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## **INFORMATION BULLETIN No. 136**

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### **Enhanced Monitoring Programme**

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

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#### **1. Purpose**

- 1.1. The Bahamas Maritime Authority (BMA) is fully committed to ensuring that all ships on The Bahamas register are maintained to the highest achievable performance standards and in compliance with applicable national and international requirements.
- 1.2. 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<sup>1</sup> 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 below.

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

- 3.1. Any ship which has been justifiably detained on more than one occasion in a 24 months period, either by PSC or Flag State, will automatically be placed on the Enhanced Monitoring Programme. Please refer also to BMA Information Bulletin No. 120 for BMA policy on repeat detentions.

- 3.2. Recognised Organisations are requested to provide the BMA with the following information on a monthly basis:
- i. Bahamian ships that have been detained;
  - ii. Bahamian ships with a confirmed IACS PR17 notification;
  - iii. Bahamian ships that have been subject to additional ISM or ISPS audits, or additional MLC inspections;
  - iv. Companies operating Bahamian ships that have been subject to additional ISM audits.
- 3.3. Ships may also be identified for placement on the Enhanced Monitoring Programme based on review of various sources by the BMA including, 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).**
- 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, poorly implemented Safety Management System (SMS) procedures 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.
- 3.6. **The first Special Inspection shall be carried out within one (1) month of the ship being placed on the programme, and subsequent inspections at three (3) month intervals thereafter. The company shall be notified of the ship's inclusion on the programme with a proposed schedule of special inspections.**

- 3.7. The annual inspection regime will be suspended whilst a ship is on the Enhanced Monitoring Programme.
- 3.8. 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.
- 3.9. A Certificate of Special Inspection (CoSI) shall be issued after each special inspection. The Certificate will remain valid for three months.
- 3.10. Re-inspection of the ship must be carried out within one month either side of the due date of the CoSI. It should be noted that whether the special inspection is completed before or after the certificate validity date, the new certificate will still be valid for three months from the expiry of the existing CoSI.
- 3.11. 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. Undergo additional Maritime Labour Certificate inspections;
  - iv. Remain at a selected port (i.e. Flag State detention).
- 3.12. Recognising the inherent link between the ship's SMS and the company's ISM Document of Compliance (DOC), further action may also be taken to verify, and where necessary to improve, the Company's operational standards in accordance with the provisions of the ISM Code.
- 3.13. Where a ship has been placed on the Enhanced Monitoring Programme for serious breach of the Maritime Labour Convention, 2006 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 whilst the ship is on the Enhanced Monitoring Programme.
- 3.14. After the 2<sup>nd</sup> and subsequent Special Inspections following inclusion in the Enhanced Monitoring Programme, the BMA will review the ship's performance. The review shall lead to one of the following outcomes:
- i. Removal from the Enhanced Monitoring Programme, or
  - ii. Continued inclusion on the Enhanced Monitoring Programme, or

iii. Recommendation to the Registrar for deletion of the ship from the Bahamas Register.

- 3.15. The deletion of the ship from the Bahamas Register will be considered when the issues which led to inclusion on the programme are not being satisfactorily addressed and the ship's condition is not improving.
- 3.16. It should be noted that the 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.
- 3.17. 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 ships placed on EMP will have been removed from the programme by this time. Any ships remaining on the programme after twelve months will be specially reviewed for eligibility for continued registration in consultation with the Director of the BMA.
- 3.18. Where a ship changes ownership or management whilst on the Enhanced Monitoring Programme, the process will continue under the new owner/manager.
- 3.19. Where the new owner/manager is known to the BMA and has a good track record of maintaining their fleet to high standards, the ship may be considered for removal from the Enhanced Monitoring Program following the change of owner/manager, 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 publicly disclosed. However, in the interests of achieving a concerted approach to improve performance, details of ships placed on EMP may be shared with relevant Bahamas Approved Nautical Inspectors and Recognised Organisations.

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

Rev.1 (09 October 2018) – General revision, main changes shown in blue

Rev.0 (27 September 2011) – First issue