
Management of Occupational Health & Safety

Notice to ship owners, managers, Masters, Approved Nautical Inspectors, Recognised Organisations and surveyors

This Notice supersedes BMA Information Bulletin No.145

1. Purpose

- 1.1. Regulation 4.3 of the Maritime Labour Convention, 2006 (MLC 2006) requires that Administrations promulgate national guidelines for the management of occupational safety and health on board ships.
- 1.2. This Notice is provided by the Bahamas Maritime Authority (BMA) to meet the requirements of Regulation 4.3 for Bahamian ships and takes into account the guidance contained within MLC 2006 and relevant advice in the publications mentioned therein.

2. Application

- 2.1. This Notice applies to all ships and to all seafarers to which MLC 2006 applies, except as provided otherwise in [BMA Information Bulletin No. 127](#).

3. General duties of employers and employees

- 3.1. It is the duty of every shipowner to ensure, so far as is reasonably practicable, the health and safety of employees and other persons aboard ship who may be affected by their acts and omissions¹.
- 3.2. The matters to which that duty extends shall include in particular:
 - i. the provision and maintenance of plant, machinery and equipment and systems of work that are, so far as is reasonably practicable, safe and without risk to health;
 - ii. arrangements for ensuring, so far as is reasonably practicable, safety and absence of risk to health in connection with the use, handling, stowage and transport of articles and substances;

¹ Regulation 4 of the Merchant Shipping (Health and Safety – General Duties) Regulations 1984

- iii. the provision to its employees of such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety of persons aboard ship;
 - iv. so far as is reasonably practicable, the maintenance of all places of work in the ship in a condition that is safe and without risk to health;
 - v. the provision and maintenance of an environment for persons aboard ship that is, so far as is reasonably practicable, safe and without risk to health;
 - vi. so far as is reasonably practicable, collaboration with others who employ persons who are at any time in the course of their employment aboard a ship or are engaged in loading or unloading activities in relation to a ship, to protect the health and safety of all persons aboard that ship.
- 3.3. It is the duty of every shipowner to prepare and, as often as may be appropriate, revise a written statement of general policy with respect to the health and safety aboard ship and the organisation and arrangements for the time being in force for carrying out that policy, and to bring the statement and any revision of it to the notice of their employees.
- 3.4. It is the duty of every shipowner to put in place reasonable precautions to prevent occupational accidents, injuries and diseases on board ship, including measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals as well as the risk of injury or disease that may arise from the carriage of cargo and the use of equipment and machinery on board ships.
- 3.5. In meeting its obligations, the shipowner shall comply fully with the International Labour Organization (ILO) Code of Practice "[Accident prevention on board ship at sea and in port](#)"², 2nd edition 1996, as amended, or other recognised Codes of Practice as designated in this Notice.
- 3.6. Other Codes of Practice which are recognised by the BMA include the United Kingdom Maritime & Coastguard Agency "[Code of Safe Working Practices for Merchant Seafarers](#)"³ or other national or industry publications which provide guidance to at least the same scope as the ILO Code of Practice.
- 3.7. Shipowners shall take proper account of the ILO Code of Practice "[Ambient factors in the workplace](#)"⁴, 2001 as amended, when considering the exposure to hazards in the working environment.

² https://www.ilo.org/global/topics/safety-and-health-at-work/normative-instruments/code-of-practice/WCMS_107798/lang--en/index.htm

³ <https://www.gov.uk/government/publications/code-of-safe-working-practices-for-merchant-seafarers-2020>

⁴ http://www.ilo.org/global/topics/safety-and-health-at-work/normative-instruments/code-of-practice/WCMS_107729/lang--en/index.htm

- 3.8. Notwithstanding the above, it is the duty of every employee aboard ship to take reasonable care for their own health and safety and of other persons aboard ship who may be affected by his or her acts or omissions⁵.

4. Shipboard safety and health committee and safety officers

- 4.1. A ship's safety and health committee shall be established onboard every ship on which there are five or more seafarers.
- 4.2. The ship's safety and health committee shall assist in the implementation of the shipowner's safety and health policy. The committee shall, as a minimum, consist of officers and ratings who shall be appointed or elected as appropriate, bearing in mind the importance of balanced representation. Owners shall specify the authority of the ship's seafarers appointed or elected as safety representatives to participate in meetings of the ship's safety and health committee.
- 4.3. Owners shall ensure that the master or a designated person is appointed to take responsibility for the implementation of the compliance with the ship's occupational safety and health policy and programme, hereafter referred to as the safety officer.
- 4.4. Safety officers shall investigate accidents and make appropriate recommendations to prevent the recurrence of such accidents, carry out safety and health inspections and monitor and carry out the on-board safety training of seafarers.
- 4.5. Safety officers and safety representatives shall receive appropriate training to enable them to undertake their responsibilities.
- 4.6. The work of the ship's safety and health committee and action taken by the safety officer shall be duly documented and made available onboard as evidence of compliance with the provisions of the MLC 2006.

5. Assessment of risks

- 5.1. Shipowners shall ensure that an assessment of risks is carried out on board with a view to reduce the risks as far as is 'reasonably practicable'. The following matters should be assessed:
- i. the safety and health of any seafarers under the age of 18
 - ii. general and basic provisions;
 - iii. structural features of the ship, including means of access and asbestos-related risks;
 - iv. machinery;

⁵ Regulation 5 of the Merchant Shipping (Health and Safety – General Duties) Regulations 1984

- v. the effects of any extremely low or high temperature of any surfaces with which seafarers may be in contact;
 - vi. the effects of noise in the work place and in shipboard accommodation;
 - vii. the effects of vibration in the workplace and in shipboard accommodation;
 - viii. the effects of ambient factors, other than noise and vibration, in the workplace and in shipboard accommodation, including tobacco smoke;
 - ix. special safety measures on and below deck;
 - x. special safety measures for working at height;
 - xi. special safety measures for working with hazardous material;
 - xii. loading and unloading equipment;
 - xiii. fire prevention and fire-fighting;
 - xiv. anchors, chains and lines;
 - xv. dangerous cargo and ballast;
 - xvi. personal protective equipment for seafarers;
 - xvii. work in enclosed spaces;
 - xviii. physical and mental effects of fatigue;
 - xix. the effects of drug and alcohol dependency;
 - xx. HIV / AIDS protection and prevention; and
 - xxi. emergency and accident response.
- 5.2. Evidence that the assessment of risks, as required above, was carried out is to be maintained onboard.
- 5.3. Any risk mitigating measures put in place should be based on the principle of prevention. This commences with first combating risk at source, then replacing the dangerous by less dangerous alternatives, both of which should have precedence over personal protective equipment which should only be used as a last resort as a control measure.
- 5.4. Permit to work systems should be incorporated in the onboard preventative safety procedures. They should contain a carefully planned checklist to identify, control or eliminate hazards and should state the emergency procedure in the event of an accident.
- 5.5. Permit to work systems should be used when entering and working in any enclosed space in accordance with International Maritime Organization (IMO) [Resolution A.1050\(27\) Revised recommendations for entering enclosed spaces aboard ships](#)⁶.

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[https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/AssemblyDocuments/A.1050\(27\).pdf](https://wwwcdn.imo.org/localresources/en/KnowledgeCentre/IndexofIMOResolutions/AssemblyDocuments/A.1050(27).pdf)

6. Reporting of accidents and near misses

- 6.1. The cause or causes of all accidents or near misses shall be investigated by the ship's safety officer. A near miss is defined as *"an event not causing harm, but has the potential to cause injury or ill health"*⁷.
- 6.2. A full report of any accident or near miss shall be made to the safety and health committee and, through the master, to the appropriate person ashore.
- 6.3. Shipowners should report occupational accidents and diseases to the BMA. All accidents to seafarers resulting in loss of life or serious injury should be reported forthwith to the BMA and an investigation of these accidents carried out. Please also refer to [BMA Information Bulletin No 4](#).
- 6.4. Shipowners should investigate all accidents and near misses, analyse their underlying causes and convey any lessons learnt throughout the company as appropriate. Shipowners should also consider establishing a near miss reporting system.
- 6.5. Annual review and analysis of all ships' accidents, dangerous occurrences and/or near miss incidents should be carried out by the Company, as required by paragraph 9 of the ISM Code, and be available for Flag State inspection when requested.

7. Queries

- 7.1. Any queries on this Notice may be addressed to tech@bahamasmaritime.com or by contacting any BMA office.

⁷ United Kingdom Health & Safety Executive definition

