

Subject

Enhanced Monitoring Programme for Bahamian ships

ClassNK

Technical Information

No. TEC-1237
Date 20 May 2021

To whom it may concern

BMA Information Bulletin No. 136 regarding the Enhanced Monitoring Programme (hereinafter mentioned as "EMP") published by the Bahamas Maritime Authority (hereinafter mentioned as "BMA") was announced in ClassNK Technical Information No. TEC-0871, dated 10 November 2011. BMA published Marine Notice 92 on 12 March 2021, and this notice supersedes BMA Information Bulletin No. 136.

According to Marine Notice 92, any Bahamian ship which has been justifiably detained on more than one occasion in a 24-month period, either by PSC or the BMA, would automatically be placed on the EMP. Ships which have been placed on the EMP are subject to Bahamas special inspections within one (1) month of being placed on the programme, and at an interval of three (3) months thereafter. If the ship has no deficiencies or only minor deficiencies at the completion of the second and subsequent special inspections, the ship would be removed from the EMP.

Any ships remaining on the EMP after twelve (12) months would be specially reviewed for continued registration in consultation with the Director of the BMA.

The deletion of the ship from the Bahamas Register would be considered when the issues which led to inclusion on the EMP are not being satisfactorily addressed and the ship's condition is not improving.

For the details, please see the attached Marine Notice 92.

This Technical Information supersedes the previous ClassNK Technical Information No. TEC-0871, dated 10 November 2011.

(To be continued)

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Attachment:

1. MARINE NOTICE 92.

MARINE NOTICE 92



Version No. 1.0

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Enhanced Monitoring Programme

Notice to ship owners, managers, Masters, Approved Nautical Inspectors, Recognised Organisations and surveyors

This Notice supersedes BMA Information Bulletin No.136 Rev.1

1. Purpose

- 1.1. This Marine Notice describes the Bahamas Maritime Authority (BMA) Enhanced Monitoring Programme (EMP). It outlines the programme of special inspections and other measures for ships and/or companies which are identified as requiring assistance in maintaining the appropriate standards.

2. Application

- 2.1. The Enhanced Monitoring Programme applies to all Bahamian ships where there is evidence of declining standards of operation or maintenance, or evidence of a significant lack of compliance with international Conventions and/or national requirements, or where a trend towards general non-compliance has been identified, as specified in this Notice.

3. Introduction

- 3.1. The BMA is fully committed to ensuring that all ships on The Bahamas register are maintained to high standards and in compliance with applicable national and international requirements.
- 3.2. Nevertheless, there are occasions where ships are not at the required standards, for various reasons, and additional attention is required.
- 3.3. Ships in need of such additional attention may be placed on the EMP as described in this Notice.

4. EMP Triggers

- 4.1. Any ship which has been detained on more than one occasion in a 24-months period, either by Port State Control (PSC) or the BMA, is automatically placed on the EMP. Please refer to BMA [Marine Notice 094](#) for BMA policy on repeat detentions.
- 4.2. Ships may also be placed on the EMP based on review by the BMA of, but not limited to:
 - i. PSC inspection(s);
 - ii. Bahamas Annual Inspection(s);
 - iii. Class and Statutory Surveys;
 - iv. International Safety Management Code (ISM) audit(s);
 - v. IACS PR17 notifications issued by a Bahamas Recognised Organisation;
 - vi. Information on serious defects or substandard conditions received from BMA Inspectors, Recognised Organisation surveyors and auditors, other Administrations, etc.;
 - vii. Information received from BMA Inspectors, PSCOs, Recognised Organisation surveyors, crew members, etc., of serious breaches of the Maritime Labour Convention, 2006 (MLC).

If the review concludes that there is evidence of, or a trend towards, consistent non-compliance with the international Conventions or Bahamas National Requirements, poor implementation of the safety management system (SMS) procedures or evidence of declining standards of operation or maintenance, the ship will be placed on EMP.

5. Enhanced Monitoring Programme (EMP)

- 5.1. Ships which are placed on the EMP are subject to Bahamas special inspections. The ship's Annual Inspection regime and Certificate of Inspection (CoI) are suspended whilst the ship is on the EMP.
- 5.2. When a ship is placed on the EMP, the Company¹ will be notified by the BMA with the reasons for the decision and with the schedule of special inspections. The Company shall make arrangements for the special inspections to be carried out by a Bahamas Approved Nautical Inspector. All costs related to these inspections are for Owner's account. A list of inspectors is available at:
<https://www.bahamasmaritime.com/inspectors/>

¹ The Company is the entity responsible for the management of the ship in accordance with the ISM Code. For ships to which the ISM Code does not apply, the Company is the Managing Owner in accordance with Section 52 of the Merchant Shipping Act.

- 5.3. The first special inspection due date is one (1) month from the ship being placed on the EMP. Subsequent special inspection due dates are at three (3) month intervals thereafter.
- 5.4. A Certificate of Special Inspection (CoSI) is issued after each special inspection and is valid three (3) months. An example of a CoSI is provided in the Annex to this Notice.
- 5.5. The next special inspection is to be carried out within one (1) month before or after the due date. It should be noted that the new CoSI will be valid for three (3) months from the expiry of the current CoSI, irrespective of inspection date.
- 5.6. It should be noted that special inspection(s) may identify additional deficiencies and it is particularly important that all deficiencies are proactively dealt with by ship's crew and promptly closed through the applicable shipboard safety management system procedures. Documentary evidence of this process is essential.
- 5.7. At the second and any eventual subsequent special inspections, the BMA will review the ship's performance with one of the following three outcomes:

5.7.1. *Removal from the EMP*

If the BMA is satisfied that the ship has no deficiencies or only minor deficiencies at the completion of the second and subsequent special inspections, the ship will be removed from the EMP.

A new Anniversary Date will be set for the next annual inspection, which will usually be 12 months after the date of the last special inspection.

5.7.2. *Continued inclusion on the EMP*

If there are outstanding deficiencies and/or the standard has not been improved sufficiently, the ship may continue to be included in the EMP.

When the ship's EMP is continued a new CoSI is issued with same validity as per above sections 5.4 and 5.5.

5.7.3. Further Measures

The EMP is intended to achieve satisfactory improvements within a twelve (12) month period from the date of inclusion (4 special inspections) and it is envisaged that ships placed on EMP will have been removed from the EMP by this time.

Any ships remaining on the EMP after twelve (12) months will be specially reviewed for eligibility for continued registration in consultation with the Director of the BMA.

The deletion of the ship from the Bahamas Register will be considered when the issues which led to inclusion on the EMP are not being satisfactorily addressed and the ship's condition is not improving.

- 5.8. Where a ship changes ownership or management whilst on the EMP, the process will continue under the new owner/manager. However, if the new owner/manager is known to the BMA and has a good track record of maintaining their fleet to the required standards, the ship may be considered for removal from the EMP following the change of owner/manager, at the discretion of the BMA.

6. Additional Requirements

- 6.1. In addition to the special inspections, ships on the EMP may, according to findings, be required to:
- i. Undergo additional, unscheduled or occasional statutory surveys;
 - ii. Carry out additional ISM shipboard audits (internal and/or external);
 - iii. Undergo additional Maritime Labour Certificate inspections;
 - iv. Remain at a selected port (i.e., Flag State detention).
- 6.2. Recognising the inherent link between the ship's safety management system and the Company's ISM Document of Compliance (DOC), further action may be taken to verify, and where necessary to improve, the Company's operational standards in accordance with the provisions of the ISM Code.
- 6.3. Where a ship has been placed on the EMP for a serious breach of the Maritime Labour Convention, 2006, as amended in relation to non-payment or repeatedly delayed payment of wages to seafarers, the BMA will require the Company (or the ship owner for the purposes of MLC, 2006, if different) to provide documentary evidence of timely payment of wages as they become due for a period to be specified by the BMA.

6.4. Bahamas Recognised Organisations² shall provide the following information monthly to the BMA, where applicable (by email to tech@bahamasmaritime.com):

- i. Details of Bahamian ships that have been detained;
- ii. Details of Bahamian ships with a confirmed IACS PR17 notification;
- iii. Details of Bahamian ships that have been subject to additional ISM or ISPS audits, or additional MLC inspections;
- iv. Details of Companies operating Bahamian ships that have been subject to additional ISM audits.

7. Information Sharing

7.1. Details of ships which have been placed on the EMP are not publicly disclosed.

7.2. However, in the interests of achieving a concerted approach to improve performance, details of ships placed on EMP will be shared with relevant Bahamas Approved Nautical Inspectors and Recognised Organisations.

² Please refer to Marine Notice 02 <https://www.bahamasmaritime.com/wp-content/uploads/2020/11/BMA-Marine-Notice-MN002-Authorised-Classification-Societies-v1.0.pdf>

Interim Certificate of Special Inspection

Name of Ship	Port of Registry	Official number
NAME	NASSAU	9999999

Gross Tonnage	Net Tonnage	IMO Number
9999	9999	9999999

This is to certify that the above named vessel has been inspected on behalf of The Bahamas Maritime Authority under the provisions of Section 172 (3) of the Merchant Shipping Act 1976, as amended and was found to be **Satisfactory, subject to any deficiencies identified in Part B of this certificate being rectified within the given time.**

This Certificate is Valid until:

Date of Inspection:

Place of Inspection:

The undersigned declares that they are duly authorised by The Bahamas Maritime Authority to issue this certificate.

Signature of issuing Approved Nautical Inspector:

Name of Approved Nautical Inspector:

Approved Nautical Inspector's Stamp:

PART A OF THIS CERTIFICATE SHALL BE POSTED IN A PROMINENT AND ACCESSIBLE POSITION ON BOARD THE VESSEL

