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**FAMILIARIZATION WITH NATIONAL MARITIME LEGISLATION  
OF THE  
REPUBLIC OF LIBERIA**

**1.0 COMBINED PUBLICATION FOLDER, RLM-300.**

This Publication contains the national maritime related laws and regulations. This blue colored binder is required to be on board all Liberian Flag vessels and serves as a ready reference for seafarers. The following publications are contained in the Combined Publication Folder, RLM-300:

RLM - 107 Liberian Maritime Law  
RLM - 108 Liberian Maritime Regulations  
Liberian Marine Notices  
RLM - 118 Requirements for Merchant Maritime Personnel Certification  
RLM - 260 Rules for Marine Investigations and Hearings  
RLM - 100 Vessel Registration Requirements, Mortgage Recording

Procedures

**2.0 MARITIME LAW, RLM-107.**

The complete text of the Maritime Law is contained in the Combined Publication Folder, CPF/RLM-300. Management level ship's officer candidates should be familiar with the following provisions of the Liberian Maritime Law:

**Section 2 Law Governing Matters Affecting Economy of Liberian Flag Ships.**

All matters affecting the internal order and economy of Liberian Flag ships, including labor relations, shall be governed by this Title, i.e. Title 22 Liberian Code of Law, 1956 (as amended).

**Section 17(4) Penalty for Non-compliance with License Requirement.**

Failure of an owner of a Liberian vessel to ensure that each officer employed on the vessel is the holder of a valid Liberian license of competence to fill the position held by him shall subject the owner to a fine of \$750 for each officer so employed who is not the holder of such Liberian license. Where such failure is admitted or is established by any required report, the fine shall be automatic. If, however, a proper Liberian license for each such officer is obtained within 30 days of notice from the Commissioner or Deputy Commissioner, the fine with respect thereto shall be remitted. Until paid or remitted, each fine shall constitute a maritime lien on the vessel.

**Section 18      Suspension and Revocation Proceedings.**

The Commissioner shall have power to suspend or to revoke any licenses, certificates, permits or documents issued under the provisions of this Title, and he may from time to time make such Rules and Regulations as are deemed by him necessary and appropriate to the conduct of suspension and revocation proceedings.

**Section 32      Criminal: General Penalty for Violation.**

Any person who is convicted by a court of competent jurisdiction of a violation of any of the provisions of Sections 68, 69A, 70, 71, 75, 77, 204, 252, 292, 326, 336A, 342, 345, 352, 353 or 356 of this Title (RLM-107/Liberian Maritime Law) or of any Rules and Regulations of the Commissioner related thereto and made as provided in Section 11 of this Title, shall, upon conviction, be subject to a fine not exceeding twenty five thousand dollars or imprisonment for a term not exceeding ten years, or both.

**Section 78      Inspection of Document.**

Any officer designated by the Commissioner or a Deputy Commissioner, or who within Liberia is concerned in the collection of government revenue, may at all times inspect the certificate of registry and tonnage tax receipt of a Liberian Flag vessel. A Master who fails to exhibit the same, when required by such officer, shall be liable to a penalty of one hundred dollars, and if his failure is willful shall be liable to a penalty of not more than one thousand dollars or imprisoned for not more than one year, or both.

**Section 79      Display of Ship's Papers to Consul.**

- (1) Upon arrival during customary business hours of a documented vessel at any foreign port where there is located the principal Consular office of a Liberian Consul or Vice Consul, the Master, ship's agent or other authorized person shall, upon request of such Consul or Vice Consul, display to him on board, without payment of any fee, the vessel's Certificate of Registry and Annual Tonnage Tax Receipt.
- (2) Only the Certificate of Registry and Annual Tonnage Tax Receipt shall be required to be so displayed, and this requirement shall be waived when the vessel's papers have been so displayed in the same port within 90 days previously.
- (3) Where a request has been made and the ship's papers have not been properly displayed, the vessel shall not be detained therefore by the Liberian Consul or Vice Consul making the request, but he shall immediately notify the Commissioner or a Deputy Commissioner of such non-compliance.

- (4) Whether local port regulations do or do not require clearance of a vessel from a Liberian Consul or Vice Consul, it shall not be required in relation to such clearance that the signing on or off of crew or the execution of any ship's papers or documents be done before a Liberian Consul or Vice Consul, or that any ship's papers or documents be witnessed, visaed, stamped or otherwise legalized by a Liberian Consul or Vice Consul.

**Section 80 Perjury.**

- (1) If any owner, agent, or attorney commits perjury in the oath taken to obtain documentation of a vessel, such vessel, her tackle, apparel and furniture shall be forfeited, or the value thereof recovered from such person.
- (2) A Master who commits perjury in taking such oath shall be liable to penalty of one thousand dollars; but the vessel shall not thereby be forfeited.

**Section 84 Jurisdiction and Control of Liberia Exclusive.**

From the time of issuance of a Certificate of Registry under this Title and until its expiration, termination, revocation or cancellation, whichever first occurs, the vessel shall be granted and shall enjoy the right to fly the Flag of Liberia exclusively, unless its Certificate of Registry is specifically endorsed so as to withdraw that right. At all times during the period that a vessel has the right to fly the Flag of Liberia, the vessel shall be subject to the exclusive jurisdiction and control of Liberia as the Flag State, in accordance with the applicable international conventions and agreements and with the provisions of this Title and any Regulations or Rules made thereunder.

**Section 122 Responsibilities and Liabilities**

- (1) The carrier shall be bound, before and at the beginning of the voyage to exercise due diligence to:
  - (a) Make the ship seaworthy;
  - (b) Properly man, equip, and supply the ship;
  - (c) Make the holds, refrigerating and cooling chambers, and all other parts of the ship in which goods are carried fit and safe for their reception, carriage and preservation.
- (2) The carrier shall properly and carefully load, handle, stow, carry, keep, care for, and discharge the goods carried.

- (3) After receiving the goods into his charge the carrier, or the Master or agent of the carrier, shall, on demand of the shipper, issue to the shipper a bill of lading showing among other things:
- (a) The leading marks necessary for identification of the goods as the same are furnished in writing by the shipper before the loading of such goods starts, provided such marks are stamped or otherwise shown clearly upon the goods if uncovered, or on the cases or coverings in which such goods are contained, in such a manner as should ordinarily remain legible until the end of a voyage.
  - (b) Either the number of packages or pieces, or the quantity or weight as the case may be, as furnished in writing by the shipper.
  - (c) The apparent order and condition of the goods; provided that no carrier, Master, or agent of the carrier, shall be bound to state or show in the bill of lading any marks, number, quantity, or weight, which he has reasonable ground for suspecting not accurately to represent the goods actually received, or which he has had no reasonable means of checking.
  - (d) Such a bill of lading shall be prima facie evidence of the receipt by the carrier of the goods as therein described in accordance with sub-paragraphs (3) (a),(b), and (c) of this Section. However, proof to the contrary shall not be admissible when the bill of lading has been transferred to a third party acting in good faith. Nothing in this Sub-Chapter shall be construed as limiting the application of any part of the law governing bills of lading.
  - (e) After the goods are loaded, the bill of lading to be issued by the carrier, Master, or agent of the carrier to the shipper shall, if the shipper so demands, be a "shipped" bill of lading; providing that if the shipper shall have previously taken up any document of title to such goods, he shall surrender the same as against the issue of the "shipped" bill of lading, but at the option of the carrier such document of title may be noted at the port of shipment by the carrier, Master, or agent with the name or names of the ship or ships upon which the goods have been shipped and the date or dates of shipment, and when so noted the same shall for the purpose of this section be deemed to constitute a "shipped" bill of lading.
  - (f) Any clause, covenant, or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to or in connection with the goods, arising from negligence, fault, or failure in the duties and obligations provided in this section, or lessening such liability otherwise than as provided in this Title, shall be null and void and of no effect. A benefit of insurance in favor of the carrier, or similar clause, shall be deemed to be a clause relieving the carrier from liability.

**Section 202 Penalty for Violation of Navigation Rules by Pilot, Engineer, Mate or Master.**

Every pilot, engineer, mate, Master or other person in charge of any vessel, boat, canoe, or non-descript local craft who neglects or refuses to observe the provisions of this Chapter shall be liable to a penalty of one hundred dollars; and for all damages sustained by any passenger in his person or baggage resulting from such neglect or refusal: provided, that nothing herein shall relieve any vessel, owner, corporation, or other person from any liability incurred by reason of such neglect or refusal.

**Section 203 Penalty for Violation by Vessel.**

Every vessel that shall be navigated without complying with the provisions of this Chapter shall be liable to a penalty of two hundred dollars, for which sum the vessel so navigated shall be liable and may be seized and proceeded against before any Court of competent jurisdiction in this Republic.

**Section 204 Assistance in Case of Collision.**

In every case of collision between two vessels it shall be the duty of the Master or person in charge of each vessel, if and insofar as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stand by the other vessel until he has ascertained that it needs no further assistance; to render to the other vessel, and to its Master, crew, or passengers (if any), such assistance as may be practicable and necessary to save them from any danger caused by the collision; and to report to the Master or person in charge of the other vessel the name of his own vessel, its port of registry or the port to which it belongs, and the names of the ports from which and to which it is bound. If he fails to do so without reasonable cause for such failure, the collision shall, in the absence of proof to the contrary, be deemed to have been caused by his wrongful act, neglect, or default.

**Section 291 Definitions.**

- (1) "**Master**" means any person having command of a vessel;
- (2) "**Seamen**" means any and all members of the crew other than the Master and pilots, employed or engaged in any capacity on board any vessel;
- (3) "**Crew**" means collectively the persons, other than officers and the Master, serving in any capacity on board a vessel;

**Section 294 Penalty for Misuse of License or Certificates.**

Any person who shall receive or shall have in his possession any Liberian license, certificate or document issued to officer or crew by the Commissioner or Deputy Commissioner to which he is not lawfully entitled, or any false license, certificate or document, with intent to use the same unlawfully; or who without lawful authority shall alter or change any genuine license, certificate or document; or who shall in any manner transfer or arrange for the transfer of any such license, certificate or document; or who shall aid or abet the perpetration of the foregoing acts shall, for each offense, be liable to a fine not more than \$10,000 or imprisonment for not more than one year, or both.

**Section 295 Master: Termination of Employment.**

Any contractual provision to the contrary notwithstanding, the shipowner, with or without good cause, may at any time terminate the employment of and dismiss the Master.

**Section 296 Duties of the Master.**

The Master shall, among others, have the following duties:

- (1) To enter into Shipping Articles with seamen as hereafter provided;
- (2) To maintain discipline on board the vessel and to take all such steps as are necessary and appropriate in connection therewith;
- (3) To assume responsibility for the receipt of cargo by the vessel, storage of cargo on board the vessel insofar as such storage affects the safety or navigability of the vessel, and for the discharge of cargo from the vessel;
- (4) To assume full responsibility for the safety of the members of the crew and passengers, if any, and to take all necessary and appropriate steps in connection therewith;
- (5) To assume full responsibility for the navigation of the vessel at all times;
- (6) To assume full responsibility for the vessel's funds and disbursement thereof;
- (7) To see that the vessel's log books are properly and accurately kept;
- (8) To keep in his custody all the vessel's documents;

- (9) To make all reports required by Liberian laws or Regulations or by the regulations of any ports at which the vessel may call;
- (10) To render assistance in the saving of life and property at sea.

**Section 297 Special Powers of Masters.**

When a vessel is at sea, the Master is authorized to:

- (1) Marry passengers or other persons aboard;
- (2) Issue birth certificates for children born at sea;
- (3) Bury persons who have died on board the vessel while at sea.

**Section 322 Penalty for Shipment without Shipping Articles.**

If any person shall be carried to sea as an officer or one of the crew on board any vessel making a voyage as hereinafter specified, without entering into Shipping Articles with the Master of such vessel in the form and manner and at the place and times in such cases required, the vessel shall be held liable for each such offense to a penalty of not more than \$200. But the vessel shall not be held liable for any person carried to sea, who shall have secretly stowed himself away without the knowledge of the Master, mate or any of the officers of the vessel, or who shall have falsely personated himself to the Master or officers of the vessel, for the purpose of being carried to sea.

**Section 330 Grounds for Discharge.**

The Master may discharge a seaman for justifiable cause, including any of the following grounds:

- (1) Unjustified failure to report on board at such times and dates as may be specified by the Master;
- (2) Incompetence to perform duties for which the seaman has represented himself as qualified;
- (3) Theft, embezzlement or willful destruction of any part of the vessel, its cargo or stores;
- (4) Serious insubordination or willful disobedience or willful refusal to perform assigned duties;

- (5) Mutiny or desertion;
- (6) Intoxication, quarreling or fighting;
- (7) Possession of dangerous weapons, narcotics or contraband articles;
- (8) Intentional concealment from the shipowner of Master at or prior to engagement under the Shipping Articles of a condition which resulted in sickness or injury;
- (9) Assistance to stowaways; and
- (10) Willful violation of the laws of the Republic of Liberia or applicable local criminal laws.

**Section 331 Advances and Allotment of Wages.**

- (1) It shall be unlawful to pay any seaman wages in advance of the time when they are actually earned, or to pay such advance wages or make any order or note or other evidence of the indebtedness therefore to any other person, or to pay to any person for the shipment of any seaman when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the provisions of this Section shall be punished with a fine of not more than \$50.
- (2) It shall be lawful for the Master and any seaman to agree that an allotment of a portion of the seaman's earnings may be payable to a spouse, children, grandchildren, parents, grandparents, brothers or sisters, or to a bank account in the name of the seaman.
- (3) The provisions of this Section shall not apply to, or render unlawful:
  - (a) Deductions from the wages of a seaman pursuant to the laws of the country at whose port the seaman signed on or of which he is a national;
  - (b) Requirements of a labor organization of which the seaman is a member if such deductions represent dues or other obligations to a labor organization of which the seaman is a member and are remitted to such organization; or
  - (c) The written consent of the seaman, if such deductions are paid into a fund established for the exclusive benefit to seamen and their families and dependents or for the purpose of providing medical or hospital care, pensions on retirement or death of the seaman, life insurance, employment benefits or compensation for illness or injuries.

**Section 336 Wages, Maintenances and Cure for Sick and Injured Seaman.**

- (1) In the event of disabling sickness or injury, while a seaman is on board a vessel under signed Shipping Articles, or off the vessel pursuant to an actual mission assigned to him by, or by the authority of the Master, the seaman shall be entitled to:
  - (a) Full wages, as long as he is sick or injured and remains on board the vessel;
  - (b) Medical and surgical treatment and supply of proper and sufficient medicines and therapeutical appliances, until medically declared to have reached a maximum cure or to be incurable, but in no event more than 30 weeks from the day of the injury or commencement of the sickness;
  - (c) An amount equal to board and lodging up to a maximum period of 30 weeks, and one-third of his base wages during any portion of such period subsequent to his landing from the vessel but not to exceed a maximum period of 16 weeks commencing from the day of injury or commencement of the sickness; and
  - (d) Repatriation as provided in Section 342 including, in addition, all charges for his transportation, accommodation and food during the journey and his maintenance up to the time fixed for his departure.
- (2) The shipowner or his representative shall take adequate measures for safeguarding property left on board by sick, injured or deceased seaman.
- (3) The seaman shall not be entitled to any of the foregoing benefits:
  - (a) If such sickness or injury resulted from his willful act, default or misconduct;
  - (b) If such sickness or injury developed from a condition which was intentionally concealed from the employer at or prior to his engagement under the Articles;
  - (c) If he refuses medical treatment for such sickness or injury or is denied such treatment because of misconduct or default; or
  - (d) If at the time of his engagement he refused to be medically examined.
- (4) The seaman shall have a maritime lien against the vessel for any wages due him under this Section.

**Section 338 Death on Board.**

In the event of a death on board a vessel, an entry shall be made into the vessel's logbook by the Master and one of his officers. He shall also report the death to the authorities at the first

port of arrival and shall submit a statement signed by him to the Commissioner of Maritime Affairs or to the Deputy Commissioner of Maritime Affairs. The logbook entry and statement shall contain the first and last name, sex, nationality, year and place of birth of the deceased person, the cause of death, place of death (latitude, longitude), date and time of death and the names of next-of-kin, if known, and name of the vessel. If the deceased person is a seaman, the entry and statement shall contain, in addition, his rank or rating, place and address of his residence or domicile and the number of his license with date of issuance. The statement submitted by the Master shall be countersigned by any attending physician aboard, otherwise by one of the ship's officers. A list of personal effects and amounts of money left on board the vessel shall be attached.

**Section 343 Loss of Right of Repatriation.**

A seaman shall forfeit his right of repatriation in case of:

- (1) Desertion;
- (2) Entering into a new agreement with the same owner after his discharge;
- (3) Entering into a new agreement with another owner within one week after discharge;
- (4) Criminal offenses under Sections 346, 348, and 349; or
- (5) Unjustifiable repudiation of the Shipping Articles.

**Section 344 Offenses Against the Internal Order of the Vessel.**

- (1) Any seaman on a Liberian vessel who commits any of the following offenses may, in addition to any criminal penalties provided herein, be punished by the Master as follows:
  - (a) For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel, or for absence without leave at any time within 24 hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at anytime, without leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than 2 days wages or the amount sufficient to defray any expenses which shall have been properly incurred in hiring a substitute;
  - (b) For quitting the vessel without leave before she is placed in security, by forfeiture from his wages of not more than one month's wages;

- (c) For intoxication or willful disobedience to any lawful command by being placed in restraint until such intoxication or disobedience shall cease, and by forfeiture from his wages of not more than four days' wages;
  - (d) For continued intoxication or willful disobedience to any lawful command or continued willful neglect of duty being placed in restraint until such intoxication, disobedience or neglect shall cease, and by forfeiture, for every 24 hours' continuance of such intoxication, disobedience or neglect, of a sum of not more than 12 days' wages;
  - (e) For willfully damaging the vessel or embezzling or willfully damaging any part of the stores or cargo, whether on board the vessel, in boats or ashore, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained;
  - (f) For any act of smuggling, whereby loss or damage is occasioned to the Master or shipowner, by payment to such Master or shipowner of such a sum as is sufficient to reimburse the Master or shipowner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability;
  - (g) For assaulting any Master, pilot or officer, by forfeiture from his wages of not more than three months pay; or
  - (h) For mutiny or desertion, by forfeiture of all accrued wages.
- (2) All earnings forfeited as a result of penalties imposed by the Master pursuant to this Section shall be applied to reimburse the Master or shipowner for any loss or damage resulting from the act for which the forfeiture was imposed; and any balance, with an accounting thereof, shall thereupon be forwarded to the Commissioner of Maritime Affairs or a Deputy Commissioner.

**Section 346 Barretry; Drunkenness; Neglect of Duty.**

Whoever, being a Master, seaman, or other person on any vessel, by willful breach of duty or by reason of drunkenness, does any act tending to the immediate loss or destruction of, or serious damage to, such vessel or her cargo, or tending immediately to endanger the life or limb of any person belonging to or on board such vessel, or by willful breach of duty or by neglect of duty or by reason of drunkenness refuses or omits to do any lawful act proper and requisite to be done by him for preserving such vessel and her cargo from immediate loss, destruction or serious damage or for preserving any person on such vessel from immediate danger to life or limb, shall be subject to imprisonment and a fine of not more than \$2500.

**Section 347 Desertion.**

- (1) Any seaman who deserts from his vessel with the intention of not returning to duty and who remains unlawfully in a foreign country shall be guilty of desertion and shall be liable to answer for any damages or losses suffered by the shipowner as a consequence of such desertion.
- (2) The Master shall make an entry of all desertions in the logbook and file a report with the Liberian Consul, or, if there be no Liberian Consul at the port, with the Office of Deputy Commissioner. The local authorities of the port shall be notified and requested to apprehend and deliver the deserter.

**Section 348 Incitement of Seaman to Revolt or Mutiny.**

Whoever, being of the crew of a Liberian vessel, endeavors to make a revolt or mutiny on board such vessel, or combines, conspires or confederates with any other person on board to make such revolt or mutiny, or solicits, incites or stirs up any other member of the crew to disobey or resist the lawful orders of the Master or other officer of such vessel, or to refuse or neglect his proper duty on board thereof, or betray his proper trust, or assembles with others in a tumultuous and mutinous manner, or makes a riot on board thereof, or unlawfully confines the Master or other commanding officer thereof, shall be fined not more than \$1,000 or imprisoned for not more than five years or both.

**Section 349 Revolt or Mutiny of Seaman.**

Whoever, being of the crew of a Liberian vessel, unlawfully and with force, or by fraud or intimidation, usurps the command of such vessel from the Master or other lawful officer in command thereof, or deprives him of authority and command on board, or resists or prevents him in the free and lawful exercise thereof, or transfers such authority and command to another not lawfully entitled thereto, is guilty of a revolt and mutiny and shall be fined not more than \$2,000 or imprisoned for not more than ten years, or both.

**Section 350 Entry of Offenses in Log Book.**

Upon the commission of any offense, an entry thereof shall be made in the official Log Book of the vessel of the day on which the offense was committed, and any penalty or fine imposed, and shall be signed by the Master and by the mate or one of the crew; and the offender, if still on the vessel, shall, before her next arrival at any port or, if she is at the time in port, before her departure therefrom, be furnished with a copy of such entry and have the same read over distinctly and audibly to him, and may thereupon make such a reply thereto as he thinks fit; and a statement that a copy of the entry has been so furnished or the same has been so read over, together with his reply, if any, made by the offender, shall likewise be entered and signed in the same manner.

**Section 351 Abandonment of Seamen.**

- (1) Whoever, being Master or in charge of a Liberian vessel, maliciously and without justifiable cause forces any member of the crew of such vessel on shore in order to leave him behind in any foreign port or place, or refuses to bring to such place as is required under the Articles any member of the crew of such vessel, in condition and willing to proceed when the Master is ready to proceed, shall be fined not more than \$500.
- (2) The abandoned seaman shall retain his right to repatriation.

**Section 354 Bargaining and Execution of Labor Contract.**

- (1) It shall be lawful for any employer or employer organization and any labor organization representing seamen to bargain and enter into a labor contract concerning wages and other terms and conditions of employment, provided that no labor contract provisions may be contrary to the laws of Liberia or deprive the Republic of Liberia of any jurisdiction over labor relations.
- (2) A copy of any labor contract between the employer and an organization representing seamen employed on a vessel shall be placed on board the said vessel and shall be made available to maritime or judicial authorities when requested.

**Section 355 Provisions Authorized in Labor Contracts.**

It shall be lawful for any employer or employer organization and any labor organization to agree to be bound by any provisions in entering into a labor contract, provided that such provisions are not prohibited by Liberian Laws or Regulations.

**Section 356 Provisions Prohibited in Labor Contracts.**

It shall be unlawful for any employer or employer organization or employee or labor organization to attempt to bargain for, or to enter into, any labor contract containing any provision which attempts to set aside the application of or is inconsistent with or is violative of the laws of the Republic of Liberia, or which prescribes terms or conditions of employment less favorable to seamen than those set forth in this Chapter, or which discriminates as to terms and conditions of employment on the basis of race, color or creed; and any such prohibited provisions shall be deemed null and void.

**Section 357 Protection of Labor Contract.**

Whenever an employer organization and a labor organization have entered into a labor contract providing that such labor organization shall be sole bargaining representative of seamen pursuant to Section 355 it shall be unlawful:

- (1) For the employer or employer organization to bargain with or enter into a labor contract pertaining to such seamen with any other labor organization, or
- (2) For any other labor organization to attempt to bargain with or enter into a labor contract pertaining to such seamen with the employer or employer organization;

prior to thirty days before the termination of such agreement or before the expiration of three years from the effective date of such agreement, whichever event shall first occur.

**Section 358 Strikes, Picketing and Like Interference.**

- (1) It shall be unlawful for any person or labor organization to promote or to engage in any strike or picketing, or any boycott or like interference with the internal order of operation of a vessel, unless:
  - (a) A majority of seamen of the vessel involved have voted by secret ballot that such action is to be taken; and
  - (b) At least thirty days written notice of intention to take such action has been given to the employer or the Master; and
  - (c) The procedures of conciliation, mediation and arbitration under Section 359 have been followed to conclusion.
- (2) Nothing contained in paragraph (1) hereof shall be deemed to permit any strike or picketing, or any boycott or like interference with the internal order or operation of a vessel contrary to the provisions in any existing labor contract or any contract for seafaring labor.

**Section 359 Conciliation, Mediation and Arbitration of Labor Disputes, Differences or Grievances.**

- (1) It is declared to be the policy of the Republic of Liberia to place upon employers and employer organizations and employees and labor organizations the primary responsibility for avoidance of any interruption in foreign or domestic maritime commerce.

- (2) In the event that an agreed settlement between the parties to any dispute, difference or grievance is not effected, the following conciliation, mediation and arbitration procedures, as may be further implemented by Regulation, shall apply:
- (a) If the dispute is not resolved, crew members shall present their case to the employer through the Master or his appointee, or, if the matter is to the prejudice of the Master, then directly to the employer. Crew members may be represented in the matter by a labor organization which is a party to a labor contract entered into pursuant to Section 354, and which covers the crew members. Efforts shall be made to conciliate the matter and to find an agreeable solution thereto.
  - (b) If a conciliation acceptable to both parties cannot be made at this stage, either party may call upon the Commissioner or a Deputy Commissioner of Maritime Affairs, or a representative appointed by the Commissioner or a Deputy Commissioner, to act as mediator to endeavor to find a solution to the matter satisfactory to the parties.
  - (c) In the event that the dispute cannot be resolved by conciliation or mediation, either party may submit the matter to an independent arbitrator or arbitrators for a final determination, as provided by Regulation. If the parties cannot agree upon a choice of arbitrator or arbitrators, the matter shall be finally determined by the Commissioner of Maritime Affairs or his appointed representative, acting as sole arbitrator.
- (3) Any arbitration award may be enforced, if necessary, by any Court of competent jurisdiction.

**Section 360 Time Bar.**

- (1) The following rights of action are subject to one year's prescription:
- (a) Claims arising out of the Shipping Articles.
- (2) The following rights of action are subject to two years' prescription:
- (a) The right of action for death of a seaman caused by wrongful act, neglect or default on the high seas;
  - (b) Claims of the shipowner against the Master for acts committed during the performance of his duties; and
  - (c) All other tort claims.
- (3) All other claims are subject to three years' prescription.

- (4) The period of prescription of the claims laid down in the preceding paragraphs runs from the time when the right of action accrues.

### **3.0 MARITIME REGULATIONS, RLM-108.**

The complete text of the Maritime Regulations is contained in the Combined Publication Folder, CPF/RLM-300. Management level ship's officer candidates should be familiar with the following provisions of the Liberian Regulations:

#### **Regulation 1.17 Licenses and Certificates of Merchant Marine Personnel.**

- (3) **Cause for Revocation.** Any license or certificate may be suspended or revoked in accordance with published Rules upon proof of (a) incompetency; (b) physical or mental disability; (c) habitual drunkenness; (d) willful failure to comply with the provisions of the Liberian Maritime Law or Regulations; (e) criminal conduct; or (f) other conduct incompatible with proper performance of duties and obligations in service on board a Liberian Flag vessel.
- (5) **Report of Officers Required.** Prior to the issuance of any Provisional or Permanent Certificate of Registry, and thereafter as of 1 April and 1 October of each year, the owner of each Liberian vessel shall produce for that vessel a Report of Ship's Officers in official form. Each semi-annual Report shall be filed with the Office of Deputy Commissioner within 30 days.

#### **Regulation 1.40 Control of Movement and Operation of Vessels.**

- (1) **Authority of Commissioner.** The Commissioner of Maritime Affairs may when necessary prohibit or place restrictions upon the movement or operation of vessels. The location of the area and/or nature of such prohibition or restrictions shall be officially notified in writing to all Masters, vessel owners and officers affected thereby, and effective upon the date specified in such notice of prohibition or restriction, it shall be unlawful to navigate or operate a Liberian vessel otherwise than as required by such notice. Where appropriate, conditions for compliance with this Regulation shall also be specified in such notice.
- (2) **Penalty for Violation.** Any violation of this Regulation or of an official notice given pursuant thereto may result in revocation of any license, certificate or document issued by the Bureau of Maritime Affairs, in addition to any penalty otherwise prescribed by law.

**Regulation 2.35      Non-Compliance with International Conventions & Agreements.**

- (1) **Responsibility.** It is the responsibility of owners and Masters to ensure that their vessels are in compliance with the requirement of all applicable International Conventions and Agreements.
- (2) **Penalty.** In the event of failure to comply as above, the Commissioner or Deputy Commissioner of Maritime Affairs may suspend or cancel a vessel's Certificate of Registry and/or impose a monetary penalty not to exceed \$5,000, and/or set such other conditions as may be necessary to bring about compliance with maritime or maritime-related Conventions and other International Agreements to which the Republic of Liberia is a Party, and which are in force, or the provisions of which are applied by Liberia in advance of entry into force.
- (3) **List of Conventions.** The Commissioner or Deputy Commissioner of Maritime Affairs shall cause a list of such applicable Conventions and other International Agreements to be published periodically.
- (4) **Lien of Penalty.** Any penalty assessed pursuant to paragraph 2 hereof shall constitute a maritime lien upon the vessel, and until such lien has been satisfied or executed the Certificate of Registry of the vessel shall be liable to suspension, and clearance of such vessel from a Liberian port shall be denied.

**Regulation 2.37      Prevention of Pollution by Oil from Ships.**

- (1) **Discharges.** Except in cases of emergency, and then only under the circumstances and conditions set forth in Regulation 11 of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973/78, and any amendments thereto in force, it shall be unlawful at any time after 1 October 1983 for any Liberian vessel to discharge into the sea any oil or oily mixture otherwise than as permitted by that Convention.
- (2) **Oil Record Books.** As of 2 October 1983, it shall be unlawful for any Liberian oil tank vessel of 150 gross tons and upwards, or for any other Liberian vessel of 400 gross tons and upwards, to fail to have and maintain on board at all times the current oil record book required by Regulation 20 of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973/78, and any amendments thereto in force.

**Regulation 2.38      Dumping or Burning of Wastes at Sea.**

- (1) **Activities Covered.** Dumping and incineration as defined in the London Dumping Convention (Convention on the Prevention of Marine Pollution by Dumping of

Wastes and Other Matter, 1972, as Amended) shall be carried out by Liberian vessels only as permitted in paragraph (3) of this Regulation.

- (2) **Matter Included and Excluded.** Matter covered by the London Dumping Convention and its Annexes or Addenda thereto shall be covered by this Regulation, and shall be included in or excluded from the scope of this Regulation in accordance with its status under the Convention.
- (3) **Permit Required.** No matter included within the scope of this Regulation shall be loaded aboard a Liberian vessel for dumping or incineration, nor shall any such matter be dumped or incinerated, without a permit for such operation first being issued by the Commissioner or a Deputy Commissioner. In determining whether such a permit shall issue and, if so, under what restrictions, the standards of the London Dumping Convention shall be applied as a minimum, and the Office of Deputy Commissioner may impose such additional conditions as it deems necessary.
- (4) **Non-Compliance; Penalty.** Any failure to comply with the requirements of this Regulation shall constitute a marine offense and shall be treated as a violation in accordance with Maritime Regulation 2.35(2) and (4).

**Regulation 2.39      Load Lines.**

- (1) **Required Log Entries.** The Master shall enter into the vessel's deck log book prior to the vessel's departure from her loading port or place:
  - (a) A statement of the load line marks applicable to the voyage;
  - (b) A statement of the position of the load line mark, port and starboard, at the time of departure from such port or place; and
  - (c) The actual drafts of the vessel, forward and aft, as nearly as the same can be ascertained, at the time of departing from such port or place.
- (2) **Annual Inspection.** Load Line Inspection of Liberian vessels must be conducted on an annual basis. The Commissioner or a Deputy Commissioner of Maritime Affairs shall be provided with the results or proof of said inspections.

**Regulation 7.191      Marine Safety Inspections.**

- (1) **Nautical Inspectors.** The Commissioner or Deputy Commissioner may, at such times and in such places or areas as may be suitable, appoint Nautical Inspectors to board and examine or inspect vessels registered under the Liberian Maritime Law. Nautical Inspectors shall render a report with respect to each such boarding to the

Commissioner as required and to the Deputy Commissioner in charge of Marine Safety.

- (2) **Responsibilities of Owners and Operators of Liberian vessels.** It is the responsibility of owners and operators of Liberian Flag vessels to present each such vessel for boarding when required, and to cooperate fully with the Commissioner, Deputy Commissioner and Nautical Inspectors, particularly in enabling them to board and examine or inspect each such vessel including any documents and equipment and the use thereof. Failure to present a vessel for inspection prior to the due date, failure of cooperation as above, or the existence of a condition on board in violation of established requirements, may subject the vessel in question to immediate detention and suspension of registration, in addition to any penalty prescribed by law. Such detention and suspension shall be canceled upon satisfactory completion of the inspection or examination and any required rectification.
- (3) **Duties of Licensed or Certificated Personnel.** It is the duty of all holders of licenses of competence or other certification issued to mariners by the Republic of Liberia to cooperate fully with the Commissioner, Deputy Commissioner and/or Nautical Inspectors, particularly in enabling them to board and examine or inspect Liberian Flag vessels including any documents and equipment and the use thereof. Failure of such cooperation on the part of any holder of a license or certificate may subject him to formal charges of a marine offense, looking to the possible suspension or revocation of such license or certificate, in addition to any other penalty prescribed by law.

**Regulation 9.256 Definitions.**

- (1) **Marine Casualty.** The term "marine casualty" shall mean any casualty or accident involving any vessel if such casualty or accident occurs upon the navigable waters of the Republic of Liberia, or any casualty or accident wherever occurring, where such casualty or accident involves any vessel documented under the laws of the Republic of Liberia.
- (2) **Marine Offense.** The term "marine offense" shall mean any act, failure to act, or offense contrary to the Maritime Law or any Regulations thereunder, including any Rules made as provided by law and any International Convention or Agreement to which Liberia is a Party or which it has implemented.

**Regulation 9.257 Reporting.**

- (1) **Reports of Marine Casualties.** The owner or Master of a Liberian vessel involved in a marine casualty shall immediately forward a report thereon, signed by the Master or highest available officer or ship's representative, to the Commissioner or a Deputy

Commissioner of Maritime Affairs whenever the casualty results in any of the following:

- (a) Actual physical damage to property in excess of \$50,000.00;
  - (b) Material damage affecting the seaworthiness or efficiency of a vessel;
  - (c) Stranding or grounding;
  - (d) Loss of life; or
  - (e) Injury causing any persons to remain incapacitated for a period in excess of 72 hours.
- (2) **Form of Reports.** Such report shall set forth the name and Official Number of the vessel, the type of the vessel, the name and address of the owner, the date and time of the casualty, the exact locality of the casualty, the nature of the casualty and the circumstances under which it took place. If the casualty involves collision with another vessel, the name of such other vessel shall be provided. Where the casualty involves personal injury or loss of life, the names of all persons injured or whose lives are lost shall be provided and, where damage to property is involved, the nature of the property damaged and the then estimate of the extent of the damage shall be supplied. Such reports may be upon forms obtained from the Commissioner or a Deputy Commissioner of Maritime Affairs.
- (3) **Retention of Voyage Records.** The persons in charge of any vessel involved in a marine casualty referred to in Paragraph (1) above shall retain for two years or until otherwise instructed by the Commissioner or a Deputy Commissioner the complete records of the voyage upon which the casualty occurred, as well as any other material which might reasonably be of assistance in investigation and determination of the cause and scope of the casualty, and said persons shall make all such records and materials available, upon request, to the Commissioner, a Deputy Commissioner, the Chairman of a Marine Board of Investigation, or a designated Investigating Officer.

**Regulation 9.258 Marine Investigations.**

- (1) **Duties of Commissioner or Deputy Commissioner.** The Commissioner or any Deputy Commissioner of Maritime Affairs, upon receipt of information of a marine casualty or offense, may institute such investigation as may be necessary to determine as closely as possible the cause or any contributing causes of the casualty or circumstances of the offense, and whether there has been any act of misconduct, inattention to duty, or negligence upon the part of any licensed or certificated person, or violation of law or regulation, so that appropriate action may be taken.
- (2) **Duties of Owners of Liberian Vessels.**

- (a) It is the duty of all owners of Liberian vessels to cooperate with the Commissioner, Deputy Commissioner, or persons appointed by them, in the formal or informal investigation of marine casualties or offenses and to produce, when called upon, witnesses in their employ and relevant books, papers, documents and other records in their possession, and to permit the Commissioner, Deputy Commissioner or their appointees to board and examine vessels and their appurtenances.
  - (b) In the event of failure of owners or their representatives to cooperate fully in any marine investigation, any or all of the following consequences may result, with respect to the vessel directly involved or to any other vessel of the same ownership:
    - (i) cancellation from Liberian registry;
    - (ii) suspension or revocation of the Certificate of Registry;
    - (iii) refusal to issue a Certificate of Cancellation from Liberian Registry or otherwise to give the consent of the Republic of Liberia to a transfer of ownership or registry;
    - (iv) refusal to accept registration or re-registration under the Liberian Flag;
    - (v) liability for a monetary penalty not to exceed \$3,000.00.
- (3) **Duties of Licensed or Certificated Personnel.**
- (a) It is the duty of all holders of licenses of competence or other certification issued to mariners by the Republic of Liberia to cooperate with the Commissioner, Deputy Commissioner, or persons appointed by them, in the formal or informal investigation of marine casualties or offenses, to attend any hearings to which they may be summoned, to testify orally or in writing or to produce, when called upon, relevant books, papers, documents and other records in their possession, and to permit the Commissioner, Deputy Commissioner or their appointees to board and examine vessels and their appurtenances.
  - (b) In the event of failure of holders of licenses or other certification to cooperate fully in any marine investigation, any or all of the following consequences may result:
    - (i) suspension or revocation of the licenses or other certification held;
    - (ii) refusal to renew or reissue any licenses or other certification held, before or after expiration.

(iii) liability for a monetary penalty not to exceed \$1,500.00.

(4) **Preliminary Investigation.**

- (a) The Commissioner or a Deputy Commissioner, or other persons appointed by them as Investigating Officers, shall where appropriate make a preliminary investigation under paragraph (1) of this Regulation, to determine the matters specified therein, or to determine whether there ought to be a formal investigation of the casualty or offense.
- (b) In connection with any preliminary investigation, the Commissioner, Deputy Commissioner or Investigating Officer may collect evidence, interview witnesses, examine relevant papers, documents and records, board and examine vessels or equipment and visit the scene of the casualty or offense.

(5) **Formal Investigation.**

- (a) A formal investigation of a marine casualty or offense may be made by the Commissioner or Deputy Commissioner or an Investigation Officer appointed by either; or, where the casualty or offense is deemed by the Commissioner to be of a major character, he shall order to be convened a Marine Board of Investigation, and he shall appoint three or more members thereof, designating one as Chairman.
- (b) In any formal investigation, the Commissioner, Deputy Commissioner, Investigating Officer or Chairman of a Marine Board of Investigation shall have power to set hearings, administer oaths, require the attendance of witnesses, require persons having knowledge of the subject matter of the investigation to answer written interrogatories, require the production of relevant evidence including but not limited to books, papers, documents and records, rule upon the nature and admissibility of evidence, board and inspect vessels and their appurtenances and visit the scene of a casualty or offense.
- (c) Prior notice of any formal hearing, specifying the date, time, place and subject matter, shall be given by public announcement or otherwise to all:
  - (i) known parties directly affected;
  - (ii) interested persons;
  - (iii) interested States.
- (d) An Investigating Officer or Chairman of a Marine Board of Investigation may, in his discretion, admit the public, interested persons or their representatives, and interested States by official representatives or observers to attendance at

any formal hearing; and he may equally, where matters of confidentiality or questions of public security arise, preclude such attendance temporarily or otherwise.

- (e) An Investigating Officer or Chairman of a Marine Board of Investigation may, in his discretion, put or permit to be put to witnesses such questions pertinent to the subject of the inquiry as may be offered by interested persons or States or their representatives; parties directly affected shall be permitted to put such questions to any witnesses.
- (f) An Investigating Officer or Chairman of a Marine Board of Investigation may, in his discretion, permit parties directly affected to produce and introduce relevant evidence or testimony of witnesses, and permit such parties or their counsel to argue any relevant contentions, either orally or by way of memorandum.
- (g) A record shall be made of the proceedings of any formal hearing.

**Regulation 10.292 Manning Requirements.**

**(1) Required Minimum Number of Deck Officers.**

- (a) No Liberian vessel registered under the provisions of the Maritime Law shall be navigated unless she has on board and in her service a duly licensed Master.
- (b) The numbers of mates and bridge watch officers required, and the grades in which they shall be duly licensed, shall be prescribed for each Liberian vessel by the Commissioner or a Deputy Commissioner.

**(2) Required Minimum Number of Engineers.**

- (a) No Liberian vessel propelled by machinery of 375 kilowatts (500 horsepower) or greater shall be navigated unless she has on board and in her service a duly licensed chief engineer.
- (b) The numbers of assistant engineers and engine room watch officers required, and the grades in which they shall be duly licensed, shall be prescribed for each Liberian vessel by the Commissioner or a Deputy Commissioner.

- (3) Required Minimum Number and Ratings of Crew.** The Commissioner or a Deputy Commissioner may prescribe for any Liberian vessel a required minimum number of crew for her safe navigation and operation, and may require a specified number of crew members to be rated and/or certificated as he deems necessary.

- (4) **Required Minimum Number of Certificated Persons Proficient in Survival Craft.** Every Liberian passenger vessel shall have on board for each lifeboat or other survival craft carried a number of certificated survival craft crew men in accordance with a Certificate issued for the vessel by the Commissioner or a Deputy Commissioner. Such Certificate shall be conspicuously posted.
- (5) **Manning Certificate.** The Commissioner or a Deputy Commissioner shall issue to each Liberian vessel a Minimum Safe Manning Certificate setting forth the required minimum officers and crew, in specified grades and ratings, which have been prescribed for the safe navigation and operation of that vessel. Such certificate shall be conspicuously posted.
- (6) **Temporary Authorization as Officer.** Where it has been established by the Commissioner of Maritime Affairs that an emergency situation exists which reasonably precludes the engagement of the required complement of duly licensed mates or assistant engineers prescribed as in paragraphs (1) and (2) of this Regulation, the Commissioner or a Deputy Commissioner may authorize temporary service of qualified persons in mate and assistant engineer capacities on board any Liberian vessel, other than a passenger vessel, as follows:
- (a) A duly licensed mate or assistant engineer, who has completed at least six months of service in the capacity for which he is licensed and while holding such license, may be authorized to serve temporarily in the capacity next highest to that for which he is presently licensed, but not as Master or Chief Engineer, for a period not to exceed six months, provided he is in all other respects eligible for examination for a license in such higher capacity, has submitted an application for such examination, and undertakes to complete said examination prior to the expiration of the six-month period.
- (b) A person not duly licensed may be authorized to serve temporarily in capacities not higher than Third Mate, or Third Assistant Engineer, for a period not to exceed six months, provided he is in all other respects eligible for examination for a license in one of said capacities, has submitted an application for such examination and undertakes to complete said examination prior to the expiration of the six-month period; and further provided he has first successfully completed such preliminary examination as to his qualifications and competence as shall be required by the Commissioner or Deputy Commissioner to whom application is made.
- (c) An authorization granted pursuant to this Regulation shall be in the form of a Temporary Permit issued by the Commissioner or a Deputy Commissioner, which Permit shall be valid only for service on board the specific vessel named therein.

- (d) Not more than one deck/navigational officer and an assistant engineer shall be authorized to serve on board the same vessel at the same time under a Temporary Permit.
- (e) Temporary Permits cannot be granted in the capacities of Radio Officer or Radiotelephone Operator.
- (f) Temporary Permits may be revoked or suspended on the grounds set forth in Regulation 1.17(3), or at any time upon notice by the Commissioner or a Deputy Commissioner of Maritime Affairs when the Commissioner declares that the emergency situation referred to above no longer exists.

**Regulation 10.293    Display of License of Competence or Temporary Permit.**

Every Master, mate, chief engineer, assistant engineer and radio officer shall cause his License of Competence or Temporary Permit to be displayed on board in a conspicuous location. Said license or temporary permit shall be framed under glass or other suitable transparent covering and shall be so displayed as soon as practicable after reporting on board a vessel for duty and shall remain displayed during the service of the licensee or permit holder. Willful failure of any officer to comply with this provision may be grounds for the suspension or revocation of his Liberian License or Temporary Permit.

**Regulation 10.295    Change of Command.**

- (1) **Appointment and Log Entry.** Whenever there occurs a change of Master of a Liberian vessel, the shipowner or his authorized agent shall designate and appoint the new Master in writing and the new Master shall enter the following statement in the vessel's log book:

"I, (name of new Master), a citizen of (country of citizenship), holder of Liberian License of Competence No. (number of certificate) in the grade of Master, assumed command of the vessel on (date on which officially took command) at the port of (port where change affected)."

- (2) **Official Notification.** In addition, the Master or Shipowner within 48 hours after the change of command shall notify the Commissioner or a Deputy Commissioner of Maritime Affairs, by the most expeditious means of communication available, advising of the name and citizenship of the new Master, and the date and port on and at which the change of command was effected.

**Regulation 10.296 Log Books.**

- (1) (a) **Required Log Books.** Every self-propelled Liberian vessel of 100 gross tons or over shall keep a bridge navigation and an engine room log book which shall be maintained in bound volumes aboard ship until the end of the voyage. All entries made in such log books shall be signed by the Master or officer designated by the Master who shall make such entries, and all such entries shall be made as soon as possible after the occurrence to which they relate.

In addition to keeping of bridge navigation and engineer room log books, every such Liberian vessel shall have a bridge and an engine room record wherein shall be contained the times and nature of all orders passed between the navigation bridge and the engine room. Every Liberian vessel shall keep a radio log (diary of the radio service) in the operating room during the voyage. Every radio operator shall enter in the radio log his name, the times at which he goes on and off watch, and all incidents occurring during his watch connected with the radio service of importance to safety of life at sea.

- (b) **Log Book Entries.** Every Master of such Liberian vessel shall make or cause to be made in the log book entries including, but not limited to, the following:
- (i) Every offense and any penalty or fine imposed.
  - (ii) Every death occurring on board and every burial at sea, with all information required by Section 338 of the Liberian Maritime Law, as amended.
  - (iii) Every marriage taking place on board, with the names, citizenship and residences of the parties, and every birth occurring on board, with the sex of the infant and names of parents.
  - (iv) The name of every seaman or apprentice who ceases to be a member of the crew otherwise than by death, with the place, time, manner and cause thereof.
  - (v) Wages due any seaman or apprentice who dies during the voyage, and the gross amount of all deductions made therefrom.
  - (vi) A statement of any collisions immediately after the occurrence or as soon thereafter as practicable.
  - (vii) Before departing from any port, the load line and draft information required under Regulation 2.39(1).

- (viii) Time of muster of crew at their boat and fire stations, followed by drills, respectively, at least once a week, either in port or at sea, or reason why not held.
  - (ix) The closing and opening of watertight doors and of all inspections and drills as required by Regulations of the International Convention for the Safety of Life at Sea in force, as amended.
  - (x) Drill of ship's crew in the use of the line-throwing gun at least once every three months; but the actual firing of the gun shall not be required.
  - (xi) Search of stowaways and contraband, which search shall be conducted prior to the vessel's departure from each port.
  - (xii) Upon each change of Master, the information required under Regulation 10.295(1).
- (2) (a) **Medicine Chest.** Every Liberian vessel registered under the provisions of Title 22 of the Liberian Code of Laws of 1956, as amended, shall carry and maintain an adequate medicine chest bearing in mind the number of persons aboard and the nature and duration of the voyage. In the determination of the contents of the chest consideration shall be given to the recommendations of the International Labour Organization.
- (b) **Medical Guide.** All required medicine chests must contain a medical guide sufficiently detailed to assist persons other than a ship's doctor in administering to the ordinary needs of sick or injured persons on board and without supplementary medical advice by radio or radiotelephone.
- (c) **Instruction of Personnel.** The Master, and such other officers as the Master may designate in his discretion, shall be instructed to make full use of all available medical advice by radio or radiotelephone and in the providing of information to assist a doctor in giving such advice.
- (d) **Medical Log Book.** Every Liberian vessel registered under the provisions of Title 22 of the Liberian Code of Laws of 1956, as amended, shall keep a medical log book wherein shall be entered every case of illness or injury happening to any member of the crew, the nature thereof, and the medical treatment.
- (3) (a) **Manning of Survival Craft.** The Master shall place in charge of each lifeboat or other survival craft a deck officer (or certificated survival craft crewman if a passenger vessel) and shall also designate a second-in-command. The person so placed in charge shall have a list of the survival craft's crew, and shall assure himself that the men placed under his orders are acquainted with their

duties. The Master shall also assign to each life raft a member of the crew proficient in the handling and operation of life rafts.

- (b) The Master shall assign to each motor lifeboat at least one member of the crew capable of working the motor. He shall similarly assign to each lifeboat equipped with radio and searchlight apparatus, at least one member of the crew capable of working such equipment.
- (4) **Muster List and Emergency Procedure.** The Master of every Liberian vessel of 500 or more gross tons shall ensure that the ship's complement can effectively co-ordinate their activities in an emergency situation and in performing functions vital to safety or to the prevention of pollution by allotting to each member of the crew special duties to be undertaken in the event of an emergency and shall cause to be drawn up and posted a muster list showing said assignments, which list shall further indicate the particular station to which each crew member must go. The muster list shall assign such duties as the Master deems necessary for the safety of the vessel, its crew and cargo. The Master shall further specify and publish definite signals for calling all the crew to their boat and fire stations, and shall give full particulars of these signals to all crew and passengers.
- (5) **Fire and Boat Drills.**
- (a) The Master of every Liberian vessel shall cause the crew to be exercised at fire and boat drill at least once in every week, and such drills shall be conducted as if an actual emergency existed. All fire pumps shall be started and sufficient outlets opened in order to determine that the system is in proper working order.
  - (b) Persons assigned to the use of rescue and safety equipment shall demonstrate their proficiency in the use of such equipment.
  - (c) All watertight doors in use while the vessel is underway shall be operated.
  - (d) Weather permitting, lifeboat covers and strong backs shall be removed, plugs or caps put in place, boat ladders secured in position, painters led forward and tended and the boats swung out to ascertain that the gear is in good working order. The motor and hand propelling gear of each lifeboat, where fitted, shall be operated sufficiently to ascertain that it is in proper operating condition.
  - (e) Passengers shall report to their stations and shall be instructed in the use of life preservers.
  - (f) Each lifeboat shall be lowered to the water at least once in every three months, when in port, and the crew shall be exercised in the use of oars and other means of propulsion where fitted.

- (6) **Line-Throwing Apparatus.** On vessels fitted with a line-throwing appliance, the Master shall cause the crew to be exercised in the use of such appliance at least once in every three months, except that the actual firing of the appliance shall not be required. The service line shall not be used for drill purposes. In lieu thereof, any flexible line of proper size and length, suitably flaked or laid out, may be used.
- (7) **Accident Prevention.** The Master of every Liberian vessel shall appoint from amongst the crew a suitable person or a committee responsible for accident prevention, and such person or committee shall in addition to any other duties assigned by the Master ensure that any conditions aboard the vessel not in substantial compliance with the applicable provisions of the accident prevention code or codes currently approved by the Administration are brought to the prompt attention of the Master.

**Regulation 10.297 Certificates to be Given by Master.**

Each exercise of a special power granted to Masters under Section 297 of the Maritime Law shall be evidenced by an appropriate certificate, referring to a log entry of the event, and shall be signed by the Master and executed upon a form to be supplied, on request and payment of fees, by the Commissioner or a Deputy Commissioner of Maritime Affairs.

**Regulation 10.315 Food and Water.**

There shall be maintained on board a sufficient supply of water, and of food of suitably nutritive quality and variety, and such shall be properly and hygienically prepared, dispensed and served. The Commissioner may, as and if necessary, prescribe scales of provisions appropriate to the customs and habits of the crew.

**Regulation 10.318 Employment Conditions.**

- (1) Clear information shall be made available to the crew on board every Liberian vessel as to the conditions for employment thereon.
- (2) The conditions for employment and shipboard living arrangements on board every Liberian vessel shall be subject to examination and approval by the Commissioner or a Deputy Commissioner or his designee. Such conditions and arrangements shall be approved if they are not in conflict with the requirements of Liberian law and:
  - (a) are embodied in a valid contract for seafaring labor; or
  - (b) are embodied in a valid labor contract concluded between a shipowner or shipowners organization and a seafarers organization constituted in

accordance with the substantive provisions of the applicable International Conventions; or

- (c) are ordered in accordance with Liberian law by a court having jurisdiction over both the shipowner and seafarers concerned; or
- (d) are otherwise substantially equivalent to those specified in the applicable International Conventions.

**Regulation 10.320 Shipping Articles.**

- (1) **Official Form Required.** Shipping Articles, sometimes referred to as Articles of Agreement, shall be in the English language and shall be in a form prescribed by the Commissioner of Maritime Affairs, as set forth in paragraph (4) hereof. No other form shall be used in lieu of the official form except that a foreign language version may be appended thereto or otherwise made a part thereof; provided, however, that on any vessel the initial form of Shipping Articles prescribed herein shall be required only upon expiration of the Articles currently in effect or within one year from the effective date of this Regulation, whichever is later.
- (2) **Time of Signing-on Articles.** Every seaman joining a vessel to commence employment on board shall sign the Shipping Articles prior to the vessel's departure from the port at which the seaman so joined the vessel. The Master shall officiate at the signing-on of each seaman and shall sign his name to the Shipping Articles in attestation of his having so acted.
- (3) **Signing-off of Articles not a Waiver.** The signing-off of Shipping Articles by a seaman at the time of his discharge from employment on board shall not constitute a waiver on his part of any claims he may have against the vessel or its Master at that time.
- (4) **Form of Shipping Articles to be Annexed to the Crew List.**

Refer to Maine Notice No. SEA-002.

**Regulation 10.325 Required Certification.**

- (1) **Seaman's Identification and Record Books.**
  - (a) **Validity and Renewal.** Each person employed on board a Liberian vessel shall have in his possession an official Seaman's Identification and Record Book, containing any certificates of special qualification issued to the holder by the Commissioner or a Deputy Commissioner of Maritime Affairs, and in which all service at sea shall be entered and certified by the Master. The initial

Seaman's Identification and Record Book shall be valid for a period of five years, but shall be subject to renewal for a period of ten years.

- (b) **Penalty for Non-possession.** The Master and/or owner of the vessel shall be liable to a penalty of US \$250. for each person employed on board the vessel who does not possess a current and valid official Liberian Identification and Record Book. Such penalty shall be remitted if an official Identification and Record Book is obtained by such person within 30 days of the inspection or other report which establishes the default.
- (2) **Medical Certificates.** Each person employed on board a Liberian vessel shall be in possession of a physical examination certificate in the official form required by Liberia, or by another State Party to the International Convention Concerning the Medical Examination of Seafarers, and attesting the holder's medical fitness for duty. The certificate must be signed by a medical practitioner licensed in the place of examination and issued not more than two years previous to the date of signing of the Articles of Agreement in force. Any seafarer who, following examination, is refused such a certificate may apply to the Commissioner or a Deputy Commissioner for leave to undergo a further examination by a designated medical referee independent of any shipowner or organization of shipowners or seafarers. In urgent circumstances a person may be employed for a single voyage only without holding a currently valid official medical certificate.

**Regulation 10.326 Register of Children.**

The Master of each vessel upon which only members of the same family are employed, or school ship or training ship, and upon which vessels children under the age of fifteen are employed shall maintain a register of all such persons and shall record therein, with respect to each such child, his name, date and place of birth, citizenship, residence, and address of next-of-kin or legal guardian, capacity in which employed, date and place of employment, and the date and place of discharge.

**Regulation 10.341 Working Hours; Overtime.**

- (1) **Exceptions.** Work performed in excess of eight hours per day shall not be compensated for as overtime when necessary for the safety of the vessel, its passengers, crew, cargo or for the saving of other vessels, lives or cargo, or for the performance of fire, lifeboat, or other emergency drills.
- (2) **Alternatives.** In the special circumstances of lightering, drilling, offshore supply or other specialized maritime operations not constituting an international voyage of more than 24 hours duration, the shipowner may agree with the crew in writing that overtime is to be compensated by additional paid vacation or by additional tangible benefits other than money.

**Regulation 10.342    Liability Insurance; Repatriation Costs.**

- (1)    **Cover Required.** Each owner of a Liberian vessel is required to maintain at all times satisfactory third party liability insurance as described in Regulation 2.66(2) and covering, *inter alia*, any default in meeting the owner's repatriation obligations under Section 342 of the Maritime Law. Proof of such insurance shall be submitted annually to the Office of Deputy Commissioner.
- (2)    **Security for Costs.** In addition to the insurance cover required by paragraph (1), the Commissioner or a Deputy Commissioner may at any time require a shipowner to post a bond or provide other security to cover anticipated costs of repatriation of crew.
- (3)    **Forbidden Employment Condition.** It shall be a maritime offense for any shipowner to require a crew member to purchase in advance the crew member's own repatriation transportation as a condition of initial or continued employment.

**Regulation 10.359    Conciliation, Mediation and Arbitration.**

- (1)    **Procedure.** The following procedure shall apply to conciliation, mediation and arbitration under Section 359 of the Maritime Law:
  - (a)    Crew members shall have five days from the date of the alleged occurrence of the labor grievance to bring the matter to the Master or his appointee, who shall have a further five days to bring about a solution of the matter.
  - (b)    If after five days the Master or officer in charge has been unable to resolve the matter, crew members shall have ten days thereafter to bring it through the Master or his appointee to the employer; or if the matter may be to the prejudice of the Master, then directly to the employer. The employer and the crew members shall have a period of twenty days therefrom to bring about a conciliation.
  - (c)    If after twenty days, the matter has not been conciliated, then either party shall have a further twenty days to bring the matter for mediation to the Commissioner or a Deputy Commissioner of Maritime Affairs or his appointed representative.
  - (d)    The conciliation and mediation procedures shall be informal.
  - (e)    If the Commissioner of Maritime Affairs or his appointed representative is unable to successfully mediate the matter, either party shall have thirty days to serve a notice of demand for arbitration and therein designate a proposed

arbitrator. In the event that an arbitrator cannot be mutually agreed upon and appointed within twenty days after service of said demand, each party shall appoint an arbitrator and those two shall choose the arbitrator, who will act as the presiding arbitrator of the panel. Should one party fail to appoint an arbitrator, then the first moving party shall thereafter have ten days to bring the matter to the Commissioner of Maritime Affairs or his appointed representative, who shall in his discretion appoint an arbitrator on behalf of the party failing to respond, or alternatively, shall himself act as sole arbitrator.

- (f) The arbitrator or arbitrators shall have thirty days from the receipt of a written request for arbitration to make a final determination in the matter.
  - (g) The time periods above may be extended by the Commissioner of Maritime Affairs or his appointed representative, and in the case of subparagraph (f) above may be extended by consent of the parties.
- (2) **Arbitration Rules.** The parties to the arbitration may agree as to the place where the arbitration proceeding shall be held, the language in which the proceeding shall be conducted and, subject to the requirements of paragraph (3) hereof, the rules which will govern the arbitration proceeding. In default of agreement as to the place of the arbitration, the place shall be decided by the arbitrator(s). In default of agreement as to the rules, the proceeding shall be conducted in the English language under the UNCITRAL Arbitration Rules, insofar as consistent with the requirements of this Regulation.
- (3) **Arbitration Proceeding.** The arbitration proceeding shall be informal, and testimony shall be given orally and in person to the extent possible. All oral testimony shall be recorded unless the parties agree in writing to waive recording. The arbitration award shall be in writing, in the English language, and shall briefly state the reason for the award. The costs of the arbitration, as determined by the arbitrator(s), shall be borne by both parties unless otherwise awarded by the arbitrator(s). A payment on account of costs shall be made by both parties at the commencement of the arbitration.

#### 4.0 MARINE NOTICES.

All of the Marine Notices, which may be found in the Combined Publication Folder, are important, however, those listed below are considered essential for management level officers to become familiar upon initial employment on board Liberian Flag vessels:

**Marine Notice No. ADM-002**      Official and Other Forms and Publications - Where to Obtain.

<b><u>Marine Notice</u> No. REP-002</b>	Reporting License and Special Qualification Fraud and any indication of lack of Professional or insufficient Technical Skills.
<b><u>Marine Notice</u> No. ADM-005</b>	Services of Liberian Consular Offices – Limited Maritime Functions of Liberian Consular Offices; Particular reference to Section 79 of Liberian Maritime Law.
<b><u>Marine Notice</u> No. INT-001</b>	List of International Maritime Conventions, Protocols and Agreements to which Liberia is a Party.
<b><u>Marine Notice</u> No. ISM-001</b>	International Safety Management Code (ISM CODE).
<b><u>Marine Notice</u> No. POL-001</b>	MARPOL 73/78, Prevention of Pollution from Ships.
<b><u>Marine Notice</u> No. INS-001</b>	Safety Inspections of Liberian Ships.
<b><u>Marine Notice</u> No. INS-004</b>	Operational Safety Checklist for SOLAS 74/78 Requirements.
<b><u>Marine Notice</u> No. REP-003</b>	Reporting Incidents of Fire on Board Passenger Ships.
<b><u>Marine Notice</u> No. REP-004</b>	Reporting Incidents of Piracy and Armed Attacks on Merchant vessels.
<b><u>Marine Notice</u> No. MAN-001</b>	Manning of Vessels and Principles of Watchkeeping.
<b><u>Marine Notice</u> No. MAN-002</b>	Safety Precautions - Periodically Unattended Machinery Spaces (PUMPS); Requirements for Safety of Operation and Reduced Manning.
<b><u>Marine Notice</u> No. SAF-002 -</b>	Safety Precautions - Prohibition of “Hot Work” in Tankers and Combination Carriers.
<b><u>Marine Notice</u> No. SAF-003 -</b>	Safety Precaution - Entry into Enclosed Spaces: cargo spaces, tanks, pumprooms, fuel tanks, cofferdams, duct keels, ballast tanks and similarly enclosed compartments.
<b><u>Marine Notice</u> No. SEA-002 -</b>	Articles of Agreement between Master and Seafarers.
<b><u>Marine Notice</u> No. MAN-003 -</b>	Certification, Training and Rest Periods: Synopsis of the requirements contained in RLM-118 including references to the Time Table for implementation of the provisions of the 1978 STCW Convention, as amended

in 1995; Standards of Competence, functions and levels of responsibility; Special Qualification Certificates for ratings forming part of a Navigation or Engine Room Watch.

**Marine Notice No. ADM-006** - Familiarization with Liberian National Maritime Legislation.

## **5.0 RULES FOR MARINE INVESTIGATIONS AND HEARINGS, RLM-260.**

Refer to the detail provisions of these sections in RLM-260, contained in the Combined Publication Folder, RLM-300.

- Article IV Cooperation of Shipowners and Mariners.
- Article VI HEARINGS: Hearing When not required; Summary Action.
- Article X Appendix of forms and references.
  - (1) Form RLM 109 -- Report of Vessel Casualty or Accident.
  - (2) Form RLM 109.1 -- Report of Personal Injury or Loss of Life.

## **6.0 REQUIREMENTS FOR MARINE PERSONNEL CERTIFICATION RLM-118.**

Refer to the detail provisions of these sections in RLM-118, contained in the Combined Publication Folder, RLM-300.

- 1.3 Compliance with STCW Convention, as amended in 1995. Effective 1 February 1997 applicants for officer certificates at the management level, i.e., Master and Chief Mate applicants for service on board ships of 500 gross tonnage or more, as well as Chief Engineer and First Assistant Engineer applicants for service on board ships powered by main propulsion machinery of 750kW propulsion power are required to be familiar with Liberian Maritime legislation relevant to the functions to be performed by the applicant for which he/she has applied to be certificated. Accordingly, each applicant must sign the Affidavit in Part VIII of Application Form RLM-105 whereby the applicant acknowledges and affirms that he/she has reviewed **this document, RLM-105A**.
- 2.3 Period of Validity of Officer's Certificate; Suspension and Revocation of Certificate.
- 2.4 Surrender of Suspended or Revoked Certificate.
- 2.5 Display of Certificate or Temporary Permit.

- 2.9 Fraud, Forgery, Misrepresentation or Attempted Bribery.
- 4.0 Examination for Certificate: Deck Officer, Engineer Officer.
- 6.0 Seafarer's Identification and Record Book, uses and validity of S.I.D. Book.
- 7.0 Special Qualification Certificates.
- 8.0 Certification Based on Training Certificates