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## **INFORMATION BULLETIN No. 144**

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### **Hours of Rest**

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

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#### **1. Purpose**

- 1.1. The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended (STCW) and the Maritime Labour Convention, 2006 (MLC 2006) require that all seafarers are provided with minimum periods of rest or maximum hours of work.
- 1.2. This Bulletin outlines the Bahamas requirements in relation to minimum hours of rest for the purpose of compliance with MLC 2006 and STCW
- 1.3. This Bulletin shall be read in conjunction with BMA Information Bulletins no. 105, 115, 1140, 142, 145 and 147.

#### **2. Application**

- 2.1. The hours of rest and hours of work requirement is applicable to all ships registered with the Bahamas and to all seafarers, except where expressly provided otherwise.

### 3. Definitions

- i. The following definitions apply for the purposes of this Bulletin:  
"Company" is the entity, designated under SOLAS 1974, as amended, Chapter IX/1.2 which assumes the duties and responsibilities imposed by International Safety Management (ISM) Code or, where ISM is not applicable, the entity who has accepted responsibility for the assignment of seafarers for service onboard Bahamian registered ships in accordance with the provisions of STCW Regulation I/14
- ii. "Ship" is any vessel or unit registered with the Bahamas in accordance with the Bahamas Merchant Shipping Act.
- iii. "Hours of rest" is deemed to be any period outside the hours of work; this term does not include short breaks.
- iv. "Hours of work" is deemed to be any period when the seafarer is engaged in any business of the ships or is required to do work on account of the ship
- v. "Master" shall be deemed to be the person designated by the Company as having overall responsibility for the ship

#### General Requirements

- 3.2. The Company shall ensure that all seafarers are provided with the minimum hours of rest as specified in 4.1 below.
- 3.3. The minimum hours of rest shall be not less than 10 hours in any 24 hour period and 77 hours in any 7 day period.
- 3.4 Subject to 4.1.1, the 10 hour period of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length. The intervals between consecutive periods of rest shall not exceed 14 hours.
- 3.5 A seafarer whose duties entail being on call should have adequate compensatory rest to make up for any rest time lost when his period of rest is disturbed by a call-out
- 3.6 Musters, fire-fighting and lifeboat drills, and other drills prescribed by Bahamian and by international instruments should be arranged to minimise the disturbance of the period of rest. The Company should aim to provide adequate compensatory rest to make up for any rest time lost

when the period of rest is disturbed by a call-out for drills and musters, as these should not be deemed rest periods.

- 3.7 If the master deems it necessary to suspend the scheduled hours of rest and require a seafarer to perform work due to the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with adequate compensatory rest after the normal situation has been restored. The master shall ensure that the reason for the suspension, details of the affected seafarers and the period of suspension are recorded in the Official Log Book.

#### 4. **Exceptions**

- 4.1. For watch-keepers and persons assigned shipboard safety, security and environmental protection duties, the BMA allows exceptions to the:
1. 10 hours of rest in any 24 hour period as specified in 3.3 above provided that the hours of rest may be divided into no more than three periods, one of which shall be at least 6 hours in length, and neither of the other two periods shall be less than one hour in length. The intervals between consecutive periods of rest shall not exceed 14 hours and the exceptions shall not extend beyond two 24 hour periods in any 7 day period.
  2. 77 hours of rest in any 7 day period specified in 3.3 above provided that the rest period is not less than 70 hours in any 7-day period; and the exception period does not extend for more than two consecutive weeks. The intervals between two periods of exceptions on board shall not be less than twice the duration of the exception.
- 4.2. If there is a need for regular exceptions from the weekly rest period, the Company shall undertake an assessment of the manning level in order to determine if the manning level onboard is sufficient in order to comply with the hours of rest requirements. The outcome of this assessment shall be documented with a copy maintained onboard and if the assessment has identified a non-compliance with the hours of rest requirements that requires an increase of the manning level, the Company shall submit a revised safe manning application to the BMA for reviewing the proposed safe manning level.

- 4.3 The BMA may authorize or register collective agreements permitting exceptions to the limits set out in 4.1 above taking account of more frequent or longer leave periods or the granting of compensatory leave for watchkeeping seafarers or seafarers working on board ships on short voyages.

## **5. Young seafarers**

- 5.1 Whilst the vessel is at sea or in port, young persons under the age of 18:
- i. the working hours of young seafarers should not exceed eight hours per day and 40 hours per week and overtime should be worked only where unavoidable for safety reasons;
  - ii. while sufficient time should be allowed for all meals, young seafarers should be assured of a break of at least one hour for the main meal of the day; and
  - iii. young seafarers should be allowed a 15-minute rest period as soon as possible following each two hours of continuous work
- 5.2 The Master may allow exceptions to 5.1 above where:
- i. they are impracticable for young seafarers in the deck, engine room and catering departments assigned to watchkeeping duties or working on a rostered shift-work system; or
  - ii. if the effective training of young seafarers in accordance with established programmes and schedules would be impaired
- 5.3 The reasons for exceptions should be recorded in the Official Log Book.

## **6. Records**

- 6.1 The Company shall provide a table of duties which outlines the hours of work and rest periods for all seafarers. The BMA will accept format in *Appendix 3 and 4 of the IMO/ILO Guidelines for the development of tables of seafarers' shipboard working arrangements and formats of records of seafarers' hours of work or hours of rest.*
- 6.2 The table/schedule must be in English and in the working languages of the ship, if that is not English, and should specify for every position at least:

- .1 the daily schedule of duties at sea and duties in port; and
  - .2 the daily minimum hours of rest or maximum hours of work
  - .3 The table shall be posted or maintained in a format so that it can be easily accessible by the seafarer or a duly authorised officer.
- 6.3 The master shall ensure that the reason for the suspension of the scheduled hours of rest, details of the affected seafarers and the period of suspension are recorded in the Official Log Book.
- 6.4 The master shall ensure that records of hours of rest are maintained for each seafarer serving on the ship. The format of the record should be developed taking into consideration *Appendix 4 of the IMO/ILO Guidelines for the development of tables of seafarers' shipboard working arrangements and formats of records of seafarers' hours of work or hours of rest.*
- 6.5 The records should be completed monthly in arrears and each record should be endorsed by the master or person authorised by the master and the seafarer. A copy should be given to the seafarer.
- 6.6 The BMA may accept electronic tables and records being maintained for the purpose of 6.1 and 6.4 provided that the electronic system is capable of enabling verification of compliance with the hours of rest requirements and it should be such that it any changes are date/time stamped, recorded and made clear to the user.

## **7. Revision History**

Rev.0 (31 August 2012) – First issue