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MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) REGULATIONS, 2026

Arrangement of Regulations

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**MERCHANT SHIPPING ACT
(NO. 33 OF 2021)**

**MERCHANT SHIPPING (MARITIME LABOUR
CONVENTION) REGULATIONS, 2026**

The Minister, in exercise of the powers conferred by sections 69 and 227 of the Merchant Shipping Act, 2021 makes the following regulations —

PART I - PRELIMINARY

1. Citation and commencement.

- (1) These Regulations may be cited as the Merchant Shipping (Maritime Labour Convention) Regulations, 2026.
- (2) These Regulations shall come into force on the 1st day of April, 2026.

2. Interpretation.

In these regulations —

“**Act**” means the Merchant Shipping Act, 2021 (*No. 33 of 2021*);

“**armed robbery against ships**” means any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State’s internal waters, archipelagic waters and territorial sea, or any act inciting or of intentionally facilitating such an act;

“**authorised officer**” means a person appointed by the competent authority;

“**Authority**” means The Bahamas Maritime Authority established under section 3 of The Bahamas Maritime Authority Act (*Ch. 283*);

“**company**” in relation to a ship means —

- (a) the owner of a ship; or
- (b) any other organisation or person that has assumed responsibility for operation of the ship from the owner who, on assuming such responsibility, has agreed to take over all the duties and responsibility imposed by the Code;

“**Convention**” means the Maritime Labour Convention, 2006;

“Director” means means the Managing Director of The Bahamas Maritime Authority appointed under section 4 of The Bahamas Maritime Authority Act (*Ch. 283*);

“gross tonnage” means, for a ship having its tonnage determined, the measurement of a ship calculated in accordance with –

- (a) the International Convention on Tonnage Measurement of Ships, 1969;
- (b) the regulations relating to tonnage measurement;

“international voyage” means a voyage from a port in one country to a port in another country;

“Maritime Labour Certificate” means a certificate, referred to under regulation 6, evidencing proof that the ship meets the requirements of the Convention;

“medical practitioner” includes those persons who are approved to practise medicine by The Bahamas Medical Council or by a state that has ratified the Convention as amended or STCW 1978 as amended;

“Minister” means the Minister responsible for Maritime Affairs;

“next of kin” means the person who is mentioned on the Seafarer Employment Agreement as next of Kin;

“owner” means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with the Convention, regardless of whether any other organization or persons fulfill certain of the duties or reprehensibilities on behalf of the shipowner;

“passenger” means any person carried on board a ship except —

- (a) the master and seafarers or any other person employed or engaged in any capacity on board the ship on the business of the ship;
- (b) a child under one year of age;
- (c) shipwrecked or distressed persons carried on board the ship;

“passenger ship” means a ship carrying more than twelve passengers;

“piracy” has the same meaning as in the United Nations Conventions on the Law of the Sea (UNCLOS);

“recognised organisation” means an organisation authorised by the Authority to perform, on its behalf, statutory certification and services under —

- (a) applicable international instruments;
- (b) this Act; or
- (c) any regulations made under this Act, in accordance with such criteria and standards as specified by the Authority including the standards of the “Code for Recognised Organisations” published by the Maritime Safety Committee of the IMO as Resolution MSC.349(92) and any subsequent editions;

“repatriation” means the seafarer’s right to be returned to their home country;

“seafarer” means a person, including the master, who is employed, engaged or works in any capacity on board a ship and whose normal place of work is on board a ship;

“seafarers’ employment agreement” means the binding contract of employment and articles of agreement;

“seafarer recruitment and placement service” means a person, company, institution, agency or other organisation, engaged in —

- (a) the recruitment of seafarers on behalf of owners; or
- (b) the placement of seafarers with owners;

“ship” means a ship other than one which navigates exclusively in areas where port regulations apply;

“special purpose ship” means a ship constructed in compliance with the International Maritime Organization Code of Safety for Special Purpose Ships which is a mechanically self-propelled ship which by reason of its functions carries on board more than twelve special personnel;

“STCW Convention” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended.

3. Application.

These Regulations apply to —

- (a) Bahamian ships engaged in commercial activities, except —
 - (i) ships engaged in fishing;
 - (ii) warships or naval ships; or
 - (iii) any other ship as determined by the Director and specified in a Marine Notice issued by the Authority;
- (b) non-Bahamian ships while in Bahamian waters, where the Authority determines, if —

- (i) the State whose flag the vessel flies has not yet ratified or implemented the Convention; or
- (ii) the flag State of the vessel has brought the Convention into effect, but the ship does not carry a Maritime Labour Certificate or an interim Maritime Labour Certificate;
- (c) seafarers, except the categories of personnel that are deemed not to be seafarers for the purpose of the Convention as determined by the Director and specified in a Marine Notice issued by the Authority.

PART II – CERTIFICATION

4. Declaration and certificate.

A owner shall not operate a ship except where the ship has been issued with a valid —

- (a) Declaration of Maritime Labour Compliance DMLC-Part I;
- (b) Declaration of Maritime Labour Compliance DMLC-Part II;
- (c) Maritime Labour Certificate.

5. Carriage of documents.

- (1) A owner shall ensure that the Maritime Labour Certificate and the declaration of maritime labour compliance, accompanied by an English-language translation, if applicable, are at all times on board the ship.
- (2) The Maritime Labour Certificate and the declaration of maritime labour compliance shall be posted in a conspicuous place on board the ship.
- (3) A copy of the Maritime Labour Certificate and the declaration of maritime labour compliance shall be made available, upon request, to seafarers, flag authorised State inspectors, authorised officers in port States, owners' and seafarers' representatives and any other person authorised by the Authority.

6. Maritime Labour Certificate.

- (1) A owner shall apply in writing to the recognised organisation for a Maritime Labour Certificate.
- (2) The recognised organisation may issue a Maritime Labour Certificate, if the recognised organisation is satisfied that the Bahamian ship is in compliance with these Regulations and after inspection of the ship.
- (3) The Maritime Labour Certificate shall be valid for a period not exceeding five years.

- (4) This regulation applies to —
 - (a) a Bahamian ship that is 500 gross tonnage or over and engaged in international voyages;
 - (b) any other ship —
 - (i) that is 500 gross tonnage or over; and
 - (ii) which operates in the territorial waters of The Bahamas.

7. Declaration of maritime labour compliance.

- (1) A owner shall make application to the Authority for the completion and issue of Part I of the declaration of maritime labour compliance prior to the application for a Maritime Labour Certificate.
- (2) The Authority shall forward the completed declaration of maritime labour compliance Part I to the owner, for the completion of Part II.
- (3) The owner shall submit Part I and Part II of the declaration of maritime labour compliance, to the recognised organisation for inspection prior to the issue of the Maritime Labour Certificate.
- (4) The declaration of maritime labour compliance shall be attached to the Maritime Labour Certificate.

8. Interim Maritime Labour Certificate.

- (1) The recognised organisation may, on request, issue an interim Maritime Labour Certificate where —
 - (a) a ship is on a delivery voyage;
 - (b) a ship is transferred to the Bahamian register; or
 - (c) a owner assumes responsibility for the operation of a ship from another owner.
- (2) An interim Maritime Labour Certificate is valid for a period not exceeding six months.

9. Renewal of Maritime Labour Certificate.

- (1) The recognised organisation may renew a Maritime Labour Certificate not exceeding five years, where the recognised organisation is satisfied, after inspection of the ship, that the ship is in compliance with these Regulations.
- (2) An owner shall apply for a new Part I of the maritime labour compliance at intervals not exceeding five years and before renewing the Maritime Labour Certificate.

10. Suspension, withdrawal or cancellation of declaration or certificate.

The recognised organisation may, by notice in writing, suspend, withdraw or cancel a declaration of maritime labour compliance and a Maritime Labour Certificate, if the owner fails to comply with the requirements under the Convention or these Regulations, or the required corrective action has not been taken.

**PART III – MINIMUM REQUIREMENTS FOR SEAFARERS
TO WORK ON A SHIP**

11. Minimum age for seafarer.

- (1) No person under the age of sixteen shall be employed, engaged, or work on board a ship except —
 - (a) upon work approved by the Director on board a school-ship or training ship;
 - (b) where the Director certifies that he is satisfied, having due regard to the health and physical condition of the person; or
 - (c) it will be an immediate benefit to the person.
- (2) No young person shall be employed to work in the engine-room of any vessel, unless that young person is an apprentice working under supervision.
- (3) The employment, engagement, or work of young persons as seafarers shall be prohibited where the work is likely to be hazardous or jeopardize their health or safety and such work shall be determined by the Authority.
- (4) A young person shall not engage in night work except where —
 - (a) the effective training of a seafarer, in accordance with established programmes and schedules, may be impaired;
 - (b) night work is the specific nature of the duty of a seafarer; or
 - (c) the recognised training programme requires a seafarer under the age of eighteen to perform duties at night and that work will not be detrimental to the seafarer's health or well being.
- (5) For the purposes of this regulation —

"night work" shall cover a period of at least 9 hours starting no later than midnight and ending no earlier than 5:00 am hours local time;

"young person" means a person under the age of eighteen.

12. Medical certificate.

All seafarers shall hold a medical certificate that is issued by an approved practitioner prior to signing on a ship and for the full period of their service on board.

13. Validity of medical certificate.

- (1) The medical certificate is valid for a maximum period of two years for a seafarer who is eighteen years or older and for a maximum period of one year for a seafarer who is younger than eighteen years old.
- (2) The practitioner who conducts the examination of the seafarer shall be approved by the Bahamas Medical Council or by a state that has ratified the Maritime Labour Convention 2006 as amended or STCW 1978 as amended.
- (3) A seafarer who has been issued a medical certificate shall carry the medical certificate on board for the duration of the seafarer's employment on board the ship.
- (4) In the event that a medical certificate of a seafarer expires while a ship is at sea, the seafarer shall apply for an extension and the Authority may in urgent cases, permit a seafarer to work without a valid medical certificate until the next port of call, where the seafarer may obtain a medical certificate from a qualified medical practitioner, provided that —
 - (a) the period of such permission shall not exceed three months; and
 - (b) the seafarer is in possession of his expired medical certificate.
- (5) A seafarer who has been refused a medical certificate or has a limitation imposed on their ability to work, has the right to be re-examined by another independent medical practitioner or by an independent medical referee.
- (6) The independent medical referee may in urgent cases, permit a seafarer to work without a valid medical certificate until the next port of call, where the seafarer may obtain a medical certificate from a qualified medical practitioner.
- (7) Where the period of validity of a medical certificate expires during the course of the voyage, the medical certificate shall continue in force until the next port of call where the seafarer may obtain a medical certificate from a qualified medical practitioner, provided that the period shall not exceed three months.
- (8) A medical certificate for a seafarer working on a ship engaged in international voyages shall be written in English or have an English translation appended thereto

14. Training and qualifications.

- (1) A seafarer shall not be permitted to work on a ship except where that seafarer —
 - (a) has successfully completed training for personal safety;
 - (b) is trained or certified as competent or otherwise qualified to perform the seafarer's duties.
- (2) The training and certification requirements under paragraph (1) shall be in accordance with Merchant Shipping Seafarers' Training, Certification, Manning and Watchkeeping Regulations.

15. Recruitment and placement services.

- (1) A seafarer recruitment and placement service operating in the territory of the Commonwealth of The Bahamas, shall —
 - (a) operate in an orderly manner that protects and promotes seafarers' employment rights as provided by this regulation;
 - (b) maintain, and make available for inspection by the Director of Labour, an up-to-date register of all seafarers recruited or placed by the service;
 - (c) ensure that seafarers are informed of their rights and duties under the seafarers' employment agreement prior to the engagement;
 - (d) ensure proper arrangements for a seafarer, to examine the seafarers' employment agreement prior to, and after the seafarers' employment agreement is signed;
 - (e) provide each seafarer with a copy of the seafarers' employment agreement;
 - (f) verify that seafarers recruited or placed by that service are qualified for the position;
 - (g) verify that the seafarers' employment agreement is in accordance with the Convention and all amendments made thereto;
 - (h) ensure, as far as practicable, that the owner has the means to protect seafarers from being stranded in a foreign port;
 - (i) examine and respond to any complaint concerning the seafarers recruited and placed by the service and advise the Director of Labour of unresolved complaints;
 - (j) establish a system of protection, by way of insurance or an equivalent appropriate measure, to compensate seafarers for monetary loss that they may incur as a result of the forfeiture of a recruitment and placement service or the relevant registered owner under the seafarers' employment agreement to meet their

obligations to them and ensure that seafarers are informed, prior to or in the process of engagement, of their rights under that system.

- (2) A seafarer recruitment and placement service shall not impose any fees or other charges on a seafarer for recruiting, placing, or providing employment to the seafarer, except the cost of —
 - (a) obtaining a medical certificate;
 - (b) a seafarer's record book;
 - (c) a passport, or other travel documents, excluding the cost of visas; or
 - (d) any training required for a particular position on board the ship.
- (3) No seafarer recruitment or placement service shall use any means, mechanisms or lists intended to prevent or deter any person from gaining employment for which they are qualified.
- (4) Where the owner of a Bahamian ship employs or engages a seafarer using a recruitment and placement service in a country in which the Convention does not apply, the owner shall ensure that those services meet the requirements pursuant to this regulation.
- (5) A seafarer recruitment and placement service operating in a country in which the Convention does not apply, shall ensure that a Statement of Compliance issued by an approved recognised organisation is submitted to The Bahamas confirming that their services and operations are in compliance with the Convention and this regulation.
- (6) Recruitment and placement services shall adhere to the mandatory policies outlined in a Marine Notice issued by the Authority.

PART IV – CONDITIONS OF EMPLOYMENT

16. Seafarers' employment agreement.

- (1) A owner shall enter into a seafarers' employment agreement with a seafarer whom the owner employs, engages or works on board the ship.
- (2) The seafarers' employment agreement shall be signed by both the seafarer and the owner or the owner's representative, and both parties shall have a signed copy of the seafarers' employment agreement.
- (3) The maximum period of service on board a ship shall be less than twelve months.
- (4) A seafarer shall be permitted to examine and seek advice on the seafarers' employment agreement prior to signing the agreement.
- (5) Where a seafarer is not considered a seafarer for the purpose of the Convention, the owner shall enter into a contractual or similar

arrangement to that of the seafarers' employment agreement under paragraph (1).

- (6) A owner shall ensure that clear information as to the conditions of the seafarer's employment can be easily obtained on board the ship by the seafarer and a copy of the seafarer's employment agreement shall be accessible for review by the authorized officers.
- (7) A owner or the master shall ensure that every seafarer is given a document containing a record of the seafarer's employment on board the ship and that document shall not contain any statement as to the quality of the seafarer's work or their wages.
- (8) Where the language of the seafarers' employment agreement and any applicable collective bargaining agreement is not in the English language, the following documents shall be available in the English language or translation —
 - (a) a copy of a standard form of the seafarers' employment agreement; and
 - (b) the parts of the collective bargaining agreement that are subject to port State inspection.
- (9) The seafarers' employment agreement shall contain the following particulars —
 - (a) the seafarer's full name, date of birth or age, and birthplace;
 - (b) the owner's name and address;
 - (c) the place where, and date when, the seafarers' employment agreement is entered into;
 - (d) the capacity in which the seafarer is to be employed;
 - (e) the amount of the seafarer's wages or, where applicable, the formula used for calculating it;
 - (f) the amount of paid annual leave or, where applicable, the formula used for calculating it;
 - (g) the termination of the agreement and the conditions thereof, including if the agreement has been made for —
 - (i) indefinite period, the conditions entitling either party to terminate it, and the required notice period, which shall not be less for the owner than for the seafarer;
 - (ii) a definite period, the date fixed for its expiry; and
 - (iii) a voyage, the port of destination and the time which has to expire after arrival before the seafarer should be discharged;
 - (h) the health and social security protection benefits to be provided to the seafarer by the owner;

- (i) the seafarer's entitlement to repatriation;
 - (j) reference to the collective bargaining agreement, if applicable; and
 - (k) any other particulars published on a Marine Notice by the Authority.
- (10) Where a collective bargaining agreement forms all or a part of a seafarers' employment agreement, a copy of that agreement shall be available on board the ship.
- (11) For the purposes of this regulation, the minimum period of notice required to be given by the seafarer and owner for the early termination of a seafarers' employment agreement shall be seven days except for the exceptional circumstances specified in regulation 23 and a Marine Notice issued by the Authority.
- (12) Where a seafarer is held captive on or off a ship as a result of acts of piracy or armed robbery against the ship, the seafarers' employment agreement shall continue to have effect, regardless of whether —
 - (a) the date fixed for its expiry has passed; or
 - (b) either party has given notice to suspend or terminate it.

17. Wages.

- (1) Payments due to seafarers working on ships registered with The Bahamas are made at no greater than monthly intervals and in accordance with the mutually agreed and signed seafarers' employment agreement.
- (2) A seafarer shall be given a monthly account of the payments due and the amounts paid, including wages, additional payments and the rate of exchange used, where payment has been made in a currency or at a rate different from that agreed, including any deductions made.
- (3) The owner shall take measures to provide seafarers with a means to transmit all or part of their earnings to their families or dependants or legal beneficiaries.
- (4) Measures to ensure that seafarers are able to transmit their earnings to their families include —
 - (a) a system for enabling seafarers, at the time of their entering employment or during it, to allot, if they so desire, a proportion of their wages for remittance at regular intervals to their families by bank transfers or similar means; and
 - (b) a requirement that allotments should be remitted in due time and directly to the person or persons nominated by the seafarers.

- (5) A charge for the service under this regulation shall be reasonable in amount, and the rate of currency exchange, at the prevailing market rate and not unfavourable to the seafarer.
- (6) For the purpose of calculating wages, the normal hours of work at sea and in port should not exceed eight hours per day.
- (7) A seafarer shall be compensated for overtime worked and such remuneration shall be applied to the seafarer's account.
- (8) Where a seafarer is held captive on or off a ship as a result of acts of piracy or armed robbery against the ship, wages and other entitlements under the seafarers' employment agreement, or applicable national laws, including the remittance of allotments, shall continue to be paid during the period of captivity and repatriation as stipulated in a Marine Notice.

18. Hours of rest.

- (1) The master shall, so far as is reasonably practicable, ensure that the minimum number of hours of rest shall be observed for seafarers and any exceptions to this regulation shall be determined by the Authority.
- (2) The hours of rest referred to in paragraph (1) may be divided into no more than two periods, one of which shall be at least six hours in length, and the interval between consecutive periods of rest shall not exceed fourteen hours.
- (3) Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations, shall be conducted in a manner that minimizes the disturbance of rest periods.
- (4) When a seafarer is on call, the seafarer shall have adequate compensatory rest period, if the normal period of rest is disturbed by calls to work.
- (5) A table with the shipboard working arrangements shall be posted in an easily accessible place on board the ship and the table shall contain, for every position at least —
 - (a) the schedule of service at sea and service in port; and
 - (b) the minimum hours of rest required under paragraph (1).
- (6) The table referred to under paragraph (5), shall be in the form approved by the Authority in the working language of the ship and in the English language.
- (7) The master shall —
 - (a) maintain a record of a seafarer's daily hours of rest, in the form determined by the Authority and in the working language of the ship and in the English language; and

- (b) give the seafarer a copy of the record pertaining to the seafarer's daily hours of rest, endorsed by the master or a person designated by the master and the seafarer.
- (8) The Authority, in consultation with the Director of Labour, may authorise or register collective bargaining agreements permitting exceptions to the limits set out in the collective bargaining agreements.
- (9) Without prejudice to the preceding paragraphs, the master may require a seafarer to perform any hours of work, where in the opinion of the master it is necessary in an emergency threatening the safety of the ship or any person on board the ship or damage to cargo or for the purpose of giving assistance to other ships or persons in distress at sea.
- (10) For the purposes of this regulation —
 - (a) “**hours of work**” means time during which seafarers are required to do work on account of the ship;
 - (b) “**hours of rest**” means time outside of hours of work but does not include short breaks.

19. Annual leave.

- (1) A owner shall require that seafarers employed on ships are given paid annual leave under the seafarers' employment agreement.
- (2) The annual leave with pay entitlements shall be calculated on the basis of a minimum of 2.5 calendar days per month of employment.
- (3) The manner in which the length of service is calculated shall be specified in a Marine Notice.

20. Shore leave.

A owner shall give shore leave to seafarers.

21. Repatriation.

- (1) A seafarer is entitled to be repatriated to the destination provided in the seafarers employment agreement.
- (2) If the seafarers employment agreement does not identify a destination, and there has been no agreement between the seafarer and the shipowner as to the destination, the seafarer is entitled to to be repatriated to the international airport of the seafarer's choice at —
 - (a) the place at which the seafarer entered into the seafarer's employment agreement; or
 - (b) the seafarer's country of residence.
- (3) A owner shall repatriate a seafarer at no cost to the seafarer —

- (a) where the seafarers' employment agreement expires while the seafarer is abroad;
 - (b) upon the expiry of the period of notice given in accordance with the provisions of the seafarers' employment agreement;
 - (c) where the seafarers' employment agreement is terminated —
 - (i) by the owner; or
 - (ii) by the seafarer for reasons specified in a Marine Notice issued by the Authority;
 - (d) where the seafarer is no longer able to carry out the seafarer's duties under the employment agreement or cannot be expected to carry out the duties in the specific circumstances.
- (4) A owner shall —
 - (a) not require a seafarer to make an advance payment towards the cost of repatriation at the beginning of the seafarer's employment; and
 - (b) not recover the cost of repatriation from the seafarers' wages or other entitlements,except where, the seafarer has contravened the seafarer's employment obligations.
- (5) A owner of a Bahamian ship shall provide the Authority with evidence of financial security for the repatriation of seafarers as described in a Marine Notice issued by the Authority.
- (6) Notwithstanding the preceding paragraphs, a owner may recover the cost of repatriation under third-party contractual arrangements.
- (7) Where a owner fails to make arrangements for, or to meet, the cost of repatriation of seafarers —
 - (a) the Authority will arrange for repatriation of the seafarers;
 - (b) costs incurred in repatriating seafarers shall be recoverable from the owner;
 - (c) the expenses of repatriation shall in no case be a charge upon the seafarers, except as provided in paragraph (4);
 - (d) the ship or other ships of the owner may be detained by the Authority until the reimbursement has been made.
- (8) A copy of these Regulations, written in the English language, shall be carried on board a Bahamian ship and shall be available to seafarers.

22. Abandonment.

- (1) A seafarer shall be deemed to have been abandoned where, in violation of the requirements of this regulation or the terms of the seafarers' employment agreement, the owner—
 - (a) fails to cover the cost of the seafarer's repatriation;
 - (b) has left the seafarer without the necessary maintenance and support; and
 - (c) has otherwise unilaterally severed their ties with the seafarer including failure to pay contractual wages for a period of two months.
- (2) For the purposes of paragraph (1), “**necessary maintenance and support**” include adequate food, accommodation, drinking water supplies, essential fuel for survival on board the ship and necessary medical care.

23. Entitlement of seafarer to demand discharge.

- (1) The master of every ship shall notify the crew of —
 - (a) the itinerary of the ship and any changes that may arise thereto;
 - (b) any act of war, danger or other similar circumstance that can pose a risk of danger; or
 - (c) any circumstances in a port for which the ship is bound, that pose a significant health risk.
- (2) A seafarer shall be entitled to demand discharge from the ship where —
 - (a) there is a possibility that the ship can be —
 - (i) taken by a party engaged in war; or
 - (ii) damaged by an act of war or is in danger that can be considered to be of a similar circumstance or that such danger has increased;
 - (b) a malignant epidemic disease is prevailing in a port for which the ship is bound.
- (3) A demand for discharge must be made as soon as possible after the seafarer has been informed of the circumstances.
- (4) If the voyage has not been commenced, the seafarer shall be entitled to discharge at once or otherwise in the first port or anchoring place the ship is to call.
- (5) If the ship is not to call any port or anchoring place before it is expected to pass through areas where circumstances prevail as mentioned in paragraph (2), the master shall upon request of the seafarer give him access to sign off if an opportunity occurs to send him ashore.

- (6) If the seafarer obtains discharge, the owner shall pay the expenses for the seafarer's repatriation with subsistence allowance to his domicile or, according to the directions of the owner, to the place of engagement.
- (7) Where a seafarer obtains a similar engagement on another ship at the place of discharge he shall not be entitled to receive the expenses and allowance referred to in paragraph (6).

24. Seafarer compensation for the ship's loss or foundering.

- (1) In every case of loss or foundering of any ship, the owner shall pay to each seafarer on board an indemnity against unemployment resulting from such loss or foundering.
- (2) The rules referred to in paragraph (1) of this regulation shall be without prejudice to any other rights a seafarer may have under the national laws or regulations concerned for losses or injuries arising from a ship's loss or foundering.

25. Manning levels.

Every ship shall be manned by a crew that is adequate, in terms of size and qualifications, to ensure the safety and security of the ship and its personnel, under all operating conditions, in accordance with the minimum safe manning document or Marine Notice issued by the Authority, and comply with the regulations governing training, certification, manning and watchkeeping of seafarers.

26. Career and skill development and opportunities for seafarers' employment.

The Minister shall cause to be implemented national policies to promote employment in the maritime sector and to encourage career and skill development and greater employment opportunities for seafarers domiciled in The Bahamas as specified in a Marine Notice issued by the Authority.

PART V – ACCOMMODATION, RECREATIONAL FACILITIES, FOOD AND CATERING

27. Accommodation and recreational facilities.

- (1) A owner shall provide and maintain safe and decent accommodation and recreational facilities for seafarers working or living on board the ship, consistent with promoting with seafarer's health and well-being.
- (2) For the purposes of these Regulations, a ship —

- (a) constructed before the date of entry into force of the Convention shall comply with the relevant provisions of the Merchant Shipping (Crew Accommodation) Regulations, 1997;¹
 - (b) shall be deemed to have been constructed on the date when its keel is laid or when it is at a similar stage of construction.
- (3) The master or a person designated by the master shall —
 - (a) inspect the crew accommodation at intervals not exceeding seven days;
 - (b) be accompanied by a minimum of one member of the crew during the inspection of the crew accommodation; and
 - (c) cause to be entered in the ship's official log book —
 - (i) the time and date of the inspection;
 - (ii) the names and ranks of the persons conducting the inspection; and
 - (iii) the particulars of the crew accommodation or any part of it that is not compliant with these Regulations.
- (4) The official log book of the ship shall be made available for review by an authorised officer.
- (5) For the purposes of these Regulations, unless exemptions or equivalences are agreed by the Authority —
 - (a) a ship shall be designed and constructed so that —
 - (i) where full and free movement is necessary, the seafarer's accommodation shall have a clear headroom of 203 centimetres or more provided that the Authority may permit reduction in headroom in any space, or part of any space, in such accommodation where the Authority is satisfied that such reduction is reasonable and will not result in discomfort to the seafarers;
 - (ii) the accommodation shall be adequately insulated;
 - (iii) in ships other than passenger ships, sleeping rooms shall be situated above the load line amidships or aft, except that in exceptional cases, where the size, type or intended service of the ship renders any other location impracticable, sleeping rooms may be located in the fore part of the ship, but in no case forward of the collision bulkhead;
 - (iv) in a passenger ship, and in a special purpose ship, the Authority may, on condition that satisfactory arrangements are made for lighting and ventilation, permit the location of

¹1997 No. 1508 UK SI

- sleeping rooms below the load line, but in no case shall they be located immediately beneath working alleyways;
- (v) there shall be no direct openings into sleeping rooms from cargo and machinery spaces or from galleys, storerooms, drying rooms or communal sanitary areas; that part of a bulkhead separating such places from sleeping rooms and external bulkheads shall be efficiently constructed of steel or other approved substance and be watertight and gas-tight;
 - (vi) the materials used to construct internal bulkheads, panelling and sheeting, floors and joinings shall be suitable for the purpose and conducive to ensuring a healthy environment;
 - (vii) proper lighting and sufficient drainage shall be provided;
 - (viii) accommodation and recreational and catering facilities shall meet the requirements set out in regulation 28;
 - (ix) a ship regularly trading to mosquito infested ports shall be fitted with appropriate devices;
- (b) with regards to ventilation and heating —
- (i) sleeping rooms and mess rooms shall be adequately ventilated;
 - (ii) ships shall be equipped with air conditioning for seafarer accommodation, for any separate radio room and for any centralized machinery control room, except those regularly engaged in trade where temperate climatic conditions do not require this;
 - (iii) all sanitary spaces shall have ventilation to the open air, independently of any other part of the accommodation; and
 - (iv) adequate heat through an appropriate heating system shall be provided, except in ships exclusively on voyages in tropical climates;
- (c) with regards to lighting —
- (i) subject to such special arrangements as may be permitted by the Authority for passenger ships, sleeping rooms and mess rooms shall be lit by natural light and provided with adequate artificial light;
 - (ii) all seafarer accommodation shall comply with the standards of natural and artificial lighting in accordance with the regulations governing the accommodation for the crew prior to 20 August, 2013;
- (d) with regards to sanitary facilities —

- (i) a seafarer shall have convenient access on the ship to sanitary facilities, with separate sanitary facilities being provided for men and women;
 - (ii) there shall be sanitary facilities within easy access of the navigating bridge and the machinery space or near the engine room control centre;
 - (iii) in a ship, a minimum of one toilet, one washbasin and one tub or shower or both for every six persons or less who do not have personal facilities shall be provided at a convenient location;
 - (iv) with the exception of a passenger ship, each sleeping room shall be provided with a washbasin having hot and cold running fresh water, except where such a washbasin is situated in a private bathroom;
 - (v) in a passenger ship normally engaged on voyages of not exceeding four hours' duration, the Authority may approve special arrangements or a reduction in the number of facilities required;
 - (vi) hot and cold running fresh water shall be available in all wash places.
- (6) Where sleeping accommodation on board a ship is required —
- (a) in a ship other than a passenger ship, an individual sleeping room shall be provided for each seafarer;
 - (b) subject to the minimum floor area requirements referred to under paragraph (7) —
 - (i) on ships of less than 3,000 gross tonnage other than a passenger ship and a special purpose ship, sleeping rooms may be occupied by a maximum of two seafarers;
 - (ii) on a passenger ship, sleeping rooms may be occupied by a maximum of four seafarers not carrying out the duties of a ships' officer;
 - (iii) on a passenger ship where seafarers perform the duty of petty officers, there shall be no more than two persons per sleeping room;
 - (iv) on special purpose ships sleeping rooms may accommodate more than four persons;
 - (c) separate sleeping rooms shall be provided for men and women;
 - (d) as far as practicable, sleeping rooms of seafarers shall be so arranged that watches are separated and that no seafarer working during the day shall share a room with watchkeepers;

- (e) sleeping rooms shall be of adequate size and —
 - (i) for each occupant, the furniture, of smooth, hard material not liable to warp or corrode, shall include a clothes locker of ample space, with a minimum volume of 475 litres, and a drawer or equivalent space with a minimum volume of 56 litres; if the drawer is incorporated in the clothes locker then the combined minimum volume of the clothes locker shall be 500 litres; it shall be fitted with a shelf and able to be locked by the occupant;
 - (ii) each sleeping room shall be provided with a table or desk, which may be of the fixed, drop-leaf or slide-out type, with comfortable seating accommodation;
- (f) berths shall meet the following standards —
 - (i) separate berth for each seafarer shall be provided;
 - (ii) the inside dimensions of a berth shall be a minimum of 198 centimetres by 80 centimetres;
 - (iii) there shall be adequate berth arrangements on board;
 - (iv) berths shall not be arranged in tiers of more than two; if a berth is placed along the ship's side, there shall be only a single tier where a sidelight is situated above a berth;
 - (v) the lower berth in a double tier shall be a minimum of 30 centimetres above the floor; the upper berth shall be placed approximately midway between the bottom of the lower berth and the lower side of the deckhead beams;
 - (vi) the framework and the lee-board, if any, of a berth shall be of approved material, hard, smooth, and not likely to corrode or to harbour vermin;
 - (vii) if tubular frames are used for the construction of berths, they shall be completely sealed and without perforations;
 - (viii) when one berth is placed over another, a dust-proof bottom shall be fitted beneath the bottom mattress or spring bottom of the upper berth; and
 - (ix) clean good quality bedding shall be supplied by a owner to seafarers during the seafarers' service on board the ship, and the seafarers shall be responsible for the return of the bedding at times specified by the master on completion of service on the ship.
- (7) Unless otherwise provided for in these Regulations, sleeping rooms shall have the following minimum floor areas —

- (a) in single berth seafarers' sleeping rooms, the floor area shall be a minimum of —
 - (i) 4.5 square metres in ships not exceeding 3,000 gross tonnage;
 - (ii) 5.5 square metres in ships of 3,000 gross tonnage or over but less than 10,000 gross tonnage;
 - (iii) 7 square metres in ships of 10,000 gross tonnage or more;
- (b) in order to provide single berth sleeping rooms on ships of less than 3,000 gross tonnage, passenger ships and special purpose ships, the Authority may allow a reduced floor area;
- (c) in ships not exceeding 3,000 gross tonnage, other than a passenger ship and a special purpose ship, where sleeping rooms are occupied by two seafarers, the floor area of such sleeping rooms shall be a minimum of 7 square metres;
- (d) on a passenger ship and a special purpose ship the floor area of sleeping rooms for seafarers not performing the duties of a ships' officer shall be a minimum of —
 - (i) 7.5 square metres in rooms accommodating two persons;
 - (ii) 11.5 square metres in rooms accommodating three persons;
 - (iii) 14.5 square metres in rooms accommodating four persons;
- (e) on a special purpose ship sleeping rooms where more than four seafarers are accommodated, the floor area shall be a minimum of 3.6 square metres per person;
- (f) on a ship other than a passenger ship and special purpose ship, for seafarers who perform the duties of ships' officers where no private sitting room or day room is provided, the floor area per person shall be a minimum of —
 - (i) 7.5 square metres in ships not exceeding 3,000 gross tonnage;
 - (ii) 8.5 square metres in ships of 3,000 gross tonnage or more but not exceeding 10,000 gross tonnage;
 - (iii) 10 square metres in ships of 10,000 gross tonnage or more;
- (g) on a passenger ship and a special purpose ship, the floor area for seafarers performing the duties of a ships' officer where no private sitting room or day room is provided, the floor area per person for a junior officer shall be a minimum of 7.5 square metres and for senior officer a minimum of 8.5 square metres;
- (h) the master, the chief engineer and the chief navigating officer, and where practicable, the second engineer officer, shall have, in

addition to their sleeping rooms, an adjoining sitting room, day room or equivalent additional space.

- (8) A mess room shall —
 - (a) be located apart from the sleeping rooms and as close as practicable to the galley; and
 - (b) be of adequate size and comfort and properly furnished and equipped, including ongoing facilities for refreshment.
- (9) A ship carrying fifteen or more seafarers and engaged in a voyage exceeding three days duration shall be provided with separate hospital accommodation for medical care and that accommodation shall be accessible, comfortable and conducive to the seafarer receiving prompt and adequate care and the Authority may agree to any exemptions to this requirement for ships engaged in coast trade.
- (10) A owner shall provide laundry facilities for seafarers.
- (11) A owner shall provide recreational facilities, amenities and services, including social connectivity for seafarers and a ship shall —
 - (a) have a space on open deck to which the seafarers can have access when off duty, which are of adequate area having regard to the size of the ship and the number of seafarers on board;
 - (b) be provided with separate offices or a common ship's office for use by deck and engine departments, unless an exemption or equivalence is agreed by the Authority.
- (12) The Authority may permit fairly applied variations in respect of the requirements in this regulation on condition that such variations do not result in overall facilities less favourable than those which would result from the application of those requirements.
- (13) The Authority may, exempt —
 - (a) ships not exceeding 200 gross tonnage from the following provisions of this regulation, where it is reasonable to do so, taking into account the size of the ship and the number of persons on board —
 - (i) paragraphs 5(b)(ii), 5(d)(iv) and 10; and
 - (ii) paragraph 7(a), (c), (d), (e), (f) and (g) in respect of floor area only;
 - (b) ships not exceeding 3000 gross tonnage from the provisions of paragraphs 7(a), 7(h), 8(a), 5(d)(ii) and 11(b); and
 - (c) special purpose ships from the provisions of paragraph 7(a).

28. Food and catering.

- (1) A owner shall ensure that —
 - (a) the food and drinking water on board the ship are of suitable quantity, nutritional value and quality, for the number of seafarers on board and the duration and nature of the voyage;
 - (b) the catering department is organised and equipped to provide seafarers with adequate, varied and nutritious meals, prepared and served in hygienic conditions taking into consideration religious requirements and cultural practices;
 - (c) catering staff are properly trained or instructed; and
 - (d) a seafarer engaged as a cook on board the ship shall complete a training course approved or recognised by the Authority, except where the Authority permits a non-fully qualified cook to serve on a specified ship for a limited period.
- (2) A seafarer on board a ship shall, during the period of engagement, be provided with food free of charge.
- (3) The master or a person designated by the master shall —
 - (a) inspect the following at intervals not exceeding seven days —
 - (i) supplies of food and drinking water;
 - (ii) spaces and equipment used for the storage and handling of food and drinking water; and
 - (iii) galley and other equipment for the preparation and service of meals;
 - (b) be accompanied by a minimum of one member of the crew during the inspection referred to under subparagraph (a); and
 - (c) cause to be entered in the official log book of the ship —
 - (i) the time and date of the inspection;
 - (ii) the names and ranks of the persons conducting the inspection; and
 - (iii) the particulars of the area inspected that is not compliant with these Regulations as specified in a Marine Notice issued by the Authority.

PART VI – HEALTH PROTECTION, MEDICAL CARE, WELFARE AND SOCIAL PROTECTION

29. Medical care on board ship and ashore.

- (1) A owner shall provide medical care, including essential dental care, and health protective measures for seafarers working on board the ship.
- (2) A seafarer shall have access to prompt medical care at no cost to that seafarer while working on board the ship.
- (3) A owner shall permit a seafarer to visit a medical practitioner or dentist in ports of call, where practicable, without delay and at no cost to the seafarer.
- (4) All seafarers on board registered ships and ships visiting ports in The Bahamas shall have prompt disembarkation of seafarers in need of immediate medical care from ships and access to medical facilities ashore for the provision of appropriate treatment.
- (5) Where a seafarer has died in the territorial waters of The Bahamas or during a ship's voyage from the high seas to the territorial waters of The Bahamas, the Authority shall facilitate the repatriation of the body or ashes by the owner, in accordance with the wishes of the seafarer or their next of kin, as appropriate.
- (6) All deaths of seafarers employed, engaged, or working on board a ship registered with The Authority are adequately investigated and recorded, and reported on an annual basis to the Director-General of the International Labour Office.
- (7) A standard medical report form shall be adopted by the Minister of Health, and that form shall be used by the ships' master and on board by the onshore medical personnel.
- (8) The form referred to under paragraph (7) and its contents shall be kept confidential and only be used to facilitate the treatment of seafarers.
- (9) A medicine chest, its contents, as well as medical equipment and a medical guide shall be carried and maintained on board a ship and shall be inspected at intervals not exceeding twelve months.
- (10) A ship carrying 100 or more persons and ordinarily engaged on international voyages of more than three days duration, shall have a qualified medical practitioner on board and the Director may grant an exemption in respect of a ship as specified in a Marine Notice issued by the Authority.
- (11) Where a medical practitioner is not on board a ship, the owner shall ensure that a seafarer, who has satisfactorily completed training in medical

care in accordance with regulations governing the training, certification, manning and watchkeeping of seafarers, is in charge of medical care and administering medicine, and competent to provide medical first aid.

- (12) The responsible government agency shall ensure that medical advice —
 - (a) by radio or satellite communication to ships at sea, including specialist advice, is available 24 hours a day;
 - (b) including the onward transmission of medical messages by radio or satellite communication, between a ship and those ashore giving the advice, shall be available free of charge to all ships irrespective of the flag that they fly.
- (13) A Marine Notice may be issued by the Authority in respect to these Regulations.

30. Liability of owner.

- (1) A owner shall be liable to —
 - (a) defray the expense of medical care, including medical treatment and the supply of the necessary medicines and therapeutic appliances, and board and lodging away from home until the sick or injured seafarer has recovered, or until the sickness or incapacity has been declared of a permanent character;
 - (b) pay the cost of burial expenses in the case of death occurring on board or ashore during the period of engagement; and
 - (c) ensure that a seafarer is covered under an insurance scheme or any other financial security scheme regarding sickness, injury or death occurring while they are serving under a seafarers' employment agreement or arising from their employment under such agreement.
- (2) Where the sickness or injury results in incapacity for work the owner shall be liable to pay full wages as long as the sick or injured seafarer remains on board or until the seafarer has been repatriated.
- (3) The liability of an owner in respect of a seafarer —
 - (a) to defray the expense of medical care, board and lodging; and
 - (b) to pay wages in whole or in part where the seafarer is no longer on board,

shall not be less than sixteen weeks from the date of an injury or the commencement of any sickness of that seafarer.
- (4) A owner shall take measures for safeguarding property left on board the ship by a sick, injured or deceased seafarer and for returning the property to the seafarer or the seafarer's next of kin.

- (5) Notwithstanding the insurance scheme or other financial security scheme referred to under paragraph (1)(c), a owner shall not be liable for —
 - (a) injury incurred to the seafarer other than in the service of the ship;
 - (b) injury or sickness due to the wilful misconduct of the sick, injured or deceased seafarer;
 - (c) sickness or infirmity intentionally concealed by the seafarer at the time of signing a seafarers' employment agreement.
- (6) The owner's financial security shall remain in full force and effect until the expiry of its validity period, and shall not be terminated or withdrawn prior thereto unless the financial security provider has provided the Authority with no less than thirty days' prior written notice.
- (7) Where a owner determines to cancel or terminate its financial security, the owner shall —
 - (a) give prior notification of its intention to seafarers;
 - (b) notify the financial security provider of its intention.

31. Health and safety protection and accident prevention.

- (1) A owner shall ensure that a seafarer is provided with occupational health protection consistent with their right to live, work and train on board the ship in a safe and hygienic environment.
- (2) The Authority may adopt and review at intervals the guidelines for the management of the seafarer's occupational safety and health on board the ship.
- (3) The Authority may issue information in a Marine Notice with respect to this regulation.

32. Social security scheme.

- (1) A seafarer who is —
 - (a) a citizen of The Bahamas; or
 - (b) ordinarily resident in The Bahamas,shall be covered under the social security scheme provided for under the National Insurance Act (*Ch. 350*) and the owner shall make the requisite contributions in respect of that seafarer as required thereunder.
- (2) A owner, who employs seafarers from a country or territory that is not a party to the Convention, shall ensure that the seafarers are provided with access to social security protection as set out in a Marine Notice.

- (3) A seafarers' employment agreement or a collective bargaining agreement shall provide details of the agreed social security arrangements in accordance with the relevant laws.

PART VII - MISCELLANEOUS

33. Inspection and detention of Bahamian ships.

- (1) An authorised officer may inspect any Bahamian ship and if the ship does not in comply with these Regulations the authorised officer may detain the ship in accordance with the provisions of the Act until the the ship has complied.
- (2) An authorised officer shall not unreasonably detain or delay a ship.

34. Inspection and detention of foreign ships.

- (1) An authorised officer may inspect any ship other than a Bahamian ship when the ship is in a Bahamian port and if the authorised officer is satisfied that the ship is not in compliance with these Regulations, the authorised officer may —
- (a) send a report to the government of the country in which the ship is registered, and a copy of the report to the Director-General of the International Labour Office; and
- (b) where conditions on board are clearly hazardous to the safety or health of the seafarers —
- (i) take the necessary measures to rectify those conditions; or
- (ii) detain the ship:
- Provided that the measures specified may be taken only when the ship has called at a Bahamian port in the normal course of business or for operational reasons.
- (2) Where the authorised officer undertakes either of the measures specified in paragraph (1)(b), the authorised officer shall immediately notify the nearest maritime, consular or diplomatic representative of the State whose flag the ship is entitled to fly.
- (3) An authorised officer shall not in the exercise of his powers unreasonably detain or delay a ship.

35. Electronic or paper communication.

- (1) In the context of formation of contracts, unless otherwise agreed by the parties, an offer and acceptance may be expressed by means of electronic

communication in accordance with the Electronic Communications and Transactions Act (*Ch. 337A*).

- (2) An electronic communication is attributable to a person if the electronic communication resulted from the action of the person, acting in person, by his agent, or by his electronic agent device.
- (3) Clear information as to the issuance of documents electronically shall be in the format complying with the Electronic Communications and Transactions Act (*Ch. 337A*) and specified in a Marine Notice issued by the Authority.

36. On-board complaint procedures for Bahamian ships.

- (1) On board complaints procedures shall be maintained by the owner, for fair, effective, and expeditious handling of seafarer's complaints alleging breaches of the requirements of the Convention.
- (2) A owner shall ensure that on-board complaint procedures, that may be used by seafarers to lodge complaints relating to any matter that is alleged to constitute a breach of the requirements of the Convention, is kept, at all times, on board the ship.
- (3) The seafarer shall be made aware of the on board complaint procedures and the procedures shall be kept in a conspicuous place on board the vessel informing seafarers, of the —
 - (a) right to representation;
 - (b) safeguards against victimization;
 - (c) contact information for the Director of Labour in The Bahamas and, where different, in the seafarers' country of residence; and
 - (d) name of a person on board the ship who may provide confidential and impartial advice and assist with on board complaint procedures.
- (4) A seafarer may report a complaint to the master and, where they consider it necessary, to the Authority.

37. Onshore seafarer complaint-handling procedures.

- (1) A seafarer on-board a ship registered with The Bahamas or a ship calling at a port in The Bahamas who alleges a breach of the requirements of the Convention, may report such breach in the manner contained in a Marine Notice issued by the Authority.
- (2) A seafarer who alleges a breach of the requirements of the Convention, may report the breach to an authorised officer or inspector in the port at which the ship has called.

- (3) An authorised officer or inspector investigating a complaint made under paragraphs (1) and (2) shall give the master, the owner, and any other person involved in the complaint, an opportunity to be heard.
- (4) An authorised officer or inspector investigating the complaint shall ensure that the complaint and identity of the seafarers is kept confidential.
- (5) All complaints made to external authorities, the Authority shall undertake to cooperate and coordinate with The Department of Labour as specified in a Marine Notice issued by the Authority.

38. Marine casualties.

Pursuant to section 192 of the Act, the Authority shall investigate casualties in accordance with regulations for Marine Safety Investigations.

39. Guidance on Convention.

The Authority may provide guidance on the Convention in a Marine Notice.

40. Penalty.

A person who contravenes the provisions of these Regulations commits an offence and is liable on summary conviction to a fine of five hundred dollars.

41. Revocation of Sub. Leg. Vol. IV, Ch. 268 p. 155.

The Merchant Shipping (Maritime Labour Convention) Regulations² are hereby revoked.

Dated this 1st day of April, 2026.

**Signed
JOBETH COLEBY-DAVIS
MINISTER RESPONSIBLE FOR MARITIME AFFAIRS**

²*S.I. No. 117 of 2012*