
Temporary exemptions, extensions and postponements

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

This Notice supersedes BMA Information Bulletin No.8

1. Purpose

- 1.1. This Marine Notice (MN) outlines the process for applying for temporary exemptions, extensions and/or postponements of international convention or code requirements or Bahamas requirements.

2. Application

- 2.1. This Notice applies to all Bahamian ships registered under the Merchant Shipping Act, including offshore units and yachts.

3. Introduction

- 3.1. A **temporary exemption**, for the purposes of this Notice, is an exemption from a statutory requirement that is issued for a limited time period where a ship is, temporarily, unable to comply with statutory provisions. In general, temporary exemptions are issued for a maximum period of three (3) months, but they may be extended and/or issued for a longer period in some circumstances (e.g., if repairs need to be carried out in a dry dock or spare parts are unavailable).
- 3.2. Surveys, audits and inspections required under the international conventions applicable to Bahamian ships and the issue of the related certificate(s), are usually carried out on behalf of The Bahamas Maritime Authority (BMA) by its Recognised Organisations (Classification Societies)¹ and Yacht Survey Organisations (YSOs)², with the exception of certificates directly issued by the BMA (see paragraph 4 of this Notice).

¹ Please refer to [Marine Notice 02](#)

² Please refer to [Yacht Notice 09](#)

- 3.3. Bahamas Recognised Organisations and YSOs are generally not authorised to issue exemptions without the agreement of the BMA. Historically, most applications for exemptions were to be addressed to the BMA via the Recognised Organisation and the Recognised Organisation issued the related Exemption Certificate etc.
- 3.4. In order to ensure that all permanent exemptions are properly recorded to the International Maritime Organization (IMO) Global Integrated Shipping Information System (GISIS) and to enhance monitoring of temporary exemptions, extensions and postponements, the BMA intends to take over the issuance of permanent exemption and equivalent certificates with effect from **01 July 2022**. Please refer to Marine Notice 05.
- 3.5. The BMA intends to take over the issuance of temporary exemptions, extensions and postponements at a later date. This will be announced in a future revision of this Notice and all Parties will be consulted prior to the introduction of any changes.
- 3.6. The BMA may be contacted directly for general advice on any applications for exemptions, equivalents, extensions, postponements, etc., prior to making a formal application.
- 3.7. Any operational situation or equipment failure that affects the ship's compliance with statutory regulations shall be reported to the BMA and Recognised Organisation at the earliest opportunity. Failure to notify the BMA and Recognised Organisation of such circumstances may result in avoidable PSC detentions.

4. Documents issued by the BMA

- 4.1. The following documents are directly issued by the BMA:
- i. Certificate of Registry;
 - ii. Carving & 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;
 - viii. MLC 2006 Exemptions, equivalence or interpretations.
- 4.2. The following process is applicable whenever the Company needs to apply for:
- i. Interpretation of MLC 2006 matters.

- 4.3. Any request for exemption relating to the construction and equipment requirements of MLC 2006 shall be submitted as per Marine Notice 05.
- 4.4. The request shall be addressed to the BMA department that issued the relevant certificate. Information supplied with the application should be inclusive of, but not limited to, the following:
- i. Reason and justification for application;
 - ii. Mitigating measures that have been or will be introduced;
 - iii. Supporting documentation.
 - iv. Urgency of the application.
- 4.5. All submissions shall be by email to tech@bahamasmaritime.com. The BMA will notify the Company and the relevant Recognised Organisation of its decision and/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, Recognised Organisations shall verify that the conditions, if any, under which the approval was accepted are implemented.
- 4.8. Any decisions made by the BMA shall be treated on a case-by-case basis.

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

- 5.1. Please refer to Marine Notice 05.

6. Procedure for Temporary Exemptions and Equivalents

- 6.1. The following process is applicable whenever the Company or Recognised Organisation needs to apply for:
- i. A temporary exemption from an international convention requirement;
 - ii. Temporary acceptance of an equivalent arrangement to an international convention requirement;
 - iii. Where the ship does not correspond with the particulars of the affected certificate owing to failure of equipment, damage, etc.;
 - iv. Where detainable deficiencies are identified and cannot be permanently repaired or rectified immediately.

- 6.2. The request shall be addressed to the Recognised Organisation that issued the relevant certificate. Information supplied with the application should be inclusive of, but not limited to, the following:
- i. Reason and justification for application;
 - ii. Time period requested;
 - iii. Safety measures that have been or will be introduced;
 - iv. Supporting documentation;
 - v. Details of ship's schedule should a verification survey be required.
- 6.3. Recognised Organisations shall review applications prior to submitting an outcome of their assessment to the BMA. The assessment shall, amongst other things, take into consideration:
- i. Reason and justification for application;
 - ii. Urgency of the application;
 - iii. Time period requested;
 - iv. Safety measures that have been or will be introduced;
 - v. Details of ship's schedule should a verification survey be required.
- 6.4. In their submission to the BMA, the Recognised Organisation shall clearly indicate their support or reservation of any aspect of the application, and if relevant, any recommendations or conditions that may be considered.
- 6.5. All submissions shall be by email to tech@bahamasmaritime.com. If time constraints dictate, verbal submissions may be accepted on the proviso that the assessment is conducted and any agreement formally documented to the BMA at the earliest opportunity. The BMA will notify the Recognised Organisation of its decision or comments.
- 6.6. For urgent applications out of office hours, the attending surveyor/auditor may contact the BMA Emergency Response Officer on **+44 20 3922 2619**.
- 6.7. Unless otherwise agreed by the BMA, where a temporary exemption is approved where a detainable deficiency exists, a short term or conditional certificate shall be issued by the Recognised Organisation, as per paragraph 5 of the International Association of Classification Societies (IACS) [Recommendation No.98 \(Rev.3 June 2019\)](#).
- 6.8. For minor findings, the Recognised Organisation may issue a condition of class/recommendation and/or a statutory condition, with or without a restricted certificate, as per Para. 5.4 of IACS Recommendation No.98 without reference to the

BMA. However, all such cases shall be reported to the BMA either case by case or by providing a monthly report to the BMA³.

7. Procedure for Extensions, Postponements, etc.

- 7.1. The following process is applicable whenever the Company or the Recognised Organisation needs to apply for:
- i. An extension of statutory survey period or validity of certificate under an international convention; or
 - ii. A postponement of a survey, servicing period, or any other applicable international requirement.
- 7.2. The request shall be addressed to the Recognised Organisation that issued the relevant certificate. Information supplied with the application should be inclusive of, but not limited to, the following:
- i. Reason and justification for application;
 - ii. Time period requested;
 - iii. Safety measures that have been or will be introduced;
 - iv. Supporting documentation;
 - v. Details of ship's schedule should a verification survey be required.
- 7.3. Recognised Organisations shall review applications prior to submitting an outcome of their assessment to the BMA. The assessment shall, amongst other things, take into consideration:
- i. Provisions contained in any applicable international Convention, Code or IMO Circular;
 - ii. Any relevant Bahamas requirements;
 - iii. Reason and justification for application;
 - iv. Urgency of the application.
- 7.4. In their submission to the BMA, the Recognised Organisation shall clearly indicate their support or reservation of any aspect of the application, and if relevant, any recommendations or conditions that may be considered.
- 7.5. All submissions shall be by email to tech@bahamasmaritime.com. If time constraints dictate, verbal submissions may be accepted on the proviso that the assessment is conducted and any agreement formally documented to the BMA at the earliest

³ This is not required if the Recognised Organisation's database clearly highlights active temporary exemptions.

opportunity. The BMA will notify the Recognised Organisation of its decision or comments.

- 7.6. For urgent applications out of office hours, the attending surveyor/auditor may contact the BMA Emergency Response Officer on **+44 20 3922 2619**.

8. Fees

- 8.1. The fee for the issue of an exemption certificate by the BMA is as follows:

- i. Issuance fee (including up to one hour of review work) \$150
- ii. Fee for additional review work (when required) \$150/hour or part thereof.

- 8.2. The invoice will be sent electronically to the Company.

- 8.3. Any decisions made by the BMA shall be treated on a case-by-case basis.

- 8.4. Copies of any Exemption Certificate issued by the BMA will be provided to the Recognised Organisation so that the exemption can be recorded on the relevant statutory certificate.

- 8.5. Applications made to the BMA by a Recognised Organisation on behalf of a Company under sections 6 and 7 of this Notice are not subject to BMA fees; however they may be subject to Recognised Organisation fees.

9. Queries

- 9.1. 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