MERCHANT SHIPPING (HEALTH PROTECTION AND MEDICAL CARE FOR SEAFARERS) REGULATIONS 2010

ARRANGEMENT OF REGULATIONS

Regulation:

S. I. 18 of 2010

MERCHANTS SHIPPING ACT

(2007 No. 27)

Merchant Shipping (Health Protection and Medical Care for Seafarers) Regulations 2010

[9th March, 2010] Commencement.

In exercise of the powers conferred upon me by section 181 of the Merchant Shipping Act, 20!)7 and of all other powers enabling me in that behalf, I, IBRAHIM ISA BIO, Minister of Transportation, hereby make the following Regulations:

1. A ship to which these Regulations apply shall be required to carry a medicine chest. Medicine Chest to be Carried.

2. The contents of a medicine chest and the medical equipment carried on board a ship shall be prescribed by the Minister, taking into account such factors as the type of ship, the number of persons on board and the nature, destination and duration of the voyage. Contents to be Prescribed.

3. In adopting or reviewing the provisions concerning the contents of the medicine chest and the medical equipment carried on board, the Minister shall take into account international recommendations in this field, such as the most recent edition of the International Medical Guide for Ships and the List of Essential Drugs published by the World Health Organisation, as well as advances in medical knowledge and approved methods of treatment. Minister to take into Account the World Health Organisation Recommendations.

4.— (1) A medicine chest carried on board and its contents as well as the medical equipment shall be properly maintained and inspected at regular intervals, not exceeding twelve months, by the Nigerian Maritime Administration and Safety Agency or any other person designated by the Nigerian Maritime Administration and Safety Agency. Medicine Chest to be Inspected.

(2) A person designated under paragraph (I) of this regulation shall ensure that the expiry dates and conditions of storage of all medicines are checked in the course of the inspection.

5. The Nigerian Maritime Administration and Safety Agency shall ensure that the contents of the medicine chest are listed and labelled with generic names in addition to any brand names used, and that the expiry dates and conditions of storage, and the contents conform to the medical guide used internationally. Contents or Chest to be Labelled.

6. —(1) Where a cargo which is classified as dangerous has not been included in the most recent edition of the Medical First Aid 'Guide for Use in Accidents involving Dangerous Goods, published by the International Maritime Organisation, the Nigerian Maritime Administration and Safety Agency shall ensure that Accidents Arising from Carriage of Dangerous Cargo.

(a) necessary information on the nature of the substances and the risk involved;

(b) necessary personal protective devices ; and

(c) relevant medical procedures and specific antidotes,

are made available to the master, seafarers and other interested persons.

(2) The specific antidotes and personal protective devices referred to in paragraph (I) of this regulation shall be on board whenever dangerous goods are carried.

Medicine not in Chest to be Obtained as soon as Possible.

7. In cases of urgent necessity and when a medicine prescribed by qualified medical personnel for a seafarer is not available in the medicine chest, the shipowner shall take all necessary steps to obtain the medicine as soon as possible.

Ship's Medical Guide to be Carried.

8.—(I) A ship to which these Regulations apply shall be required to carry a ship's medical guide adopted by the Minister.

(2) A medical guide shall explain how the contents of a medicine chest are to be used and shall be designed to enable persons other than a doctor to care for the sick or injured on board a ship with or without medical advice by radio or satellite communication.

(3) In adopting or reviewing the ship's medical guide, the Minister shall take into account international recommendations in this field, including the most recent edition of the International Medical Guide for Ships and the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods.

Medical Advice to be Available Day and Night.

9. — (I) The Minister shall ensure by a prearranged system that medical advice by radio or satellite communication to ships at sea, including specialist advice, is available at any hour ofthe day or night.

(2) The medical advice, including the onward transmission of medical messages by radio or satellite communication, between a ship and those ashore giving the advice, shall be available free of charge to every ship irrespective of the territory in which it is registered.

(3) A ship to which these Regulations apply and which is equipped with a system of satellite communication shall, with a view to ensuring that optimum use is made of facilities available for medical advice by radio or satellite cornrnun ication-

(a) carry a complete list ofradio stations through which medical advice can be obtained;

(b) carry a complete list of coast earth stations through which medical advice can be obtained;

(c) keep the list of rad io stations and coast earth stations lip to date and in the custody of the person responsible for communication duties on board the ship.'

10. (1) A seafarer on board requesting medical advice by radio or satellite communication shall be instructed in the use of the ship's medical guide and the medical section of the most recent edition of the International Code or Signals published by the International Maritime Organisation in order to enable the seafarer understand the type of information needed by the Advising doctor, as well as for the advice received.

Seafarer to he Instructed in use or Medical Guide.

(2).The Minister shall ensure that doctors providing medical advice in accordance with this regulation receive appropriate training and arc aware of shipboard conditions.

11. (1) A ship to which these Regulations apply which carries filly or more seafarers and is ordinarily engaged in international voyages which last for a duration of more than three days, shall carry a-medical doctor as a member of the crew responsible for providing medical care.

Ships Required to have Doctors on Board.

(2)The Minister shall determine which other ships are required to carry a medical doctor as a member of the crew, taking into account such factors as the duration, nature and conditions of the voyage and the number of seafarers' on board.

12. (I) A ship to which these Regulations apply and which does not carry a doctor, shall assign a member of the crew or one or more specified persons to be in charge of medical care and the administering of medicines as part of their regular duties.

Crew Member to be in Charge or Medicare.

(a) Where the person in charge of medical care on board a ship is not a medical doctor, that person shall have satisfactorily completed a course or theoretical and applied training in medical skills approved by the Minister.

(3) The course referred to in paragraph (2) of' this regulation shall comprise

(a) in the case of a ship of less than 1600 gross tonnage which ordinarily is capable or reaching qualified medical care and medics facilities within eight hours, elementary training which shall enable the person to take immediate, effective action in case of accidents or illnesses on board the ship and to make use of medical advice by radio or satellite communications;

(b) in any other ship, more advanced medical training, including practical training in the emergency or casualty department of a hospital where practicable and training in life-saving techniques such as intravenous therapy, which shall enable the person concerned to participate effectively in co-ordinated schemes for medical assistance to the ship at sea and to

provide the sick or injured with a satisfactory standard of medical care during the period the sick or injured is likely to remain on board.

(1) The training required in paragraph (2) of this regulation shall be provided, where possible, under the supervision of a physician with a thorough knowledge and understanding of the medical problems and circumstances relating to the seafaring profession including expert knowledge of radio or satellite communication medical services.

(5) The courses referred to in this regulation shall be based on the contents of the most recent edition of—

(a) the International Medical Guide for Ships;

(b) the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods;

(c) the Document for Guidance, which is an international maritime training guide published by the International Maritime Organisation and the medical section of the International Code of Signals.

(6) The person referred to in paragraph (2) of this regulation, or any other seafarer as may be required by the Minister, shall undergo refresher courses in order to enable him to maintain and increase his knowledge and skills and to keep abreast of new developments, at approximately five-year intervals.

. (7) A seafarer shall, during the seafarer's maritime vocations training, receive instruction on the immediate action that should be taken on encountering an accident or other medical emergency on board.

(8) A specified crew member or any other crew member shall, in addition to the person in charge of medics care on board a ship, receive elementary training in medical care in order to enable him to take immediate, effective action in case of accidents or illnesses likely to occur on board a ship.'

Medical Assistance to Other Ships.

13. A ship to which these Regulations apply shall provide all possible medical assistance, where practicable, to other vessels which may request medical assistance from the ship.

Hospital Accommodation to be Provided.

14.—(1) In a ship of 500 or more gross tonnage; carrying fifteen or more seafarers and engaged in a voyage which lasts for a duration of more than three days, separate hospital accommodation shall be provided.

(2) The Minister may waive the requirement in paragraph (1) of this regulation, in respect of a ship engaged in near coastal voyages.

(3) In a ship of between 200 and 500 gross tonnage and in tugs, this paragraph shall be applied where it is reasonable and practicable.

(4) This paragraph does not apply to a ship primarily propelled by sail.

(5) A hospital accommodation on board a ship shall

(a) be suitably situated, so that the accommodation is easily accessible and the occupants are comfortably housed and receive proper attention in all weathers;

(b) be so designed as to facilitate consultation and the giving of medics first aid;

(c) only be used for medics purposes.

(6) The arrangement of the entrance, berths, lighting, ventilation, heating and water supply shall be designed to ensure the comfort and facilitate the treatment of the occupants.

(7) The number of hospital berths required shall be prescribed by the Minister.

(8) A water closet accommodation shall be provided for the exclusive use of the occupants of the hospital accommodation, either as part of the accommodation or in close proximity to the accommodation.

Form of Medical Report.

15. —(1) The Minister shall adopt a standard medical report form for seafarers as a model for use by

(a) ship doctors, masters or persons in charge of medical care on board a ship; and

(b) hospitals or doctors ashore.

(2) The medical report form referred to in paragraph (1) of this regulation, shall be specially designed to facilitate the exchange of medical and related information, concerning an individual seafarer, between the ship and shore in cases of illness or injury.

(3) The information contained in a medical report form shall be kept confidential and used for no other purpose than to facilitate the treatment of the seafarer.

Citation.

16. These Regulations may be cited as the Merchant Shipping (Health Protection and Medical Care for Seafarers) Regulations 2010.

MADE at Abuja th is 9th day of March, 20 10,

IBRAHIM ISA BIO
Minister of Transportation