The Bahamas Maritime Authority

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Permanent Exemptions and Equivalents

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

1. Purpose

1.1. This Marine Notice (MN) outlines the process for applying for permanent exemptions from, or acceptance of equivalents to, statutory requirements arising from applicable international conventions, mandatory codes and Bahamas legislation, where the exemption or equivalent relates to a document issued by the BMA or by a Recognised Organisation on behalf of the BMA.

2. Application

2.1. This Notice applies to all Bahamian ships registered under the Merchant Shipping Act, including offshore units and yachts, where an application is made for a permanent exemption from, or acceptance of an equivalent to, a statutory requirement within the scope of paragraph 1.1.

2.2. This Notice does not replace any application or approval process specified in another BMA Marine Notice, Yacht Notice or other BMA instruction. Where a separate process applies, the application shall be made in accordance with that process.

3. Introduction

3.1. For the purposes of this Notice, a permanent exemption is an exemption associated with a ship's construction, design, equipment or other enduring arrangement, rather than a temporary deviation arising from equipment failure or another short-term circumstance.

3.2. An equivalent is an alternative fitting, material, appliance, apparatus, arrangement or provision accepted by the BMA as being at least as effective as that required by the applicable statutory requirement. A permanent exemption or equivalent may be subject to conditions and shall be issued with a period of validity linked, where appropriate, to the associated statutory certificate.

3.3. The term "permanent" describes the enduring nature of the exemption or equivalent and does not mean that the associated certificate is issued without an expiry date.

Where the underlying arrangement remains unchanged and continues to be acceptable to the BMA, the exemption or equivalent may be reissued when the associated statutory certificate is renewed.

3.4. Surveys, audits and inspections required under the international conventions and mandatory codes applicable to Bahamian ships, and the issue of the related certificates, are generally carried out on behalf of the BMA by its Recognised Organisations (Classification Societies)[1] and Yacht Survey Organisations (YSOs)[2], except where the relevant document is issued directly by the BMA.

3.5. Bahamas Recognised Organisations and YSOs are not authorised to issue exemptions or equivalents without the agreement of the BMA, other than certain temporary exemptions as described in Marine Notice 08.

3.6. Permanent exemptions and equivalents are issued by the BMA to ensure that they are properly recorded in the International Maritime Organization (IMO) Global Integrated Shipping Information System (GISIS).

4. Documents issued by the BMA

4.1. Documents issued directly by the BMA include:

i. Certificate of Registry;
ii. Carving and Marking Note;
iii. Continuous Synopsis Record;
iv. Ship Radio Station Licence;
v. Minimum Safe Manning Document;
vi. LRIT Conformance Test Report;
vii. Declaration of Maritime Labour Compliance Part I; and
viii. MLC, 2006 exemptions, equivalents or interpretation documents.

4.2. Paragraphs 4.3 to 4.8 apply when the Company[3] needs to apply for:

i. a permanent exemption from an LRIT or MLC 2006 requirement;
ii. acceptance of an equivalent to an MLC 2006 requirement; or
iii. an interpretation of an MLC 2006 requirement.

[1] Please refer to BMA Marine Notice 02
[2] Please refer to BMA Yacht Notice 09
[3] The 'Company' is the entity responsible for the operation and management of the ship in accordance with the ISM Code (SOLAS Chapter IX), as applied under the Merchant Shipping Act, 2021. Where the ISM Code is not applicable, the Company is the entity recorded as responsible for the operation of the ship in accordance with regulation 5(3)(d) of the Merchant Shipping (Registration) Regulations, 2026.

4.3. Applications or requests relating to other documents issued directly by the BMA, including Ship Radio Station Licences and Minimum Safe Manning Documents, shall be submitted in accordance with the applicable statutory requirements and any relevant BMA Marine Notice, Yacht Notice or other BMA instructions.

4.4. The request shall be addressed to the BMA department that issued the relevant document. Information supplied with the application shall include:

i. the reason and justification for application;
ii. details of any mitigating measures that have been or will be introduced;
iii. supporting documentation; and
iv. the date by which a decision is required and the reason for any urgency.

4.5. All submissions shall be made in writing, preferably by email. The BMA will notify the Company and, where applicable, the relevant Recognised Organisation of its decision or comments.

4.6. Where the BMA issues an exemption or equivalence certificate, or a statement of interpretation of MLC 2006, the BMA will provide a copy to the relevant Recognised Organisation.

4.7. Where the BMA approves an application, the relevant Recognised Organisation shall verify, where applicable, that any conditions attached to the approval have been implemented.

4.8. Each application will be considered by the BMA on a case-by-case basis.

5. Procedure for Permanent Exemptions and Equivalents relating to Documents issued by Recognised Organisations

5.1. The following process is applicable whenever the Company needs to apply for:

i. a permanent exemption from an applicable international convention, mandatory code or Bahamas statutory requirement, where the relevant statutory certificate is issued by a Recognised Organisation on behalf of the BMA; or
ii. acceptance of an equivalent arrangement in respect of such a requirement.

5.2. The application shall be addressed to the BMA (tech@bahamasmaritime.com). Information supplied with the application shall include:

i. the reason and justification for the application, including identification of the arrangements or equipment concerned and the applicable international convention, mandatory code or Bahamas statutory requirement;

ii. the provision that confers authority for the exemption or equivalent;
iii. details of the safety or mitigating measures that have been or will be introduced, including a risk assessment where applicable; and
iv. supporting documentation, including copies of any previously issued exemption or equivalent certificates.

5.3. An exemption may only be considered where the applicable international convention, mandatory code or Bahamas legislation provides authority for the exemption. Submission of an application under this Notice does not create an authority to grant an exemption where none otherwise exists.

5.4. An application for acceptance of an equivalent arrangement shall contain full details of the safety case conducted by the Company, using the relevant IMO methodology, as applicable to the subject matter, including the methodologies described in IMO Circulars MSC/Circ.1002, MSC.1/Circ.1212, MSC.1/Circ.1455, where relevant.

5.5. Acceptance of an equivalent arrangement under an applicable statutory equivalence provision is distinct from approval of an alternative design and arrangement under SOLAS regulations II-1/55, II-2/17 or III/38. Where those SOLAS provisions apply, the applicable alternative design and arrangement approval and reporting procedures shall be followed. Please refer to Marine Notice 086.

5.6. Where the submission is made by a Recognised Organisation, the application shall clearly state whether the Recognised Organisation supports the application and shall identify any reservations, recommendations or proposed conditions. The submission shall also identify the affected statutory certificate or associated record, any proposed endorsement, the survey or verification arrangements necessary to confirm compliance with the conditions of approval, and any proposed operational limitations.

5.7. Where the BMA approves an application, the appropriate Exemption Certificate or approval of an equivalent arrangement, as applicable, will be issued electronically together with the relevant invoice.

5.8. The exemption or equivalent shall not be relied upon until the relevant BMA document has been issued and any conditions specified as requiring implementation before the exemption or equivalent takes effect have been satisfied.

5.9. The fee for the issue of an Exemption Certificate or approval of an equivalent arrangement is as follows, and the invoice will be sent electronically to the Company:

i. issuance fee, including up to one hour of review work: $200;
ii. additional review work, when required: $200/hour or part thereof.

5.10. Each application will be considered by the BMA on a case-by-case basis.

5.11. Copies of any Exemption Certificate or approval of an equivalent arrangement issued by the BMA will be provided to the Recognised Organisation so that the exemption or equivalent can be recorded on the relevant statutory certificate or associated record, as applicable. For a passenger ship, any exemption, equivalent arrangement or associated condition that imposes or results in an operational limitation shall also be recorded in the ship's Statement of Operational Limitations, where applicable.

5.12. Following a change of flag to The Bahamas, or in a case where an existing exemption requires review by the BMA, the Recognised Organisation may, when specifically instructed by the BMA, issue a short-term exemption certificate on behalf of the BMA. The certificate shall be issued for the period and subject to any conditions specified by the BMA. A copy of the certificate shall be provided or made available to the BMA immediately after issue.

5.13. Permanent exemptions issued by Recognised Organisations prior to 01 July 2022 remain valid until the expiry date on the Exemption Certificate.

5.14. Where a permanent exemption requires reissue in connection with renewal of the associated statutory certificate, the Company or Recognised Organisation shall apply to the BMA for a new Exemption Certificate before the expiry date of the existing certificate. The application shall confirm whether the arrangements on which the exemption was originally approved remain unchanged and shall identify any relevant changes.

6. Queries

6.1. Any queries on this Notice may be submitted to tech@bahamasmaritime.com or any BMA office.

Revision History

Version	Description of Revision
1.0	First Issue
1.1	Revision of paragraphs 3.1, 3.2 and 3.4 and the definition of "Company"; clarification of the scope and application of the Notice; removal of superseded transitional arrangements; revision of the procedures and fees for permanent exemptions and equivalents; clarification of recording requirements, including passenger ship Statements of Operational Limitations; and provision for BMA-authorised issue of short-term exemption certificates by Recognised Organisations.