

Subject

Application for Exemptions, Extensions and/or
Equivalence to International Convention Requirements
for Bahamian Flag Ships (Revision)

ClassNK

Technical Information

No. TEC-0769
Date 13 March 2009

To whom it may concern

As previously advised by ClassNK Technical Information No.TEC-0564 dated 23 January 2004, an application for exemptions, extensions and/or equivalence to International Convention requirements for Bahamian flag ships is to be made to ClassNK for the first evaluation.

Recently, Bahamas Maritime Authority has notified ClassNK of the BMA INFORMATION BULLETIN No.08 Revision 02 in order to remind this procedure.

In case where the ship owner, manager or master requests any exemption, extension or equivalence except the matters dealt with by the Administration directly (e.g. Safe Manning Documents, Ship Radio Licenses and LRIT Conformance Test Report & associated matters) with necessary information as specified in the bulletin, please contact responsible Department of ClassNK as below.

International Convention other than ISM/ISPS Code:

NIPPON KAIJI KYOKAI (ClassNK)

Survey Department, Administration Center, Head Office

Address: 4-7 Kioi-cho, Chiyoda-ku, Tokyo 102-8567, Japan

Tel.: +81-3-5226-2027 / 2028

Fax: +81-3-5226-2029

E-mail: svd@classnk.or.jp

ISM Code and/or ISPS Code:

NIPPON KAIJI KYOKAI (ClassNK)

Safety Management Systems Department, Information Center, Head Office

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Tel.: +81-43-294-5999

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E-mail: smd@classnk.or.jp

This ClassNK Technical Information supersedes the previous ClassNK Technical Information No.TEC-0564.

Attachment:

1. BMA INFORMATION BULLETIN No.08 Revision 02

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The Bahamas Maritime Authority

BMA INFORMATION BULLETIN No. 08

APPLICATIONS FOR EXEMPTIONS, EXTENSIONS, AND/OR EQUIVALENCE TO INTERNATIONAL CONVENTION REQUIREMENTS

Guidance and Instructions for Ship-owners, Managers, Masters, Bahamas Recognised Organisations and Bahamas Approved Nautical Inspectors.

REWORDING OF Revision 01 with additional EMPHASIS for ADHERENCE TO THIS PROCESS

Note: This Bulletin supersedes the previous BMA Information Bulletin no. 8, rev 1

1. Introduction

Considering that this Authority still receives requests from Managers of Bahamian vessels for a variety of requests concerning Statutory issues, and this Administration always directs the Manager to communicate directly to the Recognised Organisation, this Bulletin is revised to emphasise the strict adherence to the required process.

The Bahamas Recognised Organisations are the only bodies that carry out Statutory Convention Surveys on Bahamian vessels and issue Statutory Certificates after satisfactory Survey. There are three commonly confused documents **not** issued by the Recognised Organisations that are issued from the BMA. They are:

- Safe Manning Documents,
- Ship Radio Licences and
- LRIT "Conformance Test Report" and associated matters.

It is therefore a logical Bahamas policy that **EVERY** application:

- i) for an **Exemption** to a Statutory provision or
- ii) for an **Equivalent** to a Statutory provision or
- iii) to **Extend** a survey date or
- iv) to **Postpone** a survey, servicing period or any associated request

must be made **DIRECT** to the Recognised Organisation of the vessel who issued the relevant Statutory Certificate on behalf of The Commonwealth of The Bahamas.

This policy remains in place and there are no plans to change it.

2. Procedure

2.1 The following process is applicable whenever the manager of a vessel needs to apply for:

- i) A permanent exemption from an international convention requirement;
- ii) An acceptance of an equivalent arrangement to an international convention requirement;
- iii) An extension of statutory survey period or validity of certificate under an international convention; or
- iv) A postponement of a survey, servicing period, or any other applicable international requirement.

The request shall be addressed to the Recognised Organisation or body which issued the relevant certificate. Information supplied with the application should be inclusive of, but not limited to, the following:

- Reason and justification for application
- Time period requested
- Safety measures that have been or will be introduced
- Supporting documentation
- Details of ship's schedule should a verification survey be required

2.2 Recognised Organisations shall review applications prior to submitting an outcome of their assessment to the Bahamas Maritime Authority (BMA). The assessment shall, amongst other things, take into consideration:

- Provisions contained in any applicable international Convention, Code or IMO Circular;
- Any relevant Bahamas requirements;
- Reason and justification for application;
- Urgency of the application.

2.3 Any request for acceptance of an equivalent arrangement shall contain full details of the safety case conducted by the Owner or Manager, using the relevant IMO methodology wherever possible, such as in IMO Circulars MSC/Circ. 1002, MSC.1/Circ.1212, etc.

2.4 In their submission to the BMA, the Recognised Organisation shall clearly indicate their support or reservation of any aspect of the application, and if

relevant, any recommendations or conditions that may be considered. All submissions shall be in a written format although, if time constraints dictate, verbal submissions may be accepted on the proviso that the assessment is conducted and any agreement formally documented to the BMA at the earliest opportunity. The BMA will notify the Recognised Organisation of its decision or comments.

3. BMA Approval

- 3.1 If the BMA approves an application, Recognised Organisations shall ensure that the conditions, if any, under which the approval was accepted are endorsed either on the existing affected statutory certificate or on the new certificate, or that an appropriate certificate is issued in accordance with the Recognised Organisation's established procedures.
- 3.2 All decisions taken by the BMA shall be treated on a case-by-case basis, and are not a general approval unless otherwise stated by the BMA.

