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## **INFORMATION BULLETIN No. 122**

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### **Policy, Practice and Procedures for Lay Up of a Bahamas Registered Vessel**

#### **Guidance and Instructions for Bahamas Recognised Organisations, Bahamas Approved Nautical Inspectors, Ship Owners, Managers and Masters**

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#### **1. Purpose**

- 1.1. This Bulletin provides guidance and, where necessary, instructions to assist Companies<sup>1</sup> in the process of laying up a Bahamas registered vessel.

#### **2. Application**

- 2.1. This Bulletin applies to all Bahamas registered vessels which are to be laid up.

#### **3. General**

- 3.1. No specific permission is required from the Bahamas Maritime Authority (BMA) to lay up a vessel, however the Inspections & Surveys and Registration departments are to be advised in order to maintain proper records and be ready to respond in context to any query about the vessel. ([tech@bahamasmaritime.com](mailto:tech@bahamasmaritime.com) and [reg@bahamasmaritime.com](mailto:reg@bahamasmaritime.com)).
- 3.2. If no notification is made, the BMA will assume that the vessel is trading normally and maintaining a full regime of certification, surveys and inspections, including normal manning for such operations.

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<sup>1</sup> The "Company" is the entity responsible for the management of the ship in accordance with the ISM Code. For ships which the ISM Code is not applicable, the Company is the Managing Owner in accordance with Section 52 of the Bahamas Merchant Shipping Act

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- 3.3. Failure to notify the BMA and the relevant Recognised Organisation(s) and Recognised Security Organisation of a vessel entering lay-up, or to maintain a safe lay-up, will be regarded as a serious ISM non-conformity and may jeopardise the registration of the vessel
- 3.4. The Company is to advise the BMA of the proposed length of the lay-up and the state of readiness of the vessel to resume trade. The Company should take appropriate advice on lay-up procedures as necessary, including that of the Recognised Organisation, insurers, etc.
- 3.5. The maritime industry has several descriptions of lay-up, such as "hot," "warm," "cold" and various other terms. These are not clearly defined and therefore the BMA does not accept them as formal or definitive descriptions.

#### **4. Statutory Ship's Certification**

- 4.1. Statutory certification is normally only required when vessels are trading. Therefore, depending upon the proposed length of the lay-up, and taking into account any requirements of the port or coastal State of the lay-up location, the Company should consider whether to maintain or suspend these certificates.
- 4.2. Recognised Organisations have procedures for laying up vessels and, bearing in mind that one provision of registration with the Bahamas is that vessels remain in Class, compliance with those requirements will be adequate to maintain such.
- 4.3. If a vessel is laid up for a prolonged period, the BMA may authorise suspension or cancellation of statutory certificates as long as this is compatible with the location and the requirements of the port or coastal State. Companies should contact the BMA as soon as the decision to lay-up a vessel is made to agree on specific certification requirements.

#### **5. International Safety Management (ISM) Code**

- 5.1. If the care of a vessel during lay-up is handed over to an organisation which is not the ISM Company (e.g. dedicated lay-up providers), the BMA will accept the suspension of the ISM certification of the vessel provided that:
  - i. all requirements of the coastal State are met;

- ii. all requirements of the Recognised Organisation are met; and
- iii. the contact details of the organisation that holds responsibility for the safety of the vessel during lay-up is advised to the BMA.

5.2. The audit requirements on reactivation of the vessel will depend on the length of time the vessel is laid up. In general, lay-up in excess of 6 months will require interim certification in accordance with ISM Code 14.4.

5.3. In all cases a management contact must be provided to the BMA in order to comply with s.52 of the Merchant Shipping Act.

## **6. International Ship and Port Facility Security (ISPS) Code**

6.1. The continued validity of the vessel's ISPS certification will be an important element in the reactivation of the vessel. The BMA strongly recommends that the International Ship Security Certificate (ISSC) be maintained throughout lay-up.

6.2. Specific procedures may need to be added to the Ship Security Plan depending upon the extent or "depth" of the lay-up. In each case this will be managed and audited by the Recognised Security Organisation, which will correspond directly with the BMA wherever clarification is necessary.

6.3. Where the circumstances described in paragraph 5.1 above exist, the Company must communicate with the Recognised Security Organisation to ensure that the Ship Security Plan covers that operation.

6.4. If the vessel is integrated into the port facility security system, the records of suspension and subsequent reactivation of the ISSC should clearly reflect that in order to demonstrate continuity of Security.

## **7. LRIT**

7.1. Normal procedures for LRIT will apply. If the LRIT equipment is deactivated or switched off, the BMA should be advised in accordance with BMA Information Bulletin No 111, Para.9 ([lrity@bahamasmaritime.com](mailto:lrity@bahamasmaritime.com)).

## **8. Manning**

- 8.1. The Safe Manning Document does not apply to ships in lay-up.
- 8.2. When a vessel is laid up, normal manning may be reduced appropriate to the status and operational requirements of the vessel. Any reduction in manning should be considered in consultation with the relevant port or coastal State Authority.
- 8.3. In some cases, the port or coastal State Authority may wish to have the manning level in lay-up approved by the BMA. The Company should then advise the BMA Seafarers and Manning Department of the proposed level of safe manning ([stcw@bahamasmaritime.com](mailto:stcw@bahamasmaritime.com)).
- 8.4. The BMA recommends that a suitably qualified person should remain in charge of the vessel for the proposed lay-up period and that the manning available should include sufficient numbers of trained persons to meet any emergency situation. In such circumstances, communication must be maintained with the local authorities so that further assistance may be immediately obtained when required. The following should be considered when assessing appropriate manning levels:
  - i. the location of the vessel;
  - ii. the equipment and systems remaining in operation; and
  - iii. the method by which the vessel is kept in position (moorings, anchorage etc.).
- 8.5. Where crew members or watchmen are accommodated on board a vessel which is laid up, appropriate welfare facilities are to be made available. This is to include, as a minimum:
  - i. Adequate provision of, or access to, potable water;
  - ii. Adequate provision of, or access to, fresh food;
  - iii. Adequate provision of, or access to, cooking, cleaning, washing, sanitary and laundry facilities;
  - iv. Arrangements for access to medical facilities, particularly for any emergencies; and
  - v. Adequate heating and lighting facilities.
- 8.6. The Company should take into account any obligations for repatriation specified in the Merchant Shipping Act or Maritime Labour Convention, 2006.

- 8.7. Any failure to provide a basic level of welfare facilities will be regarded as a serious failure of the Company's Safety Management System and may lead to further measures by the BMA, in addition to any action which may be taken by the port or coastal State.

## **9. Bahamas Annual Inspections**

- 9.1. BMA Information Bulletin No. 66 details the Bahamas annual inspection requirements. If the duration of lay-up includes the window for the Bahamas annual inspection, the anniversary date may be suspended until the vessel is being prepared for reactivation. The Company should submit full details to the Inspections and Surveys Department of the BMA ([tech@bahamasmaritime.com](mailto:tech@bahamasmaritime.com)).
- 9.2. Any failure to maintain the annual inspection requirements without prior agreement with the BMA will be regarded as an ISM non-conformity.

## **10. Re-commissioning**

- 10.1. This will be a matter for the Company and the Recognised Organisation to consider. While re-commissioning the vessel, the manning must be kept under review taking into account the reactivation of machinery and equipment and the associated hazards, including potential fire risk.
- 10.2. All previously cancelled, suspended or outdated certificates, audits and inspections are to be revalidated and the manning restored to that required by the Safe Manning Document before the vessel sails from her port of lay-up.

## **11. Revision History**

Rev.0 (10 January 2010) – First issue

Rev.1 (14 March 2012) – General revision and updated format, addition of welfare requirements for crew/watchmen