

# THE REPUBLIC OF LIBERIA

LIBERIA MARITIME AUTHORITY

## FAMILIARIZATION WITH NATIONAL MARITIME LEGISLATION



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**RLM-105A**

**SERIES 2023**

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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  
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 or electronic form, eRLM-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.**

- (1) This Title 21 of the Liberian Code of Laws Revised shall be known as and cited as the Maritime Law.
- (2) All matters affecting the internal order and economy of Liberian Flag ships, including labor relations, shall be governed by this Title.
- (3) Where in any Act, regulation, or any other legislative, administrative or executive act or in any document or instrument made under or for the purposes of any Act, regulation or other legislative, administrative or executive act there is reference to the Maritime Law as Title 22 of the Laws of the Republic of Liberia, there shall be substituted for such reference a reference to Title 21 and such substitution shall be deemed to have had effect from the date on which this Title was enacted as Title 21 or from the date of the Act, regulation or other legislative, administrative or executive act, or document or other instrument, whichever was the later.

**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 US\$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 or the Deputy Commissioner duly appointed and designated for this purpose shall have power to suspend or to revoke any licenses, certificates, permits or documents issued under the provisions of this Title, and Commissioner, acting alone in accordance with section 11, or the Deputy Commissioner duly appointed and designated for this purpose, acting in accordance with section 12, may make such Regulations and Rules as are necessary and appropriate to implement this provision and the agent, acting in accordance with section 13, may promulgate Notices 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 or of any Regulations and Rules made by the Commissioner, in accordance with section 11, or the Deputy Commissioner duly appointed and designated for this purpose, acting in accordance with section 12, or of any Notices promulgated by the agent, acting in accordance with section 13, shall, upon conviction, be subject to a fine not exceeding US\$50,000 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 US\$250, and if his failure is willful shall be liable to a penalty of not more than US\$10,000 or imprisonment 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 during customary business hours and without payment of any fee, the vessel's Certificate of Registry and Annual Tax Receipt.

- (2) Only the Certificate of Registry and Annual 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 therefor by the Liberian Consul or Vice Consul making the request, but he shall immediately notify the Commissioner or 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 in fact or other party (other than the Master) 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 US\$10,000, 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 the 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.
- (4) 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.
- (5) The shipper shall be deemed to have guaranteed to the carrier the accuracy at the time of shipment of the marks, number, quantity, and weight, as furnished by him; and the shipper shall indemnify the carrier against all loss, damages and expenses arising or resulting from inaccuracies in such particulars. The right of the carrier to such indemnity shall in no way limit his responsibility and liability under the contract of carriage to any person other than the shipper.
- (6)
  - (a) Unless notice of loss or damage and the general nature of such loss or damage be given in writing to the carrier or his agent at the port of discharge before or at the time of the removal of the goods into custody of the person entitled to delivery thereof under the contract of carriage, such removal shall be prima facie evidence of the delivery by the carrier of the goods as described in the bill of lading.

If the loss or damage is not apparent, the notice must be given within three days of the delivery.

Said notice of loss or damage may be endorsed upon the receipt for the goods given by the person taking delivery thereof.

The notice in writing need not be given if the state of the goods has at the time of their receipt been the subject of joint survey or inspection.

Subject to paragraph (6)(b) the carrier and the ship shall in any event be discharged from all liability whatsoever in respect of the goods, unless suit is brought within one year of their delivery or of the date when they should have been delivered. This period may, however, be extended if the parties so agree after the cause of action has arisen.

In the case of any actual or apprehended loss or damage the carrier and the receiver shall give all reasonable facilities to each other for inspecting and tallying the goods.

- (b) An action for indemnity against a third person may be brought even after the expiration of the year provided for in the preceding paragraph if brought within the time allowed for suit on causes of action sounding in contract. However, the time allowed shall be not less than three months, commencing from the day when the person bringing such action of indemnity has settled the claim or has been served with process in the action against himself.
- (7) 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 issued 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.
- (8) 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 nondescript local craft who neglects or refuses to observe the provisions of this Chapter shall be liable to a penalty of US\$500; 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 not to exceed US\$20,000, 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.**

For the purpose of this Chapter, the following expressions have the meaning hereby assigned to them:

- (1) "Master" means any person having command of a vessel;
- (2) "Seamen" or "Seafarer" means any or all members of the crew and officers including the Master, 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;
- (4) "Shipowner" includes the charterer of any vessel where he mans, victuals and navigates such vessel at his own expense or by his own procurement;

- (5) "Vessel" means any vessel registered under Title 21 of the Liberian Code of Laws;
- (6) "Fishing Vessel" means a vessel used for catching fish, whales, seals, walrus and other living creatures at sea;
- (7) "Foreign Trade" means trade between foreign countries or between Liberia and foreign countries.

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

Any person who shall receive or shall have in his possession any Liberian licenses certificate or document issued to officers or crew by the Commissioner or Deputy Commissioner to which he is not lawfully entitled, or any false licenses 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 licenses, certificate or document; or who shall aid or abet the perpetration of any of the foregoing acts shall, for each such offenses be liable to a fine of not more than US\$20,000 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. Notwithstanding, the Master may have the right of action if it can be established that his dismissal was wrongful in that he took action or did not take action due to his overall concern for the safe navigation of the vessel and safety of the crew.

**Section 296 Duties of the Master.**

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

- (1) To enter into Shipping Articles with seamen as here in after provided;
- (2) To maintain discipline on board the vessel and to take all such steps as are necessary and appropriate in connection there with;
- (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 of 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 hereinbefore 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 US\$1,500. 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 of 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, and the seaman may be subject to charge by the Deputy Commissioner:

- (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) Habitual intoxication, quarreling or fighting;
- (7) Possession of dangerous weapons, narcotics or contraband articles;
- (8) Intentional concealment from the shipowner or 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 therefor 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 US\$500.
- (2) It shall be lawful for the Master and any seaman to agree that an allotment of all or portion of the seaman's earnings, at regular intervals, may be payable to a spouse, children, grandchildren, parents, grandparents, brothers or sisters or person(s) nominated by the seafarer, 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 deduction 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, occurring between the date the seaman sign the Shipping Articles reporting for duty and the termination of the engagement, or while the seaman is off the vessel pursuant to an actual mission assigned to him by, or by the authority of the Master under signed Shipping Articles, the seaman shall be entitled to:
  - (a) Full wages excluding bonus, 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 any event, it shall not be less than 16 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 and no longer on board but not to exceed a maximum period of 16 weeks commencing from the day of injury or commencement of the sickness;
  - (d) Compensation for long-term disability due to an occupational injury, illness or hazard in accordance with Liberian Regulations and Rules or pursuant to the provisions of a Collective Bargaining Agreement applicable to the seaman.
  - (e) 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 provide evidence of financial security to assure compensation in the event of long-term disability of seafarers due to an occupational injury, illness or hazard.
- (3) The shipowner or his representative shall take adequate measures for safeguarding property left on board by sick, injured or deceased seaman.
- (4) 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.
- (5) 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 his 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, and subject to charge by the Deputy Commissioner:
  - (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 any time, 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

**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 US\$5,000.

**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 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 the 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 US\$10,000 or imprisoned for not more than five years of 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 US\$20,000 or imprisoned for not more than 10 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 US\$2,500.
- (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 or Rules.

**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 in violation 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 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 Liberia Maritime Authority, 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 Liberia Maritime Authority 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 Maritime Regulations is contained in the Combined Publication Folder, CPF/RLM-300 or in electronic form eRLM-300. Management level ship's officer candidates should be familiar with the following provisions of Liberian Regulations:

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

- (4) **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.

- (6) **Report of Officers Required.** Prior to the issuance of any Provisional or Permanent Certificate of Registry the owner of each Liberian vessel shall produce for that vessel a Report of Ship's Officers in official form.

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

- (1) **Authority of Commissioner.** The Commissioner of Liberia Maritime Authority 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 Liberian license, certificate or document issued by the administration, in addition to any penalty otherwise prescribed by law.

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

- (1) **Responsibility.** It shall be the responsibility of owners and Masters to ensure that their vessels are in compliance with the requirements of all applicable International conventions and Agreements.
- (2) **Penalty.** In the event of failure to comply as above, the Commissioner or Deputy Commissioner of Liberia Maritime Authority may suspend or cancel a vessel's Certificate of Registry and/or impose a monetary penalty not to exceed US\$500,000.00, 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 Liberia Maritime Authority 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 and Discharge of Ballast Water from Ships.**

- (1) **Discharges.** Except in cases of emergency, and then only under the circumstances and conditions set forth in applicable resolutions 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 for any Liberian vessel to discharge into the sea any oil or oily mixture otherwise than as permitted by that Convention. Unlawful discharge, as defined by MARPOL, 73/78, includes all Annexes to which Liberia is a Party, and any other national requirements from time to time, as specified in Marine Notices published for this purpose.
- (2) **Shipboard Oil Pollution Emergency Plan.** Every oil tanker of 150 gross tonnage and above and every vessel other than an oil tanker of 400 gross tonnage and above shall carry on board a shipboard oil pollution emergency plan approved by the Administration.
- (3) **Oil Record Books.** 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 officially issued by the Administration or an electronic oil record book which shall be approved by the Administration and as required in applicable Regulations of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973/78, and any amendments thereto in force.

**Regulation 2.37A Prevention of Pollution by Noxious Liquid Substances in Bulk.**

- (1) **Discharges.** Subject to the provisions of the applicable Regulations of Annex II of the International Convention for the Prevention of Pollution by Noxious Liquid Substances in Bulk from Ships, 1973/78, and any amendments thereto in force, it shall be unlawful for any Liberian vessel to discharge into the sea any Noxious Liquid Substances or mixtures containing such substances otherwise than as permitted by that Convention.
- (2) **Shipboard Marine Pollution Emergency Plan.** Every vessel of 150 gross tonnage and above certified to carry noxious liquid substances in bulk shall carry on board a shipboard marine pollution emergency plan for noxious liquid substances approved by the Administration. In the case of vessels to which the applicable regulation of Annex I of the Convention also applies, such a plan may be with the shipboard oil pollution emergency plan required under Annex I of the Convention. In this case, the title of such a plan shall be “Shipboard marine pollution emergency plan”.

- (3) **Cargo Record Books.** It shall be unlawful for any Liberian vessel to which Annex II applies, to fail to have and maintain on board at all times the current cargo record book officially issued by the Administration or as an electronic record book which shall be approved by the Administration and as required in applicable Regulations of Annex II of the International Convention for the Prevention of Pollution by Noxious Liquid Substances in Bulk from Ships, 1973/78, and any amendments thereto in force.

**Regulation 2.37C Prevention of Pollution by Garbage from Ships.**

- (1) **Discharges.** Subject to the provisions of the applicable Regulations of Annex V of the International Convention for the Prevention of Pollution by Garbage from Ships, 1973/78, and any amendments thereto in force, it shall be unlawful for any vessel to discharge into the sea any garbage otherwise than as permitted by that Convention.
- (2) **Placards.** Every ship of 12 meters or more in length overall and fixed or floating platforms shall display placards which notify the crew and passengers of the disposal requirements in applicable Regulations of Annex V of the International Convention for the Prevention of Pollution by Garbage from Ships, as applicable.
- (3) **Equipment, Waste Management Plans.** As set forth in applicable Regulations of Annex V of the International Convention for the Prevention of Pollution by Garbage from Ships, 1973/78, and any amendments thereto in force, every Liberian vessel of 100 gross tonnage and above and every Liberian vessel which is certified to carry more than 15 persons and fixed or floating platforms shall:
- (a) Be fitted with equipment for collecting, storing and disposing of garbage to meet the requirements of a waste management plan as set out in (b) below;
- (b) Develop and follow a shipboard waste management plan which:
- (i) Ensures that the crew has a written plan to follow outlining the procedures for collecting, storing, processing and disposing of garbage, including the equipment on board the vessel which meets the requirements of Annex V; and
- (ii) Designates the person who is in charge of carrying out the plan;
- (iii) Is in accordance with International Maritime Organization guidelines; and
- (iv) Is written in the working language of the officers and of the crew of the vessel.
- (4) **Record of Garbage Discharges.** Every Liberian vessel of 400 gross tonnage and above, or Liberian vessels which are certified to carry 15 persons or more and engaged in voyages to



ports or offshore terminals under the jurisdiction of other parties to the International Convention for the Prevention of Pollution from Ships 1973/78 and every fixed or floating platform shall maintain a Garbage Record Book officially issued by the Administration or as an electronic Record Book which shall be approved by the Administration, in the form specified in the appendix to Annex V.

**Regulation 2.37D Discharge of Ballast Water.**

- (1) **Discharges.** Subject to the provisions of the applicable Articles and Regulations of the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004, and any amendments thereto in force, it shall be unlawful for any vessel to discharge into the sea any ballast water otherwise than as permitted by that Convention.
- (2) **Ballast Water Management Plan.** Each vessel to which that Convention applies shall carry on board a ballast water management plan specific to that vessel and approved by the Administration.
- (3) **Ballast Water Record Books.** It shall be unlawful for any Liberian vessel to which that Convention applies, to fail to have and maintain on board at all times the current ballast water record book officially issued by the Administration or an electronic ballast water record book which shall be approved by the Administration and as required in applicable Regulations of the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004, 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 be issued and, if so, under what restrictions, the standards of the London Dumping Convention (London Convention) shall be applied as a minimum, and the Office of the 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 Liberia Maritime Authority duly appointed or designated for this purpose shall be provided with the results or proof of said inspections.

**Regulation 7.191      Marine Safety Inspections.**

- (1) **Nautical Inspectors.** The Commissioner or a 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 Certified Personnel.** It is the duty of all holders of licenses of competence or other certification issued to seafarers 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 or her to formal charges of a marine offense, leading 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 Marine Notice or 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 advise the Commissioner or a Deputy Commissioner by the fastest means possible, including telephone or other means of electronic communication, and shall promptly thereafter forward a report thereon, signed by the Master or highest available officer or ship's representative, to the Commissioner or a Deputy Commissioner of Liberia Maritime Authority whenever the casualty results in any of the following:
- (a) Actual physical damage to property in excess of US \$100,000.00;
  - (b) Material damage affecting the seaworthiness or efficiency of a vessel;
  - (c) Stranding or grounding.
  - (d) Loss of life.

- (e) Injury causing any persons to remain incapacitated for a period in excess of 72 hours;  
or
  - (f) Correction of unsafe condition of occupational Accidents On- Board as provided in Regulation 10.296(9).
- (2) **Reports of Marine Offenses.** Marine offenses shall be reported to the Commissioner or a Deputy Commissioner of Maritime Affairs and notification of the incident or offense shall be made by the fastest means possible, including telephone or other means of electronic communication, and promptly thereafter a written report shall be forward to the Office of the Deputy Commissioner.
- (3) **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 Liberia Maritime Authority.
- (4) **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 including Voyage Data recorder (VDR) transcript and relevant information 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.
- (5) **Retention of Records, Generally and Log Books.** Deck log books, radar log books, bridge navigation log, engine log, bell log, GMDSS-radio log and medical log shall be retained until the end of the voyage unless the vessel has been involved in a casualty then the log book shall be retained for at least two years. Official Log Books shall be retained for at least one year.

**Regulation 9.258     Marine Investigations.**

- (1) **Duties of Commissioner or Deputy Commissioner.** The Commissioner or any Deputy Commissioner of Liberia Maritime Authority, 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, any 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, any 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; and
  - (v) Liability for a monetary penalty not to exceed US\$10,000.00.

(3) **Duties of Licensed or Certificated Personnel.**

- (a) It is the duty of all holders of licenses of competence or other certification issued to seafarers by the Republic of Liberia to cooperate with the Commissioner, any 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, any 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 US\$5,000.00.

(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, any Deputy Commissioner or Investigating Officers 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 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 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 matter 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 Investigations may, in his discretion, put or permit to be put to witnesses such questions pertinent to the subject of 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) Any 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.

(6) **Investigative Reports.**

- (a) When the proceedings of any investigation under this Chapter have been terminated, there shall be a preliminary report of the Deputy Commissioner to the Commissioner setting forth in writing his or her findings, conclusions and any recommendations for appropriate action.
- (b) Where an investigation has been carried out by Investigating Officers or a Marine Board of Investigation appointed by the Commissioner or a Deputy Commissioner, the report shall be forwarded to the Deputy Commissioner together with the investigative file.
- (c) Where an investigation has been carried out by an Investigating Officer appointed by a Deputy Commissioner, the report shall be submitted to that Deputy Commissioner who shall render a decision as to the findings, conclusions and recommendations of the Investigating Officer. The decision of the Deputy Commissioner shall then be forwarded to the Commissioner together with the investigative file in a combined report to be referred to as the Deputy Commissioner's Decision.
- (d) The parties shall have 60 days from the date of publication of such decision to appeal the Deputy Commissioner's Decision to the Commissioner pursuant to Section 1.34 of these Regulations.

(7) **Commissioner's Decision.**

- (a) Upon receiving the Deputy Commissioner's Decision in the form of a report, the Commissioner may:
  - (i) Adopt the report and carry out its recommendations, if any; or
  - (ii) Remand for further investigation; or
  - (iii) Where a report suspends, revokes or cancels any license, certificate, permit or other document issued by the Republic of Liberia, review the evidence, adopt or modify all or part of the report and take any appropriate action.

(b) In aid of his or her decision, the Commissioner may call for further written argument on any point in issue. A copy of the argument shall be forwarded to the Commissioner, and shall become a part of the investigative file.

(8) **Investigative Files.**

(a) The Commissioner or any Deputy Commissioner may, in his or her discretion, release upon written request and payment of costs copies of records, reports or evidentiary matter pertaining to a marine investigation, or any portions thereof, unless held confidential by the Republic of Liberia for any reason of public security.

(b) The Commissioner or any Deputy Commissioner may, in his or her discretion, release for public information or cause to be published any records, reports, documents, evidentiary matter or official statements pertaining to a marine investigation, or any portions thereof, unless held confidential by the Republic of Liberia for any reason of public security.

**Regulation 10.292 Manning Requirements.**

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

(a) No Liberian vessel registered under the provisions of 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 of 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, including food and catering and may require a specified number of crew members to be rated and/or certificated as he or she deems



necessary, taking into account the need to minimize excessive hours of work to ensure sufficient rest and limit fatigue of seafarers.

- (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 number of officers and crew, in specified grades and ratings, which has been prescribed for the safe navigation and operation, including food and catering of the vessel. Such certificate shall be conspicuously posted.
- (6) **Temporary Authorization as Officer, Master or Chief Engineer.** Where it has been established by the Commissioner of Liberia Maritime Authority or a Deputy Commissioner that an emergency situation exists which reasonably precludes the engagement of the required complement of duly licensed mates, Master, engineers or Chief Engineer 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 engineer who has completed at least six months of service in the capacity for which he or she is licensed and while holding such license, may be authorized to serve temporarily in the capacity next highest to that for which he or she is presently licensed, for a period not to exceed six months, provided he or she is in all other respects eligible of 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 duly licensed chief mate or second engineer who has completed at least six months of service in the capacity for which he or she is licensed and while holding such license, may be authorized to serve temporarily in the capacity of Master or Chief Engineer, respectively, for the shortest possible period.
  - (c) A person not duly licensed may be authorized to serve temporarily in capacities not higher than Third Mate, or Fourth Engineer, for a period not to exceed six months, provided he or she 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 or she has first successfully completed such preliminary examination as to his or her qualifications and competence as shall be required by the Commissioner or any Deputy Commissioner to whom application is made.

- (d) 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.
  - (e) Not more than one mate and one assistant engineer shall be authorized to serve on board the same vessel at the same time under a Temporary Permit.
  - (f) Temporary Permits cannot be granted in the capacities of Radio Officer or Radiotelephone Operator.
  - (g) Temporary Permits may be revoked or suspended on the grounds set forth in Regulation 1.17(4), or at any time upon notice by the Commissioner or a Deputy Commissioner of Liberia Maritime Authority when the Commissioner or Deputy Commissioner declares that the emergency situation referred to above no longer exists.
- (7) **Responsibilities of Companies –ISM Code.** Shipowners and operators responsible for employing seafarers for service on board Liberian flagged vessels shall ensure that:
- (a) Seafarers assigned to any Liberian Flag vessel owned or managed by shipowner/operator hold appropriate certificates in accordance with the provisions of the STCW Convention, as amended; the Maritime Labour Convention, 2006 as amended and the appropriate provisions of the Liberian Maritime Law and Regulations;
  - (b) The Liberian Flag vessels which are owned or managed by them are manned in compliance with applicable Minimum Safe Manning Certificate issued for the particular vessel by the Commissioner or a Deputy Commissioner;
  - (c) Documentation and data relevant to all seafarers employed on board the respective Liberian Flag vessels are maintained and readily accessible and include, without being limited to, documentation and data on their experience, training, medical fitness and competency in assigned duties;
  - (d) Seafarers on being newly employed in service aboard the respective Liberian Flag vessel are provided with reasonable opportunity to become familiar with their specific duties and with all ship arrangements, installations, shipboard equipment, operating procedures and ship characteristics that are relevant to their routine or emergency duties before assignment to those duties;
  - (e) A knowledgeable crewmember shall be designated who will be responsible for ensuring that an opportunity is provided to each newly employed seafarer to receive essential information in a language the seafarer understands; and
  - (f) 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.

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

Every Master, mate, chief engineer and assistant engineer shall cause his or her License of Competence or Temporary Permit to be displayed on board in 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 or her Liberian License or Temporary Permit.

**Regulation 10.295 Change of Command.**

- (1) **Appointment.** 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) **Master's Authority.** The Master has overriding authority and discretion to take whatever action he/she considers to be in the best interests of passengers, officers, crew, cargo, ship and the marine environment.
- (2) **Required Log Books.**
- (a) **Bridge Navigation Log and Engine Room Log.** 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.
- (b) **Bell Log.** In addition to the keeping of bridge navigation and engineer room log books, every such Liberian vessel shall have a bridge and an engine room bell log book or an

electronic bell log book approved by the Administration, wherein shall be contained the times and nature of all orders passed between the navigation bridge and the engine room.

- (c) **GMDSS - Radio Log.** Every such Liberian vessel shall maintain onboard at all times the current GMDSS or radio log book (diary of the radio service) officially issued by the Administration or an electronic log book which shall be approved by the Administration. Every radio operator shall enter in the log his or her name, the times at which he or she goes on and off watch, and all incidents occurring during his or her watch connected with the radio service of importance to safety of life at sea, and, where appropriate, the position of the vessel, at least once a day.
- (d) **Medical Log.** Every such Liberian vessel shall keep a medical log book or as an electronic medical log book approved by the Administration, wherein shall be entered every case of illness or injury happening to any member of the officers, crew or passengers, the nature thereof and the medical treatment.
- (e) **Official 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).

(3) **Medical Care of Officers and Crew.**

- (a) **Seafarers Medical Care.** Seafarers shall have access to prompt and adequate medical care whilst working on board, and such medical care shall be provided by the shipowner at no cost to the seafarers.
- (b) **Visit Medical Professional.** Seafarers have the right to visit a qualified medical doctor or dentist without undue delay in ports of call, where practicable.
- (c) **Standard of competence for Medical First Aid/Medical Care.** Seafarers designated to provide medical first aid or designated to take charge of medical care shall meet the standard of competence respectively specified in the applicable sections of the International Convention on Standards of Training, Certification and Watchkeeping, 1978, as amended, and as established by the agent.
- (d) **Medicine Chest.** Every Liberian Vessel 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 or another equivalent national standard.
- (e) **Medical Guide.** All required medicine chests must contain the World Health Organization medical guide or other International medical guide authorized by the Commissioner or Deputy Commissioner, 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.
- (f) **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.

(4) **Manning of Survival Craft.**

- (a) **Person in Charge.** 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 or herself that the men placed

under his or her orders are acquainted with their duties. The Master shall also assign to each survival craft a member of the crew proficient in the handling and operation of the survival craft.

- (b) **Engine and Radio.** The Master shall assign to each motor lifeboat at least one member of the crew capable of working the motor. He or she shall similarly assign to each lifeboat equipped with radio and searchlight apparatus, at least one member of the crew capable of working such equipment.
- (5) **Muster List and Emergency Procedure.** The Master of every vessel of 500 or more gross tons shall ensure that the vessel'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 Master shall assign such duties as the Master deems necessary for the safety of the vessel, its crew, cargo and pollution prevention. The Master shall further specify and publish definite signals for calling all the crew to their emergency, boat and fire stations and shall give full particulars of these signals to all crew and passengers.
- (6) **Fire and Boat Drills.**
- (a) **Frequency.** The Master of every Liberian vessel other than a passenger vessel shall exercise the entire crew in at least one abandon ship and one fire drill every month as provided in SOLAS and shall conduct weekly safety training sessions as provided in the vessel training plan over a six-month period. The drills of the crew shall take place within 24 hours of the ship leaving a port if more than 25% of the crew have not participated in abandon ship and fire drills on board that particular ship in the previous month. When a ship enters service for the first time, after modification of a major character or when a new crew is engaged, these drills shall be held before sailing. The Administration may accept other arrangements that are at least equivalent for those classes of ships for which this is impracticable. The Master of every Liberian passenger vessel shall cause the crew to be exercised at fire and boat drill at least once 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) **Proficiency.** Persons assigned to the use of rescue and safety equipment shall demonstrate their proficiency in the use of such equipment.
  - (c) **Watertight Doors.** All watertight doors in use while the vessel is underway shall be operated.
  - (d) **Lifeboats.** 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.** Passengers shall report to their stations and shall be instructed in the use of life preservers.
  - (f) **Lifeboats in Water.** Each lifeboat shall be lowered to the water and maneuvered 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. Each freefall lifeboat shall be launched by free-fall or simulated free-fall with the assigned operating crew on board once in every six months.
- (7) **Line-Throwing.** 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.
- (8) **On-Board Training and Instruction.**
- (a) **Initial Training.** Before being assigned to shipboard duties, all persons employed or engaged on a seagoing ship, other than passengers, shall receive approved familiarization training in personal survival techniques or receive sufficient information and instruction, taking account of the guidance given in part B of the STCW Code: On-board training in the use of the ship's life-saving appliances, including survival equipment, shall be given as soon as possible but no later than two weeks after a crew member joins the ship. However, if the crew member is on a regularly scheduled rotating assignment to the ship, such training shall be given not later than two weeks after the time he or she first joins the ship.
  - (b) **Frequency and Extent.** Instructions in the use of the ship's life-saving appliances and in survival at sea shall be given at the same interval as the drills. Individual instructions may cover different parts of the ship's life-saving system, but all the ship's life-saving equipment and appliances shall be covered within any period of two months. Each member of the crew shall be given instructions as set forth in Chapter III, Regulation 19 of SOLAS.
  - (c) **Liferafts.** On-board training in the use of davit-launched liferafts shall take place at intervals of not more than four months on every ship fitted with such appliances. Whenever practicable this shall include the inflation and lowering of a liferaft. This liferaft may be a special liferaft intended for training purposes only, which is not part of the ship's life-saving equipment; such special liferaft shall be conspicuously marked as such.
- (9) **Health and Safety Protection, and Accident Prevention.**
- (a) **Occupational Health Protection.** Seafarers shall be provided with occupational health protection and live, work and train on board ship in a safe and hygienic environment.
  - (b) **Guidelines.** Guidelines set forth in Marine Notice for management of occupational safety and health on board ships in accordance with the applicable standards and

provisions of the Maritime Labour Convention, 2006 shall be complied with in order to ensure that seafarers' work environment on board ships promote occupational safety and health.

- (c) **Accident Prevention.** The Master of each 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 Agent are brought to the prompt attention of the Master.
- (d) **Reporting and Correcting Unsafe Condition On-Board.** Owners and Masters of a Liberian vessel shall, in accordance with the requirements for inspection set forth in applicable marine notices, report and correct unsafe conditions and investigate and report on-board occupational accidents.

#### **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 Liberia Maritime Authority.

#### **Regulation 10.315 Food and Water; Ship's Cook.**

- (1) **Quality, Supply of Food and Water.** There shall be maintained on board a sufficient supply of potable water and of food of suitably nutritive quality and variety, and such shall be properly and hygienically prepared, dispensed and served at no cost to the seafarer. The Commissioner may, as and if necessary, prescribe scales of provisions appropriate to the customs and habits of the crew.
- (2) **Ship's Cook.** The Deputy Commissioner may establish the scope of training of ship's cook and catering staff to ensure they are properly trained or instructed for their positions. The shipowner shall ensure that seafarers who are engaged as ships' cooks are trained, qualified and found competent for the position in accordance with requirements set out in the Liberian Regulations, Publication and/or Marine Notice.
- (3) **On Board Inspection.** The Deputy Commissioner shall require that frequent inspections be carried out on board ships by its designee which may be by or under the authority of the Master, with respect to:
  - (a) supplies of food and drinking water;



- (b) all spaces and equipment used for the storage and handling of food and drinking water; and
- (c) galley and other equipment for the preparation and service of meals.

**Regulation 10.318    Employment Conditions.**

- (1)    **Information to the Crew.** Clear information shall be made available to the crew on board every Liberian vessel as to the conditions for employment thereon.
- (2)    **Validity of Conditions.** 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 or her 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.
- (3)    **Accommodation and Recreational Facilities.** Liberian flag vessels shall meet the standards of shipboard living conditions and recreational facilities set forth in Liberian Regulations, Rules and Marine Notices for seafarers working and/or living on board consistent with promoting the seafarers' health and well-being in accordance with the applicable standards and provisions of the Maritime Labor Convention, 2006.

**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 Liberia Maritime Authority 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) **Opening of Articles; Time of Signing-on Articles.** Every seafarer, including the Master, 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 seafarer so joined the vessel. The Master shall officiate at the signing-on of each seafarer and as the representative of the shipowner, shall sign his or her name to the Shipping Articles in attestation of his or her having so acted.
  - (a) The seafarer shall be given an opportunity to review and seek advice on the terms and conditions in the agreement and seafarer freely accepts them before signing the agreement.
  - (b) The shipowner and the seafarer shall each have a signed original of the employment agreement.
- (3) **Closing of Articles; Signing-off Articles not a Waiver.** The signing-off of Shipping Articles by a seafarer at the time of his or her discharge from employment on board shall not constitute a waiver on his or her part of any claims he or she 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 Marine Notice No. SEA-002.

#### **Regulation 10.325 Required Certification.**

- (1) **Officer's Certificate of Competency.**
  - (a) **Appropriate Certification.** Shipowners and Operators responsible for employing seafarers for service on board Liberian vessels shall ensure that seafarers assigned to any Liberian vessel owned or managed by the shipowner/operator hold appropriate certificates in accordance with the provisions of the International Convention on Training, Certification and Watchkeeping, 1978, as amended, and as established by the Commissioner or Deputy Commissioner of Liberia Maritime Authority.
  - (b) **Penalty for Non-possession.** The penalty provision in Section 17(4) of the Maritime Law shall also apply where a Master has allowed any function or service in any capacity, required to be performed by a person holding an appropriate certificate of competency, to be performed by a person not holding the required certificate, a valid dispensation or having the documentary proof required by Regulations of the International Convention on Training, Certification and Watchkeeping, 1978, as amended, and as established by the Commissioner or Deputy Commissioner of Liberia Maritime Authority.
- (2) **Seafarer's Identification and Record Books.**

- (a) **Requirements.** All seafarers employed on board a Liberian vessel, shall have in his or her possession an official Liberian Seafarer's Identification and Record Book issued by the Commissioner or Deputy Commissioner in accordance with the International Labour Organization Convention No. 108, containing any certificates of special qualification issued to the holder by the Commissioner or a Deputy Commissioner, and in which all service at sea shall be entered and certified by the Master.
  - (b) **Qualifications.** As a prerequisite, the applicant must have basic training in accordance with the requirements of the Regulations of the International Convention on Standards of Training, Certification and Watchkeeping, 1978, as amended, and requirements as established by the Commissioner or a Deputy Commissioner and promulgated in a Marine Notice or like publication.
  - (c) **Validity and Renewal.** The initial and subsequent issues of Seafarer's Identification and Record Book shall be valid for a period of five years from the date of issue.
  - (d) **Penalty for Non-possession.** The Master and/or owner of the vessel shall be liable to a penalty of US\$500.00 for each seafarer 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. This penalty can only be imposed by the Commissioner or Deputy Commissioner.
- (3) **Medical Certificates.** Each seafarer 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, or in accordance with the requirements of STCW 1978, as amended and attesting the holder's medical fitness for duty to be performed and carried out at sea. The certificate, which must be in the English language in addition to any other language versions, must be signed by a medical practitioner licensed in the place of examination and recognized by the competent authority 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, but shall be valid for no more than 2 years from the date of the examination. However, for seafarers under the age of 18, the maximum period of validity of the certificate shall be 1 year. 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 seafarer may upon application to the Deputy Commissioner be employed for a single voyage only but not exceeding three months holding a medical certificate that has expired within the last ninety days.
- (4) **Availability of Seafarer's documents.** The Seafarer Identification and Record Book shall contain a record of the seafarer's employment on board the ship. Shipowners and operators shall ensure that documentation and data relevant to each seafarer employed on board a Liberian vessel is maintained and readily accessible, and this shall include but not be limited

to documentation and data in respect of the experience, training, medical fitness and competency in assigned duties of the seafarer.

- (5) **Certificates of Service.** In the unavoidable absence of an official Liberian Identification and Record Book, the detailed sea service of each person employed on board a Liberian vessel must be certified in writing, separately for each capacity served in, and such certificate shall bear the signature of the Master and the seal or stamp of the vessel, and be in the following form:

- (i) Name of Seafarer
- (ii) Citizenship
- (iii) Rank or Rating
- (iv) License, Book or Certificate Number
- (v) Place of Engagement
- (vi) Date of Engagement
- (vii) Place of Discharge
- (viii) Date of Discharge
- (ix) Total Service (Months and Days)
- (x) Name of Vessel (indicate steam or motor)
- (xi) Official Number
- (xii) Port of Registry
- (xiii) Gross Tonnage
- (xiv) Propulsion Power
- (xv) Nature of Voyage
- (xvi) Remarks

I hereby confirm to the best of my knowledge that all entries herein were made by me and are correct. In witness whereof, I have this date affixed my signature and the seal or stamp of the vessel.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Master

- (6) **Special Qualification Certificate.** Special Qualification Certificate may be issued to indicate a special qualification the seafarer possesses in accordance with Liberian Maritime Regulations and Rules and in accordance with applicable international conventions.

**Regulation 10.326 Minimum Age Requirement.**

Except for a ship's cook who shall be at least 18 year's old, no person below the minimum age of 16 shall be employed or engaged or work on a Liberian ship registered in accordance with Title 21 of the Liberian Codes Revised. The Deputy Commissioner may establish a higher minimum age in circumstances set out in the Code in the Maritime Labor Convention, 2006. Night work is prohibited for seafarers under the age of 18, except when the seafarer is engaged in a training program accepted by the Administration and the work is determined by the Deputy Commissioner not to be detrimental to the seafarers' health and well-being.

**Regulation 10.341 Working Hours; Overtime.**

(1) **Limits on Hours of Work or Rest.** The minimum hours of rest standard has been fixed on Liberian registered ships. Minimum hours of rest shall not be less than:

- (i) ten hours in any 24-hour period; and
- (ii) 77 hours in any seven-day period.

Hours of rest 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 14 hours.

(2) **Exceptions.**

(a) Collective agreements may permit exceptions to the limits set out in paragraph one (1). Such exceptions shall, as far as possible, follow the provisions of the applicable Standard of the Maritime Labour Convention, 2006 but may take account of more frequent or longer leave periods or the granting of compensatory leave for watchkeeping seafarers or seafarers working on board ships on short voyages.

(b) The Master of a ship shall have the right to require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. Accordingly, the Master may suspend the schedule of hours of work or hours of rest and require a seafarer to perform any hours of work necessary until the normal situation has been restored.

(3) **Musters and Drills.** Musters, fire-fighting and lifeboat drills, and drills prescribed by the Administration in Marine Notice, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.

- (4) **Call-Outs to Work.** Adequate compensatory rest shall be provided if the normal period of rest is disturbed for call-outs to work, such as when a machinery space is unattended, or for other unscheduled work that was not anticipated at the commencement of the voyage.
- (5) **Young Seafarers.** At sea and in port, except for emergency situations as provided in paragraph (2), working hours for all young seafarers under the age of 18 shall not exceed eight hours per day and 40 hours per week and overtime should be worked only where unavoidable for safety reasons; a 15-minute rest period as soon as possible following each two hours of continuous work should be allowed.

**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:

<b><u>Marine Notice</u> No. ADM-002</b>	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.



**Marine Notice No. SEA-002**

Articles of Agreement between Master and Seafarers.

**Marine Notice No. MAN-003**

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.