

THE SHIPPING ACT

REGULATIONS  
(*under section 15*)

The Shipping (Local Trade) Regulations, 2003 L.N. 29<sup>3</sup>/2003

REGULATIONS  
(*under sections 18, 38 and 454*)

The Shipping (Registration of Ships) Regulations, 2005 L.N. 2A/2006

ORDER  
(*under section 32*)

The Shipping (Declaration of Port Registry) (Montego Bay) Order, L.N. 18/2001  
2001

REGULATIONS  
(*under section 44*)

The Shipping (Tonnage) Regulations, 2007 L.N.135<sup>1</sup>A/2007

REGULATIONS  
(*under section 167*)

The Shipping (Medical Examination) Regulations, 1998 L.N. 46A/98

REGULATIONS  
(*under sections 112, 113 and 465*)

The Shipping (Training, Certification, Safe Manning, Hours of Work and L.N. 46B/98  
Watchkeeping) Regulations, 1998

REGULATIONS  
(*under section 228*)

The Shipping (Collision Prevention and Signals of Distress) Regulations, L.N.135<sup>2</sup>A/2007  
2007

REGULATIONS  
(*under section 454*)

The Shipping (Fees) Regulations, 2005 L.N. 2/2006

## SHIPPING

## RULES

(Omitted) (saved by section 461 of Act 8 of 1998, made under section 6 of the Marine Board Act (now repealed)).

## REGULATIONS

(Omitted) (saved by section 461 of Act 8 of 1998, made under section 43 of the Marine Board Act (now repealed)).

## RULES AND REGULATIONS

(Omitted) (saved by section 461 of Act 8 of 1998, made under section 60 of the Marine Board Act (now repealed)).

## RULES

(Omitted) (saved by section 461 of Act 8 of 1998, made under section 61 of the Marine Board Act (now repealed)).

## APPOINTMENT

(Omitted) (saved by section 461 of Act 8 of 1998, made under section 66 of the Marine Board Act (now repealed)).

## RULES

(Omitted) (saved by section 461 of Act 8 of 1998, made under section 3(2) of the Merchant Shipping (Wireless Telegraphy) Act (now repealed)).

## REGULATIONS

(Omitted) (saved by section 461 of Act 8 of 1998, made under section 8(1) of the Merchant Shipping (Wireless Telegraphy) Act (now repealed)).

## REGULATIONS

(Omitted) (saved by section 461 of Act 8 of 1998, made under section 15 of the Seafarers (Certification) Act (now repealed)).

## THE SHIPPING ACT

REGULATIONS  
(under section 15)

## THE SHIPPING (LOCAL TRADE) REGULATIONS, 2003

*(Made by the Minister on the 20th day of March, 2003)*L.N. 29<sup>1</sup>A/2003

1. These Regulations may be cited as the Shipping (Local Trade) Regulations, 2003. Citation.

2. In these Regulations— Interpretation

“foreign ship” means a ship that is not a Jamaican ship;

“local trade” means local trade in Jamaican waters;

“local trade in Jamaica waters” means the transport locally of passengers or goods or the carrying out of any other operation or activity locally, within Jamaican waters, for the purposes of trade, profit or reward; and

“local trade certificate” means a local trade certificate issued under regulation 5.

3. Subject to the provisions of these Regulations, a foreign ship shall not engage in local trade unless the ship holds a valid local trade certificate. Local trade by foreign ships.

4. The provisions of Parts IX and X of the Act (which relate respectively to safety and inspection of ships) and any regulations made thereunder, shall— Application of safety provisions.

(a) apply to foreign ships engaged in local trade; and

(b) be additional to any other requirements applicable to the operation of such ships.

5.—(1) The owners or agent of any foreign ship proposed to be engaged in local trade, shall submit to a registrar—

(a) an application in the form set out in the First Schedule; and Certification of foreign ships in local trade.  
First Schedule.

- (b) the documents and information specified in paragraph (2) in relation to the ship.

(2) The documents and information referred to in paragraph (1) are—

- (a) Certificate of Registry;
- (b) Tonnage Certificate;
- (c) Load Line Certificates;
- (d) Safety Certificates;
- (e) Proposed Manning Schedule;
- (f) where the owners are not resident in Jamaica, written evidence of appointment of a person resident in Jamaica as managing owner or agent of the ship;
- (g) written evidence of financial responsibility against risk of damage to third parties;
- (h) such other information as the Registrar-General may require.

(3) Upon being satisfied that the requirements of paragraph (1) have been met the Registrar shall forward all the documents to the Surveyor-General, who shall cause the ship to be surveyed and thereafter forward the documents and his findings to the Registrar-General.

(4) The Registrar-General shall if satisfied that—

- (a) the operation of the ship is in compliance with the requirements of the law with respect to maritime safety and marine pollution prevention;
- (b) a Jamaican ship is not available to perform the same functions as those of the foreign ship,

issue upon payment of the appropriate fee specified in the Third Schedule, a local trade certificate as set out in the Second Schedule in respect of the ship.

(5) A local trade certificate shall, subject to the provisions of these Regulations, be issued for a duration of three, six, nine or twelve months, as the case may be.

(6) A local trade certificate may be renewed on one or more occasions in accordance with the provisions applicable to the original application and shall take effect from the expiration of the previous certificate.

(7) An application for renewal shall be made not later than one month before the expiration of the existing certificate and shall be accompanied by the appropriate fee specified in the Third Schedule.

Third  
Schedule.  
Second  
Schedule.

(8) The fees specified in the Third Schedule shall be payable in the currency of the United States of America as therein specified or in the equivalent in Jamaican currency.

Third  
Schedule.

(9) Where an application for the grant or renewal of a certificate does not meet the requirements of these Regulations and is refused, the Registrar-General shall, in writing, notify the applicant and state the reasons therefor.

6.—(1) The Registrar-General may cancel a local trade certificate in the following circumstances—

Cancellation  
of certificate.

- (a) he is satisfied that the continued operation of the ship in local trade would be detrimental to the interests of Jamaica;
- (b) the owner or master of the ship has been convicted of an offence under the Act or any other enactment relating to the prevention of marine pollution; or
- (c) the shipowner has made a written request therefor.

(2) Where a certificate is cancelled the owner of the ship shall, forthwith upon being notified thereof, return the certificate to the Registrar-General.

7.—(1) The provisions of the Act and any regulations made thereunder relating to the manning requirements of Jamaican ships shall apply to a foreign ship engaged in local trade.

Manning.

(2) Subject to paragraph (3), only Jamaican seafarers shall be employed as such on a foreign ship engaged in local trade.

(3) Where the owners of a ship prove to the satisfaction of the Director that there are insufficient Jamaican-certificated seafarers available for employment on the ship, then such number of other appropriately qualified and duly certificated seafarers may be employed.

(4) An uncertificated seafarer seeking employment or a prospective employer thereof, may apply in writing to the Director for an exemption from the requirements of this regulation, and the Director may grant an exemption subject to such conditions as he thinks fit and for a period not exceeding twelve months.

8. The Director may, on written application by the owner of a foreign ship engaged in local trade, by instrument in writing direct that the ship be exempt from any specific requirement of these Regulations if he is satisfied that the requirements relating to safety, marine pollution and prevention and manning have been substantially complied with.


Exemptions.

FIRST SCHEDULE

(Regulation 5 (1))

Application for Local Trade Operation

Regulation 5



Certificate Number

**MARITIME AUTHORITY OF JAMAICA  
LOCAL TRADE CERTIFICATE**

Name of Ship	Official Number	IMO Number	Call Sign	Port & Country of Registry
Base (Hailing) Port in Jamaica	Length	Gross Tonnage	Number of Passengers	Number of Crew
Proposed Local Trade Activity				
<b>APPROVED MANNING LEVEL</b>				
Master	No.	Chief Engineer	No.	
Chief Officer		2 <sup>nd</sup> Engineer		
Second Officer		3 <sup>rd</sup> Engineer		
Third Officer		4 <sup>th</sup> Engineer		
Able Bodied Seamen (A/B)		Electrician		
Ordinary Seamen (OS)		Refrigeration Engineer		
Number of Holders of GMDSS Certificates		Motor Man		
Cook		Pump Man		
Other:				
The vessel described above is hereby authorized to engage in Local Trade subject to the following conditions:				
This Certificate remains valid unless withdrawn until: _____				
Expiry Date				
_____ Surveyor General	_____ Date	_____ Signature/Seal		

• A review of the conditions of this permit is necessary where the intended business changes.

FIRST SCHEDULE, *contd.*

(Regulation 5 (1))

An Application for Local Trade Certification should where applicable, be accompanied by the following Documents:

- ❖ Certificate of Registry
- ❖ Tonnage Certificate
- ❖ Loadline Certificate
- ❖ Safety Certificate
- ❖ Proposed Manning Schedule
- ❖ Appointment of Authorized Agent
- ❖ Evidence of Financial Responsibility against third party damage
- ❖ Applicable Fee

SECOND SCHEDULE

(Regulation 5 (4))

Local Trade Certificate

Regulation 5



MARITIME AUTHORITY OF JAMAICA  
APPLICATION FOR LOCAL TRADE OPERATION

Name of Ship		Official Number	BMO/Carship Number	Call Sign	Port & Country of Registry
Base (Hoisting) Port in Jamaica	Gross Tonnage	Length	Type of Vessel		Construction
Year of Build	Propulsion Type	Propulsion Method		Engine Rating	No. Crew
Nature of Operations			Intended Duration of Operations		No. Passengers
Area of Operation / Route Plan					
Name & Address of Insurers			Phone: Fax: Email:		
Name & Address of Owner			Name & Address of Agent		
Contact Details of Owner Phone: Fax: Email: ID Number			Contact Details of Agent Phone: Fax: Email: ID Number		
Proposed Manning Level:					
Master	No.	Chief Engineer		No.	
Chief Officer		2 <sup>nd</sup> Engineer			
Second Officer		3 <sup>rd</sup> Engineer			
Third Officer		4 <sup>th</sup> Engineer			
Able Bodied Seamen (AB)		Electrician			
Ordinary Seamen (OS)		Refrigeration Engineer			
Number of Holders of GMDSS Certificates		Motor Man			
Cook		Pump Man			
Other					
I hereby apply to engage the ship described above, in Local Trade activities in Jamaican Waters in accordance with Section 15 (7) of the Shipping Act, 1998 and have attached hereto, the required supporting documentation indicated overleaf. To the best of my knowledge, all the information provided is true.					
_____ Owners/Agents Name		_____ Date		_____ Signature/(Seal)	
Signed in the presence of:					
_____ Name of Witness		_____ Signature/(Seal)		_____	
Address: _____					

## THIRD SCHEDULE

(Regulation 5(4), (7)  
and (8))

## FEES

<i>Service</i>	<i>Fees</i>
1. Issue of a 12 month Local Trade Certificate—	
(a) Vessels 24 metres and below:	
Up to 30 ft. (up to 9 metres)	US\$1,350.00
31—40 ft. (9.3—12 metres)	US\$3,300.00
41—79 ft. (12.5—24 metres)	US\$6,500.00
(b) Vessels over 24 metres:	
First 7500 tonnes or under	US\$13,000.00
For each tonne from 7501—15000 tonnes	US\$3.00
For each tonne from 15001—25000 tonnes	US\$2.00
For each tonne from 25001—35000 tonnes	US\$1.40
For each tonne over 35001 tonnes	US\$1.00
Notes: 1. Fees for certificates of shorter duration will be prorated accordingly.	
2. Fees relate to gross tonnage.	
2. Replacement of a certificate which has been lost	US\$250.00

## THE SHIPPING ACT

### REGULATIONS

(under sections 18, 38 and 454)

#### THE SHIPPING (REGISTRATION OF SHIPS) REGULATIONS, 2005

(Made by the Minister on the 30th day of December, 2005)

L.N. 2A/2006

#### PART I—General

1. These Regulations may be cited as the Shipping (Registration of Ships) Regulations, 2005. Citation.

2.—(1) In these Regulations unless the context otherwise requires— Interpretation.

“authorized” in relation to any person, means authorized by the Authority;

“bareboat chartered ship” means a ship registered under section 18 of the Act;

“builder” in respect of a ship under construction means the actual owner at the time of registration or the person who executes a builder’s mortgage;

“builder’s certificate” means—

(a) in respect of a new ship, a certificate signed by the builder of the ship and containing a true account of—

(i) the proper dimension and of the tonnage of the ship, as estimated by him;

(ii) the date and place where it was built; and

(iii) the name of the person, if any, for whom the ship was built, or the name of the person to whom it was delivered;

(b) in respect of a ship under construction, a certificate signed by the builder setting out the description of the ship, the name and address of the builder and any other particulars as may be required by the Registrar;

“builder’s mortgage” means a mortgage in respect of a ship under construction;

“Certificate of Registry” means a certificate of registry issued to a ship which is registered under the Act and includes a certificate of bareboat charter registry, unless the context otherwise requires;

“certificate of bareboat charter registry” means a certificate of registry issued in respect of a ship which is registered under section 18 of the Act;

PART I—General, *contd.*

- “certificate of deregistration” means a certificate issued by the Registrar showing that the entry in the register in respect of a ship has been closed, the date of its closure, encumbrances on the ship, and other details about the ship and its ownership at the time of closure;
- “declaration of ownership” means a declaration which complies with the provisions of section 22 of the Act;
- “foreign maritime entity” means a business entity, other than a body corporate established under and subject to the law of a state other than Jamaica which, pursuant to that law, is entitled to own or operate ships;
- “freeze” means to prevent any entry (which includes a deletion of an entry) being made in the register;
- “Inspector of Marks” means—
- (a) an Inspector; and
  - (b) any other person designated to carry out the functions of Inspector of Marks under Schedule 2;
- “length” and “overall length” have the same meaning as in—
- (a) the Tonnage Convention; and
  - (b) any applicable regulations made under the Act with respect to ascertaining the tonnage of ships;
- “owner” in relation to a ship includes a demise or bareboat charterer and a managing owner;
- “register” or “appropriate register” in relation to a ship means the appropriate register under section 24A of the Act;
- “ship” has the same meaning as in section 2 of the Act, but does not include a bareboat chartered ship except, for the purposes of Parts IV and V of these Regulations, and whenever the context requires, includes a ship under construction;
- “ship identification number” means the number allocated to the ship in accordance with regulation 6 (1) (a) and includes the official number, national identification number and the Jamaican Ship Registry identity number;
- “ship under construction” means a ship, the keel of which has been laid or which is at a similar stage of construction;
- “similar stage of construction” means the stage at which—
- (a) construction identifiable with a specific ship begins; and
  - (b) assembly of that ship has commenced comprising at least fifty tonnes or one per cent of the estimated mass of all structural material whichever is less;

Schedule.

PART I—*General, contd.*

“Tonnage Convention” means the International Convention, on Tonnage Measurement of Ships 1969, as amended from time to time as in force in relation to Jamaica;

“transfer of a ship” includes, except where the context otherwise requires, transfer of a share in a ship.

(2) Any reference in these Regulations to the ascertainment of the tonnage of a ship means ascertainment in accordance with—

- (a) the Tonnage Convention; and
- (b) any applicable regulations made under the Act with respect to ascertaining the tonnage of ships.

PART II—*Registers of Jamaican Ships*

3.—(1) No ship shall be registered in more than one register at any one time. Registers.

(2) A register may be kept in such electronic or other form as the Director may consider to be expedient.

(3) Any person shall be entitled on application to the Registrar General, to obtain a transcript, certified by a proper officer, of the entries in the register.

(4) The Registrar General, shall be entitled to amend the register where—

- (a) a clerical error has occurred; or
- (b) sufficient evidence is produced to satisfy him that an entry is incorrect,

and on making the amendment he shall, subject to paragraph (5), issue a new Certificate of Registry if necessary.

(5) Where a new certificate is required under paragraph (4), the Registrar General shall require the return of the existing Certificate of Registry prior to the issuance of the new certificate.

PART III—*Registration*

4.—(1) An application for registration of a ship shall be made to the Registrar in the form set out in Schedule 1. Application for registration.  
Schedule 1.

(2) An application for registration of a ship which has, immediately prior to the application, been registered in a foreign registry shall, subject to paragraph (3), be accompanied by a certificate of deregistration from that register in respect of that ship.

(3) The Registrar General, may on application made to him in writing grant such longer period as he thinks fit for the submission of the certificate.

## PART III—Registration, contd.

5. An application made by persons qualified to own a Jamaican ship pursuant to section 20 of the Act shall be accompanied by—

- (a) in the case of a body corporate incorporated in Jamaica—
- (i) a copy of the certificate of incorporation or other constituting document; and
  - (ii) if the body corporate has changed its name since incorporation, certification of the change of name; or
- (b) in the case of a body corporate incorporated in a foreign country, proof of its incorporation in accordance with the laws of that foreign country;
- (c) in the case of partnerships and other business entities, proof of establishment, and entitlement to own and operate ships to the satisfaction of the registrar.

6.—(1) On receipt of an application for the first registration of a ship the Registrar, if he is satisfied that the ship is eligible to registered, shall—

- (a) allocate a ship identification number, and
- (b) issue a carving and marking note.

(2) The Registrar may, on request by a classification society or authorized surveyor, allocate the ship identification number to a ship before he receives all other registration documents.

(3) Where the number allocated to a ship under paragraph (2) has been carved into the beam of the ship but the registration of the ship is refused, the number shall, upon notification to the applicant of the refusal, be permanently defaced and a certificate to that effect by the classification society or authorized surveyor shall be submitted by the applicant to the Registrar.

7. On receipt of a carving and marking note on first registration the owner shall—

- (a) if the ship has not already been surveyed pursuant to section 43 of the Act, cause it to be so surveyed.
- (b) in the case of a ship other than a pleasure craft under 24 metres in length, cause the ship to be carved and marked in accordance with Part 1 of Schedule 2;
- (c) in the case of fishing vessels and other vessels under 24 metres in length, cause the ship to be carved and marked in accordance with paragraph 1 of Part 1 of Schedule 2; and
- (d) where required under regulation 9, cause the carving and marking of the ship to be inspected by an Inspector of Marks.

8.—(1) In respect of a ship, other than a pleasure craft which is under 24 metres in length, an Inspector of Marks shall satisfy himself that the ship has

Application  
by body  
corporate.

Allocation  
of official  
number.

Marking.

Part 1  
Schedule 2.

Inspection of  
marks.

## PART III—Registration, contd.

been carved and marked in accordance with Part 1 of Schedule 2 and, when so satisfied, shall complete the carving and marking note and return it to the Registrar.

(2) In respect of a pleasure craft which is under 24 metres in length the owner shall certify that the ship has been carved and marked in accordance with Part 2 of Schedule 2 and return the certified carving and marking note to the Registrar.

Part 2,  
Schedule 2.

9.—(1) If the registrar is not satisfied—

- (a) that the particulars under section 43 of the Act relating to the tonnage, and other particulars of the ship furnished to him are correct;
- (b) that the ship is carved and marked in the manner required by Schedule 2,

Verification  
of measure-  
ments and  
carving and  
marking.

he may direct the owner to have the measurement or other particulars and the carving and marking of the ship verified by an Inspector of Marks.

(2) If the owner fails to comply with the direction of the Registrar under paragraph (1), the Registrar may—

- (a) if the registration of the ship is not completed, refuse to register it until his direction has been complied with; or
- (b) if the ship is registered, serve notice on the owner or agent appointed under section 20A of the Act requiring him to produce within thirty days, evidence sufficient to satisfy him that the particulars of the measurement and tonnage are, or that the carving or marking of the ship is, correct.

(3) If at the expiry of the thirty day period the Registrar is not so satisfied, he may—

- (a) extend the notice and ask for further information; or
- (b) serve a final notice, the effect of which shall be to cancel the ship's registration with effect from seven days after the service of that notice.

(4) Where the registration of a ship is cancelled under paragraph (3), the shipowner shall forthwith surrender its Certificate of Registry.

(5) Where the Registrar serves a notice under this regulation on the owner or agent appointed under section 20A of the Act in respect of which a mortgage is registered, he shall send a copy of the notice to each mortgagee at the address recorded in the register for such mortgagee.

10. If a carving and marking note issued under regulation 6(1) is not duly completed and returned to the Registrar within three months of its issue, or such longer period as the Registrar may in special circumstances permit, the Registrar may cancel it and the application shall be treated as having been withdrawn.

Cancellation  
of carving  
and marking  
note.

## PART III—Registration, contd.

Registration, refusal, entries in register and Certificate of Registry.

**11.—(1)** Where the Registrar is satisfied in respect of an application that—

- (a) the ship is eligible to be registered as a Jamaican ship;
- (b) the ship has been duly carved and marked and the appropriate certificate has been provided;
- (c) the particulars of the ship furnished to him are correct;
- (d) title to the ship has been adequately proved (where necessary);
- (e) the prescribed fees have been paid and the other requirements of the Act and these Regulations have been complied with,

Schedule 3.

he shall, subject to paragraph (2), register the ship pursuant to section 25 (4) of the Act and enter in the register the particulars specified in Schedule 3.

(2) Where the Registrar is not satisfied as regards the matters mentioned in paragraph (1) he shall refuse to register the ship.

(3) Without prejudice to paragraphs (1) and (2), in the case of a ship owned by a foreign maritime entity—

- (a) where the foreign maritime entity has a legal personality separate and distinct from that of its members, the name of such foreign maritime entity may be entered in the register as the owner of the ship;
- (b) where the foreign maritime entity does not have a legal personality separate and distinct from that of its members, the names of all its members carrying on business in the name of the foreign maritime entity and the number of shares in the ship owned by each member shall be entered in the register; and
- (c) whether or not the foreign maritime entity is one that has a legal personality separate and distinct from that of its members, only the name of the foreign maritime entity may be entered in the Certificate of Registry as the owner of the ship.

Requirement for supplementary information.

**12.** Where the Registrar is not satisfied by the information provided on an application for registration of a ship that the ship is eligible for registration, he may require such supplementary information or evidence as he considers appropriate for the purpose of satisfying himself that it is so eligible.

Registration prior to marking of a ship. Schedule 2.

**13.—(1)** Notwithstanding regulations 10 and 11, the Registrar may, if the conditions specified in paragraph (2) are satisfied, register a ship before—

- (a) the ship is marked in accordance with Schedule 2; or
- (b) the carving and marking note is duly completed and returned to him in accordance with regulation 10.

(2) The conditions referred to in paragraph (1) are that the owner of the ship submits to the Registrar a declaration stating that—

- (a) the ship will be marked in accordance with Schedule 2, within twenty-one days or such period as the Registrar may allow; and

- (b) within seven days thereafter, or such other longer period as the Registrar may allow, the carving and marking note will be duly completed and returned.

(3) On the expiry of the relevant period referred to in paragraph (2), the registration of the ship may be cancelled if it is then not marked in accordance with Schedule 2.

14.—(1) Upon registering a ship, the Registrar shall—

- (a) issue and send to the owner a Certificate of Registry containing the relevant information specified in Schedule 4;
- (b) retain a copy of any—
  - (i) builder's certificate or bill of sale or other evidence of title produced on first registration;
  - (ii) certificate of survey, and condemnation order, if any;
  - (iii) the notice of name of the ship;
  - (iv) evidence to the satisfaction of the Director that the ship has been deregistered; and
  - (v) all declarations made in connection with registration as required by the Act and these Regulations.

(2) Subject to paragraph (3), all documents which have been produced to the Registrar to establish title shall be returned to the applicant after the ship has been registered.

(3) Prior to their return under paragraph (2), the documents shall be stamped by the Registrar to indicate that they have been used for the registration of a ship.

15. An application for registration on transmission of a registered ship or a share in a registered ship under section 65 of the Act shall be made in the form approved by the Director.

16. An application for the registration of the transfer or transmission of a registered ship or a share in a registered ship shall be accompanied by a declaration of transfer pursuant to section 63 of the Act or, as the case may be, a declaration of transmission pursuant to section 65 of the Act and, where the application is made on behalf of a body corporate, the document or documents mentioned in regulation 5.

17.—(1) If on an application for transfer or transmission of a registered ship or shares in a registered ship the Registrar is not satisfied that the ship remains eligible to be registered—

- (a) the Registrar shall serve a notice under paragraph (2) on the owner of the ship; and
- (b) the registration of the ship shall terminate by virtue of this paragraph at the end of the period of fourteen days from the date of the service of that notice.

Schedule 2.

Issue of Certificate of Registry and documents be retained by Registrar. Schedule 4.

Evidence of title on transmission of a registered ship.

Declaration of eligibility on transfer or transmission.

Refusal of registration of transfer or transmission.

PART III—Registration, contd.

(2) The notice referred to in this regulation shall state that—

- (a) the Registrar is not satisfied that the ship in question remains eligible to be registered; and
- (b) the registration of the ship shall accordingly terminate by virtue of paragraph (1) at the end of the period referred to in that paragraph.

Notification of changes of ownership, etc.

18.—(1) If at any time there occurs, in relation to a registered ship, any change affecting the eligibility of the ship to be registered, the owner of the ship shall, as soon as practicable after the change occurs, notify the Registrar in writing thereof.

(2) The notification referred to in paragraph (1) shall specify the name and the official number of the ship and the nature of the change.

(3) Any person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding one hundred dollars.

Transfer or transmission of a registered ship or share.

19.—(1) Where there is any transfer or transmission of a registered ship or share in a registered ship—

- (a) the person ceasing to own the ship or share or in the event of his death, his legal personal representative, shall notify the Registrar thereof and the owner of the ship or his agent appointed under section 20A of the Act shall arrange to surrender the Certificate of Registry; and
- (b) the Registrar shall, if any of the events specified in paragraph (2) occur, cancel the Certificate of Registry and freeze the register pending the submission of the declaration by the new owner of the ship or share for the registration of the transfer or transmission.

(2) Where there is a transfer of a registered ship or shares therein—

- (a) if the new owners do not within thirty days of the transfer, submit, pursuant to Part IV of the Act, the relevant bill of sale and other documents required thereunder to register the transfer the Registrar shall cancel the registration of the ship or shares therein, as the case may be;
- (b) if all the shares in the ship are transferred, and the submission is not made within the thirty days, the Registrar may cancel the registration of the ship; and
- (c) if any share or shares in a ship is or are transferred, and the submission is not made within the thirty days, the Registrar shall in writing notify the remaining registered owners that the registration of the ship may be cancelled unless a submission of documents relating to the transfer of the share or shares in question is made within thirty days of the date of the notice.

## PART III—Registration, contd.

(3) Where there is a transmission of a registered ship or shares therein—

- (a) the new owners shall promptly submit to the Registrar the declaration and information required under section 65 of the Act, for the transmission to be registered;
- (b) if the transmission is of all the shares in the ship, and a submission is not made within a reasonable time, the Registrar may cancel the registration of the ship; and
- (c) if the transmission is of one or some of the shares in the ship, and a submission is not made within a reasonable time, the Registrar shall serve a notice on the remaining registered owners stating that the registration of the ship may be cancelled, unless an application to register the transmission of the share or shares in question is made within thirty days of the date of the notice.

20.—(1) Where, other than in the circumstances stated in section 49 of the Act, there is a change—

Changes in registered particulars of ships.

- (a) in the registered particulars of a ship other than its tonnage; or
- (b) in the name or address of any owner entered in the register (not being a change of ownership),

the shipowner shall, as soon as practicable, apply in writing to the Registrar for the change to be recorded in the register.

(2) The application shall be in writing and shall, subject to regulation 54, be accompanied by the Certificate of Registry and such evidence as to the change as may be required by the Registrar.

(3) Where there is a change in the tonnage of a ship, it shall be resurveyed and the tonnage ascertained pursuant to section 43 of the Act and thereafter, the shipowner shall apply in writing as soon as practicable in a form approved by the Director, for the change to be recorded in the register.

(4) The application shall be accompanied by the relevant Certificate of Survey and the Certificate of Registry.

(5) On recording the change in the registered particulars the Registrar shall cancel the existing certificate and issue to the owner a new Certificate of Registry.

21.—(1) An application for approval of the change of the name of a ship shall be made in accordance with Schedule 5.

Change of name. Schedule 5.

(2) If it appears to the Director that a proposed change of name complies with Schedule 5, he shall within seven days of submission of the application issue a carving and marking note to the owner.

22.—(1) On receipt of the carving and marking note the owner shall—

- (a) cause the ship to be marked with the new name; and

Re-marking of ship.

## PART III—Registration, contd.

- (b) in the case of a ship other than a pleasure craft under 24 metres in length, cause the marking to be inspected in accordance with regulation 8.

Schedule 2.

(2) The Inspector of Marks shall, if satisfied that the ship is marked in the manner required by Schedule 2, complete the carving and marking note and return it to the Registrar.

Registration of new name.

23. On receipt of the carving and marking note duly completed, the Registrar shall register the ship with its new name and shall cancel the existing certificate and issue to the owner a new Certificate of Registry.

Duplicate certificates.

24.—(1) If it is shown to the satisfaction of the Registrar General that a Certificate of Registry has been lost, stolen or destroyed or has become defaced or illegible, he may issue to the ship owner a duplicate of that certificate, which shall be marked as such, and shall be of the same effect as the original.

(2) Where a duplicate Certificate of Registry is issued, the original, if then available or if subsequently found or recovered, shall be forthwith surrendered to the Registrar General.

## PART IV—Mortgages

Form of mortgage.

25. A mortgage produced for registration under section 69 of the Act, a transfer of a registered mortgage, and a discharge of a registered mortgage, shall be executed and attested in the form respectively approved by the Director.

Notice by intending mortgagees, priority notices.

26.—(1) Where any person who is an intending mortgagee under a proposed mortgage of—

- (a) a registered ship; or  
 (b) a share in a registered ship, notifies a Registrar in writing of the mortgagee's intended interest under the proposed mortgage, the Registrar shall record that interest in the appropriate register in the order in time in which they are produced to him for that purpose.

(2) For the purpose of paragraph (1) the notice to the Registrar (in these Regulations called "a priority notice") shall contain—

- (a) the name and official number of the ship;  
 (b) the name, address and signature of the intending mortgagor;  
 (c) the number of shares to be mortgaged; and  
 (d) the name and address of the intending mortgagee.

(3) Where any person who is an intending mortgagee of—

- (a) a ship which is not yet registered; or  
 (b) a share in any such ship,

notifies the Registrar in writing of his intended interest under the proposed mortgage, the Registrar—

PART IV—*Mortgages, contd.*

- (i) shall record that interest in the appropriate register; and
- (ii) if the ship is subsequently registered, shall register the ship subject to that interest or, if the mortgage has by then been executed in accordance with regulation 25 and produced to the Registrar, subject to that mortgage.

(4) For the purposes of paragraph (3) the notice shall contain the following information—

- (a) the present name of the ship;
- (b) the proposed name of the ship (where applicable);
- (c) the approximate length of the ship;
- (d) where the ship is registered outside Jamaica, a copy of its Certificate of Registry or other document evidencing its registration and stating its port of registry;
- (e) where the ship is a new ship the certificate of the builder or if that is not available, the name and address of the builder and the number of the shipyard;
- (f) where the ship is neither a new ship nor a registered ship, details of any permanent marks on the ship which enable it to be clearly identified; and
- (g) the name, address and signature of the intending mortgagor, the number of shares to be mortgaged, and the name and address of the intending mortgagee—

(5) Where—

- (a) section 73 of the Act operates to determine the priority between two or more mortgages; and
- (b) any of the intending mortgagees concerned has given notification under paragraph (1) or (3) as the case may require,

section 73 of the Act shall have effect in relation to that mortgage as if it had been registered at the time when the relevant entry was made in the register under paragraph (1) or (3).

(6) Any notification given by a person under paragraph (1) or (3) and anything done as a result of such notification shall cease to have effect—

- (a) if the notification is withdrawn; or
- (b) at the end of the period of thirty days (hereinafter called the “initial period”) beginning with the date of the notification, unless the notification is renewed in accordance with paragraph (7).

(7) The person by whom any such notification is given may renew the notification for a period of thirty days on each occasion by notice in writing given to the Registrar before the end of the initial period or, as

PART IV—*Mortgages, contd.*

the case may be, the end of a period of renewal.

(8) Any notice given under this regulation shall be in the form approved by the Director.

Form of  
transfer or  
transmission  
of mortgage.

27. A registered mortgage which is transferred under section 77 of the Act and the interest in such mortgage which is transmitted under section 78, shall in furtherance of those provisions of the Act, be respectively executed and authenticated in the form approved by the Director.

PART V—*Bareboat Charter Registration*

Interpretation.

28. In this Part—

“bareboat charter registration” means the registration of a ship in a register of bareboat chartered ships under the name of the charterer;

“bareboat charter registry” means the registry of the state whose flag the ship is entitled to fly during the period in which the charterer is registered as the bareboat charterer;

“charterer” means a person to whom a ship has been chartered and includes a sub-charterer;

“compatible registry” means a ship registry of a foreign state declared by the Minister to be a compatible registry within the meaning of regulation 29;

“day” means calendar day;

“underlying registry” means the registry of the state of primary registration and “underlying register” and “underlying registration” shall be construed accordingly.

*Bareboat Charter—In*

Compatible  
registries.

29. Where it appears to the Minister that the provisions of the law of a state, with regard to bareboat charter registration, are compatible with the provisions of the Act and this Part, he may declare the underlying registry to be a compatible registry for the purposes of the Act and this Part.

Conditions  
for bareboat  
charter  
registration.

30.—(1) A ship may be registered as a bareboat chartered ship under section 18 of the Act where the charterer thereof or his agent has submitted to the satisfaction of the Registrar the documents and information described in paragraph (2).

(2) The documents and information referred to in paragraph (1) are—

- (a) an application for registration under this Part made by the charterer or agent in the form set out as Form A of Schedule 6;
- (b) a declaration of bareboat charter made by the charterer accompanied by a copy of the charter party, which shall not be available for public inspection;

Schedule 6.  
Form A.

PART V—*Bareboat Charter—In, contd.*

- (c) a transcript or an extract of the underlying registration of the ship which shall—
- (i) be available for public inspection; and
  - (ii) contain a description of the ship, the owners and, where applicable, all registered mortgages and encumbrances relating to the ship;
- (d) the consent in writing, for the ship to be bareboat charter registered in Jamaica, of—
- (i) the appropriate authorities of the underlying registry, who may be further required by the Registrar to declare that during the period of bareboat charter registration the ship will not be entitled to fly their flag;
  - (ii) the owners of the ship; and
  - (iii) all registered holders of mortgages registered in the underlying registry;
- (e) such other information as the Registrar General may require.

(3) Where amendments are made to the bareboat charter party the charterer shall within thirty days thereafter, notify the Registrar, in writing thereof.

(4) Where any amendments are made to the underlying registration the charterer shall—

- (a) within seven days of the amendments being effected, communicate to the Registrar the details of the amendments; and
- (b) within three days of the amendments having been entered in the underlying register, produce to the Registrar a transcript or an extract of the underlying registration showing the amendments.

31.—(1) Subject to paragraph (2), the tonnage of a ship to be registered under this Part shall be ascertained pursuant to section 44 of the Act.

Ascertainment of tonnage.

(2) At the request of the charterer, the Registrar may accept the tonnage of the ship to be that registered in the underlying registry if he is satisfied that the provisions of the Tonnage Convention, so far as applicable to such ship have been adhered to, and the certificate of survey issued by the underlying registry shall be treated as the certificate provided for in section 43 of the Act.

32.—(1) Subject to paragraph (2), and the provisions of Schedule 5, a ship shall be registered under this Part by the name under which it is registered in the underlying registry.

Name of bareboat chartered ship. Schedule 5.

(2) The name of a ship to be registered or of a ship already registered under this Part, may in the circumstances described in paragraph (3) be

PART V—*Bareboat Charter—In, contd.*

changed prior or subsequent to registration under this Part, as the case may be.

(3) The circumstances referred to in paragraph (2) are that—

- (a) the appropriate authorities of the underlying registry, the owners, and the registered mortgagees, if any, have consented to the change of name; and
- (b) the change is made in accordance with the provisions of section 34 of the Act or of any regulations made thereunder.

**33.—**(1) The Registrar, if satisfied that all requirements for registration specified in this Part and in the relevant provisions of the Act, where applicable, have been complied with, and on payment, by the applicant of the prescribed registration fee, shall—

- (a) enter in the relevant register all particulars of the ship and its underlying registration, its owners and charterers, stating—
  - (i) the expiry date of the bareboat charter registration; and
  - (ii) that the register does not contain an official record of any mortgages affecting the ship;
- (b) inform the appropriate authorities of the underlying registry of the registration under this Part; and
- (c) issue a certificate of bareboat charter registration, which shall include the name and particulars of the ship, the name of the port of registry declared under section 32 of the Act, and the expiry date of the registration.

(2) Upon the issue of a certificate of bareboat charter registration, all documents issued to the ship by the underlying registry shall be surrendered to the appropriate authorities of that registry and, within thirty-days of the issue of the certificate, the charterer shall make and deliver to the registrar declaration to that effect.

**34.** The duration of any bareboat charter registration shall be for a period not exceeding the duration of the bareboat charter.

**35.—**(1) At the request of the charterer or his agent the Registrar may, subject to regulation 34, extend the duration of the bareboat charter registration where the charterer or agent has provided written consent from—

- (a) the appropriate authorities of the underlying registry; and
- (b) the owners or the registered mortgagees, if any, of such request for extension,

and he has not received any objections to extension within seven days after the later of the notifications under paragraphs (a) and (b).

(2) Upon the grant of an extension under paragraph (1), the Registrar shall—

Bareboat  
charter  
registration.

Duration of  
bareboat  
charter  
registration.

Extension  
of bareboat  
charter  
registration.

## PART V—Bareboat Charter—In, contd.

- (a) enter the new date of expiry in the register of the ship;
- (b) endorse the certificate of bareboat charter registration with the new date of expiry thereof; and
- (c) inform the appropriate authorities of the underlying registry.

**36.** A ship bareboat charter registered under this Part which is required to be issued with certificates relating to international conventions shall—

International convention certificate of bareboat charter ships.

- (a) where Jamaica is a party to the relevant convention, be issued with the required certificates under the authority of the Government of Jamaica;
- (b) where Jamaica is not a party to a convention, be issued with the required certificates with the permission of the Registrar, under the authority of the government of the underlying registry.

**37.—(1)** A ship registered under this Part shall be deemed to be a Jamaican ship and, except where otherwise provided, shall be under the jurisdiction and control of Jamaica and shall comply with all the laws applicable to Jamaican ships.

Jurisdiction over ships registered.

(2) A ship registered under this Part shall only display the Jamaican flag.

(3) The port of registry of a ship registered under this Part shall be shown on the certificate of bareboat charter.

**38.—(1)** This Part shall have no effect with regard to title, or to any transfer or transmission of a ship registered under this Part or of any shares therein.

Ownership of ship registered under this Part.

(2) Any transfer of ownership of a ship registered under this Part shall within seven days thereof be notified in writing by the charterers to the Registrar, and the registration of the ship under this Part shall be cancelled unless the new owners have—

- (a) within seven days after submitting the notification, declared to the Registrar in writing that they have no objection to the ship remaining registered under this Part; and
- (b) within thirty days of having made such declaration, delivered to the Registrar their consent in writing to such registration.

**39.** A ship registered under this Part shall be subject to the payment of the initial and annual fees and of any other fees prescribed in the Act, or in any regulations made thereunder.

Payment of fees.

**40.—(1)** Where the charterer of a ship registered under this Part, desires that the bareboat charter registration of such ship be closed, he shall make an application to the Registrar for deregistration of the ship with such additional particulars and information as the Registrar may require.

Termination of bareboat charter registration. Schedule 6, Form B.

PART V—*Bareboat Charter—In, contd.*

(2) The Registrar may grant the application if he is satisfied that—

- (a) the requirements of paragraph (1) have been met;
- (b) all liabilities and obligations in respect of the ship towards Jamaica whether for fees, charges, fines or otherwise have been paid.

(3) The Registrar shall cancel the registration of a ship under this Part, and shall make an entry to that effect in the register, if—

- (a) an application for deregistration has been granted under paragraph (2);
- (b) the appropriate authorities of the underlying registry, the owners, or any of the mortgagees, if any, have withdrawn their consent to the bareboat charter registration in Jamaica;
- (c) the registration in the underlying registry has for any reason been terminated;
- (d) the charter lapses or is terminated by any of the parties to it;
- (e) the charterer fails to supply information or documents required under regulation 30 (4);
- (f) the period for which the ship has been bareboat charter registered lapses and no extension has been granted in accordance with regulation 35; or
- (g) the ship is being operated in breach of these Regulations, or any of the circumstances specified in section 29 of the Act apply to the ship.

(4) Upon the closure of registration under paragraph (3) the ship ceases to be a Jamaican ship and the Registrar shall immediately notify such closure to the appropriate authorities of the underlying registry, the owners and the mortgagees, if any.

(5) The Registrar may refuse to issue a certificate of deregistration until—

- (a) the certificate of bareboat charter registration issued under regulation 33 has been surrendered to him; and
- (b) all liabilities and obligations in respect of the ship towards Jamaica whether for fees, charges, fines or otherwise have been paid.

PART V—*Bareboat Charter—Out*

41.—(1) In addition to the circumstances referred to in section 19 of the Act, the Registrar General may, under such conditions as he may deem fit to impose, consent to a Jamaican ship being registered under the law relating to bareboat charter registration of another state where—

- (a) the ship is registered as a Jamaican ship under Part IV of the Act;

Consent of  
Registrar.

PART V—*Bareboat Charter—Out, contd.*

- (b) the bareboat charter registry where the ship is to be registered is a compatible registry; and
- (c) the following documents are submitted to him—
- (i) an application for bareboat charter registration in a foreign registry made by the owners and containing such additional information as may be required by the Registrar;
  - (ii) the consent in writing to such registration of all registered mortgagees, if any;
  - (iii) a written undertaking by the shipowners to surrender the Certificate of Registry issued under the Act within fifteen days from entry into the bareboat charter registry;
  - (iv) a written undertaking by the charterer that the Jamaican flag shall not be displayed during the period of bareboat charter registration; and
  - (v) a copy of the bareboat charter party.

(2) The owners shall produce to the Registrar any amendments or modifications to the bareboat charter party within thirty days of such amendments or modifications being effected.

42.—(1) Subject to paragraph (2), a ship registered under Part IV of the Act shall be bareboat charter registered in a foreign registry by the name under which it is registered under the Act.

Name of ship bareboat charter registered in a foreign registry.

(2) The name of a Jamaican registered ship bareboat charter registered in a foreign registry may be changed with the written consent of the Director in accordance with section 34 of the Act only if such change is also being effected in the bareboat charter registry.

43. Any purported bareboat charter registration in a foreign registry of a ship registered under this Part, which is not made in accordance with the provisions of this Part shall be null and void.

Foreign bareboat registration to be in terms of these Regulations.

44.—(1) Upon the bareboat charter registration of a Jamaican ship in a foreign registry—

Bareboat charter registration.

- (a) the owners shall—
- (i) immediately notify the Registrar of such registration; and
  - (ii) within thirty days thereof surrender to the Registrar the Certificate of Registry issued to the ship under this Part and deliver to the Registrar a transcript or an extract of the foreign bareboat charter registration;
- (b) the Registrar, if satisfied that such registration has been effected according to the provisions of this Part, shall make an entry thereof in the register of that ship.

PART V—*Bareboat Charter—Out, contd.*

(2) The owners shall immediately notify the Registrar of the closure or lapse of the bareboat charter registration in a foreign registry, and shall within thirty days of the closure of such registry, deliver to the Registrar a transcript or an extract of the foreign bareboat charter registration showing such closure.

45.—(1) During the time a Jamaican ship is bareboat charter registered in a foreign registry as provided for in this Part—

- (a) notwithstanding section 105 of the Act, such ship shall not display the Jamaican flag; and
- (b) notwithstanding the provisions of section 32 of the Act, the port of registry of such ship shall be that of the bareboat charter registry.

(2) The owners shall, within fifteen days from the entry into the foreign bareboat charter registry, make and deliver to the Registrar a declaration to the effect that the name of the foreign port of registry has been marked on the stern of the ship in place of the name of the Jamaican port of registry.

46. A Jamaican ship bareboat charter registered in a foreign registry shall notwithstanding such registration, continue to be subject to the payment of all relevant fees in respect of Jamaican ships payable under the Act or any regulations made thereunder.

47.—(1) A Jamaican ship bareboat charter registered in a foreign registry and which is required to be issued with certificates relating to international conventions to which Jamaica is a party shall, subject to paragraph (2), be issued with such certificates under the authority of the government of the bareboat charter registry.

(2) Where the state of the bareboat charter registry is not a party to a convention, a certificate required under that convention may be issued under the authority of the Government of Jamaica.

48. Any transaction affecting the title over the ship or relating to the registration, amendment, transfer and transmission and discharge of mortgages shall be made and registered in accordance with the provisions of the Act; and accordingly the registration in respect of the ship of any mortgages or encumbrances in the foreign bareboat charter registry shall be null and void.

49.—(1) The Registrar may withdraw the consent granted under regulation 41 if any of the provisions of that regulation or of section 19 of the Act is not complied with.

(2) The Registrar shall withdraw such consent, if—

- (a) the Minister, in the national interest or in the interest of Jamaican shipping and after giving the owners and the charterers of the ship a reasonable opportunity to make representations, has ordered the Registrar to withdraw his consent;

Obligation while ship is in foreign bareboat charter registry.

Payment of Jamaican fees while in foreign bareboat charter registry.

International convention certificates while ship in foreign bareboat charter registry.

Proprietary interests while ship in foreign bareboat charter registry.

Termination of bareboat charter registration in foreign registry.

PART V—*Bareboat Charter—Out, contd.*

- (b) any of the conditions required to be fulfilled under section 19(1) of the Act or regulation 44 is not so fulfilled; or
  - (c) the charter party terminates or is terminated by any of the parties to it.
- (3) Upon his withdrawal of consent under paragraph (1) or (2)—
- (a) the registrar shall inform the appropriate authorities of the foreign bareboat charter registry, the owners, the charterers, and the mortgagees, if any, of such withdrawal; and
  - (b) the bareboat charter registration in the foreign registry shall, for the purposes of these Regulations, be treated as terminated.
- (4) Where there is a termination of the bareboat charter registration in a foreign registry—
- (a) the Registrar shall immediately thereupon make an entry thereof in the register, and the ship shall thereupon be subject to all the provisions of Jamaican law;
  - (b) within thirty days of the termination of such registration—
    - (i) the owners shall make and deliver a declaration to the Registrar that the certificate of bareboat charter registration has been surrendered to the foreign bareboat charter registry; and
    - (ii) thereupon the Registrar, unless the registration of the ship under Part IV of the Act is also being closed, deliver to the owners the Certificate of Registry which had been surrendered to him under regulation 44 (1); and
  - (c) within thirty days of the termination of such registration the owners shall deliver to the Registrar a transcript or an extract of the foreign register showing that the bareboat charter registration has been cancelled.

50. All documents required by the Registrar for the purposes of this Part shall be certified as directed by the Registrar.

Certification  
of documents.

PART VI—*Miscellaneous*

51.—(1) Any document which is not in English which is produced in other support of any application under these Regulations shall be accompanied by a notarized translation of the document into English.

Documents  
in other  
language, etc.

(2) Where the signature on any document made under these Regulations is required to be witnessed, the witness shall neither be a minor nor be the spouse of the signatory.

## PART VI—Miscellaneous, contd.

Dispensing  
with declaration.

## 52. Where under these Regulations—

- (a) any person is required to make a declaration on behalf of himself or any body corporate, but is unable to do so and can satisfy the Registrar, that it is due to reasonable cause, the Registrar may on such terms as he thinks fit, dispense with the declaration; or
- (b) any evidence is required to be produced to the Registrar but the person to whom the request is made is unable to produce such evidence and the Registrar is satisfied that it is due to reasonable cause, the Registrar may on production of such other evidence as he considers appropriate, dispense with the evidence originally required.

Fees.

53. Where a fee is prescribed in respect of any service or other transaction to be carried out pursuant to these Regulations, the Registrar shall not be required to carry out the service or other transaction unless the appropriate fee has been paid.

Dispensing  
with production  
of certificate.

54. Where a Certificate of Registry is required by these Regulations to accompany any application and it is shown to the satisfaction of the Registrar that for any reasonable cause (which includes, but is not limited to, the ship being in a port outside Jamaica, or the certificate being needed for an imminent voyage, at the time the application was made) the certificate cannot be produced, the Registrar may, subject to such conditions as he thinks fit, dispense with its production.

Issue of  
certificate of  
deletion and  
removal of  
marks on  
termination  
of registration.

55. Where, under the Act or these Regulations, the registration of a ship is terminated—

- (a) the Registrar may, at the written request of the owner, issue a certificate confirming that the particulars related to the ship have been deleted from the register, and stating the status of any mortgage registered in respect of that ship; and
- (b) the owner shall forthwith remove from the ship the marking prescribed under these Regulations and submit to the Registrar written confirmation of the removal.

## PART VII—Offences

Offences.

56.—(1) A person commits an offence if he—

- (a) with intent to deceive, uses, lends or allows to be used by another, a Certificate of Registry whether in force or not;
- (b) in purported compliance with a requirement under these Regulations, supplies information, provides an explanation or makes a statement which he knows to be false or misleading in a material particular;
- (c) fails, without reasonable cause to surrender a Certificate of Registry when required to do so under these Regulations;

PART VII.—*Offences, contd.*

(d) intentionally alters, suppresses, conceals or destroys a document which he has been required by these Regulations to produce to the Registrar.

(2) The offences specified in paragraph (1) shall be punishable on summary conviction in a Resident Magistrate's Court with a fine not exceeding one thousand dollars or imprisonment for a term not exceeding two months or both such fine and imprisonment.

PART VIII.—*Transitional Provision*

57. Schedules 3 and 4 and the related provisions of regulations 11 and 14 shall not apply to any ship until a new Certificate of Registry under these Regulations is issued in respect of that ship. Transitional

SCHEDULE 1

(Regulation 4)



- Indicate Whether
- \*Bareboat Charter
- Ship under Construction
- Pleasure
- Fishing
- If neither, please ignore

APPLICATION FOR REGISTRATION  
AND NOTICE OF NAME OF A VESSEL UNDER 24M

SECTION 1 GENERAL INFORMATION												
1. Proposed Name of Ship		2. Alternative Names ** 1. 2.		3. IMO/Caribship No.		4. Call Sign (if applicable)						
5. Length (m)		6. Breadth (m)		7. Depth (m)		8. Gross Tonnage		9. Net Tonnage		10. Construction Material		
11. Free Board			12. Max Draught			13. Number of Masts			14. CLASS		15. Propulsion Type	
16. Fuel		17. Type of Vessel			18. Main Use of Vessel			19. Number of Decks		20. Number of Bulk Heads		
21. Present Registry			22. Year of Built		23. Where Built			24. Port where vessel will be at time of inspection				
25. Builder's Name				26. Builder's Address				27. Charter Party Expires		28. Certificate of Registry Expires		
SECTION 2 ENGINE PARTICULARS												
29. Engine Description			30. Number of Engines			31. Horse Power (kw)			32. Serial Number		33. Fuel	
34. Manufacturer's Name						35. Manufacturer's Address						
SECTION 3 INFORMATION ON OWNER(S)/CHARTERER(S)												
36. Name of Owner/Charterer			37. Address of Registered Office			38. Address Correspondence to:			39. Contact Person			
									40. Telephone No			
									41. Fax No			
									42. Email Address			
43. Name of Authorized Representative				44. Address of Authorized Representative (in Jamaica)								
				45. Contact person								
				46. Telephone No								
				47. Fax No								
				48. Email Address								
SECTION 4 MORTGAGE INFORMATION (if applicable)												
49. No. of shares affected												
Application is hereby made for the registration of the vessel described above, pursuant to the Shipping Act, 1998. I declare that to the best of my knowledge, all information provided above is true. I also declare that the description of the ship is correct and that the ship is/is not free from encumbrances.												
Name:.....						Position:.....						
						See						
Signature:.....						Date:.....						
<small>Owner or Duty Authorized Agent</small>												

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To Convert measurements from feet to metres please multiply by a factor of .3048 e.g. 12ft (12ft \* .3048=3.66m=3.7m)

NB: Applicants are asked to complete only information that is applicable to their particular vessel(s)

\*\* Bareboat Charter please submit certified copy of Charter Party

\*\* Please provide alternative names in the order of preference in the event the desired name is not available.

SCHEDULE 1, *contd.*

## REQUIREMENTS FOR THE REGISTRATION AND NOTICE OF NAME OF A VESSEL UNDER 24M

The following must be submitted in applying for the Registration of a vessel under 24M

1. Application For Registration and Notice of Name of a Vessel under 24M
2. Declaration of Ownership
3. Power of Attorney
4. Jamaican Passport (if individual owner)
5. Certificate of Incorporation or Similar Documents of Establishment ; Notice of Directors or Similar Documents; Certificate of Good Standing;
6. Certificate of Deletion, Cancellation or De-registration at or before the date and time of registration in Jamaica (if applicable)
7. Bill of Sale for the Vessel /Condemnation Order/Builder's Certificate
8. Application for Radio Licence (where applicable)
9. Valid Certificate of Survey
10. Carving and Marking Note
11. Appropriate Fees

The following must be submitted in applying for Bareboat (In) Registration of a vessel under 24M

1. Application For Registration and Notice of Name of a Vessel under 24M
2. Declaration of the Charterer
3. Application for Radio Licence (where applicable)
4. Certified copy of Bareboat Charter Party
5. Certificate of Incorporation or Similar Documents of Establishment ; Notice of Directors or Similar Documents; Certificate of Good Standing; or Jamaican passport (if individual owner)
6. Power of Attorney (where applicable)
7. Transcript of Underlying Registry
6. Consent for registration in Jamaica from:
  - i. Mortgagees (where applicable)
  - ii. Owners
  - iii. Underlying Registry
9. Valid Safety Certificates
10. Valid Certificate of Registry
11. Carving & Marking Note
12. Appropriate Fee

SCHEDULE 1, contd.



APPLICATION FOR REGISTRATION AND NOTICE OF NAME OF A SHIP

<b>SECTION 1: GENERAL INFORMATION</b>					
1. Present Name of Ship		2. Proposed Name of Ship		3. Proposed Date of Registration	
				4. Alternative Names (a) 1. 2.	
5. IMO Number		6. Where Built		7. When Built	
				8. Present Flag	
				9. Propulsion (steam or Motor)	
10. Place where ship will be at time of registry			11. Underlying Registry		12. Classification Society (if any)
<b>SECTION 2: VESSEL DIMENSIONS</b> in accordance with ITC 1988 (where applicable)					
13. Length (LOA) in Metres		14. Breadth (Extreme) in Metre		15. Depth (Moulded) in Metres	
				16. Gross Tonnage	
				17. Net Tonnage	
<b>SECTION 3: HULL DESCRIPTION</b>					
18. Number of Decks		19. Number of Masts		20. Material (Steel, GRP etc)	
				21. Type of Vessel	
				22. CLASS	
				23. Number of Bulkheads	
24. Builder's Name			25. Builder's Address		
<b>SECTION 4: PROPULSION MACHINERY</b>					
26. Number of Engines		27. Description of Engines		28. Propulsion (KW, BHP, etc.)	
				29. Number of Cylinders	
30. Manufacturer's Name			31. Manufacturer's Address		
<b>SECTION 5: VESSEL OWNER(S)</b>					
32. Owner's Name		33. Address of Registered Office		34. Address for Correspondence	
				35. Contact Person	
				36. Telephone No	
				37. Fax No	
				38. Email Address	
39. Name of Ship Manager		40. Address of Ship Manager		41. Contact person	
				42. Telephone No	
				43. Fax No	
				44. Email Address	
46. Name of Appointed Authorized Representative in Jamaica		47. Address of Appointed Authorized Representative in Jamaica		45. After Office Hours No	
				48. Contact Person	
				49. Telephone NO	
				50. Fax No	
				51. Email Address	
				52. After Office Hours No	
<b>SECTION 6: MORTGAGE INFORMATION</b>					
53. No. of shares					
Application is hereby made for the registration of the vessel described above pursuant to the Shipping Act of 1998. I declare that to the best of my knowledge, all information provided above is true.					
Name.....			Position.....		
Signature.....			Date.....		
Owner or Duty Authorized Agent					

JSR 01 Rev. No. 02

Jamaican Individual, Company or Partnership in Jamaica appointed as Managing Owner or Owner's Representative

(a) Please provide alternative names in the order of preference in the event the desired name is not available.

SCHEDULE 1, *contd.*

Note: The following documents are required to be submitted where applicable, together with this application:

**Requirements for the (Provisional) Registration of a Ship Jamaican:**

- 1) An Application for Registration and Notice of Name of a Ship (Form JSR01)
- 2) Declaration of Ownership (Form JSR02)
- 3) Bills of Sale for the Vessel /Condemnation Order/Builder's Certificate
- 4) Power of Attorney
- 5) A valid Certificate of Survey
- 6) Written application for Radio Licence
- 7) Confirmation from CLASS that the Ship is In CLASS. Confirmation to include exemptions and conditions pertaining and expiration dates of certificates.
- 8) Application for Minimum Safe Manning Certificate (Form JSR 11)
- 9) Certified copy of the International Tonnage Certificate (ITC) from previous registry
- 10) Radio Authority's Confirmation from Radio Accounting Authority
- 11) Certificate of Incorporation or Similar Documents of Establishment ; Notice of Directors or Similar Documents; Certificate of Good Standing; Jamaican Passport (if sole Owner)
- 12) Declaration that the ship has no encumbrance
- 13) Support from mortgagees for the registration of the ship in Jamaica (where applicable)
- 14) Mortgage Documents (where applicable)
- 15) Continuous Synopsis Record (CSR) from Previous Flag
- 16) Declaration of Information - Continuous Synopsis Record
- 17) Declaration of Company Security Officer (DCSO)

**Requirements for the (Permanent) Registration of a Ship Jamaican:**

In addition to the above requirements, the following must be provided for Permanent Registration of a Ship Jamaican:

- 18) Certificate of Deletion, Cancellation or De-registration at or before the date and time of registration (if not provided in earlier package for a previously registered ship)
- 19) Safety Certificates issued by or under the authority of the Maritime Authority of Jamaica (where applicable)
- 20) Crew documents and/or applications as appropriate
- 21) Carving and Marking Note (JSR05) duly completed

## SCHEDULE 2

(Regulations 2, 7, 8, 13  
and 22)

## CARVING AND MARKING

## PART 1

*Vessels other than Pleasure Craft under 24 metres in length*

1. Every ship other than a pleasure craft under 24 metres in length shall, before registration, be marked permanently and conspicuously to the satisfaction of the Director as follows—
  - (a) its name shall be marked on each of its bows, and its name and the name of its port of registry shall be marked on its stern, in letters of a contrasting colour so as to be clearly visible, such letters to be of a length not less than 1 decimetre, and of proportionate breadth;
  - (b) its ship identification number where applicable, official number and net tonnage shall be permanently marked on a main part of the ship permanent structure that is readily visible and accessible in such manner as may be specified by a surveyor of ships;
  - (c) subject to subparagraph (e), in the case of every such ship built before 1st May, 1988 a scale of feet denoting its draught of water shall be marked on each side of its stern and of its stern post in Roman capital numerals or in figures, not less than 6 inches in length, the lower line of such letters or figures to coincide with, the draught line denoted thereby, and those letters and figures shall be marked by being cut in and painted in a contrasting colour so as to be clearly visible, or in such other way as the Director may approve;
  - (d) in the case of every such ship built after 1st May, 1988, a scale of decimetres, or of metres and decimetres, denoting a draught of water shall be marked on each side of its stern and of its stern post in figures at two-decimetre intervals and at intervening 2 decimetre intervals, if the scale is in metres and decimetres, the capital letter "M" being placed after each metre figure; the top figure of the scale showing both the metre and (except where it marks a full metre interval) the decimetre figure; the lower line of the figures, or figures and letters (as the case may be), coinciding with the draught line denoted thereby; the figures and letters being not less than 1 decimetre in length and being marked by being cut in and painted in a contrasting colour so as to be clearly visible, or in such other way as the Director may approve; and
  - (e) every ship built before 1st May, 1988 may comply with the requirements of subparagraph (d).
2. Unless in special circumstances the Director directs otherwise, a pleasure vessel of 24 metres in length or over, shall be deemed to be in compliance with subparagraph (a) of paragraph 1 if its name and the name of its port of registry are marked on its stem in the manner provided in that subparagraph.
3. The marks required by this section shall be permanently continued, and no alteration shall be made therein, except in the event of any of the particulars thereby denoted being altered in the manner provided by these Regulations.
4. The Director may exempt a class of ships from all or any of the requirements of this section.

## PART 2

*Pleasure Craft under 24 metres in length*

1. Every pleasure craft under 24 metres in length shall, before it may be registered, be marked permanently and conspicuously to the satisfaction of the Director in accordance with paragraph 3.

SCHEDULE 2, *contd.*PART 2, *contd.**Pleasure Craft under 24 metres in length*

2. The Director may exempt a pleasure craft under 24 metres from all or any of the requirements of paragraph 3, subject to such conditions, if any, as he thinks fit.
3. A pleasure craft which is under 24 metres in length shall be marked as follows—
  - (a) the official number and registered tonnage are—
    - (i) to be marked on a readily accessible visible permanent part of the structure of the pleasure craft either by cutting in, centre punching or raised lettering; or
    - (ii) to be engraved on plates of metal, wood or plastic, secured to a readily accessible visible permanent part of the structure with rivets, through bolts with the ends clenched, or screws with the slots removed;
  - (b) the name and port of registry (unless exempted under paragraph 6), are to be marked on a conspicuous and permanent part of the stem in letters of a contrasting colour so as to be clearly visible, the letters being not less than 5 centimetres high and of proportionate breadth, or where this is not possible by the alternative methods given below—
    - (i) by engraving on plates of metal or of plastic or by cutting in on a shaped wooden chock. Where a shaped wooden chock is used it should be secured to the hull through bolts, the ends being clenched; or
    - (ii) by individual glass reinforced plastic letters and numbers approximately 2 millimetres in thickness, fixed to the hull with epoxy adhesive, painted with suitable paint, and coated with translucent, epoxy resin; and
    - (iii) where metal or plastic plates have been used these must be fixed by the use of epoxy adhesives and coated with translucent epoxy resin after they have been fixed in position.
4. A scale of decimeters, or metres and decimeters, denoting a draught of water shall be marked on the pleasure craft, other than one which is exempted, on each side of its stem and its stem post, as follows—
  - (a) in figures in 2 decimetres intervals, if the scale is in decimeters; and
  - (b) in figures at each metre interval and at intervening two decimeter intervals, if the scale is in metres and decimetres.
5. The capital letter 'M' being placed after each metre figure; the top figure of the scale showing both the metre and (except where it marks a full metre interval) the decimetre figure; the lower line of the figures, or figures and letters, coinciding with the draught line denoted thereby; the figures and letters being not less than one decimeter in length and being marked by being cut in and painted in a contrasting colour so as to be clearly visible, or in such other way as the Director may approve.
6. The name of a pleasure craft shall be marked in Roman letters and any numerals shall be in Roman or Arabic numerals.

## SCHEDULE 3

(Regulation 11)

*Particulars to be entered in register*

1. The following information is to be registered in respect of each owner who is an individual—

SCHEDULE 3, *contd.*

- (a) surname, forename and title;
  - (b) address;
  - (c) nationality;
  - (d) number of shares owned by him, and if held jointly, with whom the shares are held; and
  - (e) the name of the managing owner.
2. The following information is to be registered in respect of each owner which is a body corporate—
- (a) name of owner;
  - (b) the address of its registered office;
  - (c) country of incorporation and place of business; and
  - (d) number of shares owned by the company and if held jointly, with whom the shares are held.
3. The following information is to be registered in respect of any managing owner or agent—
- (a) the full name of the individual or body corporate; and
  - (b) the address of the individual or the place of business of the body corporate.
4. The following information is to be registered in respect of ships registered or to be registered in the Register of Jamaican Ships under Part IV of the Act or Part V of these Regulations—
- (a) name;
  - (b) IMO Number;
  - (c) radio call sign;
  - (d) port of registry;
  - (e) official number;
  - (f) year of build;
  - (g) method of propulsion, e.g., whether sail, steam, motor or dumb;
  - (h) where built;
  - (i) name and address of builders;
  - (j) date keel laid/when built;
  - (k) length-metric units;
  - (l) breadth-metric units;
  - (m) depth-metric units;
  - (n) type of ship, e.g., dry cargo, oil tanker, passenger, bulk carrier;
  - (o) material used to construct hull;
  - (p) gross tonnage;
  - (q) net tonnage;
  - (r) registered tonnage in the case of a pleasure craft less than 24 metres in length;
  - (s) make and model of engine (s); and

SCHEDULE 3, *contd.*

- (t) total power of engines in kilowatts.
5. In addition to the information in paragraph 4, the following is to be registered in respect of bareboat chartered ships—
- (a) the name and address of the owner;
  - (b) the name and address of the charterer;
  - (c) the name and address of any representative person;
  - (d) ship identification number and national identification number or official number;
  - (e) state of primary registration;
  - (f) commencement date of the charter period and its expiry date; and
  - (g) the name by which the ship is known in the underlying registry (or a translation of that name).
6. The following information where relevant is to be registered in the Register of Ships under Construction under Part IV of the Act.
- (a) port of registry;
  - (b) number and year of current registry;
  - (c) Jamaican Ship Registry identity number;
  - (d) where being built;
  - (e) name and address of builders;
  - (f) date keel laid;
  - (g) type of ship (e.g. dry cargo, oil tanker, chemical tanker, passenger, bulk carrier, pleasure yacht, etc.);
  - (h) material used to construct the hull;
  - (i) estimated length of the ship (metric units);
  - (j) estimated breadth of the ship (metric units);
  - (k) estimated depth of the ship (metric units);
  - (l) estimated overall length (metric units);
  - (m) number of transverse bulkheads;
  - (n) number of masts;
  - (o) intended method of propulsion (e.g. whether sail, steam, diesel-electric, motor or dumb, etc.);
  - (p) estimated gross tonnage;
  - (q) estimated net tonnage;
  - (r) estimate registered tonnage (pleasure crafts under 24 metres in length);
  - (s) name and address of registered owner as agreed between builder and client;
  - (t) nationality (individual);
  - (u) country of incorporation (body corporate);
  - (v) authorized representative;
  - (w) main particulars of the construction contract;
  - (x) yard number or other information identifying the ship.

## SCHEDULE 4

(Regulation 14)

*Information to be included in a Certificate of Registry*

1. A Certificate of Registry for a ship registered or to be registered under Part IV of the Act shall contain—
  - (a) the full name and address of the owners;
  - (b) the number of shares owned by each owner and if any are jointly owned, with whom they are owned;
  - (c) the following information about the ship—
    - (i) name;
    - (ii) IMO number;
    - (iii) radio call sign;
    - (iv) port of registry;
    - (v) official number;
    - (vi) year of build;
    - (vii) method of propulsion, e.g., whether sail, steam, motor or dumb;
    - (viii) length-metric units;
    - (ix) breadth-metric units;
    - (x) depth-metric units;
    - (xi) type of ship, e.g., dry cargo, oil tanker, passenger, bulk carrier;
    - (xii) gross tonnage;
    - (xiii) net tonnage;
    - (xiv) registered tonnage in the case of a pleasure craft less than 24 metres in length;
    - (xv) engine make and model; and
    - (xvi) engine, power in kilowatts;
  - (d) the date of issue of the certificate.
2. A certificate of bareboat charter registry for ships registered or to be registered under Part V of these Regulations shall contain the details prescribed by paragraph 1 (a), (c) and (d) and the following—
  - (a) the name and address of the charterer;
  - (b) national identifying number or official number;
  - (c) state of primary registration;
  - (d) original name (or a translation thereof) if different from its registered name;
  - (e) the date of expiry of the certificate.

## SCHEDULE 5

(Regulations 21 and 32)

*Approval of change of name and change of names*

1. Every application to the Director to approve a change of a name of a ship shall specify a name which is in Roman letters; and the numerals shall be in Roman or Arabic numerals.

SCHEDULE 5, *contd.*

2. In respect of an application to register a ship under Part IV of the Act or Part V of these Regulations, the Registrar, pursuant to section 33 of the Act, shall not approve the proposed name if it is—
  - (a) a name which may be confused with a distress signal; or
  - (b) A name which is prefixed by any letters or name which could be taken to indicate a type of ship or any word, prefix or suffix which might cause confusion as to the name of the ship.
3. Subject to paragraph 4, if the Registrar is satisfied that a name does not fall within section 33(3) (a) or (b) of the Act or paragraph (a) or (b) of paragraph 3 of the Schedule 5. He shall notify the applicant in writing that the name is approved and the ship may be registered with that name.
4. Notwithstanding that the Registrar is satisfied that a name is acceptable under paragraph 2 he may refuse to approve a name—
  - (a) which might cause offence or embarrassment; or
  - (b) which has a clear and direct connection with the Crown Royal family.
5. Any approval given under paragraph 2 shall be valid only for the period of three months beginning with the date it is notified to the applicant.
6. If the Registrar is not satisfied as mentioned in paragraph 3, he shall notify the applicant accordingly.
7. Where the owner of a ship registered in Jamaica intends to replace it with another ship to be registered under the same name, then, notwithstanding paragraph 5, the Registrar may, on an application being made by the owner, reserve the name for a period of up to one year from the date of closure of the registration of the first mentioned ship.
8. An application for a reservation under paragraph 7 shall be accompanied by a full statement of the circumstances of the case.

THE SHIPPING ACT

ORDER  
(under section 32)

THE SHIPPING (DECLARATION OF PORT OF REGISTRY) (MONTEGO BAY)  
ORDER, 2001

*(Made by the Minister on the 21st day of February, 2001)*

L.N. 18/2001

1. This Order may be cited as the Shipping (Declaration of Port of Registry) (Montego Bay) Order, 2001.
2. The port of Montego Bay is hereby declared as the port of registry for the registration of ships under the Act.

## THE SHIPPING ACT

REGULATIONS  
(under section 44)

## THE SHIPPING (TONNAGE) REGULATION, 2007

(Made by the Minister on the 19th day of July, 2007)

L.N.135'A/2007

1. These Regulations may be cited as the Shipping (Tonnage) Regulations, 2007. Citation.

2. In these Regulations, unless the context otherwise requires— Interpretation.

"administration" means the Government of the State whose flag the ship is flying;

"Convention" means the International Convention on Tonnage Measurement of Ships, 1969;

"Convention ship" means a ship to which these Regulations apply, other than a small ship;

"Convention State" means a State in relation to which the Convention is in force;

"country" includes a territory for the international relations of which a Convention State is responsible or for which the United Nations is the administering authority;

"foreign ship" means a ship which is not a Jamaican ship;

"gross tonnage" means the measure of the overall size of a ship determined in accordance with the provisions of these Regulations;

"international voyage" means a sea voyage from a country to which the Convention applies to a port outside that country or conversely;

"length" means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater; in ships designed with a rake of keel, the waterline on which this length is measured shall be parallel to the designed waterline;

"net tonnage" means the measure of the useful capacity of a ship determined in accordance with the provisions of these Regulations;

"small ship" means a ship which is under 24 metres in length.

Application of Regulations.

3.—(1) Subject to paragraph (2), these Regulations shall apply to seagoing Jamaican ships wherever they may be and to foreign ships (engaged on international voyages) whenever in Jamaican waters.

(2) These Regulations shall not apply to—

(a) warships and naval auxiliaries or other ships owned or operated by a State;

(b) Jamaican Government ships engaged in non-commercial service.

Certain provisions of Convention to have force of law in Jamaica.  
First Schedule.

4. The provisions of Articles 5 and 12 of the Convention (the texts of which are set out in the First Schedule) and the regulations annexed thereto shall have the force of law in Jamaica.

Determination of tonnage.

5.—(1) Gross and net tonnages shall be determined in accordance with—

(a) in the case of Convention ships, Part I of the Second Schedule;

(b) in the case of small ships, Part I of the Third Schedule.

Second Schedule.

Third Schedule.

(2) In the case of the multi-hull vessels the tonnage of each hull shall be measured separately and the sum of such tonnages shall be used in computing the tonnage.

Issue of Certificates.

6. For the purposes of section 44 of the Act—

(a) where a foreign ship is transferred to a register for Jamaican ships, the Authority shall, at the time of the registration as a Jamaican ship or not later than the expiration of three months from the date of registration, issue an International Tonnage Certificate in the form set out in Part II of the Second Schedule, and transmit to the administration whose flag the ship is flying a copy of the Jamaican issued certificate and the relevant tonnage calculations;

(b) the tonnage certificate to be issued in respect of a small ship shall be in the form set out in Part II of the Third Schedule.

Cancellation of certificates.

7. A Jamaican issued International Tonnage Certificate (subject to the exceptions provided in the Second Schedule) and a small ship tonnage certificate shall cease to be valid and shall be cancelled by the Authority where—

(a) alterations have taken place in the arrangement, construction, capacity, use of spaces, total number of passengers the Jamaican ship is permitted to carry as indicated in the ship's passenger certificate, assigned load line or permitted draught of the ship, such as would necessitate an increase in gross tonnage or net tonnage;

(b) a Jamaican ship is transferred to another State, however, the certificate shall remain in force for a period of three months or until the other State issues a certificate to replace it, whichever is earlier.

FIRST SCHEDULE

(Regulation 4)

Article 5

*Force Majeure*

- (1) A ship which is not subject to the provisions of the present Convention at the time of its departure on any voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to stress of weather or any other cause of force majeure.
- (2) In applying the provisions of the present Convention, the Contracting Governments shall give due consideration to any deviation or delay caused to any ship owing to stress of weather or any other cause of force majeure.

Article 12

*Inspection*

- (1) A ship flying the flag of a State the Government of which is a Contracting Government shall be subject, when in the ports of other Contracting Governments, to inspection by officers duly authorized by such Governments. Such inspection shall be limited to the purpose of verifying:
  - (a) that the ship is provided with a valid International Tonnage Certificate (1969); and
  - (b) that the main characteristics of the ship correspond to the data given in the certificate.
- (2) In no case shall the exercise of such inspection cause any delay to the ship.
- (3) Should the inspection reveal that the main characteristics of the ship differ from those entered on the International Tonnage Certificate (1969) so as to lead to an increase in the gross tonnage or the net tonnage, the Government of the State whose flag the ship is flying shall be informed without delay.

## SECOND SCHEDULE

(Regulation 1 and 7)

## ANNEX 1

## REGULATION FOR DETERMINING GROSS AND NET TONNAGES OF SHIPS

## Regulation 1

*General*

- (1) The tonnage of a ship shall consist of gross tonnage and net tonnage.
- (2) The gross tonnage and the net tonnage shall be determined in accordance with the provisions of these Regulations.
- (3) The gross tonnage and the net tonnage of novel types of craft whose constructional features are such as to render the application of the provisions of these Regulations unreasonable or impracticable shall be as determined by the Administration. Where the tonnage is so determined, the Administration shall communicate to the Organization details of the method used for that purpose, for circulation to the Contracting Governments for their information.

## Regulation 2

*Definitions of Terms used in the Annexes*(1) *Upper Deck*

The upper deck is the uppermost deck exposed to weather and sea, which has permanent means of weathertight closing of all openings in the weather part thereof, and below which all openings in the weather part thereof, and below which all openings in the sides of the ship are filled with permanent means of watertight closing. In a ship having a stepped upper deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck is taken as the upper deck.

(2) *Moulded Depth*

- (a) The moulded depth is the vertical distance measured from the top of the keel to the underside of the upper deck at side. In wood and composite ships the distance is measured from the lower edge of the keel rabbet. Where the form at the lower part of the midship section is of a hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel.
- (b) In ships having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwales were of angular design.
- (c) Where the upper deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the moulded depth shall be measured to line of reference extending from the lower part of the deck along a line parallel with the raised part.

(3) *Breadth*

The breadth is the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material.

SECOND SCHEDULE, *contd.*(4) *Enclosed Spaces*

Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or moveable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.

(5) *Excluded Spaces*

Notwithstanding the provisions of paragraph (4) of this regulation, the spaces referred to in subparagraphs (a) to (e) inclusive of this paragraph shall be called excluded spaces and shall not be included in the volume of enclosed spaces, except that any such space which fulfils at least one of the following three conditions shall be treated as an enclosed space:

- the space is fitted with shelves or other means for securing cargo or stores;
- the openings are fitted with any means of closure;
- the construction provides any possibility of such openings being closed:

- (a) (i) A space within an erection opposite an end opening extending from deck to deck except for a curtain plate of a depth not exceeding by more than 25 millimetres (one inch) the depth of the adjoining deck beams, such opening having a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening of the space. This provision shall be applied so as to exclude from the enclosed spaces only the space between the actual end opening and a line drawn parallel to the line or face of the opening at a distance from the opening equal to one half of the width of the deck at the line of the opening (Figure 1 in Appendix 1).
- (ii) Should the width of the space because of any arrangement except by convergence of the outside plating, become less than 90 per cent of the breadth of the deck, only the space between the line of the opening and a parallel line drawn through the point where the athwartships width of the space "becomes equal to, or less than, 90 per cent of the breadth of the deck shall be excluded from the volume of enclosed spaces (Figures 2, 3 and 4 in Appendix 1).
- (iii) Where an interval which is completely open except for bulwarks or open rails separates any two spaces, the exclusion of one or both of which is permitted under subparagraphs (a) (i) and/or (a) (ii), such exclusion shall not apply if the separation between the two spaces is less than the least half breadth of the deck in way of the separation (Figures 5 and 6 in Appendix 1).

SECOND SCHEDULE, *contd.*

- (b) A space under an overhead deck covering open to the sea and weather, having no other connexion on the exposed sides with the body of the ship than the stanchions necessary for its support. In such a space, open rails or a bulwark and curtain plate may be fitted or stanchions fitted at the ship's side, provided that the distance between the top of (the rails or the bulwark and the curtain plate is not less than 0.75 metres (2.5 feet) or one-third of the height of the space, whichever is the greater (Figure 7 in Appendix 1).
- (c) A space in a side-to-side erection directly in way of opposite side openings not less in height than 0.75 metres (2.5 feet) or one-third of the height of the erection, whichever is the greater. If the opening in such an erection is provided on one side only, the space to be excluded from the volume of enclosed spaces shall be limited inboard from the opening to a maximum of one-half of the breadth of the deck in way of the opening (Figure 8 in Appendix 1).
- (d) A space in an erection immediately below an uncovered opening in the deck overhead, provided that such an opening is exposed to the weather and the space excluded from enclosed spaces is limited to the area of the opening (Figure 9 in Appendix 1)
- (e) A recess in the boundary bulkhead of an erection which is exposed to the weather and the opening of which extends from deck to deck without means of closing, provided that the interior width is not greater than the width at the entrance and its extension into the erection is not greater than twice the width of its entrance (Figure 10 in Appendix 1).

**(6) Passenger**

A passenger is every person other than:

- (a) the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and
- (b) a child under one year of age.

**(7) Cargo Spaces**

Cargo spaces to be included in the computation of net tonnage are enclosed spaces appropriated for the transport of cargo which is to be discharged from the ship, provided that such spaces have been included in the computation of gross tonnage. Such cargo spaces shall be certified by permanent marking with the letters CC (cargo compartment) to be so positioned that they are readily visible and not to be less than 100 millimetres (4 inches) in height.

**(8) Weathertight**

Weathertight means that in any sea conditions water will not penetrate into the ship.

SECOND SCHEDULE, *contd.*

## Regulation 3

*Gross Tonnage*

The gross tonnage (GT) of a ship shall be determined by the following formula:

$$GT = K_1 V$$

Where;  $V$  = Total volume of all enclosed spaces of the ship in cubic metres,  
 $K_1 = 0.2 + 0.02 \log_{10} V$  (or as tabulated in Appendix 2).

## Regulation 4

*Net Tonnage*

(1) The net tonnage (NT) of a ship shall be determined by the following formula:

$$NT = K_2 V_c \left( \frac{4d}{3D} \right)^2 + K_3 \left( N_1 + \frac{N_2}{10} \right)$$

in which formula:

- (a) the factor  $\left( \frac{4d}{3D} \right)^2$  shall not be taken as greater unity;
- (b) the term  $K_2 V_c \left( \frac{4d}{3D} \right)^2$  shall not be taken as less than 0.25 GT; and
- (c) NT shall not be taken as less than 0.30 GT, and in which:

$V_c$  = total volume of cargo spaces in cubic metres,

$K_2 = 0.2 + 0.02 \log_{10} V_c$  (or as tabulated in Appendix 2),

$$K_3 = 1.25 \frac{GT - 10,000}{10,000}$$

$D$  = moulded depth amidships in metres as defined in Regulation 2 (2),

$d$  = moulded draught amidships in metres as defined in paragraph (2) of this regulation,

$N_1$  = number of passengers in cabins with not more than 8 berths,

$N_2$  = number of other passengers,

$N_1 + N_2$  = total number of passengers the ship is permitted to carry as indicated in the ship's passenger certificate; when  $N_1 + N_2$  is less than 13,  $N_1$  and  $N_2$  shall be taken as zero,

GT = gross tonnage of the ship as determined in accordance with the provisions of Regulation 3.

(2) The moulded draught ( $d$ ) referred to in paragraph (1) of this Regulation shall be one of the following draughts:

SECOND SCHEDULE, *contd.*Regulation 4, *contd.**Net Tonnage, contd.*

- (a) for ships to which the International Convention on Load Lines in force applies, the draught corresponding to the Summer Load Line (other than timber load lines) assigned in accordance with that Convention;
- (b) for passenger ships, the draught corresponding to the deepest subdivision load line assigned in accordance with the International Convention for the Safety of Life at Sea in force or other international agreement where applicable;
- (c) for ships to which the International Convention on Load Lines does not apply but which have been assigned a load line in compliance with national requirements, the draught corresponding to the summer load line so assigned;
- (d) for ships to which no load line has been assigned but the draught of which is restricted in compliance with national requirements, the maximum permitted draught;
- (e) for other ships, 75 per cent of the moulded depth amidships as defined in Regulation 2 (2).

## Regulation 5

*Change of Net Tonnage*

(1) When the characteristics of a ship, such as V, V<sub>C</sub>, d, N<sub>1</sub> or N<sub>2</sub> as defined in Regulations 3 and 4, are altered and where such an alteration results in an increase in its net tonnage as determined in accordance with the provisions of Regulation 4, the net tonnage of the ship corresponding to the new characteristics shall be determined and shall be applied without delay.

(2) A ship to which load lines referred to in sub-paragraphs (2) (a) and (2) (b) of Regulation 4 are concurrently assigned shall be given only one net tonnage as determined in accordance with the provisions of Regulation 4 and that tonnage shall be the tonnage applicable to the appropriate assigned load line for the trade in which the ship is engaged.

(3) When the characteristics of a ship such as V, V<sub>C</sub>, d, N<sub>1</sub> or N<sub>2</sub> as defined in Regulations 3 and 4 are altered or when the appropriate assigned load line referred to in paragraph (2) of this Regulation is altered due to the change of the trade in which the ship is engaged, and where such an alteration results in a decrease in its net tonnage as determined in accordance with the provisions of Regulation 4, a new International Tonnage Certificate (1969) incorporating the net tonnage so determined shall not be issued until twelve months have elapsed from the date on which the current Certificate was issued; provided that this requirement shall not apply:

SECOND SCHEDULE, *contd.*Regulation 5, *contd.**Change of Net Tonnage; contd.*

- (a) if the ship is transferred to the flag of another State, or
- (b) If the ship undergoes alterations or modifications which are deemed by the Administration to be of a major character, such as the removal of a superstructure which requires an alteration of the assigned load line, or
- (c) to passenger ships which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade.

## Regulation 6

*Calculation of Volumes*

(1) All volumes included in the calculation of gross and net tonnages shall be measured, irrespective of the fitting of insulation or the like, to the inner side of the shell or structural boundary plating in ships constructed of metal, and to the outer surface of the shell or to the inner side of structural boundary surfaces in ships constructed of any other material.

(2) Volumes of appendages shall be included in the total volume.

(3) Volumes of spaces open to the sea may be excluded from the total volume.

## Regulation 7

*Measurement and Calculation*

(1) All measurement used in the calculation of volumes shall be taken to the nearest centimetre or one-twentieth of a foot.

(2) The volumes shall be calculated by generally accepted methods for the space concerned and with an accuracy acceptable to the Administration.

(3) The calculation shall be sufficiently detailed to permit easy checking.

## APPENDIX I

*Figures referred to in Regulation 2 (5)*

In the following figures: O = excluded space

C = enclosed space

I = space to be considered as an enclosed space

Hatched in parts to be included as enclosed spaces.

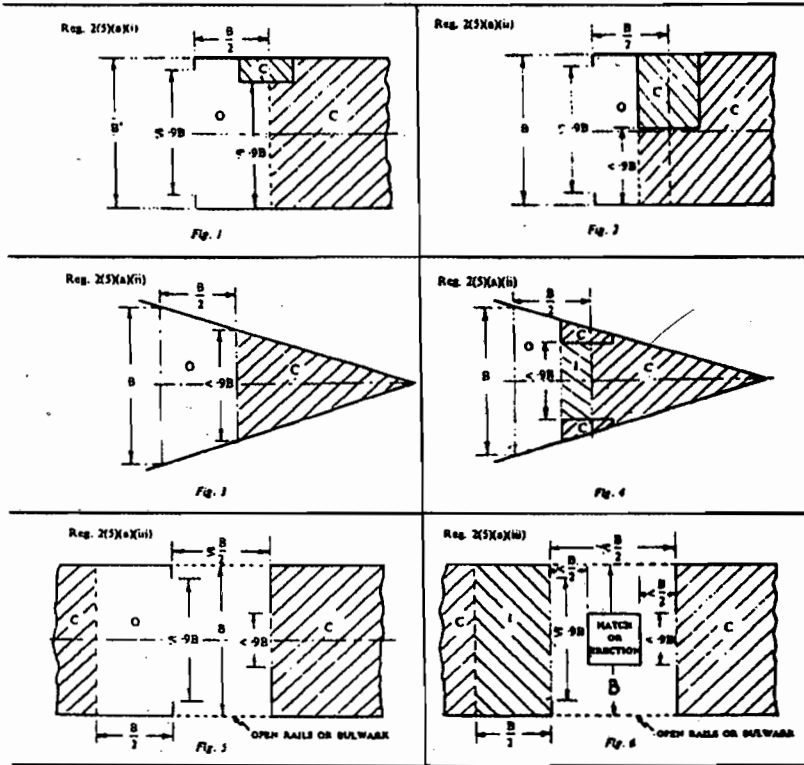
B = breadth of the deck in way of the opening.

In ships with rounded gunwales the breadth is measured as indicated in Figure 11.

SECOND SCHEDULE, *contd.*

APPENDIX 1, *contd.*

Figures referred to in Regulation 2 (5)



SECOND SCHEDULE, *contd.*

APPENDIX 1, *contd.*

Reg. 227(N)

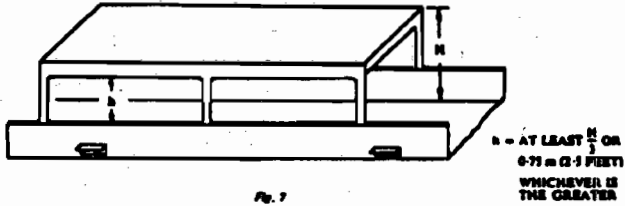


Fig. 7

Reg. 227(O)

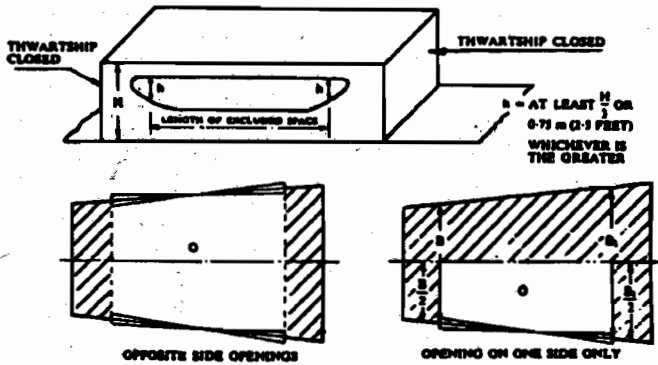


Fig. 7

Reg. 227(O)

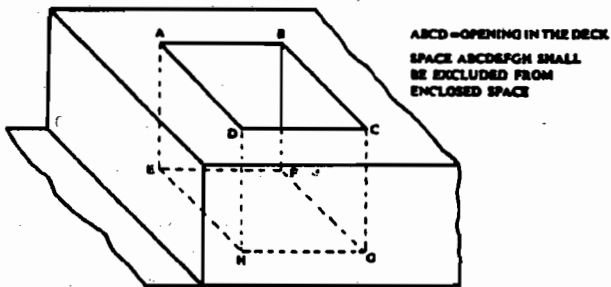


Fig. 8

SECOND SCHEDULE, *contd.*APPENDIX 1, *contd.*

Reg. 25(e)

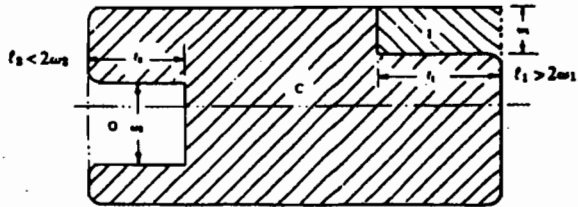


Fig. 10

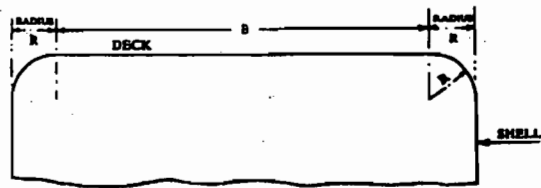
SHIPS WITH ROUNDED GUNWALES

Fig. 11

SECOND SCHEDULE, *contd.*

## APPENDIX 2

COEFFICIENTS  $K_1$  AND  $K_2$  REFERRED TO IN REGULATIONS 3 AND 4(1)V or  $V_c$  = Volume in cubic metres

V or $V_c$	$K_1$ or $K_2$	V or $V_c$	$K_1$ or $K_2$	V or $V_c$	$K_1$ or $K_2$	V or $V_c$	$K_1$ or $K_2$
10	0.2200	45 000	0.2931	330 000	0.3104	670 000	0.3165
20	0.2260	50 000	0.2940	340 000	0.3106	680 000	0.3166
30	0.2295	55 000	0.2948	350 000	0.3109	690 000	0.3168
40	0.2320	60 000	0.2956	360 000	0.3111	700 000	0.3169
50	0.2340	65 000	0.2963	370 000	0.3114	710 000	0.3170
60	0.2356	70 000	0.2969	380 000	0.3116	720 000	0.3171
70	0.2369	75 000	0.2975	390 000	0.3118	730 000	0.3173
80	0.2381	80 000	0.2981	400 000	0.3120	740 000	0.3174
90	0.2391	85 000	0.2986	410 000	0.3123	750 000	0.3175
100	0.2400	90 000	0.2991	420 000	0.3125	760 000	0.3176
200	0.2460	95 000	0.2996	430 000	0.3127	770 000	0.3177
300	0.2495	100 000	0.3000	440 000	0.3129	780 000	0.3178
400	0.2520	110 000	0.3008	450 000	0.3131	790 000	0.3180
500	0.2540	120 000	0.3016	460 000	0.3133	800 000	0.3181
600	0.2556	130 000	0.3023	470 000	0.3134	810 000	0.3182
700	0.2569	140 000	0.3029	480 000	0.3136	820 000	0.3183
800	0.2581	150 000	0.3035	490 000	0.3138	830 000	0.3184
900	0.2591	160 000	0.3041	500 000	0.3140	840 000	0.3185
1 000	0.2600	170 000	0.3046	510 000	0.3142	850 000	0.3186
2 000	0.2660	180 000	0.3051	520 000	0.3143	860 000	0.3187
3 000	0.2695	190 000	0.3056	530 000	0.3145	870 000	0.3188
4 000	0.2720	200 000	0.3060	540 000	0.3146	880 000	0.3189
5 000	0.2740	210 000	0.3064	550 000	0.3148	890 000	0.3190
6 000	0.2756	220 000	0.3068	560 000	0.3150	900 000	0.3191
7 000	0.2769	230 000	0.3072	570 000	0.3151	910 000	0.3192
8 000	0.2781	240 000	0.3076	580 000	0.3153	920 000	0.3193
9 000	0.2791	250 000	0.3080	590 000	0.3154	930 000	0.3194
10 000	0.2800	260 000	0.3083	600 000	0.3156	940 000	0.3195
15 000	0.2835	270 000	0.3086	610 000	0.3157	950 000	0.3196
20 000	0.2860	280 000	0.3089	620 000	0.3158	960 000	0.3196
25 000	0.2880	290 000	0.3092	630 000	0.3160	970 000	0.3197
30 000	0.2895	300 000	0.3095	640 000	0.3161	980 000	0.3198
35 000	0.2909	310 000	0.3098	650 000	0.3163	990 000	0.3199
40 000	0.2920	320 000	0.3101	660 000	0.3164	1 000 000	0.3200

Coefficients  $K_1$  or  $K_2$  at intermediate values of V or  $V_c$  shall be obtained by linear interpolation.

SECOND SCHEDULE, *contd.*

Regulations 6



**INTERNATIONAL TONNAGE CERTIFICATE (1969)**

Issued under the provisions of the  
**International Convention on Tonnage Measurement of Ships, 1969**  
 Under the authority of the Government of  
**JAMAICA**

For which the Convention came into force on 18 July 1982  
 by **THE MARITIME AUTHORITY OF JAMAICA**

Name of Ship	Distinctive number or letters	Port of Registry	*Date

\*Date on which keel was laid or the ship was at a similar stage of construction, (Article 2(6)), or date on which the ship underwent alterations or modifications of a major character, (Article 3(2) (b)), as appropriate.

**MAIN DIMENSIONS**

Length (Article 2 (9))	Breadth (Regulation 2 (3))	Moulded Depth amidships to Upper Deck (Regulation 2(2))

**THE TONNAGES OF THE SHIP ARE:**

**GROSS TONNAGE** .....

**NET TONNAGE** .....

**THIS IS TO CERTIFY** that the tonnages of the ship have been determined in accordance with the provisions of the Shipping (Tonnage) Regulations, 2007.

Issued at .....  
*(place of issue of certificate)* *(date of issue)*

The undersigned declares that he is duly authorized by the said Government of Jamaica to issue this Certificate.

**Maritime Authority of Jamaica**  
*(seal)*

.....  
 Surveyor General

SECOND SCHEDULE, *contd.*

SPACE INCLUDED IN TONNAGE					
GROSS TONNAGE			NET TONNAGE		
Name of Space	Location	Length	Name of Space	Location	Length
			<b>NUMBER OF PASSENGERS</b> [Regulation 4 (1)]  Number of passenger in cabins with not more than 8 Berths:.....  Number of other passengers:.....		
<b>EXCLUDED SPACE</b> (Regulation 2(5))  An asterisk (*) should be added to those spaces listed above which comprises both enclosed and excluded spaces.			<b>MOULDED DRAUGHT</b> Regulation 4(2)		
Date and place of original measurement:					
Date and place of last re-measurement:					
Remarks:					

## THIRD SCHEDULE

(Regulation 5 and 6)

## Part I

*Rules for Determining Tonnage for Small Ships*

## 1. In this Schedule—

“break”—

- (a) means the space bounded longitudinally by a side to side upward step in the lowest line of the upper deck and another such step or the end of the ship, transversely by the sides of the ship and vertically by the higher part of the deck and the lowest line of the upper deck continued parallel thereto; and
- (b) [although small ships generally do not have superstructures,] includes a structure above the main deck, which shall be treated as a break in the main deck and subject to being accounted for in the determination of the tonnage of the ship;

“extreme breadth” shall mean the extreme breadth of the ship over the outside plating, planking or hull, no account being taken of rubbers or fenders even if they are moulded so as to be integral with the hull;

“length overall” means the distance from the foreside of the foremost fixed permanent structure and the after side of the aftermost permanent structure.

## 2. The tonnage of a small ship shall be the sum of—

- (a) the product of multiplying together its length overall, extreme breadth over the outside hull and depth in metres and multiplying the resultant figure by 0.16; and
- (b) the tonnage of any break or breaks, calculated for each break by multiplying together its mean length, mean breadth and mean height in metres and multiplying the resultant figure by 0.35.

3.—(1) For the purpose of this Schedule, the depth of the ship shall be measured vertically at the midpoint of the length overall.

(2) The upper point for depth shall be—

- (a) in the case of a decked ship, the underside of the deck on the middle line or, if there is no deck on the middle line at the point of measurement, the underside of the deck at the side of the ship plus the full deck camber;

THIRD SCHEDULE, *contd.*

Part I, *contd.*

- (b) in the case of an open ship, the top of the upper strake or gunwale.
- (3) The lower terminal point of depth shall be—
  - (a) in the case of a wooden ship, the upper side of the plank at the side of the keel or hog;
  - (b) in the case of a metal ship, the top of the plating at the side of the keel;
  - (c) in the case of a glass reinforced plastic ship, the inside of the hull, however, where no keel member is fitted and the keel is of open trough construction, the lower terminal point for depth shall be the top of the keel filling, if fitted, or the level at which the inside breadth of the trough is 10 centimetres, whichever gives the greater depth.
- (4) Where a break exists in way of the point of measurement for depth, the height of the break shall be included in the measurement of depth.

THIRD SCHEDULE, *contd.*

Part II

Small Ship Tonnage Certificate



Regulation 6

**SMALL SHIPS TONNAGE CERTIFICATE**  
(VESSELS UNDER 24 METRES)

Issued under the provisions of the Shipping (Tonnage) Regulations, 2007  
under the authority of the  
**GOVERNMENT OF JAMAICA**  
by the **MARITIME AUTHORITY OF JAMAICA**

Name of Ship	Distinctive Number or Letters	Port of Registry	*Date

\*Date on which keel was laid or the ship was at a similar stage of construction, (Article 2(6), or date on which the ship underwent alterations or modifications of a major character, (Article 3(2) (b), as appropriate.

MAIN DIMENSIONS

Length	Breadth	Moulded Depth amidships to Upper Deck

THE TONNAGES OF THE SHIP ARE:

GROSS TONNAGE.....

NET TONNAGE.....

**THIS IS TO CERTIFY** that the tonnages of the ship have been determined in accordance with the provisions of the Shipping (Tonnage) Regulations, 2007.

Issued at .....  
*(place of issue of certificate)* *(date of issue)*

The undersigned declares that he is duly authorized by the said Government of Jamaica to issue this Certificate.

**Maritime Authority of Jamaica**  
*(seal)*

.....  
Surveyor General

THIRD SCHEDULE, *contd.*

*Small Ship Tonnage Certificate, contd.*

SPACE INCLUDED IN TONNAGE					
GROSS TONNAGE			NET TONNAGE		
Name of Space	Location	Length	Name of Space	Location	Length
			<b>NUMBER OF PASSENGERS</b> (Regulation 4 (1))		
			Number of passenger in cabins with not more than 8 Berths:.....		
			Number of other passengers:.....		
<b>EXCLUDED SPACE</b> (Regulation 2(3))			<b>MOULDED DRAUGHT</b> Regulation 4(2)		
An asterisk (*) should be added to those spaces listed above which comprises both enclosed and excluded spaces.					
Date and place of original measurement:					
Date and place of last re-measurement:					
Remarks:					

DSRC 0837/00 Nov. 08, 2007

SHIPPING

THE SHIPPING ACT

REGULATIONS  
(under section 167)

THE SHIPPING (MEDICAL EXAMINATION) REGULATIONS, 1998

*(Made by the Minister on the 20th day of July, 1998, and having effect on the 2nd day of January, 1999, the date of operation of the Act)*

L. N. 46A/98

1. These Regulations may be cited as the Shipping (Medical Examination) Regulations, 1998.

2.—(1) In these Regulations—

“appointed day” means the date on which these Regulations come into operation;

“approved” means approved for the purpose by the Minister;

“chemical” means any liquid chemical listed in Chapter VI of the publication of the Intergovernmental Maritime Consultative Organization entitled “Code for the Construction and Equipment of ships carrying Dangerous Chemicals in Bulk” and any relevant supplement thereto;

“medical fitness certificate” means a certificate issued under regulation 7 (whether or not subject to restrictions) or a certificate deemed to be equivalent thereto under regulation 5 or 6;

“offshore installation” has the meaning given in the United Nations Convention on the Law of the Sea 1982.

(2) Any approval in pursuance of these Regulations shall be given in writing and shall specify the date on which it takes effect and the conditions, if any, on which it is given.

3.—(1) These Regulations apply to seagoing Jamaican ships.

(2) Regulations 13 and 14 apply to seagoing foreign ships when they are in a Jamaican port or Jamaican waters, being ships which are of 1,600 GT or over, including seagoing tugs, other than fishing vessels, pleasure craft and offshore installations whilst on their working stations.

4.—(1) Subject to paragraph (4), no person shall employ a seafarer in a ship unless that seafarer is the holder of a valid medical fitness certificate.

Provided that—

- (a) any seafarer who has served at sea at any time during the two years immediately preceding the appointed day may continue his seagoing employment without such a medical fitness certificate for a period of two years from that date;
- (b) any seafarer, the validity of whose certificate expires while he is in a location where medical examination in accordance with these Regulations is impracticable, may continue to be employed without such a certificate for a period not exceeding three months from the date of expiry of such medical certificate.

(2) Subject to paragraph (4), no person shall employ a seafarer in a ship in a capacity or in a geographical area precluded by any restriction in that seafarer's medical fitness certificate.

(3) Subject to paragraph (4), no person shall employ a seafarer in a ship carrying chemicals in bulk unless that seafarer is the holder of a valid medical fitness certificate issued in respect of a medical examination undertaken not more than twelve months previously, notwithstanding that the period of validity specified in the medical fitness certificate may exceed twelve months.

(4) Paragraphs (1), (2) and (3) shall not apply to the employment of—

- (a) a pilot (who is not a member of the crew);
- (b) a person employed in a ship solely in connection with the construction, alteration, repair or testing of the ship, its machinery or equipment, and not engaged in the navigation of the ship;
- (c) a person solely employed in work directed to—
  - (i) the exploration of the seabed or subsoil or the exploitation of their natural resources;
  - (ii) the storage of gas in or under the seabed or the recovery of gas so stored;
  - (iii) the laying, inspection, testing, repair, alteration, renewal or removal of any submarine telegraph cable; or
  - (iv) pipeline works (including the assembling, inspection, testing, maintaining, adjusting, repairing, altering, renewing, changing the position of, or dismantling a pipeline or length of pipeline),

and is not engaged in the navigation of the ship in the deck, engine room, radio, medical or catering department of that ship;

- (d) a person employed in a port who is not ordinarily employed at sea; or
- (e) a person employed in a ship solely to provide goods, personal services or entertainment on board who—
  - (i) is not employed by the owner or the person employing the master of the ship; and
  - (ii) has no emergency safety responsibilities.

5. Any certificate of medical and visual fitness for seafaring employment issued by an approved medical practitioner to a seafarer in respect of a medical examination conducted before the appointed day shall be deemed for the purposes of these Regulations to be equivalent to a medical fitness certificate issued under these Regulations.

6. Any medical fitness certificate issued to a seafarer in accordance with the Medical Examination (Seafarers) Convention, 1946 (International Labour Organization Convention 73 of 1946) or the Merchant Shipping (Minimum Standards) Convention, 1976 (International Labour Organization Convention 147 of 1976)—

- (a) by an authority empowered in that behalf by the laws of the country outside Jamaica which is a party to any of those Conventions; or
- (b) by an approved authority empowered in that behalf by the laws of any other country outside Jamaica,

shall be deemed for the purposes of these Regulations to be equivalent to a medical fitness certificate issued under these Regulations.

7.—(1) Every applicant for a medical fitness certificate shall be examined by an approved medical practitioner.

(2) If, upon such examination, the practitioner considers that the applicant is fit, having regard to the medical standards specified in the First Schedule, he shall issue the applicant with a medical fitness certificate in the form set out in the Second Schedule, and that certificate may be restricted to such capacity of sea service or geographical area as the practitioner considers appropriate.

(3) Where the medical practitioner considers that an applicant has failed to meet the required medical standards, he shall give to that applicant notice of such failure in the form set out in the Third Schedule.

8. An approved medical practitioner who issues a medical fitness certificate under regulation 7 shall specify the period of validity of the certificate

commencing with the date of the medical examination subject to the following maximum periods—

- (a) in respect of seafarers under 18 years of age, one year;
- (b) in respect of seafarers 18 years of age and under 40 years of age, five years;
- (c) in respect of seafarers 40 years of age and over, two years.

9.—(1) Paragraph (2) shall apply in any case where an approved medical practitioner has reasonable grounds for believing that—

- (a) there has been a significant change in the medical fitness of a seafarer during the period of validity of his medical fitness certificate; or
- (b) when the medical fitness certificate was issued the approved medical practitioner, had he been in possession of full details of the seafarers condition, could not reasonably have considered that the seafarer was fit, having regard to the medical standards referred to in regulation 7; or
- (c) the medical fitness certificate was issued otherwise than in accordance with these Regulations.

(2) The approved medical practitioner shall notify the seafarer concerned and may—

- (a) suspend the validity of the certificate until the seafarer has undergone a further medical examination;
- (b) suspend the certificate for such period as he considers the seafarer will remain unfit to go to sea; or
- (c) cancel the certificate if he considers that the seafarer is likely to remain permanently unfit to go to sea.

10.—(1) Subject to paragraph (2), a seafarer who is aggrieved by—

- (a) the refusal of an approved medical practitioner to issue him with a medical fitness certificate; or
- (b) any restriction imposed on such a certificate; or
- (c) the suspension of a certificate for a period of more than three months or cancellation of a certificate pursuant to regulation 9,

may apply to the Director for the matter to be reviewed by a single referee appointed by the Director.

(2) An application for a review shall be made in the form set out in the Fourth Schedule only by—

Fourth  
Schedule.

- (a) a seafarer who has served at sea at any time during the two years immediately preceding the appointed day; or
- (b) a seafarer who has held a valid medical fitness certificate at any time during the two years immediately preceding that refusal, imposition of a restriction, suspension or cancellation.

(3) Any such application shall—

- (a) be submitted to the Director within one month of the date on which the seafarer is given notice of the refusal, imposition of a restriction, suspension or cancellation (or such longer period as the Minister may determine if delay is caused by the seafarer's employment on board ship away from Jamaica); and
- (b) include a consent to the provisions of a report to the medical referee by the approved medical practitioner responsible for the refusal, imposition of a restriction, suspension or cancellation; and
- (c) specify the name and address of that practitioner.

(4) The medical referee to whom the matter is referred by the Director shall—

- (a) obtain a report from the approved medical practitioner by whom the applicant was examined and shall examine the medical condition of the applicant;
- (b) if the applicant so requests, disclose to the applicant the report of the approved medical practitioner and any other evidence not produced by the applicant himself but such disclosure is not required to be made if the medical referee considers that disclosure would be harmful to the applicant's health;
- (c) have regard to any relevant medical evidence, whether produced by the applicant, his employer, or otherwise, and whether or not disclosed as aforesaid.

(5) In the light of the medical evidence before him, the medical referee shall, if he considers that the applicant is fit having regard to the medical standards referred to in regulation 7, issue the applicant with a medical fitness certificate in the approved form.

(6) Where the medical referee considers that restrictions should be imposed as to capacity or geographical area other than those imposed on the

medical fitness certificate issued to the applicant or that any restrictions so imposed should be deleted or varied, he shall—

- (a) issue to the applicant a revised medical fitness certificate and the former certificate shall thereupon cease to have effect;
- (b) in any other case, notify the applicant of his decision.

(7) Action by the medical referee under paragraph (5) or (6) shall be taken not later than two months from the date on which the application for review is submitted to the Director (who shall notify the medical referee of the date) or within such longer period as the Director may determine.

11. Any approved medical practitioner who conducts a medical examination in accordance with these Regulations shall—

- (a) make and retain for six years a record in the form set out in the Fifth Schedule of each such medical examination; and
- (b) send to the Director at his direction a return of all such examinations in the form set out in the Sixth Schedule.

Fifth  
Schedule.

Sixth  
Schedule.

12. An inspector duly authorized by the Director may inspect any Jamaican ship and may detain the ship if upon inspection the inspector is satisfied that—

- (a) any seafarer whose employer is required by regulation 4 to ensure that he is the holder of a medical fitness certificate is unable to produce such a certificate; and
- (b) the state of his health is such that the ship could not sail without serious risk to the safety and health of those on board.

13.—(1) An inspector duly authorized by the Director may inspect any foreign ship when the ship is in a Jamaican port, and if, upon such inspection, he is satisfied that any seafarer is unable to produce a valid medical fitness certificate he may—

- (a) send a report to the government of the country in which the ship is registered, and a copy thereof to the Director General of the International Labour Organization; and
- (b) subject to paragraph (2), where he is satisfied that conditions on board are hazardous to safety or health—
  - (i) take such measures as are necessary to rectify those conditions; or
  - (ii) detain the ship.

(2) Measures referred to in paragraph (1) (b) may be taken only when the ship has called at a Jamaican port in the normal course of business or for operational reasons.

(3) If the inspector takes either of the measures specified in paragraph (1) (b) he shall forthwith notify the nearest maritime, consular or diplomatic representative of the flag state of the ship.

14. Sections 322 and 433 to 435 of the Act shall have effect in relation to a ship detained under these Regulations.

15. An employer who contravenes regulation 4 shall be guilty of an offence and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding two hundred thousand dollars.

## FIRST SCHEDULE

(Regulation 7)

## MEDICAL AND VISUAL STANDARDS FOR SERVING SEAFARERS

*General Introduction*

1. Seafaring is a potentially hazardous occupation, which calls for a high standard of health and fitness in those entering or re-entering the industry. A satisfactory standard of continuing good health is necessary for serving seafarers throughout their career because of the high inherent risks of the occupation. It is better, therefore, at an initial examination, to exclude an application if there is any doubt about his continuing fitness. Flexibility should be exercised only during examinations of retention.

2. These medical and visual standards, which have been based on standards prepared by shipping industry doctors, give guidance on the health criteria to be met. Allowance should be made for the inevitable impairment of health that time and chance bring, so that a reasonably fit seafarer can, if he wishes it, continue at sea until the approved age of retirement. Firm recommendations have been made to exclude those suffering from medical conditions considered to be incompatible with continued seafaring.

3. It is clearly impossible to encompass within the standards specific advice on every medical condition. However, as a general rule the medical examiner should be satisfied in each case that no disease or defect is present which could either be aggravated by working at sea or represent an unacceptable health risk to the individual seafarer, other crew members or the safety of the vessel.

4. Apart from the purely medical aspects, the occupational background should be considered especially in all cases where there is doubt. It is necessary to emphasize that a ship is not only a place of work requiring attention throughout the day and night but also a temporary home in which the crew must eat, sleep, and find recreation. Most important of all is the need to adjust to each other, often for long periods, during a voyage.

5. Much is done to ameliorate living and working conditions but certain characteristics remain. A crew is a closed community living in a ship that is seldom quiet or still. Individual eating habits and tastes cannot easily be met; facilities for physical exercise are limited: forced ventilation systems are used; the tedium of routine can easily become oppressive in the absence of normal diversion enjoyed by those ashore. An inability to fit in, or unwillingness to take responsibility, or accept a reasonable measure of necessary discipline, could impair the safe efficient working of the ship.

FIRST SCHEDULE, *contd.*

6. Very few merchant ships carry doctors. Acute illness or injury is dealt with by designated ships' officers whose training is limited to first aid or medical aid treatment. It should be borne in mind that a crew complement is carefully adjusted in terms of size. Sickness can throw a burden on other crew members or even impair the efficient working of a ship. The examining doctor should therefore be satisfied that no condition is present which is likely to cause trouble during a voyage and no treatment is being followed which might cause worrying side effects. It would be unsafe practice to allow seafaring with any known medical condition where the possibility of serious exacerbation requiring expert treatment could occur as a calculated risk.

7. The absence of doctors in most ships means that seafarers will not be able readily to consult a doctor or obtain special treatment until the next port of call. Ship turnaround in ports is often very rapid allowing no time for necessary investigation subsequent to consultation with a doctor.

8. The standard of medical practice abroad varies, and facilities may not be available at smaller, remote ports. It is doubtful that it is wise to permit seafaring if the loss of a necessary medicament could precipitate the rapid deterioration of a condition.

9. It should be remembered that some trades will require lengthy periods in different climates and most seafarers will need to join and leave ships by air travel. They should, therefore, be free from any conditions, which preclude air travel, e.g. pneumothorax and conditions which predispose to barotrauma.

10. Where medication is acceptable for serving seafarers, arrangements should be made for a reserve stock of the prescribed drugs to be held in a safe place, with the agreement of the ship's master.

## EMPLOYMENT STANDARDS AND ADMINISTRATIVE PROCEDURES

*Frequency of Medical Examination*

1.—(1) All seafarers below the age of 18 shall have a yearly medical examination.

(2) Seafarers between the ages of 18 and 40 shall be examined at intervals not exceeding five years.

(3) Seafarers aged 40 years and over shall be examined at intervals not exceeding two years.

(4) Seafarers serving on bulk chemical carriers shall be subject to annual examinations and blood tests at yearly or more frequent intervals, according to the nature of the cargo.

2. The value of medical surveillance, after sickness absence, in maintaining the health of the seafarer should not be forgotten, particularly after illness ashore lasting for a month or more.

3.—(1) Disposal in accordance with the Medical and Visual Standards for seafarers is as follows—

The standard has been met—

A. for unrestricted sea service;

*Note:* category A (T) may be used where a serving seafarer can be considered fit for all shipping trades, geographical areas, types of ships or jobs but where medical surveillance is required at intervals. The medical certificate should be validated only for the appropriate period which would take into account the expected duration of the tour of duty.

FIRST SCHEDULE, *contd.*

E. for restricted service only;

Restriction.....

The standard has not been met—

B. permanently

C. indefinitely: review in ..... months

D. temporarily: review in ..... weeks.

(2) Approved doctors should make full use of the categories E, C, and D before declaring a serving seafarer permanently unfit.

(3) It is the responsibility of the employer, or those authorized to act on his behalf, to ensure that the category recommended by the approved doctor is taken fully into account when the engagement or the continued employment of a seafarer is under consideration.

4.—(1) Article 4 ILO Convention 73 states that “when prescribing the nature of the examination, due regard shall be had to the age of the person to be examined and the nature and duties performed”. In addition, Article 3 of the same Convention states that a serving seafarer should have a medical certificate “attesting to this fitness for the work which he is to be employed at sea”.

(2) In reaching his conclusion, the doctor should therefore consider any medical conditions present, the age and experience of the seafarer, the specific work on which he will be employed and the trade in which he will be engaged—where this can be determined.

(3) If a seafarer is found to be fit to continue in his present job but does not meet the full category “A” standard a restricted service certificate must be issued stating the restrictions applicable.

5.—(1) The standards are framed to provide the maximum flexibility in their interpretation compatible with the paramount importance of maintaining the safety of vessels at sea and the safe performance of the serving seafarer’s duties whilst, at the same time, protecting his health.

(2) Conditions not specified in the standards, which interfere with the job requirements, should be assessed in the light of the general principle outlined above.

6. It may be necessary on occasions and, with the seafarer’s consent, for the approved doctor to consult the general practitioner. When it is necessary to consult with other doctors the usual ethical considerations will pertain, but it should be clearly understood that the decision on fitness in accordance with the required medical standard, rests with the approved doctor, subject to the medical appeal machinery.

7. Full clinical notes should be kept of any detailed medical examination. All sections of the approved form of report should be completed without exception and the form retained for six years.

#### *Restricted Service*

8. Restricted service means that the serving seafarer’s employment is restricted to certain shipping trades, geographical areas, types of ships or jobs for such periods of time as may be stipulated by the approved doctor. The type of restriction and the length of time it will operate should be made clear. The requirements of an advised treatment regimen should never be set aside.

FIRST SCHEDULE, *contd.*

9. Unlike many industries, there is no light work at sea—although the physical requirements may vary between types of ships, their departments and individual jobs in them; all jobs need an acceptable degree of fitness, in accordance with these standards, which is uniform for all shipping trades. For instances, coastal and ferry work can be arduous and uncomfortable even though the voyages may be short. Therefore, restriction to these types of work should be advised only if the shortness of the voyage will permit adequate treatment and/or surveillance of a condition which is not affecting the performance of the seafarer's duties.

*Permanent Unfitness*

10. In a serving seafarer, a decision of permanent unfitness should be reached only after a full investigation and consideration of the case and should be fully discussed with the seafarer. The seafarer's medical practitioner should be informed of the reasons for it in the context of the medical standards, provided permission to do so has been obtained from the seafarer.

*Medical Appeals*

11. All serving seafarers found permanently unfit or fit only for restricted service have a right of appeal to an independent Medical Referee appointed by the Director. Wherever possible, Medical Referees should be assisted by the disclosure, in confidence, of any necessary medical information.

12.—(1) Medical referees are empowered, while working to the same standards—

- (a) to ensure that the diagnosis has been established beyond reasonable doubt, in accordance with the medical evidence on which the approved doctor reached his decision and, normally, with the assistance of a report from a Consultant in the appropriate specialty;
  - (b) to determine whether the standards have been properly interpreted; and
  - (c) to consider the possibility of a seafarer, previously declared permanently unfit, returning to sea.
- (2) In cases not provided for in the Medical Standards or for Category "B" conditions where exceptional medical considerations apply, the medical referee should decide an appropriate diagnosis after consultation with the approved doctor involved and consideration of all the evidence presented to him.

## MEDICAL STANDARDS

## 1. INFECTIOUS DISEASES

**Gastro-Intestinal Infectious Diseases**—D until satisfactorily treated. Special care should be taken in respect of catering staff.

**Other Infectious or Contagious Diseases**—D until satisfactorily treated.

*Active Pulmonary Tuberculosis*

When the examining doctor is satisfied, on the advice of a chest physician, that the lesion is fully healed and that the patient has completed a full course of chemotherapy, then re-entry should be considered. In such cases, Category "A(T)" would be appropriate initially to allow for adequate surveillance.

Cases where either one or both lungs have been seriously affected are rarely suitable for re-employment.

All relapses cases should be B.

FIRST SCHEDULE, *contd.**Sexually Transmissible Diseases*

All cases of acute infection are D while under treatment. Cases under surveillance having finished treatment will usually be fit for normal service but restricted service may be necessary if facilities for supervision are inadequate. In all cases evidence of satisfactory tests of cure should be produced.

AIDS—All confirmed cases—B.

## II. MALIGNANT NEOPLASMS

**Malignant Neoplasms**—including Lymphoma, Leukaemia and similar conditions.

Each case should be graded C on diagnosis. Later progression to Categories A, A(T), E or B should be dependent on assessment of progress, prognosis, measure of disability and the need for surveillance following treatment. No unrestricted A grading should be given within 5 years of completion of treatment, except in cases of skin cancer.

## III. ENDOCRINE AND METABOLIC DISEASES

## 1. Thyroid Disease

Serving seafarers developing thyroid disease—D for investigation, then A, A(T), E or B on case assessment.

2. All other cases of endocrine disease in serving seafarers—D for investigation, upon which assessment will depend.

## 3. Diabetes Mellitus—

- (a) all cases requiring insulin—B;
- (b) serving seafarers whose diabetes is controlled by food restriction; an initial period of 6 months should be allowed to achieve stabilization—C. Thereafter, to be subject to medical review at appropriate intervals. The current treatment regimen should be confirmed with the general practitioner at each review. A(T);
- (c) serving seafarers requiring hypoglycemic agents: an initial period of 6 months should be allowed to achieve stabilization—C. Thereafter, in the absence of any complication, service may be considered subject to 6 monthly medical reviews and assessment for suitable job and sea trade. A(T) on assessment.

## 4. Obesity

A general degree of obesity, with or without complications, and adversely affecting exercise tolerance/mobility/general health—D for treatment.

Refractory or relapsing cases—B.

*Note:* A standard set of height/weight tables (preferably the Metropolitan Life tables) should be used making an allowance of up to 25 per cent excess weight.

## IV. DISEASES OF THE BLOOD AND BLOOD FORMING ORGANS

There should not be any significant disease of the haemopoetic system.

**Unexplained or symptomatic anaemia**—D. Then A, A(T), E or B on case assessment.

FIRST SCHEDULE, *contd.*

## V. MENTAL DISORDERS

Acute Psychosis, whether organic, schizophrenic, manic depressive or any other psychosis listed in the International Classification of Diseases—B.

*Alcohol Abuse (Dependency)*

If persistent and affecting health by causing physical or behavioural disorder—B.

*Drug Dependence*

A history of abuse of drugs or substances within the last 5 years—B.

Psychoneurosis—D for assessment

Chronic or recurrent—B.

## VI. DISEASES OF THE NERVOUS SYSTEM AND SENSE ORGANS

Organic Nervous Disease—usually B, especially those conditions causing defect of muscular power, balance, mobility and co-ordination.

Some minor located disorders not causing symptoms of incapacity and unlikely to progress, may be A.

*Epilepsy*

Any type of epilepsy since the age of 5 years—B.

A single fit in a serving seafarer—D for investigation. Then, providing that the past medical history is clear and investigation has shown no abnormality; re-entry can be considered after 1 year without treatment or after 1 year following the cessation of treatment.

A serving seafarer—not directly involved with the safety of the ship or any of its passengers—with established epilepsy controlled, without fits, for a minimum period of 2 years, may be considered for service on a vessel carrying a medical officer—E.

Serving seafarers who have had cranial surgery or significant traumatic brain damage—C for 12 months—then A, B or E on case assessment.

Migraine—slight infrequent attacks responding quickly to treatment—A. Frequent attacks causing incapacity—B.

Syncope and other Disturbances of Consciousness—D for assessment. Recurrent attacks, with complete or partial loss of consciousness should be B.

*Meniere's Disease*—B.

**SPEECH DEFECTS**

If it is likely to interfere with communication—B.

**EAR**

Acute and Chronic Otitis Externa—D. Should be completely healed before returning to sea. Care is required for passing fit for tropics.

Acute Otitis Media—D. Until satisfactorily treated.

FIRST SCHEDULE, *contd.*

**Chronic Otitis Media**—D. May become A or E after satisfactory treatment or surgery. Special care is required in passing fit for tropics, where air travel is required, or if the job requires food handling.

**Loss of Hearing**—A degree of impairment sufficient to interfere with communication—B.

**Unilateral Complete Loss of Hearing** in serving seafarers—assessment of this condition should be considered in relation to the job.

A serving seafarer in whom impaired hearing acuity is found should be referred for full investigation by an ENT surgeon.

**Hearing Aids.** The use of a satisfactory hearing aid at work by certain catering department personnel could be considered where not hearing an instruction would not result in a danger to the seafarer or others. The hearing aid should be sufficiently effective to allow communication at normal conversational tones.

The use of a hearing aid by those working in, or associated with, the deck or engine room departments, including electricians and radio officers, should not be permitted.

## VII. CARDIOVASCULAR SYSTEM

The Cardiovascular System should be free from acute or chronic disease causing significant disability.

**Valvular disease** causing significant impairment or having required surgery—B.

Satisfactorily treated patent ductus arteriosus or arterial septal defect could be accepted.

## HYPERTENSION

All cases D for investigation, then—

Serving seafarers with hypertension whose blood pressure can be maintained below 170/100mm by dietary control—A(T) for annual assessment.

Serving seafarers whose blood pressure can be maintained below 170/100mm by anti-hypertension therapy without significant side effect—A(T) to allow for health surveillance and to ensure that arrangements have been made for continuation of treatment.

All other cases—B.

## ISCHAEMIC HEART DISEASE

A history of Coronary Thrombosis—B.

Confirmed Angina—B

## OTHER CARDIOVASCULAR DISORDERS

Any clinically significant abnormality of rate or rhythm or disorder of conduction—B.

## CEREBRO-VASCULAR DISEASE

Any cerebro-vascular accident including transient ischaemic attacks—B.

General cerebral arteriosclerosis including dementia and senility—B.

## DISEASES OF ARTERIES

A history of intermittent claudication: including any case where vascular surgery was required—B.

FIRST SCHEDULE, *contd.***DISEASE OF THE VEINS**

**Varicose Veins**—slight degree—A. Moderate degree without symptoms or oedema may be A, but with symptoms D for treatment. Recurrent after operation, with symptoms—C for further surgical opinion or, if not suitable, for further treatment—B.

**Chronic varicose ulceration**—B. Thin unhealthy scars of healed ulcers or unhealthy skin of varicose eczema—B.

Recurrent or persistent deep vein thrombosis or thrombophlebitis—B.

**Haemorrhoids**—not prolapsed, bleeding or causing symptoms—A. Other cases should be D until satisfactory treatment has been obtained.

**Varicocele**—symptomless—A. With symptoms—D or surgical opinion.

**VIII. RESPIRATORY SYSTEM**

The respiratory system should be free from acute or chronic disease causing significant disability.

**Acute Sinusitis**—D until resolved.

**Chronic Sinusitis**—if disabling and frequently relapsing despite treatment—B.

**Nasal Obstruction**, septal abnormality or polypus—D. Until satisfactorily treated.

A history of frequent sore throats or unhealthy tonsils with adenitis—D. Until satisfactorily treated.

**Chronic Bronchitis and/or Emphysema**—Class depends on severity. Mild uncomplicated cases with good exercise tolerance may be A, but cases with recurrent illness causing significant disability in relation to the job should be B.

**Bronchial Asthma**—D for investigation. If confirmed—B.

Except for a history of bronchial asthma resolving, without recurrence, before the age of 16.

**Occupational Asthma**—E to avoid the allergen.

**Pneumothorax**

All cases to be classified C for at least 12 months. With recurrences—B.

**IX. DISEASE OF THE DIGESTIVE SYSTEM****DISEASES OF THE ORAL CAVITY**

**Mouth or gum infection**—D until satisfactorily treated.

**Dental defects**—D until satisfactorily treated. Seafarers should be dentally fit.

**DISEASES OF THE OESOPHAGUS, STOMACH AND DUODENUM**

**Peptic Ulceration**—D for investigation.

Cases of proven ulceration should not return to seafaring until they are free from symptoms. There should also be evidence of healing on gastroscopy and the seafarer should have been on an ordinary diet, without treatment, for at least 3 months—A(T).

FIRST SCHEDULE, *contd.*

Where there has been gastro-intestinal bleeding, perforation or recurrent peptic ulceration (in spite of maintenance H2 blocker treatment) or an unsatisfactory operation result—normally B.

**Recurrent attacks of Appendicitis**—D pending surgical removal.

**Hernia**—D until repaired.

**Diaphragmatic Hernia**—to be assessed according to the disability.

**Non-Infective Enteritis and Colitis**

Severe or recurrent requiring special diet—B

**Intestinal Stoma**—B

**DISEASES OF THE LIVER AND PANCREAS**

Cirrhosis of the Liver—D for investigation, then where condition is serious or progressive and/or where complications such as oesophageal varices or ascites are present—B.

**Biliary Tract Diseases**

After complete surgical cure—A or A(T) on case assessment.

**Pancreatitis**

Recurrent pancreatitis and all cases where alcohol is an aetiological factor—B.

**X. DISEASES OF THE GENITO-URINARY SYSTEM**

All cases of proteinuria, glycosuria or other urinary abnormalities should be referred for investigation.

**Acute Nephritis**—D until resolved.

**Subacute or Chronic Nephritis or Nephrosis**—D for investigation, then E or B on case assessment.

**INFECTIONS OF KIDNEY**

Acute urinary infection—D until satisfactorily treated. Recurrent cases—B unless full investigation has proven satisfactory.

**Renal or Uretic Calculus**—D for investigation and any necessary treatment. An isolated attack of renal colic with passage of small calculus may be A after a period of observation, provided urine and renal function remain normal and there is no clinical and radiological evidence of other calculi. Recurrent stone formation—B.

**Urinary Obstruction**—from any cause—D for investigation, B if not remediable.

**Removal of Kidney**—In serving seafarers, provided remaining kidney is healthy with normal function—A(T). Such cases may be unsuitable for service in the tropics or other conditions of high temperature—E.

**Renal Transplant**—B.

**Incontinence of Urine**—D for investigation. If Irremediable—B.

**Enlarged Prostate**—D for investigation.

**Hydrocoele**

Small and symptomless—A.

Large and/or recurrent D or, if untreated, B.

FIRST SCHEDULE, *contd.*

**Abnormality of the Primary and Secondary Sexual Characteristics**—D for investigation, upon which final assessment will rest.

**GYNAECOLOGICAL CONDITIONS**

There should be no gynaecological disorder or disease such as heavy vaginal bleeding, lower abdominal pain or prolapse of the genital organs likely to cause trouble on the voyage or affect working capacity.

**XI. PREGNANCY**

The doctor should discuss with the seafarer the implications of continuing to work at sea, particularly if it is a first pregnancy.

A seafarer with a normal pregnancy before the 28th week may be permitted to work on short haul trips or a long haul trip on a vessel carrying a doctor—E—to allow for ante-natal care.

Employment shall not be permitted after the 28th week of pregnancy until at least 6 weeks after delivery.

**Abnormal Pregnancy, on diagnosis**—C.

**XII. SKIN**

Special care is required in passing fit for care in the tropics if there is a history of skin trouble. Catering staff in particular should have no focus of skin septic.

Any condition liable to be aggravated by heat, sea, air, oil, caustics or detergents—or due to specific occupational allergens may be A(T), B, C, D or E on case assessment. D—Until satisfactorily treated.

**INFECTIONS OF SKIN**

**Acne**—Most cases A but severe pustular cystic acne—B.

**OTHER INFLAMMATORY SKIN CONDITIONS**

A topic Dermatitis and Related Conditions—D until satisfactorily treated.

**Contact Dermatitis**—D. Refer for dermatological opinion.

**Acute Eczema**—D. No seafarer should return to duty until skin is healthy.

Recurrent Eczema of more than minimal extent—B.

**Psoriasis**—Most cases can be A, but some widespread or ulcerated cases should be D for treatment. Severe cases resistant to treatment, frequently relapsing or associated with joint disease.

**XIII. MUSCULO-SKELETAL SYSTEM**

It is essential that seafarers should not have any defect of the musculo-skeletal system which might interfere with the discharge of their duties; muscular power, balance, mobility and co-ordination should be unimpaired.

**Osteo-arthritis**—D for assessment.

Advanced cases where disability is present—B.

Normally a limb prosthesis would not be acceptable.

**Back Pain**

Recurrent incapacitating back pain—B.

FIRST SCHEDULE, *contd.*

**Eyesight Standards**

1. No person should be accepted for training or sea service if any irremediable morbid condition of either eye, or the lids of either eye, is present and liable to risk of aggravation or recurrence.
2. Binocular vision is necessary for all categories of seafarers. However, the following monocular seafarers should be allowed to continue at sea—
  - (a) seafarers in deck department employment with a satisfactory record of service prior to September 1, 1976 and not requiring visual aides;
  - (b) seafarers in non-deck employment with a satisfactory record of service prior to 1983.
3. In all cases where visual aids (spectacles or contact lenses) are required for the efficient performance of duties, a spare pair must be carried while seafaring. Where different visual aids are used for distant and near vision, a spare pair of each must be carried.
4. The distant vision standard for the watchkeeping deck department personnel is identical to the requirements of the Maritime Services Authority letter test for applicants to enter the examination for a certificate of competency.

**Colour Vision**

5. The methods of testing colour vision differ.
6. Colour vision for deck officers and ratings may be regarded as normal, when using the Ishihara method, if plates 1, 11, 15, 22 and 23 are read correctly.
7. A seafarer, with a record of efficient service, who is required to pass the modified colour vision test but fails, should be given the opportunity to pass a suitable trade test.

**Deck Department**

Officers, Cadets, Apprentices and Distant Vision Ratings	Better Eye    Other Eye    Together			Near vision both eyes together aided or unaided vision	Colour Vision
1. Seafarers required to undertake look out duties and under the age of 40 years With or without glasses or contact lenses	6/6	6/9	6/6	A visual acuity sufficient to carry out duties efficiently	Normal
Unaided vision not less than	6/12	6/24	6/12	—	—
2. Seafarers required to undertake lookout duties and over the age of 40 years. With or without glasses or contact lenses	6/6	6/12	6/6	—	—
Unaided vision not less than	6/24	6/24	6/24	—	—

FIRST SCHEDULE, *contd.*

Officers, Cadets, Apprentices and Distant Vision Ratings	Better Eye			Near vision both eyes together aided or unaided vision	Colour Vision
	Better Eye	Other Eye	Together		
3. Seafarers required to operate lifting plant of type used in dock-work, etc. With or without visual aids	6/9	6/12	6/9	—	—
Unaided vision not less than	6/60	6/60	6/60	—	—
4. Seafarers not required to perform the duties in 1, 2 or 3					
Aided vision if necessary	6/18	6/60	6/18	—	—
<b>Other Departments</b>					
Engine Room aided vision if necessary	6/18	6/60	6/18	A visual acuity sufficient to carry out duties efficiently.	Personnel should pass the modified colour test on charts supplied.
				See para. 2	
Radio Officer, Electrician Officer	A visual acuity (aided if necessary) sufficient to carry out duties efficiently. Less than 6/60 in the "other eye" is unacceptable. Monocular sight—B.			These officers should pass the modified colour test as for engine room department.	
				See para. 2	
Catering Dept. and Miscellaneous (including Surgeon, Purser, etc.)	A visual acuity (aided if necessary) sufficient to carry out duties efficiently. Less than 6/60 in the "other eye" is unacceptable. Monocular sight—B. See Para. 2.			Not tested.	

SECOND SCHEDULE

(Regulation 7)

MARITIME AUTHORITY OF JAMAICA

MEDICAL FITNESS CERTIFICATE

Issued under the Shipping (Medical Examination) Regulations, 1998

Seafarer's Name..... Discharge Book No.....

Date of expiry of this Certificate.....

\*Delete as appropriate

I certify that I have examined the seafarer named above to the Medical and Visual Standards for Serving Seafarers as contained in the First Schedule of the abovenamed Regulations and have found \*him/her fit for seafaring subject to the following restrictions:

OFFICIAL STAMP

Signed.....  
(A Registered Medical Practitioner approved by the Authority)

Date of Examination.....

THIRD SCHEDULE

(Regulation 7)

FORM OF NOTICE OF FAILURE TO MEET MEDICAL FITNESS  
STANDARDS FOR SEAFARERS

TO:

This part to be completed by medical examiner.

Full Name..... Discharge Book No. ....

I have examined you in accordance with the standards of fitness for seafarers, as contained in the First Schedule of the Shipping (Medical Examination) Regulations, 1998 and found that you are

- ( \* A(T) Fit for full range of duties but for restricted period only
- ( \* E Fit for restricted service only
- (C + Indefinitely unfit for sea service. For review in.....months
- (B + Permanently unfit for service
- (D + Temporarily unfit for service: review in.....weeks.

For the following reasons

.....  
.....

Official stamp or address and Telephone No.

Signed.....

Date.....

\* Restrictions, if applicable, will be detailed in the Medical Fitness Certificate.

+ Delete if not applicable.

Any application for review of the above decision must be lodged within one month of the date of the examination and shall be made in the prescribed form.

FOURTH SCHEDULE

(Regulation 10(2))

APPLICATION FOR REVIEW OF DECISION TO:

- \*Refuse to issue a Medical Certificate
  - \*Impose Restriction on Medical Certificate
  - \*Suspend or Cancel Medical Certificate
- (Delete whichever is inapplicable)

I hereby apply for a review of the above decision and request that arrangements be made for me to be examined by an independent medical referee.

I agree that a report of my case may be submitted to the medical referee by the medical practitioner concerned.

I understand that I am entitled to present any medical evidence available to me in support of my case and agree to any medical report prepared by the above doctor being made available to the medical referee.

This part to be completed by the person who is appealing.

Signed..... Address.....

Name (in block letters).....

Telephone No. (if available).....

Note: Before lodging an appeal you are advised to consult your usual medical practitioner and, should you wish to submit medical evidence in support of the appeal, you should arrange for this to be sent to the medical referee before the appointment date.

You will be advised of the name and address of the referee and the date for your appointment as soon as this has been arranged.

**CONFIDENTIAL**

**RECORD OF MEDICAL EXAMINATION OF SEAFARERS REPORT OF MEDICAL EXAMINATION BY AN APPROVED MEDICAL PRACTITIONER**

**1. Personal Details of Seafarer**

Surname.....

Forenames.....

Discharge Book No. ....

Title Mr.  Mrs.  Miss  Ms.

Any other title held.....

Date of Birth.....  
 day month year

Rank/Rating/Occupation.....

**2. Usual Medical Practitioner or Medical Advisor**

Name:.....

Address:.....

**3. Family Medical History**

Has any member of the seafarer's family ever suffered from:

*please tick correct box*

	Yes	No
Hypertension	<input type="checkbox"/>	<input type="checkbox"/>
Heart Conditions	<input type="checkbox"/>	<input type="checkbox"/>
Asthma	<input type="checkbox"/>	<input type="checkbox"/>
Diabetes	<input type="checkbox"/>	<input type="checkbox"/>
Mental Disorder	<input type="checkbox"/>	<input type="checkbox"/>
Epilepsy	<input type="checkbox"/>	<input type="checkbox"/>

**4. Previous Medical History**

Does the seafarer have a medical history of one of the following? If so please tick the box.

- Hypertension
- Eye trouble/squint
- Stomach/bowel disorder
- ENT
- Hearing impaired
- Skin disease/allergies
- Heart condition/rheumatic fever
- Asthma/bronchitis
- Hay fever/allergies
- Epilepsy/fits/fainting
- Nervous/mental illness
- Jaundice/liver disease/piles
- Urinary disorders
- Back injury/pain
- Hernia
- Diabetes
- Female disorders  Pregnancy
- Infectious/contagious/tropical diseases
- Malignant diseases
- Migraine/severe headaches
- Head injury/concussion
- AIDS
- Hepatitis B
- Tobacco intake (quantity).....
- Alcohol intake (quantity).....

Is the seafarer now receiving any treatment? .....

I certify that this is a true statement

Signature of Seaman.....

FIFTH SCHEDULE, *contd.*

5. Medical Examination

Does the seafarer suffer from any of the following abnormalities?  
Please tick correct box and expand as necessary.

Tooth	<input type="checkbox"/>	HIV	<input type="checkbox"/>
ENT	<input type="checkbox"/>	Hepatitis B	<input type="checkbox"/>
Skin	<input type="checkbox"/>	CBC	<input type="checkbox"/>
Heart	<input type="checkbox"/>	VDRL	<input type="checkbox"/>
Lungs	<input type="checkbox"/>	Stool (Parasitology and Culture)	<input type="checkbox"/>
Nervous System	<input type="checkbox"/>	Blood Sugar (Random)	<input type="checkbox"/>
Varicose Veins	<input type="checkbox"/>	Urinalysis	<input type="checkbox"/>
Genito Urinary System	<input type="checkbox"/>	Chest X-Ray	<input type="checkbox"/>
Hernia	<input type="checkbox"/>		
Any other defects.....			

6. Height (without shoes).....m.....cm

Weight (stripped to waist).....Kilos

Chest inspiration.....cm

Expiration.....cm

Pulse rate.....

Blood pressure systolic.....

5th Sound.....

Result of urine test:

Albumin.....

Sugar.....

Audiogram (if equipment is available)							
Right ear	Khz	500	1,000	2,000	4,000	6,000	8,000
	dB						
Left ear	Khz	500	1,000	2,000	4,000	6,000	8,000
	dB						
Distant vision	Un-aided	R6		L6		Both 6	
	Aided	R6		L6		Both 6	
Near vision				Colour vision			
Unaided N				Ishihare			
Aided N				Engineers modified			
				Normal Defective			

7. Results of Medical Examination

The Standards of Medical Examination Regulations have been or have not been met.

*Tick correct box*

A. Unrestrictive sea service	<input type="checkbox"/>	B. Permanently	<input type="checkbox"/>
E. Restrictive Service only	<input type="checkbox"/>	C. Indefinitely	<input type="checkbox"/>
Restriction.....		(Review in.....months)	
Period of restriction.....		D. Temporarily	<input type="checkbox"/>
		(Review in.....weeks)	

Medical Practitioner's Official Stamp

Signature.....

Name:.....  
(Block Capitals)

Date:.....

(Regulation 11 (b))

SIXTH SCHEDULE

MEDICAL PRACTITIONERS ANNUAL RETURN OF MEDICAL EXAMINATIONS OF SEAFARERS

Return for Period..... Medical Practitioner's Name.....

Address of Surgery.....

(Details should only be entered in the columns below when a full certificate of fitness has not been granted. Appropriate boxes should be ticked to show reasons for failure. If you need more space continue on another form).

BREAKDOWN OF REASONS FOR REFUSALS:

(Use one column for each examination)

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Infectious/contagious diseases																								
Malignant neoplasms																								
Eyesight																								
ENT																								
Speech defects																								
Respiratory system																								
Cardiovascular system																								
Disease of veins																								
Gastro-intestinal system																								

SIXTH SCHEDULE, *contd.*

BREAKDOWN OF REASONS FOR REFUSALS:		(Use one column for each examination)																								
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Skin																										
Sexually transmissible disease																										
Genito-urinary system																										
Gynaecological disorder																										
Endocrine disease/metabolic disorder																										
Central nervous system																										
Alcohol abuse																										
Musculo/skeletal system																										
Psychiatric disorders																										
BREAKDOWN OF REASONS FOR RESTRICTIONS:																										
Infectious/contagious diseases																										
Malignant neoplasms																										
Eyesight																										
ENT																										
Speech defects																										

SIXTH SCHEDULE, *contd.*

BREAKDOWN OF REASONS FOR RESTRICTIONS:	(Use one column for each examination)																								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Respiratory system																									
Cardiovascular system																									
Disease of veins																									
Gastro-intestinal system																									
Skin																									
Sexually transmissible diseases																									
Genito-urinary system																									
Gynaecological disorder																									
Central nervous system																									
Alcohol abuse																									
Musculo/skeletal system																									
Psychiatric disorders																									

SUMMARY	
TOTAL NO. OF APPLICATIONS DURING THIS PERIOD	
TOTAL ISSUED WITHOUT RESTRICTIONS THIS PERIOD	
TOTAL ISSUED WITH RESTRICTIONS THIS PERIOD	
TOTAL REFUSED THIS PERIOD	

Please return completed form to: The Director of the Maritime Authority of Jamaica.

*SHIPPING*

THE SHIPPING ACT

REGULATIONS

*(under sections 112, 113 and 465)*

THE SHIPPING (TRAINING, CERTIFICATION, SAFE MANNING, HOURS OF  
WORK AND WATCHKEEPING) REGULATIONS, 1998

*(Made by the Minister on the 20th day of July, 1998, and having effect  
on the 2nd day of January, 1999, the date of operation of the Act)* L. N. 46B/1998

PART I. Preliminary

1. These Regulations may be cited as the Shipping (Training, Certification, Safe Manning, Hours of Work and Watchkeeping) Regulations, 1998.

2. In these Regulations unless the context otherwise requires—

“appropriate certificate” means—

- (a) in relation to Jamaican ships, a certificate issued pursuant to regulation 4;
- (b) in relation to other ships, an appropriate certificate as defined in the STCW Convention;

“approved” means approved by the Minister;

“area A1”, “area A2”, “area A3” and “area A4”, have the meanings assigned to “Sea area A1”, “Sea area A2”, “Sea Area A3” and “Sea Area A4”, respectively in regulation 2, Chapter IV of the Solas Convention;

“authorized person” means a person authorized by the Minister for the purposes of these Regulations;

“certificate of competence” means a certificate issued by the Minister under regulation 4;

“certificate of equivalent competence” means a certificate issued under regulation 6 (5);

“chemical tanker” means a ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the IBC Code;

“company” in relation to a ship means the owner of the ship or any other organization or person who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by the Regulations annexed to the STCW Convention;

“constructed” in relation to a craft means the keel of which is laid or which is at a similar stage of construction; and “similar stage of construction” means a stage at which—

- (a) construction identifiable with a specific craft begins; and
- (b) assembly of that craft has commenced comprising at least 50 tonnes or 1 per cent of the estimated mass of all structural material, whichever is the less;

“IBC Code” means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, published by the IMO;

“IGC Code” means the International Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk, published by the IMO;

“liquefied gas tanker” means a ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product listed in chapter 19 of the IGC Code;

“management level” means the level of responsibility associated with—

- (a) serving as master, chief mate, chief engineer or second engineer or second engineer of a seagoing ship; and
- (b) ensuring that all functions within the designated area of responsibility are properly performed;

Schedule 9.

“near-coastal voyage” has the meaning given in Schedule 9;

“officer” means a person carried in a ship in the capacity of an officer under the terms of the safe manning document issued in respect of that ship;

“oil” means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products;

“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;

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

“Radio Regulations” means the Radio Regulations annexed to, or regarded as being annexed to, the most recent Convention relating to international telecommunication which may be in force at any time;

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

“repealed Acts” means the Marine Board Act and the Seafarers Certification Act repealed by the Shipping Act;

“seagoing” means going to sea beyond the limits of the internal waters of Jamaica as defined in the Maritime Areas Act;

“Secretary-General” means the Secretary-General of the IMO;

“Schedule” means a Schedule to these Regulations;

“STCW ship” means a ship entitled to fly the flag of a STCW country and “non-STCW ship” means a ship that is not a STCW ship;

“tanker” means—

- (a) a chemical tanker;
- (b) a liquefied gas tanker;
- (c) an oil tanker.

“the STCW Code” means the Seafarer’s Training, Certification and Watchkeeping Code adopted by the 1995 Conference of Parties to the STCW Convention.

3.—(1) Subject to paragraph (2) and to regulation 21, these Regulations shall apply to—

- (a) seagoing Jamaican ships wherever they may be and foreign ships when in Jamaican waters; and
- (b) seafarers employed in seagoing Jamaican ships.

(2) These Regulations shall not apply to—

- (a) warships and naval auxiliaries or other ships owned or operated by a State and engaged only on Government non-commercial service;
- (b) fishing vessels;

- (c) pleasure craft;
- (d) wooden ships of primitive build; or
- (e) seafarers employed in ships referred to in sub-paragraph (a).

PART II. *Certificates*

4. No person shall serve as a seafarer on a seagoing Jamaican ship unless he holds a certificate issued entitling the lawful holder thereof to—

- (a) serve in the capacity; and
- (b) perform the functions involved at the level of 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.

5. A person is qualified as an officer if he holds a certificate of competence or certificate of equivalent competence, 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; or
- (g) radio operator.

6.—(1) The Director may recognize an appropriate certificate issued by or under the authority of a STCW country other than Jamaica to a master, officer or radio operator if he is satisfied in relation to that country—

- (a) that the requirements of the STCW Convention concerning standards of competence, the issue and endorsement of certificates and record keeping are fully complied with; and
- (b) that prompt notification will be given to the Director of any significant change in the arrangements for training and certification provided in compliance with the Convention.

(2) For the purpose of satisfying himself under paragraph (1), and for verifying the authenticity and validity of an appropriate certificate presented for recognition, the Director may—

- (a) require from the authority which has issued the certificate, copies of its maritime legislation and details of its facilities and procedures concerning the training and certification of seafarers; and

(b) where he deems necessary, inspect such facilities and procedures.

(3) Every certificate presented for recognition under this regulation shall be in the original form, and where the original is in a language other than English, it shall be accompanied by an official translation in English.

(4) Where the Director recognizes a certificate pursuant to paragraphs (1), (2) and (3), he shall, in order to attest its recognition, issue an endorsement which shall be in the form set out in Schedule 1 and shall state the capacity in which the holder of the certificate is authorized to serve. Schedule 1.

(5) Where, pursuant to paragraph (1), the Director has recognized the standard of competence required for the issue of a certificate by an authority of a STCW country other than Jamaica as being in part the standard to be attained for officers qualified for the purposes of these Regulations, the Director may, for the purpose of assessing the applicant's ability to pursue the profession of officer on Jamaican ships, require the applicant to submit to aptitude tests relating to subjects and training and related assessment procedures, which differ substantially from those covered by the applicant's certificate issued by that country.

(6) Each endorsement referred to in this regulation shall—

(a) be assigned the same number as the certificate concerned, if that number is unique; and

(b) expire as soon as the certificate expires or is withdrawn, suspended or cancelled by the party which issued it and, in any case, not more than five years after the date of issue.

(7) The Director shall ensure that every seafarer who presents for recognition, a certificate of competence which has been issued as certification at the management level, has appropriate knowledge of the maritime legislation of Jamaica relevant to the functions which he is permitted to perform.

(8) The information provided and the measures agreed upon under this regulation shall be communicated to the Secretary-General, within the time prescribed and in the format specified in section A-I/7 paragraph 3.2 of the STCW Code.

(9) No certificate issued by or under the authority of a State that is not a STCW country shall be recognized.

(10) The Director may, if circumstances require, allow a seafarer to serve in a capacity other than radio operator, (except as provided in the Radio Regulations), for a period not exceeding three months on board a Jamaican ship, while holding an appropriate and valid certificate issued and endorsed by

the authority of another STCW country but which has not yet been endorsed so as to render it appropriate for service on board Jamaican ships, provided the Director is satisfied that application for an endorsement has been duly submitted.

(11) An endorsement issued by or under the authority of a STCW country in recognition of, or attesting to, the recognition of a certificate by or under the authority of another STCW country shall not be used as the basis for recognition by the Director.

(12) The Director may revoke or cancel at any time an endorsement granted under this regulation where he has reasonable grounds for believing that the holder of the certificate has—

- (a) committed a violation of any provision of the Act or any regulations made thereunder;
- (b) committed an offence under the laws of Jamaica;
- (c) demonstrated a lack of sobriety or good character and conduct; or
- (d) failed to maintain the required standard of medical fitness.

7.—(1) The certificate of a master or other officer issued with a certificate under regulation 5 or 6 shall not be valid for seagoing service unless revalidated at intervals not exceeding 5 years to establish continued professional competence in accordance with section A-I/11 of the STCW Code.

(2) A certificate granted pursuant to regulation 10 shall not be valid for seagoing service unless revalidated at intervals not exceeding 5 years to establish continued professional competence in accordance with section A-I/11 of the STCW Code.

(3) Every master and officer shall, for continuing seagoing service on ships referred to in regulations 11, 12 and 13, successfully complete approved refresher training at intervals specified by the Director.

Schedule 2. (4) The requirements of Schedule 2 shall apply to all applicants for revalidation of their certificates.

Schedule 3. 8.—(1) Any officer serving in the capacity set out in column 1 of the table set out in Schedule 3 shall hold an appropriate certificate for that capacity.

Schedule 4. (2) A person shall only be entitled to be issued with such an appropriate certificate if he complies with the criteria in Regulations annexed to the STCW Convention, set out in column 2 of the table, and any other requirements specified by the Director, as provided in Schedule 4.

### PART III. *Ratings and holders of other qualifications.*

9.—(1) Every rating forming part of a navigational watch on a ship of 500 GT or more, other than ratings under training and ratings whose duties while on

watch are of an unskilled nature, shall hold a watchkeeping ratings certificate in the form set out in Schedule 5.

Schedule 5.

(2) Every 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 watchkeeping ratings certificate.

(3) No person shall be entitled to be issued with a watchkeeping ratings certificate unless he complies with the criteria set out in Regulations II/4.2 or III/4.2 in the annex to the STCW Convention.

(4) Any person designated to perform watchkeeping duties in a manned or periodically unmanned engine-room on a ship powered by main propulsion machinery of 350kW power, or more, but less than 750kW shall be the holder of one of the engineering certificates of competence referred to in regulation 8 or be the holder of a marine engine operator's licence issued in compliance with criteria specified by the Director.

10.—(1) Every ship shall carry a person or persons—

- (a) qualified for distress and safety radio communication purposes as specified in paragraph (2); and
- (b) who are holders of certificates specified in the Radio Regulations as appropriate, and one such person shall be designated by the master to have primary responsibility for radio communications during distress incidents.

(2) On area A1 ships the person qualified as mentioned in paragraph (1) shall hold at least a GMDSS restricted operator's certificate issued in accordance with subsection D of section IIIA of Article 55 of the Radio Regulations.

(3) On Area A1/A2, A1/A2/A3 and A1/A2/A3/A4 ships, the person qualified as mentioned in paragraph (1) shall hold a GMDSS general operator's certificate issued in accordance with subsection C of section IIIA of Article 55 of the Radio Regulations.

(4) The Director shall not grant a certificate referred to in paragraphs (2) and (3) to any person unless that person—

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

PART IV. *Mandatory minimum training requirements*

11.—(1) Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on tankers shall have completed an approved shore-based advanced fire-fighting course in addition to the training required by section A-VI/1 of the STCW Code and shall have completed—

- (a) subject to paragraph (2), at least three months of approved seagoing service on tankers in order to acquire adequate knowledge of safe operational practices; or
- (b) an approved tanker familiarization course covering at least the syllabus given for that course in section A-V/1 of the STCW Code.

(2) The period of seagoing service required under paragraph (1) (a) may be satisfied by similar service of not less than one month if—

- (a) the tanker on which such service is performed is of less than 3,000 GT;
- (b) the duration of each voyage of the tanker on which such approved service is performed does not exceed 72 hours; and
- (c) the operational characteristics of the tanker on which such approved service is performed and the number of voyages and loading and discharging operations completed during the period, allow the same level of knowledge and experience to be acquired as would have been acquired in approved service performed in accordance with paragraph (1) (a) on a tanker of a size, and performing voyages, not falling within sub-paragraphs (a) and (b).

(3) Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging and care in transit or handling of cargo in tankers shall, in addition to meeting the requirements of paragraph (1), have—

- (a) experience appropriate to their duties on the type of tanker on which they serve; and
- (b) completed an approved specialized training programme which at least covers the subject set out in section A-V/1 of the STCW Code that are appropriate to their duties on the tanker on which they serve.

Schedule 6.

(4) An appropriate endorsement in the form set out in Schedule 6 shall be issued to masters and officers who are qualified in accordance with paragraph (1) or (3), and every rating who is so qualified shall be certificated.

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

(2) Prior to being assigned shipboard duties on board ro-ro passenger ships, seafarers shall have completed the training required by paragraphs (4) to (8) in accordance with their capacity, duties and responsibilities.

(3) Seafarers who are required to be trained in accordance with paragraphs (4), (7) and (8) shall, at intervals not exceeding five years, undertake appropriate refresher training.

(4) Masters, officers and other personnel designated on muster lists to assist passengers in emergency situation on board ro-ro passenger ships shall have completed training in crowd management as specified in section A-V/12, paragraph 1 of the STCW Code.

(5) Masters, officers and other personnel assigned specific duties and responsibilities on board ro-ro passenger ships shall have completed the familiarization training specified in section A-V/2, paragraph 2 of the STCW Code.

(6) Personnel providing direct service to passengers in passenger spaces on board ro-ro passenger ships shall have completed the safety training specified in section A-V/2, paragraph 3 of the STCW Code.

(7) Masters, chief mates, chief engineer officers, second engineer officers and every 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) Masters, chief mates, chief engineer officers and any person having responsibility for the safety of passengers in emergency situations on board ro-ro passenger ships shall have completed approved training in crisis management and human behaviour as specified in section A-V/2, paragraph 5 of the STCW Code.

(9) It shall be the duty of any person providing the training referred to in this regulation to issue documentary evidence to every person successfully completing such training.

13.—(1) This regulation applies to master, officers, rating and other personnel serving on board high-speed craft which are ships constructed on or after 1st January, 1996.

(2) Prior to being assigned shipboard duties on board high speed craft, masters, officers, rating and other personnel shall have completed the training specified in Schedule 7.

Schedule 7.

(3) It shall be the duty of any person providing the training referred to in this regulation to issue documentary evidence to every person successfully completing such training.

Schedule 7. (4) In the case of masters, and of officers having an operational role on high speed craft, the documentary evidence shall be a certificate in a form specified in Schedule 7 and shall be endorsed in a manner specified in that Schedule.

14. All seafarers shall receive familiarization, basic safety training or instruction in accordance with section A-VI/1 of the STCW Code and shall meet the appropriate standard of competence specified therein.

15.—(1) Every 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.

(2) No person shall be granted a certificate referred to in paragraph (1) unless he meets the criteria specified in Regulation VI/2.1 in the Annex to the STCW Convention.

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

(4) No person shall be granted a certificate referred to in paragraph (3) unless he meets the criteria in Regulation VI/2.2 in the Annex to the STCW Convention.

(5) In this regulation—

“fast rescue boat” means a rescue boat which is—

- (a) not less than 6 metres in length and not more than 8.5 metres in length; and
- (b) capable of manoeuvring, for at least 4 hours, at a speed of at least 20 knots in calm water with a suitably qualified crew of 3 persons and at least 8 knots with a full complement of persons and equipment.

16.—(1) Seafarers designated to control firefighting operations shall have successfully completed advance training in techniques for fighting fire with particular emphasis on organization, tactics and command in accordance with the provisions of section A-VI/3 of the STCW Code and shall meet the standard of competence specified therein.

(2) Where training in advanced firefighting is not included in the qualifications for the certificate to be issued, a special certificate or documentary

evidence, as appropriate, shall be issued indicating that the holder has attended a course of training in advanced firefighting referred to in paragraph (1).

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

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

(3) Where training in medical first aid or medical care is not included in the qualifications for the certificate to be issued, a special certificate or documentary evidence, as appropriate, shall be issued indicating that the holder has attended a course of training in medical first aid or in medical care.

*PART V. Issue, form, validity, record and surrender of certificates*

18.—(1) A seafarer, on application and payment of the prescribed fee, shall be entitled to be issued an appropriate certificate if he meets the requirements set out in Schedule 4.

Schedule 4.

(2) Certificates and endorsements under these Regulations shall be issued by the Director and delivered to the person entitled to hold them.

(3) A certificate 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 competence to act in the appropriate capacity specified by the Director.

(4) A record of all certificates and endorsements which are issued under these Regulations, have expired or have been revalidated, suspended, cancelled, or reported lost or destroyed and any alteration of or any other matters affecting any such certificates or endorsements, shall be kept in such manner as the director may require.

(5) Where the holder of a certificate is issued with an appropriate certificate at a higher level he shall surrender the first-mentioned certificate for cancellation to the Director, or to such person as the Director directs.

(6) Where a person is convicted of an offence under section 114 of the Act, or where a certificate or endorsement is issued and the conditions for its issue prescribed in these Regulations or specified by the Director have not been complied with, then the holder of the relevant certificate shall, at the direction of the Director, deliver it for cancellation to the Director, or to such person as the Director directs.

19.—(1) Notwithstanding that an applicant for a certificate of competence or for an endorsement thereof complies with the standards or fulfills the conditions specified by, or by virtue of, the foregoing provisions of these Regulations, the Director shall not issue or endorse the appropriate certificate unless he is satisfied, having regard to all the relevant circumstances, that the applicant is a fit person to be the holder of the certificate and to act in the capacity to which it relates.

(2) If the Director intends to refuse the issue, endorsement or revalidation of a certificate of competence or for any reason, he shall give notice in writing to the applicant who shall have the right, before a date specified in the notice, to require the application to be reviewed at an inquiry.

(3) If an applicant, before the date mentioned in paragraph (2), has required his case to be reviewed at an inquiry, in pursuance of that paragraph the Minister shall cause such an inquiry to be held by the tribunal referred to in section 411 of the Act.

20. If a person entitled to a certificate loses or is deprived of a certificate already issued to him, the Director—

- (a) shall if satisfied that the person has lost or been deprived of the certificate without fault on his part; and
- (b) may if he is not so satisfied,

upon receipt of any fee payable, cause to be issued to that person, a certified copy of the certificate to which the person appears to be entitled.

Schedule 8.

21.—(1) A certificate issued by the Director shall be endorsed by the Director in accordance with the STCW Convention and in the form prescribed in Schedule 8 if he is satisfied that the holder of the certificate complies with the requirements of regulation 8, 10 or 11.

(2) No certificate of competence issued by the Director shall be valid unless it is accompanied by an endorsement attesting to its issue.

Schedule 9.

22. The principles governing near coastal voyages are set out in Schedule 9.

#### PART VI. *Training, assessment and maintenance of quality standards*

23.—(1) The training and assessment of seafarers shall be administered, supervised and monitored in accordance with the provisions of section A-1/6 of the STCW Code.

(2) Persons responsible for the training and assessment of seafarers shall be appropriately qualified in accordance with the provisions of section

A-I/6 of the STCW Code for the type and level of training or assessment involved.

(3) The performance standards and other provisions set forth in section A-I/12 and such other requirements as are prescribed in Part A of the STCW Code for any certificate concerned shall be complied with in respect of—

- (a) all mandatory simulator-based training;
- (b) any assessment of competence required by Part A of the STCW Code which is carried out by means of a simulator; and
- (c) any demonstration, by means of a simulator, of continued proficiency required by Part A of the STCW Code.

(4) Simulators installed or brought into use prior to 1st February, 2002 shall be exempt from full compliance with the performance standards referred to in paragraph (3).

(5) Under the direction of the Director, and in accordance with section A-I/8 of the STCW Code, a quality standards system shall be established through which all activities relating to training, assessment of competence, certification, endorsement and revalidation shall be continuously monitored to ensure the achievement of defined objectives including those concerning the qualifications and experience of instructors and assessors.

(6) Education and training provided by maritime training institutions of an STCW country other than Jamaica may be recognized by the Director for the purpose of examination and certification under these Regulations.

(7) An independent evaluation shall be undertaken in accordance with section A-I/8 of the STCW Code by suitably qualified persons appointed by the Director who are not themselves involved in the activities concerned, and information relating to such evaluation shall be communicated to the Secretary-General.

(8) The provisions of Schedule 10 shall apply in respect of this regulation. Schedule 10.

24. Regulations 25 to 27 apply to every seagoing hovercraft registered in Jamaica which was constructed on or after 1st January, 1996.

25.—(1) It shall be the duty of every owner of a hovercraft to which regulations 25 to 27 apply to ensure that masters and officers, ratings and other personnel have completed the training specified by the Director.

(2) It shall be the duty of any person providing the training referred to in this regulation to issue documentary evidence to every person successfully completing such training. In the case of masters, and of officers having an operational role on high speed craft, the documentary evidence shall be a certificate in a form specified by the Director and shall be endorsed in a manner specified by the Director.

(3) Any owner who contravenes paragraph (1) shall be guilty of an offence, and on summary conviction in a Resident Magistrate's Court be liable to a fine not exceeding two hundred thousand dollars, or on conviction on indictment to a fine.

26. Regulations 18, 19 and 20 apply to certificates issued under regulation 25 as they apply to other certificates issued under these Regulations.

27. The Director may exempt the owner of any hovercrafts from any of the requirements of regulation 25 subject to such conditions as he may specify, and may alter or cancel any exemption so granted.

PART VII. *Responsibilities and duties of companies, masters and others*

28.—(1) This regulation applies only to Jamaican ships.

(2) Every company shall ensure that—

- (a) every seaman assigned to any of its ships holds an appropriate certificate in respect of any function he is to perform on that ship;
- (b) every seaman on any of its ships has had training specified in these Regulations in respect of any function that he is to perform on that ship; and
- (c) documentation and data relevant to all seamen employed on its ships are maintained and readily available for inspection and include, without being limited to, documentation and data on their experience, training, medical fitness and competence in assigned duties.

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

(4) The company shall provide written instructions to the master of each of its ships setting out the policies and the procedures to be followed to ensure that all seamen who are newly employed on board the ship are given a reasonable opportunity to become familiar with the shipboard

equipment, operating procedures and other arrangements needed for the proper performance of their duties before being assigned to those duties.

(5) The policies and procedures referred to in paragraph (4) 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, environmental protection and emergency procedures and arrangements the seafarer 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.

(6) It shall be the duty of any master and any member of a crew designated with an obligation under paragraph (4) to carry out that obligation.

29.—(1) It shall be the duty of the company to ensure that in relation to every ship of 500 GT or more—

- (a) a safe manning document is in force in respect of the ship and the manning of the ship;
- (b) the safe manning document is kept on board the ship at all times; and
- (c) the manning of the ship is maintained at all times to at least the levels specified in the safe manning document.

(2) The master of any ship to which this regulation applies shall ensure that the ship does not 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) It shall be the duty of the company applying for the safe manning document in respect of any Jamaican ship to submit to the Director proposals as to the numbers and grade of personnel it considers should be carried so that the ship would be safely manned if it proceeded to sea on any intended

voyages; and in preparing such proposals the company shall take into account any guidance issued by the Director.

(4) It shall be the duty of the company after the issue of a safe manning document, to inform the Director as soon as any of the circumstances which are pertinent to that safe manning document change, for the purpose of enabling the Director to review the document's continuing validity or approve new proposals from the company.

(5) A safe manning document issued pursuant to regulations made under the repealed Acts shall continue to be valid until 1st February, 2002.

Schedule 11.

(6) The provisions of Schedule 11 shall apply in respect of this regulation.

30.—(1) Subject to paragraph (2) and except as provided by the relevant Radio Regulations, the Director may, in circumstances of exceptional necessity and where in his opinion no danger to persons, property or the environment will be caused, issue a dispensation permitting a specified seafarer to serve in a specified ship for a specified period not exceeding six months in a capacity, other than that of a radio operator, or a radiotelephone operator, for which he does not hold the appropriate certificate, provided the person to whom the dispensation is issued is adequately qualified to fill the vacant post in a safe manner, in accordance with the applicable safe manning requirements.

(2) A dispensation shall not be granted to a person to act as a master or chief engineer except in circumstances of *force majeure*, and in any event, such dispensation, where granted, shall be granted only to an officer at the management level and for the shortest duration possible.

(3) In granting a dispensation under this paragraph, the Director shall specify the particular voyage or part of a voyage for which the dispensation will be valid.

(4) A dispensation shall only be granted to a person properly certificated to fill the post immediately below; and where certification for such post is not required under these Regulations, a dispensation may be issued to a person whose qualifications and experience are, in the opinion of the Director, of a clear equivalence to the requirements for the post to be filled, provided that, if such person does not hold an appropriate certificate, he shall be required to pass a test acceptable to the Director as demonstrating that such a dispensation may safely be issued.

(5) Where a dispensation is granted under this regulation, the Director shall ensure that the post in question is filled by the holder of an appropriate certificate as soon as possible.

(6) The Director shall, as soon as possible after the first day of January of each year, submit to the Secretary-General, a report indicating the total number of dispensations granted for each capacity for which an appropriate certificate is required in respect of all seagoing Jamaican ships, and the numbers of those ships above and below 1,600 gross tons respectively.

(7) The provisions of Schedule 12 shall apply to this regulation. Schedule 12.

31. Regulations 32 to 35 apply only to Jamaican ships.

32.—(1) Subject to regulation 35, it shall be the duty of every company in respect of a ship, and of every employer, to ensure, so far as is reasonably practicable, that the master and seafarers do not work more hours than are safe in relation to the safety of the ship and the master's and the seafarers' performance of their duties.

(2) Subject to regulation 35, it shall be the duty of every master of a ship to ensure, so far as is reasonably practicable, that seafarers do not work more hours than are safe in relation to the safety of the ship and the master's and the seafarers' performance of their duties.

33. Every master and seafarer 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 periods when he is off duty.

34.—(1) It shall be the duty of the company to produce a schedule of duties in accordance with this regulation.

(2) Where the company is not also the employer of the master and all the seafarers, it shall consult any other person who is an employer of the master or of any of the seafarers before production of the schedule.

(3) The company may arrange with any such employer that the employer is to produce a schedule of duties in accordance with this regulation and in such a case, that employer shall also be subject to the duties of the company under this regulation.

(4) Before producing a schedule the company shall seek the views of the master and the master shall seek, and convey to the company, the views of—

- (a) the seafarers or their representatives; or
- (b) a trade union with one or more members on board ship.

(5) Subject to paragraph (6), a schedule shall—

- (a) set out the hours of work for—
  - (i) masters and seafarers whose work includes regular watchkeeping duties or ship handling; and

- (ii) the ship's chief engineer, chief officer and second engineer officer, so as to provide that they do not work more hours than are safe in relation to the safety of the ship and the master's and seafarers' performance of their duties;
- (b) specify the maximum period of continuous watchkeeping, the minimum rest period between watches, and the total daily, weekly and monthly hours of work; and
- (c) provide a minimum of ten hours of rest in any 24-hour period, which may be divided into no more than two periods, one of which shall be at least six hours in length.

(6) Notwithstanding paragraph (5) (c), the minimum period of ten hours may be reduced to not less than six consecutive hours on condition that any such reduction shall not extend beyond two days and not less than seventy hours of rest are provided in each seven-day period.

(7) The company shall give consideration to the nature of the shipping operation and the voyages to be undertaken in arranging the hours of work.

(8) The schedule may be changed by the company, or by an employer who by virtue of paragraph (3) is subject to the duties of the company, on condition that—

- (a) other employers and where necessary, the company have been consulted;
- (b) the company or the employer has sought the views of the master on the proposed changes and the master has sought and conveyed to the company the views of persons mentioned in paragraph (4) (a) or (b); and
- (c) the schedule as changed complies with paragraph (5).

(9) The company shall ensure that the schedule is displayed prominently in the crew accommodation for the information of all the seafarers.

(10) It shall be the duty of the master to ensure, as far as reasonably practicable, that the hours of work specified in the schedule are not exceeded.

(11) The company and the master shall maintain on the ship a copy of the schedule, and a record of all deviations from its requirements.

(12) The company for the time being shall ensure that a copy of the schedule and of the record of all deviations from its requirements are preserved for five years from the date the schedule was introduced, and

that they are available for inspection by the Registrar of Seamen, a proper officer or a surveyor as defined in the Act, or an inspector appointed under section 315 of the Act.

(13) If during the five-year period there ceases to be a company in relation to the ship, the duty to preserve the copies of the schedule and of the record shall remain with the last such company.

(14) In this regulation and in regulation 35, "schedule" means the schedule of duties referred to in paragraph (1).

35.—(1) The requirements for rest periods specified in paragraphs (5) (c) and (6) of regulation 34 need not be maintained in case of any emergency or drill or in other overriding operational conditions.

(2) Without prejudice to the generality of paragraph (1), a master of a ship or seaman may participate in a navigational, engine room or machinery watch although he has not had the rest period provided by the schedule produced in pursuance of regulation 34, and the master may exceed, and a seafarer may be required to exceed, the schedule's work or duty periods, when in the opinion of the master it is necessary to meet one of the following situations—

- (a) an emergency threatening the safety of the ship or the life of any person or threatening damage to the environment;
- (b) employment of the ship in the service of the Jamaica Defence Force at a time when the ship is operating in direct support of that Force.

(3) When in pursuance of paragraph (1) the master or a seaman has worked within a rest period provided for by the schedule, his name shall be entered in the record required to be maintained by regulation 34(11), together with the reason why he so worked.

36.—(1) The master of any ship shall ensure that the watchkeeping arrangements for the ship are at all times adequate for maintaining safe navigational and engineering watches having regard to Chapter VIII of section A of the STCW Code.

(2) Without prejudice to the duties of the master provided by paragraph (1), the master shall give directions to the deck watchkeeping officers responsible for navigating the ship safely during their periods of duty, in accordance with Part 3 of section A-VIII/2 of the STCW Code and any requirements specified in Schedule 11.

Schedule 11.

(3) The chief engineer officer of any ship shall ensure that the engineering watchkeeping arrangements for the ship are at all time adequate for maintaining a safe watch, in accordance with Part 3-2 of section A—

Schedule 11. VIII/2 of the STCW Code, and when deciding the composition of the watch the chief engineer officer shall observe the principles set out in Part 3-2 of that section and the requirements specified in Schedule 11.

37. The master of any ship which is safely moored or safely at anchor under normal circumstances in port shall make arrangement for an appropriate and effective watch to be maintained for the purposes of safety, in accordance with Part 4 of section A-VIII/2 of the STCW Code and any operational guidance specified in Schedule 11.

38.—(1) The master of any ship which is in port and carrying hazardous cargo shall act in accordance with paragraph (2) even when the ship is safely moored or safely at anchor.

(2) For the purposes of paragraph (1) the master shall in the case of—

- (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 a duly qualified officer or officers, and where appropriate, ratings; and
- (b) a ship carrying hazardous cargo other than in bulk, ensure that in organizing safe watchkeeping 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.

(3) Such watchkeeping arrangements shall take full account of the principles and requirements specified by the Director and as provided in Schedule 11.

39. Without prejudice to regulation 28, the company and the master shall ensure that there are carried at all times on board ship all original certificates and other documents issued pursuant to the STCW Convention indicating the qualification of any member of the crew to perform functions which they are required to perform aboard ship in the course of their designated duties.

#### PART VIII. *Inspection of Ships*

40.—(1) An authorized person may inspect any ship while in a Jamaican port for the purposes of—

- (a) verifying that all seafarers serving on board who are required to be certificated hold valid appropriate certificates and endorsements or valid dispensations or have provided the documentary proof required by regulation I/10, paragraph 5 of the STCW Convention, or where regulation 6 (11) is applicable, the requirements of that provision have been met;

- (b) verifying that the numbers and certificates of the seafarers serving on board are in conformity with the applicable safe manning requirements; and
- (c) assessing the ability of the seafarers in the ship to maintain the watchkeeping standards required by these Regulations where there are clear grounds for believing that such standards are not being maintained because, while in a port in Jamaica 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 a manner as to pose a danger to persons, property or the environment.

(2) If an authorized person finds on inspection any deficiency of a kind specified in paragraph (3) he shall notify in writing the master of the ship and in the case of a ship which is not a Jamaican ship, the nearest maritime consular or diplomatic representative of the flag state.

(3) 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, an endorsement, a valid dispensation or the documentary proof required by regulation I/10, paragraph 5 of the STCW Convention, or where regulation 6 (11) is applicable, the requirements of that provision have not been met;
- (b) a failure to comply with the applicable safe manning requirement;
- (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 a 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 for the first watch at the commencement of a voyage and for subsequent relieving watches.

(4) The certificates, endorsements and dispensations referred to in paragraph (1) shall be accepted by the authorized person carrying out the inspection unless there are clear grounds for believing that a certificate has been fraudulently obtained or that the holder of a certificate is not the person to whom that certificate was originally issued.

- (5) This regulation applies to a Jamaican ship wherever it may be.

41.—(1) In any case where it is found—

- (a) in relation to a Jamaican ship, that there is any contravention of these Regulations; or
- (b) in relation to a foreign ship, that there is—
  - (i) any contravention of regulation 29, 36, 37 or 39; or
  - (ii) a failure to correct a deficiency of a kind specified in regulation 40 (3) after notification to the master pursuant to regulation 40 (2), and there is in consequence a danger to persons, property or the environment,

the ship may be detained, and section 322 and sections 433 to 435 of the Act shall apply to such detention.

(2) The Director shall promptly report to the Secretary-General the facts concerning the detention of a ship pursuant to this regulation.

#### PART IX. *Miscellaneous*

42. Regulations 40 and 41 shall be applied as may be necessary to ensure that no more favourable treatment is given to non-STCW ships than is given to STCW ships.

43.—(1) The Director shall maintain a register of all certificates and endorsements which have been issued, expired, revalidated, suspended, cancelled or reported lost or destroyed and of dispensations issued.

(2) The Director shall make available information on the status of such certificates, endorsements and dispensations as are referred to in paragraph (1), to the authorities of other STCW countries and companies who request verification of the authenticity and validity of certificates produced to them by seafarers seeking recognition of their certificates or for employment on board ship.

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

45. The Minister may grant, on such terms, if any, as he may specify, exemptions from all or any provisions of these Regulations for any case or classes of case.

46.—(1) Certificates and licences granted, endorsements made and standards of competence and training already met, pursuant to the repealed Acts, shall be treated as equivalent to certificates, endorsements, appropriate certificates, standards of competence or training, referred to in these Regulations, and shall subject to regulation 6, remain of full validity, until 1st February, 2002.

(2) Seafarers who commence—

- (a) seagoing service as part of an approved training programme; or
- (b) the shore-based phase of an approved training programme, before 1st August, 1998, may be issued with certificates, or have certificate recognized or endorsed, pursuant to the repealed Acts referred to in regulation 2 and the provisions of that paragraph shall apply to such certificates.

Schedule 13.

(3) The provisions of Schedule 13 shall apply in relation to the matters referred to in paragraphs (1) and (2).

Schedule 14.

47. The fees prescribed in Schedule 14 shall be paid in respect of the examinations and documents specified in that Schedule.

SCHEDULE 1

(Regulation 6)

**ENDORSEMENT ATTESTING THE RECOGNITION OF A CERTIFICATE**  
 UNDER THE PROVISIONS OF THE SHIPPING ACT GIVING EFFECT TO  
 THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
 CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978  
 AS AMENDED IN 1995

The Government of Jamaica certifies that Certificate No. .... issued to  
 ..... by on behalf of the Government of  
 is duly recognized in accordance with the provisions of Regulation I/10 of the above Convention,  
 as amended, and the lawful holder is authorized to perform the following functions, at the levels  
 specified, subject to any limitations indicated until ..... or until the date of  
 expiry of any extension of the validity of this endorsement as may be shown overleaf.

(Official Seal)

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

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

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Endorsement No. .... issued on .....

(Official Seal)

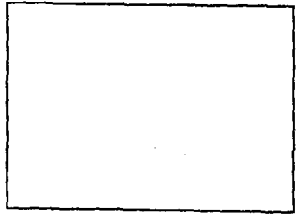
.....  
*Signature of duly authorized official*

.....  
*Name of duly authorized official*

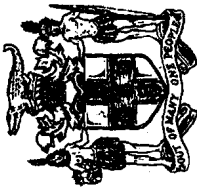
The original of this endorsement must be kept available in accordance with Regulation I/2,  
 paragraph 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate .....

Signature of the holder of the certificate .....



*Photograph of Holder*



**JAMAICA**

Nº JR

SCHEDULE 1, *contd.*

The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

SCHEDULE 2

(Regulation 7)

REVALIDATION OF CERTIFICATES

1. Applicants for revalidation—

- (a) seafarers with 12 months seagoing service within the last 5 years must—
  - (i) meet the minimum prescribed standards of medical fitness; and
  - (ii) establish continued professional competence in accordance with section A-1/11 of the STCW 95 Convention by having performed, during their period of seagoing service, functions appropriate to the level of certification held;
  - (iii) meet such other requirements as may be prescribed by the Administration pursuant to the issuing of certificates of competence;
- (b) seafarers who have performed functions considered to be equivalent to the seagoing service of 12 months within the last 5 years, namely—
  - (i) marine pilots;
  - (ii) masters, deck officers and engineering officers serving on board tugs;
  - (iii) officers serving on board auxiliary vessels such as navigational aids tenders; seismic, oceanographic and hydrographic survey vessels; marine research vessels and training vessels must meet the following criteria—
    - (A) the minimum prescribed standards of medical fitness;
    - (B) establish continued professional competence in accordance with section A-1/11 of the STCW 95 Convention, by having performed, during the period, functions appropriate to the level of certification held; and
    - (C) such other requirements as may be prescribed by the Administration pursuant to the issuing of certificates of competence;
- (c) seafarers who have less than 12 months seagoing service within the last 5 years must pass a test approved by the Administration;
- (d) seafarers who do not have any seagoing service within the last 5 years must successfully complete a programme of study approved by the Administration;
- (e) seafarers who are employed ashore within the maritime industry and have been performing functions appropriate/relevant to their certificates of competence namely—
  - (i) maritime lecturers;
  - (ii) maritime surveyors;
  - (iii) maritime administrators;who do not have 12 months seagoing service within the last 5 years must meet the following criteria—
  - (a) the minimum prescribed standards of medical fitness; and
  - (b) complete a period of approved seagoing service of not less than 3 months in a supernumerary capacity, or in a lower Officer rank/capacity than that for which their certificate of competence is valid.

(3) The Director may request the authorities of other STCW countries information on certificates, endorsements and dispensations issued by them, where such certificates, endorsements and dispensations are produced to the Director by seafarers seeking recognition of their certificates under regulation 6 or seeking employment on board Jamaican seagoing ships or by serving on board foreign ships operating in Jamaican waters.

44.—(1) Any company which contravenes regulation 28 (2) or (4), 29(1) or (3), 34(1), (2), (8) or (10) or 39 shall be guilty of an offence and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding two hundred thousand dollars, or on indictment to a fine, or to imprisonment not exceeding 12 months, or to both such fine and imprisonment.

(2) Any master who contravenes regulation 28(6), 29(2), 32(2), 36(1) or (2), 37, 38 or 39 shall be guilty of an offence and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding two hundred thousand dollars, or on indictment to a fine, or to imprisonment not exceeding 12 months, or to both such fine and imprisonment.

(3) Any member of the crew who contravenes regulation 28 (6) shall be guilty of an offence, and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding one hundred and fifty thousand dollars.

(4) Any chief engineer officer who contravenes regulation 36 (3) shall be guilty of an offence and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding two hundred thousand dollars.

(5) Any company which contravenes regulation 32 (1) shall be guilty of an offence and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding two hundred thousand dollars.

(6) Any employer who contravenes regulation 32 (1) shall be guilty of an offence and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding two hundred thousand dollars.

(7) Any master who contravenes regulation 33, 34 (10) or (11) shall be guilty of an offence and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding fifty thousand dollars.

(8) Any seaman who contravenes regulation 33 shall be guilty of an offence and on summary conviction in a Resident Magistrate's Court shall be liable to a fine not exceeding fifty thousand dollars.

SCHEDULE 2, *contd.*

2. Every master, officer and radio operator serving on board seagoing ships and in capacities functions for which *special training* requirements have been internationally agreed upon, including tankers and ro-ro ships, will only have their certificates, endorsements and recognition revalidated by the Administration provided that they have successfully completed the relevant training pertaining to—
- (a) emergency functions;
  - (b) operational safety functions;
  - (c) medical care functions;
  - (d) survival functions.
3. Applicants for revalidation who are holders of certificates issued under the STCW 78 Convention are required to have completed the relevant approved refresher/updating courses prescribed by the Administration in order to be revalidated according to the STCW 95 standards.
4. All applicants for revalidation who are required to undertake updating/refresher courses shall apply to a Training Institute for such training and provide to the Administration on application the relevant documentary evidence attesting successful completion of such approved courses.
5. Applicants may have their certificates revalidated under the STCW 78 Convention if they are, for the time being, unable to undertake the relevant refresher/updating courses, or in other justifiable circumstances. However, such revalidation shall be for a time deemed appropriate by the Administration given the circumstances and in any case, such revalidation shall not extend beyond February 1, 2001.
6. Certificates and endorsements issued under the STCW 78 Convention and revalidated prior to September 30, 1997 will continue to have validity up to February 1, 2002.

SCHEDULE 3

(Regulation 8)

TABLE OF CRITERIA FOR APPROPRIATE CERTIFICATES

Column 1 Master and Deck Department	Column 2 Regulation Annexed to the STCW Convention
Officer in charge of a navigational watch on any ship on voyages not limited to near coastal voyages.	Regulation II/1.2.
Master or chief mate on a ship of 3000 GT or more.	Regulation II/2.2.
Master or chief mate on a ship of less than 3000 GT.	Regulation II/2.4.
Officer in charge of a navigational watch on a ship of less than 500 GT engaged on near-coastal voyages.	Regulation II/3.4.
Master of a ship of less than 500 GT engaged on near-coastal voyages.	Regulation II/3.6.
Engine Department	Regulation Annexed to the STCW Convention
Officer in charge of an engineering watch in a manned engine room, or designated duty engineer officer in a periodically unmanned engine room, on a ship powered by main propulsion machinery of 750 kw propulsion power or more.	Regulation III/1.2.
Chief engineer officer or second engineer officer on a ship powered by main propulsion machinery of 3000 kw propulsion power or more.	Regulation III/2.2.
Chief engineer officer and second engineer officer on a ship powered by main propulsion machinery of between 750 and 3000 kw propulsion power.	Regulation III/3.2.

SCHEDULE 4

(Regulation 8)

ISSUES OF CERTIFICATES OF COMPETENCE

*General Provisions*

1. Candidates seeking to be certificated (in any capacity, function or level) must—
  - (a) provide proof of their identity and nationality;
  - (b) provide proof of the sufficiency of their age;
  - (c) hold a valid certificate of medical fitness (inclusive of sight and hearing tests);
  - (d) have completed the required period of seagoing service;
  - (e) have successfully completed the required course of compulsory training. In this regard they should provide transcripts from a training institution attesting that they have successfully completed the course of study;
  - (f) meet the required standards of competence (have successfully completed the prescribed assessment);
  - (g) provide testimonials as to their character, including sobriety, and a record of suitable experience and satisfactory conduct during the period of seagoing service; and
  - (h) provide a police record from the country in which they have officially resided during the three-year period immediately preceding the date of the application. (The Administration may waive this requirement if, within a period of two years immediately preceding the application, a police record had been provided in connection with a previous application for certification).
  
2. Candidates seeking initial certification as watchkeeping officers are required, in addition to the abovementioned requirements, to produce a training record book, attesting to the fact that they have completed a period of systematic, practical training and experience in the tasks, duties and responsibilities of an officer in charge of a watch.

*Classes of Certificates of Competence or Proficiency*

3. The Administration will issue the following certificates of competence or proficiency—
  - (a) ratings—
    - (i) Certificate for Ratings who may form part of a Navigational Watch;
    - (ii) Certificate for Ratings who may form part of an Engine-room Watch;
  - (b) master and deck department—
    - (i) Class 4 certificate of competence (Officer in charge of a Navigational Watch on ships less than 500 gross tons in the NCV Area only);
    - (ii) Class 3 certificate of competence (Officer in charge of a Navigational Watch);
    - (iii) Class 2 certificate of competence (First Officer/Chief Mate);
    - (iv) Class 1 certificate of competence (Master);
  - (c) engine department—
    - (i) Class 4 certificate of competence (Officer in charge of an Engine-room Watch on ships less than 750 kw in the NCV Area only);

SCHEDULE 4, *contd.*

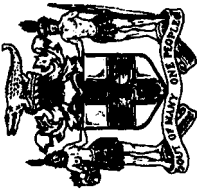
- (ii) Class 3 certificate of competence (Officer in charge of an Engine-room Watch);
- (iii) Class 2 certificate of competence (Second Engineer);
- (iv) Class 1 certificate of competence (Chief Engineer);

(d) special certificate for additional qualifications and/or training.

4. The Authority will issue certificates of competence only to those candidates (Masters, Officers and Ratings) who meet the minimum requirements appropriate to the capacity, function and level of responsibility for which they seek to be certificated.

5. All certificates of competence issued by the Authority will be worded in the English language.

6. Any certificate of competence issued by the Authority must be kept by the lawful holder in its original form on board the ship on which he is serving.



JAMAICA

N° J1D

**CLASS 1 DECK OFFICER**  
CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF  
THE SHIPPING ACT GIVING EFFECT TO  
THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978  
AS AMENDED IN 1995

(Official Seal)

The Government of ..... certifies that .....  
has been found duly qualified in accordance with the provisions of Regulation .....  
of the above Convention, as amended, and has been found competent to perform the following  
functions, at the levels specified, subject to any limitations indicated until .....  
or until the date of expiry of any extension of the validity of this certificate as may be shown  
overleaf.

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

(Official Seal)

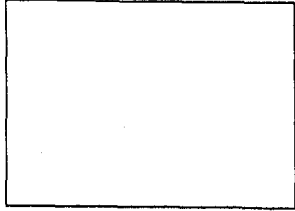
.....  
*Signature of duly authorized official*

.....  
*Name of duly authorized official*

The original of this certificate must be kept available in accordance with Regulation 1/2, paragraph  
9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate.....

Signature of the holder of the certificate.....



Photograph of Holder

SCHEDULE 4, contd.

The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

**CLASS 2 DECK OFFICER**

**CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF THE SHIPPING ACT GIVING EFFECT TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978 AS AMENDED IN 1995**

(Official Seal)

The Government of ..... certifies that ..... has been found duly qualified in accordance with the provisions of Regulation ..... of the above Convention, as amended, and has been found competent to perform the following functions, at the levels specified, subject to any limitations indicated until ..... or until the date of expiry of any extension of the validity of this certificate as may be shown overleaf.

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

(Official Seal)

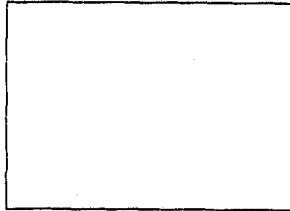
Signature of duly authorized official

Name of duly authorized official

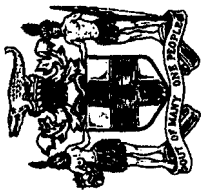
The original of this certificate must be kept available in accordance with Regulation 1/2, paragraph 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate .....

Signature of the holder of the certificate .....



Photograph of Holder



**JAMAICA**

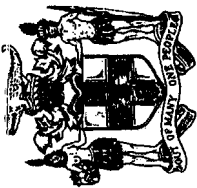
**N° J2D**

SCHEDULE 4, *contd.*

The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

**CLASS 3 DECK OFFICER**

CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF THE SHIPPING ACT GIVING EFFECT TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978 AS AMENDED IN 1995



**JAMAICA**

**N<sup>o</sup> J3D**

(Official Seal)

The Government of ..... certifies that ..... has been found duly qualified in accordance with the provisions of Regulation ..... of the above Convention, as amended, and has been found competent to perform the following functions, at the levels specified, subject to any limitations indicated until ..... or until the date of expiry of any extension of the validity of this certificate as may be shown overleaf.

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

(Official Seal)

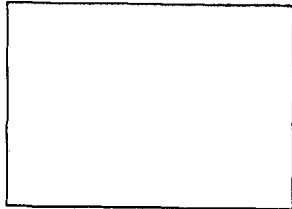
.....  
Signature of duly authorized official

.....  
Name of duly authorized official

The original of this certificate must be kept available in accordance with Regulation 1/2, paragraph 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate.....

Signature of the holder of the certificate .....

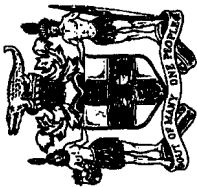


Photograph of Holder

SCHEDULE 4, *contd.*

The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

**CLASS 4 BECK OFFICER**  
**CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF**  
**THE SHIPPING ACT GIVING EFFECT TO**  
**THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,**  
**CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978**  
**AS AMENDED IN 1995**



**JAMAICA**

**N° J4D**

*(Official Seal)*

The Government of ..... certifies that .....  
 has been found duly qualified in accordance with the provisions of Regulation .....  
 of the above Convention, as amended, and has been found competent to perform the following  
 functions, at the levels specified, subject to any limitations indicated until .....  
 or until the date of expiry of any extension of the validity of this certificate as may be shown  
 overleaf.

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

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

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

*(Official Seal)*

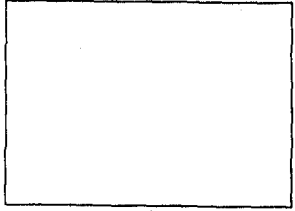
.....  
*Signature of duly authorized official*

.....  
*Name of duly authorized official*

The original of this certificate must be kept available in accordance with Regulation I/2, paragraph  
 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate .....

Signature of the holder of the certificate .....



*Photograph of Holder*

SCHEDULE 4, *contd.*

The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	<i>Signature of duly authorized official</i> .....
Date of revalidation .....	<i>Name of duly authorized official</i> .....
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	<i>Signature of duly authorized official</i> .....
Date of revalidation .....	<i>Name of duly authorized official</i> .....
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	<i>Signature of duly authorized official</i> .....
Date of revalidation .....	<i>Name of duly authorized official</i> .....
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	<i>Signature of duly authorized official</i> .....
Date of revalidation .....	<i>Name of duly authorized official</i> .....

**CLASS 1 MARINE ENGINEER OFFICER**  
**CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF**  
**THE SHIPPING ACT GIVING EFFECT TO**  
**THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,**  
**CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978**  
**AS AMENDED IN 1995**

*(Official Seal)*

The Government of ..... certifies that .....  
 has been found duly qualified in accordance with the provisions of Regulation .....  
 of the above Convention, as amended, and has been found competent to perform the following  
 functions, at the levels specified, subject to any limitations indicated until .....  
 or until the date of expiry of any extension of the validity of this certificate as may be shown  
 overleaf.

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

*(Official Seal)*

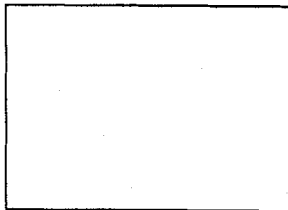
.....  
*Signature of duly authorized official*

.....  
*Name of duly authorized official*

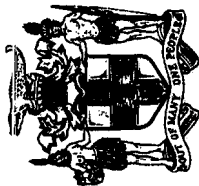
The original of this certificate must be kept available in accordance with Regulation 1/2, paragraph  
 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate.....

Signature of the holder of the certificate .....



*Photograph of Holder*



**JAMAICA**

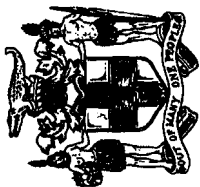
**Nº J1E**

SCHEDULE 4, *contd.*

The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

SCHEDULE 4, *contd.*

**CLASS 2 MARINE ENGINEER OFFICER**  
**CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF**  
**THE SHIPPING ACT GIVING EFFECT TO**  
**THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,**  
**CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978**  
**AS AMENDED IN 1995**



**JAMAICA**

**N° JZE**

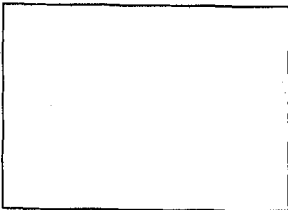
*(Official Seal)*

The Government of ..... certifies that  
 has been found duly qualified in accordance with the provisions of Regulation  
 of the above Convention, as amended, and has been found competent to perform the following  
 functions, at the levels specified, subject to any limitations indicated until .....  
 or until the date of expiry of any extension of the validity of this certificate as may be shown  
 overleaf.

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)



*Photograph of Holder*

Certificate No. .... issued on .....

*(Official Seal)*

*Signature of duly authorized official*

*Name of duly authorized official*

The original of this certificate must be kept available in accordance with Regulation 1/2, paragraph  
 9 of the Convention while serving on a ship.

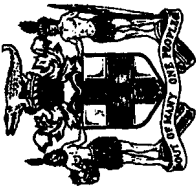
Date of birth of the holder of the certificate.....

Signature of the holder of the certificate.....

SCHEDULE 4, *contd.*

The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

**CLASS 3 MARINE ENGINE OFFICER**  
 CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF  
 THE SHIPPING ACT GIVING EFFECT TO  
 THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
 CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978  
 AS AMENDED IN 1995



**JAMAICA**

**Nº J3E**

The Government of ..... certifies that .....  
 has been found duly qualified in accordance with the provisions of Regulation .....  
 of the above Convention, as amended, and has been found competent to perform the following  
 functions, at the levels specified, subject to any limitations indicated until .....  
 or until the date of expiry of any extension of the validity of this certificate as may be shown  
 overleaf.

*(Official Seal)*

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

*(Official Seal)*

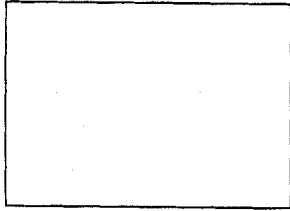
.....  
*Signature of duly authorized official*

.....  
*Name of duly authorized official*

The original of this certificate must be kept available in accordance with Regulation 1/2, paragraph  
 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate .....

Signature of the holder of the certificate .....



*Photograph of Holder*

SCHEDULE 4, *contd.*

The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

**CLASS 4 MARINE ENGINEER OFFICER**  
**CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF**  
**THE SHIPPING ACT GIVING EFFECT TO**  
**THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,**  
**CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978**  
**AS AMENDED IN 1995**

(Official Seal)

The Government of ..... certifies that .....  
 has been found duly qualified in accordance with the provisions of Regulation .....  
 of the above Convention, as amended, and has been found competent to perform the following  
 functions, at the levels specified, subject to any limitations indicated until .....  
 or until the date of expiry of any extension of the validity of this certificate as may be shown  
 overleaf.

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

(Official Seal)

.....  
*Signature of duly authorized official*

.....  
*Name of duly authorized official*

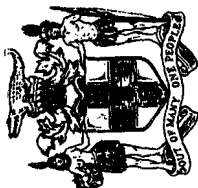
The original of this certificate must be kept available in accordance with Regulation I/2, paragraph  
 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate .....

Signature of the holder of the certificate .....



*Photograph of Holder*



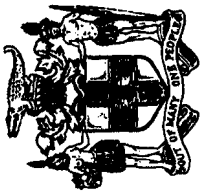
**JAMAICA**

**N° J4E**

SCHEDULE 4, *contd.*

The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this certificate is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

**WATCHKEEPING RATINGS**  
CERTIFICATE OF COMPETENCE ISSUED UNDER THE PROVISIONS OF  
THE SHIPPING ACT GIVING EFFECT TO  
THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978  
AS AMENDED IN 1995



**JAMAICA**

N<sup>o</sup> JW

(Official Seal)

The Government of ..... certifies that .....  
has been found duly qualified in accordance with the provisions of Regulation .....  
of the above Convention, as amended, and has been found competent to perform the following  
functions, at the levels specified, subject to any limitations indicated until .....  
or until the date of expiry of any extension of the validity of this certificate as may be shown  
overleaf.

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

(Official Seal)

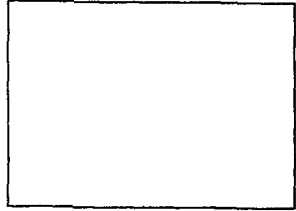
Signature of duly authorized official

Name of duly authorized official

The original of this certificate must be kept available in accordance with Regulation 1/2, paragraph  
9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate .....

Signature of the holder of the certificate .....

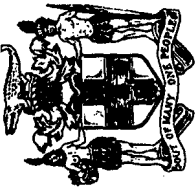


Photograph of Holder

SCHEDULE 5, contd.

The validity of this certificate is hereby extended until .....	
(Official Seal) .....	Signature of duly authorized official .....
Date of revalidation .....	Name of duly authorized official .....
The validity of this certificate is hereby extended until .....	
(Official Seal) .....	Signature of duly authorized official .....
Date of revalidation .....	Name of duly authorized official .....
The validity of this certificate is hereby extended until .....	
(Official Seal) .....	Signature of duly authorized official .....
Date of revalidation .....	Name of duly authorized official .....
The validity of this certificate is hereby extended until .....	
(Official Seal) .....	Signature of duly authorized official .....
Date of revalidation .....	Name of duly authorized official .....

**ENDORSEMENT ISSUED UNDER THE PROVISIONS OF THE SHIPPING ACT GIVING EFFECT TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978 AS AMENDED IN 1995**



**JAMAICA**

**N° JE**

*(Official Seal)*

The Government of ..... certifies that ..... the holder of Certificate No. .... issued by or on behalf of the Government of ..... has been found duly qualified in accordance with the provisions of Regulation ..... of the above Convention, as amended, and has been found competent to perform the following functions, at the levels specified, subject to any limitations indicated until ..... or until the date of expiry of any extension of the validity of this endorsement as may be shown overleaf.

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

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

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Endorsement No. .... issued on .....

*(Official Seal)*

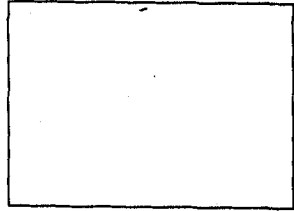
.....  
*Signature of duly authorized official*

.....  
*Name of duly authorized official*

The original of this endorsement must be kept available in accordance with Regulation 1/2, paragraph 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate .....

Signature of the holder of the certificate .....



*Photograph of Holder*

SCHEDULE 6, *contd.*

The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

## SCHEDULE 7

(Regulation 13)

## TRAINING AND CERTIFICATION OF OFFICERS AND CREW ON HIGH SPEED CRAFT

*Training Requirements*

1.—(1) Deck officers serving on High Speed Craft (HSC) are required to hold a Type Rating Certificate (TRC) in addition to a valid deck officer certificate of competency.

(2) HSC operators are responsible for ensuring that appropriate training is given to deck officers so that they may qualify for the issue of a TRC. The training required by the HSC Code includes knowledge of the craft's propulsion and control systems, handling characteristics, communication and navigation procedures, intact stability and survivability of the craft.

(3) Organizations providing TRC training are required to nominate a person responsible for the training. This person will be designated the Type Rating Instructor (TRI). TRIs may be appointed from within the HSC operating organization from an outside source. Organizations should also nominate another person responsible for the assessment of training to serve as a Type Rating Examiner (TRE). Both TRIs and TREs should be experienced in the operation of the craft on the route on which they will be instructing and examining, respectively and be approved by the Director. Under no circumstances will the same person be allowed to work as both TRI and TRE.

(4) Engineer officers on HSC are required to be appropriately certificated under the requirements of the regulations but do not require additional type rating certification.

(5) On HSC with gas turbine propulsion, engineer officers may hold either: motor, steam or combined certificates of competency. In addition, specified senior engineer officers are required to hold a certificate attesting to the completion of an approved gas turbine training programme for the machinery on their vessel.

*Issue of Type Rating Certificates*

2.—(1) After undergoing training with the approved TRI a candidate will be examined by the approved TRE. If successful, the organization should issue a TRC in the format appended to this Schedule. The TRC, plus a duplicate copy should be forwarded, together with a valid medical fitness certificate, to the Authority. The TRC must specify the craft or class of craft (e.g. 65 metres wave piercing catamaran), and its operational area or routes.

(2) When the Director is satisfied that all the requirements have been met he will endorse the TRC for service use. This procedure is required in order to satisfy the requirements of paragraph 18.3.3 of the HSC Code. The Director will return the original and keep the duplicate copy for record purposes.

(3) Further routes may be added to a TRC after a holder has undergone route familiarization training and performance assessment by the TRE. The organization may issue a new TRC or amend an existing one upon the recommendation of the TRE. In either case, the TRC must be submitted to the Authority for endorsement of the amendments and recording purposes as above.

*Revalidation*

3.—(1) Revalidation of a TRC is required at intervals of not more than 2 years. For revalidation, candidates must be able to show evidence of continuing fitness for service on HSC. They must provide evidence of at least 6 months sea service on HSC in the preceding 2 years or a statement from a HSC operator or other TRC training organization to indicate that the candidate has successfully completed a training programme prior to seeking revalidation. When the issuing organization is satisfied that the revalidation requirements have been met, the TRC should be revalidated (see reverse side of specimen certificate format as appended) and submitted to the Authority for endorsement and recording purposes as in paragraph 2 (1) above.

*SCHEDULE 7, contd.*

*Ratings and Other Personnel*

4.—(1) Ratings and other personnel employed on HSC must undergo a training programme appropriate to their duties on board and may be trained solely for HSC service without seagoing experience on other types of ships. Ratings in this category may be issued with an Efficient Deck Hand (EDH) certificate limited for service on HSC as appropriate. This limitation will be removed if the holder completes at least 6 months service on a conventional ship. Application for removal of a limitation should be made to the Authority.

*Non Sea-going HSC*

5. Deck officers on non seagoing HSC should follow a training, assessment and certification system similar to that detailed above. In order to qualify for a TRC, the applicant must be able to demonstrate the skills appropriate to navigational duties in the relevant operational area.

SCHEDULE 7, contd.

SPECIMEN TYPE RATING CERTIFICATE  
(to be produced in duplicate and registered)

Issuing Organization	No. <i>(Issuing Organization to allocate)</i> Address and Contact Details	
<b>TYPE RATING CERTIFICATE (HIGH SPEED CRAFT)</b>		
This is to confirm that <i>(full name of candidate)</i>		
Date of Birth [    ]		
Discharge Book No. or other national ID [    ]		
Certificate of Competency (if any)—Class/Regulation [    ] No. [    ]		
Date of Issue [    ] Issuing Authority [    ]		
has completed a course of training as required by Chapter 18.3.3 of the International Code of Safety for High Speed Craft, and has passed an examination, including practical tests, commensurate with operational tasks on board the craft and routes detailed below:		
Name (or Class) of Craft [    ] Type of Craft [    ]		
Route.....		
.....		
.....		
Signature of Authorized Representative	Issuing Authority Stamp and Date	MSA Endorsement
Capacity		
AMENDMENTS (Details of additional routes).....		
.....		
.....		
Signature Authorized Representative	Issuing Authority Stamp and Date	Endorsement

SCHEDULE 7, *contd.*

*Reverse Side of Specimen TRC*

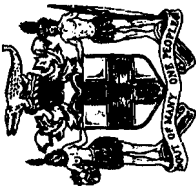
This certificate is subject to 2 yearly revalidation in accordance with Chapter 18.3.5 of the HSC Code. Confirmation that the certificate has been revalidated is to be confirmed by completion of the table below.

REVALIDATION

This is to certify that this certificate is valid for a period of two years from the date of issue or last revalidation date.

Name and Signature of Issuing Organization's Authorized Representative	Date of Revalidation	Official Stamp of Issuing Organization	Endorsement (Dated)

**ENDORSEMENT ATTESTING THE ISSUE OF A CERTIFICATE**  
 UNDER THE PROVISIONS OF THE SHIPPING ACT GIVING EFFECT TO  
 THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
 CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978  
 AS AMENDED IN 1995



**JAMAICA**

Nº J1

The Government of ..... certifies that Certificate No. .... has been issued to ..... who has been found duly qualified in accordance with the provisions of Regulation ..... of the above Convention, as amended, and the lawful holder is authorized to perform the following functions, at the levels specified, subject to any limitations indicated until ..... or until the date of expiry of any extension of the validity of this endorsement as may be shown overleaf.

(Official Seal)

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

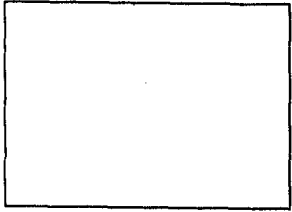
The lawful holder of this endorsement may serve in the following capacity or capacities specified in the applicable safe manning requirements of the Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Endorsement No. .... issued on .....  
 (Official Seal)

.....  
 Signature of duly authorized official  
 .....  
 Name of duly authorized official

The original of this endorsement must be kept available in accordance with Regulation 1/2, paragraph 9 of the Convention while serving on a ship.  
 Date of birth of the holder of the certificate .....  
 Signature of the holder of the certificate .....



Photograph of Holder

SCHEDULE 8, *contd.*

The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

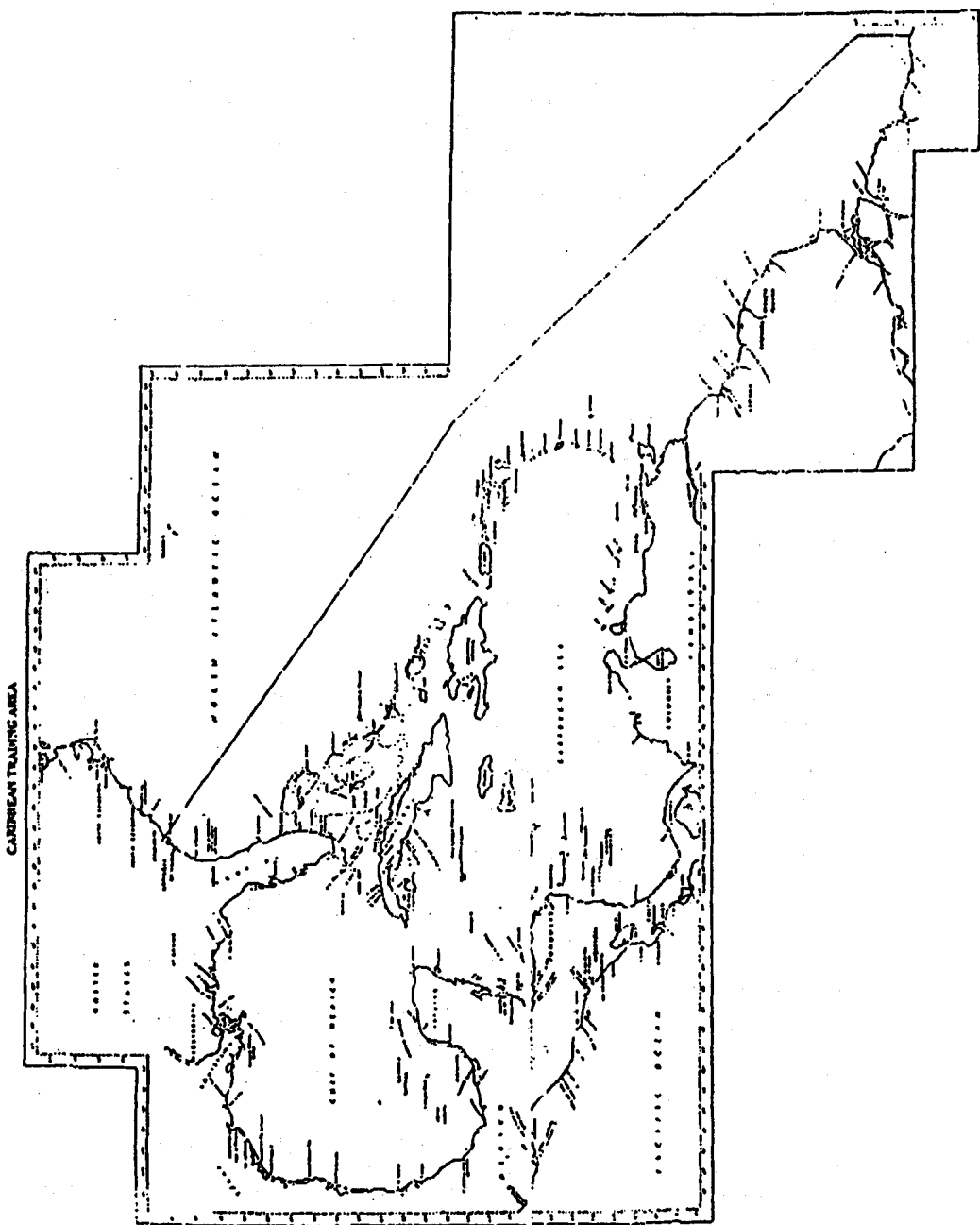
## SCHEDULE 9

(Regulation 22)

## NEAR COASTAL VOYAGES

1. The Authority recognizes, for the purpose of defining near coastal voyages, the following trading areas—
  - (a) the International Trading Area; and
  - (b) the Caribbean Trading Area for ships engaged in near coastal voyage trade.
2. The International Trading Area is the area outside the Caribbean Area.
3. The Caribbean Trading Area is the area bounded by the east coasts of North, Central and South America; and a line from the east coast of the United States in latitude 32°30'N to a point 20°N, 60°W, and thence to a point 00°N, 40°W, and thence south to the coast of South America.
4. Against the background of section B-I/3 of the STCW 95 Convention (Guideline Regarding Near Coastal Voyages), a near coastal voyage is a voyage within the Caribbean Trading Area in the course of which the ship is at no time more than 120 miles offshore, nor is the distance of the ship from a safe port of refuge more than 200 miles.
5. The Authority will issue Class 4 Certificates of Competence specifically for near Coastal Voyages.
6. Relative to Certificate of Competence for Class 3-1, the Authority may—
  - (a) apply restrictions or limitations regarding operating areas to certificates held by individuals who, because of the nature of their maritime training, certification and experience, are considered unsuitable for regular certification; and
  - (b) issue endorsements to suitably qualified seafarers who hold Class 2 or 3 Certificates of Competence, thus allowing them to serve, subject to certain restrictions, in stated capacities or levels on near coastal voyages. Such endorsements shall not apply to seagoing service on tankers nor passenger ships.

SCHEDULE 9, *contd.*



## SCHEDULE 10

(Regulation 23)

## ASSESSMENTS

*Responsibilities of the Authority*

1. The Authority will conduct assessments, either locally or in other Caribbean countries, in order to ascertain competence for certification, for all certificates of competence in June, July and/or October, November annually. Candidates wishing to be assessed must submit a duly completed application form along with documentary proof that they have met the requirements listed under the General Provisions for Certification (less paragraph (f)) and the Specific Requirements for each Class of Certification relevant to the class of certificate for which they are applying.

2. The Authority will nominate a pool of suitably qualified persons who will from time to time be appointed to Boards of Examiners. Such persons must be holders of Class I certificates of competence (Deck or Engine) or the professional equivalent, have completed the IMO model Course of Examiners, and had a period of on-the-job training or exposure to maritime examination methods and practices. In this part, "professional equivalent" means appropriate training in related subjects or disciplines at a tertiary level.

3. For each assessment (in each discipline) the Authority will appoint at least 3 persons to form a Board of Examiners. The Board will comprise a President who will be from the Authority and 2 members who will be from the pool of nominees.

4. Boards will be structured according to the discipline (deck, engine or radio department) in which the candidates are to be assessed. Such Boards may be appointed for assessments in different classes of certification, but will not be appointed for assessments in different disciplines.

5. The Authority will maintain a separate data bank of questions and model answers for each class of certification within each discipline.

6. The Authority will provide a selection of questions (and model answers) to each appointed Board of Examiners for their consideration in formulating assessment papers.

7. The Authority will, once it has been duly satisfied that the assessment has been properly administered, conducted and evaluated (according to the Board's report), officially notify the candidates of their results and advise those candidates who were unsuccessful of the reasons why they were unsuccessful and any recommendations as to retraining or resitting the assessment.

8. The Authority will maintain a facility for investigating complaints, which may be preferred by candidates as to the format or content, authority, conduct or evaluation of assessments. All such matters will be referred to the Board of Examiners for them to conduct an investigation and submit a report to the Authority. This report will then be evaluated and appropriate action taken by the Authority to address the matter.

9. The Authority will provide invigilators in sufficient numbers to adequately support each examination.

10. The Authority will promulgate the timetable detailing the schedule and conduct of examinations and ensure that this information is communicated to the candidates in a timely manner.

*Responsibilities of Training Institutions*

11. Training institutions will be required to provide to the Authority, at least one month before the scheduled dates of commencement of assessments, 3 complete assessment papers and model answers for each class of certification within each discipline to be assessed.

SCHEDULE 10, *contd.*

12. In the formulation of questions for these papers, the training institution must ensure that all the required publications, charts, instruments and other material or equipment are serviceable and available in sufficient quantities to support the assessment. Such requirements are to be clearly stated along with the associated serviceability and availability.

13. Training institutions will be required to provide instructors who are versed in the particular subject discipline being assessed, to assist in the invigilation of examinations and to respond to and deal with queries regarding any aspect of examination which may be raised by candidates.

14. Training institutions are to maintain records of the course-work (attendance, written and practical work, etc.) for each student undertaking an approved course of maritime study. Such records are to be made available to the Board of Examiners that may be assessing that particular individual as a candidate for certification, if and when required.

15. Training institutions are to submit to the Authority a draft timetable for the scheduling and conduct of examinations, at least three months before the tentative commencement of the first examination.

*Terms of Reference of Boards of Examiners*

16. The Board will be responsible for the formulation of assessment papers, the authority and conduct of examinations, and the evaluation of individual papers. Upon completion of all these functions the Board will be required to submit a report to the Authority.

17. Prior to and during the examinations, the Board will be responsible for ensuring that—

- (a) the required charts, publications, instruments and other material or equipment are serviceable and available in sufficient numbers to adequately support the examination;
- (b) the listed candidates for each examination are present and properly accounted for according to the seating and numbering arrangements;
- (c) written examinations—
  - (i) the candidates are to be briefed on the general requirements or rules and duration of the examination;
  - (ii) the examination papers are to be administered and the examination conducted according to the prescribed rules of the examination;
  - (iii) the examination is to be started and completed on time and within the specified duration; allowances may be made for any unforeseen or unavoidable stoppages or disruptions;
  - (iv) the examination papers are to be collected and properly accounted for on completion of the examination;
  - (v) the Board may disqualify any candidate who violates the rules of the examination;
  - (vi) the Board may suspend the examination if the members are not satisfied with the existing facilities, support equipment or material or conditions under which the examination is to be conducted; the Board may subsequently make such other arrangements as may be deemed appropriate in order to ensure the proper authority and conduct of the examination;
  - (vii) after the examination, the Board is to ensure that each examination paper is independently evaluated by at least two persons; the first evaluation is

SCHEDULE 10, *contd.*

to be done by an instructor (versed in the subject or discipline concerned) from the training institutions, with the second evaluation being done by a member of the Board. Evaluations will then be compared by the Board and final grades assigned to each paper. Borderline cases are to be reviewed by a member of the Board who hitherto was not involved in the evaluation of that particular paper;

- (viii) in assigning final grades, the Board is to compare and average the grades of the two independent evaluations. The Board may also take into consideration—
- (a) the candidate's course-work; or
  - (b) the candidate's training record book and testimonials of conduct and character during their period of seagoing;
  - (c) any other relevant matter concerning the candidate's competence.

SCHEDULE 11

(Regulations 29, 36 and 37)

SAFE MANNING, HOURS OF WORK AND WATCHKEEPING  
APPLICATION OF STCW 95

Safe Manning, Hours of Work and Watchkeeping

*Introduction*

1.—(1) Companies owning or operating Jamaican seagoing ships, and other ships whilst in Jamaican waters, shall ensure that their ships are manned with personnel of appropriate grades who have been properly trained and certificated.

(2) The numbers of certificated officers and certificated and non-certificated ratings must be sufficient to ensure safe and efficient operation of the ship at all times.

(3) All ships of 500 GT or more are required to hold a safe manning document and owners or operators of ships below 500 GT may hold such certificates.

(4) The owner or operator of a Jamaican registered ship is required to make an assessment of the numbers and grades of personnel necessary for safe operation. These should be sufficient to ensure that—

- (a) the required watchkeeping standard can be maintained and that personnel are able to obtain sufficient rest;
- (b) personnel are not required to work more hours than is safe in relation to the safety of the ship;
- (c) the master and seafarers can perform their duties in accordance with the framework of operational guidance in section A-VIII of the STCW Code;
- (d) the master and seamen are not required to work such hours or under such conditions which may be injurious to their health and safety.

2. Proposals based on the assessment should be submitted to the Director who, when satisfied that the proposed manning levels are adequate, will issue a safe manning document.

*Safe Manning*

3. The responsibility to ensure that ships are safely, sufficiently and efficiently manned rests with the owners and managing operators. Guidance on determining appropriate manning levels is given in paragraph 12.

4. In order to avoid possible problems at a later stage, owners and operators are recommended to consult with seafarers' representatives and the Director on their proposed manning when new ships are at the design stage and in advance of registering existing ships in Jamaica.

5. In the event of any disagreement between the owners and official seafarers' representatives regarding manning levels, the Director will consider any views put forward and may require a revision of the manning levels, if so justified. In such cases it may be necessary to arrange for some form of practical demonstration of the ability of the crew to carry out the essential tasks in the context of the principles of safe manning. Similarly, in the event of any change in the equipment, construction or use of the ship which may affect the safe manning level, the owner or operator should make an application for the issue of a new safe manning document.

*Specialist ship types*

6. Offshore support vessels present special problems because of the diverse nature of their operations and the conditions under which they are required to operate. Owners are particularly

SCHEDULE 11, *contd.*

reminded of the restrictions placed on working hours under the Regulations and should set manning levels accordingly.

7. Shipowners and operators shall ensure that the master, officers and ratings on tankers, and the master, officers, ratings and other personnel on ro-ro passenger ships have completed the training required by the Regulations which is specified in sections A-V/1 and A-V/2 of the STCW Code. All crew members on high speed craft must have completed the training required under the SOLAS High Speed Craft Code, and masters and officers having an operational role must hold a Type Rating Certificate as required by the SOLAS Code. On passenger ships generally, the need to handle large numbers of passengers unfamiliar with the marine environment must be taken into account in determining manning levels. Personnel should be appropriately trained and certificated and owners and operators must give particularly careful attention to the requirements for minimum numbers of trained crew to take charge of survival craft.

*Safe manning document*

8. When the Director has agreed to proposals regarding manning of a particular ship, a safe manning document shall be issued for that ship in a format which complies with the requirements of SOLAS 1974, as amended. It should be retained on board and be available for inspection whenever required by an authorized person.

## DETERMINATION OF SAFE MANNING LEVELS

*Principles*

9.—(1) The Director will consider a ship to be safely manned if the crew includes sufficient officers and ratings with appropriate skills and experience to ensure that the following capabilities are available (these reflect principles in IMO Resolution A.481 (XII), which should be consulted when determining safe manning levels)—

- (a) maintain a safe bridge watch at sea in accordance with regulation VIII/2 of STCW 95, which includes general surveillance of the vessel;
- (b) moor and unmoor a vessel effectively and safely;
- (c) operate and maintain effectively all watertight closing arrangements including the ability to mount an effective damage control party;
- (d) operate and, when practicable, maintain efficiently, all fire equipment and life-saving appliances provided including the ability to muster and disembark passengers and non-essential personnel;
- (e) manage the safety functions of a vessel at sea, when not under way;
- (f) maintain a safe engineering watch at sea in accordance with regulation VIII/2 of STCW 95, and also maintain general surveillance of spaces containing main propulsion and auxiliary machinery;
- (g) operate and maintain in a safe condition the main propulsion and auxiliary machinery to enable the ship to overcome the foreseeable perils of the voyage;
- (h) maintain the safety arrangements and the cleanliness of machinery spaces to minimize the risk of fire;
- (i) provide for medical care on board ship;
- (j) maintain a safe radio watch in accordance with 1974 SOLAS and ITU regulations, as amended;

SCHEDULE 11, *contd.*

- (k) maintain the precautions and safeguards necessary to protect the marine environment in accordance with MARPOL 73/78 as amended;
- (l) maintain safety in all ship operations whilst in port.

*Establishing safe manning requirements*

10. The Authority requires all ships to be sufficiently and efficiently manned for their safe operation, having regard to their safe operation, to the nature of their work and their location. To ensure safe and efficient operation, a minimum level of manning should be determined. To make that assessment, owners and operators should take account of the following factors—

- (a) the length and nature of voyage and trading area;
- (b) any special requirements of the trade involved;
- (c) number, size (kW) and type of main propulsion units and auxiliaries;
- (d) size of ship (GT);
- (e) construction and technical equipment of ship.

11.—(1) In conjunction with these factors, the IMO principles of safe manning and the need to ensure that personnel do not work more hours than is safe, the owner or operator should—

- (a) identify all the functions to be undertaken on board during a representative voyage;
- (b) identify the skills and experience required to perform those functions;
- (c) identify those functions in normal operations which need to be undertaken concurrently;
- (d) determine the minimum numbers of personnel required to undertake concurrent operations safely;
- (e) establish working arrangements including—(in accordance with regulation 13 of Chapter V of the SOLAS Convention)—the establishment of a working language on a passenger ship to ensure the master and crew are capable of undertaking concurrent and continuing operations with respect to their skills and training;
- (f) ensure that the working arrangements allow for sufficient rest periods to avoid fatigue and draw up work schedules accordingly.

*Guidance on appropriate manning levels*

12.—(1) The tables annexed hereto provide guidance on the numbers of certificated deck and engineer officers appropriate to different sizes of ships, tonnages and trading areas. As the watchkeeping arrangements for the engineering department and the demands placed on personnel vary significantly according to the level of automation, numbers are not given for engineer officers. These tables only provide guidance; owners and operators must take all relevant factors into account before finalizing their manning proposals.

(2) The number of ratings required will be determined by the factors summarized at paragraphs 9 and 10 above. Owners and operators should additionally seek to obtain a good balance between skilled and less skilled and between experienced and less experienced ratings.

SCHEDULE 11, *contd.**Watchkeeping*

13. The Regulations require the master of any ship to be responsible for the overall safety of the ship. He must also ensure that the watchkeeping arrangements are adequate for maintaining safe navigational watches at all times, including the provision of a lookout as required by the International Regulations for the Prevention of Collisions at Sea 1972, as amended. The chief engineer officer of any ship is required to ensure that the engineering watch arrangements for the ship are adequate at all times for maintaining a safe engineering watch.

14. The principles applying to the keeping of a safe watch are in section A-VIII/2 of the STCW Code and must be followed in order to comply with the Regulations.

*Transitional Arrangements*

15. During the transition period between 1st February, 1997 and 31st January, 2002 when both STCW 78 and STCW 95 certificates will be valid, owners may man ships with officers holding STCW 78 certificates in accordance with the endorsements thereon. Regulation 26(4) allows for the safe manning documents issued under the Marine Board Act and the Seafarers' Certification Act to remain in force until 31st January, 2002. If, however, there is any change in circumstances which is relevant to such a safe manning document, the shipowner or operator must inform the Director, providing all relevant information. The Director will then review the document's continuing validity or approve fresh proposals from the owner or operator.

## HOURS OF WORK

*Working arrangements*

16.—(1) Every operator of a ship and employer is obliged to ensure that the master, officers and ratings do not work more hours than is safe in relation to the performance of their duties and the safety of the vessel. The same responsibility is placed on the master in relation to the seafarers. Manning levels should be such as to ensure so far as possible that the time and place available for taking rest periods are appropriate for achieving a good quality of rest. Operators will also want to take into account section B-VIII/1 of the STCW Code which provides further guidance about fitness for duty.

(2) Operators are required to ensure that a schedule of duties is produced setting out the hours of work and the rest periods. It should provide that the master, officers and all other seamen do not work more hours than is safe in relation to the safety of the ship. In devising the schedule, operators should take account of factors such as—

- (a) trade and type of operation;
- (b) type and size of ship;
- (c) construction and technical equipment of ship;
- (d) manning levels and changes in crew numbers due to crew changes and sickness;
- (e) maximum period of continuous watchkeeping;
- (f) minimum rest periods;
- (g) total workload;
- (h) the seriousness of irregular working hours and their contribution to fatigue causation and the importance of scheduling reasonably stable watchkeeping hours over a voyage.

SCHEDULE 11, *contd.*

(3) Changes should not be made to the schedule unless they can be justified by substantially altered work patterns made necessary, for example, by a change in trading pattern or other significant factor. Where it is known that a vessel engages in an irregular trading pattern or that working hours are likely to be uniform this can be taken into account and recorded in the schedule. The consultation process referred to in paragraph 17 below also applies to changes in the schedule.

*Consultation*

17. Operators of ships are required to seek the views of the master when first drawing up a schedule of duties for a ship or ships. The master of a ship should seek the views of his officers and shall seek and convey to the operator the views of the seafarers or their representatives or a trade union as appropriate. The final decision on the schedule rests with the operator who will have the responsibility to ensure that the schedule is safe in relation to the safety of the ship and the performance of duties. The master must ensure that, as far as reasonably practicable, the schedule is adhered to. Of course, in an emergency or when unforeseeable events occur, changes may well be unavoidable. Regulation 30(9) requires that, once a schedule has been completed by the operator, it must be displayed prominently in the crew accommodation on board the vessel for the information of all the seafarers.

*Records*

18. A record of all deviations from the schedule's requirements is to be kept on the ship. Any suitable form of record is acceptable provided that the record is always accessible to those authorized to carry out inspections; the record must be retained for a period of up to five years. There is no need to rewrite the schedule for each voyage so long as it is applicable to the voyage in question and the composition of the crew for whom it was originally intended has not changed.

19. The overriding aim is to ensure that a proper record of agreed work patterns exists on board for the benefit of crew members and inspecting authorities, and that the record may be matched to each individual crew member involved by means of other documents such as the crew list.

*Exceptions for emergencies*

20. The regulations recognize that situations may arise in which a master or seaman may be required to exceed the schedule's duty periods. These include emergencies which threaten the safety of the ship or the environment or put life at risk. Where a master or other seaman exceeds the scheduled hours of work in this manner, and has worked during his rest period, his name must be entered in the record required to be maintained, together with the reason for the excess.

APPLICATION FOR A SAFE MANNING DOCUMENT

*Information to be provided*

21.—(1) When applying to the Director for a safe manning document, owners or operators should submit a clear and concise explanation of how the proposed manning level has been determined and how it takes account of the guidance in paragraphs 9 to 15 above and the hours of work provisions in the regulations. The Director will be able to make a quick assessment of the application if the owner or operator can demonstrate that all the factors and principles in those paragraphs have been taken into account.

(2) Applications for a safe manning document should be made by the owner or a person authorized to act on his behalf, on a form which is obtainable from the Maritime Authority. The form sets out the information required by the Authority. A fee will be charged.

SCHEDULE 11, *contd.*GUIDANCE ON APPROPRIATE MANNING LEVELS  
CERTIFICATED DECK OFFICERS

Trading Area	Size of Ship (gt)	Number of officers to be carried		
		STCW 95 Regulation		
		II/2	II/2 or II/1	II/3
Unlimited	3000 or more	2(a)	2*	
Unlimited	500 or more but less than 3000	1(b)	2(c)*	
Unlimited	less than 500	1(d)	2*	
Near-coastal	less than 500			2(e)
Near-coastal	500 or more	1(f)	2(c)(f)*	

Note: All navigational watch ratings must hold STCW II/4 certification.

- (a) One of the certificates must be for master on ships of 3000 GT or more.
- (b) One of the certificates must be for master on ships of 3000 GT or a superior certificate.
- (c) If STCW II/1 certificates only are held, the holder designated as chief mate must have at least 6 months OOW experience whilst holding STCW II/1 certification.
- (d) This certificate must be for master on ships of 500 GT or more but less than 3000 GT.
- (e) One certificate to be for master on ships of less than 500 GT in a near-coastal area (or a superior certificate).
- (f) These certificates are to be for an unlimited area, or for any other area which includes the near coastal area within it, and have appropriate tonnage limitations.

\*May be 1 if master keeps watch or where the length of voyage is short enough to ensure adequate rest periods for watchkeeping.

SCHEDULE 11, *contd.*

GUIDANCE ON APPROPRIATE MANNING LEVELS  
CERTIFICATED ENGINEER OFFICERS

Trading Area	Registered Power (kW)	Number of officers to be carried STCW 95 Regulations		
		III/2	III/3	III/1
Unlimited	3000 or more	2(a)		(f)
Unlimited	750 or more but less than 3000		2(b)	(f)
Near-coastal	750 or more but less than 3000		2(c)	(f)
Near-coastal	350 or more but less than 750		1(d)	1(e)

Note: All engine room watch ratings are to hold STCW III/4 certification (except on vessels of less than 750 kW).

- (a) The chief engineer is to have chief engineer certification for 3000 kW or more.
- (b) The chief engineer is to have chief engineer certification for 750 kW or more but less than 3000 kW (or a superior certificate).
- (c) The chief engineer is to have chief engineer certification for 750 kW or more but less than 3000 kW for near-coastal or unlimited service.
- (d) A Senior Marine Engine Operator's Licence holder may be used instead of a STCW III/3 certificate holder for service as chief engineer. The holder may serve in a dual capacity deck and engine-room, provided service is not as master; the ship is not a tanker; the ship is classed UMS and has full bridge control, and high level bilge alarms in machinery spaces; and engine-room alarm systems are relayed to accommodation or bridge.
- (e) A Marine Engine Operator's Licence holder may be used instead of a STCW III/1 certificate holder. The holder may serve in a dual capacity in deck and engine-room departments under the same conditions as outlined in (d) above.
- (f) All watchkeeping officers to hold at least STCW III/1 certificates.

## SCHEDULE 12

(Regulation 30)

## DESPENSATION

1. The Authority may, on receipt of an application and only in circumstances of exceptional necessity, where it is considered that there will be no danger of persons, property or the environment, grant dispensations to specified seafarers such that—

- (a) they may serve on a specific Jamaican ship for a specified period, not exceeding 6 months, in capacities other than Radio Operators or Radio Telephone Operators (except as provided for in the relevant Radio Regulations) for which they do not hold the appropriate certificate of competence; and
- (b) the person obtaining the dispensation is adequately qualified to fill the vacant post in a safe manner (in accordance with the applicable safe manning requirements); and
- (c) the master/shipowners ensures that the vacant post is filled by the holder of an appropriate certificate of competence as soon as possible. In this regard, the Authority will monitor the situation to ensure compliance; and
- (d) no other seafarer serving on board the specific ship currently holds a valid dispensation.

2. The Authority may, on receipt of an application and only in circumstances of *force majeure*, and then only for the shortest possible time, grant a dispensation to an officer at the (senior) management level to act as a Master or Chief Engineer. In granting such dispensations, the Authority will specify the particular passage or part of a voyage for which such dispensations will be applicable or valid.

3. The Authority will only grant dispensations to seafarers who are properly qualified to fill the post immediately below the one for which the dispensation is to be applicable.

4. As soon as possible after 1st January each year, the Authority will submit to the Secretary-General of the IMO a report outlining the total amount of dispensations granted for each capacity on ships above and below 16,000 gross tonnes, for which a certificate of competence is required.

SCHEDULE 12, *contd.*

**DISPENSATION ISSUED UNDER THE PROVISIONS OF  
THE SHIPPING ACT GIVING EFFECT TO  
THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978  
AS AMENDED IN 1995**

The Government of Jamaica certifies that..... who is the holder of Certificate No. .... issued by or on behalf of the Government of ..... of the above Convention, is duly dispensed in accordance with the provisions of Article ..... of the above Convention, as amended, and the lawful holder is authorized to perform the following functions, at the levels specified, subject to any limitations indicated until..... on board the MV/SS.....

(Official Seal)

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

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

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Dispensation No. .... issued on .....

(Official Seal)

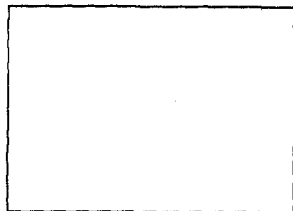
.....  
*Signature of duly authorized official*

.....  
*Name of duly authorized official*

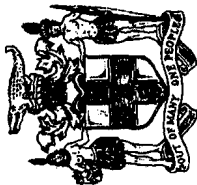
The original of this dispensation must be kept available on board the ship to which it is applicable by the individual to whom it has been granted.

Date of birth of the holder of the dispensation.....

Signature of the holder of the dispensation .....



Photograph of Holder



**JAMAICA**

N<sup>o</sup> JD

SCHEDULE 12, *contd.*

The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

SCHEDULE 13

(Regulation 46)

IMPLEMENTATION OF STCW 95  
TRANSITIONAL ARRANGEMENTS

*Introduction*

1. Transitional arrangements allow existing certificates to remain valid (subject to existing revalidation requirements) for 5 years until 1st February, 2002. The Convention requires that certificates issued under STCW 78 be assessed and updating training undertaken where necessary to meet the STCW 95 requirements.

*Deck*

2.—(1) Under the new Regulations the following deck department certificates will normally be issued.

CoC	Capacity	Area Limitation	Tonnage Limitation gt.	STCW 95 Reg.
Class 4	OOW	NEAR-COASTAL	Less than 500	II/3
Class 3	OOW	NONE	NONE	II/1
Class 3	CHIEF MATE	NONE	less than 3000	II/1
Class 3	CHIEF MATE	NONE	NONE	II/2
Class I	MASTER	NEAR-COASTAL	less than 500	II/3
Class I	MASTER	NONE	less than 3000	II/2
Class I	MASTER	NONE	NONE	II/2
	NAVIGATIONAL WATCH RATING	NONE	NONE	II/4

(2) Under the provisions of the STCW Code A-II/2, certificates will also be issued for service as master on ships over 3000 gt. engaged on near-coastal voyages.

(3) Deck officer certificates will also be introduced with other limitations to ease the change to the new certificate structure. Certificates with these limitations will only be issued to holders of STCW 78 certificates or candidates whose training commenced prior to 1st August, 1998. They are in addition to those above and are respectively for—

SCHEDULE 13, *contd.*

Certificate of Competency	Capacity	Tonnage Limitation gt.	STCW 95 Reg.
Class 3	OOW	NONE	(II/3)
Class 3	OOW	less than 3000	(II/1)
Class 2	CHIEF MATE	NONE	(II/2)
Class 2	CHIEF MATE	less than 3000	(II/2)
Class 1	MASTER	less than 3000	(II/2)

The above tonnage restrictions may also be varied in individual cases.

(4) Certificates will be issued either without geographical limitations (unlimited) or with a "near-coastal" limitation that has been developed in consultation with industry taking account of the guidance contained in STCW 95.

*Engine Department Certificates*

3.—(1) Under the Regulations the following engine department certificates will normally be issued—

CoC	Capacity	Main Propulsion Power Limitation kW	STCW 95 Reg.
Class 4	OOW	Less than 750	
Class 3	OOW	750 or more	III/1
Class 2	SECOND ENGINEER	750 to 2999	III/3
Class 2	SECOND ENGINEER	3000 or more (none)	III/2
Class 1	CHIEF ENGINEER	750 to 2999	III/3
Class 1	CHIEF ENGINEER	3000 or more (none)	III/2
	ENGINE ROOM WATCH RATING	750 or more	III/4

(2) Under the provisions of STCW Code A-III/2, certificates will also be issued for service as chief engineer or second engineer on ships of up to 6000 kW

SCHEDULE 13, *contd.*

main propulsion power, engaged on near-coastal voyages. Certificates will be duly endorsed for service on different types of power plant.

(3) Engineer officer certificates will also be introduced with other limitations to ease the change to the new certificates structure. Certificates with these limitations will only be issued to holders of STCW 78 certificates or candidates whose training commenced prior to 1st August, 1998. They are in addition to those above and are respectively for—

CoC	Capacity	Main Propulsion Power Limitation kW	Area Limitation	STCW 95 Reg.
Class 2	SECOND ENGINEER	less than 3000	Near-Coastal Voyages	(11/3)
Class 1	CHIEF ENGINEER	less than 3000	Near-Coastal Voyages	(11/3)

The above power limitations may also be varied in individual cases.

*Revalidation: Deck and Engine Certificates*

4.—(1) Existing certificate holders have three options when revalidating their certificates. They may opt to—

- (a) apply for revalidation under the 1978 Convention. The revalidation certificate will be valid for seagoing purposes, with existing tonnage, power and area limitations, until 31st January, 2002, irrespective of when the application is made; or
- (b) apply for revalidation under STCW 95, which may require minor retraining in some cases, to obtain a STCW 95 certificate valid for 5 years from the date of issue; or
- (c) prior to the due date for revalidation, undertake any necessary training and assessment required for the issue of the next higher STCW 95 certificate. Any new certificate will then be valid for 5 years from the date of issue.

(2) The tables show the equivalencies between Jamaican certificates issued under the Seafarer's Certification Act which implemented STCW 78 and the new certificate structure which meets the requirements of STCW 95. These tables include the additional certificate limitations referred to in paragraphs 2(2) and 3(2) above.

SCHEDULE 13, *contd.**Progression to next Higher Certificate*

5.—(1) Progression to the next higher grade of certificate may be by the traditional method of examination.

(2) As is the case with existing certificates, STCW 95 certificates may be limited for service on particular ship types (e.g. tugs) where necessary.

*Certificates of Service*

6.—(1) Holders of certificates of service who wish to become holders of certificates of competence complying with the requirements of STCW 95, will be required to undertake some assessment **before the issue of any** such certificate. That assessment will take account of previous experience.

(2) Certificate holders will be assessed to ascertain that their **competence level** matches that of the STCW 78 certificate of competency they are assumed to hold under existing equivalency arrangements, or that of a lower level of their choice.

(3) Additional training or updating may be required in order to comply with the STCW 95 requirement to provide evidence of training and competency regarding emergency procedures, occupational safety, medical care, survival functions and radio communications including GMDSS, appropriate to the category of certificate involved.

(4) Following satisfactory assessment and any additional retraining or updating required, certificate of service holders will be issued with equivalent STCW 95 certificates of competence. Alternatively, service holders may retain their certificates and revalidate them at the due date.

(5) Revalidation will only last until 31st January, 2002 after which date the certificate of service will no longer be recognized. The Authority will discontinue issuing Certificates of Service with effect from 1st February, 2000.

(6) The Certificate of Service shall be in the form annexed hereto.

SCHEDULE 13, *contd.*

**CERTIFICATE OF SERVICE ISSUED UNDER THE PROVISIONS OF  
THE SHIPPING ACT GIVING EFFECT TO  
THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978  
AS AMENDED IN 1995**

The Government of ..... certifies that .....  
has been found duly qualified in accordance with the provisions of Article .....  
of the above Convention, as amended, and has been found competent to perform the following  
functions, at the levels specified, subject to any limitations indicated until .....  
or until the date of expiry of any extension of the validity of this certificate as may be shown  
overleaf

(Official Seal)

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 Authority:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on .....

(Official Seal)

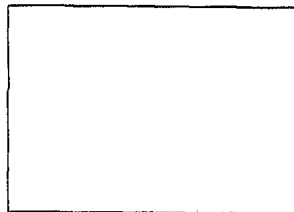
Signature of duly authorized official

Name of duly authorized official

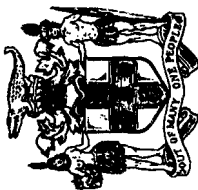
The original of this certificate must be kept available in accordance with Regulation 1/2, paragraph  
9 of the Convention while serving on a ship

Date of birth of the holder of the certificate .....

Signature of the holder of the certificate .....



Photograph of Holder



**JAMAICA**

N<sup>o</sup> JS

SCHEDULE 13, *contd.*

The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>
The validity of this endorsement is hereby extended until .....	
<i>(Official Seal)</i> .....	..... <i>Signature of duly authorized official</i>
Date of revalidation .....	..... <i>Name of duly authorized official</i>

SCHEDULE 14

(Regulation 47)

MARITIME AUTHORITY OF JAMAICA

*Schedule of Prescribed Fees*

1. An applicant for examination and other services shall pay the following fees—
  - (a) written examination per subject ..... US\$40 or J\$ equivalent
  - (b) oral examinations ..... US\$45 or J\$ equivalent
  - (c) a simulator-based examination ..... US\$50 or J\$ equivalent
  - (d) certification ..... US\$60 or J\$ equivalent
  - (e) endorsement or recognition of certificate ..... US\$50 or J\$ equivalent
  - (f) revalidation of certificate ..... US\$50 or J\$ equivalent
  - (g) dispensation ..... US\$60 or J\$ equivalent
  - (h) seaman's record book ..... US\$30 or J\$ equivalent
  - (i) resits—
    - (i) written per subject ..... US\$50 or J\$ equivalent
    - (ii) oral ..... US\$55 or J\$ equivalent
    - (iii) simulator-based ..... US\$70 or J\$ equivalent
2. The fees for an examination shall be forfeited where the applicant fails to appear for the examination at the appointed time.
3. An applicant shall pay the following fees for documents—
  - (a) replacement of a certificate, except for a certificate lost owing to shipwreck ..... US\$80 or J\$ equivalent
  - (b) replacement of an endorsement, except for an endorsement lost owing to shipwreck ..... US\$60 or J\$ equivalent
  - (c) replacement of a seaman's Record Book, except for a book lost owing to shipwreck ..... US\$40 or J\$ equivalent
  - (d) transcript of record of qualifications, seagoing service and/or examination for a certificate ..... US\$30 or J\$ equivalent
  - (e) postage and handling (foreign students) ..... US\$25 or J\$ equivalent
  - (f) certificate cover, replacement ..... US\$20 or J\$ equivalent
4. Fees shall be paid in cash to the Authority when application is made. They are not refundable.

## THE SHIPPING ACT

REGULATIONS  
(under section 228)THE SHIPPING (COLLISION PREVENTION AND SIGNALS OF DISTRESS)  
REGULATIONS, 2007*(Made by the Minister on the 19th day of July, 2007)*L.N.135<sup>2</sup>A/2007

1. These Regulations may be cited as the Shipping (Collision Prevention and Signals of Distress) Regulations, 2007.

Citation.

2. In these Regulations, "International Regulations" means the International Regulations for Preventing Collisions at Sea, 1972, (the text of which Regulations is set out in the Schedule) annexed to the Convention on the International Regulations for Preventing Collision at Sea, 1972, as is in force in relation to Jamaica.

Interpretation

Schedule.

3. These Regulations shall apply—

Application of Regulations.

(a) to Jamaican ships wherever they may be, and to other ships when within Jamaican waters; and

(b) to seaplanes registered in Jamaica and on the surface of water anywhere, and to other seaplanes when on the surface of Jamaican waters.

4. The provisions of the International Regulations shall have the force of law in Jamaica.

International Regulations to have force of law.

5. A signal of distress shall not be used by a vessel, except with the authority of its master.

Signals of distress, use of.

6. Where a vessel is operated in contravention of these Regulations the ship shall be liable to be detained in accordance with section 433 of the Act.

Detention for breach.

7.—(1) Where an amendment to the International Regulations is accepted by the Government, the Minister shall, by order, amend the Schedule accordingly.

Amendment of Schedule.

(2) An order made under paragraph (1) may contain such consequential, supplemental or ancillary provisions (including provisions amending these Regulations) as appear to the Minister to be necessary or expedient for the purpose of giving due effect to the amendment of the International Regulations.

(3) Where the Schedule is amended under paragraph (1), any reference to the International Regulations in these Regulations or any other instrument shall, unless the context otherwise requires, be construed as a reference to the International Regulations so amended.

## SCHEDULE

(Regulation 2)

*International Regulations for Preventing Collisions at Sea, 1972 (as amended)*

## PART A - General

## Rule 1

*Application*

- (a) These Rules shall apply to all vessels upon the high seas and in all waters connected therewith navigable by seagoing vessels.
- (b) Nothing in these Rules shall interfere in the operation of special rules made by an appropriate authority for roadsteads, harbours, rivers, lakes or inland waterways connected with the high seas and navigable by seagoing vessels. Such special rules shall conform as closely as possible to these Rules.
- (c) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any State with respect to additional station or signal lights or shapes or whistle signals for ships of war and vessels proceeding under convoy, or with respect to additional station or signal lights for fishing vessels fishing as a fleet. These additional station or signal lights or whistle signals shall, so far as possible, be such that they cannot be mistaken for any light, shape, or signal authorized elsewhere under these Rules.
- (d) Traffic separation schemes may be adopted by the Organization for the purpose of these Rules.
- (e) Whenever the Government concerned shall have determined that a vessel of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, such vessel shall comply with such other provisions in regard to number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, as her Government shall have determined to be the closest possible compliance with these Rules in respect to that vessel.

PART A – General, *contd.*

**Rule 2**

*Responsibility*

- (a) Nothing in these Rules shall exonerate any vessel, or the owner, master, or crew thereof, from the consequences of any neglect to comply with these Rules or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.
- (b) In construing and complying with these Rules due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these Rules necessary to avoid immediate danger.

**Rule 3**

*General Definitions*

For the purpose of these Rules, except where the context otherwise requires:

- (a) The word "vessel" includes every description of watercraft, including non-displacement craft, WIG craft and seaplanes, used or capable of being used as a means of transportation on water.
- (b) The term "power driven vessel" means any vessel propelled by machinery.
- (c) The term "sailing vessel" means any vessel under sail provided that propelling machinery, if fitted, is not being used.
- (d) The term "vessel engaged in fishing" means any vessel fishing with nets, lines, trawls, or other fishing apparatus which restrict manoeuvrability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict manoeuvrability.
- (e) The term "seaplane" includes any aircraft designed to manoeuvre on the water.
- (f) The term "vessel not under command" means a vessel which through some exceptional circumstance is unable to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel.
- (g) The term "vessel restricted in her ability to manoeuvre" means a vessel which from the nature of her work is restricted in her ability to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel. The term "vessel restricted in her ability to manoeuvre" shall include but not be limited to:

THE SHIPPING (COLLISION PREVENTION AND SIGNALS  
OF DISTRESS) REGULATION, 2007

*Rule 3, contd.*

*General Definitions, contd.*

- (i) a vessel engaged in laying, servicing, or picking up a navigational mark, submarine cable or pipeline;
  - (ii) a vessel engaged in dredging, surveying or underwater operations;
  - (iii) a vessel engaged in replenishment or transferring persons, provisions or cargo while underway;
  - (iv) a vessel engaged in the launching or recovery of aircraft;
  - (v) a vessel engaged in mine clearance operations;
  - (vi) a vessel engaged in a towing operation such as severely restricts the towing vessel and her tow in their ability to deviate from their course.
- (h) The term "vessel constrained by her draft" means a power-driven vessel which because of her draft in relation to the available depth and width of navigable water is severely restricted in her ability to deviate from the course she is following.
- (i) The word "underway" means a vessel is not at anchor, or made fast to the shore, or aground.
  - (j) The words "length" and "breadth" of a vessel mean her length overall and greatest breadth.
  - (k) Vessels shall be deemed to be in sight of one another only when one can be observed visually from the other.
  - (l) The term "restricted visibility" means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms and any other similar causes.
  - (m) The term "Wing-In-Ground (WIG) craft" means a multimodal craft which, in its main operational mode, flies in close proximity to the surface by utilizing surface-effect action.

**PART B – Steering and Sailing Rules**

**Section I – Conduct of Vessels in any Condition of Visibility**

**Rule 4**

*Application Rules in this section apply to any condition of visibility.*

**Rule 5**

**Look-out**

Every vessel shall at all times maintain a proper look-out by sight as well as by hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

**Rule 6**

**Safe Speed**

Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions.

In determining a safe speed the following factors shall be among those taken into account:

- (a) By all vessels:
  - (i) the state of visibility;
  - (ii) the traffic density including concentrations of fishing vessels or any other vessels;
  - (iii) the manageability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions;
  - (iv) at night the presence of background light such as from shore lights or from back scatter from her own lights;
  - (v) the state of wind, sea and current, and the proximity of navigational hazards;
  - (vi) the draft in relation to the available depth of water.
  
- (b) Additionally, by vessels with operational radar:
  - (i) the characteristics, efficiency and limitations of the radar equipment;
  - (ii) any constraints imposed by the radar range scale in use;
  - (iii) the effect on radar detection of the sea state, weather and other sources of interference;
  - (iv) the possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range;

*THE SHIPPING (COLLISION PREVENTION AND SIGNALS  
OF DISTRESS) REGULATION, 2007*

**RULE 6, contd.**

*Safe Speed, contd.*

- (v) the number location and movement of vessels detected by radar;
- (vi) the more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.

**Rule 7**

*Risk of Collision*

- (a) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.
- (b) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.
- (c) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.
- (d) In determining if risk of collision exists the following considerations shall be among those taken into account:
  - (i) such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change;
  - (ii) such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

**Rule 8**

*Action to Avoid Collision*

- (a) Any action taken to avoid collision shall be taken in accordance with the Rules of this Part and shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.
- (b) Any alteration of course and/or speed to avoid collision shall, if the circumstances of the case admit be large enough to be readily apparent to another vessel observing visually or by radar; a succession of small alterations of course and/or speed shall be avoided.
- (c) If there is sufficient sea room, alteration of course alone may be the most effective action to avoid a close-quarters situation provided that it is made in

**RULE 8, contd.**

*Action to Avoid Collision, contd.*

good time, is substantial and does not result in another close-quarters situation.

- (d) Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.
- (e) If necessary to avoid collision or allow more time to assess the situation, a vessel may slacken her speed or take all way off by stopping or reversing her means of propulsion.
- (f)
  - (i) A vessel which, by any of these Rules, is required not to impede the passage or safe passage of another vessel shall when required by the circumstances of the case, take early action to allow sufficient sea room for the safe passage of the other vessel.
  - (ii) A vessel required not to impede the passage or safe passage of another vessel is not relieved of this obligation if approaching the other vessel so as to involve risk of collision and shall, when taking action, have full regard to the action which may be required by the rules of this part.
  - (iii) A vessel, the passage of which is not to be impeded remains fully obliged to comply with the rules of this part when the two vessels are approaching one another so as to involve risk of collision.

**Rule 9**

*Narrow Channels*

- (a) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on her starboard side as is safe and practicable.
- (b) A vessel of less than 20 metres in length or a sailing vessel shall not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway.
- (c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow passage or fairway.
- (d) A vessel shall not cross a narrow passage or fairway if such crossing impedes the passage of a vessel which can safely navigate only within such channel or fairway. The latter vessel may use the sound signal prescribed in Rule 34 (d) if in doubt as to the intention of the crossing vessel.

THE SHIPPING (COLLISION PREVENTION AND SIGNALS  
OF DISTRESS) REGULATION, 2007

**Rule 9, contd.**

*Narrow Channels, contd.*

- (e) (i) In a narrow channel or fairway when overtaking can take place only when the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in Rule 34 (c) (i). The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in Rule 34 (c) (ii) and take steps to permit safe passing. If in doubt she may sound the signals prescribed in Rule 34 (d).
- (ii) This rule does not relieve the overtaking vessel of her obligation under Rule 13.
- (f) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in Rule 34 (e).
- (g) Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

**Rule 10**

*Traffic Separation Schemes*

- (a) This Rule applies to traffic separation schemes adopted by the Organization and does not relieve any vessel of her obligation under any other rule.
- (b) A vessel using a traffic separation scheme shall:
- (i) proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;
- (ii) so far as is practicable keep clear of a traffic separation line or separation zone;
- (iii) normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.
- (c) A vessel shall so far as practicable avoid crossing traffic lanes, but if obliged to do so shall cross on a heading as nearly as practicable at right angles to the general direction of traffic flow.

**Rule 10, contd.**

*Traffic Separation Schemes, contd.*

- (d) (i) A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 metres in length, sailing vessels and vessels engaged in fishing may use the inshore traffic zone.
- (ii) Notwithstanding subparagraph (d) (i), a vessel may use an inshore traffic zone when en route to or from a port, offshore installation or structure, pilot station or any other place situated within the inshore traffic zone, or to avoid immediate danger.
- (e) A vessel, other than a crossing vessel or a vessel joining or leaving a lane shall not normally enter a separation zone or cross a separation line except:
- (i) in cases of emergency to avoid immediate danger;
- (ii) to engage in fishing within a separation zone;
- (f) A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.
- (g) A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.
- (h) A vessel not using a traffic separating scheme shall avoid it by as wide a margin as is practicable.
- (i) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.
- (j) A vessel of less than 20 metres in length or sailing vessel shall not impede the safe passage of a power driven vessel following a traffic lane.
- (k) A vessel restricted in her ability to manoeuvre when engaged in an operation for the maintenance of safety of navigation in a traffic separating scheme is exempted from complying with the Rule to the extent necessary to carry out the operation.
- (l) A vessel restricted in her ability to manoeuvre when engaged in an operation for the laying, servicing or picking up a submarine cable, within a traffic separating scheme, is exempted from complying with this Rule to the extent necessary to carry out the operation.

Section II – Conduct of Vessels in Sight of One Another

**Rule 11**

*Application*

Rules in this section apply to vessels in sight of one another.

**Rule 12**

*Sailing Vessels*

- (a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:
- (i) when each of them has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;
  - (ii) when both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward;
  - (iii) if the vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or the starboard side, she shall keep out of the way of the other.
- (b) For the purposes of this Rule the windward side shall be deemed to be the side opposite that on which the mainsail is carried or, in the case of a square rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

**Rule 13**

*Overtaking*

- (a) Notwithstanding anything contained in the Rules of Part B, Sections I and II, any vessel overtaking any other shall keep out of the way of the vessel being overtaken.
- (b) A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft her beam, that is, in such a position with reference to the vessel she is overtaking, that at night she would be able to see only sternlight of that vessel but neither of her sidelights.
- (c) When a vessel is in any doubt as to whether she is overtaking another, she shall assume that this is the case and act accordingly.
- (d) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these Rules or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

**Rule 14**

*Head-on situation*

- (a) When two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter her course starboard so that each shall pass on the port side of the other.
- (b) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night she could see the masthead lights in line or nearly in line and or both sidelights and by day she observes the corresponding aspect of the other vessel.
- (c) When a vessel is in any doubt as to whether such a situation exists she shall assume that it does exist and act accordingly.

**Rule 15**

*Crossing Situation*

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

**Rule 16**

*Action by stand-on vessel*

Every vessel which is directed to keep out of the way of another vessel clear, shall, so far as possible, take early and substantial action to keep well.

**Rule 17**

*Action by stand-on vessel*

- (a) (i) Where one of two vessels is to keep out of the way of the other shall keep her course and speed.
- (ii) The latter vessel may however take action to avoid collision by her manoeuvre alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action in accordance with these Rules.
- (b) When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, she shall take such action as will best aid to avoid collision.
- (c) A power-driven vessel which takes action in a crossing situation in accordance with subparagraph (a) (ii) of this Rule to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

*Action by stand-on vessel, contd.*

- (d) This Rule does not relieve the give-way vessel of her obligation to keep out of the way.

**Rule 18**

*Responsibilities Between Vessels*

Except where Rules 9, 10 and 13 otherwise require:

- (a) a power driven vessel underway shall keep out of the way of:
- (i) a vessel not under command;
  - (ii) a vessel restricted in her ability to manoeuvre;
  - (iii) a vessel engaged in fishing;
  - (iv) a sailing vessel.
- (b) A sailing vessel under way shall keep out of the way of:
- (i) vessel not under command;
  - (ii) a vessel restricted in her ability to manoeuvre;
  - (iii) a vessel engaged in fishing.
- (c) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of:
- (i) a vessel not under command;
  - (ii) a vessel restricted in her ability to manoeuvre.
- (d) (i) Any vessel other than a vessel not under command or a vessel restricted in her ability to manoeuvre shall, if the circumstances of the case admit, avoid impeding the safe passage of a vessel constrained by her draft, exhibiting the signals in Rule 28.
- (ii) A vessel constrained by her draft shall navigate with particular caution having full regard to her special condition.
- (e) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with the Rules of this Part.
- (f) (i) A WIG craft shall, when taking off, landing and in flight near the surface, keep well clear of all other vessels and avoid impeding their navigation;
- (ii) A WIG craft operating on the water surface shall comply with the Rules of this Part as a power-driven vessel.

Section III – Conduct of Vessels in Restricted Visibility

Rule 19

*Conduct of Vessels in Restricted Visibility*

- (a) This Rule applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.
- (b) Every vessel shall proceed at a safe speed adapted to the prevailing circumstances and condition of restricted visibility. A power-driven vessel shall have her engines ready for immediate manoeuvre.
- (c) Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with the Rules of Section 1 of this Part.
- (d) A vessel which detects by radar alone the presence of another vessel shall determine if a close quarters situation is developing and/or risk of collision exists. If so, she shall take avoiding action in ample time, provided that when such action consists of an alteration in course, so far as possible the following shall be avoided:
  - (i) an alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken;
  - (ii) an alteration of course toward a vessel abeam or abaft the beam.
- (e) Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of her beam the fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of her beam, shall reduce her speed to be the minimum at which she can be kept on her course. She shall if necessary take all her way off and in any event navigate with extreme caution until danger of collision is over.

PART C – Lights and Shapes

Rule 20

*Application*

- (a) Rules in this Part shall be complied with in all weathers.
- (b) The Rules concerning lights shall be complied with from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights which cannot be mistaken for the lights specified in these Rules or do not impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.

Part C – Lights and Shapes, *contd.*

Rule 20, *contd.*

*Application, contd.*

- (c) The lights prescribed by these Rules shall, if carried, also be exhibited from sunrise to sunset in restricted visibility and may be exhibited in all other circumstances when it is deemed necessary.
- (d) The Rules concerning shapes shall be complied with by day.
- (e) The lights and shapes specified in these Rules shall comply with the provisions of Annex I to these Regulations

Rule 21

*Definitions*

- (a) "Masthead light" means a white light placed over the fore and aft centreline of the vessel showing an unbroken light over an arc of horizon of 22.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on either side of the vessel.
- (b) "Sidelights" means a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of horizon of 112.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on the respective side. In a vessel of less than 20 metres in length the sidelights may be combined in one lantern carried on the fore and aft centreline of the vessel.
- (c) "Sternlight", means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of horizon of 135 degrees and so fixed as to show the light 67.5 degrees from right aft on each side of the vessel.
- (d) "Towing light" means a yellow light having the same characteristics as the "sternlight" defined in paragraph (c) of this Rule.
- (e) "All round light" means a light showing an unbroken light over an arc of horizon of 360 degrees.
- (f) "Flashing light" means a light flashing at regular intervals at a frequency of 120 flashes or more per minute.

Rule 22

*Visibility of Lights*

The lights prescribed in these Rules shall have an intensity as specified in Section 8 of Annex I to these Regulations so as to be visible at the following minimum ranges:

- (a) In vessels of 50 metres or more in length:
  - a masthead light, 6 miles;
  - a sidelight, 3 miles;
  - a towing light, 3 miles;
  - a white red, green or yellow all-around light, 3 miles.

Rule 22, *contd.*

Visibility of Lights, *contd.*

- (b) In vessels of 12 metres or more in length but less than 50 metres in length:
- a masthead light, 5 miles; except that where the length of the vessel is less than 20 metres, 3 miles;
  - a sidelight, 2 miles;
  - a sternlight, 2 miles, a towing light, 2 miles;
  - a white, red, green or yellow all-round light, 2 miles.
- (c) In vessels of less than 12 metres in length:
- a masthead light, 2 miles;
  - a sidelight, 1 mile;
  - a towing light, 2 miles;
  - a white, red, green or yellow all-around light, 2 miles.
- (d) In inconspicuous, partly submerged vessels or objects being towed:
- a white all-round light; 3 miles.

Rule 23

*Power-driven vessels underway*

- (a) A power-driven vessel underway shall exhibit:
- (i) a masthead light forward;
  - (ii) a second masthead light abaft of and higher than the forward one;  
except that a vessel of less than 50 metres in length shall not be obliged to exhibit such a light but may do so;
  - (iii) sidelights; and
  - (iv) a sternlight.
- (b) An air-cushion vessel when operating in the non-displacement mode shall, in addition to the lights prescribed in paragraph (a) of this Rule, exhibit an all-round flashing yellow light.
- (c) A WIG craft only when taking off, landing and in flight near the surface shall, in addition to the lights prescribed in paragraph (a) of this Rule, exhibit a high-intensity all-round flashing red light.
- (d) (i) A power-driven vessel of less than 12 metres in length may in lieu of the lights prescribed in paragraph (a) of this Rule exhibit an all-round white light and sidelights.

**Rule 23, contd.**

**Power-driven vessels underway, contd.**

- (ii) a power-driven vessel of less than 7 metres in length whose maximum speed does not exceed 7 knots may in lieu of the lights prescribed in paragraph (a) of this Rule exhibit an all-round white light and shall, if practicable, also exhibit sidelights.
- (iii) the masthead light or all-round white light on a power-driven vessel of less than 12 metres in length may be displaced from the fore and aft centreline of the vessel if centreline fitting is not practicable, provided the sidelights are combined in one lantern which shall be carried on the fore and aft centreline of the vessel or located as nearly as practicable in the same fore and aft line as the masthead light or all-round white light.

**Rule 24**

**Towing and Pushing**

- (a) A power-driven vessel when towing shall exhibit:
  - (i) instead of the light prescribed in Rule 23(a)(i) or (a)(ii), two masthead lights in a vertical line. When the length of the tow measuring from the stern of the towing vessel to the after end of the tow exceeds 200 metres, three such lights in a vertical line;
  - (ii) sidelights;
  - (iii) a sternlight;
  - (iv) a towing light in a vertical line above the sternlight; and
  - (v) when the length of the tow exceeds 200 metres, a diamond shape where it can best be seen.
- (b) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and exhibit the lights prescribed in Rule 23.
- (c) A power-driven vessel when pushing ahead or towing alongside, except in the case of a composite unit, shall exhibit:
  - (i) instead of the light prescribed in Rule 23(a)(i) or (a)(ii), two masthead lights in a vertical line. When the length of the tow measuring from the stern of the towing vessel to the after end of the tow exceeds 200 metres, three such lights in a vertical line;
  - (ii) sidelights;
  - (iii) a sternlight.

Rule 24, *contd.*

Towing and Pushing, *contd.*

- (d) A power-driven vessel to which paragraph (a) or (c) of this Rule apply shall also comply with Rule 23(a) (ii).
- (e) A vessel or object being towed, other than those mentioned in paragraph (g) of this Rule, shall exhibit:
  - (i) sidelights;
  - (ii) a sternlight;
  - (iii) when the length of the tow exceeds 200 metres, a diamond shape where it can best be seen.
- (f) Provided that any number of vessels being towed alongside or pushed in a group shall be lighted as one vessel,
  - (i) a vessel being pushed ahead, not being part of a composite unit, shall exhibit at the forward end, sidelights;
  - (ii) a vessel being towed alongside shall exhibit a sternlight and at the forward end, sidelights.
- (g) An inconspicuous, partly submerged vessel or object, or combination of such vessels or objects being towed, shall exhibit:
  - (i) if it is less than 25 metres in breadth, one all-round white light at or near the front end and one at or near the after end except that dracones need not exhibit a light at or near the forward end;
  - (ii) if it is 25 metres or more in breadth, two or more additional all-round white lights at or near the extremities of its breadth;
  - (iii) if it exceeds 100 metres in length, additional all-round white lights between the lights prescribed in subparagraphs (i) and (ii) so that the distance between the lights shall not exceed 100 metres;
  - (iv) a diamond shape at or near the aftermost extremity of the last vessel or object being towed and if the length of the tow exceeds 200 metres an additional diamond shape where it can best be seen and located as far forward as is practicable.
- (h) When from any sufficient cause it is impracticable for a vessel or object being towed to exhibit the lights or shapes prescribed in paragraph (e) or (g) of this Rule, all possible measures shall be taken to light the vessel or object being towed or at least indicate the presence of such vessel or object.

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Rule 24, *contd.*

*Towing and Pushing, contd.*

- (i) Where from any sufficient cause it is impracticable for a vessel not normally engaged in towing operations to display the lights prescribed in paragraph (a) or (c) of this Rule, such vessel shall not be required to exhibit those lights when engaged in towing another vessel in distress or otherwise in need of assistance. All possible measures shall be taken to indicate the nature of the relationship between the towing vessel and the vessel being towed as authorized by Rule 36, in particular by illuminating the towline.

Rule 25

*Sailing Vessels Underway and Vessels Under Oars*

- (a) A sailing vessel underway shall exhibit:
  - (i) sidelights;
  - (ii) a sternlight.
- (b) In a sailing vessel of less than 20 metres in length the lights prescribed in paragraph (a) of this Rule may be combined in one lantern carried at or near the top of the mast where it can best be seen.
- (c) A sailing vessel underway may, in addition to the lights prescribed in paragraph (a) of this Rule, exhibit at or near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by paragraph (b) of this Rule.
- (d)
  - (i) A sailing vessel of less than 7 metres in length shall, if practicable, exhibit the lights prescribed in paragraph (a) or (b) of this Rule, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.
  - (ii) A vessel under oars may exhibit the lights prescribed in this Rule for sailing vessels, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.
- (e) A vessel proceeding under sail when also being propelled by machinery shall exhibit forward where it can best be seen a conical shape, apex downwards.

**Rule 26**

*Fishing Vessels*

- (a) A vessel engaged in fishing, whether underway or at anchor, shall exhibit only the lights and shapes prescribed by this Rule.
- (b) A vessel when engaged in trawling, by which is meant the dragging through the water of a dredge net or other apparatus used as a fishing appliance, shall exhibit:
  - (i) two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other;
  - (ii) a masthead light abaft of and higher than the all-round green light; a vessel of less than 50 metres in length shall not be obliged to exhibit such a light but may do so;
  - (iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.
- (c) A vessel engaged in fishing, other than trawling, shall exhibit:
  - (i) two all-round lights in a vertical line, the upper being red and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other;
  - (ii) when there is outlying gear extending more than 150 metres horizontally from the vessel an all-round white light or a cone apex upwards in the direction of the gear;
  - (iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.
- (d) The additional signals described in Annex II to these Regulations apply to a vessel engaged in fishing in close proximity to other vessels engaged in fishing.
- (e) A vessel when not engaged in fishing shall not exhibit the lights or shapes prescribed in this Rule, but only those prescribed for a vessel of her length.

**Rule 27**

*Vessels Not Under Command or Restricted in Their Ability to Manoeuvre*

- (a) A vessel not under command shall exhibit:

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Rule 27, *contd.*

*Vessels Not Under Command or Restricted in Their Ability to Manoeuvre, contd.*

- (i) two all-round red lights in a vertical line where they can best be seen;
  - (ii) two balls or similar shapes in a vertical line where they can best be seen;
  - (iii) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.
- (b) A vessel restricted in her ability to manoeuvre, except a vessel engaged in mine clearance operations, shall exhibit:
- (i) three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red and the middle light shall be white;
  - (ii) three shapes in a vertical line where they can best be seen. The highest and lowest of these shapes shall be balls and the middle one a diamond;
  - (iii) when making way through the water, a masthead light, sidelights and a sternlight in addition to the lights prescribed in subparagraph (i);
  - (iv) when at anchor, in addition to the lights or shapes prescribed in subparagraphs (i) and (ii), the light, lights, or shape prescribed in Rule 30.
- (c) A power-driven vessel engaged in a towing operation such as severely restricts the towing vessel and her tow in their ability to deviate from their course shall, in addition to the lights or shapes prescribed in Rule 24 (a), exhibit the lights or shapes prescribed in subparagraph (b) (i) and (ii) of this Rule.
- (d) A vessel engaged in dredging or underwater operations, when restricted in her ability to manoeuvre, shall exhibit the lights and shapes prescribed in subparagraphs (b) (i), (ii) and (iii) of this Rule and shall in addition when an obstruction exists, exhibit:
- (i) two all-round red lights or two balls in a vertical line to indicate the side on which the obstruction exists;
  - (ii) two all-round green lights or two diamonds in a vertical line to indicate the side on which another vessel may pass;
  - (iii) when at anchor, the lights or shapes prescribed in this paragraph instead of the lights or shapes prescribed in Rule 30.

**Rule 27, contd.**

*Vessels Not Under Command or Restricted in Their Ability to Manoeuvre, contd.*

- (e) Whenever the size of a vessel engaged in diving operations makes it impracticable to exhibit all lights and shapes prescribed in paragraph (d) of this Rule, the following shall be exhibited:
  - (i) three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red and the middle light shall be white;
  - (ii) a rigid replica of the code flag "A" not less than 1 metre in height. Measures shall be taken to ensure its all-round visibility.
- (f) A vessel engaged in mine clearance operations shall in addition to the Sights prescribed for a power-driven vessel in Rule 23 or to the light or shape prescribed for a vessel at anchor in Rule 30 as appropriate, exhibit three all-round green lights or three balls. One of these lights or shapes shall be exhibited near the foremast head and one at each end of the fore yard. These lights or shapes indicate that it is dangerous for another vessel to approach within 1000 metres of the mine clearance vessel.
- (g) Vessels of less than 12 metres in length, except those engaged in diving operations, shall not be required to exhibit the lights prescribed in this Rule.
- (h) The signals prescribed in this Rule are not signals of vessels in distress and requiring assistance. Such signals are contained in Annex IV to these Regulations.

**Rule 28**

*Vessels Constrained by their Draft*

A vessel constrained by her draft may, in addition to the lights prescribed for power-driven vessels in Rule 23, exhibit where they can best be seen three all-round red lights in a vertical line, or a cylinder.

**Rule 29**

*Pilot Vessels*

- (a) A vessel engaged on pilotage duty shall exhibit:
  - (i) at or near the masthead, two all-round lights in a vertical line, the upper being white and the lower red;
  - (ii) when underway, in addition, sidelights and a sternlight;

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**Rule 29, contd.**

*Pilot Vessels, contd.*

- (iii) when at anchor, in addition to the lights prescribed in subparagraph (i), the light, lights, or shape prescribed in Rule 30 for vessels at anchor.
- (b) A pilot vessel when not engaged on pilotage duty shall exhibit the lights or shapes prescribed for a similar vessel of her length.

**Rule 30**

*Anchored Vessels and Vessels Aground*

- (a) A vessel at anchor shall exhibit where it can best be seen:
  - (i) in the fore part, an all-round white light or one ball;
  - (ii) at or near the stern and at a lower level than the light prescribed in subparagraph (i), an all-round white light.
- (b) A vessel of less than 50 metres in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed in paragraph (a) of this Rule.
- (c) A vessel at anchor may, and a vessel of 100 metres and more in length shall, also use the available working or equivalent lights to illuminate her decks.
- (d) A vessel aground shall exhibit the lights prescribed in paragraph (a) or (b) of this Rule and in addition, where they can best be seen;
  - (i) two all-round red lights in a vertical line;
  - (ii) three balls in a vertical line.
- (e) A vessel of less than 7 metres in length, when at anchor not in or near a narrow channel, fairway or where other vessels normally navigate, shall not be required to exhibit the shape prescribed in paragraphs (a) and (b) of this Rule.
- (f) A vessel of less than 12 metres in length, when aground, shall not be required to exhibit the lights or shapes prescribed in subparagraphs (d) (i) and (ii) of this Rule.

**Rule 31**

*Seaplanes*

Where it is impracticable for a seaplane or a WIG craft to exhibit lights and characteristics or in the positions prescribed in the Rules of this Part she shall exhibit lights and shapes as closely similar in characteristics and position as is possible.

PART D – Sounds and Light Signals

Rule 32

*Definitions*

- (a) The word "whistle" means any sound signalling appliance capable of producing the prescribed blasts and which complies with the specifications in Annex III to these Regulations.
- (b) The term "short blast" means a blast of about one second's duration.
- (c) The term "prolonged blast" means a blast from four to six seconds' duration.

Rule 33

*Equipment for Sound Signals*

- (a) A vessel of 12 metres or more in length shall be provided with a whistle, a vessel of 20 metres or more in length shall be provided with a bell in addition to a whistle, and a vessel of 100 metres or more in length shall, in addition be provided with a gong, the tone and sound of which cannot be confused with that of the bell. The whistle, bell and gong shall comply with the specifications in Annex III to these Regulations. The bell or gong or both may be replaced by other equipment having the same respective sound characteristics, provided that manual sounding of the prescribed signals shall always be possible.
- (b) A vessel of less than 12 metres in length shall not be obliged to carry the sound signalling appliances prescribed in paragraph (a) of this Rule but if she does not, she shall be provided with some other means of making an efficient signal.

Rule 34

*Manoeuvring and Warning Signals*

- (a) When vessels are in sight of one another, a power-driven vessel under way, when manoeuvring as authorized or required by these Rules, shall indicate that manoeuvre by the following signals on her whistle:

one short blast to mean "I am altering my course to starboard";

two short blasts to mean "I am altering my course to port";

three short blasts to mean "I am operating astern propulsion".

**Rule 34, contd.***Manoeuvring and Warning Signals, contd.*

- (b) Any vessel may supplement the whistle signals prescribed in paragraph (a) of this Rule by light signals, repeated as appropriate, whilst the manoeuvre is being carried out:
- (i) these signals shall have the following significance:
    - one flash to mean "I am altering my course to starboard";
    - two flashes to mean "I am altering my course toport";
    - three flashes to mean "I am operating astern propulsion".
  - (ii) the duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall not be less than ten seconds.
  - (iii) the light used for this signal shall, if fitted, be an all-round white light, visible at a minimum range of 5 miles, and shall comply with the provisions of Annex I to these Regulations.
- (c) When in sight of one another in a narrow channel or fairway;
- (i) a vessel intending to overtake another shall in compliance with Rule 9 (e) (i) indicate her intention by the following signals on her whistle:
    - two prolonged blasts followed by one short blast to mean "I intend to overtake you on your starboard side";
    - two prolonged blasts followed by two short blasts to mean "I intend to overtake you on your port side".
  - (ii) the vessel about to be overtaken when acting in accordance with 9 (e) (i) shall indicate her agreement by the following signal on her whistle:
    - one prolonged, one short, one prolonged and one short blast, in that order.
- (d) When vessels in sight of one another are approaching each other and from any cause either vessel fails to understand the intentions or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the vessel in doubt shall immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by at least five short and rapid flashes.

**RULE 34, contd.**

*Manoeuvring and Warning Signals, contd.*

- (e) A vessel nearing a bend or an area of a channel or fairway where other vessels may be obscured by an intervening obstruction shall sound one prolonged blast. Such signal shall be answered with a prolonged blast by any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.
- (f) If whistles are fitted on a vessel at a distance apart of more than 100 metres, one whistle only shall be used for giving manoeuvring and warning signals.

**Rule 35**

*Sound Signals in Restricted Visibility*

In or near an area of restricted visibility, whether by day or night the signals prescribed in this Rule shall be used as follows:

- (a) A power-driven vessel making way through the water shall sound at intervals of not more than 2 minutes one prolonged blast
- (b) A power-driven vessel underway but stopped and making no way through the water shall sound at intervals of no more than 2 minutes two prolonged blasts in succession with an interval of about 2 seconds between them.
- (c) A vessel not under command, a vessel restricted in her ability to manoeuvre, a vessel constrained by her draft, a sailing vessel, a vessel engaged in fishing and a vessel engaged in towing or pushing another vessel shall, instead of the signals prescribed in paragraph (a) or (b) of this Rule, sound at intervals of not more than 2 minutes three blasts in succession, namely one prolonged followed by two short blasts.
- (d) A vessel engaged in fishing, when at anchor, and a vessel restricted in her ability to manoeuvre when carrying out her work at anchor, shall instead of the signals prescribed in paragraph (g) of this Rule sound the signal prescribed in paragraph (c) of this Rule.
- (e) A vessel towed or if more than one vessel is being towed the last vessel of the tow, if manned, shall at intervals of not more than 2 minutes sound four blasts in succession, namely one prolonged followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.
- (f) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and shall give the signals prescribed in paragraph (a) or (b) of this Rule.

**Rule 35, contd.***Sound Signals in Restricted Visibility, contd.*

- (g) A vessel at anchor shall at intervals of not more than 1 minute ring the bell rapidly for ten seconds. In a vessel 100 metres or more in length the bell shall be sounded in the forepart of the vessel and immediately after the ringing of the bell the gong shall be sounded rapidly for about 5 seconds in the after part of the vessel. A vessel at anchor may in addition sound three blasts in succession, namely one short, one long and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.
- (h) A vessel aground shall give the bell signal and if required the gong signal prescribed in paragraph (g) of this Rule and shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell. A vessel aground may in addition sound an appropriate whistle-signal.
- (i) A vessel of 12 metres or more but less than 20 metres in length shall not be obliged to give the bell signals prescribed in paragraphs (g) and (h) of this Rule. However, if she does not, she shall make some other efficient sound signal at intervals of not more than 2 minutes.
- (j) A vessel of less than 12 metres in length shall not be obliged to give the abovementioned signals but, if she does not, shall make some other efficient sound signal at intervals of not more than 2 minutes.
- (k) A pilotage vessel when engaged on pilotage duty may in addition to the signals prescribed in paragraph (a), (b) or (g) of this Rule sound an identity signal consisting of four short blasts.

**Rule 36***Signals to Attract Attention*

If necessary to attract the attention of another vessel, any vessel may make light or sound signals that cannot be mistaken for any signal authorized elsewhere in these Rules, or may direct the beam of her searchlight in the direction of the danger, in such a way as not to embarrass any vessel. Any light to attract the attention of another vessel shall be such that it cannot be mistaken for any aid to navigation. For the purpose of this Rule the use of high intensity intermittent or revolving lights, such as strobe lights, shall be avoided.

**Rule 37***Distress Signals*

When a vessel is in distress and requires assistance she shall use or exhibit the signals described in Annex IV to these Regulations.

PART E – Exemptions

Rule 38

Exemptions

Any vessel (or class of vessel) provided that she complies with the requirements of the International Regulations for the Preventing of Collisions at Sea, 1960, the keel of which is laid or is at a corresponding stage of construction before the entry into force of these Regulations may be exempted from compliance therewith as follows;

- (a) The installation of lights with ranges prescribed in Rule 22, until 4 years after the date of entry into force of these Regulations.
- (b) The installation of lights with color specifications as prescribed in Section 7 of Annex I to these Regulations, until 4 years after the entry into force of these Regulations.
- (c) The repositioning of lights as a result of conversion from Imperial to metric units and rounding off measurement figures, permanent exemption.
- (d)
  - (i) The repositioning of masthead lights on vessels of less than 150 metres in length, resulting from the prescriptions of Section 3 (a) of Annex I to these Regulations, permanent exemption.
  - (ii) The repositioning of masthead lights on vessels of 150 metres or more in length, resulting from the prescriptions of Section 3 (a) of Annex I to these Regulations, until 9 years after the date of entry into force of these Regulations.
- (e) The repositioning of masthead lights resulting from the prescriptions of Section 2 (b) of Annex I to these Regulations, until 9 years after the date of entry into force of these Regulations.
- (f) The repositioning of sidelights resulting from the prescriptions of Section 2 (g) and 3 (b) of Annex I to these Regulations, until 9 years after the date of entry into force of these Regulations.
- (g) The requirements for sound signal appliances prescribed in Annex II to these Regulations, until 9 years after the date of entry into force of these Regulations.
- (h) The repositioning of all-round lights resulting from the prescription of Section 9 (b) of Annex I to these Regulations, permanent exemption.

## ANNEX I

*Positioning and Technical Details of Lights and Shapes*1. *Definition*

The term "height above the hull" means height above the uppermost continuous deck. This height shall be measured from the position vertically beneath the location of the light.

2. *Vertical positioning and spacing of lights*

- (a) On a power-driven vessel of 20 metres or more in length the masthead lights shall be placed as follows:
  - (i) the forward masthead light, or if only one masthead light is carried, then that light, as a height above the hull of not less than 6 metres, and, if the breadth of the vessel exceeds 6 metres, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 12 metres;
  - (ii) when two masthead lights are carried the after one shall be at least 4.5 metres vertically higher than the forward one.
- (b) The vertical separation of masthead lights of power-driven vessels shall be such that in all normal conditions of trim the after light will be seen over and separate from the forward light at a distance of 1,000 metres from the stern when viewed from sea-level.
- (c) The masthead light of a power-driven vessel of 12 metres but less than 20 metres in length shall be placed at a height above the gunwale of not less than 2.5 metres.
- (d) A power-driven vessel of less than 12 metres in length may carry the uppermost light at a height of less than 2.5 metres above the gunwale. When however a masthead light is carried in addition to sidelights and a sternlight or the all-round light prescribed in Rule 23(c) (i) is carried in addition to sidelights, then such masthead light or all-round light shall be carried at least 1 metre higher than the sidelights.
- (e) One of the two or three masthead lights prescribed for a power-driven vessel when engaged in towing or pushing another vessel shall be placed in the same position as either the forward masthead light or the after masthead light; provided that, if carried on the after most, the lowest after masthead light shall be at least 4.5 metres vertically higher than the forward masthead light.

ANNEX I, *contd.**Positioning and Technical Details of Lights and Shapes, contd.*

- (f) (i) The masthead light or lights prescribed in Rule 23(a) shall be so placed as to be above and clear of all other lights and obstructions except as described in subparagraph (ii).
- (ii) When it is impracticable to carry the all-round lights prescribed by Rule 27 (b) (i) or Rule 28 below the masthead lights, they may be carried above the after masthead light(s) or vertically in between the forward masthead light(s) and the after masthead light(s) provided that in the latter case the requirement of Section (c) of this Annex shall be complied with.
- (g) The sidelights of a power-driven vessel shall be placed at a height above the hull not greater than three-quarters of that of the forward masthead light. They shall not be so low as to be interfered with by dock lights.
- (h) The sidelights if in a combined lantern and carried on a power-driven vessel of less than 20 metres in length, shall be placed not less than 1 metre below the masthead light.
- (i) When the Rules prescribe two or three lights to be carried in a vertical line, they shall be spaced as follows:
- (i) on a vessel of 20 metres in length or more such lights shall be spaced not less than 2 metres apart, and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 4 metres above the hull;
- (ii) on a vessel of less than 20 metres in length such lights shall be spaced not less than 1 metre apart and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 2 metres above the gunwale;
- (iii) when three lights are carried they shall be equally spaced.
- (j) The lower of the two all-round lights prescribed for a vessel when engaged in fishing shall be a height above the sidelights no less than twice the distance between the two vertical lights.
- (k) The forward anchor light prescribed in Rule 30 (a) (i), when two are carried, shall not be less than 4.5 metres above the after one. On a vessel of 50 metres or more in length this forward anchor light shall be placed at a height of not less than 6 metres above the hull.

3. *Horizontal positioning and spacing of lights:*

- (a) When two masthead lights are prescribed for a power-driven vessel, the horizontal distance between them shall not be less than one-half of the length of the vessel but need not be more than 100 metres. The forward light shall be placed not more than one-quarter of the length of the vessel from the stem.

## ANNEX I, contd.

*Horizontal positioning and spacing of lights, contd.*

- (b) On a power-driven vessel of 20 metres or more in length the sidelights shall not be placed in front of the forward masthead lights. They shall be placed at or near the side of the vessel.
- (c) When the lights prescribed in Rule 27 (b) (i) or Rule 28 are placed vertically between the forward masthead light(s) and the after masthead light(s) these all-round lights shall be placed at a horizontal distance of not less than 2 metres from the fore and aft centreline of the vessels in the athwartship direction.
- (d) When only one masthead light is prescribed for a power-driven vessel, this light shall be exhibited forward of amidships; except that a vessel of less than 20 metres in length need not exhibit this light forward of amidships but shall exhibit it as far forward as is practicable.

4. *Details of location of direction—indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations:*

- (a) The light indicating the direction of the outlying gear from a vessel engaged in fishing as prescribed in Rule 26c (ii) shall be placed at a horizontal distance of not less than 2 metres and nor more than 6 metres away from the two all-round red and white lights. This light shall be placed not higher than the all-round white light prescribed in Rule 26c (i) and not lower than the sidelights.
- (b) The lights and shapes on a vessel engaged in dredging or underwater operations to indicate the obstructed side and/or the side on which it is safe to pass, as prescribed in Rule 27 (d) (i) and (ii), shall be placed at the maximum practical horizontal distance, but in no case less than 2 metres, from the lights or shapes prescribed in Rule 27 (b) (i) and (ii). In no case shall the upper of these lights or shapes be a greater height than the lower of the three lights or shapes prescribed in Rule 27 (b) (i) and (ii).

5. *Screens for sidelights*

The sidelights of vessels of 20 metres or more in length shall be fitted with inboard screens painted matt black, and meeting the requirements of Section 9 of this Annex. On vessels of less than 20 metres in length and the sidelights, if necessary to meet the requirements of Section 9 of this Annex, shall be fitted with inboard matt black screens. With a combined lantern, using a single vertical filament and a very narrow division between the green and red sections, external screens need not be fitted.

6. *Shapes*

- (a) Shapes shall be black and of the following sizes:
  - (i) a ball shall have a diameter of not less than 0.6 metre;

## ANNEX I, contd.

## Shapes, contd.

- (ii) a cone shall have a base diameter of not less than 0.6 metre and a height equal to its diameter;
- (iii) a cylinder shall have a diameter of at least 0.6 metre and a height of twice its diameter;
- (iv) a diamond shape shall consist of two cones as defined in (ii) above having a common base.
- (b) The vertical distance between shapes shall be at least 1.5 metres.
- (c) In a vessel of less than 20 metres in length shapes of lesser dimensions but commensurate with the size of the vessel may be used and the distance apart may be correspondingly reduced.

## 7. Colour specification of lights

The chromaticity of all navigation lights shall conform to the following standards, which fit within the boundaries of the area of the diagram specified for each colour by the International Commission on Illumination (CIE).

The boundaries of the area for each colour are given by indicating the corner coordinates, which are as follows:

(i)	White					
	x	0.525	0.525	0.452	0.310	0.310
	y	0.382	0.440	0.440	0.348	0.283
						0.443
(ii)	Green					
	x	0.028	0.009	0.300	0.203	
	y	0.385	0.723	0.511	0.356	
(iii)	Red					
	x	0.680	0.660	0.735	0.721	
	y	0.320	0.320	0.265	0.259	
(iv)	Yellow					
	x	0.612	0.618	0.575	0.575	
	y	0.382	0.382	0.425	0.406	

## 8. Intensity of lights

- (a) The minimum luminous intensity of lights shall be calculated by using

$$I = 3.43 \times 10^6 \times T \times D^2 \times K^{-D}$$

where

ANNEX I, *contd.**Intensity of lights, contd.*

- I is luminous intensity in candelas under service conditions,  
 T is threshold factor,  
 D is range of visibility (luminous range) of the light in nautical miles,  
 K is atmospheric transmissivity.

For prescribed lights the value of K shall be 0.8, corresponding to a meteorological visibility of approximately 13 nautical miles.

- (b) A selection of figures derived from the formula is given in the following table:

Range of visibility (luminous range) of light in nautical miles D	Luminous intensity of light in candelas for K = 0.8 I
1	0.9
2	4.3
3	12
4	27
5	52
6	94

NOTE: The maximum luminous intensity of navigation lights should be limited to avoid undue glare. This shall not be achieved by a variable control of the luminous intensity.

#### 9. Horizontal sectors

- (a) (i) In the forward direction, sidelights as fitted on the vessel shall show the minimum required intensities. The intensities shall decrease to reach practical cut-off between 1 degree and 3 degrees outside the prescribed sectors.
- (ii) For sternlights and masthead lights at 22.5 degrees abaft the beam for sidelights, the minimum required intensities shall be maintained over the arc of the horizon up to 5 degrees within the limits of the sectors prescribed in Rule 21. From 5 degrees within the prescribed sectors the intensity may decrease by 50 per cent up to the prescribed limits: it shall decrease steadily to reach practical cut-off at not more than 5 degrees outside the prescribed sectors.
- (b) (i) All-round lights shall be so located as not to be obscured by masts, topmasts or structures within angular sectors of more than 6 degrees, except anchor lights prescribed in Rule 30, which need not be placed at an impracticable height above the hull.

ANNEX I, *contd.**Intensity of lights, contd.*

- (ii) If it is impracticable to comply with paragraph (b) (i) of this section by exhibiting only one all-round light, two all-round lights shall be used suitably positioned or screened so that they appear, as far as practicable, as one light at a distance of one mile.

10. *Vertical sectors*

- (a) The vertical sectors of electric lights as fitted, with the exception of lights on sailing vessels underway shall ensure that:
  - (i) at least the required minimum intensity is maintained at all angles from 5 degrees above the 5 degrees below the horizontal;
  - (ii) at least 60 per cent of the required minimum intensity is maintained from 7.5 degrees above to 7.5 degrees below the horizontal.
- (b) In the case of sailing vessels underway the vertical sectors of electric lights as fitted shall ensure that:
  - (i) at least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal;
  - (ii) at least 50 per cent of the required minimum intensity is maintained from 25 degrees above to 25 degrees below the horizontal.
- (c) In the case of lights other than electric these specifications shall be met as closely as possible.

11. *Intensity of non-electric lights*

Non-electric lights shall so far as practicable comply with the minimum intensities, as specified in the table given in Section 8 of this Annex.

12. *Manoeuvring light*

Notwithstanding the provisions of paragraph 2 (f) of this Annex the manoeuvring light described in Rule 34 (b) shall be placed in the same fore and aft vertical plane as the masthead light or lights and, where practicable, at a minimum height of 2 metres vertically above the forward masthead light, provided that it shall be carried not less than 2 metres vertically above or below the after masthead light. On a vessel where only one masthead light is carried the manoeuvring light, if fitted, shall be carried where it can best be seen, not less than 2 metres vertically apart from the masthead light.

13. *High Speed Craft\**

- (a) The masthead light of high-speed craft may be placed at a height related to the breadth of the craft lower than that prescribed in paragraph 2 (a) (i) of this annex, provided that the base angle of the isosceles triangles formed by the

## THE SHIPPING (TONNAGE) REGULATION, 2007

Annex I, *contd.**High Speed Craft, contd.*

\* Refer to the International Code of Safety for High-Speed Craft, 1994 and the International Code of Safety for High-Speed Craft, 2000.

sidelights and masthead light, when seen in end elevation, is not less than 27°.

- (b) On high-speed craft of 50 metres or more in length, the vertical separation between foremast and mainmast light of 4.5 metres required by paragraph 2 (a) (ii) of this annex may be modified provided that such distance shall not be less than the value determined by the following formula:

$$y = \frac{(a + 17 \psi) C}{1000} + 2$$

where:  $y$  is the height of the mainmast light above the foremast light in metres

$a$  is the height of the foremast light above the water surface in service condition in metres;

$\psi$  is the trim in service in degrees.

$C$  is the horizontal separation of masthead lights in metres.

#### 14. *Approval*

The construction of lights and shapes and the installation of lights on board the vessel shall be the satisfaction of the appropriate authority of the State whose flag the vessel is entitled to fly.

### ANNEX II

#### *Additional Signals for Fishing Vessels Fishing in Close Proximity*

##### 1. *General*

The lights mentioned herein shall, if exhibited in pursuance of Rule 26 (d), be placed where they can best be seen. They shall be at least 0.9 metre apart but at a lower level than lights prescribed in Rule 26 (b) (i) and (c) (i). The lights shall be visible all round the horizon at a distance of at least 1 mile but at a lesser distance than the lights prescribed by these Rules for fishing vessels.

##### 2. *Signals for Trawlers*

- (a) Vessels of 20 metres or more in length when engaged in trawling, whether using demersal or pelagic, shall exhibit:
- (i) when shooting their nets, two white lights in a vertical line;
  - (ii) when hauling their nets, one white light over one red light in a vertical line;
  - (iii) when the net has come fast upon an obstruction, two red lights in a vertical line.

ANNEX II, *contd.**Signals for Trawlers, contd.*

- (b) Each vessel of 20 metres or more in length engaged in pair trawling shall exhibit:
- (i) by night, a searchlight directed forward and in the direction of the other vessel of the pair;
  - (ii) when shooting or hauling their nets or when the nets have come fast upon an obstruction, the lights prescribed in 2 (a) above.
- (c) A vessel of less than 20 metres in length engaged in trawling, whether using demersal or pelagic gear or engaged in pair trawling, may exhibit the lights prescribed in paragraphs (a) or (b) of this section, as appropriate.

3. *Signals for purse seiners*

Vessels engaged in fishing with purse seine gear may exhibit two yellow lights in a vertical line. These lights shall flash alternately every second and with equal light and occultation duration. These lights may be exhibited only when the vessel is hampered by its fishing gear.

## Annex III

## Technical Details of Sound Signal Appliances

1. *Whistles*(a) *Frequencies and range of audibility*

The fundamental frequency of the signal shall lie within the range 70-700 Hz.

The range of audibility of the signal from a whistle shall be determined by those frequencies, which may include the fundamental and/or one or more higher frequencies, which lie within the range 180-700 Hz (+- 1 per cent) for a vessel of 20 metres or more in length, or 80-2100 Hz (+1%) for a vessel of less than 20 metres in length and which provide the sound pressure levels specified in paragraph 1 (c) below.

(b) *Limits of fundamental frequencies*

To ensure a wide variety of whistle characteristics, the fundamental frequency of a whistle shall be between the following limits:

- (i) 70-200 Hz, for a vessel 200 metres or more in length;
- (ii) 130-350 Hz, for a vessel 75 metres but less than 200 metres in length;
- (iii) 250-700 Hz, for a vessel less than 75 metres in length.

(c) *Sound signal intensity and range of audibility*

## ANNEX III, contd.

*Limits of fundamental frequencies, contd.*

A whistle fitted in a vessel shall provide, in the direction of maximum intensity of the whistle and at a distance of 1 metre from it, a sound pressure level in at least one 1/3rd-octave band within the range of frequencies 180—700 Hz ( $\pm 1$  per cent) for a vessel of less than 20 metres in length, or 180-2100 Hz (+1%) for a vessel of less than 20 metres in length, of not less than the appropriate figure given in the table below.

Length of vessel in metres	1/3rd-octave band level at 1 metre in dB referred to $2 \times 10^{-5}$ N/m <sup>2</sup>	Audibility range in nautical mile
200 or more	143	2
75 but less than 200	138	1.5
20 but less than 75	130	1
Less than 20	120*	0.5
	115†	
	111‡	

\* When the measured frequencies lie within the range 180-450 Hz

† When the measured frequencies lie within the range 450-800 Hz

‡ When the measured frequencies lie within the range 800-2100 Hz

The range of audibility in the table above is for information and is approximately the range at which a whistle may be heard on its forward axis with 90 per cent probability in conditions of still air on board a vessel having average background noise level at the listening posts (taken to be 68 dB in the octave band centered on 250 Hz and 63 dB in the octave band centered on 500Hz).

In practice the range at which a whistle may be heard is extremely variable and depends critically on weather conditions; the value given can be regarded as typical but under conditions of strong wind or high ambient noise level at the listening post the range may be much reduced.

*(d) Directional Properties*

The sound pressure level of a directional whistle shall be not more than 4 dB below the prescribed sound pressure level on the axis at any direction in the horizontal plane within  $\pm 45$  degrees of the axis. The sound pressure level at any other direction in the horizontal plane shall be not more than 10 dB below the prescribed sound pressure level on the axis, so that the range in any direction will be at least half the range on the forward axis. The sound pressure level shall be measured in that 1/3rd-octave band which determines the audibility range.

*(e) Positioning of whistles*

When a directional whistle is to be used as the only whistle on a vessel, it shall be installed with its maximum intensity directed straight ahead.

A whistle shall be placed as high as practicable on a vessel, in order to reduce interception of the emitted sound by obstructions and also to minimize hearing damage risk to personnel. The sound pressure level of the vessel's own signal at listening posts shall not exceed 110 dB (A) and so far as practicable should not exceed 100 dB (A).

*(f) Fitting of more than one whistle*

If whistles are fitted at a distance apart of more than 100 metres, it shall be so arranged so that they are not sounded simultaneously.

ANNEX III, *contd.*(g) *Combined whistle systems*

If due to the presence of obstructions the sound field of a single whistle or one of the whistles referred to in paragraph 1 (f) above is likely to have a zone of greatly reduced signal level, it is recommended that a combined whistle system be fitted so as to overcome this reduction. For the purposes of the Rules a combined whistle system is to be regarded as a single whistle. The whistles of a combined system shall be located at a distance apart of not more than 100 metres and arranged to be sounded simultaneously. The frequency of any one whistle shall differ from those of the others by at least 10Hz.

2. *Bell or gong*(a) *Intensity of Signal*

A bell or gong, or other device having similar sound characteristics shall produce a sound pressure level of not less than 110 dB at a distance of 1 metre from it.

(b) *Construction*

Bells and gongs shall be made of corrosion-resistant material and designed to give a clear tone. The diameter of the mouth of the bell shall be not less than 300 mm for vessels of 20 metres or more in length. Where practicable, a power-driven bell striker is recommended to ensure constant force but manual operation shall be possible. The mass of the striker shall be not less than 3 per cent of the mass of the bell.

3. *Approval*

The construction of sound signal appliances, their performance and their installation on board the vessel shall be to the satisfaction of the appropriate authority of the State whose flag the vessel is entitled to fly.

## Annex IV

## Distress Signals

1. The following signals, used or exhibited together or separately, indicate distress and need of assistance:

- (a) a gun or other explosive signal fired at intervals of about a minute;
- (b) a continuous sounding with any fog-signalling apparatus;
- (c) rocket or shells, throwing red stars fired one at a time at short intervals;
- (d) a signal made by radiotelegraphy or by any other signalling method consisting of the group... ..(SOS) in the Morse Code;
- (e) a signal sent by radiotelephony consisting of the spoken word "Mayday";
- (f) the International Code Signal of distress indicated by N.C.;
- (g) a signal consisting of a square flag having above or below it a ball or anything resembling a ball;

ANNEX IV, *contd.**Distress Signals, contd.*

- (h) flames on the vessel (as from a burning tar barrel, oil barrel, etc.);
- (i) a rocket parachute flare or a hand flare showing a red light;
- (j) a smoke signal giving off orange-coloured smoke;
- (k) slowly and repeatedly raising and lowering arms outstretched to each side;
- (l) the radiotelegraph alarm signal;
- (m) the radiotelephone alarm signal;
- (n) signals transmitted by emergency position-indicating radio beacons;
- (o) approved signals transmitted by radio communication systems, including survival craft radar transponders.

2. The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

3. Attention is drawn to the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual and the following signals:

- (a) a piece of orange-coloured canvas with either a black square and circle or other appropriate symbol (for identification from the air);
- (b) a dye marker.

REGULATIONS  
(under section 454)

THE SHIPPING (FEES) REGULATIONS, 2005

(Made by the Minister on the 30th day of December, 2005)

L.N. 2/2006

1. These Regulations may be cited as the Shipping (Fees) Regulations, 2005. Citation.

2.—(1) In these Regulations—

Interpretation.

“anniversary date” in relation to a ship, means the anniversary of the date of the registration of a ship as a Jamaican ship;

“annual fee” means an annual payment calculated on the gross tonnage of a ship as set out in the Schedule;

Schedule.

“chargeable time” means total time expended by a person in conducting a survey or inspection, or providing any other service which has been requested or is required under the Act and which is subject to a fee based on the time spent in carrying out the survey inspections or other service;

“fees” means the fees set out in the Schedule;

“gross tonnage” or “gt” means the gross tonnage or gross tonnes as shown on the ship’s tonnage certificate;

“out of pocket expenses” includes any cost incurred in respect of conducting a survey or providing a service other than chargeable time or a fixed fee;

“recognized organization” means a body authorized by the Authority to undertake surveys and related work and to issue statutory certificates on behalf of the Authority, and includes any of the classification societies designated under the Act for that purpose;

“services” means—

(a) services specified in the Schedule;

(b) other similar services provided for or on behalf of the Authority pursuant to the provisions of any enactment relating to shipping.

(2) For the purposes of the definition of “gross tonnage” in paragraph (1), where a ship—

(a) claims a lower gross tonnage with respect to the application of safety requirements to that ship, such lower gross tonnage shall not be used for calculating the fees payable; and

(b) is assigned only one tonnage, that tonnage shall be taken as its gross tonnage for calculating the fees payable.

Fees for surveys  
and services.  
Schedule.

3.—(1) The fees for surveys or services specified in the Schedule and which are provided by or on behalf of the Authority apply to—

- (a) Jamaican ships or their owners or operators;
- (b) any seafarer serving or intending to serve on board a Jamaican ship; and
- (c) any other vessel, or its owner or operator, and to any other seafarer, where a survey or service has been provided by request or has been rendered under the Act,

and the determination thereof is subject to the provisions of regulation 12.

(2) Where a survey or service which is not specified in the Schedule is provided by the Authority in pursuance of its functions either on request or in accordance with any relevant provision of the Act or other enactment related to shipping, the Director may charge such fees as are necessary having regard to the nature of the survey or service and the effort required in its performance.

(3) The fees to which this regulation applies shall be payable by the person for whom or on whose behalf the survey or service was provided.

Registration fee.

4. The registration fee and the first annual fee shall be payable upon application for the registration of a ship.

Waiver of  
registration fee.

5. The Director may waive the registration fee or a portion thereof where—

- (a) the owner is registering more than one ship;
- (b) the ship is a passenger ship exceeding 10, 000 tonnes; or
- (c) in the Director's opinion the circumstances of the case warrant such a waiver.

Jamaican ship.

6.—(1) The owner of a Jamaican ship shall, on or before the ship's anniversary date, pay the Authority the appropriate annual fees set out in the Schedule.

Schedule.

(2) Where the annual fee due has not been paid by the anniversary date, a ten per cent surcharge may be levied, and if the annual fee remains unpaid after the anniversary date a further five per cent surcharge may be levied thereafter for each month or part thereof for which the annual fee remains unpaid.

7.—(1) The Director may, subject to the provisions of paragraph (2), and upon the written application of a ship owner made not less than sixty days prior to the ship's anniversary date, reduce the following year's annual fee where the ship has remained on the register for a period exceeding five years. Reduction of fees.

(2) The Director may reduce the following year's annual fee under paragraph (1) if he is satisfied that—

- (a) the requirements under the Shipping Act and any laws relating to maritime safety, pollution prevention and other standards have been consistently met; and
- (b) the annual fee has been paid up to the year preceding the application.

(3) The Director may, in determining the level of reduction of the annual fee, have regard to the following factors—

- (a) whether the technical management or crewing of the ship is carried out by an entity established under the laws of Jamaica;
- (b) whether a minimum of five members or twenty per cent of the crew, whichever is the greater and inclusive of at least one officer, are Jamaican nationals;
- (c) if in the case of a passenger ship exceeding 10, 000 gross tonnes the home port of the ship was in Jamaica during the twelve month period prior to the anniversary date.

8.—(1) Where a fee is determined by the amount of work involved, the following shall be taken into account when calculating the charges incurred— Calculation of charges.

- (a) for work involving a visit to a ship or shore establishment—
  - (i) the time spent conducting the survey or service, charged at the relevant hourly rate specified in the Schedule and such time shall include both in office and out of office time; Schedule.
  - (ii) travelling time between the office and a ship or shore establishment, charged at the relevant hourly rate specified in the Schedule, subject to a maximum charge of eight hours for any one day;
  - (iii) the cost of transport to and from the ship or shore establishment and any costs incidental thereto;
  - (iv) the cost of accommodation and subsistence for the persons providing the survey or service;
  - (v) any additional costs incurred in relation to the work involved, including out of pocket expenses; and

(b) for work undertaken not involving a visit to a ship or shore establishment—

Schedule..

(i) the time spent conducting the service, charged at the relevant hourly rate specified in the Schedule;

(ii) out of pocket expenses; and

(iii) administrative expenses.

Fees payable in advance.

9.—(1) Subject to paragraph (3), fees are payable in advance—

(a) where the amount is pre-determinable, in full;

(b) where the amount is not pre-determinable, the amount as assessed by the Director, pending the determination of the total amount payable.

(2) The fees shall (except where specified to be in Jamaican currency) be payable in the currency of the United States of America or the equivalent in Jamaican currency or any other freely convertible currency at the rate of exchange prevailing at the date the survey is conducted or the service provided or the date of payment whichever is higher.

(3) The Director may, in appropriate circumstances, waive amount to be paid as assessed by the Director under paragraph (1) (b).

When chargeable time deemed excessive.

10.—(1) In the case of a survey conducted or a service provided by or on behalf of the Authority for which a fixed fee is payable, an additional charge, calculated in accordance with Part I of the Schedule may be levied where the chargeable time expended is deemed excessive as specified in paragraph (2).

(2) Where the chargeable time actually spent in conducting a survey or providing a service, multiplied by the appropriate hourly rate, exceeds 150% of the applicable fixed fee, time expended shall be deemed to be excessive.

(3) The Director may, in his discretion, waive the additional charge for excessive work where the circumstances of the case so merit.

Conduct of survey by recognized organization.

11.—(1) Subject to paragraph (2), where a recognized organization has been authorized to conduct a survey or provide a service to a ship or person on behalf of the Authority and the recognized organization applies its own fees for such survey or service, the fees as calculated pursuant to these Regulations shall not apply.

(2) The fees specified in the Schedule shall apply in respect to additional work carried out by the Authority in relation to the survey or service provided by the recognized organization.

Variation of fees.

12. In any case where no provision is made in these Regulations for variation of a fee, the Director may, with the approval of the Minister, vary the fee or apply alternate means of determining and applying fees.

13. Where a fee which is payable for the issue or endorsement of a certificate is not paid, the Authority may withhold the certificate or endorsement until payment of the fee. Withholding of certificate or endorsement.

14. Where fees and charges, other than the annual fee, remain unpaid for a period in excess of sixty days from the date of issue of the applicable invoice, the following surcharges may be levied on the invoiced amount— Surcharges to be levied.

- (a) ten per cent of the amount outstanding where payment is made within thirty days following the sixty day initial period; and
- (b) thereafter, five percent of the amount outstanding for each additional period of thirty days or part thereof for which the fees and charges remain unpaid.

15. Any fee which—

Transitional.

- (a) is equivalent to one specified in the Schedule; Schedule.
- (b) was paid prior to the 3rd of January, 2006, and applied to a period immediately before the 3rd of January, 2006; and
- (c) would, but for this regulation, be treated as due and outstanding,

shall be deemed to have been paid in accordance with these Regulations and subject to renewal at the appropriate date (where applicable).

16. Cost incurred by the Authority in respect of injuries, investigations and judicial and administrative proceedings, are recoverable as charges from the parties who are the subject of the inquiries, investigations or proceedings, as the case may be, and the relevant provisions of these Regulations relating to recovery of charges shall apply in relation to the recovery of such costs. Costs.

SCHEDULE

(Regulations 2, 3, 6, 8, 10 and 11)

FEES

PART I—General

1. The hourly rate for chargeable time shall be:

	<u>US\$</u>
(a) Clerical Rate (CLR)	40.00
(b) Administrative Rate (ADR)	72.00
(c) Professional/Surveyor Rate (PSR)	120.00
(d) Consultative Rate (COR)	150.00

2. Where fees are charged based on the time spent conducting a survey or providing a service the hourly rate applied shall be that appropriate to the level as indicated under paragraph (1) at which the work is necessarily carried out, as determined by the Director, and more than one hourly rate may apply for any survey, service or related activity.

SCHEDULE, *contd.*PART II.—*Service and Fees for Registration and related matters*

Service	Fee \$	Service	Fee \$
1. Registration Fees		26. Certified Copies of Documents	25
Up to 750 (gt)	0.30	27. Articles of Agreement	25
751-15000 <sup>(a)</sup>	0.24	28. Revalidation of certificate	50
15001-25000	0.18	29. Radar Observer Endorsement	150
25001-35000	0.12	30. Seaman I. D.	80
2. Annual Fees		31. Replacement of certificate unless lost or due to shipwreck	60
Up to 750 (gt)	200	32. Dispensation	60
5001-25000 <sup>(a)</sup>	0.18	33. Seaman's Record Book (Discharge Book)	30
25001-35000	0.10	34. Certificate of Discharge	30
35001 and above	0.06	35. Verification of Sea Service For a Seafarer who has served on a Jamaican Ship	30
3. International Participation (gt)	0.02	36. Written examination per subject	40
4. Marine Investigation	750	37. Oral Examinations	45
5. Marine Inspection	750	38. Simulator-based Examinations	50
6. Registration Anew/Re-registration	1250	39. Certification	60
7. Registration of Ship under construction <sup>(c)</sup>	250	40. To Re-sit written examination (per subject)	50
8. Assessment and issue of MSM Certification	200	41. To Re-sit oral examination	55
9. Temporary Pass <sup>(a)</sup>		42. To Re-sit a Simulator based Examination	70
Minimum	750	43. Transcript of Record of Qualification or Examination for a Certificate	30
Up to 1500 (gt)	0.20	44. Assessment of Application for a Licence or Endorsement and the Issue of a Licence or Endorsement where appropriate	150
1500 and over	3000	45. Preliminary Assessment of Applicant for Endorsement and the issue of a letter of Authorization	50
10. Change of Name	200	46. Assessment of application for a Safe Manning Certificate (SMC) or Safe Manning Document (SMD) and issue of SMC/SMD where appropriate	270
11. Registration of Transfer of ownership	300	47. Postage and Handling (Foreign Students)	25
12. Registration on Transmission of ownership	60		
13. Registration of Alternation <sup>(a)</sup>	60		
14. Registration of Mortgage	425		
15. Registration of Priority Notice	75		
16. Publication and Forms	100		
17. Discharge of Mortgage	150		
18. Deletion Certificate	50		
19. Inspection of Register	50		
20. Provisional Certificate of Registry	250		
21. Permanent Certificate of Registry	250		
22. Temporary Radio Licence	75		
23. Permanent Radio Licence	280		
24. Replacement Certificate of Registry	200		
25. Transcript	75		

(a) 75% if up to 9 years  
100% if 10-15 years  
110% 16-20 years.

(b) In the first year of registration, the fee is prorated on a monthly basis from the month registration to the end of December the year.

(c) No additional fee applies for transfer to the Permanent Register of Ships.

(d) For vessels on a single voyage between Jamaica port and some other port.

(e) Include amendments to the certificate of Registry.

SCHEDULE, *contd.*

## JAMAICA SHIP REGISTRY SCHEDULE OF FEES (US\$) FOR VESSELS UP TO 24M

1.	Registration Fees	COMMERCIAL		PLEASURE	
		Decked	Undecked	Decked	Undecked
	(Up to 30ft.) 9.15m	\$154	\$35	\$165	\$90
	(30' 2"-40ft.) 9.20-12.20m	\$465	\$402	\$450	\$240
	(40' 2"-78' 8") 12.25-24.00m	\$800	\$465	\$600	\$390
2.	Inspection Fee	ANNUAL		BIANNUAL	
		Decked	Undecked	Decked	Undecked
	(Up to 30ft.) 9.15m	\$100	\$55	\$65	\$55
	(30' 2"-40ft.) 9.20-12.20m	\$131	\$116	\$80	\$70
	(40' 2"-78' 8") 12.25-24.00m	\$250	\$131	\$100	\$90
3.	Annual Inspection Fee in Jamaican dollars for non-motorized vessels of up to five (5) metres in length with a maximum of four (4) persons and non-propelled or vessels of up to three (3) metres with propulsion machinery rated at not more than five (5) horsepower—				
	Kayaks, Sunfish and Pedal Bikes, etc.			JS 1, 300.00	
	Hobie Waves and Hobie Cats, etc.			JS 1, 700.00	
4.	Examining the issuing of Licences to Coxswain			60	
5.	Re-inspection Fee			Same as inspection fee	
6.	Out of Water Survey			Inspection Fee x 1.5	
7.	Out of Water Re-Survey			80% out of water survey	
8.	Certificate of Registry			\$ 25 (U.S.)	
9.	Letter of Consent for Bareboat Charter (OUT) Registration			\$ 50 (U.S.)	
10.	Temporary Radio Licence			\$ 75 (U.S.)	
11.	Permanent Radio Licence			\$ 280 (U.S.)	
12.	Registration Anew			50% Registration Fee	
13.	Registration of Alteration			\$ 75 (U.S.)	
14.	Changes in Authorized Representative			\$ 30 (U.S.)	
15.	Transfer of Ownership			\$ 100 (U.S.)	
16.	Change of Name			\$50 (U.S.)	
17.	For Issuance			\$100 (U.S.)	
18.	For re-issuance			\$ 100 (U.S.)	
19.	Certified Copy/Legislation Document			\$ 25 (U.S.)	
20.	Deletion Certificate			\$ 50 (U.S.)	
21.	Registration and Transfer of Mortgage			\$ 425 (U.S.)	
22.	Assignment of amendment of Mortgage			\$ 250 (U.S.)	
23.	Discharge of a Mortgage			\$ 150 (U.S.)	
24.	Unspecified Mortgage Service			\$ 100 (U.S.)	
25.	Priority Notice			\$ 30 (U.S.)	
26.	Transcript of Register			\$ 75 (U.S.)	
27.	Inspection of Register			\$ 60 (U.S.)	
28.	For Re-issuance of Manning Dispensation			\$ 100 (U.S.)	
29.	Non-Encumbrance Certificate			\$ 75 (U.S.)	
30.	Insurance Survey and Report			\$ 480 (U.S.)	
31.	Certification of Articles of Agreement			\$ 25 (U.S.)	
32.	For Authentication of any document not otherwise specified			\$ 25 (U.S.)	
33.	For providing certified copies of documents			\$ 20 (U.S.)	
34.	Kingston			\$ 1, 500 (JA)	
35.	Port Royal			\$ 1, 700 (JA)	
36.	Old Harbour			\$ 3, 600 (JA)	
37.	Ocho Rios			\$ 5, 500 (JA)	
38.	Portland			\$ 6, 000 (JA)	
39.	Black River			\$ 6, 000 (JA)	
40.	Montego Bay			\$ 6, 500 (JA)	
41.	Negril			\$ 7, 500 (JA)	

SCHEDULE, *contd.*

42. Rocky Point \$4,300 (JA)  
 43. All other points \$38.80 (JA) per kilometer

## PASSENGER SHIP SAFETY CERTIFICATE

	INITIAL	PERIODICAL
≤ 1000GT	\$4,000.00	\$3,000.00
1,001-10,000GT	\$6,000.00	\$5,000.00
10,001-20,000	\$8,000.00	\$6,500.00
20,001-50,000	\$9,000.00	\$7,500.00
50,001-UP	\$10,000.00	\$8,500.00

NOTE: Passenger Ship Safety Certificate fees are to be multiplied by 0.75 for utility vessels such as crew boats, day boats, dive boats, etc.

## TONNAGE CERTIFICATE

	FEES
≤ 1000GT	\$1,000.00
1,001-10,000	\$2,500.00
10,001-20,000	\$3,000.00
20,001-50,000	\$3,500.00
50,001-UP	\$4,000.00

NOTE: Tonnage Certificate fees are to be multiplied by 0.5 for second and latter vessels which are identical sister vessels to a vessel on which we have already carried out the tonnage calculations.

## SAFETY CONSTRUCTION CERTIFICATE

	INITIAL	PERIODICAL	ANNUAL
≤ 1000GT	\$2,000.00	\$1,500.00	\$1,000.00
1,001-10,000	\$3,500.00	\$2,500.00	\$1,500.00
10,001-15,000	\$4,500.00	\$3,000.00	\$2,000.00
15,001-49,999	\$5,000.00	\$3,500.00	\$2,500.00
50,000-UP	\$6,000.00	\$4,500.00	\$3,000.00

NOTE: Safety Construction Certificate fees are to be multiplied by 0.5 for non-propelled vessels such as pontoons, dumb barges, etc.

SCHEDULE, *contd.*

## SAFETY EQUIPMENT CERTIFICATE

	INITIAL	PERIODICAL	ANNUAL
≤ 1000GT	\$1,000.00	\$800.00	\$600.00
1,001-10,000	\$2,000.00	\$1,200.00	\$1,000.00
10,001-15,000	\$2,300.00	\$1,300.00	\$1,200.00
15,001-49,999	\$2,500.00	\$1,500.00	\$1,400.00
50,000-UP	\$3,000.00	\$1,600.00	\$1,500.00

## INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

Fixed Rate— \$600.00

NOTE:

Fees for oil tanker should be multiplied by 1.5