

Subject

Enhanced Monitoring Programme for Bahamas-registered ships

# **ClassNK**

## **Technical Information**

No. TEC-0871

Date 10 November 2011

To whom it may concern

The Bahamas Maritime Authority (hereinafter mentioned as "BMA") has notified ClassNK of BMA Information Bulletin No.136 "Enhanced Monitoring Programme" as per attached.

According to the notification, any ship which has been justifiably detained on more than one occasion in a 24 month period, either by PSC or Flag State, will automatically be placed on the Enhanced Monitoring Programme. Ships which have been placed on the Enhanced Monitoring Programme are subject to Bahamas "special" inspections within one (1) month of being placed on the programme, and at three (3) month periods thereafter. Any ships remaining on the programme after twelve (12) months will be specially reviewed for continued registration in consultation with the Director of the BMA.

In addition to the increased frequency of Bahamas inspections, ships on the Enhanced Monitoring Programme may, according to findings, be required to undergo additional, unscheduled or occasional surveys and carry out additional ISM shipboard audits (internal and/or external) and remain at a selected port (i.e. Flag State detention). Recognising the inherent linkage between the ship's SMS and the company's ISM document of compliance (DOC), further action may also be taken against the company if deemed appropriate, in accordance with the provision of the ISM Code.

For any questions about the above, please contact:

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Attachment:

1. BMA INFORMATION BULLETIN No.136

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## **INFORMATION BULLETIN**

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### **Enhanced Monitoring Programme**

#### **Instructions to Bahamas Recognised Organisations, Bahamas Approved Nautical Inspectors, Ship Owners, Managers and Masters**

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#### **1. Purpose**

- 1.1. All owners and operators of Bahamian ships will understand the importance and benefit of maintaining, and improving, the current low rate of Port State Control (PSC) detentions and the position of The Bahamas as a low risk/"white list" Flag of the regional PSC Memorandum of Understanding (MoU) regimes.
- 1.2. The Bahamas Maritime Authority (BMA) is fully committed to ensuring that the quality of ships on The Bahamas register is maintained to the appropriate national and international standards and has for many years maintained a programme for ships and companies<sup>1</sup> which are in need of some assistance in this regard (previously known as "Special Measures").
- 1.3. This Bulletin is issued in the interests of transparency in the application of the BMA Enhanced Monitoring Programme. It outlines the programme of additional 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 will apply 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 below.

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<sup>1</sup> The "Company" is the entity responsible for the management of the ship in accordance with the ISM Code. For ships which the ISM Code is not applicable, the Company is the Managing Owner in accordance with Section 52 of the Bahamas Merchant Shipping Act.

### **3. Enhanced Monitoring Programme**

- 3.1. Any ship which has been justifiably detained on more than one occasion in a 24 month period, either by PSC or Flag State, will automatically be placed on the Enhanced Monitoring Programme. Please refer also to BMA Information Bulletin 120 for BMA policy on repeat detentions.
- 3.2. Any ship which has been placed on a Bahamas Recognised Organisation's equivalent special/additional monitoring programme may also be placed on the BMA Enhanced Monitoring Programme. Recognised Organisations are therefore requested to provide the BMA with a list of Bahamian registered ships on their equivalent monitoring programme, with reasons for entry, on a monthly basis.
- 3.3. Ships may also be identified for placement on the Enhanced Monitoring Programme on review of various sources by the BMA including, but not limited to:
  - i. PSC inspection(s),
  - ii. Bahamas Annual Inspection(s),
  - iii. Surveys,
  - iv. International Safety Management Code (ISM) audit(s),
  - v. IACS PR17 forms issued by a Bahamas Recognised Organisation,
  - vi. Information received from BMA Inspectors, Recognised Organisation surveyors and auditors, other Administrations, etc.
- 3.4. If the review concludes that there is evidence of, or a trend towards, consistent non-compliance with the international Conventions or Bahamas national requirements, a poorly implemented Safety Management System (SMS) and/or a deterioration of on board standards, the ship will be placed on the Enhanced Monitoring Programme.
- 3.5. Ships which have been placed on the Enhanced Monitoring Programme are subject to Bahamas "special" inspections within one (1) month of being placed on the programme, and at three (3) month periods thereafter. The company shall be notified of the ship's inclusion on the programme with a proposed schedule of inspection. The normal annual inspection regime will be suspended whilst a ship is on the Enhanced Monitoring Programme.
- 3.6. The company should liaise with the BMA to make arrangements for the inspection(s). All costs related to the inspections are for Owner's account.

- 3.7. A certificate of inspection will be issued valid for three months only, or other period deemed to be appropriate. Re-inspection of the ship must be carried out within one month either side of the due date of the certificate.
- 3.8. In addition to the increased frequency of Bahamas inspections, ships on the Enhanced Monitoring Programme 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. Remain at a selected port (i.e. Flag State detention).
- 3.9. Recognising the inherent linkage between the ship's SMS and the company's ISM Document of Compliance (DOC), further action may also be taken against the company if deemed appropriate, in accordance with the provisions of the ISM Code.
- 3.10. The review of the ship's performance by BMA, following each special inspection, may result in one of the following outcomes:
- Removal from the Enhanced Monitoring Programme, or
  - Continued inclusion on the Enhanced Monitoring Programme, or
  - Recommendation to the Registrar for deletion of the ship from the Bahamas Register.
- 3.11. A ship will only be allowed to continue on the Enhanced Monitoring Programme after each inspection if the issues which led to inclusion on the programme are being satisfactorily addressed and the ship's condition is improving. It should be noted that the special inspection(s) may identify additional deficiencies and it is particularly important that all deficiencies are proactively identified by ship's crew and promptly dealt with through the shipboard Safety Management System. Documentary evidence of that process is essential.
- 3.12. The Enhanced Monitoring Programme is intended to achieve satisfactory improvements within a twelve (12) month period from the date of inclusion and it is envisaged that the vast majority of ships will have been removed from the programme by this time. Any ships remaining on the programme after twelve months will be specially reviewed for continued registration in consultation with the Director of the BMA.

- 3.13. Where a ship changes ownership or management whilst on the Enhanced Monitoring Programme, the process will continue under the new owner/manager.
- 3.14. Where the new owner/manager is known to the BMA and has a good track record, that record will be duly considered and the ship may be removed from the Enhanced Monitoring Program, at the discretion of the BMA.

#### **4. Information Sharing**

- 4.1. Details of ships which have been placed on the BMA Enhanced Monitoring programme are not publically disclosed. However, in the interests of achieving a concerted approach to improve performance, details of ships which are on the programme will be shared with relevant Bahamas Approved Nautical Inspectors and Recognised Organisations (Class and ISM SMC/DOC issuer).

#### **5. Revision History**

Rev.0 (27 September 2011) – First issue

