

(Legislative Supplement No. 21)

LEGAL NOTICE NO. 42

THE MERCHANT SHIPPING ACT, 2009

(No. 4 of 2009)

MERCHANT SHIPPING (SEAFARER MEDICAL EXAMINATION
AND CERTIFICATION) REGULATIONS, 2016

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FIRST SCHEDULE — FORM OF SEAFARER'S MEDICAL
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SECOND SCHEDULE — MINIMUM IN-SERVICE EYESIGHT
STANDARDS FOR SEAFARERS

THE MERCHANT SHIPPING ACT, 2009

(No. 4 of 2009)

MERCHANT SHIPPING (SEAFARER MEDICAL EXAMINATION
AND CERTIFICATION) REGULATIONS, 2016

IN EXERCISE of the powers conferred by section 450 of the Merchant Shipping Act, the Cabinet Secretary for Transport and Infrastructure makes the following Regulations-

MERCHANT SHIPPING (SEAFARER MEDICAL EXAMINATION
AND CERTIFICATION) REGULATIONS, 2016

1. These regulations may be cited as the Merchant Shipping (Seafarer Medical Examination and Certification) Regulations 2016.

Short title..

2. In these regulations, unless the context indicates otherwise-

Interpretation.

“applicant” means a person who applies for a seafarer’s medical certificate under these regulations;

“approved” means approved by the Authority;

“Authority” means the Kenya Maritime Authority established under the Kenya Maritime Authority Act, 2006;

“company” means the owner of the ship or his representative or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the ship owner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by these regulations;

“examinee” means a person who presents himself/herself to a recognized medical practitioner to be examined for the purpose of obtaining a medical certificate.

“holder” in relation to a certificate or other document, means the person identified as holder by that certificate or document;

“marine guidance notice” means an information note issued by the Director-General to disseminate useful information and guidance in accordance with Section 170(5) of the Merchant Shipping Act, 2009;

“seafarer medical certificate” means a certificate issued in accordance with regulation 6 of these regulations and ‘medical certificate’ shall be construed accordingly;

“recognized medical practitioner” means a person recognized in accordance with regulation 16 of these regulation to assess the medical fitness of seafarers;

“Party” means a State identified and published by the Maritime Safety Committee of the Organization as having demonstrated that they give full and complete effect to the relevant provisions of the Convention;

“seafarer” means any person employed upon a vessel and includes the master, ships officers and ratings;

“the Board” means the Kenya Medical Practitioners and Dentists Board;

“Training and Certification Regulations” means the Merchant Shipping (Training and Certification) Regulations, 2015 made under the Act, relating to the qualifications and certification of seafarers as may from time to time be amended;

“the Guidelines” means the Guidelines on Medical Examinations of Seafarers set out in IMO circular STCW.7/Circ.19 of 9 January 2013 as may from time to time be amended;

“STCW Code” means the Seafarers’ Training, Certification and Watchkeeping (STCW) Code as adopted by the 1995 Conference resolution 2, as it may be amended by the Organization;

“STCW Convention” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as affected by any amendment made under Article XII of that Convention and “Convention” shall be construed accordingly;

“valid” in relation to a certificate or other document, means a certificate or document that is current and that has not been cancelled, suspended, revoked or expired.

3. (1) These Regulations shall apply to seafarers serving on board seagoing Kenyan ships wherever they may be or on foreign ships when they are in a Kenyan port or in Kenyan waters;

Application.

(2) These Regulations shall not apply to—

- (a) warships, naval auxiliaries;
- (b) Ships owned or operated by a Party and engaged only on governmental non-commercial service;
- (c) Government ships as defined in the Act;
- (d) fishing vessels;
- (e) pleasure yachts not engaged in trade;
- (f) wooden ships of primitive build, including junks; or
- (g) any person whose work is not part of the routine business of the ship and whose principal place of work is ashore;
- (h) offshore installations whilst on their working stations; and

(3) The Authority may require seafarers serving on board ships referred to in paragraph (2)(b) to (e) to meet the requirements of these regulations so far as is reasonable and practicable so as not to impair the operations or operational capabilities of such ships.

4. The purpose of regulations is to give effect to the provisions of—

Purpose of these Regulations.

- (a) Regulation I/9 of the STCW Convention and Section A- I/9 of the STCW Code; and

- (b) Regulation 1.2 and Standard A1.2 of the Maritime Labour Convention, 2006.

5. (1) Subject to sub-regulations 9(2) and (3), no person may work as a seafarer on a ship to which these Regulations apply unless that person holds a valid seafarer medical certificate.

Evidence of medical fitness.

(2) A seafarer who has been issued with a medical certificate shall carry that certificate on board during the term of employment on a ship to which these Regulations apply.

(3) A company shall—

- (a) ensure that every seafarer serving on board its ships holds a valid medical certificate;
- (b) in respect of a Kenyan ship, inform the Authority when the medical certificate of a seafarer expires in the course of a voyage; and
- (c) make an application to the Authority, on behalf of the concerned seafarer, for the permission required under sub-regulation 9(3).

6. (1) The Authority—

- (a) shall issue medical certificates on the recommendation of the examining recognized medical practitioner; or
- (b) may authorize a recognized medical practitioner to issue medical certificates on its behalf.

Application and issue of a seafarer medical certificate.

(2) Every applicant for certification shall—

- (a) be not less than 16 years of age;
- (b) provide satisfactory proof of his or her identity;
- (c) meet the applicable medical fitness standards established under regulation 7; and
- (d) surrender to the recognized medical practitioner his or her medical certificate, where one was issued previously.

(3) A recognized medical practitioner shall, while issuing or when recommending to the Authority the issuance a medical certificate, be guided by the procedures for the issue of medical certificates established in these Regulations.

(4) A seafarer's medical certificate shall be in the English language and in the format set out in the First Schedule.

7 (1) The examining medical practitioner shall recommend to the Authority the issuance of a medical certificate to a seafarer in accordance with the standards of medical fitness for seafarers established in the Guidelines.

Standards of medical fitness for seafarers.

(2) The established physical and medical standards are—

- (a) vision standards;

- (b) hearing standards;
- (c) eyesight standards;
- (d) physical capability requirements;
- (e) fitness criteria for medication use; and
- (f) fitness criteria for common medical conditions.

(3) Notwithstanding sub-regulation (2)(a), the minimum in-service eyesight standards for seafarers shall be as set out in the Second Schedule.

(4) Notwithstanding the Guidelines, a medical practitioner conducting seafarer medical examination may exercise professional discretion and judgement considering the special requirements of seafaring life and the different duties of seafarers:

Provided that in the case of paragraphs (2)(a) and (c)-

- (i) no discretion shall be exercised in relation to the minimum eyesight standards for distance vision aided, near/immediate vision and colour vision as specified in the Second Schedule for seafarers in the deck department required to undertake lookout duties;
- (ii) discretion shall only be exercised in respect of seafarers in the engine department where their combined vision fulfils the requirements specified in the Second Schedule.

8 (1) The recognized medical practitioner shall specify any limitation or restriction on medical certificate issued under regulation 6. Limitations or restrictions.

(2) The limitations or restrictions may concern—

- (c) the job the seafarer is expected to perform;
- (d) the trade area;
- (e) the time limit; or
- (f) any other necessary considerations.

(3) No person may work as a seafarer on a ship to which these Regulations apply—

- (a) in a capacity of sea service or in a geographical area precluded by any restriction in that person's medical certificate; or
- (b) in breach of a condition of that person's medical certificate.

(4) No person may employ a person as a seafarer in a ship to which these Regulations apply—

- (a) in a capacity of sea service or in a geographical area precluded by any restriction in that person's medical certificate; or
- (b) in such a way as to breach a condition of the person's medical certificate.

9 (1) A seafarer's medical certificate shall be valid for a maximum period of two years from the date of issue, unless the seafarer is under the age of eighteen, in which case the maximum period of validity shall be one year.

Validity of a medical certificate.

(2) If the period of validity of a seafarer's medical certificate expires in the course of a voyage, the medical certificate shall continue to be in force—

- (a) until the next port of call, where the seafarer shall obtain a medical certificate from a medical practitioner recognized by the Authority; or
- (b) until the expiry of three months from the date of the expiry of the certificate.

(3) In urgent cases, the Authority may, on application by a Company, permit a seafarer to work without a valid medical certificate until the next port of call where the seafarer shall obtain a medical certificate from a recognised medical practitioner, provided that—

- (a) the seafarer concerned is in possession of medical certificate which has expired no earlier than one month before the date on which he joined the ship; and
- (b) the period of such permission shall not exceed three months.

10. (1) A medical certificate may be cancelled or suspended if a medical practitioner has reasonable grounds for believing that—

Cancellation or suspension of a medical certificate.

- (a) there has been a significant change in the medical fitness of a person during the period of validity of the medical certificate;
- (b) a person is not complying with the terms of a condition to which the medical certificate is subject;
- (c) when the medical certificate was issued to a person, had a medical practitioner been in possession of full details of that person's condition, the medical practitioner could not reasonably have considered that the person was fit, having regard to the medical standards specified in regulation 7; or
- (d) the medical certificate was issued to a person otherwise than in accordance with these Regulations.

(2) Where sub-regulation (1) applies, the medical practitioner shall—

- (a) suspend the validity of that medical certificate until the person to whom the certificate was issued has undergone further medical examination;
- (b) suspend the validity of the medical certificate for such period as the medical practitioner considers the person to whom the certificate was issued will remain unfit to perform the duties that person will carry out at sea; or

- (c) cancel the medical certificate if he considers that the person to whom the certificate was issued is likely to remain permanently unfit to perform the duties that person will carry out at sea and must notify the person concerned accordingly.

(3) The medical practitioner shall require that a person surrenders a medical certificate which has been suspended or cancelled pursuant to sub-regulation (2), in such manner as he may direct.

(4) In this regulation, a significant change in the medical fitness of a person means a condition which affects or would be reasonably likely to affect that person's ability to carry out their duties, including their ability to undertake emergency duties.

11. A seafarer who is the holder of a valid medical certificate may at any time be required by the owner or master of a ship, or by the Authority, to obtain a new medical certificate where as a result of illness, injury or other cause it is believed the seafarer may no longer be medically fit.

Further examination.

12. (1) A recognized medical practitioner carrying out seafarer medical examination shall adhere to the standards of medical fitness for seafarers established in regulation 7.

Conduct of medical fitness examination.

(2) A medical practitioner shall in accordance with the Guidelines conduct such examinations, tests and interviews and make such enquiries in relation to an applicant as may be necessary to determine whether the applicant is medically fit to perform the intended duties as a seafarer.

(3) An applicant shall disclose to the medical practitioner all pre-existing medical conditions that are known to the applicant and that are likely to affect the determination of the applicant's medical fitness.

(4) A recognized medical practitioner may at his own cost refer, the seafarer to undertake specialized medical examination at another facility.

(5) A recognized medical practitioner shall—

- (a) adhere to the Guidelines while conducting medical fitness examinations.

(6) The format for recording medical examinations of seafarers shall be that provided in the Guidelines.

(7) An examining medical practitioner may refer any medical problems found, when appropriate, for further investigation and treatment, whether or not a seafarer is issued with a medical certificate.

13. (1) Medical practitioners shall in examining seafarers for the purpose of these Regulations, be deemed to be acting on behalf of the Authority, and shall avoid or resolve any conflict of interest.

Privacy and confidentiality of medical examinations and independence of medical practitioners.

(2) All persons involved in the conduct of medical examinations, including those who come into contact with medical examination forms, laboratory results and other medical information, shall ensure the right to privacy of the examinee.

(3) Medical examination reports shall be marked as confidential and shall be so treated, and all medical data collected from a seafarer shall be protected.

(4) Medical records shall only be used for determining the fitness of the seafarer for work and for enhancing health care and they shall not be disclosed to other persons without prior written informed consent from the seafarer.

(5) Personal medical information shall not be included on medical certificates or other documents made available to other persons following the medical examination.

(6) The seafarer shall have the right of access to and receipt of a copy of his or her personal medical data.

(7) A recognized medical practitioner shall enjoy professional independence from ship-owners, seafarers, and their representatives in exercising their medical judgement under of these Regulations.

14. (1) A person who is aggrieved by—

- (a) the refusal a medical practitioner to issue or recommend to the Authority the issuance of issue a medical certificate in accordance with regulation 6;
- (b) any restriction imposed on his or her medical certificate; or
- (c) the suspension or cancellation of his or her medical certificate by a medical practitioner pursuant to regulation 10;

may apply to the Authority for the matter to be reviewed, at his own cost, by another recognized medical practitioner.

(2) A matter which is the subject of an application under subregulation (1) shall be reviewed if the application—

- (a) Is lodged with the Authority within one month of the date on which the applicant was given notice of refusal, imposition of a restriction, suspension or cancellation;
- (b) includes a consent for the medical practitioner responsible for the refusal, imposition of a restriction, suspension or cancellation to provide a report to the medical referee; and
- (c) specifies the name and address of that practitioner.

(3) If an application is made after the time prescribed in sub-regulation (2)(a), the Authority may, upon consideration of any reasons for the lateness of the application, decide that the matter is nonetheless to be reviewed.

(4) If requested by the applicant, the medical practitioner shall provide to the applicant a copy of the report of the medical practitioner and any other evidence provided by the medical practitioner or the medical referee.

Appealing against
the decision of
recognized
medical
practitioner.

(5) In a case within sub-regulation (1)(a) or (c), if in light of the medical evidence, and having regard to the medical standards specified in regulation 7, the medical referee considers that the applicant is fit to perform the duties to be carried out at sea, the medical referee shall issue to or recommend to the Authority to issue the applicant a medical certificate in, or terminate the suspension of the applicant's medical certificate, as the case may be.

(6) In a case within sub-regulation (1)(a), (b) or (c), and having regard to the medical standards specified by regulation 7, if in the light of the medical evidence the medical referee considers that restrictions as to capacity of sea service or geographical areas should be imposed on a medical certificate issued to the applicant, or that any restriction so imposed by a medical practitioner should be deleted or varied, the medical referee shall issue or recommend to the Authority to issue the applicant a medical certificate which records any restrictions as so imposed or varied, and the former certificate shall cease to have effect.

(7) If in the light of the medical evidence, and having regard to the medical standards specified by regulation 7, the medical referee considers that the applicant is unfit to perform the duties that person will carry out at sea, the medical referee shall notify the applicant of the period during which the medical referee considers that the applicant remains unfit to go to sea.

(8) In this regulation "medical referee" means the recognized medical practitioner to whom a matter is referred by an applicant who is aggrieved by a medical report.

15. (1) Unless a medical certificate has been surrendered under regulation 10(3), if a person who was issued with a medical certificate which is still valid is no longer in possession of that certificate, then upon—

- (a) application being made by that person or that person's employer to the medical practitioner or referee who issued the certificate; and
- (b) payment of the administrative costs of issuing the replacement,

the medical practitioner or referee who issued that certificate may issue to that person a replacement medical certificate.

(2) A replacement medical certificate issued under this regulation expires on the expiration date of the original medical certificate which it replaces.

(3) At no time shall a seafarer hold more than one valid medical certificate.

16. (1) Examination of seafarers for medical fitness shall be conducted by medical practitioners recognized by the Authority in accordance with this regulation.

(2) A medical practitioner wishing to be recognized under sub-regulation (1) shall make a written application to the Authority and submit documentary evidence of—

Replacement certificates.

Recognition and authorization of medical practitioners.

- (a) appropriate academic qualification;
 - (b) valid registration and licensing by the Board;
 - (c) experience of not less than 4 years practising general medicine;
 - (d) appropriate qualifications and at least two years' experience-
 - (i) in occupational health or maritime health;
 - (ii) working as a ship's doctor or a shipping company doctor; or
 - (iii) working under the supervision of someone with the aforementioned qualifications or experience; and
 - (e) the registered premises where seafarer medical fitness examinations shall be conducted.
- (3) The premises required under paragraph (2)(e) shall—
- (a) have the facilities and equipment required to carry out medical fitness examination of seafarers;
 - (b) be conveniently situated for easy access by seafarers; and
 - (c) be sufficient, adequate and readily available.
- (4) The Authority shall verify the authenticity and validity of the documentary evidence submitted in support of the application under sub-regulation (2) and—
- (a) may require the medical practitioner to provide additional information; and
 - (b) conduct inspection of the premises and facilities to verify their suitability in respect of the requirements of sub-regulation (3).
- (5) The Authority shall, in addition to the requirements of sub-regulations (2), (3) and (4), take into consideration any other factors it may deem relevant to the application for recognition and shall not be bound to recognize a medical practitioner only on the basis of such a medical practitioner satisfying the requirements of those sub-regulations.
- (6) The recognition of a medical practitioner by the Authority shall be issued in writing and—
- (a) be valid for a period of 36 months; and
 - (b) specify any conditions applying to it.
- (7) The recognition issued to a medical practitioner—
- (a) shall be deemed to constitute a recognition of the registered medical premises or facility where the seafarer medical fitness examinations will be conducted;
 - (b) a recognized medical practitioner transferring or relocating his or her practise to a different premises or facility—

- (i) shall inform the Authority, within five working days, of such change and comply with the requirements of paragraph (2)(e); and
- (ii) the Authority shall conduct the verification described under sub-regulation (4) and where appropriate, re-issue a recognition to that medical practitioner.
- (8) The Authority shall maintain and make available to other Parties, companies and seafarers, on request—
- (a) a register of medical practitioners recognized by it; and
- (b) a list of the Parties whose medical certificates are recognized by the Authority in accordance with regulation 18.
17. The recognition of a medical practitioner—
- (a) shall stand revoked, forthwith, when the recognized medical practitioner's registration or license is invalidated or revoked by the Board; and
- (b) may be varied, suspended, cancelled or revoked, in writing, by the Director-General—
- (i) following a recommendation in an investigation report or audit report for such variation, suspension, cancellation or revocation; or
- (ii) when a recognized medical practitioner transfers or relocates his/her medical practice to a different premise or facility; or
- (iii) when, in the Director-General's opinion, the circumstances warrant such variation, suspension, cancellation or revocation.
18. The Authority shall accept, in principle, medical certificates issued by or on behalf of the Parties identified and published by the Maritime Safety Committee of the Organization as Parties which have demonstrated that they give full and complete effect to the relevant provisions of the STCW Convention.
19. (1) Medical certification activity shall be continuously monitored through the Quality Standards System established by the Director-General.
- (2) The quality standards system shall establish, at a minimum, procedures for—
- (a) issuance of medical certificates;
- (b) recognition of a medical practitioner; and
- (c) appealing the decision of a recognized medical practitioner;
20. (1) Any need for a seafarer to wear visual aids to meet the required standards shall be recorded by the recognized medical practitioner on the medical certificate issued.

Variation, suspension, cancellation or revocation of recognition.

Medical certificates issued by other Parties.

Quality standards system.

Use of spectacles or contact lenses.

(2) A person whose medical certificate indicates that an aid to vision or hearing was used for the purpose of being found fit shall—

- (a) use the aid when performing duties as a seafarer; and
- (b) in the case of an aid to vision, keep at least two such aids while performing duties as a seafarer.

21. (1) An inspector duly authorized by the Director-General may inspect any foreign ship to which these Regulations apply when the ship is in a Kenyan port, and where he is satisfied that any seafarer is unable to produce a valid medical certificate he may—

Inspection and detention of foreign ships.

- (a) send a report to the government of the country in which the ship is registered, and a copy thereof to the Secretary-General of the International Maritime Organization; and
- (b) subject to sub-regulation (2), where he is satisfied that conditions on board are hazardous to safety or health—
 - i) take such measures as are necessary to rectify those conditions; and
 - ii) detain the ship.

(2) Measures referred to in sub-regulation (1) (b) may be taken only when the ship has called at a Kenyan port in the normal course of business or for operational reasons.

(3) Where the inspector takes either of the measures specified in sub-regulation (1) (b) he shall forthwith notify the nearest maritime, consular or diplomatic representative of the flag state of the ship.

(4) Sections 435 and 436 of the Act shall have effect in relation to a ship detained under these Regulations.

22. (1) An inspector duly authorized by the Director-General may inspect any Kenyan ship to which these Regulations apply and may detain the ship where upon inspection the inspector is satisfied that—

Inspection and detention of Kenyan ships.

- (a) any seafarer whose employer is required by regulation 5 to ensure that he is the holder of a valid medical certificate is unable to produce such a certificate; and
- (b) the state of his health is such that the ship could not sail without serious risk to the safety and health of those on board.

(2) The inspector shall not in the exercise of these powers detain or delay the ship unreasonably.

23. (1) A copy of the seafarers' medical certificates shall be kept in the files of the health institution in which it was issued.

Seafarers' Medical records.

(2) The medical examination records should be clearly marked as confidential and retained, according to national regulations, in the custody of the health institution where the medical certificate was issued. The file should be kept confidential and should not be used for any purpose other than facilitating the treatment of seafarers and should

be made available only to persons duly authorized in accordance with national data protection laws.

(3) Medical records shall only be used for determining the fitness of the seafarer for work and for enhancing health care they shall not be disclosed to others without prior written informed consent from the seafarer.

24. (1) Any person who contravenes the requirements of Regulations 5, 8(3) and 8(4) and 16(1) commits an offence.

Offences,
penalties and
defences.

(2) A person who commits an offence in terms of sub-regulation (1) shall be liable on conviction to a fine not exceeding two hundred thousand Kenya shillings or to imprisonment for a period not exceeding six months or both such fine and imprisonment.

(3) If a person—

- (a) admits to the Director-General that he has failed to comply with the requirements of these Regulations, or that he has failed to comply with any such requirement with which it was his/her duty to comply; and
- (b) agrees to abide by the decision of the Director-General; and
- (c) deposits with the Authority such sum as may be required of his, but not exceeding the maximum fine which may be imposed upon a conviction for failure to comply,

the Director General shall, after such enquiry as deems necessary, determine the matter summarily and may, without legal proceedings, order by way of penalty the whole or any part of the said deposit to be forfeited.

(4) No prosecution shall be instituted for an offence for which penalty is imposed under this Regulation.

(5) Nothing in these regulations shall affect liability to forfeiture of ships, shares therein or goods.

25. The Merchant Shipping (Eyesight and Medical Examination) Regulations 2012 are revoked.

Revocation of
L.N. 113 of 2012.

26. (1) Notwithstanding regulations 25—

- (a) subject to regulation 17, every recognized medical practitioner who was, immediately before the commencement of these regulations, a recognized medical practitioner within the meaning of these regulations shall continue to be a recognized medical practitioner for the purpose of these Regulations for the period specified in the instrument of approval or recognition;
- (b) medical certificates issued immediately prior to the commencement of these Regulations shall be deemed issued under these Regulations and shall continue to be valid for the period specified in them.

Transitional
arrangements.

FIRST SCHEDULE (R.6(4))
FORM OF SEAFARER'S MEDICAL CERTIFICATE
(Regulation 6)

<div style="border: 1px solid black; width: 100px; margin: 0 auto; padding: 5px;">COAT OF ARMS</div> <p style="text-align: center;">KENYA MARITIME AUTHORITY SEAFARER MEDICAL CERTIFICATE <i>Issued under Regulation 6 of the Merchant Shipping (Seafarer Medical and Examinations) Regulations, 2016</i></p>		
Certificate No: <input style="width: 100px;" type="text"/>		
Seafarer Information:		
Last name:	First name:	Middle name(s):
Nationality: _____ Passport No: ____ Date of Birth: _dd_/_mm_/_yyyy_ Discharge book No: _____		
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Rank/Job: _____	Department: _____

This is to certify that above named seafarer has been examined in accordance with the Seafarers' medical fitness standards and certification requirements established in accordance with the provisions of the STCW Convention, 1978, amended, regulation I/9 and Maritime Labour Convention, 2006, regulation 1.2 found to be fit for service at sea, subject to any limitations indicated

DECLARATION OF THE RECOGNIZED MEDICAL PRACTITIONER		
	Yes	No
1. Confirmation that identification documents were checked at the point of examination	<input type="checkbox"/>	<input type="checkbox"/>
2. Hearing meets the standards in STCW Code Section A-I/9? Date of test (dd/mm/yyyy): ____/____/____	<input type="checkbox"/>	<input type="checkbox"/>
3. Unaided hearing satisfactory?	<input type="checkbox"/>	<input type="checkbox"/>
4. Visual acuity meets standards in section A-I/9? - Visual aids (if worn): <input type="checkbox"/> Spectacles <input type="checkbox"/> Contact lenses <input type="checkbox"/> None	<input type="checkbox"/>	<input type="checkbox"/>
5. Colour vision meets standards in section A-I/9? - Date of last colour vision test: (dd/mm/yyyy): _____/_____/_____	<input type="checkbox"/>	<input type="checkbox"/>
6. Fit for look-out duties? (Deck and Engine Dept. only)	<input type="checkbox"/>	<input type="checkbox"/>
7. Limitations or restrictions on fitness?	<input type="checkbox"/>	<input type="checkbox"/>

If "Yes", specify limitations or restrictions:	Examination form No: _____	
8. Is the seafarer free from any medical condition likely to be aggravated by service at sea or to render the seafarer unfit for such service or to endanger the health of other persons on board?	<input type="checkbox"/>	<input type="checkbox"/>
Date _____ of _____ Issue(dd/mm/yyyy): _____	*Expiry date _____ of _____	certificate(dd/mm/yyyy): _____/_____/_____

RECOGNIZED MEDICAL PRACTITIONER Sign: _____ Name (print): _____ Place of Examination: _____ Seal/Stamp: _____	REGISTRAR OF KENYAN SEAFARERS Sign: _____ Name (print): _____ Place of issue: _____ Seal/Stamp: _____
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Seafarer's Declaration

I hereby confirm that I have been informed about the content of this certificate and my right to appeal in accordance with the Merchant Shipping (Seafarer Medical and Eyesight) Regulations, 2016.

Signature of the seafarer: _____

**Valid for a maximum period of two years unless the seafarer is under the age of 18, in which case the maximum period of validity shall be one year.*

SECOND SCHEDULE

(R.7)

MINIMUM IN-SERVICE EYESIGHT STANDARDS FOR SEAFARERS

STCW Convention regulation	Category of seafarer	Distance vision Aided ¹		Near/immediate vision	Colour vision ³	Visual fields ⁴	Night blindness ⁴	Diplopia (double vision) ⁴
		One eye	Other eye	Both eyes together, aided or unaided				
I/11 II/1 II/2 II/3 II/4 II/5 VII/2	Masters, deck officers and ratings required to undertake look-out duties	0.5 ²	0.5	Vision required for ship's navigation (e.g., chart and nautical publication reference, use of bridge instrumentation and equipment, and identification of aids to navigation)	See Note 6	Normal Visual fields	Vision required to perform all necessary functions in darkness without compromise	No significant condition evident
I/11 III/1 III/2 III/3 III/4 III/5 III/6 III/7 VII/2	All engineer officers, electro- technical officers, electro- technical ratings and ratings or others forming part of an engine- room watch	0.4 ⁵	0.4 (see Note 5)	Vision required to read instruments in close proximity, to operate equipment, and to identify systems/ components as necessary	See Note 7	Sufficient visual fields	Vision required to perform all necessary functions in darkness without compromise	No significant condition evident
I/11 IV/2	GMDSS Radio operators	0.4	0.4	Vision required to read instruments in close proximity, to operate equipment, and to identify systems/ components as necessary	See Note 7	Sufficient visual fields	Vision required to perform all necessary functions in darkness without compromise	No significant condition evident

Notes:

1. Values given in Snellen decimal notation.
2. A value of at least 0.7 in one eye is recommended to reduce the risk of undetected underlying eye disease.
3. As defined in the *International Recommendations for Colour Vision Requirements for Transport* by the Commission Internationale de l'Éclairage (CIE-143-2001 including any subsequent versions).
4. Subject to assessment by a clinical vision specialist where indicated by initial examination findings.
5. Engine department personnel shall have a combined eyesight vision of at least 0.4.
6. CIE colour vision standard 1 or 2. Other equivalent confirmatory test methods currently recognized by the Board may continue to be used.

7. CIE colour vision standard 1, 2 or 3. Other equivalent confirmatory test methods currently recognized by the Board may continue to be used.
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Dated the 22nd February, 2016.

JAMES MACHARIA,
Cabinet Secretary for Transport and Infrastructure.