are required to ensure that your ship does not sail from any port unless the officers in charge of the watch immediately after sailing have received sufficient rest to allow them to maintain a safe watch.

There will obviously be times such as:

- Emergencies and situations likely to become emergencies unless action is taken,
- Musters and drills,
- Essential work on board which cannot be delayed for safety or environmental protection reasons; and
- Factors beyond the control of the Master or the operator other than commercial needs.

When these things occur it is often necessary for crew members who are involved to miss out on their minimum rest as stated in the schedule. You have the authority as Master to permit this but you must record the fact and the reason for them, for missing out on the minimum rest for those crew members affected.

In deciding what factors might come within “factors outside the control of the Master or the operator other than commercial needs” you will need to take into account the circumstances. The definition was written to take account of situations such as when a Port Authority demands that
the ship vacate the berth when you had planned to stay longer, or when a shift of berth is
demanded unexpectedly. On the other hand a request by the charterer to sail earlier so that he
may minimise port dues is not a valid factor under this definition and counts as a commercial
need.

Ships which are engaged only on short voyages

Special arrangements can be applied in the case of ships that are engaged only on short voyages
up to 12 hours. For these arrangements to apply the owners and managers need to contact the
Ship Registry for special approval and if such approval has been granted to your ship there will
be an exemption certificate to that effect in the ship’s certificate file.

3. ACCIDENT REPORTING

Reporting and Submitting Reports

While it is appreciated that your Safety Management System has a procedure
covering accidents and incidents on board, there is also a requirement for the
Master or Operator to report Casualties and Accidents by the quickest means
possible, and report as soon as possible to the Ship Registry. Please use the
form No.154 (available on our website) to report accidents/injury to crew
members.

Accidents:- are defined as occurrences which cause material damage to any ship or structure or
which cause damage to the health of any person or serious injury [more than 3 days off work].

Casualties:- are defined as actual accidents to the ship such as collisions or groundings or that
cause loss of life, loss of the ship, collision of the ship, pollution etc.

Accidents should be reported to the Ship Registry on Form No. 45, and you should have
copies of this form on board. It can also be downloaded from the Ship Registry website. Accidents can also be reported using your company’s own accident report form but if you use
your company form it is possible that the Ship Registry will require an additional report if there
is any information missing from the company one. It is also helpful if you can include any
written accident report that you prepare for the company with the accident report form.

The Ship Registry records all accidents in its database and uses the information to analyse
accidents and their causes across the whole fleet with a view to identifying things that could be
changed to reduce accidents for all.

Casualties can also be reported on the form 45. However, it is unlikely that it will be possible to
include sufficient detail for a casualty. It is more important that you notify the Ships’ Registry as
soon as possible of the fact that a casualty has occurred and provide some basic information on
what has happened than it is to complete the Incident form.

The Ship Registry will generally investigate casualties that involve Barbados ships. The scale of
a Ship Registry investigation depends on the seriousness of the casualty and on whether or not a
full investigation will lead to possible changes elsewhere in the fleet to prevent it happening
again. For this reason it is important that you provide an outline of what has happened as quickly
as possible direct to the Ship Registry.
Often today the local authorities where a casualty has occurred will also seek to investigate. It is essential that the Ship Registry understands the situation quickly as it will have to negotiate with the local authorities on the scale of investigation and the share of responsibilities. It may be in your owners’ and your interests that the investigation is conducted by the Ship Registry rather than by the local authorities and the Ship Registry can only ensure this when it is fully aware of the situation.

If the Ship Registry decides to conduct a full investigation it will send one or more investigating inspectors to your ship as quickly as possible. These inspectors have powers to collect evidence, interview crew members, take photographs, collect documents, download VDR data etc. It is an offence in law to impede them. The purpose of the investigation is to establish what has happened, and the circumstances leading up to the incident and then to analyse this and see if there are any recommendations that can be made for general use to avoid it happening again.

The investigation will not apportion blame and statements made to the investigating officers will not be shown to any other person.

4. CREW AGREEMENTS & OFFICIAL LOG BOOKS

Crew Agreement
Every Barbados ship has to have a special agreement in writing between each person employed and the company employing him. These are known as crew agreements and they are required to be in writing and in a form approved by the Ship Registry. These official crew agreements are additional to, and separate from, any company contract or similar document.

The standard form of approved crew agreement can be supplied by the Ship Registry for each ship as well as the “official log book”. The crew agreement and the official log book are closely related documents.

The crew agreement fulfils the requirements of MLC 2006 and it is a requirement of Barbados shipping legislation that it is properly used and completed.

When you start a crew agreement for the first time (opening the Articles) you should insert at the top of the first section - the name of the employer and his address. This defines the parties to the agreement and will normally be either the name of the owner or of the operator who is employing the crew of the ship. Each seafarer who then signs on the list of crew becomes a party to this agreement between the individual and the employer.

Lists of crew - Forms
All of the above mentioned forms are available from the Ships’ Registry.

The crew agreement during the voyage
Once the crew agreement is opened the Master is required to post up a copy of the Front Cover and the basic employment clauses in a conspicuous place. The lists of crew do not need to be posted up.
During the voyage crew members will leave the ship and join the ship. As each individual leaves he/she needs to “sign off” by signing the shaded boxes on the form. The reason for leaving will simply be – “Leave”. You will also need to make an entry in the Official Log Book of each departure. New crew members will have their details entered on the Agreement and List of Crew form when they arrive so that the form remains a continuous record of crew employed in the ship.

**Terminating a crew agreement**

At the end of the crew agreement, usually after 12 months based upon the duration of service on foreign-going voyage agreements, it must be closed and all persons on it who have not already done so must sign off in the appropriate section. The Master should ensure that all the other shaded boxes are completed.

Some crew members may be staying on in the ship under the new crew agreement, in which case the entry for “Date and Place of leaving the ship” should simply be left blank if the crew member is to sign on another crew agreement immediately and is not therefore leaving the ship. The reason for discharge should be entered as “Articles closed.”

As soon as a crew agreement is closed and another one opened, the old one complete with all its parts and including the Official Log Book should be delivered to the Ship’s owner or Manager via whichever method your ship’s operators have set up for this purpose. These have to be kept for a minimum period of seven years under Barbados legislation.

**Official Log Book**

Barbados registered ships are required to carry and maintain a document called an official log book. This log book is a legal document and is an official channel of communication between the Master and the Ship Registry. It is also a document which is acceptable as evidence in court proceedings, therefore it is essential that it is regularly, correctly and accurately completed by the Master or in his absence an appointed deputy.

The entries in the official log book cover such matters as records of seafarers employed, musters and drills, testing of steering gear, inspections of accommodation and provisions, details of draughts and freeboards on departure and arrival port, returns of births and deaths on board. The official log book also has a narrative section for the recording of changes of Masters, accidents and casualties, disciplinary matters, appointments of safety officers and committee meetings etc.

Should a birth or death occur on board, in addition to completing the relevant section in the official log book, the form ‘Return of Births and Deaths’ should also be completed. The Return of Births and Deaths must be returned to the Registry for onward forwarding to Barbados.

Official log books are normally closed after 12 months at the same time as the ship’s articles of agreement, and returned to the ship’s owners or manager for retaining. When this happens you should simply open a new official log book.
GMDSS Radio Log Book

All ships are required to carry and maintain a GMDSS log book. The log book is to keep records of communications relating to distress, urgency and safety traffic, records of important incidents connected with the radio service, regular positions of the ship, and results of tests carried out on the radio equipment.

Instructions for the completion of this record are contained in the log book, and GMDSS log books can be obtained from any supplier of these. Barbados Ships’ Registry does not supply GMDSS Radio log books.

The log books should be returned to the ship’s owner or manager when the last entry is made with the copy remaining on board.

Oil Record Books

Barbados regulations require all vessels to which MARPOL applies, to carry and use an Oil Record Book. They are regularly inspected by Port State Control and incorrect or false entries can be punished, severely in some cases. It is critically important in avoiding detentions by Port State Control that the Oil Record Books are accurately and carefully kept and you should ensure that this is done.

All Ships to which MARPOL applies:

Oil record book part 1, covering machinery space operations, and shall contain entries relating to:

Ballasting or cleaning of oil fuel tanks, discharge of ballast or cleaning water from oil fuel tanks, disposal of oily residues (sludge) and discharge overboard of bilge water which has accumulated in machinery spaces, bunkering operations and accidental discharges of oil. Such operations requiring recording are listed in the front of the oil record book.

Oil Tankers of 150 gross tons and over and Offshore Supply Vessels carrying oil cargo in their tanks. *

Oil record book part 2, covering cargo/ballast operations, shall contain entries relating to oil cargo operations, internal transfers of oil cargo, ballasting/de-ballasting of cargo tanks, discharge of water from slop tanks, etc. Such operations requiring recording are listed in the front of the oil record book. *(Regulation 2.2, Annex 1, MARPOL Convention)

It is most important that oil record books are regularly, correctly and accurately maintained as they are frequently scrutinised by Port State Control whilst checking for possible illegal discharges.

Oil record books can be obtained from Barbados Ships’ Registry and completed books shall be kept for a period of 3 years after the last entry. They are not required to be returned to the Ship Registry.

Barbados ships may also use other Oil Record Books as long as they comply with the layout and content as defined by the MARPOL Convention (MARPOL 73/78/Regulation 20(1)) and as long as they include an English translation.
If any of the above-mentioned documents are not on board then please contact the DPA for the vessel or a responsible officer in the company for further advice.

**Deck and Engine Room Log Books**
For day to day recording of wheelhouse and engine-room operations these may be in a format that the Company deems suitable for the type of operation that the vessel is engaged in. There is no need to return these to us.

**Cargo Record Book – Noxious Liquid Cargo Carried in Bulk**
Ships carrying Noxious Liquid Cargo in bulk and issued with an NLC certificate must maintain a Cargo Record book using the coding required by IMO. (MARPOL Annex II refers).

**Ozone Depleting Substances Record Book**
For recording by the Master/Chief Engineer in accordance with MARPOL, Annex VI, Regulation 12. Copy of the format for this is available on the Barbados Publications CD, intended as a supplement to the Engine Room Log book (this is not supplied by Barbados flag)

**5. SEAFARER EMPLOYMENT AGREEMENTS**

All seafarers are required to be issued with a Seafarers’ Employment Agreement (an SEA). This is a personal contract between the ship-owner and the seafarer. The agreement should be signed by the seafarer and the ship-owner*, and each party must have an original SEA, with an original SEA or a copy being retained on board. (*or the owner’s representative).

Collective Agreements may apply between the ship owner and a recognised seafarers’ union and may be incorporated into an SEA.

It is possible that seafarers are legally employed by an employment agency for example, or even that the ship-owner has set up a crewing agency for the purpose of crewing his ship. Whilst an agency may be directly responsible for meeting some of the obligations laid on the Ship-owner by virtue of the SEA, final responsibility rests with the ship-owner should the agency fail to meet its obligations.

*See Appendix 2 – Model Format for a Seafarer’s Employment Agreement.*
6. SAFETY OFFICIALS AND COMMITTEE

Every person on board a ship has a responsibility for safety. The Shipping Act provides for specific responsibilities to those personnel with designated duties in ensuring the safety of those on the ship. A ship’s safety culture is dependent upon high standards of safety, which can only be achieved by strong support and encouragement from the ship’s senior management.

In every ship in which five or more persons are employed the owner or the manager is required to appoint a Safety Officer. The Master is required to record this appointment of a Safety Officer in the official log book.

The Safety Officer should have suitable training, be familiar with the statutory responsibilities for health and safety and with the principles and practice of risk assessment.

- Amongst the duties of the Safety Officer is ensuring that the provisions of the Code of Safe Working Practices and the Company’s/Operator’s occupational health and safety policies are complied with.
- Investigate every accident or incident on board and any potential hazard to occupational health and safety.
- Carry out occupational health and safety inspections of each accessible part of the ship in which the crew may be required to work at least once every three months or more frequently if there have been changes in the working conditions.
- Stop any work which he reasonably believes may cause an accident and inform the Master who shall be responsible for deciding when work can safely be resumed.
- Ensure the minutes of each safety committee meeting are accessible to all the crew.

On every ship in which five or more persons are employed the Company/Operator is required to make rules and arrangements for the officers and ratings to elect safety representatives.

A safety representative must be someone who has at least 2 years sea service since his/her 18th birthday. If the ship is a tanker at least 6 months’ service in tankers (oil, gas, or chemicals as appropriate) is required.

The Master is required to record the election of safety representatives to a safety committee in the official log book. You should put it in the narrative section. There are rules covering the number of representatives that have to be elected depending on the total crew size. In general;

- If the ship carries less than 16 crew, one safety representative elected by the officers and ratings together,
- If the ship carries 16 or more crew; one safety representative elected by the officers and one elected by the ratings,
- If the ship carries more than 30 ratings one safety representative elected by the ratings from each of the deck engine and catering departments.

Those who are elected as safety representatives do not have to stay in that role for the whole voyage; others can be elected to take over. You should ensure that any safety representative is briefed on his duties and responsibilities. The representative can:-
• Participate in any investigations or inspections carried out by the Safety Officer subject to the Safety Officer’s agreement, or after notification to the Master, undertake similar investigations or inspections personally, whether or not they have been carried out by the Safety Officer,
• Consult with the Master and Safety Officer on behalf of the crew on matters affecting occupational health and safety of crew members,
• Request through the safety committee an investigation by the Safety Officer of any such safety matter,
• Inspect any of the records required to be kept by the Safety Officer.

Once the safety officials have been appointed or elected the Master is required to appoint a Safety Committee which includes the Safety Officer and each safety representative. You as Master are also on the Safety Committee as Chairman and the creation of this committee must be recorded in the official log book. The safety committee should meet whenever it chooses as long as the intervals between meetings are not more than 6 weeks.

A Safety Committee has to:

• Ensure that the provisions of the Code of Safe Working Practices, relevant legislation, and Barbados bulletins are complied with to improve the standard of safety consciousness among the crew,
• Make representations and recommendations on behalf of the crew to the Company/Operator on matters relating to occupational health and safety of the crew,
• Ensure the Company’s/Operator’s occupational health and safety policies are observed and to make recommendations for their improvement,
• Inspect any of the records required to be kept by the Safety Officer and ensure that any conclusions reached on matters of safety are followed up.

There is a legal duty on the company to facilitate the Safety Committee and the company must:

• Provide access to any necessary safety information, documents, Barbados Bulletins and relevant regulations,
• Inform the Safety Officer, safety representatives and safety committee of any hazards on board the ship known to them, which may endanger the ship or her crew,
• Permit occupational health and safety inspections of any accessible part of the ship where crew members may be required to work.

It is very important that you, as Master, take a close interest in the work of the safety officials. You should check that the Safety Officer is fulfilling his responsibilities effectively, while giving support and encouragement. You are the best person to ensure that the safety committee works successfully by encouraging all crew members to participate in the ship’s safety culture.
7. INSPECTIONS/SURVEYS & AUDITS

Introduction
Barbados requires annual flag safety inspections to be carried out; these are independent of Class surveys and provide an independent overview of the ship.

7.1 SURVEYS

Statutory surveys (Loadline, Safety Construction, MARPOL, Safety Equipment, Safety Radio etc.) should be arranged in plenty of time. Annual and periodical surveys must be completed within the 6 month window occurring three months before and after the anniversary date of the certificate. The anniversary date is the day and month of the expiry date of the certificate. If a periodical or an annual survey is not carried out within the “window” then the certificate must be renewed after a renewal survey. This takes longer and often costs more than an annual or a periodical survey. A certificate that has not been validated by an annual or a periodical survey within the “window” becomes invalid and the ship risks detention.

Renewal surveys must be carried out in the three month window prior to the expiry of the certificate. Where required an intermediate survey must be carried out with the second or third annual survey and within the same time window.

As an example of this, if the certificate had been issued on 30 October 2004 with an expiry date of 31 August 2009 then the survey may be effected between the dates of 31 May [i.e. 3 months before] and 30 November [i.e. 3 months after] in each of the following years i.e. 2005, 2006, 2007 and 2008.

In the final year [2009] the surveys must be completed before the expiry date (in our example, 31 August 2009), there is no ‘period of grace’ of 3 months after the expiry date; however, it is possible to have the survey completed in the 3 months preceding the expiry date without ‘losing’ the validity date. In our example, the renewal survey can be completed in the period 31 May 2009 to 31 August 2009 so that when the new certificate is issued, the new expiry date would be 31 August 2014.
Class Societies are authorised to carry out all statutory surveys on behalf of Barbados flag.

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<td>Dangerous or Bulk Cargoes (IMDG/BC Codes)</td>
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<td>Lifting Appliances (ILO152)</td>
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<tr>
<td>MODU Code Surveys</td>
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<tr>
<td>Annual/Intermediate Renewal</td>
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* - Carried out by Class.  *May be certified by Barbados Nautical Inspector
7.2 AUDITS

7.2.1 ISM SHIPBOARD AUDITS

All shipboard audits for the International Safety Management (ISM) code will be carried out by Class surveyors. ISM shipboard audits should be arranged in plenty of time with the Class Society via your Designated Person Ashore.

It is in all our interests if the ISM and ISPS audits can be carried out at the same visit and this may need to be planned to ensure that this will be at a port where enough time is available.

Interim audits

Required at delivery of new buildings or where ships change their ISM Management Company. The DPA should contact the Class Society to arrange this audit.

Intermediate audits

A 12 month window exists (between the second and third anniversary dates of the certificate) in which to arrange intermediate audits. We recommend you begin arranging this audit as soon as the window opens to avoid problems later on when the time available is less and availability of auditors may affect the ability to carry out the audit in the most convenient location.

Renewal audits

To be completed in the three months prior to the expiry of the Safety Management Certificate. Again, arrange these early to ensure the certificate does not expire – this would almost certainly result in a major non-conformity.

What is required for ISM audits?

When the vessel is due a shipboard audit for ISM, the Class Society should be contacted giving as much advance notice as possible. The Class Surveyor will visit the vessel at a time and place agreed with the Operators of the ship. He will perform the audit and carry out an inspection of the ship and its operations as a working vessel.

It is essential that:

1. The company has conducted at least one internal audit between any two external audits by Class.

2. The request for the audit(s) is made within a reasonable time and not left until the last month of the 12 month intermediate audit window.
The renewal audit can be carried out up to 3 months prior to the expiry date of the existing certificate. A new certificate will be issued for 5 years from the expiry of the existing certificate and not from the date of the audit if it is carried out within the final 3 month window.

### 7.2.2 ISPS VERIFICATION AUDITS

All shipboard audits for the International Ship and Port Facility Security (ISPS code) will be carried out by Class surveyors. ISPS shipboard audits should be arranged in plenty of time with the Class Society via your Designated Person Ashore.

It is in all our interests if the ISM and ISPS audits can be carried out at the same visit and this may need to be planned to ensure that this will be at a port where enough time is available.

#### Interim audits

These are required at delivery of new buildings or where a ship changes ISPS Management Company. The CSO should contact the Class Society to arrange this audit.

#### Intermediate audits

A 12 month window exists (between the second and third anniversary dates of the certificate) in which to arrange intermediate audits. We recommend you begin arranging this audit as soon as the window opens to avoid problems later on.

#### Renewal audits

To be completed in the three months prior to the expiry of the International Ship Security Certificate. Again, arrange early to ensure the certificate does not expire as without this the vessel is unable to trade.

### What is required for ISPS audits?

When the vessel is due a shipboard audit for ISPS, the Class Society should be contacted giving as much advance notice as possible. The Class Surveyor will visit the vessel at a time and place agreed with the Operators of the ship. He will perform the audit and carry out an inspection of the ship and its operations as a working vessel.
It is essential that:

- The company has conducted at least one internal audit between external audits by Class; and
- The request for the audit(s) is applied for within a reasonable time and not being left until the last month of the 12 month intermediate audit window.

In the same way as the ISM renewal, the renewal audit for ISPS can be carried out up to 3 months prior to the expiry date of the existing certificate. A new certificate will be issued 5 years from the expiry of the existing certificate and not from the date of the audit if it is carried out within the final 3 month window.

The audit will comprise of the following:

- Opening Meeting,
- Review of all security documents (ISSC Certificate and original CSR history). The Surveyor will check any amendments to the Ship Security Plan,
- The Surveyor will look for evidence of Ship Security Officer training.
- Review of records required to be kept by the Ship Security Plan pertaining to ISPS A10. The Surveyor will look for evidence that the required security measures have been implemented when in designated ports / sea areas,
- Meeting with the Ship Security Officer,
- Meeting with the Master,
- A walk-round security survey with the Ship Security Officer to verify that the vessel is following the Ship Security Plan and an inspection of general security arrangements,
- A drill chosen from the security drill matrix or ISPS B8.9. Drills will be carried out at Initial and Renewal audits. A drill at the intermediate audit may be carried out at the discretion of the Surveyor,
- A test of all security equipment including communications equipment. Testing the SSAS should be arranged with the company or companies acting as the Competent Authority before the Surveyor attend,
- Closing Meeting.

Throughout the walk-round the surveyor will ask officers and crew members questions about their security roles and duties. There should be adequate knowledge of procedures at the vessel’s current security level. The majority of time will be spent with the Ship Security Officer and Master, a good practical knowledge of the Ship Security Plan is expected.

7.2.3 WHAT IS REQUIRED FOR MLC 2006 INSPECTIONS?

The MLC 2006 Convention requires the flag administration to maintain a system of inspection of seafarers’ working and living conditions. The requirements apply to Barbados registered sea-going vessels of 500 gt and over including sea-going tugs.
The Inspection and reporting

The convention requires that Barbados registered vessels be inspected initially at first ISM audit (following registration) and at intervals not exceeding 3 years. It also requires ships to be inspected if a complaint is received (see complaints procedure at section 11) or there is evidence that a ship does not conform to existing legislation in respect of seafarers’ working and living conditions.

A surveyor or inspector from the Ships’ Registry may be selected to carry out the inspection of the vessel and this will usually be carried out in conjunction with the annual flag safety inspection, to minimize the inconvenience to ship-owners and Masters. Alternatively, a surveyor from Class may be appointed by the owners or managers to carry out the inspection, perhaps in conjunction with other surveys where ISM compliance is not covered.

If the results of the inspection have been found to be satisfactory and complying with the requirements of the MLC 2006 Convention, the Surveyor will issue a report. A copy of this report must be posted up in a suitable position in the accommodation where it can be seen and read by all crew members. Any deficiencies found will be reported to the Master for rectifying within an agreed time frame.

8. ISSUE OF CERTIFICATES

The following table lists which Organization is responsible for the issue of full term certificates to the ship:

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<thead>
<tr>
<th>Certificate</th>
<th>Class</th>
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<tr>
<td>Cargo Ship Safety Construction Certificate</td>
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<td>International Load Line Certificate</td>
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<tr>
<td>Anti-Fouling System - Certificate of Compliance</td>
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<tr>
<td>International Tonnage Certificate</td>
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<tr>
<td>Cargo Ship Safety Equipment Certificate</td>
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<td>Record of Approved Ship Safety Equipment</td>
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<td>Cargo Ship Safety Radio Certificate</td>
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<td>Cargo Ship Safety Certificate</td>
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<td>International Oil Pollution Prevention Certificate</td>
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<td>International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk</td>
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<td>International Sewage Pollution Prevention Certificate</td>
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<td>International Air Pollution Prevention Certificate</td>
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<td>Engine International Air Pollution Prevention Certificate</td>
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<tr>
<td>Ballast Water Management - Certificate of Compliance</td>
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<tr>
<td>(International) Certificate of Fitness for the Carriage of Liquefied Gases in Bulk</td>
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<td>(International) Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk</td>
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<td>Passenger Ship Safety Certificate</td>
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<td>MODU Code Safety Certificate</td>
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<td>ISM Safety Management Certificate</td>
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<td>International Ship Security Certificate</td>
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<td>Grain Loading Letter</td>
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<tr>
<td>Document of Compliance for carriage of dangerous or bulk cargoes (IMDG/BC codes)</td>
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<tr>
<td>Bunker Certificate/CLC as applicable</td>
<td>Barbados</td>
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<tr>
<td>Minimum Safe Manning Document</td>
<td>Barbados</td>
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</table>
Certificate Queries Extensions/Exemptions

The certificates listed above are statutory certificates and are the responsibility of the Barbados Ships’ Registry. Any queries or requests for an exemption/extension of the above certificates may be made to the Ships’ Registry via the Classification Society.

9. CONTINUOUS SYNOPSIS RECORD

The Master’s responsibilities and duties in the maintenance of the CSR on board ship

Every ship is now provided with a document called a “Continuous Synopsis Record” (CSR). This is a form of log book that stays with the ship for its whole life and records all changes of owner, flag, name, Class, ISM etc. Whenever a change occurs a new section or a new document is issued and then each has a consecutive number. The numbers should show a complete record. If a ship is sold this document **MUST** stay with the ship.

As Master you are responsible for the proper upkeep of the CSR on board a Barbados registered ship.

When you first receive a new CSR, or first join the ship, you should check that the details are correct. There is a process which you can use for amending details and it is important that the details are always correct. Port State Control will check the CSR as a matter of routine at inspections.

Making amendments to the CSR

When any data entry in the current CSR requires an amendment you must act as quickly as possible. To do this you should fill in the changes on the Form 2 and send this to the Ships’ Registry. The Ships’ Registry will enter the new changes in the ship’s master record and issue a new CSR sheet with the next consecutive number to be attached to the record on board.

After this is done you must ensure that the Index of Amendments (Form 3) is kept up to date and also attached to the current CSR in date order.

Receiving an amended CSR

When you receive a new CSR or an amendment sheet, you should check its sequential number to make sure it is the correct next one, review the data entries to make sure they are correct and they cover all amendments in the Index of Amendments.

If you find that there are amendments that are not included in the CSR you should;
• Complete a new Amendment Form 2 relating to each outstanding amendment and attach it to the latest CSR.
• List the amendments in the Index of Amendments (Form 3) attached to the latest CSR; and
• Forward copies of the original Amendment Form(s) to the Ships’ Registry.

In case of loss of, or damage to, any document in the ship’s CSR file

If for any reason the ship’s CSR records are lost or damaged it is essential that they are restored as quickly as possible in order to avoid potential delays to the ship’s voyage. You should contact the Ships’ Registry as quickly as possible who will provide signed and stamped duplicates.

10. PORT STATE CONTROL

Port States are inspecting vessels with greater frequency and closer scrutiny. Masters shall ensure that non-conformities are reported to their Company in accordance with Safety Management System procedures for investigation into the possible cause and for implementation of corrective action. Failure to report and implement corrective action of known non-conformities may result in detention, thus causing unnecessary delays to the vessel’s schedule.

This guidance is provided to assist Masters in their responsibilities and duties under the Barbados Shipping Act 1994 and regulations to ensure a Positive Port State Control Inspection. A Pre-Arrival Checklist is also included to assist in verifying items that have been commonly found deficient, culminating in Port State finding deficiencies and imposing detentions.

The following Guidance for Positive Port State Control Inspection and Pre-Arrival Compliance Check-list are offered as a means to minimize unnecessary detentions and delays.

Master’s Responsibilities and Duties:
Responsibility: It shall be the responsibility of owners and Masters to ensure that their vessels are in compliance with the requirements of all applicable International Conventions and Agreements.
Guidance to ensure Positive Port State Control Inspections

“A clean, orderly ship, with a trained and confident crew will ensure a positive PSC Inspection” (Ex-PSC Inspector)

- It is essential that the conduct of the Master and crew be professional. A Port State Control Officer’s first impression of an orderly ship decreases the risk of an expanded inspection:
  - The Master’s office shall be presentable and the records organized and available and
  - Standards of dress shall be high. The vessel’s topside and engine room shall be clean and orderly.
- Meet PSCO(s) at embarkation and ask for identification (ISPS Code) and escort to the Master’s office
- Require an opening meeting – even if not offered. Ensure a suitable business like atmosphere. All key staff should be present unless duty requires otherwise, in which case this should be explained.
- Properly introduce key officers/personnel who will assist in key elements of the inspection and request same courtesy from the lead PSC officer, if more than one in the PSC party.
- The inspection procedure to be undertaken by the PSCO should be explained. If not, ask for an explanation.
- Inform the PSCO of any problems with required equipment, including repairs and corrective action that is ongoing and/or dispensations that have been issued by the flag Administration, to allow time needed to effect repairs.
- Ship’s escorting officers should act professionally and be knowledgeable of ship’s equipment and keep notes on deficiencies
- Request notification of irregularities as soon as possible in order to effect corrections ‘on the spot’.
- Never intentionally mislead or misrepresent a condition to the PSCO.
- Insist on a closing meeting – even if one is not offered.
  - Listen to what the senior boarding officer says about the boarding results
  - Compare it with what he writes – ask for clarification/corrections if necessary
  - Ensure by direct question “We see nothing here suggesting a detention”
- If the vessel is detained, notify the company immediately in accordance with company procedures. The flag Administration should also be notified as soon as possible.
- Ensure the inspection team is escorted at disembarkation.
- Be aware of cultural differences

Even when there are defects it is possible to prevent a detention. However the Crew, Company, Recognized Organization and Flag must be proactive and show that they have identified the defect and are taking appropriate corrective action.

When equipment is not functioning as required and cannot be repaired prior to arrival in a port, it is essential to report these to the Company DPA in accordance with the vessel’s Safety Management System. A report should also be made to the Barbados Maritime Administration, prior to arrival. The Administration will issue a dispensation, if additional time is needed to effect permanent repair and this may avoid a possible detention.
The following are examples of pre-existing deficiencies that resulted in detentions and could have been avoided had they been reported in advance and corrective action initiated:

- Failure to report and take corrective action on existing inoperable rescue boat davit, rendering the rescue boat unable to launch
- Failure to report and take corrective action on existing inoperative electronic switchboard cards, which caused the engine room to be without required alarms.
- Failure to report and take corrective action on existing inoperative quick closing valves, fire dampers, fire detection sensor, cargo hold ventilator covers, and/or gooseneck vents.
- Failure to report and take corrective action on existing problems related to emergency generator.
- Failure to report and take corrective action on existing defective radio and communication equipment
- Failure to report and take corrective action defective Emergency fire pump
- Failure to report and take corrective action on existing defective OWS.
- Failure to report and take corrective action on existing inoperative three-way valves.
- Intentional over-riding or disabling of equipment and systems, such as water mist fire-fighting systems, quick closing fuel supply valves, and bypassing the oily water separator oil content meter. Such actions endanger the safety of the crew, the ship and the environment and should not be tolerated.
- The crew not being able to successfully demonstrate the operation of the OWS, ECDIS and Emergency fire pump.

11. ANNUAL FLAG SAFETY INSPECTIONS & MLC 2006

Barbados Ships’ Registry requires all commercial vessels to comply with the Maritime Labour Convention (MLC) and all vessels of 500gt and above are subject to inspection for MLC 2006 requirements. For MLC purposes the inspections follow a five year cycle, with initial, intermediate and renewal inspections. Barbados has authorised both its own Nautical Inspectors and its recognised Class Societies to undertake inspection and certification for MLC 2006 compliance. In most cases the inspection will result in the issue of the MLC at initial inspection, but where the ship is lacking an approved DMLC Part II original, the attending surveyor may issue an Interim MLC, which can only remain valid for a maximum period of six months.

Barbados has combined the MLC requirements with the annual flag safety inspection, so all ships are inspected annually. Whilst this is a more stringent inspection regime than is required under MLC, it has the benefit of ensuring compliance between flag inspections by the authorised Barbados inspector. Issue of the Maritime Labour Certificate is contingent upon successful completion of the inspection and the certificate is appended to the DMLC Part 1 and II, both of which must be present on board in the original.

The MLC inspection will include checking of:
- Minimum age of Seafarer, medical certificate and qualification certificates
- SEA (Seafarer’s Employment Agreement) and payment of wages
- Whether a recruitment or placement service being used is regulated or licenced
- Manning levels and the record of hours of rest
- Crew accommodation, food, water and catering and ship’s recreational facilities.
- Health & Safety, accident prevention and arrangements for medical care.
- Complaints Procedure
- Evidence of Financial Security for Repatriation (Standard A2.5) clearly displayed
- Evidence of Financial Security (Standard A4.2) for death or injury clearly displayed.
12. STOWAWAYS AND REFUGEES

Masters, ship-owners, port authorities, national administrations, and other bodies including security operators all have a responsibility to co-operate to prevent illegal access to a vessel while it is in port. However, no matter how effective routine port and ship security is, there will still be occasions when stowaways gain access to vessels, either secreted in the cargo or by surreptitious boarding.

- Stowaways and/or refugees arriving at or entering a country without the required permit documents are, in general, illegal entrants. Decisions on dealing with such situations are the prerogative of the countries where such arrival or entry occurs.
- Stowaway asylum seekers should be treated in compliance with international protection principles as set out in international instruments and relevant national legislation.
- The ship-owner and his representative on the spot, the Master, as well as port authorities and national administrations, should co-operate as far as possible in dealing with stowaway cases.
- Ship-owners and their representatives on the spot, Masters, port authorities and national administrations should have security arrangements in place which, as far as practicable, will prevent intending stowaways from getting aboard a ship or, if this fails, will detect them before a ship departs a port.
- All parties should be aware that an adequate search may minimize the risk of having to deal with a stowaway case and may also save the life of a stowaway who may, for example, be hiding in a place which is subsequently sealed and/or chemically treated.
- Every effort should be made to avoid situations where a stowaway has to be detained on board a ship indefinitely. In this regard countries should co-operate with the ship-owner in arranging the return of a stowaway to an appropriate country.
- Stowaway incidents should be dealt with humanely by all parties involved. Due consideration must always be given to the operational safety of the ship and to the well-being of the stowaway/refugee.

When stowaways are found on board the Master should:

- Make every effort to determine immediately the port of embarkation of the stowaway and establish the identity, including the nationality/citizenship, of the stowaway,
- Prepare a statement containing all the information relevant to the stowaway, in accordance with information specified in the standard document annexed to these guidelines, for presentation to the appropriate authorities,
- Notify the existence of a stowaway and any relevant details to his company and to the appropriate authorities at the port of embarkation and at the next port of call and the Ships’ Registry.
- Not depart from his planned voyage to seek the disembarkation of a stowaway to any country unless repatriation has been arranged with sufficient documentation and permission given for disembarkation, or unless there are extenuating security or compassionate reasons,
- Ensure that the stowaway is presented to the appropriate authorities at the next port of call in accordance with their requirements,
- Take appropriate measures to ensure the security, general health, welfare and safety of the stowaway until disembarkation.
The Ships’ Registry will, so far as possible:

- Try to assist the Master and the company or the appropriate authority at the port of disembarkation in identifying the stowaway/refugee and determining his or her nationality/citizenship,
- Make representations to the relevant authority to assist in the removal of the stowaway from the vessel at the first available opportunity; and
- Assist the Master and the company or the authority at the port of disembarkation in making arrangements for the removal or repatriation of the stowaway.

13. COMPLAINTS PROCEDURE

GENERAL

It is the Ships’ Registry Quality Policy that we have a commitment to address any seafarer’s complaints. These can be in various formats and brought to our attention from a number of sources. They will always be passed to the Principal Registrar who will decide any actions and allocate the resources. We also have a need to treat the complaint in confidence as far as possible to avoid any additional problems for the seafarer concerned. However, to avoid dealing with possible malicious claims we have to insist that complaints are sent by letter, fax or e-mail and that any complaint identifies the person making it. Without this the complaint cannot be investigated.

Ship

If any seafarer employed in a ship registered in Barbados considers that he or she has a grievance in connection with any aspect of his work, safety, living conditions, food, treatment, pay or any other aspect of his or her employment in the ship he or she should have access to a procedure on board described in his contract of employment or in the company procedures, that allows him or her to take his grievance to either his or her Head of Department or to the Master.

If the seafarer is dissatisfied with the action taken by the Master on the grievance, or if he feels that it is not appropriate to complain to the Master or if he or she feels that the Master is not taking action he or she should take the matter to the company who should have a mechanism for dealing with it.

If none of these procedures are effective the Master or any of the crew may take the matter directly to the Ship Registry. He or she may do so by telephone, by letter, by fax, or by email. All such complaints will be treated by the Ships’ Registry in absolute confidence and will be given serious consideration by the Principal Registrar. If appropriate a Nautical Inspector will visit the ship as quickly as possible. It is however essential that the person making any complaint is identified to the Ships’ Registry. The Ships’ Registry will not reveal the source of its information when investigating but will not deal with any anonymous complaints.

Complaints about provisions or water

The Shipping Act 1994 provides that if 3 or more seamen employed in a Barbados ship consider that the provisions or water provided for them are not in accordance with regulations because of bad quality, unfitness for use or deficiency in quantity, they have a right to complain to the Master, who must investigate. He must also record the fact in the official log book.

As with any other grievance, if they are dissatisfied with the action taken by the Master they may complain to the company and then to the Ships’ Registry.
Working with the Barbados Ships’ Registry
The Ships’ Registry aims to be an efficient, approachable and effective flag state. Our aim is to provide the best possible service at all times. We welcome feedback from ship-owners and from ship’s crews which tells us when we are getting things right, and just as importantly, enables us to focus on where we need to improve, so that we learn from our mistakes. We record and monitor all complaints and carry out regular reviews of our customer services.

Step 1
If you are not satisfied with the service from the Ships’ Registry or from your Classification Society contacts the person or department that you have been dealing with. The contact will be keen to put the matter right if possible. E-mail is the preferred communication therefore please use registry@barbadosmaritime.com which is always monitored during office hours.

We are confident that most concerns can be settled satisfactorily at this first step. However, if you already feel that you have explored this course as far as you can, then please go to Step 2.

Step 2
If you are still not satisfied, you should write or send an e-mail to the Principal Registrar at the address below:

   Barbados Ships’ Registry
   Barbados High Commission
   1 Great Russell Street,
   London WC1B 3ND

   General e-mail: registry@barbadosmaritime.com

He will make sure that your complaint is thoroughly investigated.

At every step, we will try to respond to your correspondence within a reasonable time period following receipt.
14. LRIT

All vessels of 300gt or more are required to have LRIT fitted and functional. Your service provider monitors transmissions from this little box.

When the LRIT has been commissioned, the vessel must request a Conformance Test Report certificate, a copy of which should be sent to the Ships’ Registry so the vessel can be entered into the Barbados LRIT data centre.

**Directions as to when it is permissible for a vessel to cease LRIT transmissions**

The following information is given as guidance to Owners, Operators, Managers and Masters as to when they are authorised to vary the transmission of LRIT position information. In general all vessels should continue to transmit information at a rate of once every six hours and should not under any circumstances switch off their LRIT units or reduce the frequency of transmission.

The only exceptions to this are as follows:

a) Where the vessel is in dry-dock or undergoing modification in a shipyard or port for a period when continued interruption of the system would cause undue problems and an application has been made to the Ships’ Registry and agreement received;

b) Where the vessel is to be placed in long term lay-up and an application is made to the Ships’ Registry by the Operator to reduce the transmission rate or to stop transmission for a set period and agreement received.

The Ships’ Registry can be contacted at ops@barbadosmaritime.com or registry@barbadosmaritime.com for any enquiries regarding making an application to reduce or terminate transmissions under these circumstances.

In addition to this an entry is to be made in the Official Log Book indicating the time and date the unit was switched off and a corresponding entry made as to when the unit is re-started and transmissions recommenced.
15. LIFTING APPLIANCES

LSA Lifting appliances

SOLAS details the basic provisions of the testing requirements for any lifesaving appliance (life boat or liferaft).

All lifesaving appliances must comply with the International Life Saving Appliance Code or “LSA Code”. (IMO Resolution MSC.48(66) which came into force on 1 July 1998. Barbados ships are to comply with the Code and all amendments thereto including amendments up to IMO Resolution MSC.368(93).

For LSA installed on or after 1 July 2010, these should meet the requirements of the Revised Recommendation on Testing of Life-Saving Appliances adopted by IMO Resolution MSC.81(70), including amendment up to and including those adopted by IMO Resolution MSC.378(93).

A record of the tests conducted should be retained on board.

Proof Load Testing

Lifting appliances and lifting gear must be satisfactorily proof load tested by a surveyor appointed by the ship’s Classification Society or a surveyor appointed by the Barbados Ship Registry.

Appliances are required to be proof load tested following installation on board and before being put into operation. Also all lifting appliances (including cranes, davits, hoists and chain blocks) must be proof load tested at intervals of not more than five years.

The test procedure shall be determined by the competent person. Lifting gear including shackles, hooks, slings and rope is to be tested with regard to the manufacturer’s instructions which must satisfy a national or international standard and/or the lifting appliance regulations of a recognised Classification Society.

The manufacturer’s certificate should attest to the completion of all such tests. Lifting gear is to be identified by stamping or marking so as to be able to trace the applicable test certificate.

Lifting appliances and lifting gear are also required to be thoroughly examined at intervals of not more than 12 months. This examination may be carried out by a competent person on board. Barbados Ships’ Registry considers the ship’s Master, chief engineer, chief officer or second engineer as being competent persons for this purpose.

Type Approval

All equipment requiring type approval must have a type approval certificate issued by a Barbados Recognised Organisation (RO) or a Recognised Organisation on behalf of a national Administration.
APPENDIX 1: GUIDELINES FOR MINIMUM SAFE MANNING (in accordance with STCW 95 as amended)

The tables given below are provided for guidance/reference and are samples only, to assist Owners/Managers when making a proposal for minimum safe manning levels. Review and acceptance of the proposal by Barbados Maritime will take into account other factors, including but not limited to the ship type & trading area, etc. and may differ from the information provided below:

**DECK: vessels over 500 gt**

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*BMSC may request one OOW be added, following review of vessel’s operational area and type of ship.

**DECK: vessels less than 500 gt**

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*On ships below 24m in length trading in the Caribbean Trading Area this may be a holder of a Boat Master licence, Grade 1 under SCV Code Reg. II/3.*

**OOW**: Officer in charge of a Navigational Watch.

**Watch Rating**: Rating forming part of a Navigational Watch, certified under STCW Reg. A-II/4.
**Restricted Voyages:** These areas may be considered as Restricted Areas:

1. All voyages which do not exceed 48 hours between ports of call;
2. Voyages within 100 nm from the nearest shore;
3. Enclosed areas, which may include, but are not limited to:
   - Mediterranean Sea
   - Red Sea
   - Black Sea
   - North Sea
   - Baltic Sea
   - Caribbean (restricted areas I, II, and/or III, as defined in CCSS Code)
   - Caspian Sea
   - Azov Sea
   - Gulf of Aden
   - Persian Gulf

BMSR may consider other restricted trade areas submitted by the owner/operator.

**Unrestricted Voyages:** Unrestricted International Voyages

**GMDSS: vessels over 300gt**

Vessels equipped with Radio installations for the following GMDSS sea areas shall carry the following number of certified Radio Personnel:

- **Area A1** – At least one officer with Restricted Operator Certificate*
- **Area A2** – At least one officer with General Operator Certificate* or one dedicated radio officer with GOC
- **Areas A3 or A4** – At least two officers with GOC* or one dedicated radio officer with GOC.
  - May be the Master or other deck officer.

Vessels less than 300GT operating in the following areas shall carry certified Radio Personnel, (who may be the Master or other deck officers):

- Up to 20 NM from shore – at least one Radiotelephone Restricted Operator (VHF)
- Over 20 NM from shore – at least one Radiotelephone General Operator (VHF/HF/MF)

*Passenger ships carrying up to 250 passengers shall follow the tables for cargo ships of the same size.

**INTERNATIONAL SHIP & PORT SECURITY (ISPS) CODE – SHIP SECURITY OFFICERS**

All ship security officers and deputy security officers on board Barbados flagged vessels to which the ISPS Code applies shall have a certificate issued by an administrations whose certificates are recognised by Barbados, in accordance with regulation VI/5 of STCW ‘78 as amended. All administrations appearing in the STCW ‘White’ list are recognised by Barbados.
## ENGINE DEPARTMENT

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* Manning may be reduced by one at this rank, if vessel classed with UMS
** Chief Engineer required for vessels <750kW may be covered as a minimum by an OOW with STCW III/1
*** Flag administration may review vessel’s trade and traffic area & ship type and may request one additional 2nd Engineer or OOW.
† Tankers of 1000 gt or more shall add one additional Watch Rating

Watch Rating – Rating forming part of an Engine Room Watch or designated to perform duties in a periodically unmanned engine room and certified under STCW Reg.A-III/4.
MODEL FORMAT FOR A SEAFARER EMPLOYMENT AGREEMENT

This Agreement is between:-

(1) .............................................................................................................................................
(insert Seafarer’s full name) hereinafter called the Seafarer
............................................................................................................................................. (insert date of birth or age (see Note 1)
.............................................................................................................................................(insert place of birth – town and country)

AND

(2) .............................................................................................................................................
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Capacity in which seafarer is to be employed
The capacity in which you are initially employed is ........................................
(insert capacity)(see Note 3)

Place of Work
You will be employed on [ship name*] [any vessel owned, managed or chartered by the
shipowner*. (see Note 4)] * Delete whichever is not applicable

Wages
Your wages will be ................................................ (insert amount and currency) per
week*/month*/year* (delete as appropriate) (or insert formula for determining wages - see
Note 5)

Means of payment of Wages
Your wages will be payable by................................. [insert method of payment] at
weekly*/monthly* (delete as appropriate) intervals on the .......................[insert number] day
of each ...................... week*/month* (delete as appropriate)
[Overtime hours i.e. hours worked outside of normal hours of work will be paid at a rate of
........................................ (insert overtime rate)] (Delete this sentence if not applicable)

Paid Leave
You are entitled to take ..................(insert number) (see Note 6) working days as paid leave in
each year of employment. [You will be paid your normal basic wages during such leave.]

If your employment commenced or terminates part way through the holiday year, your
entitlement to paid annual leave will be assessed on a pro rata basis. Deductions from final
salary due to you on termination of employment will be made in respect of any paid annual
leave taken in excess of your entitlement.

You will be entitled to payment in lieu of paid leave accrued but not taken at the date of
termination of employment.

Notice of Termination of Employment (Delete whichever is not applicable) (See Note 7)

(a) Definite Period Agreement
Your employment is for a period commencing on ...............[insert date] and ending on
......................[insert date] unless it is terminated for justified reasons in advance of this point
or the ship is at sea at that time in which event it will continue until its arrival in port at which
point it will terminate.

OR
(b) Indefinite Agreement

The length of notice which you are obliged to give to terminate your employment is [insert notice period which is to be not less than seven days].

The length of notice which you are entitled to receive from the shipowner to terminate your employment is [insert notice period which is to be not less than seven days].

OR
(c) Voyage Agreement

Your employment is for the length of the voyage of [ship] commencing on ………..[insert date] from the port of………………………[insert name of port] until …………………[insert date] or [its arrival in the port of …………………..[insert name of port]] at which point it will terminate, unless it is terminated for justified reasons in advance of this point.

Health and Social Security Protection Benefits (see Notes 8 and 9)

If you become sick or injured while on a voyage, you will be paid your normal basic wages until you have been repatriated in accordance with the repatriation provisions set out below. After you have been repatriated you will be paid your normal basic wages excluding bonuses up to a maximum of …………………….weeks [insert number which shall be 16 or above] less the amount of any Statutory Sick Pay or Social Security Sickness Benefit to which you may be entitled.

If you require medical care while you are on-board this will be provided free of charge, including access to necessary medicines, medical equipment and facilities for diagnosis and treatment and medical information and expertise. Where practicable and appropriate, you will be given leave to visit a qualified medical doctor or dentists in ports of call for the purpose of obtaining treatment.

In the event of sickness or incapacity, you will be provided with medical care, including medical treatment and the supply of necessary medicines and therapeutic devices and board and lodging away from home until your recovery or until your sickness or incapacity has been declared of a permanent character, subject to a maximum period of………………..weeks[insert number which shall be 16 or above]. In addition the shipowner will return your property left on board to you or your next of kin.

In the event of your death occurring on board or ashore during a voyage, the shipowner will meet the cost of burial expenses, or cremation where appropriate or required by local legislation, and will return your property left on board to your next of kin.

Compensation in respect of loss of personal property as a result of the loss or foundering of the vessel

Where you lose personal property, as a result of the vessel on which you are serving foundering or being lost, the shipowner will pay compensation up to a maximum of …………… (insert amount).
Repatriation (see Note 10)
You will be entitled to repatriation, at the expense of the shipowner, if you are away from your country of residence when this agreement is terminated:-

- by the shipowner
- by you in the event of illness or injury or other medical condition requiring your repatriation, the event that the ship is proceeding to a Warlike Operations Area or the event of termination or interruption of employment in accordance with an industrial award or collective agreement.
- in circumstances where you are no longer able to carry out your duties under this agreement or cannot be expected to do so e.g. shipwreck, the sale of your ship or a change in your ship’s registration.

The entitlement to repatriation entails transport by ..................(insert means of transport) to...............................................(insert place name or country).

NOTE - You may not be entitled to repatriation at the expense of the shipowner in circumstances where you have been dismissed for serious misconduct. In such circumstances the shipowner will still be liable to repatriate you but is entitled to recover from any wages due to you the cost of doing so.

Maximum duration of service periods after which you are entitled to repatriation
The maximum period of service following which you will be entitled to repatriation at no cost to you is ................weeks (insert number of weeks) (See Note 11)

Applicable Collective Bargaining Agreement(s)(delete if not applicable)(see Note 12)
Your employment will also be subject to the collective bargaining agreement(s) entered into on..........................................................(insert date(s)) between the shipowner and ...................................................................................(insert details of the other parties to the collective bargaining agreement(s)) except that where any provision(s) of such collective bargaining agreement(s) conflicts with International or UK law such provision(s) shall not apply to your employment under this Agreement.

ADDITIONAL PARTICULARS REQUIRED TO BE INCLUDED BY UNITED KINGDOM LAW

Hours of Work (see Note 13)
Your normal hours of work are ................ [Insert normal weekly hours or pattern of work, and any differences in rate of pay for hours worked in excess of this, as applicable],

Your hours of work will be arranged such as to ensure that you receive a minimum of 10 hours available for rest in each 24-hour period and a minimum of 77 hours rest in each seven-day period. This minimum period of rest may not be reduced below 10 hours except in an emergency.

Grievance and Disciplinary Procedures
(a) Grievances
If you have a grievance regarding your employment you should follow the shipowner’s grievance procedure a copy of which will be provided to you when you join the vessel.

(b) Disciplinary Rules and Procedure
The disciplinary rules applicable to you are set out in the:

- Code of Conduct for the Merchant Navy, which has been agreed between the Chamber of Shipping, Nautilus International and the National Union of Rail, Maritime and Transport Workers; or
- the shipowner’s Code of Conduct.

(Delete as necessary)

If you are dissatisfied with any disciplinary decision taken in relation to you, you should refer to the disciplinary procedure set out in the Code of Conduct which can be obtained from ………………….[state from where Code of Conduct can be obtained].

Pension benefits (Delete which ever is not applicable) (see Note 14)
You will be entitled to the following pension or other benefits ………………….(insert full details including whether contributory (if so at what rate(s)) or non-contributory and when payable etc).

OR

You will be entitled to join the ………………….pension scheme (insert details)

OR

There is no pension or other benefit entitlement attached to this employment.

ADDITIONAL PROVISIONS INCLUDED BY SHIPOWNER
(See Note 15)
CERTIFICATION BY SHIPOWNER AND SEAFARER (see Note 16)

By signing this Agreement the undersigned seafarer, and the undersigned shipowner, each confirm that the seafarer has:-

1. been given the opportunity to review and seek advice on their SEA;
2. received an explanation of their rights and responsibilities under the agreement before signing it, and
3. has entered into the agreement freely.

Signature of Seafarer ...........................................................................................................................

Signature of Shipowner or Shipowner’s representative ........................................

(State position held)

Place where this Agreement is entered into ...........................................(see Note 17)

Date when this Agreement is entered into .................................................................

*Signature of Employer or Employer’s representative ..............................................

(State position held)

Place where this Agreement is entered into ...........................................(see Note 17)

Date when this Agreement is entered into .................................................................

* (Delete if not applicable)
NOTES

Note 1 - “insert date of birth or age" - Normally the date of birth should be inserted in full. Only in exceptional circumstances should the seafarer’s “age” be inserted. This should be the seafarer’s age at the time the SEA was signed and should be inserted only where there is no means of establishing the seafarer’s actual date of birth e.g. because the seafarer comes from a country where birth records are not accurate or for various reasons no longer exist and the seafarer himself does not know his actual date of birth.

Note 2 - “Name and Address of Shipowner or Employer” - Where the seafarer is employed by the shipowner is not the employer of the seafarer the name and address of the employer should also be inserted at Point (2) of this model SEA and the separate provision at (3) be completed and signed by the shipowner. Where the shipowner is the actual employer of the seafarer the shipowner’s name and address of the shipowner should be inserted at (2) and the entry at (3) should be deleted. If the seafarer does not have an employer, the shipowner's name must be entered.

Note 3 - “Capacity in which seafarer is to be employed” - This will be the capacity in which the seafarer is to be employed at the time the SEA is signed by the parties to it. Given that an SEA may run for a considerable length of time if the seafarer remains with the same shipowner, it is possible that the capacity in which the seafarer is employed could change over time. The shipowner may wish to consider whether a new SEA will be issued at such time or alternatively include a provision indicating how any changes to capacity will be dealt with e.g. by means of a letter setting out the new capacity and the relevant wage scale.

Note 4 – “Place of Work” may state either the name of the vessel on which the Seafarer is to be employed where this is known or, where the seafarer may be employed on more than one vessel, should state “Place of Work may be on any vessel owned, managed or chartered by [the shipowner]”.

Note 5 - Wages - As with “Capacity” (Note 3 above) wages payable to the seafarer are likely to change if employed by the same shipowner over a significant period of time. When completing the “Wages” entry in the SEA, the shipowner will therefore need to bear this in mind and include appropriate wording to cover any future wage increases e.g. by providing for the wage to increase as notified to the seafarer in writing.

Note 6 – “Paid Leave” - The period of paid leave per annum is primarily a matter between the shipowner or employer if different and the seafarer but must be not less than the period of statutory paid leave specified in the Merchant Shipping (Hours of Work) Regulations 2002 (as amended) i.e 30 days per annum plus 8 days in respect of public holidays per annum, or pro rata for periods of less than one year. Where it is more appropriate to do so, the formula to be used for calculating annual leave, e.g. 2.5 days per month of employment, may be inserted instead of an actual number of days. The 8 days per annum in respect of UK public holidays is additional to this and may also be applied on a pro-rata basis for periods of less than a year.

Note 7 - Notice of Termination of Employment - The period of notice required to be given to the seafarer by the shipowner must not be less than that required to be given to the
shipowner by the seafarer and must be not less than seven days. “Justified reasons” for early termination of employment should be specified.

**Note 8 - Health and Social Security Protection Benefits** - On a UK registered vessel the provision of medical care includes any surgical or medical treatment or such dental or optical treatment (including the repair or replacement of any appliance).

**Note 9 – Health and Social Security Protection Benefits** - These include payment by the shipowner of any costs incurred in respect of any sickness or injury occurring between the date on which they commenced duty on board a ship and the date on which they are deemed to have been duly repatriated. This also includes payments that shipowners are required to make in respect of the death or long term disability of a seafarer due to an occupational injury, illness or hazard occurring while the seafarer is serving under a seafarer’s employment agreement or arising from their employment under such agreement, and compensation in case of loss or foundering of the ship.

**Note 10 - Repatriation** - The destination for repatriation must be one of the following:
- the place where the seafarer signed their employment agreement;
- their country of residence;
- the place specified in any applicable collective agreement; or,
- subject to the agreement of the shipowner, another place of the seafarer's choosing.

**Note 11 - Maximum duration of service periods after which you are entitled to repatriation**
The maximum period of service following which a seafarer will be entitled to repatriation is to be not more than 52 weeks minus the period of statutory paid annual leave - see note 6. There is however no statutory obligation on a seafarer to take repatriation at that time if he/she chooses to serve on board for a longer period e.g. to complete a period of sea time for certification purposes. Shipowners/employers may not however require a seafarer to continue to serve on board once the maximum period of service has expired except in an emergency or similar extenuating circumstances.

**Note 12 - Applicable Collective Bargaining Agreement(s)** - SEAs may, where applicable, incorporate any applicable collective bargaining agreements. Therefore the terms and conditions contained in a collective bargaining agreement should be appended to, or incorporated by reference into, and thus form part of an SEA. Collective bargaining agreements may not however be substituted entirely for individual SEAs in respect of seafarers employed on UK registered vessels.

It should also be noted that in the event of any conflict between the provisions of a collective bargaining agreement and UK general or merchant shipping legislation, the relevant UK legislation will prevail.

**Note 13 - Hours of Work** - The hours of work for seafarers employed on UK registered vessels must comply with the requirements of the Merchant Shipping (Hours of Work) Regulations 2002 (as amended) or any subsequent Regulations which may further amend or replace those Regulations.

**Note 14 - Pension benefits** - Where applicable details of any company pension scheme must be recorded. In addition, where the employer makes deductions from the seafarer’s wages towards any additional pension benefits (e.g. State Pension) to which a seafarer may be entitled, it is recommended this is noted.
Note 15 – “Inclusion of Additional Provisions by Shipowner/Employer” – It is recognised that there will be occasions on which shipowners/employers wish to include provisions additional to those set out in the MLC Regulations. There is no objection to the inclusion of such additional provisions provided that any such provisions do not conflict with the provisions of UK general or merchant shipping legislation or any international instruments which have been ratified by the United Kingdom. The MCA will not be undertaking prior checking and approval of SEAs, and it will therefore be the responsibility of the shipowner to ensure that there is no conflict.

In the context of non compliance, some provisions have previously been found in crew agreements which, if included in SEAs, could result in refusal to issue, or cancellation of, a Maritime Labour Certificate. Examples of these, which would apply also to SEAs, include:-

(a) requiring that all seafarers belong to a union or forbidding membership of a union - Under ILO Convention 87 on Freedom of Association, which has been ratified by the UK, workers are free to form and join appropriate organisations of their own choosing, but equally under UK law they cannot be required to do so. However, it is not acceptable for shipowners, employers or anyone else to discriminate against, or take action against those who either choose to join a union or who choose not to join a union.

(b) requiring that seafarers join a specified union - Apart from the previous provision regarding choice on whether or not to join a union, such a provision would also conflict with the International Labour Organisation Convention on Freedom of Association. This Convention has been ratified by the UK and provides that workers shall be free to form and join organisations of their own choosing. It is however acceptable to promote membership of a trade union that has signed a collective agreement with the shipowner albeit without an obligation on the seafarer to join that union.

(c) requiring that by signing the agreement seafarers automatically agree to medical information about themselves being passed to the shipowner or another party acting on behalf of the shipowner. - This is not acceptable and may only be done with the specific prior authority of the seafarer on each occasion the shipowner requests that such information be made available.

(d) requiring that by signing the agreement seafarers automatically agree to sensitive personal data (as defined in the Data Protection Act) about them being passed to other individuals or organizations as determined appropriate by the shipowner or another party acting on behalf of the shipowner. - This also is not acceptable as such individuals/organisations may potentially be located in countries that do not have data protection legislation or have legislation that does not provide similar protection to that of the UK. Such transfer of "sensitive personal information" may only be undertaken with the specific prior authority of the seafarer on each occasion the shipowner proposes that such information be passed to another individual or organisation.

(e) requiring that a seafarer bear the cost of his repatriation, and the cost of providing his replacement, should he terminate his employment prior to completing the specified period of employment even though he gave the period of notice to terminate his employment that was required by the agreement. - Under UK legislation a seafarer can only be charged the cost of his repatriation if he has breached his obligations under the agreement or has been dismissed on disciplinary grounds. The giving of the period of notice specified in the agreement would not constitute breach of the seafarer’s obligations even if it terminated his employment before the date envisaged in the agreement.
(f) requiring payment, or deduction of wages, for items which the UK legislation requires to be provided free of charge, for example, accommodation, food and catering, provision of personal protective equipment, medical care - The Wages Regulations applicable to seafarers only permit certain specified deductions to be automatically made from the wages due to a seafarer. These specified deductions do not include costs incurred in providing accommodation, food and catering, personal protective equipment and medical care to seafarers.

(g) the levying of fines on a seafarer by a shipowner in respect of breaches of that seafarer's obligations under his SEA or for breaches of discipline. - No provision exists under UK Merchant Shipping law for fines to be levied on seafarers by shipowners in respect of disciplinary offences.

This list is illustrative only and should not be taken as listing all provisions that would be considered unacceptable.

Note 16 – “Certification by Shipowner and Seafarer”

As indicated at paragraph 5.5 of the main part of this MGN, the MLC Minimum Requirements Regulations require that seafarers signing an SEA must be given an opportunity to examine and seek advice on the terms and conditions of that agreement before signing it, and have any other facilities they need to ensure that they have freely entered into the SEA with a sufficient understanding of their rights and responsibilities. The MLC Minimum Requirements Regulations accordingly require that each SEA must include a statement signed by the shipowner or their representative and the seafarer confirming that the seafarer

- has been given the opportunity to review and seek advice on their SEA;
- has received an explanation of their rights and responsibilities under the agreement before signing it, and
- that they have entered into the agreement freely.

Note 17 – “The Place where Agreement is entered into” should state the name of village, town or city and country, or the name of the ship, where the Agreement is signed by the parties to it