



Technical Circular

No.: 040/2018

Date: 24th May 2018

To whomsoever it may concern

Subject: Bahamas Information Bulletin reg. Port State and Flag State Detentions.

- Bahamas Maritime Authority (BMA) has revised information bulletin no. 120 providing policy and procedures related to Port State and Flag State Detentions of all Bahamian flagged vessels.
- Salient points of the bulletin are stated below:
 1. Reporting Requirements:
 - a. In case of any detention on Bahamian flagged vessel the Company is responsible for notifying immediately to BMA and Recognized organization (RO) that issued affected certificates including SMC, DOC, ISSC and MLC.
 - b. Also company is required to offer the vessel to ship's classification society for clearance of the deficiencies noted and submit confirmation of notification to BMA along with copy of PSC report (Form A & B), copy of detention notice and actions taken or planned to rectify all deficiencies.
 2. General Policy and Process after a detention:
 - a. The Company is required to perform a Root Cause Analysis (RCA) within 30 days of the date of detention which should also include comments from the Master or Chief Engineer on the deficiencies as applicable, unless otherwise agreed with the administration and take the appropriate corrective and preventative actions to reduce the possibility of similar deficiencies arising in future.
 - b. Administration may require Additional surveys, flag inspection, ISM audits, ISPS audits and/or MLC inspections based on nature of the detainable deficiency and ship's inspection history. Scope of extent of same will be determined by the Administration.
 - c. It is to be noted that in case vessel is detained with respect to MLC related deficiency in relation to non-payment or delayed payment of wages to seafarers, company is required to pay all due wages and provide documentary evidence to BMA prior to release from detention.
 3. Procedure after first detention in 24-month period:
 - a. Company may require to comply one or more of the following requirements prior departure from the port of detention:
 - i. Additional Bahamas Inspection; and/or

- ii. Additional external audit of the ISM SMC. At the discretion of the BMA, this requirement may be relaxed to an additional internal audit depending on the number and nature of the deficiencies found; and/or
- iii. Additional MLC inspection; and/or
- iv. Additional ISPS audit.

- b. If vessel is detained within window period of annual survey, then survey is to be completed prior to the vessel sailing.
- c. If the detention occurs within the survey window for a related renewal, periodical or intermediate survey, that survey should be conducted to the extent possible. However, survey related to Safety Equipment, Safety Radio and IOPP must be completed. Where survey is incomplete same is required to be completed at the next convenient port and may not be delayed until end of the window period.
- d. In case the detention does not occur within window period of any survey, a General Examination of the vessel is to be carried out to determine whether an additional survey with the scope of annual survey is necessary.

4. Procedure after second detention in 24-month period:

- a. The vessel will be placed on the Administration's Enhanced Monitoring Programme (EMP). In addition to applicable requirements from point no. 3 above company is required to complete following requirements immediately.
- b. An additional ISM SMC audit to the extent of initial audit will be required to ascertain the effectiveness of the safety management system on board.
- c. An additional ISM DOC audit to the extent of annual audit will be required not later than 30 days from the date of the detention.

5. Procedure after third detention in 24-month period:

- a. The ship will be examined to assess whether it remains acceptable for continued in Administration's registration; which may lead to owners being asked to find an alternative register or deletion of the ship from the Bahamas register.
- b. The DOC of the Company will be re-examined and further surveys, inspections and audits of the Company and/or its ships may be required.

- Ship owners/ operators and masters are advised to be guided by above.

Enclosure:

1. Bahamas Information Bulletin no. 120

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