

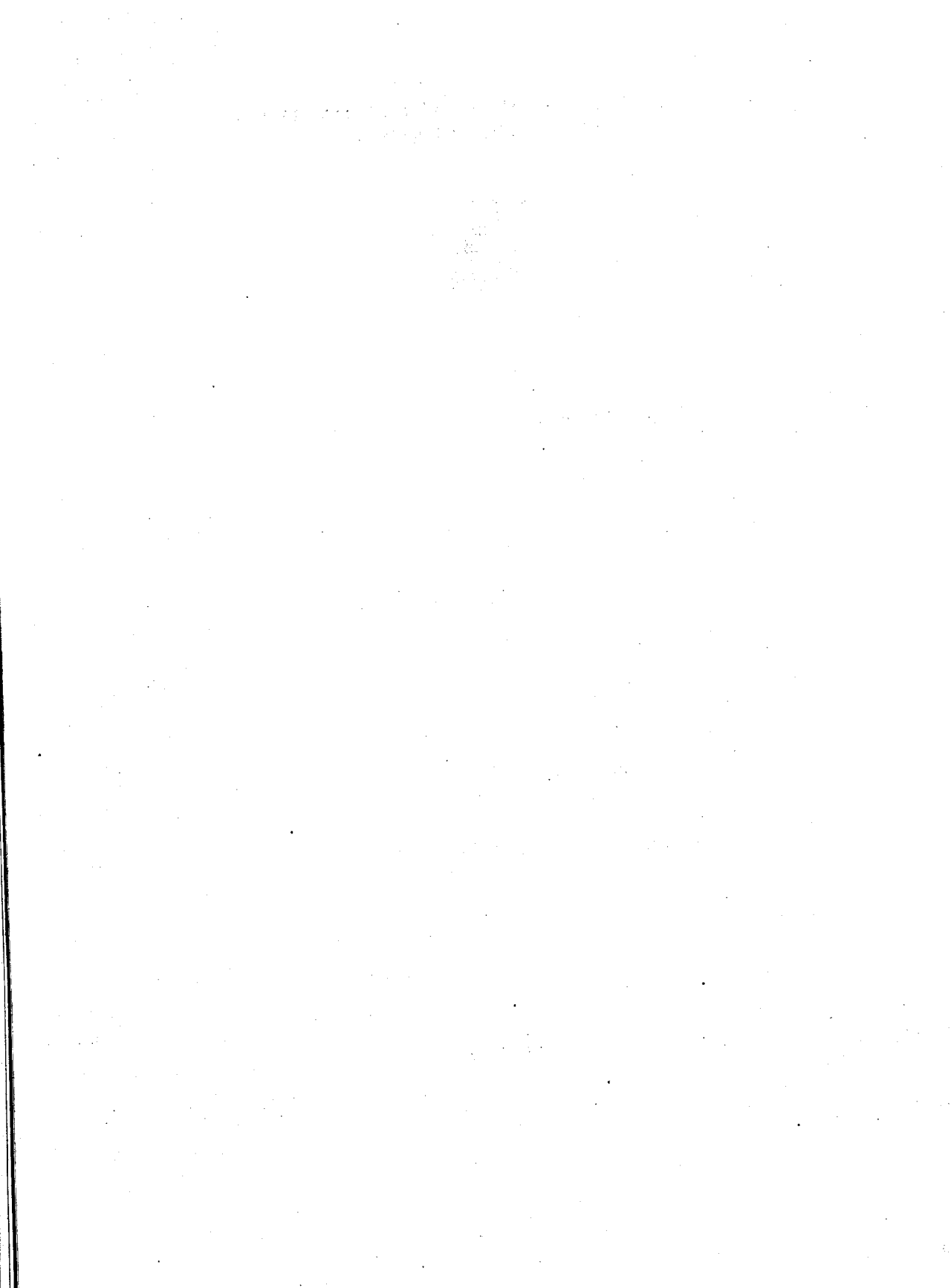
**MERCHANT SHIPPING (MEDICAL EXAMINATION OF
SEAFARERS) REGULATIONS**



ARRANGEMENT OF REGULATIONS

Regulation :

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2. Other Grounds for Employment.
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S. I. 15 of 2010

MERCHANTS SHIPPING ACT

(2007 No. 27)

**Merchant Shipping (Medical Examination of Seafarers)
Regulations 2010**

[9th March, 2010] Commence-
ment.

In exercise of the powers conferred upon me by section 435 of the Merchant Shipping Act, 2007 and of all other powers enabling me in that behalf, I, IBRAHIM ISA BID, Minister of Transportation, hereby make the following Regulations:

1.—(1) A person seeking an employment in a vessel shall produce a certificate of fitness for the work for which he is seeking to be employed at sea.

Certificate of
Fitness to be
Produced by
Persons
Seeking
Employment

(2) The certificate shall be signed by a medical practitioner approved by the Minister or, in the case of a certificate concerning sight, by a person authorised by the Minister to issue the certificate.

2. A person may be engaged for employment in a vessel if he produces evidence that he has been employed in a sea-going vessel for a substantial period in the past two years.

Other
Grounds for
Employment.

3. The Minister shall prescribe the nature of the medical examination to be made and the particulars to be included in the medical certificate and such examination shall include the standards specified in section B 1/9 and Table B of the Code.

Minister to
Prescribe
Medical
Examination.

4. When prescribing the nature of the medical examination stated in regulation 3 of these Regulations, the Minister shall take into consideration the age of the person to be examined and the nature of the duties to be performed by the person.

Age and
Nature of
Duties to be
Considered.

5. A medical certificate under these Regulations shall attest—

Contents of
Medical
Certificate.

(a) to the hearing and sight of the person and, in the case of a person to be employed in the deck department (except for certain specialist personnel, whose fitness for the work which they are to perform is not likely to be affected by defective colour vision), his colour vision, are all satisfactory; and

(b) that the person is not suffering from any disease likely to be aggravated by, or to render him unfit for, service at sea or likely to endanger the health of other persons on board.

Certificate in Force for Two Years.

6. The medical certificate shall remain in force for a period not exceeding two years from the date on which it was granted.

Certificate of Colour Vision.

7. A medical certificate relates to colour vision, it shall remain in force for a period not exceeding two years from the date on which it was granted.

Certificate Valid until end of Voyage.

8. If the period of validity of a certificate expires in the course of a voyage, the certificate shall continue in force until the end of that voyage.

Exceptional Circumstances for Employment.

9.—(1) In urgent cases the Minister may, taking into consideration the safety of the crew and vessel, allow a person to be employed for a single voyage without having satisfied the requirements of regulations 2 and 3 of these Regulations.

(2) Where a person is employed under sub-regulation (1) of this regulation, the terms and conditions of employment shall be the same as those of seafarers in the same category holding a medical certificate.

(3) Employment by virtue of sub-regulation of this regulation shall not be deemed on any other occasion to be previous employment for the purposes of regulation 2 of these Regulations.

Evidence of Certificate

10. The Minister may provide for acceptance, evidence of certificate in a prescribed form as-a substitute for a medical certificate that the required certificate has been given.

Application for further Examination by Medical Referee.

11. Arrangements shall be made to enable a person who has been denied a certificate after examination, to apply for a further examination by a 'medical referee who shall be independent of any shipowner or any organisation of shipowners or seafarers.

Application.

12.—(1) These Regulations shall apply to every sea-going vessel, whether publicly or privately owned, which-

(a) is engaged in the transport of cargo or passengers for the purpose of trade; and

(b) registered in Nigeria.

(2) These Regulations do not apply to-

(a) a wooden vessel of primitive build such as a canoe; or

(b) an estuarial craft.

(3) Without prejudice to the steps which should be taken to ensure that the persons mentioned in paragraphs (a) to (d) of this sub-regulation are in good health and not likely to endanger the health of other persons on board,

these Regulations shall apply to every person who is engaged in any capacity on board a vessel.

(4) The provisions of these Regulations shall not apply to—

- (a) a pilot who is not a member of the crew;
- (b) persons employed on board by an employer other than the shipowner, radio officers or operators in the service of a wireless telegraphy company;
- (c) stevedores who are not members of the crew ;
- (d) persons employed in ports who are not ordinarily employed at sea.

(5) In these Regulations "*Code*" means the Seafarers' Training Certification and Watchkeeping Code adopted by the 1995 Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended on 7 July 1995.

13. These Regulations may be cited as the Merchant Shipping (Medical Examination on Seafarers) Regulations 20 10. Citation.

MADE at Abuja this 9th day of March, 20 10.

IBRAHIM ISA BIO
Minister of Transportation