Notice to all Owners, Operators, Masters and Crews of Non-seagoing ships

Summary

Pursuant to the Ministerial directives 186/2016 and 70/2017 publishing regulations on manning of Omani ships and regulations on certification of seafarers working on non-seagoing ships respectively, and relevant provisions of the international instruments such as SOLAS and MLC Conventions, this Maritime instruction sets out and explains the requirements for manning of non-seagoing merchant ships.

This instruction covers;
1. introduction;
2. seafarers’ qualifications and familiarizations;
3. seafarers’ fitness for duty;
4. companies’ obligations and responsibilities;
5. responsibilities of masters and crew members;
6. manning of non-seagoing ships;
7. nationality requirements; and
8. contraventions and disciplinary measures.

1- INTRODUCTION

1.1 This instruction is applicable to all Omani non-seagoing ships except the following;
   .1 military ships;
   .2 ships owned or operated by the Sultanate's government and used for non-commercial purposes;
   .3 pleasure yachts, not engaged in trade; and
   .4 fishing vessels.

1.2 The terms used in this instruction have the following meanings;
   .1 Certificate of Proficiency (CoP) means a certificate issued to a seafarer entitling the lawful holder thereof to serve in the capacity specified therein or stating that the relevant requirements or training have been met;
   .2 Company means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by this instruction;
MANNING OF NON-SEAGOING SHIPS

.3 Non-seagoing ships means ships exclusively operate in the Domestic voyages or ships providing service to Omani offshore installations, such as tugs, landing crafts, bunker ships, passenger ships, pilot boats and dredgers.

.4 Boat means a non-seagoing ship other than a tug.

.5 Domestic voyages means voyages in inland waterways, areas where port regulations apply or sheltered coastal waters (not more than 12 nautical miles from land and not more than 20 nautical miles from point of arrival and/or departure) of the Sultanate of Oman.

.6 DGMA means the Directorate General of Maritime Affairs of the Ministry of Transport and Communications;

.7 Gross tonnage means the tonnage of the vessel as established under the International Conventions for the Tonnage Measurement of Ships, 1969, as amended;

.8 Minimum Safe Manning Document (MSMD) means a document issued in accordance with the provisions of this instruction to a ship specifying the minimum number and grades/capacities of personnel that ship must carry in order to be considered safely manned, when it operates or under a voyage;

.9 Propulsion power means the total maximum continuous rated output power in kilowatts of all the ship’s main propulsion machinery which appears on the ship’s certificate of registry or other official document;

.10 Seafarer means any person who is employed or engaged or works in any capacity on board a ship;

.11 Recognition document (RD) means a document issued by the DGMA authorizing the holder of a certificate issued by another state to serve on Omani non-seagoing ships in the capacity specified therein, subject to any limitation indicated;

.12 Master means the person who has command of the ship legally;

.13 Boat operator means the master of a boat of GT<200; and

.14 Type Rating Certificate means a certificate issued to a seafarer entitling the lawful holder thereof to serve on particular type and model of High-speed-craft while in the specified route.

2- SEAFARERS’ QUALIFICATIONS AND FAMILIARIZATIONS

2.1 All seafarers serving onboard ships shall hold valid certificate(s) relevant to their capacity and/or responsibility as specified in the Appendix 1 to this instruction.

2.2 Every seafarer while serving onboard a ship shall hold a valid medical fitness certificate issued by a medical practitioner recognized by the DGMA.

2.3 If the period of validity of a medical fitness certificate expires in the course of a voyage, then the medical fitness certificate shall continue in force until the next port of call where a medical
practitioner recognized by the DGMA is available, provided that the period shall not exceed one week.

2.4 Before being assigned to shipboard duties, companies shall ensure that seafarers receive safety familiarization training in personal survival techniques, to be able to, as applicable to the ship:

1. communicate with other persons on board on elementary safety matters and understand safety information symbols, signs and alarm signals;
2. know what to do if:
   2.1 a person falls overboard,
   2.2 fire or smoke is detected, or
   2.3 the fire or abandon ship alarm is sounded;
3. identify muster and embarkation stations and emergency escape routes;
4. locate and don lifejackets;
5. raise the alarm and have basic knowledge of the use of portable fire extinguishers;
6. take immediate action upon encountering an accident or other medical emergency before seeking further medical assistance ashore; and
7. close and open the fire, weathertight and watertight doors fitted in the particular ship, as applicable.

3- SEAFARERS’ FITNESS FOR DUTY

3.1 Companies shall ensure that on board their ships, all seafarers have a rest period of not less than:

1. a minimum of 10 hours of rest in any 24-hour period; and
2. 77 hours in any 7-day period.

3.2 The above mentioned hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length, and the intervals between consecutive periods of rest shall not exceed 14 hours.

3.3 The requirements for rest periods laid down in paragraphs 3.1 and 3.2 need not be maintained in the case of an emergency or in other overriding operational conditions. Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations and by international instruments, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.

3.4 Companies are required that watch schedules be posted where they are easily accessible. The schedules shall be established in a standardized format in the working language or languages of the ship.
3.5 When a seafarer is on call, such as when a machinery space is unattended, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.

3.6 Companies are required that records of daily hours of rest of seafarers be maintained in a standardized format, in the working language or languages of the ship, to allow monitoring and verification of compliance with the provisions of this section. The seafarers shall receive a copy of the records pertaining to them, which shall be endorsed by the master or by a person authorized by the master and by the seafarers.

3.7 Provisions of above paragraphs 3.1 to 3.6 shall not be deemed to impair the right of the master of a ship 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 surrounding waters. Accordingly, the master may suspend the schedule of hours of rest and require a seafarer to perform any hours of work necessary until the normal situation has been restored. As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest.

3.8 In observing the rest period requirements, "overriding operational conditions" should be construed to mean only essential shipboard work which cannot be delayed for safety, security or environmental reasons or which could not reasonably have been anticipated at the commencement of the voyage or operation.

3.9 Companies shall direct the attention of the masters and those involve with the fatigue prevention of seafarers, both ashore and onboard, to the following:

.1 excessive or unreasonable overall working hours are not undertaken by seafarers and in particular, the minimum rest periods specified in above paragraphs 3.1 to 3.5 should not be interpreted as implying that all other hours may be devoted to watchkeeping or other duties; and

.2 the frequency and length of leave periods, and the granting of compensatory leave, are material factors in preventing fatigue from building up over a period of time.

3.10 Presence and/or consumption of alcoholic liquors and unauthorized drugs are prohibited on all Omani flagged ships and companies shall have procedures to implement these provisions.

4- COMPANIES’ OBLIGATIONS AND RESPONSIBILITIES

4.1 Companies shall ensure that each ship is sufficiently, effectively and efficiently manned to provide safety and security of the ship, safe navigation and operations, prevention of human injury or
loss of life, the avoidance of damage to the marine environment and to property, and to ensure the welfare and health of seafarers through the avoidance of fatigue.

4.2 Companies are responsible for the assignment of seafarers for service in their ships in accordance with the provisions of this instruction, and shall ensure that:

.1 each seafarer assigned to any of its ships holds an appropriate certificate in accordance with the Appendix 1 to this instruction;
.2 its ships are manned, as a minimum, in compliance with the Minimum safe manning document (MSMD) issued by the DGMA;
.3 documentation and data relevant to all seafarers employed on its ships 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;
.4 seafarers, on being assigned to any of its ships, are familiarized with their specific duties and with all ship arrangements, installations, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties; and
.5 the ship’s complement can effectively coordinate their activities in an emergency situation and in performing functions vital to safety, security and to the prevention or mitigation of pollution.

4.3 Companies have responsibility for ensuring that the obligations set out in this section are given full and complete effect and that such other measures as may be necessary are taken to ensure that each crew member can make a knowledgeable and informed contribution to the safe operation of the ship.

4.4 The company shall provide written instructions to the master of each ship setting forth the policies and the procedures to be followed to ensure that all seafarers who are newly employed on board the ship are given a reasonable opportunity to become familiar with the shipboard equipment, operating procedures and other arrangements needed for the proper performance of their duties, before being assigned to those duties. Such policies and procedures shall include:

.1 allocation of a reasonable period of time during which each newly employed seafarer will have an opportunity to become acquainted with:
   .1.1 the specific equipment the seafarer will be using or operating, and
   .1.2 ship-specific watchkeeping, safety, environmental protection and emergency procedures and arrangements the seafarer needs to know to perform the assigned duties properly; and
.2 designation of a knowledgeable crew member 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.
4.5 Companies shall, for the purpose of preventing fatigue:
   .1 establish and enforce rest periods for all seafarers in accordance with paragraphs 3.1 to 3.5 of this instruction; and
   .2 require that watch systems are so arranged that the efficiency of all watchkeeping personnel is not impaired by fatigue and that duties are so organized that the first watch at the commencement of a voyage/operation and subsequent relieving watches are sufficiently rested and otherwise fit for duty.

4.6 Companies shall have procedures in order to ensure that a safe continuous watch or watches appropriate to the prevailing circumstances and conditions are maintained on their ships and at all times.

4.7 For the purpose of updating the knowledge of seafarers serving onboard ships, the Company shall ensure that the texts of recent changes in Omani national legislations and other applicable instruments concerning the safety of life at sea and the protection of the marine environment are made available to their ships.

4.8 Additionally, for the information of seafarers, the Companies shall ensure that a copy of this instruction is made available to their ships.

5- RESPONSIBILITIES OF MASTERS AND CREW MEMBERS

5.1 The Master of every ship shall take all steps necessary to implement any company instructions issued in accordance with this instruction that include:
   .1 identifying all seafarers who are newly employed on board the ship before they are assigned to any duties;
   .2 providing the opportunity for all newly boarded seafarers to:
      .2.1 visit the spaces in which their primary duties will be performed;
      .2.2 get acquainted with the location, controls and display features of equipment they will be operating or using;
      .2.3 activate the equipment when possible, and perform functions, using the controls on the equipment; and
      .2.4 observe and ask questions of someone who is already familiar with the equipment, procedures and other arrangements, and who can communicate information in a language which the seafarer understands; and
   .3 providing for a suitable period of supervision when there is any doubt that a newly employed seafarer is not familiar with the shipboard equipment, operating procedures and other arrangements needed for the proper performance of his or her duties.
5.2 The Master of every ship shall ensure that watchkeeping arrangements are adequate for maintaining a safe watch or watches, taking into account the prevailing circumstances and conditions.

5.3 When 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 surrounding waters the master have required a seafarer to work during scheduled rest hours until the normal situation has been restored he shall ensure that as soon as practicable after the normal situation has been restored, those seafarers are provided with an adequate period of rest.

5.4 Immediately upon arriving on board for the first time, each seafarer has the responsibility to become acquainted with the ship's working environment, particularly with respect to new or unfamiliar equipment, procedures or arrangements.

6- MANNING OF SHIPS

Part 1- General

6.1 The Company is responsible for manning of the ship in compliance with this instruction.

6.2 When employing seafarers from different nationalities, the Company shall ensure that there is a common working language in which all seafarers with designed watchkeeping, safety or pollution prevention duties in the operation of the ship can communicate effectively with each other.

6.3 On ships with a prescribed complement of more than 9 persons and in circumstances when preparation of meals is carried out onboard, a certified ship's cook shall be in charge of catering, preparation of meals and care for food stores and galleys.

6.4 Each ship shall be in possession of a valid Minimum Safe Manning Document (MSMD) issued in accordance with this instruction. The MSMD has a validity of maximum five years from the date of issue and will be renewed by DGMA upon application by the Company.

6.5 It is the obligation of the Company to ensure that the vessel is at all times, as a minimum, manned in compliance with the MSMD.

6.6 The MSMD is issued and renewed by the DGMA on request of the Company, upon completion and submission of the application form 92 along with required documents and after scrutiny and verification of said information by the DGMA.

Part 2- Minimum Safe Manning Documents of ships
6.7 The SOLAS regulation V/14 require that the determination of the minimum safe manning of a ship shall ensure that, as far as practicable, a ship is sufficiently, effectively and efficiently manned to provide safety and security of the ship, safe navigation and operations, prevention of human injury or loss of life, the avoidance of damage to the marine environment and to property, and to ensure the welfare and health of seafarers through the avoidance of fatigue.

6.8 Additionally, it is required that the minimum safe manning of a ship shall, inter alia;
   .1 be established taking into account all ship and operation factors, such as size and type of ship; number, size and type of main propulsion units and auxiliaries; level of ship automation; method of maintenance used; cargo to be carried; frequency of port calls or operations, length and nature of voyages to be undertaken; trading area(s) and degree of shore side support provided to the ship by the company; and
   .2 take into account the maintenance of applicable occupational health and hygiene standards, including provision of proper food and drinking water for all persons on board, as required.

6.9 The Company responsible for the operation of the ship while preparing for submission its proposal for the minimum safe manning of a ship is required to:
   .1 make an assessment of the tasks, duties and responsibilities of the ship's complement required for its safe operation, for its security, for protection of the marine environment, and for dealing with emergency situations;
   .2 ensure that fitness for duty provisions and record of rest hours specified in section 3 of this instruction are implemented;
   .3 make an assessment of numbers and grades/capacities in the ship's complement required for its safe operation, for its security, for protection of the marine environment, and for dealing with emergency situations;
   .4 prepare and submit to the DGMA a proposal for the minimum safe manning based upon the assessment of the numbers and grades/capacities in the ship's complement required for its safe operation, for its security and for protection of the marine environment; and
   .5 ensure that the minimum safe manning is adequate at all times and in all respects, including meeting peak workload situations, conditions and requirements.

6.10 The Company shall prepare and submit to the DGMA a new proposal (application) for the minimum safe manning of a ship in the case of changes in trading area or operation(s), construction, machinery, equipment and maintenance or management of the ship, which may affect the safe manning.

6.11 A proposal for the minimum safe manning of a ship submitted by a company to the DGMA would be evaluated to ensure that, to the extent possible:
1. the proposed ship's complement contains the number and grades/capacities of personnel to fulfil the tasks, duties and responsibilities required for the safe operation of the ship, for its security, for protection of the marine environment and for dealing with emergency situations; and

2. the members of the ship's complement are not required to work more hours than is safe in relation to the performance of their duties and the safety of the ship and that the requirements for rest hours, in accordance with section 3 of this instruction, can be complied with.

7- NATIONALITY REQUIREMENTS

7.1 The Company's priority should be to appoint seafarers from Omani nationality. When the Company proves to the satisfaction of the DGMA that sufficient Omani seafarers are not available, she will be allowed to employ foreign seafarers who are holding valid certificate of proficiency or recognition document issued by the DGMA.

8- CONTRAVENTIONS AND DISCIPLINARY MEASURES

8.1 In case of violation of provisions of paragraph 6.4, 6.5, 6.9 and/or 6.10 a penalty of 5000 Omani Rials will be imposed on the Company.

8.2 In case of repetition of contravention(s) mentioned in paragraph 8.1, a penalty of maximum 10000 Omani Rials may be imposed on the Company or the ship’s minimum safe manning document is suspended or canceled; or both.

Further information on the contents of this instruction can be obtained from the bellow address:

Maritime Activities and Licenses Section
Directorate General of Maritime Affairs
Ministry of Transport and Communications
Al Wazarat Street, PC:100, P.O.Box: 684
Muscat, Sultanate of Oman
Fax: +968 2468-5916
Email: waelj@motc.gov.om

Note: Form 92 can be downloaded from the MoTC website (www.motc.gov.om > Port & Maritime Affairs >Maritime Affairs> Forms and other documents)
APPENDIX 1

Documents that seafarers relevant to their capacity and/or responsibility must carry while serving onboard non-seagoing ships

<table>
<thead>
<tr>
<th>No.</th>
<th>Capacity, duties or responsibility</th>
<th>Document type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Masters, Assistant masters, Boat operators, Engineers, Assistant engineers and Ratings</td>
<td>Certificate of proficiency. Recognition document if holding foreign certificate</td>
</tr>
</tbody>
</table>
| 2   | Masters, Assistant masters, Boat operators, Engineers and Assistant engineers working on vessels engaged on following operations;  
  a- Oil cargo in bulk (including bunker vessels);  
  b- Chemical cargo in bulk;  
  c- Liquefied gas cargo in bulk;  
  d- Passengers; or  
  e- Dredging operations | DGMA endorsement(s) relevant to the type of operations |
| 3   | Masters, Assistant masters, Boat operators, Engineers and Assistant engineers serving onboard high speed crafts | Type Rating Certificate |
| 4   | All seafarers | 1-“Fire safety, first aids and personal survival” training certificate  
  2- Medical fitness certificate |
| 5   | Note:  
  All seafarers while serving onboard a ship shall hold a valid “Fire safety, first aids and personal survival” training certificate or, training certificate evidencing that relevant refresher training has been taken within previous five years. |
APPENDIX 2
Format of MSMD

Minimum Safe Manning Document

The ship named in this document is considered to be safely manned if, when it operates or under voyage, it carries not less than the number and grades/capacities of personnel specified in the table below:

<table>
<thead>
<tr>
<th>Grade / capacity</th>
<th>Number of persons</th>
<th>Grade / capacity</th>
<th>Number of persons</th>
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<td></td>
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</table>

Special requirements or conditions:

Note:
*Domestic voyages* means voyages in inland waterways, areas where port regulations apply or sheltered coastal waters (not more than 12 nautical miles from land and not more than 20 nautical miles from point of arrival and/or departure) of the Sultanate of Oman.