

MARINE ACT, 1986

(ACT NO. 35 OF 1986)

Marine (Masters and Seamen) Regulations, 1990

[LEGAL NOTICE NO. 82]

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IN exercise of the powers conferred upon me by sections 143 and 212 of the Marine Act, 1986, I have made the following Regulations—

PART I—PRELIMINARY

Short title

1. These Regulations may be cited as the Marine (Masters and Seamen) Regulations, 1990.

Commencement

2. These Regulations come into operation on their publication in the *Gazette*.

Purpose

3. The purpose of these regulations is to—

- (a) specify the conditions and particulars to be included in agreement between the owner of a vessel and a crew member and the form of such an agreement;
- (b) specify the circumstances in which a young person may enter into such an agreement;
- (c) provide for the medical examinations of seamen;
- (d) specify the standards of crew accommodation and provisions;
- (e) specify what are disciplinary offences by seamen and provide for suspension from employment;
- (f) specify the records to be kept by the owners and masters of vessels.

Interpretation

4. In these Regulations, a reference to a form by letter and number is a reference to the form so lettered and numbered in Part 2 of Schedule 1.

PART II—EMPLOYMENT OF SEAMEN

Form of agreement

5.—(1) Subject to section 95 of the Act, this regulation applies to a registered vessel that—

- (a) has a gross registered tonnage of 200 tons or more; or
- (b) is engaged on a voyage between 2 ports or places that are not enclosed within—
 - (i) the Short Coasting Area; or
 - (ii) the Fiji Island Trade Area,
 as defined in the Marine (Certificates of Competency and Manning of Vessels) (General) Regulations, 1989.

(2) An agreement entered into between the owner of a vessel to which this regulation applies and a seamen employed in the vessel must be substantially in accordance with form CREW 1.

Manner of approval of agreement or proposed agreement

6.—(1) A copy agreement or proposed agreement lodged with a shipping officer in accordance with section 109 of the Act must be lodged in duplicate, and must be accompanied by the prescribed fee.

(2) The prescribed fee for approving an agreement is \$50 plus \$2 for each seaman signed on the agreement.

(3) If a shipping officer approves an agreement or proposed agreement he must endorse one copy of the agreement or proposed agreement lodged with him with his approval and return it to the person who lodged it and retain the other copy.

Notice of intention to enter into agreement

7.—(1) A notice of intention to enter into an agreement must be in accordance with form CREW 2.

(2) The owner of a vessel, or a person acting on his behalf, must give a shipping officer notice of an intention to enter into an agreement—

- (a) at least 24 hours before the time specified by the owner as the time when he intends to enter into the agreement; or
- (b) such shorter period as the shipping officer may allow if he considers a voyage would otherwise be unreasonably delayed.

Penalty: A fine not exceeding \$100.

Executed agreement

8.—(1) The owner of a vessel must, within 24 hours of entering into an agreement, inform a shipping officer accordingly.

Penalty: A fine not exceeding \$50.

(2) Subject to subregulation (3), the owner of a vessel who has entered into an agreement must—

- (a) keep the agreement on board the vessel; and
- (b) keep a copy of the agreement at his ordinary place of business in Fiji.

Penalty: A fine not exceeding \$50.

(3) Where an agreement is in respect of employment on more than one vessel the owner of the vessels must keep the agreement at his ordinary place of business in Fiji.

Amendment of agreement

9.—(1) Before amending an agreement entered into by the owner of a vessel and a seaman, the owner must give to a shipping officer two copies—

- (a) of the agreement; and
- (b) a statement setting out the proposed amendments.

Penalty: A fine not exceeding \$50.

(2) If a shipping officer agrees a proposed amendment to an agreement he must—

- (a) endorse his approval on a copy of the agreement and statement referred to in subregulation (1) and return them to the owner; and
- (b) retain the other copy of the agreement and statement.

Copies of agreements to be exhibited

10.—(1) If an agreement is in respect of employment on one vessel the owner of the vessel must ensure that a copy of the agreement is exhibited at all times in a conspicuous place on the vessel.

Penalty: A fine not exceeding \$200.

(2) If an agreement is in respect of employment on more than one vessel the owner of the vessels must ensure that a copy of the agreement is exhibited at all times in a conspicuous place on each vessel to which the agreement relates.

(3) A copy exhibited in accordance with subregulation (2) must—

- (a) be certified as a true copy by the master of each vessel to which it relates; and
- (b) have endorsed on it—
 - (i) the place at which; and
 - (ii) the person by whom,

the agreement is being kept in accordance with regulation 8(3).

Multiple ship agreement

11.—(1) If a seaman has entered into an agreement in respect of employment on more than one vessel named in the agreement he is not bound by the agreement in respect of a voyage on any particular vessel so named until—

- (a) the seaman signs his name on the crew list for that voyage; and
- (b) the master signs that crew list; and
- (c) the master delivers a copy of that crew list,

certified by him to be a correct copy, to a shipping officer prior to the voyage.

(2) A crew list referred to in subregulation (1) must have endorsed on it—

- (a) a statement that it forms part of a multiple ship agreement to which each seaman named in the list is a signatory; and
- (b) the reference number of that agreement.

Notice of intention to terminate agreement

12.—(1) The owner of a vessel must give at least 48 hours notice of his intention to terminate the employment of a seaman on the vessel to—

- (a) a shipping officer; or
- (b) the Proper Officer at the port at which the employment is to be terminated.

Penalty: A fine not exceeding \$100.

(2) Notice, for the purpose of subregulation (1), must be given a form

Termination of agreement

13.—(1) Where, in accordance with section 111(4) of the Act, a shipping officer or a Proper Officer consents to an agreement being terminated in respect of a seaman at a place away from the proper return port of the seaman he shall, if it is practicable for him to do so, make and sign an entry in the vessel's Official Log Book recording his consent.

(2) Where it is not practicable for a shipping officer or Proper Officer to make and sign an entry in a vessel's Official Log Book in accordance with subregulation (1) the master of the vessel shall make and sign an entry recording that consent was given.

(3) When a change is made in the crew of a vessel as listed in an agreement made in respect of the vessel the owner of the vessel must, within 48 hours of the change, inform a shipping officer of the change.

Penalty: A fine not exceeding \$50.

(4) Notice, for the purpose of subregulation (1), must be given on form CREW 4.

Seaman not to be left behind outside Fiji

14.—(1) The master of a vessel must not leave behind at a place outside Fiji a seaman belonging to the vessel who, because of illness, hurt or injury, requires attention ashore, without the consent of the Proper Officer at the place.

Penalty: A fine not exceeding \$200.

(2) A Proper Officer shall not be taken as having given his consent for the purpose of subregulation (1) unless he has first satisfied himself that—

- (a) the master of the vessel has taken all reasonable measures to ensure that a responsible person ashore has—
 - (i) been made aware of the rights of the seaman; and
 - (ii) has accepted responsibility for the welfare, maintenance and repatriation of the seaman; or
- (b) it would be unreasonable to withhold consent.

(3) Where a Proper Officer gives consent under subregulation (1) the master of the vessel must ensure that the consent is endorsed on—

- (a) the agreement or copy agreement carried on the vessel relevant to the seaman's employment on the vessel; and
- (b) where practicable, the Official Log Book of the vessel.

Medical examination of seamen

16.—(1) The owner of a vessel must not enter into an agreement for the employment on that vessel of a person who has not previously been employed as a seaman until that person produces a certificate issued under the Marine (Medical Examination of Seafarers) Regulations, 1990 certifying that he is fit to carry out the duties of a seaman in the capacity in which he is to be employed.

Penalty: A fine not exceeding \$100.

(2) A shipping officer must not approve an agreement or proposed agreement where subregulation (1) has not been complied with.

(3) Where a shipping officer suspects that a seaman is unfit to carry out the duties of a seaman in the capacity in which he is to be employed he may, before approving an agreement or proposed agreement entered into or intended to be entered into by that seaman, require the seaman to undergo the medical examination prescribed by the Marine (Medical Examination of Seafarers) Regulations, 1990 and to produce a certificate issued under those regulations certifying that the seaman is fit to carry out his duties.

Payment of wages

17. Unless a seaman directs or approves some other means of payment the owner of a vessel must pay the wages due to the seaman in cash.

Penalty: A fine not exceeding \$200.

Deductions from wages

18. The owner of a vessel must not make any deductions from the wages due to a seaman except—

- (a) any allotment made by means of an allotment note in the prescribed form; and
- (b) in respect of—
 - (i) reimbursements for goods or services supplied to the seaman by the owner; and
 - (ii) cash advances made to the seaman by the owner,

where the seaman has acknowledged, in writing, receipt of the goods, service or advance; and

- (c) deductions permitted or required to be made under any law.

Account for wages

19. For the purposes of section 116 of the Act an account of wages due to a seaman under an agreement—

- (a) must be made on form CREW 5; and
- (b) must be given to the seaman—
 - (i) at such intervals as are set out in the agreement; and
 - (ii) during the 24 hours before the termination of the agreement, or if the seaman is left behind.

Allotment of wages

20.—(1) For the purpose of section 115(2) of the Act an allotment of wages must be made on form CREW 6.

(2) Unless an owner otherwise agrees with a seaman a seaman is not entitled to make more than 2 allotments in respect of wages due to him.

(3) Where a seaman has made an allotment in respect of wages due to him under an agreement—

- (a) the owner is not obliged to pay the first amount payable in accordance with the allotment until 30 days after the date of the allotment note; and
- (b) the owner must pay subsequent amounts payable in accordance with the allotment on the same day as payment of wages under the agreement are payable.

PART III—WELFARE OF SEAMEN

Crew accommodation to be kept clean, etc.

21.—(1) The owner and master of a vessel must each ensure that the crew accommodation on the vessel—

- (a) is kept clean; and
- (b) is maintained in good condition; and
- (c) except in the case of a store room, is kept free of goods, cargo and stores not belonging to the crew.

Penalty: A fine not exceeding \$200.

(2) The master of a vessel that is more than 24 metres in length must inspect every part of the crew accommodation at intervals not exceeding 30 days, and, on each inspection, be accompanied by a seaman.

Penalty: A fine not exceeding \$100.

Crew accommodation

22.—(1) For the purpose of section 120(1) of the Act the prescribed standard in respect of crew accommodation is—

- (a) in the case of a new vessel—the standard set out in section 6 of the Fiji Maritime Code; and
- (b) in any other case—a standard as near as possible to that set out in section 6 of the Fiji Maritime Code having regard to the age of the vessel its manner of construction and the trade on which the vessel is engaged.

(2) Where the Director is satisfied that a vessel does not comply with subregulation (1)(b) he may notify the owner of the vessel of the alterations required to be carried out to the vessel to bring it to the prescribed standard specified in that subregulation.

Inspection of crew accommodation

23. The owner and master of a vessel shall permit a surveyor appointed for the purpose to carry out the inspection of the crew accommodation of the vessel—

- (a) before the vessel is put into service; and
- (b) annually thereafter; and
- (c) if at any time the Director suspects that the crew accommodation does not meet the prescribed standard.

Penalty: A fine not exceeding \$200.

Provisions and water

24.—(1) For the purpose of section 121(1) of the Act, the provisions and water on a vessel are as prescribed if—

- (a) having regard to—
 - (i) the number of seaman employed on the vessel; and
 - (ii) the duration and nature of the voyage to be undertaken,
 they are adequate in quantity; and
- (b) the provisions are—
 - (i) of good quality; and
 - (ii) of nutritive value; and
 - (iii) of sufficient variety; and
- (c) they do not contain anything which—
 - (i) is likely to cause sickness or injury to health; or
 - (ii) may render the water or provisions unpalatable or unfit for human consumption

(2) The owner and master of a vessel must at any time allow a shipping officer to inspect the water and provisions on the vessel provided for the use of the crew.

Penalty: A fine not exceeding \$200.

(3) When a shipping officer has carried out an inspection under subregulation (2) he must make an entry of the results of his inspection in the Official Log Book of the vessel.

Medical stores, etc.

25. For the purpose of section 122 of the Act, a vessel has the prescribed number of medicines and medical and surgical stores if it is carrying the numbers specified in Appendix K in Part 4 of section 13 of the Fiji Maritime Code.

Relief of distressed seamen

26.—(1) The provisions to be made in respect of a distressed seaman by a person who last employed him are—

- (a) to make provisions for the return of the distressed seaman to his proper return port as soon as practicable after the event which caused him to be a distressed seaman; and
- (b) in the meantime, to make such provision for the food, lodging, relief and maintenance of the distressed seaman as is appropriate having regard to the circumstances.

(2) Subregulation (1) includes an obligation to provide the distressed seaman with sufficient—

- (a) clothing; and
- (b) toilet and other personal necessities; and
- (c) surgical or medical treatment, including the repair or replacement of dental, optical or surgical appliances; and
- (d) money to pay for minor expenses likely to be incurred by the distressed seaman.

(3) Subregulation (1) also includes an obligation—

- (a) to bring a distressed seaman ashore or to provide for him to be brought ashore; and
- (b) to maintain or to provide for the maintenance of the distressed seaman until he is brought ashore; and
- (c) if the distressed seaman dies, to provide for—
 - (i) the burial or cremation of his body; or
 - (ii) the conveyance of his body to the seaman's proper return port.

Wages of distressed seaman

27. Any wages due to a distressed seaman are payable to him on his return to his proper return port.

Effects of distressed seamen

28.—(1) If any effects of a seaman who became a distressed seaman are left on board a vessel the master of the vessel must—

- (a) take charge of the effects; and
- (b) make an inventory of them; and
- (c) where in accordance with subregulation (2) any of the effects are—
 - (i) destroyed—record a description of those effects; or
 - (ii) any record made in accordance with paragraph (a) and any proceeds from any disposal; and
- (d) immediately on the next arrival of the vessel at a Fiji port deliver to the shipping officer at that port—
 - (i) the effects still in his charge; and
 - (ii) any record made in accordance with paragraph (c) and any proceeds from any disposal.

(2) For the purpose of subregulation (1)(c), the master of a vessel who has in his charge any effects of a distressed seaman may at any time destroy or dispose of those effects if, in his opinion, they—

- (a) may perish or deteriorate to such an extent as to become unusable; or
- (b) are likely to endanger—
 - (i) the health, comfort or safety of people on the vessel; or
 - (ii) the safety or efficiency of the vessel or of any of its equipment.

(3) If a shipping officer has delivered to him, in accordance with subregulation (1)(d), the effects of a distressed seaman, any record made in accordance with subregulation (1)(c) or any proceeds of any disposal he must keep a record that includes details of what was delivered to him, when they were delivered to him and by whom they are delivered to him.

(4) A shipping officer shall give possession of the effects of a distressed person in his possession or any proceeds of any disposal to any person who has lawful authority to have possession of them.

(5) When a shipping officer has had any effects of a distressed seaman in his possession for a year or more without any claim being made for them in accordance with subregulation (4) he may apply to the Minister for approval to dispose of them.

(6) A shipping officer may dispose of any effects of a distressed seaman in his possession in accordance with the approval of the Minister and must pay any proceeds (including proceeds delivered to him in accordance with subregulation (1)(d)) into the Consolidated Fund.

Notification of distressed seaman

29. If a seaman becomes a distressed seaman the owner or the master of the vessel in which the seaman was employed immediately before becoming a distressed seaman must—

- (a) within 48 hours of the seaman becoming a distressed seaman, notify a shipping officer or a Proper Officer—
 - (i) the name of the distressed seaman; and
 - (ii) the circumstances in which he became a distressed seaman; and
- (b) subsequently the shipping officer or Proper Officer informed of the arrangements made in respect of the distressed seaman.

Penalty: A fine not exceeding \$500.

Effects of deceased seaman

30. If a seaman employed on a vessel dies leaving effects on board the vessel the master of the vessel must—

- (a) take charge of the effects; and
- (b) make an inventory of them; and
- (c) where, in accordance with subregulation (2), any of the effects are—
 - (i) destroyed—record a description of those effects; or
 - (ii) disposed of—record a description of those effects together with details of the disposal; and
- (d) immediately on the next arrival of the vessel at a Fiji port deliver to the Director—
 - (i) the effects still in his charge; and
 - (ii) any record made in accordance with paragraph (c) and any proceeds from any disposal.

Penalty: A fine not exceeding \$500.

(2) For the purpose of subregulation (1)(c), the master of a vessel who has in his charge any effects of a deceased seaman may at any time destroy or dispose of those effects if, in his opinion, they—

- (a) may perish or deteriorate to such an extent as to become unusable; or
- (b) are likely to endanger—
 - (i) the health, comfort or safety of people on the vessel; or
 - (ii) the safety or efficiency of the vessel or of any of its equipment.

(3) If the Director has delivered to him, in accordance with subregulation (1)(d), the effect of a deceased seaman, any record made in accordance with subregulation (1)(c) or any proceeds of any disposal he must keep a record that includes details of what was delivered to him, when they are delivered to him and by whom they were delivered to him.

(4) The Director shall give possession of the effects of a deceased seaman in his possession or any proceeds of any disposal to any person who has lawful authority to have possession of them.

(5) When the Director has had any effects of a deceased seaman in his possession for a year or more without any claims being made for them in accordance with subregulation (4) he may apply to the Minister for approval to dispose of them.

(6) The Director may dispose of any effects of a deceased seaman in his possession in accordance with the approval of the Minister and must pay any proceeds (including proceeds delivered to him in accordance with subregulation (1)(d)) into the Consolidated Fund.

Wages of deceased seaman

31.—(1) Any wages due from the owner of a vessel to a seaman who died while employed on the vessel—

- (a) must be paid by that owner to the Director; and
- (b) shall be dealt with by the Director as if they were effects of a deceased seaman delivered to the Director in accordance with regulation 30.

(2) If the owner of a vessel fails to pay wages due to a deceased seaman as required by subregulation (1)(a) the Director has the same rights to recover the amount owing as the seaman would have had had he not died.

PART IV—DISCIPLINE OF SEAMEN

Application

32. This Part does not apply to seamen employed—

- (a) on a pleasure yacht;
- (b) on a vessel with a gross registered tonnage of less than 200 tons that is engaged on a voyage between 2 ports or places enclosed within—
 - (i) the Short Coasting Service area; or
 - (ii) the Fiji Islands Trade area,
 as defined in the Marine (Certificates of Competency and Manning of Vessels) (General) Regulations, 1989;
- (c) on a vessel solely in connection with the construction, alteration, repair or testing of the vessel, its machinery or equipment;
- (d) on a vessel engaged on a voyage specified in paragraph (b) if the vessel is on the voyage solely for the purpose of trials of the vessel, its machinery or equipment.

Disciplinary offences

- 33.—(1) It is a disciplinary offence for a seaman on board a vessel—
- (a) wilfully to strike a person;
 - (b) wilfully to disobey a lawful command;
 - (c) without reasonable cause—
 - (i) to fail to be available for duty at a time when he is required to be available for duty by the master of the vessel or by some other person with authority over him; or
 - (ii) to fail to report to, or to remain at his place of duty on the vessel at a time when he is required to be at that place;
 - (iii) to be asleep at his place of duty while on duty at that place;
 - (d) to be under the influence of drink or a drug or drink and a drug to such an extent that—
 - (i) he behaves in a disorderly manner; or
 - (ii) he is unfit to perform his duty or any duty he may be called upon to perform;
 - (e) without the consent of the master of the vessel or of some other person authorized to give that consent—
 - (i) to bring on board the vessel; or
 - (ii) to have in his possession on board the vessel, any offensive weapon;
 - (f) wilfully and without reasonable cause—
 - (i) to damage the vessel; or
 - (ii) to damage any property on board the vessel; or
 - (iii) to throw any property overboard;
 - (g) without reasonable excuse—
 - (i) to take; or
 - (ii) to have in his possession, any property belonging to or in the custody of a person on board the vessel;
 - (h) to cause or knowingly permit to be on board the vessel a person who, not being authorized by law to be on board the vessel, is on board without the consent of the master of the vessel or of a person authorized to give that consent.
- (2) It is not a disciplinary offence under subregulation (1)(d) if—
- (a) the seaman took the drug for medical purposes; and
 - (b) the seaman—
 - (i) took the drug on medical advice and complied with any direction given as part of that advice; or
 - (ii) he had no reason to believe that the drug might have the influence it had.

Disciplinary offences on board certain hazardous vessels

- 34.—(1) This regulation applies to a vessel—
- (a) that has a special risk of fire or explosion because of the type of cargo or stores being carried; and
 - (b) where the master or owner has given notice to the seaman on the vessel (by notices displayed on the vessel or otherwise) that the acts referred to in subregulation (2) are prohibited.

(2) It is a disciplinary offence for a seaman on board a vessel to which this regulation applies—

- (a) to smoke; or
- (b) to use a naked light or a contrivance designed or adapted to produce fire or an explosion; or
- (c) to use an electrical torch of a design not approved by the master of the vessel,

in any part of the vessel where that activity is prohibited by the master or owner of the vessel.

(3) It is a disciplinary offence on board a vessel to which this regulation applies for a seaman—

- (a) to bring on board the vessel; or
- (b) to have in his possession on board the vessel,

without the consent of the master or of a person authorized to give that consent—

- (c) any matches; or
- (d) a contrivance designed or adapted to produce fire or an explosion.

Procedure relating to disciplinary offences

35.—(1) A disciplinary offence on board a vessel shall be dealt with by—

- (a) the master of the vessel; or
- (b) an officer on board the vessel where—
 - (i) the officer has been authorized to deal with disciplinary offences by the master; and
 - (ii) the name of the officer has been entered in the Official Log Book of the vessel by the master as authorized for that purpose.

(2) A disciplinary offence shall be dealt with—

- (a) within 24 hours of it coming to the master's attention; or
- (b) where it is not practicable to deal with it within that time, as soon as possible after that time.

(3) A person dealing with an alleged disciplinary offence by a seaman on a vessel shall conduct the hearing in respect of the alleged offence in the following manner:

- (a) the seaman must, if he so requests, be allowed to be accompanied at the hearing by another person who shall be allowed to speak on behalf of the seaman;
- (b) the charge must be entered in the Official Log Book of the vessel and read to the seaman;
- (c) after the charge has been read to the seaman a record to that effect must be entered in the Official Log Book of the vessel;
- (d) when the charge has been read to the seaman a record to that effect must be entered in the Official Log Book of the vessel;
- (d) when the charge has been read to the seaman he must be asked whether or not he admits committing the offence;
- (e) the seaman's reply shall be recorded in the Official Log Book of the vessel;
- (f) if the seaman does not admit committing the offence witnesses may be called and questioned in the presence of the seaman, who must be given a reasonable opportunity to question each witness on his evidence;
- (g) the seaman must be given the opportunity to make a statement in answer to the charge and may comment on the evidence produced;

- (h) particulars of any statement made by a seaman in accordance with paragraph (g) (or the fact that he declined to make such a statement) shall be entered in the Official Log Book of the vessel;
 - (i) the seaman must be allowed to call any witnesses he wishes to call to give evidence on his behalf, but any such witness may be questioned on his evidence by the person conducting the hearing on his evidence;
 - (j) after hearing the evidence the person holding the hearing must, in the presence of the seaman, give his decision as to whether or not he finds the seaman committed the alleged offence as charged.
- (3) A person who has held a hearing in respect of an alleged offence must record his decision—
- (a) in the Official Log Book of the vessel; and
 - (b) on form CREW 7.

Suspended persons

36.—(1) When a decision in respect of a seaman on a vessel has been recorded on form CREW 7 the master of the vessel must, at the first opportunity, give that form and an account of the seaman's wages on form CREW 5 to a shipping officer at the Port of Suva.

(2) The prescribed time for the purpose of section 129(2)(a) of the Act is 2 years.

(3) If—

- (a) a seaman has been found to have committed a disciplinary offence (other than an offence under section 125, 126 or 127 of the Act); and
- (b) the seaman has not been found to have committed any other disciplinary offence during the previous 2 years,

the Director must warn the seaman that if he is found to have committed another disciplinary offence during the next 2 years the Director may declare the seaman to be a suspended person for such period as the Director thinks fit.

(4) If, in accordance with section 129(2) of the Act, the Director declares a seaman to be a suspended person, the Director shall, in determining the period of suspension have regard to—

- (a) the nature of the disciplinary offence committed by the seaman; and
- (b) the circumstances in which that offence was committed; and
- (c) the report of the shipping officer to whom form CREW 7 was given; and
- (d) the character and conduct of the seaman.

(5) When the Director declares a seaman to be a suspended person he shall—

- (a) give the seaman and the person who last employed him as a seaman a written notice specifying the period during which the seaman is a suspended person; and
- (b) take possession of the seaman's Employment Record Book and any Certificate of Competency or Service issued to him and retain them during the period of suspension.

(6) A seaman shall not fail to deliver his Employment Record Book or a Certificate of Competency or Service to the Director when required to do so for the purpose of subregulation (5)(d).

Penalty: A fine not exceeding \$100.

- (7) The Director shall include the name of a suspended person in the list of suspended persons—
- (a) where the period of suspension is 6 months or less—immediately on the declaration of the suspension; or
 - (b) where the period of suspension is 6 months or more—
 - (i) 30 days after the seaman is notified of the suspension; or
 - (ii) where the seaman has appealed to a Resident Magistrate and the Magistrate has rejected the appeal—immediately on that rejection.

List of suspended persons to be kept

37. The Director must ensure that a copy of the list of suspended persons is—
- (a) kept at the office of each shipping officer; and
 - (b) made available to any person upon request and without fee.

PART V—RECORDS, ETC., TO BE KEPT

Return of births and deaths on registered vessels

38.—(1) For the purpose of section 137 of the Act—

- (a) a return in respect of a birth occurring in a registered vessel shall be made on form CREW 8; and
- (b) a return in respect of a death occurring or presumed to have occurred in or from a registered vessel shall be made on form CREW 9.

(2) A return under subregulation (1) must be made by the master of the vessel as soon as practicable after the vessel arrives at a port or place in Fiji, but, in any event, within 3 months of the birth or death.

Return of births and deaths in vessels not registered in Fiji arriving in Fiji

39.—(1) For the purpose of section 137 of the Act, where—

- (a) a birth occurs in; or
- (b) a death occurs or is presumed to have occurred in or from,

a vessel that is not a registered vessel but is on a voyage to a port or place in Fiji, a return in respect of that birth or death must be made on form CREW 10.

(2) A return under subregulation (1) must be made by the master of the vessel as soon as practicable after the vessel arrives at a port or place in Fiji.

Seaman's Employment Record Book

40.—(1) A seaman's Employment Record Book issued in accordance with section 133(1) of the Act must—

- (a) be in accordance with form CREW 11; and
- (b) have a durable cover.

(2) For the purpose of section 133(2) of the Act—

- (a) a seaman's Employment Record Book must be applied for by a person within 7 days of becoming employed as a seaman; and
- (b) when an application is made in accordance with paragraph (a) the seaman must be allocated a number and issued with an Employment Record Book; and
- (c) an entry must be made in the Register of Seamen of the name of the seaman and the number allocated to him in accordance with paragraph (b).

(3) A seaman must produce his Employment Record Book when required to do so by—

- (a) the Director; or
- (b) a Proper Officer; or
- (c) a shipping officer; or
- (d) a person authorized to make an endorsement in the Employment Record Book.

Penalty: A fine not exceeding \$50.

(4) As soon as practicable after the employment of a seaman on a vessel ends (for whatever reason) the owner of the vessel, or a person authorised on his behalf, must—

- (a) record in the seaman's Employment Record Book details of the seaman's service at sea on the vessel; and
- (b) sign that record.

Penalty: A fine not exceeding \$200.

(5) If a—

- (a) certificate of competency; or
- (b) certificate of satisfactory service,

is issued to a seaman—

- (c) the Director or a shipping officer must—
 - (i) endorse the seaman's Employment Record Book with details of the certificate; and
 - (ii) sign that endorsement; and
- (d) details of the certificate must be added to the record of the seaman in the Register of Seamen.

(6) If the master of a vessel has in his possession the Employment Record Book of a seaman who has died or been left behind he must deliver it as soon as practicable to a shipping officer or a Proper Officer.

Penalty: A fine not exceeding \$100.

(7) If a seaman's Employment Record Book is—

- (a) lost, destroyed or defaced; or
- (b) contain insufficient space for any further endorsements,

the seaman must apply, as soon as practicable, for a new Employment Record Book.

Penalty: A fine not exceeding \$50.

Official Log Book

41.—(1) The Official Log Book of a vessel must be in accordance with form CREW 12.

(2) An entry in an Official Log Book of a type referred to in column 1 of Schedule 2 must be signed and dated by the person referred to in column 2 in the presence of a person (if any) specified in column 3 who must also sign the entry.

(3) In paragraphs 13, 14, 17 and 18 of Part A of Schedule 2, and in paragraphs 12 and 13 of Part B of Schedule 2 "seaman" includes the master of the vessel.

(4) If an entry made in an Official Log Book is of such a length that it cannot easily be recorded in the Official Log Book it may be annexed to the Official Log Book and referred to in the Official Log Book.

Production of Official Log Book

42.—(1) The master of a vessel must produce the Official Log Book of the vessel when required to do so by—

- (a) the Director; or
- (b) a shipping officer; or
- (c) a Proper Officer.

Penalty: A fine not exceeding \$200.

(2) The master of a vessel must deliver the Official Log Book of the vessel to a shipping officer within 48 hours after the first arrival of the vessel at a port or place in Fiji after a period of 6 months has elapsed from the date of the first entry in the Official Log Book.

Penalty: A fine not exceeding \$200.

(3) The master of a vessel must deliver the Official Log Book of the vessel to a shipping officer within 48 hours of the discharge of the last person remaining employed on a crew agreement for the vessel.

Penalty: A fine not exceeding \$200.

Crew Lists

43. For the purposes of section 136 of the Act a crew list must contain—

(a) the—

- (i) name; and
- (ii) port of registry; and
- (iii) registry or other number,

of the vessel to which the crew list relates; and

(b) the name and address of—

- (i) the owner of the vessel; and
- (ii) the representative of the owner of the vessel; and

(c) in respect of each seaman employed on the vessel—

- (i) his name; and
- (ii) his address; and
- (iii) the number of his Employment Record Book or his date and place of birth; and
- (iv) the capacity in which he is employed on the vessel; and
- (v) details of any certificate of competency or satisfactory service held by him; and
- (vi) the date he started and is to end his employment on the vessel; and
- (vii) the name, address and relationship of his next of kin; and
- (viii) the registered number of the agreement under which he is employed.

Requirement in respect of crew lists

44.—(1) The crew list of a vessel forms part of the agreement in respect of the vessel.

(2) the master and owner of a vessel must each ensure that the crew list of the vessel is kept on board the vessel.

Penalty: A fine not exceeding \$1,000.

(3) The owner of a vessel must keep a copy of the crew list of the vessel at his ordinary place of business in Fiji as shown on the agreement for the vessel.

Penalty: A fine not exceeding \$1,000.

(4) The owner of a vessel or his representative must, within 48 hours of a crew list being made, give a copy of the list to a shipping officer.

Penalty: A fine not exceeding \$1,000.

(5) The owner of a vessel or his representative must, within 48 hours of any changes being made to a crew list give details of the changes to a shipping officer on form CREW 4.

Penalty: A fine not exceeding \$1,000.

(6) Despite subregulations (4) and (5), the owner of a vessel or his representative must, on each anniversary of the making of a crew list, give to a shipping officer a copy of the crew list as at that date.

Penalty: A fine not exceeding \$1,000.

(7) If a person has in his possession a crewlist or a copy of a crew list in respect of a vessel that he reasonably believes has been lost or abandoned he must promptly deliver the crew list or the copy of the crew list to a shipping officer.

Penalty: A fine not exceeding \$200.

(8) The master of a vessel must produce the crew list of the vessel to—

- (a) a shipping officer; or
- (b) a Proper Officer,

when required to do so.

Penalty: A fine not exceeding \$100.

Dated at Suva this 26th day of July 1990.

A. V. TORA
Minister for Infrastructure and
Public Utilities

SCHEDULE 1

PART 1

List of forms

<i>Form</i>	<i>Title</i>
CREW 1	Agreement and List of the Crew of a vessel (of any tonnage) on an International Voyage; or of a vessel (of 200 tons GRT or over) on a Coastal Voyage.
CREW 2	Notice of Intention to enter an agreement.
CREW 3	Notice of Intention to terminate an agreement.
CREW 4	Changes to List of Crew on Crew Agreement.
CREW 5	Account of Wages.
CREW 6	Allotment Note.
CREW 7	Record of hearing of a Disciplinary Offence.
CREW 8	Return of a Birth occurring in a vessel registered under the Marine Act 1986.
CREW 9	Return of a Death occurring in a vessel registered under the Marine Act 1986.
CREW 10	Return of Birth or Death of a citizen of Fiji occurring in a ship not registered in Fiji.
CREW 11	Seamen's Employment Record Book.
CREW 12	Official Log Book.

PART 2

Forms

FORM CREW 1

AGREEMENT AND LIST OF THE CREW OF A VESSEL
(of any tonnage) ON AN INTERNATIONAL VOYAGE
OR,
OF A VESSEL (of 200 tons GRT or Over)
ON A COASTAL VOYAGE

Ministry of Infrastructure
and Public Utilities
Official seal

NO. OF AGREEMENT

Name of Ship (1)	Official No.	Port of Registry	Port No. and Date of Register	Registered Tonnage		Power of Engines (if any) (2) K.W. or B.H.P.
				Gross	Net	
REGISTERED MANAGING OWNER OR MANAGER			No. of Seaman and Apprentices for which accommodation is certified	CHARTERER (3)		
Name	Address (State No. of House, Street and Town)			Name	Address	

The Several Persons whose names are hereto subscribed, and whose descriptions are contained herein, and of whom are engaged as Sailors, hereby agree to serve on board the said Ship, in the several capacities expressed against their respective names on a voyage from

And it is also agreed, that

And the crew agree to conduct themselves in an orderly, faithful, honest and sober manner, and to be at all times diligent in their respective Duties, and to be obedient to the lawful commands of the said Master, or of any person who shall lawfully succeed him, and of their Superior Officers, in everything relating to the said Ship and the Stores and Cargo thereof whether on board, in boats or on shore; in consideration of which Services to be duly performed, the said Master hereby agrees to pay the said Crew as Wages the sum against their Names respectively expressed, and to supply them with provisions according to a Scale as agreed with them, and to supply them with bedding and eating utensils.

And it is hereby agreed that any Embezzlement or wilful or negligent Destructions of any part of the Ship's Cargo or Stores shall be made good to the Owner out of the Wages of the Person guilty of the same.

And it is further agreed, that if any Seaman enters himself in a capacity for which he is incompetent, he is liable to be derated.

And it is also agreed, that additional clauses on page 2 and the Regulations authorized by the Ministry of Infrastructure, and Public Utilities which are printed herein and numbered

(5)

are adopted by the parties hereto, and shall be considered as embodied in this Agreement; and it is also agreed, that if any Member of the Crew considers himself to be aggrieved by any breach of the Agreement or otherwise, he shall represent the same to the Master or Officer in charge of the Ship in a quiet and orderly manner, who shall thereupon take such steps as the case may require; and it is also stipulated that advances on account and allotments of part of wages shall be made as specified against the names of the respective seamen in the columns provided for that purpose.

In witness whereof the said Parties have subscribed their names herein, on the days mentioned against their respective signatures.

Signed by Master
on the day of 19

These columns to be filled up at the end of the Voyage

Date of Commencement of Voyage	Port at which Voyage commenced	Date of Termination of Voyage	Port at which voyage terminated	Date of Delivery of Lists to Shipping Officer	I hereby declare to the truth of the Entries in this Agreement and List of the Crew, etc.
				 Master

1. Place S.S. before name if a Steamship, and M.S. if a Motor Ship.
2. Delete inapplicable letters.
3. Here are to be inserted the name and address of any person who has chartered the ship and appoints the Master and Crew, pays their wages, and has for the time being the whole control of the ship.
4. Here are to be inserted the nature including whether a Coastal or an International Voyage and, as far as practicable, the duration of the intended voyage, or engagement or the maximum period and the places or parts of the world, if any, which are excluded.
5. Here are to be inserted the Numbers of any of the Regulations for preserving discipline issued by the Ministry of Infrastructure and Public Utilities and printed on the Fourth page hereof, which the parties agree to adopt.
6. Here any other stipulations may be inserted to which the parties agree and which are not contrary to law.

N.B.—This Form must not be unstitched. No leaves may be taken out of it, and none may be added or substituted.
 Care should be taken at the time of engagement that a sufficiently large form is used. If more men are engaged during the voyage than the number for whose signatures spaces are provided in this Form, a continuation sheet or sheets should be obtained and used.

2

ADDITIONAL CLAUSES

3

SCALE OF PROVISIONS

Here may be entered a list of provisions, if any, as agreed between the employer and crew. Any such agreement must carry the signature and stamp of the Director of Marine.

4

POSITIONS OF THE DECK LINE AND LOAD LINES

Freeboard from deck line	Load Line
Tropical m.m.	(T) m.m. above S.
Summer m.m.	(S) Upper edge of line through centre of disc
Winter m.m.	(W) m.m. below S.
Winter North Atlantic m.m. (if assigned)	(WNA) m.m. below S.

Allowance for fresh water for all freeboards: ... m.m.

The upper edge of the deck line from which these freeboards are measured is m.m. above

the top of the deck at side.

(Above particulars to be taken from Load Line Certificate.)

The Winter North Atlantic load line (if assigned) applies for Voyages across the North Atlantic, as defined in the Load Line Convention. The periods during which the other seasonal load lines apply in different parts of the world are as stated in the Load Line Convention.

REGULATIONS FOR MAINTAINING DISCIPLINE

Disciplinary Offences

1. It is a disciplinary offence on board a ship for a seaman to whom these Regulations apply—

- (a) wilfully to strike any person;
- (b) wilfully to disobey a lawful command;
- (c) without reasonable cause—
 - (i) to fail to be available for duty at a time when he is required by the master or by a person authorised by the master to be so available; or
 - (ii) to fail to report or to remain at his place of duty at a time when he is so required to be at that place; or
 - (iii) while on duty, to be asleep at his place of duty;
- (d) to be under the influence of drink or a drug (whether alone or in combination) to such an extent that he behaves in a disorderly manner or is unfit to be entrusted with his duty or with any duty which he might be called upon to perform, unless the drug was taken by him for medical purposes and either—
 - (i) he took it on medical advice and complied with any directions given as part of that advice; or
 - (ii) he had no reason to believe that the drug might have the influence it had;
- (e) without the consent of the master or of any other person authorised to give it, to bring on board the ship or to have in his possession on board any offence weapon;
- (f) wilfully and without reasonable cause—
 - (i) to damage the ship; or
 - (ii) to damage any property on board the ship; or
 - (iii) to throw any such property overboard;
- (g) without reasonable cause, to take or to be in possession of any property belonging to or in the custody of any person on board the ship;
- (h) to cause or knowingly to permit to be on board the ship any person who, not being authorised by law to be on board the ship, is on board without the consent of the master or of any person authorised to give it.

Disciplinary offences on board certain ships

2.—(1) It is a disciplinary offence on board a ship described in paragraph (3) of this regulation for a seaman to whom these Regulations apply—

- (a) to smoke; or
- (b) to use a naked light or mechanical lighter; or
- (c) to use an electric torch which is not of a type approved by the master;

in any part of the ship in which smoking or the use of such a light, mechanical lighter or torch is prohibited by the master or the employer.

(2) It is a disciplinary offence on board a ship described in paragraph (3) of this regulation for a seaman to whom these Regulations apply, without the consent of the master or of any other person authorised to give it, to bring on board the ship or to have in his possession on board any matches or a mechanical lighter.

(3) The description of ship referred to in paragraphs (1) and (2) of this regulation is any ship in which—

- (i) by reason of the cargo or stores which are or have been carried in the ship, there is a special risk of fire or explosion; and

(ii) the master or the employer has given notice to seamen in the ship (whether by means of notices displayed in the ship or otherwise) that the acts mentioned in sub-paragraphs (a), (b) and (c) of paragraph (1) of this regulation are prohibited, either in all or specified parts of the ship.

(4) In this regulation—
 "mechanical lighter" includes any mechanical, chemical or electrical contrivance designed or adapted for or capable of causing fire or explosion.

Procedure relating to disciplinary offences

3.—(1) Subject to paragraph (2) of this regulation, a disciplinary offence may be dealt with only by the Master of the ship on board which the offence is alleged to have occurred.

(2) The powers of the master in relation to a disciplinary offence may be exercised and his duties may be performed by any officer authorised for the purpose by the master; and the name of any officer so authorised shall be entered by the master in the official log book.

(4) A disciplinary offence shall be dealt with within 24 hours of the time it comes to the notice of the master, unless it is not practicable to deal with it within that time, in which case it shall be dealt with as soon as practicable thereafter.

(5) In dealing with a disciplinary offence, the following procedure shall be followed—

(a) A seaman charged with a disciplinary offence shall, if he so requests, be permitted at the hearing before the master to be accompanied by a friend for the purpose of advising him and the friend may speak on behalf of the seaman.

(b) The charge shall be entered by the master in the official log book and shall be read to the seaman by the master, who shall record therein that it has been so read.

(c) The seaman shall then be asked whether or not he admits the charge. If he does admit it, the admission shall be recorded by the master in the official log book. In all other cases an entry to the effect that the seaman does not admit the charge shall be recorded therein.

(d) The evidence of any witness called by the master shall be heard in the presence of the seaman, who shall be afforded reasonable opportunity to question the witness on his evidence.

(e) The seaman shall be given an opportunity to make a statement in answer to the charge, including any comments on the evidence produced against him. Particulars of the statement for a record that the seaman declined to make one, if such should be the case) shall be entered by the master in the official log book or contained in a separate document annexed to, and referred to in an entry made by the master in the official log book.

(f) The seaman shall be permitted to call witnesses to give evidence on his behalf, and any such witness may be questioned by the master on his evidence.

(g) The master shall, after consideration of all the evidence given before him, give his decision in the presence of the seaman as to whether he finds the seaman has committed the offence charged and—

(iii) if he finds that the seaman has committed the offence, he shall, after having regard to any mitigating circumstances brought to his notice, give his decision;

and the master shall record his decisions in the official log book and in form CREW 7.

6 Name of Ship

PARTICULARS OF ENGAGEMENT

	SIGNATURES OF CREW AND NUMBERS OF SEAMAN'S EMPLOYMENT RECORD BOOK 1.	Age 2.	Nationality (if Fiji citizen state birth place) 3.	ADDRESSES OF MASTER AND CREW NAME AND RELATIONSHIP OF NEXT OF KIN OR NAME OF FRIEND AND HOME ADDRESS 4.	Name of last ship with Official No. or Port of Registry and year of discharge if more than a year previous 5.	Date and place of Signing this Agreement	
						Date 6.	Place 7.
1 (Master to sign first			(1) (2)			
2 ((1) (2)			
3 ((1) (2)			
4 ((1) (2)			
5 ((1) (2)			
6 ((1) (2)			
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12 ((1) (2)			
13 ((1) (2)			
14 ((1) (2)			
15 ((1) (2)			
16 ((1) (2)			
17 ((1) (2)			

6 Name of Ship

PARTICULARS OF ENGAGEMENT

	SIGNATURES OF CREW AND NUMBERS OF SEAMAN'S EMPLOYMENT RECORD BOOK 1.	Age 2.	Nationality (if Fiji citizen state birth place) 3.	ADDRESSES OF MASTER AND CREW NAME AND RELATIONSHIP OF NEXT OF KIN OR NAME OF FRIEND AND HOME ADDRESS 4.	Name of last ship with Official No. or Port of Registry and year of discharge if more than a year previous	Date and place of Signing this Agreement	
						Date 6.	Place 7.
(Master to sign first			((1)			
18 (((2)			
19 (((1)			
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33 (((1)			
				((2)			
34 (((1)			
				((2)			

In what capacity engaged	Income Tax Identification No.	Amount of Wages per Week or Calendar Month	Amount of Weekly, Half-Monthly or Monthly Allotment	Signature or Initials of Master or Official before whom the Seaman is engaged	PARTICULARS OF DISCHARGE				RELEASE		
					To be filled in by the Master upon the Discharge, Death, or Desertion of any Member of his Crew			Balance of Wages paid on Discharge	We the undersigned Members of the Crew of this Ship do hereby release this Ship, and the Master and Owner of Owners thereof, from all Claims for Wages or otherwise in respect of this Voyage, and I, the Master, do hereby release the said undersigned Members of the Crew from all Claims in respect of the said voyage. Signatures of Crew (each to be on the line on which he signed in Col. 1.)	Signature or Initials before whom the balance of Wages was Paid and Release signed and Date	R e f e r e n c e N o
					Date	Place	Cause				
8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	

10 Name of Ship

CERTIFICATES

Dr Endorsements made by Consular Officers, Superintendents, Shipping Officers or Proper Officers.

11 Name of Ship

CERTIFICATES

Dr Endorsements made by Consular Officers, Superintendents, Shipping Officers or Proper Officers.

12 Name of Ship

CERTIFICATES

Dr Endorsements made by Consular Officers, Superintendents, Shipping Officers
or Proper Officers.

13 Name of Ship

CERTIFICATES

Dr Endorsements made by Consular Officers, Superintendents, Shipping Officers
or Proper Officers.

NOTE:—(1) If further space is required for Certificate or Endorsements, a con-
tinuation sheet or sheets should be used.

(2) The shipping officer is to approve the agreement in connection with Section
109 of the Marine Act 1986.

INSTRUCTIONS TO MASTERS

Agreements

1. The Marine Act requires the Master of every Ship, except Ships of less than two hundred gross tonnage exclusively employed in the coasting trade of the Fiji, to enter into an Agreement with every Seaman whom he carries to sea as one of his crew. The term "Seaman" includes every person except Masters & Pilots, employed or engaged in any capacity on board any ship.

Penalty: A fine not exceeding \$2000.

2. In order to enable the Crew to know the contents of the Agreement, the Master, at the commencement of the voyage, is bound under a Penalty, to have a legible copy (omitting the signatures) posted up in some part of the ship which is accessible to the Crew.

3. Every erasure, interlineation or alteration in the Agreement (except additions in shipping substitutes or persons engaged after the first departure of the ship) is in operative unless proved to have been made with the consent of all persons interested, by the written attestation of a Shipping Officer, Justice, Officer of Customs, or other public functionary, or elsewhere, of a Consular Officer.

4. Fraudulently altering, or making any false entry in, or delivering a false copy of any Agreement, or being a party to such act, may be punished by the infliction of a Penalty, not exceeding \$2,000, or by imprisonment for a period not exceeding twelve months.

Young Persons and Children.

5. The Agreement with the Crew must include a list of all young persons under the age of 18 years who are members of the Crew together with particulars of the dates of their birth (see page 7). The employment of children under the age of 10 years is prohibited.

6. Whenever the Master is desirous of making use of a Mercantile Marine Office for the purpose of selecting his Crew, he must inform the Shipping officer so that notice may be published for the information of those men who are seeking employment.

7. In all cases the Shipping officer should have at least six hours' notice of the time at which the Master and Crew are to attend to sign the Agreement. Before the engagement of the Crew is proceeded with the Master must—

- (a) Produce the Certificate for himself, his Mates, and his Engineers and
- (b) Produce the safety equipment certificate and load line certificate and insert in the Agreement the particulars as to the positions of the deck line and load lines specified on the certificate.

8. The engagement of a seaman subsequent to the initial opening of articles is to be made before a Shipping officer, if practicable, but if not, the Master as soon as possible is to have the Agreement read over the explained to the seaman in the presence of a witness, who is to attest their signatures.

Consent for Seaman to be left behind outside Fiji.

9. A seaman belonging to a Fiji vessel shall not be left behind at a place outside Fiji without the written consent of the Proper Officer at that place. Where the Proper Officer gives his consent he shall endorse his consent on this Agreement or its certified copy and also in the Official Log Book of the vessel.

10. Carrying any Seaman to sea without entering into an Agreement subjects the Master to a Penalty of \$2,000.

11. The Master of a foreign-going Ship incurs a Penalty if he does not report to the Shipping Office any changes in his Crew within 48 hours of having done so.

12. The Agreement cannot be terminated away from a proper return port without the consent of a Shipping officer or Proper Officer.

13. Upon paying off or discharging any Seaman, the Master is bound under a Penalty to give the Seaman a Certificate of Discharge; and is also bound under a Penalty to return to any certificated Mate or Engineer upon his discharge his Certificate of Competency Service, his Seamen's Employment Record Book duly completed, his Certificate of Competency, where applicable and a Watchkeeping Certificate where applicable.

14. A statement of the conduct, character and qualifications of each Member of the Crew signed by the Master, should be given to any Seamen who request it.

15. Upon payment of wages and settlements of disputes (if any) being effected the Officer before whom the men are discharged will require the Crew to sign in his presence a release from all claims in respect of the voyage just finished, subject to the right of any member of the Crew to except from the release signed by him any specified claim or demand in accordance with the provisions of Section of the Marine Act, 1986.

FIJI
MARINE ACT, 1986

Act S.143(d)
Reg: 7(1)

NOTICE OF INTENTION TO ENTER INTO AN AGREEMENT

- 1. To—The (Proper Officer)
(Shipping Officer) at:
- 2. Name of Vessel:
- 3. Place and date on which Agreement to be made, and number of Agreement if
any:
- 4. Name of Seaman to be employed:
- 5. Capacity in which seaman to be employed:

.....
Signature of owner or
representative

Date:

FIJI
MARINE ACT, 1986

Act S.143(i)
Reg: 12

NOTICE OF INTENTION TO TERMINATE AN AGREEMENT

- 1. To the (Proper Officer)
(Shipping Officer) at:
- 2. Name of vessel:
- 3. Place and date on which Agreement made, and number of the Agreement:
- 4. Name of seaman and number on the Agreement:
- 5. Capacity in which seaman employed:
- 6. Place and date of proposed termination:
- 7. Details of a dispute (if any) which exists regarding wages:

.....
Signature of owner or
representative

FJI MARINE ACT, 1986
CHANGES TO LIST OF CREW ON CREW AGREEMENT

FORM CREW

Act S.143(e)
 Reg: 13(3)

Name of Ship _____ Agreement No.: _____ Master's Name: _____

Reference	NAME OF SEAMAN (BLOCK LETTERS)	Seamens Employment Book No. (if any) or date and place of birth	(1) Capacity in which employed	(1) Date and place of Joining the ship	The reason for discharge or if not discharged, the reason for being left behind, if known
			(2) Grade & Number of Certificate of Competency (if any)	(2) Date and Place of leaving the ship	
			(1)		
			(2)		
			(1)		
			(2)		

577

Dated this _____ day of _____ 19____
 Signature of Master: _____

The Master or Owner shall sign within 48 hours of any changes made at the owner's office in Fiji's compliance \$50.00.

The Shipping Officer, Suva within 48 hours of Crew. The copy of the crew list kept on board shall be signed accordingly. Penalty for non-compliance \$50.00.

FIJI

MARINE ACT, 1986

Act S.142(q)
Reg. 19(1)

ACCOUNT OF WAGES

FORM CREW 5

1. Particulars of crewman

- (1) Name
- (2) Number
- (3) Capacity in which employed
- (4) Registered number of Agreement
- (5) Vessel in which employed

2. Statement of earnings

- (1) Wages—date commenced

date ceased

weeks at \$ per week

days at \$ per week

\$

\$

- (2) Other earnings

\$

Total earnings

\$

3. Statement of deductions.

- (1) Allotments \$
- (2) Taxation (I.T.No.:) \$
- (3) Fiji National Provident Fund (FNPF No.:) \$
- (4) Goods and services supplied.
- (5) Advances—

Date	Port	Amount	\$
			\$
			\$
			\$

Total deduction

\$

\$

4. Summary.

Amount now due and payable

\$

Dated _____ 19__

Signature of owner or representative

579

FORM CREW 6

FIJI
MARINE ACT, 1986

ALLOTMENT NOTE

Act S.143(r)
Reg. 20(1)

1. Particulars of seaman

- (1) Name
- (2) Number
- (3) Address
- (4) Registered No. of Agreement

2. Particulars of allotment

- To:
- (1) Name
 - (2) Address
 - (3) Account Number, if any

3. Particulars of allotment

- Amount
- Date of first payment
- Interval between subsequent payments

I authorize and direct allotment from my wages as set out in the above summary.

Date 19____

(Signature of seaman)

FIJI
MARINE ACT, 1986

FORM CREW 7

Act S.143(z)
Reg. 36(4)

RECORD OF HEARING OF A DISCIPLINARY OFFENCE

1. Particulars of disciplinary offence

- (1) Name of vessel
- (2) Name of master
- (3) Name and Number of seaman
- (4) Particulars of offence
- (5) Dates on which:
 - (a) offence came to notice of master
 - (b) hearing held by master

2. Record of proceedings.

- (1) Was charge read over and explained to seaman? Yes/No
- (2) Did seaman admit the charge? Yes/No
- (3) Was every witness heard in the presence of seaman? Yes/No
- (4) Was seaman permitted to make a statement in answer to—
 - (a) the charge Yes/No
 - (b) the evidence produced against him? Yes/No
- (5) Was seaman permitted to call witnesses on his own behalf? Yes/No
- (6) Was the finding of the master given in the presence of the seaman? Yes/No

3. Reasons for finding

(Brief statement of reason for finding the disciplinary offence proved. Include names of witnesses heard).

4. Report to shipping officer or Proper officer.

Record of hearing forwarded to _____ at _____ on _____

Dated _____, 19____

(Signature of Master)

581

FIJI
MARINE ACT, 1986

FORM CREW 8

Act S.143(a)
Reg. 38(2)

RETURN OF A BIRTH OCCURRING IN A VESSEL
REGISTERED UNDER THE MARINE ACT, 1986

1. Particulars of vessel

- (1) Name
- (2) Registry No.
- (3) Name of Master

2. Particulars of child

- (1) Date of birth
- (2) Place of birth
- (3) Surname of child
- (4) Given name (if any)
- (5) Sex

3. Particulars of parents

- (1) Full name of—
 - (a) Father
 - (b) Mother
- (2) Usual place of residence of
 - (a) Father
 - (a) Mother
- (3) Country of citizenship of—
 - (a) Father
 - (b) Mother

Dated

, 19____.

(Signature of Master): _____

FIJI
MARINE ACT, 1986

FORM CREW 9

Act S.143(aj)
Reg. 38(3)

RETURN OF DEATH OCCURRING IN A VESSEL
REGISTERED UNDER THE MARINE ACT, 1986

1. Particulars of vessel

- (1) Name
- (2) Registry No.
- (3) Name of Master

2. Particulars of deceased

- (1) Date of death or presumed death
- (2) Place of death or presumed death
- (3) Full name of deceased
- (4) Sex of deceased
- (5) Age (if known)
- (6) Usual place of residence
- (7) Country of citizenship
- (8) Cause of death or presumed death
- (9) Names and addresses of witnesses who may offer evidence to the statement in (8) above.
- (10) Disposal of body and personal effects.

Dated at _____ this _____ day of _____ 19____.

(Signature of Master): _____

FIJI
MARINE ACT, 1986

FORM CREW 10

Act S.143(a)

RETURN OF BIRTH OR DEATH OCCURRING IN A SHIP
NOT REGISTERED IN FIJI

1. Particulars of vessel

- (1) Name
- (2) Port of Registry
- (3) Official Number (if any)
- (4) Name of Master
- (5) On voyage from _____ to _____

2. Particulars of birth

- (1) Date
- (2) Place
- (3) Father—
 - (a) Name
 - (b) Usual place of residence
 - (c) Country of citizenship
- (4) Mother
 - (a) Name
 - (b) Usual place of residence
 - (c) Country of citizenship
- (5) Surname
- (6) Given names (if any)
- (7) Sex

3. Particulars of death.

- (1) Date of death or presumed death
- (2) Place of death or presumed death
- (3) Full name of deceased
- (4) Sex of deceased
- (5) Age (if known)
- (6) Usual place of residence
- (7) Cause of death or presumed death
- (8) Names and addresses of witnesses who may offer evidence to the statement in (7) above.
- (9) Disposal of body and personal effects.

Dated at _____ this day _____ of _____ 19____

(Signature of Master): _____

PARTICULARS OF SEAMAN

NEXT OF KIN

--

EMBOSSING
STAMP

SURNAME		
OTHER NAMES		
HT.	CMS.	SEX
DATE & PLACE OF BIRTH		
DATE & PLACE OF ISSUE		

Name	Relationship	Name	Relationship
Address		Address	
Change 3		Change 4	

Signature of Holder _____

Signature of Registrar _____

ADDRESS OF CREWMAN
CHANGE 1
CHANGE 2

PHOTOGRAPH
OF SEAMAN

--

OTHER
(All entries must be certified by a Shipping Officer)

QUALIFICATIONS

Particulars of Qualifications	Signature of Shipping Officer & Date

CERTIFICATE OF DISCHARGE

Compiled from Lists of Crew and Official

Log Books or from other Official Records

No.	*Name of ship and official number and tonnage*	Date and place of		*Rating		Description	Signature of Master of voyage
		Engagement*	Discharge				

587

*These columns are to be filled in at time of engagement.

* In Engineers' Book insert KW. In Radio Officers' Books insert gross tonnage and wireless classification of Ship.

Same pattern for pages 13—28
but blank pages from 29—33.)

Act. S. 135
Reg. 41

OFFICIAL LOG BOOK

(For a vessel that is 10 metres or more in length)

Name of ship	Port of Registry	Official Number

Gross Tonnage	Register (net) tonnage

Names of masters	Numbers of certificates of competency

Name and address of the registered owner or of the registered managing owner; or of the ships' husband or manager

Date and place at which log book opened	Date and place at which log book closed

Delivered to the shipping officer or proper officer at _____ Received by the Shipping Office, Fiji

_____ on _____ Date _____
Office stamp

Note:—The requirements for delivery of an official log book to the appropriate shipping officer or proper officer are set out in Marine (Masters and Seamen) Regulations.

RECORD OF SEAMAN EMPLOYED IN THE SHIP

Reference number in list of crew	Name of Seaman	Capacity	If entry made in narrative section give relevant page	Reference number in list of crew	Name of Seaman	Capacity	If entry made in narrative section give relevant page

(Same pattern for pages 3, 4 & 5).

MARINE ACT, 1986

SURNAME

Act. Sec. 133 & 143(ad)
Reg. 40(j)
Form: CREW 11

IMPORTANT

1. This Seaman's Employment Book is your record of employment, its loss may cause you difficulty in verifying your employment record.
2. This Seaman's Employment Record Book must, on demand, be produced to a Shipping Officer, a Proper Officer, the Safety Officer, your Employer, the Master of the ship in which you are employed and to any person authorised to endorse a Seaman's Employment Record Book.
3. Should your Seaman's Employment Record Book be lost, destroyed or defaced, you are required to apply to the Registrar for a new Seaman's Employment Record Book.
4. When there is no space for further entries in any section of this Seaman's Employment Record Book, you should apply for a new Seaman's Employment Record Book.

NOTES:

1. Any person, other than to whom this Seaman's Employment Record Book was issued, who comes into possession of it should deliver it or send it to the Shipping Officer.
2. Master to deliver up Seaman's Employment Record Book.
Where the master of ship has in his possession a Seaman's Employment Record Book, belonging to a Seaman which he is unable, for any reason, to return to that Seaman aboard his ship, he shall deliver it as soon as practicable to a Shipping Officer or a Proper Officer.

WARNING

The holder of this Seaman's Employment Record Book must not make any entry or alteration to this Employment Record Book. If any entry is required to be made, or an entry altered, the Seaman to whom this Seaman's Employment Record Book is issued should apply to the Shipping Officer.

The Marine Act lays down that any person who alters, produces or makes use of any false declaration, statement or representation in connection with any application, report, record or proceeding under this Act is guilty of an offence. Penalty: A fine not exceeding \$2,000 or imprisonment for 12 months or both.

S.E.R.B. No.

FULL NAME

To: Shipping Officer
Box 326
Suva
Fiji.

**RETURN AND ENTRIES OF BIRTHS AND DEATH
IN THE OFFICIAL LOG BOOK**

The duties of a master of a ship to make returns of births and deaths on board ship and returns of the death of any person employed in the ship who dies outside Fiji Islands are set out in the Fiji Marine Act (Masters and Seamen) Regulations.

These regulations provide for a return to be made at the first opportunity of any

- (a) birth of a child in the ship; or
- (b) death in the ship, including any death in the ship's boat or liferaft; or
- (c) a person being lost from the ship, a ship's boat or liferaft; or
- (d) of a death wherever occurring outside the Fiji Islands of any person employed in the ship.

This return should be made on form CREW 8, 9 or 10 as applicable. When making a return of the death of a seaman on form CREW 9 the master should also, if required at that time, give an account of

- (a) any moneys due to the deceased seaman,
- (b) any deductions from his wages and
- (c) any property left on board on the relevant forms obtained from a shipping officer or proper officer.

BIRTHS (see Note above)

Date of birth	Place and birth (latitude and longitude if at sea)	Names (if any) and surname of child	Sex	Father's	
				Name, surname and nationality	Occupation, rank or profession and usual residence

* If the child is illegitimate, particulars relating to the father must not be given unless it is at the joint request, given in writing, of the mother and the person acknowledging himself to be the father. The written request must be attached to the return form CREW 8.

DEATHS (see Note above)

Date of death or loss	Place of death or loss (latitude and longitude (if at sea)	Name and surname of deceased (and, if married woman, maiden surname if known)	Sex	Date of birth (if known) or age	Occupation rank or profession	Usual residence at time of death or loss

**RECORD OF MUSTERS, SURVIVAL CRAFT DRILLS AND
FIRE DRILLS AND INSPECTIONS OF LIFE-SAVING APPLIANCES,
WATERTIGHT-DOORS AND FIRE APPLIANCES AS REQUIRED
BY THE FIJI MARINE ACT**

NOTE:—The requirements for holding musters, including survival craft drills and fire drills and inspections in various classes of ships are a requirement of the Fiji Marine Act, (Masters and Seamen) Regulations and are also detailed in section 15 of the Fiji Marine Code. If a muster etc., is not held as required a statement of the reasons must be recorded.

Date of Muster or Drill and inspections	Nature of Muster or Drill	Nature of the inspection of the lifesaving appliances and fire appliances and the condition in which they were found	Date of entry	Signatures of Master and member of crew

(Pages 9, 10, 11 and 12 to be same as page 8.)

**RECORD OF INSPECTIONS OF CREW ACCOMMODATION
CARRIED OUT UNDER FIJI MARINE ACT
(MASTERS AND SEAMEN) REGULATIONS**

Time and Date of Inspection	Name and Ranks of Persons making the Inspection	Particulars of any respects in which Crew Accommodation is found not to comply with the Regulations	Date of Entry	Signature of person making the Inspection

(Pages 14 and 15 to be same as page 13.)

**RECORD OF INSPECTIONS CARRIED OUT IN
ACCORDANCE WITH FIJI MARINE ACT OF SUPPLIES
OF FOOD AND WATER PROVIDED FOR THE CREW**

Date of Inspection	Names and Ranks of Persons making the Inspection	Result of Inspection of Supplies of Food and Water	Date Entry	Signature of persons making the Inspection

(Page 17 to be same as page 16.)

LOAD LINE, DEPTH OF LOADING, ETC.

Positions of the Deck Line and Load Lines

Freeboard from Deck Line	Load Line
Tropical _____ mm	(T) _____ mm above (S)
Summer _____ mm	(S) Upper edge of line through centre of disc.
Winter _____ mm	(W) _____ mm above (S)
Winter North Atlantic if assigned _____ mm	(WNA) _____ mm above (S)

Allowance for fresh water for all the above freeboards: _____ mm

The upper edge of the deck line from which these freeboards are measured is _____ mm

(Above particulars to be taken from Load Line Certificate)

Maximum draught of water in summer _____ mm

(The maximum draught of water in summer is the draught of water which would be shown on the scale of draught marks on the stem and stern post of the ship if she were so loaded that the upper edge of the summer load line were on the surface of the water and the ship were upright on an even keel.)

NOTES

1. The above particulars, and particulars of depth of loading as detailed on the following pages, are to be recorded before the ship leaves any dock, wharf, harbour or other place for the purpose of proceeding to sea.
2. The actual freeboard amidships on each side of the ship is to be measured from the upper edge of the deck line to the surface of the water, when the ship is loaded and ready to leave. The actual "mean" freeboard is the mean of the actual freeboards, port and starboard, measured as indicted above.
3. For any conversion from Imperial to metric units, or vice-versa, an equivalent of 25.4 millimeters to one inch is to be used.
4. If the ship is a Load Line Convention ship, a copy of the Load Line Certificate is to be posted up in some conspicuous place on board the ship before she leaves any dock, wharf, harbour, or other place for the purpose of proceeding to sea, and the Notice is to be kept so posted up and legible until the ship arrives at some other dock, wharf, harbour or place. The date and time of posting the Notice is to be entered in column 15. In respect of a ship which is not a Load Line Convention ship, the freeboard shall be stated on the Survey Certificate, which shall be posted in some conspicuous place on board the ship in a similar manner.
5. In the case of a ship which is not a Load Line Convention ship, columns 9-15 need not be filled in.
6. No entries are required in columns 8-14 when the actual mean freeboard (Column 7) is not less than the appropriate salt water freeboard shown on the load line certificate.

Total Allowances (12)	Mean Draught in salt water as calculated after making the appropriate allowances (13)	Mean Freeboard Amidships in salt water as calculated after making the appropriate allowances (14)	Date and time of posting the Notice (See Note 4) (15)	SIGNATURE		ARRIVALS
				Master (16)	Date and Hour of arrival (17)	Dock, wharf, harbour or other place (18)
Ins.	m	m				

(Pages 21, 22, 23 and 24 to be same as pages 19 and 20.)

Official Log of the

Note:—The entries regarding watertight doors, etc., as required under the schedule 2 to the Marine (Masters and Seamen) Regulations, are to be made on pages 8 to 12.

Date and Hour of the Occurrence	Place of the Occurrence or situation by Latitude and Longitude at Sea	Date of Entry	Entries required by Regulations made under F.M. Act

Note:—Entries about disciplinary offences. The master's attention is called to the requirements of Part IV of the Marine (Masters and Seamen) Regulations, made under F.M. Act.
(Pages 26, 27, 28, 29, 30, 31, 32 and 33 to be same as page 25.)

SCHEDULE 2

ENTRIES IN OFFICIAL LOG BOOK

Act. S.135, S.143 (af) (ag)
Reg. 41

PART A. VESSEL ON A VOYAGE OTHER THAN A FIJI WATERS VOYAGE

Particulars of Entry Column 1	Signatory Column 2	Witness required Column 3
1. The name, port of registry, registry or other number and tonnage of the vessel.		
2. The name and address of the owner.		
3. The name and address of the employer of the crew.	Owner, master or agent of the ship.	None
4. The name of the master and details of his certificate of competency. Any change of Master, and the delivery of all relevant ship's documents to the new Master.		
5. A record of Seamen employed in the Ship.		
6. The date on, and the place at, which the official log book is opened.	Owner, master or agent of the vessel.	None
7. The date on, and the place at, which the official log book is closed.		
8. A record of the date and hour of each departure for sea from, and each arrival from sea at, any wharf, port or harbour.	Master	Any officer
9. Where any of the following casualties occur—	Master	Any member of the crew
(a) a loss of life caused by—		
(i) fire on board; or		
(ii) accident to; or		
(iii) accident on board, the vessel; or		
(b) the		
(i) loss or presumed loss; or		
(ii) stranding; or		
(iii) grounding; or		
(iv) abandonment,		
of the vessel; or		
(c) any damage caused to, or by, the vessel, a description of the casualty and the place at which, or the position of the vessel when, it occurred.		
10. A record of every signal of distress, or message that a vessel, aircraft or person is in distress at sea, observed or received.	Master	Any member of the crew
11. Where the master, on receiving at sea a signal of distress, or information from any source that vessel, aircraft or person is in distress, is unable or in the special circumstances of the case considers it unreasonable or unnecessary to go to the assistance of that vessel, aircraft or person, a statement of his reasons for not going to the assistance of that vessel, aircraft or person.		

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|--|---|--|
| Where a Proper Officer consents to the termination of an agreement outside Fiji, a record of the consent. | Proper Officer (if practicable) or master | If the Proper Officer is signatory—none
If the master is signatory—any member of the crew |
| 13. Where a seaman is left behind in any country outside Fiji, or is taken to such a country on being ship-wrecked, a record of—
(a) the name of the seaman; and
(b) the date on which, and the place at which, the seaman was left behind; and
(c) the reason, if known, for the seaman being left behind; and
(d) any provision made by the master on behalf of the employer, to ensure that a Proper Officer is informed that the seaman has been left behind; and
(e) any provision made to inform the employer that the seaman has been left behind. | Master | Any member of the crew |
| 14. Where a seaman is left behind in any country outside Fiji, or is taken to such a country on being ship-wrecked, a record, in relation to the property of the seaman if any—
(a) property (including money) left on board the vessel; and
(b) property of which the master has taken charge; and
(c) article sold and the price received for it; and
(d) article destroyed or disposed of, and the name of the person to whom disposal was made; and
(e) article delivered to any person specifying the person to whom the delivery was made and the date, place and manner of delivery. | Master | Any member of the crew |
| 15. A record of every birth or death occurring on board the Ship. | Master | Any member of the crew |
| 16. Where a person dies on board the vessel, or is lost from the vessel, or a person being a seaman belonging to a vessel dies while temporarily absent from the vessel, a record of—
(a) the date of the death or loss; and
(b) where the death takes place in the vessel, or if the person is lost from the vessel, the place at which or the position of the vessel, when, the death or loss occurred; and
(c) where the death takes place away from the vessel, the place of death; and
(d) the full name of the person; and
(e) the sex of the person; and
(f) the age of the person (if known); and
(g) the country of citizenship of the person; and
(h) the cause of death and, if the death is not due to natural causes, details of the circumstances of the death; and
(i) the cause of the loss (if known) and the steps taken to rescue the person lost. | Master or the vessel's doctor | Any member of the crew |

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|--|-------------------------------|------------------------|
| <p>17. Where a seaman belonging to the vessel dies leaving property in the vessel a record, in relation to that property of—</p> <p>(a) any property of which the master has taken charge; and</p> <p>(b) any item sold and the price received for it; and</p> <p>(c) any article destroyed or disposed of and the name of the person to whom disposal was made; and</p> <p>(d) the delivery of any article to any person.</p> | Master | Any member of the crew |
| <p>18. Where a seaman belonging to the vessel falls seriously ill, or suffers a serious injury, a record of the—</p> <p>(a) name of the seaman; and</p> <p>(b) circumstances of the illness or injury; and</p> <p>(c) nature and symptoms the illness or injury; and</p> <p>(d) treatment adopted; and</p> <p>(e) progress of the illness or injury.</p> | Master or the vessel's doctor | Any member of the crew |
| <p>19. A record of musters, survival craft drills, fire drills, crew collision drills and testing of watertight doors. Where a statutory muster or drill is not held: The reason why.</p> | Master or the vessel's doctor | Any member of the crew |
| <p>20. A record of inspections of the crew accommodation.</p> | Master or the vessel's doctor | Any member of the crew |
| <p>21. A record of inspections of provisions and water.</p> | Master or the vessel's doctor | Any member of the crew |
| <p>22. A record of vessel's assigned load lines, freeboard. A record of the vessel's actual draught and freeboard upon every occasion of the vessel proceeding to sea.</p> | Master or the vessel's doctor | Any member of the crew |
| <p>23. A record of any disciplinary offence occurring on board the vessel.</p> | Master or the vessel's doctor | Any member of the crew |

SCHEDULE 2—continued
PART B. VESSEL ON A FIJI WATERS VOYAGE

Particulars of Entry Column 1	Signatory Column 2	Witness required Column 3
1. The name, port of registry, registry or other number and tonnage of the vessel.		
2. The name and address of the owner.		
3. The name and address of the employer of the crew.		
4. The name of the master and details of his certificate of competency. Any change of Master, and the delivery of all relevant ship's documents to the new Master.	Owner, master or agent of the ship	None
5. A record of Seamen employed in the Ship.		
6. The date on, and the place at, which the official log book is opened.		
7. The date on, and the place at, which the official log book is closed.		
8. A record of the date and hour of each departure for sea from, and each arrival from sea at, any wharf, port or harbour.	Master	Any officer
9. Where any of the following casualties occur—	Master	Any member of the crew
(a) a loss of life caused by—		
(i) stranding; or		
(ii) accident to; or		
(iii) accident on board, the vessel; or		
(b) the		
(i) loss or presumed loss; or		
(ii) stranding; or		
(iii) grounding; or		
(iv) abandonment,		
of the vessel; or		
(c) any damage caused to, or by, the vessel, a description of the casualty and the place at which, or the position of the vessel when, it occurred.		
10. A record of every signal of distress, or message that a vessel, aircraft or person is in distress at sea, observed or received.	Master	Any member of the crew
11. A record of any birth or death occurring on board the ship.		
12. Where a seaman belonging to the vessel dies leaving property in the vessel a record, in relation to that property, of—	Master	Any member of the crew
(a) any property of which the master has taken charge; and		
(b) any item sold and the price received for it; and		
(c) any article destroyed or disposed of and the name of the person to whom disposal was made; and		
(d) the delivery of any article to any person.		

- | | | |
|--|--------------------------------------|-------------------------------|
| <p>13. Where a seaman belonging to the vessel falls ill, or is injured, a record of the—
 <i>(a)</i> name of the seaman; and
 <i>(b)</i> circumstances of the illness or injury; and
 <i>(c)</i> nature and symptoms of the illness or injury; and
 <i>(d)</i> treatment adopted; and
 <i>(e)</i> progress of the illness or injury.</p> | <p>Master or the vessel's doctor</p> | <p>Any member of the crew</p> |
| <p>14. A record of musters, survival craft drills, fire drills, crew collision drills, and testing of watertight doors. If a statutory muster or drill is not held: The reason why.</p> | <p>Master or the vessel's doctor</p> | <p>Any member of the crew</p> |
| <p>15. A record of inspections of crew accommodation.</p> | <p>Master or the vessel's doctor</p> | <p>Any member of the crew</p> |
| <p>16. A record of inspections of provisions and water.</p> | <p>Master or the vessel's doctor</p> | <p>Any member of the crew</p> |
| <p>17. A record of the vessel's assigned freeboard. A record of the vessel's actual draught and freeboard on each occasion when proceeding to sea.</p> | <p>Master or the vessel's doctor</p> | <p>Any member of the crew</p> |
| <p>18. A record of any disciplinary offence occurring on board the vessel.</p> | <p>Master or the vessel's doctor</p> | <p>Any member of the crew</p> |

Dated this 26th day of July 1990.

A V. TORA
 Minister for Infrastructure
 and Public Utilities