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## Reporting Requirements

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

*This Notice supersedes BMA Information Bulletin No. 4*

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### 1. Purpose

- 1.1. This Marine Notice provides instructions and requirements on the legal obligation to report certain events to the Bahamas Maritime Authority (BMA).
- 1.2. The Notice is split in to two parts. Part 1 describes reporting requirements for marine casualties and marine incidents. Part 2 describes reporting requirements for births and deaths, reportable diseases, breaches of security, rescue at sea and crime.
- 1.3. Links to all reporting forms are provided in Annex 2.

### 2. Application

- 2.1. ***Part 1 - Reporting requirements for marine casualties and marine incidents***
  - 2.1.1. Part 1 of this Notice applies to all Bahamian ships AND all vessels, irrespective of flag, whilst within Bahamian waters.
- 2.2. ***Part 2 - Reporting requirements for births and deaths, notifiable diseases, breaches of security, rescue at sea and crimes***
  - 2.2.1. Part 2 of this Notice applies to all Bahamian ships.

# PART 1

## Reporting requirements for marine casualties and marine incidents

### 3. General

- 3.1. The BMA's Investigation Department investigates marine casualties with the overarching objective to prevent further occurrence. The Investigation Department's marine safety investigations do not establish liability or apportion blame.
- 3.2. The Investigation Department is responsible for:
- Carrying out investigations to determine the cause of marine casualties and marine incidents
  - Publishing marine safety investigation reports that include recommendations and lessons learned to improve safety
  - Increasing awareness of how marine casualties happen
  - Determining, where possible, what changes in the present regulations might be desirable
  - Improving national and international co-operation in marine safety investigations
- 3.3. It is a requirement under Bahamian law that every marine casualty or marine incident is reported.
- 3.4. A **marine casualty** is an event (or a sequence of events) which has occurred directly in connection with the operations of a ship, that has resulted in any of the following:
- the death of, or serious injury<sup>1</sup> to, a person
  - the loss of a person from a ship
  - the loss, presumed loss or abandonment of a ship
  - material damage<sup>2</sup> to a ship
  - the stranding or disabling of a ship, or the involvement of a ship in a collision
  - material damage to marine infrastructure external to a ship, that could seriously endanger the safety of the ship, another ship or an individual
  - severe damage to the environment, or the potential for severe damage to the environment, brought about by the damage of a ship or ships.
- 3.5. A **marine incident** is an event (or sequence of events) which has occurred directly in connection with the operation of a ship, that do not meet the criteria to be classified as

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<sup>1</sup> serious injury means an injury which is sustained by a person, resulting in incapacitation where the person is unable to function normally for more than 72 hours, commencing within seven days from the date when the injury was suffered

<sup>2</sup> material damage means damage that significantly affects structural integrity, performance or operational characteristics of the ship and requires major repair or replacement of a major component(s)

a marine casualty but that endangered or, if not corrected would endanger, the safety of the ship, its occupants or any other person or the environment. Examples include:

- an event (or sequence of events) that had the potential to result in a serious injury
- loss, and subsequent recovery, of a person from a ship
- navigation situations where urgent action was required to avoid collision
- allision or contact that did not result in material damage
- groundings that did not result in stranding or material damage
- fire or explosions that did not result in material damage
- any pollution

3.6. There is **no requirement to report**:

- Equipment defects, unless they are related to a marine casualty or marine incident.
- Injuries to passengers that did not result from activities connected with the operation of the ship (e.g. a passenger injury where the ship's design, movement, or any act or omission by the crew were not contributing factors)
- Damage or injuries that occur ashore (unless involving ship's equipment).

3.7. A deliberate act (or omission), with the intention to cause harm to the safety of a ship, an individual or the environment is not a marine casualty or marine incident.

3.8. Notwithstanding the above, reporting of any incident which may fall within the scope of the ship's safety management system reporting requirements is encouraged.

#### 4. Initial Reporting

4.1. Accurate and timely reporting is vital to ensure the appropriate response can be mounted by the Department. **Marine casualties** should be reported as soon as possible to: [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com). An initial report should include:

- Vessel's name and IMO number
- Date and time of the casualty
- Description of the casualty and details of any other vessels involved
- Vessel's location and, if at sea, next port of call
- Where applicable, that coastal State authorities have been notified

4.2. Note: for support during an emergency please call the BMA Emergency Response Officer on **+44 20 3922 2619**. If the Duty Officer is not available or does not return your call within 15 minutes, please email: [ero@bahamasmaritime.com](mailto:ero@bahamasmaritime.com)

## **5. Formal reporting**

- 5.1. To provide further detail to an initial report, or to report marine incidents, a Casualty Report Form (or Occupational Health Incident Form for serious injuries) should be sent to: [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com) as soon as it is practicable to do so.

## **6. Preservation of evidence**

- 6.1. Access to all relevant information is vital for an effective investigation. Saving voyage data recorder data is mandatory for marine casualties. Other time-sensitive evidence, such as CCTV footage, should be saved to prevent overwriting.
- 6.2. Any relevant records, documents, equipment, or material must be retained, and may be requested by the BMA for future analysis. If an accident scene has to be disturbed before investigators can attend, system configurations should be fully documented and the area thoroughly photographed before anything is altered.

## PART 2

### Reporting requirements for births and deaths, notifiable diseases, breaches of security, rescue at sea and crime

#### 7. General

7.1. The Investigations Department also facilitates registration and management of non-casualty reports, as described below.

#### 8. Births and deaths

8.1. The Merchant Shipping Act requires that masters of Bahamian ships submit a record of any birth or death onboard. A Return of Death (RBD1) or Return of Birth (RBD2) should be sent to [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com) as soon as it is practicable to do so.

8.2. When recording a death, copies of the following documents shall be provided if and when they become available. All documents must be in English or accompanied by English translations:

- Relevant extract from the Official Logbook
- Deceased's passport
- Notice of death / death certificate
- Doctor's report(s)
- Autopsy / Coroner's report
- Property of a Deceased Seafarer form (where applicable)

8.3. Unavailability of the required documents should not delay reporting.

8.4. Additional documentation may be requested by the BMA depending on the circumstances of the case.

8.5. Note that if the deceased was British, the UK's Maritime and Coastguard Agency request that form RBD3 be completed by the master and returned to them.

#### 9. Notifiable diseases

9.1. Section 46 of the [Bahamas Health Rules](#)<sup>3</sup> require that masters of Bahamian ships report diagnosis of certain diseases. This should be done through via email to [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com). The list of Notifiable Infectious Diseases is contained in Annex 1.

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<sup>3</sup> [http://laws.bahamas.gov.bs/cms/images/LEGISLATION/SUBORDINATE/1935/1935-0071/HealthRules\\_1.pdf](http://laws.bahamas.gov.bs/cms/images/LEGISLATION/SUBORDINATE/1935/1935-0071/HealthRules_1.pdf)

9.2. In line with the requirements of Regulation A4.3 of the Maritime Labour Convention, 2006, as amended (MLC 2006), owners are required to report when an occupational disease is diagnosed<sup>4</sup> in seafarers serving on a Bahamian ship. This should be done via email to [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com).

9.3. The list of occupational diseases is contained in Annex 1. A report of a case will not necessarily signify that it is caused by work onboard that ship.

9.4. **Reports of all diseases must be handled with due regard to confidentiality of the seafarer.**

## 10. Breach of Security

10.1. Ships that suffer, or prevent, a breach of security such as unauthorised access, cyber-attack, bomb threat or discovery of suspicious items, robbery or piracy should report via email to [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com).

10.2. In the case of stowaway(s)<sup>5</sup>, a Stowaways Incident Report should be sent to [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com) as soon as it is practicable to do so.

## 11. Rescue at sea

11.1. Bahamian ships that are involved in successful search and rescue operations should report via email to [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com) as soon as it is practicable to do so.

11.2. In cases where the master has reason to believe that a person rescued at sea (or transferred from another ship) is a refugee or has been the subject of a migrant smuggling or human trafficking operation, details must be reported using the Smuggled Migrants Report form in order to help the international community combat unsafe practices.

## 12. Crime

12.1. The Royal Bahamas Police Force (RBPF) has jurisdiction for any crime onboard a Bahamian ship. The BMA commits to provide technical assistance to the RBPF as required. Report via email to: [crime@bahamasmaritime.com](mailto:crime@bahamasmaritime.com)

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<sup>4</sup> Written diagnosis by a registered medical practitioner

<sup>5</sup> "Stowaway" means a person who, without the consent of the owner, master or other person authorised to give such consent, goes to sea or attempts to go to sea in a Bahamian ship.

**13. Queries**

- 13.1. Any queries on this Notice may be addressed to [casualty@bahamasmaritime.com](mailto:casualty@bahamasmaritime.com) or any BMA office.



**Annex 1 – Notifiable diseases**
**1. Bahamas Health Rules list of notifiable infectious diseases**

Acquired Immune Deficiency Syndrome (AIDS)	Actinomycosis	Anthrax
Beriberi	Cancer	Cerebro-Spinal Fever
Chickenpox	Cholera	Asiatic
Climatic Bubo	Dengue	Diphtheria
Dysentery (Amoebic and Bacillary)	Erysipelas	Favus
German Measles	Glanders	Granuloma Venerum
Hepatitis (all forms)	Hookworm Infection	Leprosy
Malaria	Measles	Mumps Paratyphoid Fever
Plague	Poliomyelitis	Puerperal Fever
Rabies	Rocky Mountain	Scarlet Fever
Smallpox	Spotted Fever	Tetanus
Trachoma	Trichinosis	Tuberculosis (all forms)
Typhoid Fever	Typhus Fever	Vincent's Angina
Whooping Cough	Yellow Fever	

**2. List of Notifiable Occupational Diseases**

<b>Disease</b>	<b>Circumstance requiring report</b>
Carpal tunnel syndrome	where the person's work involves regular use of percussive or vibrating tools
Cramp of the hand or forearm	where the person's work involves prolonged periods of repetitive movement of the fingers, hand or arm
Occupational dermatitis	where the person's work involves significant or regular exposure to a known skin sensitiser or irritant
Hand arm vibration syndrome	where the person's work involves regular use of percussive or vibrating tools, or holding materials subject to percussive processes, or processes causing vibration
Occupational asthma	where the person's work involves significant or regular exposure to a known respiratory sensitiser
Tendonitis or tenosynovitis	in the hand or forearm, where the person's work is physically demanding and involves frequent, repetitive movements

**Annex 2 – Reporting Forms**

<b>Form Name</b>	<b>Hyperlink</b>
Casualty Report (Form CRF)	<a href="https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-CRF-Casualty-Report-Form-Rev.2.pdf">https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-CRF-Casualty-Report-Form-Rev.2.pdf</a>
Stowaways Incident Report (Form SIR)	<a href="https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-Stowaways-Incident-Report-Rev.3.pdf">https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-Stowaways-Incident-Report-Rev.3.pdf</a>
Smuggled Migrants Rescued at Sea (Form SMR)	<a href="https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-Smuggled-Migrants-Report-Rev.1.pdf">https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-Smuggled-Migrants-Report-Rev.1.pdf</a>
Occupational Health Incident (Form ORF)	<a href="https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-Occupational-Health-Incident-Form-ORF.pdf">https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-Occupational-Health-Incident-Form-ORF.pdf</a>
Return of Death (Form RBD1)	<a href="https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-RBD1-Report-of-Death-Rev.1.pdf">https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-RBD1-Report-of-Death-Rev.1.pdf</a>
Return of Birth (Form RBD2)	<a href="https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-RBD2-Report-of-Birth-Rev.1.pdf">https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-RBD2-Report-of-Birth-Rev.1.pdf</a>
Return of Births and Deaths of UK nationals (Form RBD3)	<a href="https://www.bahamasmaritime.com/msf-4606-rev-18-11-16-new-mca-rbd3-form/">https://www.bahamasmaritime.com/msf-4606-rev-18-11-16-new-mca-rbd3-form/</a>
Property of a Deceased Seaman (Form PDS)	<a href="https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-PDS-Property-of-a-Decease-Seamans-Form-Rev.1.pdf">https://www.bahamasmaritime.com/wp-content/uploads/2020/10/BMA-PDS-Property-of-a-Decease-Seamans-Form-Rev.1.pdf</a>