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Circular Letter No.4225/Add.1
2 February 2021

To: All IMO Member
Intergovernmental organizations
Non-governmental organizations in consultative status

Subject: **Communication from the Government of the Commonwealth of the Bahamas**

The Bahamas Maritime Authority sent the attached communication, dated 27 January 2021, with the request that it be circulated by the Organization.

ANNEX

To: His Excellency Kitack Lim
Secretary General
International Maritime Organization
4 Albert Embankment
London SE1 7SR

27 January 2021

Dear Secretary General,

Subject: Measures to address COVID-19

This is to inform you that The Bahamas Maritime Authority (BMA) has updated its Flag State guidance and recommendations for the fleet under the Bahamas flag, in light of the ongoing COVID-19 outbreak.

Noting the invitation in *IMO Circular Letter No.4204/Add.5 (17 March 2020)*, the BMA would respectfully request that the Secretariat updates *IMO Circular Letter No.4225 (20 March 2020)* to all Member States, NGO's and IGO's, for circulation of **BMA Technical Alert 21-01 COVID-19**.

A copy of the latest version (*BMA Technical Alert No 21-01, version 1.1, 22/01/2021*) is enclosed for your reference and parties can obtain the most updated guidance from the BMA website: <https://www.bahamasmaritime.com/publications/technical-alerts/>

The BMA would like to thank you in advance for your effort and takes this opportunity to assure you of its highest consideration.

Yours sincerely,



Dwain E. Hutchinson,
Managing Director & CEO.

Cc: His Excellency Ellison Greenslade,
Bahamas High Commissioner and Bahamas Permanent Representative to IMO

COVID-19

1. Purpose

- 1.1. This Technical Alert is issued by the Bahamas Maritime Authority (BMA) to provide information on COVID-19 related issues.
- 1.2. This Technical Alert supersedes Technical Alert 20-03.

2. Introduction

- 2.1. The BMA issued Technical Alert 20-03 in January 2020 in response to the then newly discovered outbreak of COVID-19 coronavirus.
- 2.2. As the COVID-19 situation developed into a pandemic, Technical Alert 20-03 was revised several times throughout 2020 in response.

3. Actions to be taken in case of suspected cases

- 3.1. Where COVID-19 is suspected, medical advice should be sought.
- 3.2. The advice of public health authorities in the country where the ship is located when cases are suspected should be sought and any instructions followed.
- 3.3. Owners/operators are requested to report any suspected or confirmed cases of COVID-19 to the BMA by email: health@bahamasmaritime.com.

4. Inspections, surveys and audits

- 4.1. As a result of the outbreak and the serious challenges the COVID-19 pandemic poses to the shipping industry, the BMA has taken a pragmatic and practical approach regarding extensions, postponements, etc. as outlined below. These measures are temporary, and their duration will be based on the global evolution of the COVID-19 pandemic.

4.2. **Bahamas Initial, Annual and Pre-Registration Inspections**

- 4.2.1. BMA inspectors have been instructed not to put themselves at risk and likewise not to put ship's crews at risk - this means they will follow the guidance of the health authorities in the country where they are located and may decline to attend ships.
- 4.2.2. Where an initial or annual inspection cannot be carried out before the end of the inspection window, the owner/operator shall advise the BMA Inspections & Surveys department (tech@bahamasmaritime.com), providing full supporting information. Inspections should be carried out at the first port where an inspector is available.
- 4.2.3. The requirement for pre-registration inspections is waived until 30 June 2021 for ships up to 20 years of age. Ships over 20 years of age will be considered on a case by case basis and inspection requirements will be advised by BMA. For ships over 12 years of age, a pre-purchase or condition report should be submitted where available.
- 4.2.4. Notwithstanding para 4.2.3, all ships proposed for registration, except for new builds, remain subject to technical documentation review.

4.3. **Surveys**

- 4.3.1. Where a surveyor is not able to undertake scheduled surveys due to restrictions imposed by COVID-19, including cancellation of scheduled dry docking and/or bottom survey, and remote survey is not practicable, the BMA authorises its Recognised Organisations to consider applications for extension/postponement under *force majeure* or unforeseen exceptional circumstances and make a suitable recommendation to the BMA. This is to be followed up by a physical survey at the earliest opportunity.
- 4.3.2. For statutory surveys delegated to Bahamas Recognised Organisations, the Recognised Organisation shall consider the application, which should include full supporting information, before issuing short-term certification. The Master shall provide a statement to the Recognised Organisation confirming the structure or equipment to be surveyed remains fit for purpose and has not been subject to any damage.
- 4.3.3. Where the structure or equipment to be surveyed does not remain fit for purpose, or has suffered damage, or the Recognised Organisation does not support the application, the Recognised Organisation shall provide full details to the BMA. The BMA will consider on a case-by-case basis and provide instructions to the Recognised Organisation.
- 4.3.4. Due to the current travel restrictions, the BMA is aware of difficulties encountered in sending Hazardous Material Experts (HazMat expert) onboard for the purpose of creating Inventories of Hazardous Materials (IHM) for some ships. In such

circumstances, the BMA, when supported by the Recognised Organisation, may allow ship staff to assist with the inspection and sampling for the creation of an IHM under remote guidance and supervision from a HazMat expert, subject to the following conditions:

- i. The HazMat expert contracted by the ship owner has full responsibility for conducting a compliant IHM inspection on board and submission of a correct IHM report.
- ii. The HazMat expert contracted by the ship owner is to ensure that on board visual and sampling checks are carried out in accordance with the visual and sampling checks plan prepared by the HazMat expert.
- iii. It is the HazMat expert's decision to make use of assistance via qualified crew members or other available experts on board for this scope of work.
- iv. The crew is to be qualified and trained by the HazMat expert for the on board visual and sampling checks. The staff qualification record should be documented and be part of the IHM inspection report.
- v. The HazMat expert contracted by the ship owner is to prepare instructions for IHM sampling for the crew as well as a risk assessment prior to each intervention.
- vi. The remote guidance technique shall not deviate from the quality standards of the HazMat expert company.
- vii. The crew shall not exceed their working hours as mandated under the MLC and ILO instruments.

4.4. **ISM and ISPS Internal Audits**

- 4.4.1. Timely completion of ISM internal audits is amongst the most frequently reported difficulties. In cases where it is not physically possible to attend and remote audit is not practicable, the BMA temporarily permits extensions to annual ISM internal audits for up to 3 months (in line with paragraph 5.6.2 of [Marine Notice 46](#) and para 12.1 of the ISM Code). This is to be followed up by a physical audit at the earliest opportunity.
- 4.4.2. The Company Security Officer may postpone internal ISPS audits for up to 3 months in cases where it is not physically possible to attend, and remote audit is not practicable. This is to be followed up by a physical audit at the earliest opportunity.

4.5. **ISM External Audits**

- 4.5.1. For interim ISM DOC audits where it is not physically possible to attend and remote audit is not practicable, the BMA may permit the issue of interim DOC upon receipt by the Recognised Organisation of a statement from the Company confirming that the safety management system is in place and meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.

- 4.5.2. The requirement for the Recognised Organisation to advise the BMA of any request for audit for the first issue of a Bahamas DOC, as per paragraph 4.2.2 of [Marine Notice 46](#), remains in effect.
- 4.5.3. For interim ISM SMC audits where it is not physically possible to attend and remote audit is not practicable, the BMA permits the issue of interim SMC, without prior approval of the BMA, upon receipt by the Recognised Organisation of a statement from the Master confirming that the safety management system is in place and meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.
- 4.5.4. For initial ISM DOC and SMC audits where it is not physically possible to attend and remote audit is not practicable, the BMA permits the issue of a second interim DOC/SMC for up to 6 months, without prior approval of the BMA, upon receipt by the Recognised Organisation of a statement from the Company/Master confirming that the safety management system meets the objectives of paragraph 1.2.3 of the ISM Code. This is to be followed up by a physical audit at the earliest opportunity.
- 4.5.5. For SMC and DOC periodical audits, if these are not completed within the range date the certificate ceases to be valid as per ISM Code. In such circumstances, the Recognised Organisation may issue a new SMC or DOC valid for 3 months or until the audit can take place, whichever comes first, without prior approval of the BMA.
- 4.5.6. For SMC and DOC renewal audits, and noting the provisions of ISM Code 13.14, the BMA authorises its Recognised Organisations to issue 3-month extensions, where requested by the Company, to existing SMC and DOC Certificates, without prior approval of the BMA.
- 4.6. **ISPS External Audits**
- 4.6.1. For interim ISSC audits where it is not physically possible to attend and remote audit is not practicable, the BMA permits the issue of an interim ISSC, without prior approval of the BMA, upon receipt by the Recognised Organisation of a statement from the Company Security Officer **AND** Ship Security Officer confirming that:
- i. A Ship Security Assessment has been completed.
 - ii. A copy of the Ship Security Plan (SSP) is on board and there is evidence that the SSP has been submitted to the Recognised Organisation for approval.
 - iii. The security measures identified in the Ship Security Plan are in place and the provisions of paragraph 19.4.2 of the ISPS Code have been met.

This is to be followed up by a physical audit at the earliest opportunity.

- 4.6.2. For initial ISSC audits where it is not physically possible to attend and remote audit is not practicable, the BMA permits the issue of a second interim ISSC for up to 6 months upon receipt by the Recognised Organisation of a statement from the Company Security Officer **AND** Ship Security Officer, as per 4.6.1.i to iii, without prior approval of the BMA.

This is to be followed up by a physical audit at the earliest opportunity.

- 4.6.3. For ISSC intermediate audits, if these are not completed within the range date the certificate ceases to be valid as per ISPS Code A19.3.8. In such circumstances, the Recognised Organisation may issue a new SMC or ISSC valid for 3 months or until the audit can take place, whichever comes first, without prior approval of the BMA.
- 4.6.4. For ISSC renewal audits, noting the provisions of ISPS Code A-19.3.5, the BMA authorises its Recognised Organisations to issue 3-month extensions, where requested by the Company, to existing ISSC Certificates, without prior approval of the BMA.

4.7. **Maritime Labour Inspections**

- 4.7.1. For interim MLC inspections where it is not physically possible to attend and remote inspection is not practicable, the BMA permits the issue of an interim MLC for up to 6 months, without prior approval of the BMA, upon receipt by the Recognised Organisation of a statement from the Company/Master confirming that:

- i. the applicable requirements of MLC 2006 have been met.
- ii. An approved Declaration of Maritime Labour Compliance Part I is on board or evidence provided that it has been requested from the BMA.
- iii. DMLC Part II is available in draft or evidence provided that it has been submitted to the Recognised Organisation.

This is to be followed up by a physical audit at the earliest opportunity.

- 4.7.2. For initial MLC inspections where it is not physically possible to attend and remote audit is not practicable, the BMA permits the issue of a second interim MLC for up to 6 months, without prior approval of the BMA, upon receipt by the Recognised Organisation of a statement from the Company/Master, as per 4.7.1.i to iii.

This is to be followed up by a physical audit at the earliest opportunity.

- 4.7.3. MLC 2006 does not provide for the issue of extensions to existing MLC Certificates without inspection. However, in this exceptional situation, the BMA authorises its Recognised Organisations to administratively issue a short-term Maritime Labour Certificate for 3 months, without prior approval of the BMA, in cases where the renewal or intermediate inspection cannot be conducted due to COVID-19 restrictions.

- 4.7.4. The Recognised Organisation shall state that the certificate has been issued to allow the ship to continue on its intended voyage and complete the inspection at the first port where inspectors are available. When the renewal or intermediate inspection has been completed a full-term Maritime Labour Certificate may be issued with its expiry date not later than 5 years from the expiry date of the original full-term Maritime Labour Certificate.
- 4.8. **Remote audits and surveys**
- 4.8.1. The BMA will consider requests for remote audits and surveys where supported by the Recognised Organisation.
- 4.9. **The Recognised Organisation shall provide a consolidated weekly report to the BMA (by email to tech@bahamasmaritime.com) of actions taken under paragraphs 4.3, 4.5, 4.6 & 4.7. The weekly report should be submitted by 1730UTC on the Wednesday of the following week.**
- 4.10. The temporary measures described in paragraphs 4.2 to 4.7 will remain in place until 30 June 2021 and are subject to review as the situation develops.

5. Seafarers and manning

- 5.1. Reference is made to IMO Circular Letter No.4204 and ILO Statement from the "Special Tripartite Committee of the Maritime Labour Convention 2006 as amended".
- 5.2. **Seafarer Employment**
- 5.2.1. Where, as a result of travel restrictions imposed due to the COVID-19 pandemic, crew members employed on board have to extend their service beyond their contractual period as stated in their original Seafarers' Employment Agreement (SEA) and / or 12 months, the BMA will consider such extensions to be a result of *force majeure* and therefore not a breach of the Maritime Labour Convention, 2006, (MLC) as amended. The BMA requires Shipowners / Managers to maintain a record of attempted crew changes as documentary evidence of their endeavours.
- 5.2.2. An addendum to the SEA, as described in 5.2.3, shall be arranged for any applicable crewmembers. The addendum shall be signed by the shipowner or their authorised representative and the seafarer
- 5.2.3. The following text shall be inserted into the addendum:

The seafarer is permitted to terminate the contract giving 7 days' notice when the force majeure situation caused by the COVID-19 pandemic permits them to travel to their destination safely and securely.

- 5.2.4. Should administrations or port authorities have questions or queries regarding the above they should contact the BMA directly.
- 5.2.5. Should companies face issues pertaining to medical assistance for crewmembers or repatriation, the BMA may be able to assist, if the issues are reported in due time.
- 5.3. **Expired Medical Certificates**
- 5.3.1. The validity of Medical certificates that expired prior to 01 January 2021 are hereby automatically extended to 30 June 2021. For any seafarer's Medical Certificate which expires whilst they are on board, the BMA will allow the seafarer to continue their service for up to 3 months from the date of expiry. Every effort is to be made to obtain a new seafarers' medical certificate such that a valid certificate will be in place before the expiry of the extension.
- 5.3.2. Seafarers on leave with a Medical Certificate that expires after 01 January 2021 and have been unable to obtain a valid medical certificate prior to travelling to join a vessel are permitted to commence their service onboard ships until 30 June 2021.
- 5.4. **Expired STCW Certificates and Certificates of Recognition (Endorsements)**
- 5.4.1. If a Certificate of Competency (CoC) or a Certificate of Proficiency (COP) that The Bahamas has endorsed expires and the issuing State has extended the period for which the certificate is valid, this document/endorsement shall automatically be extended by The Bahamas for the same period.
- 5.4.2. If a Certificate of Competency (CoC) or a Certificate of Proficiency (CoP) that The Bahamas has issued expires [after 01 March 2020](#), the validity period is extended until latest 30 June 2021. This rule also applies for CoP's that training institutions, that are approved by Bahamas, have issued.
- 5.4.3. The BMA recognises that all CoPs that are issued by other States (these do not need to be endorsed) are valid for use on Bahamian ships for the period that the issuing State has allowed, including CoPs that are extended to no later than 30 June 2021.
- 5.4.4. STCW, MLC and Minimum Safe Manning Documents may be issued electronically and sent by e-mail during COVID-19 restrictions. The documents will be printed on their respective templates and couriered to clients as the measures to prevent the spread of coronavirus are being lifted.
- 5.5. **STCW Training Provider Approvals**
- 5.5.1. BMA approved providers whose approvals expired prior to the 01 January 2020 will have their approvals automatically extended until 30 June 2021.

- 5.5.2. Due to the limitations caused by the COVID-19 pandemic, re-approval of existing courses/training will take the following temporary form:
- i. the relevant training materials/content is to be submitted to the BMA for review;
 - ii. subject to satisfactory review, the approval will be granted for a period of 5 years;
 - iii. an on-site visit will take place to verify the effectiveness of the course and its delivery as soon as practically possible following the satisfactory review;
 - iv. the requirement for an intermediate verification (between the 2nd & 3rd anniversary) remains extant (COVID-19 permitting).
- 5.6. **Seaman's Record Books**
- 5.6.1. The BMA may currently be restricted to use courier and mail services to send seaman's record books to clients.
- 5.6.2. Where seafarers are not in possession of a Seaman's Record Book, the BMA requests that the Master issues a Record of Service as stipulated in paragraphs 3.3 and 3.4 of [BMA Information Bulletin No. 107](#).
- 5.6.3. Notwithstanding the above, the BMA will still issue Seaman's Record Books and clients are encouraged to apply online through the BORIS electronic system. When the Seaman's Record Book is issued the BMA will send an electronic copy to the client to be used onboard. A copy of the Record of Service template, for use with the electronic copy of the Seaman's book, is attached.
- 5.6.4. The BMA will send the original Seaman's Record Books by courier as usual when full access to courier services is available.
- 5.6.5. Sea service should be transferred to the hard copy of the Seaman's Record Book from the Record of Service, referred to in paragraph 5.6.3, either by the Master or by the Company.
- 5.7. **Crew changes in The Bahamas**
- 5.7.1. The Bahamas remains under national restrictions in accordance with the Emergency Powers (COVID 19 Pandemic) Order 2020.
- 5.7.2. However, as of 01 July 2020, crew changes are being allowed subject to conditions including the need for the crew member to have a Travel Health Certificate based on undertaking a negative RTPCR Covid-19 test, within 7 days of entering The Bahamas (arrival for incoming crew and disembarking for outgoing crew).
- 5.7.3. Details of the process for obtaining the Certificate is outlined in the Bahamas Government website – see <https://travel.gov.bs/international> .

- 5.7.4. Specific protocols have been developed for cruise ships that include provisions for crew changes and all cruise ships in Bahamian waters should comply with those provisions.

6. Certificates and Documents

- 6.1. Hard copy certificates will continue to be provided by the BMA as usual, provided that postal/courier services remain in operation.
- 6.2. The BMA may issue scanned copies of hard copy certificates in order to ensure that ships have copies of current documents on board.
- 6.3. The validity of any certificate can be verified by contacting the BMA.

7. Further information

- 7.1. Bahamas government:
- i. [Ministry of Health Home Page](#)
 - ii. [Travel Updates](#)
 - iii. [Travel Health Certificate Application](#)
- 7.2. World Health Organization:
- i. [Rolling Updates](#)
 - ii. [Information and Guidance on COVID-19](#)
- 7.3. International Maritime Organization:
- i. [Coronavirus Information Page](#)
- 7.4. Further information is also available from a number of industry bodies, governmental and inter-governmental agencies.

8. Validity

- 8.1. This Technical Alert is valid until further notice.

9. Revisions

- V1.1 Date changed in para 5.4.2 to correct typo (blue text)