LEGAL NOTICE NO……..

MERCHANT SHIPPING ACT
(*Cap. 389*)

MERCHANT SHIPPING (WORK IN FISHING) REGULATIONS, 2026

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THE MERCHANT SHIPPING ACT
(*Cap. 389*)

IN EXERCISE of the powers conferred by section 8(2)(b) of the Merchant Shipping Act, the Cabinet Secretary for Mining, Blue Economy and Maritime Affairs makes the following Regulations—

THE MERCHANT SHIPPING (WORK IN FISHING) REGULATIONS, 2026

PART I—PRELIMINARY	
Citation.	**1.** These Regulations may be cited as the Merchant Shipping (Work in Fishing) Regulations, 2026.
Interpretation.	**2.** In these Regulations, unless the context otherwise requires—
Cap. 389.	"Act" means the Merchant Shipping Act;
Cap. 370.	"Authority" means the Kenya Maritime Authority established under the Kenya Maritime Authority Act;
	"child" means an individual who has not attained the age of eighteen years;
	"commercial fishing" means all fishing operations, including fishing operations on rivers, lakes or canals, with the exception of subsistence fishing and recreational fishing;
	"consultation" means consultation by the competent authority with the representative organizations of employers and workers concerned, and in particular the representative organizations of fishing vessel owners and fishers, where they exist; –
	"fishing vessel owner" means the owner of the fishing vessel or any other organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the vessel from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on fishing vessel owners in accordance with the Convention, regardless of whether any other organization or person fulfils certain of the duties or responsibilities on behalf of the fishing vessel owner;
	"fisher" means every person employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch

	but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers;
	"fisher's work agreement" means a contract of employment, articles of agreement or other similar arrangements, or any other contract governing a fisher's living and working conditions on board a vessel;
	"fishing vessel" or "vessel" means any ship or boat, of any nature whatsoever, irrespective of the form of ownership, used or intended to be used for the purpose of commercial fishing;
	"Fishing Vessel Labour Certificate" means the certificate issued under regulation 6;
	"gross tonnage" means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any instrument amending or replacing it;
Cap. 378.	"industrial fishing vessel" has the meaning assigned to it under the Fisheries Management and Development Act;
	"length" (L) shall be taken as 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the keel line, or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In vessels designed with rake of keel, the waterline on which this length is measured shall be parallel to the designed waterline;
	"length overall" (LOA) shall be taken as the distance in a straight line parallel to the designed waterline between the foremost point of the bow and the aftermost point of the stern;
	"medical referee" means a recognized medical practitioner to whom a matter is referred by a fisher who is aggrieved by a medical report;
	"recruitment and placement service" means any person, company, institution, agency or other organization, in the public or the private sector, which is engaged in recruiting fishers on behalf of, or placing fishers with, fishing vessel owners;
Cap.378.	"semi-industrial fishing vessel" has the meaning assigned to it under the Fisheries Management and Development Act;

	"skipper" means the fisher having command of a fishing vessel; and
	"young person" means a child who has attained the age of sixteen years but has not attained the age of eighteen years.
Object of the Regulations.	**3.** The object of these Regulations is to provide —
	(a) for the certification of fishers;
	(b) for the minimum requirements for fishers to work on board fishing vessels;
	(c) a standard for the conditions of service for fishers, inspection of crew accommodation, recreation facilities and catering;
	(d) a standard for health preventive measures, medical care, welfare and social protection for fishers;
	(e) the requirements for the relief and repatriation of fishers; and
	(f) for the handling of complaints and enforcement procedures as prescribed under the Act.
Application.	**4.** (1) Unless expressly provided otherwise, these Regulations shall apply to—
	(a) Kenyan industrial fishing vessels and semi- industrial fishing vessels wherever they may be;
	(b) fishers on Kenyan industrial and semi- industrial fishing vessels;
	(c) all other fishing vessels while in a port or place in, or within the territorial and other waters under the jurisdiction of Kenya;
	(d) Kenyan fishers on board foreign fishing vessels engaged in international voyage; and
	(e) vessels solely used for processing fish or other living resources of the sea or for fisheries research and training.

	(2) Despite sub-regulation (1) these regulations shall not apply to vessels and fishers engaged in recreational, artisanal and subsistence fishing.
Responsibilities of a fishing vessel owner	**5.** A fishing vessel owner shall—
	(a) ensure that a fishing vessel is seaworthy and is licensed under these Regulations and other applicable laws;
	(b) ensure that a fishing vessel is sufficiently manned; and
	(c) provide the skipper with the necessary resources and facilities to comply with these regulations.
Responsibilities of a skipper	**6.** To ensure the safety of the fishers on board and the safe operation of the vessel, a skipper shall—
	(a) provide such supervision as will ensure that, as far as possible, fishers perform their work in the best conditions of safety and health;
	(b) manage the fishers in a manner which respects safety and health, including prevention of fatigue;
	(c) facilitate on-board occupational safety and health awareness training; and
	(d) ensure compliance with safety of navigation, watchkeeping and associated good seamanship standards.
Responsibilities of a fisher	**7.** A fisher shall—
	(a) comply with the lawful orders of the skipper while onboard the vessel; and
	(b) observe all applicable safety and health measures.
PART II – CERTIFICATION	
Fishing Vessel Labour Certificate.	**8.** (1) A fishing vessel owner shall not operate a Kenyan fishing vessel remaining at sea for more than three days which–
	(a) is of ten metres and above; or

	(b) normally navigates at a distance exceeding 200 nautical miles from the coastline or navigates beyond the outer edge of Kenya's continental shelf, whichever distance from the coastline is greater,
	except where the fishing vessel has been issued with a valid fishing vessel labour certificate.
	(2) A fishing vessel owner who operates a Kenyan fishing vessel other than the one provided under sub-regulation (1) may upon request to the Director General, be issued with a fishing vessel labour certificate.
	(3) A skipper shall ensure that a Fishing Vessel Labour Certificate issued under these Regulations is readily available onboard the fishing vessel for examination at all times.
	(4) A Kenyan fishing vessel which fails to comply with this Regulation is subject to detention in accordance with section 435 of the Act.
Application for a Fishing Vessel Labour Certificate.	**9.** (1) An application for a Fishing Vessel Labour Certificate shall be made in the form set out in the First Schedule.
L.N 192 of 2011.	(2) Upon receipt of an application and payment of fees set out in the Second Schedule, the Director General shall cause a fishing vessel to be surveyed.
	(3) The Director General shall within thirty days of the survey under sub-regulation (2)–
	(a) approve and issue a Fishing Vessel Labour Certificate in the form set out in the Third Schedule; or
	(b) reject the application and notify the applicant of the decision together with the reason for the refusal.
Validity.	**10.** The fishing vessel labour certificate referred to in Regulation 8(1) shall be valid for a period of five years.
Survey and inspections.	**11.** (1) Survey of fishing vessels under these Regulations shall be conducted in the following manner —

	(a) an initial survey before the issue of the first Fishing Vessel Labour Certificate;
	(b) an intermediate survey between the second and third years;
	(c) a renewal survey at five-year intervals for the issue of a fishing vessel labour certificate.
	(2) The Authority shall conduct a survey —
	(a) prior to issuance of an interim fishing vessel labour certificate;
	(b) upon transfer of the fishing vessel from another flag State; and
	(c) if substantial changes are made to the vessel's accommodation or its food and catering facilities;
	(3) The Authority may conduct regular inspections on fishing vessels to verify compliance with these Regulations.
L.N 114 of 2012	(4) Fishing vessels below ten metres shall be inspected and surveyed in accordance with the Merchant Shipping (Small Vessel Safety) Regulations.
Interim Fishing Vessel Labour Certificate.	**12.** (1) The Authority, may upon application by a fishing vessel owner in the form set out in the First Schedule, issue an interim fishing vessel labour certificate where—
	(a) a new fishing vessel is on a delivery voyage;
	(b) a fishing vessel is transferred to the Kenyan register; or
	(c) a person assumes responsibility for the operation of a fishing vessel from the fishing vessel owner.
	(2) The Authority shall issue the interim fishing vessel labour certificate referred to under sub-regulation (1)—
	(a) after satisfying itself that the fishing vessel complies with these Regulations and that the skipper is familiar with the requirements and responsibilities for implementation of these Regulations; and
L.N 192 of 2011	(b) upon payment of a fee prescribed under the Merchant Shipping (Fees) Regulations.

	(3) An interim fishing vessel labour certificate shall be in the form set out in the Third Schedule and shall be valid for a period of six months.
Renewal of Fishing Vessel Labour Certificate.	**13.** (1) The Authority may renew a fishing vessel labour certificate —
	(a) on completion of the renewal survey of the fishing vessel; and
	(b) if satisfied that the fishing vessel complies with these Regulations and any other existing laws.
	(2) Notwithstanding sub-regulation (1), where after a renewal survey is completed and prior to the expiry of a fishing vessel labour certificate, a certificate of renewal cannot immediately be issued, the Authority, may extend the validity of the existing certificate for a further period not exceeding five months from the expiry date of the existing certificate, and endorse the certificate accordingly.
Suspension, withdrawal or cancellation of certificate.	**14.** (1) The Authority may, by notice in writing, suspend, withdraw or cancel a fishing vessel labour certificate or interim fishing vessel labour certificate —
	(a) where the fishing vessel owner fails to comply with the requirements of these Regulations, or the required corrective action has not been taken;
	(b) if an intermediate survey has not been completed within the period specified;
	(c) upon transfer of the fishing vessel to another flag State;
	(d) if the person who is named on the certificate as the fishing vessel owner ceases to have responsibility for the operation of the fishing vessel;
	(e) if substantial changes are made to the vessel's accommodation or its food and catering facilities; or
	(f) if the vessel's accommodation or the food and catering facilities have sustained damage or otherwise become deficient and that damage or deficiency has not been rectified.

	(2) Where a certificate ceases to be valid for the reasons provided in sub-regulation (1), the Director General may issue a new certificate if satisfied that the non-compliance has been addressed and remedied.
PART III – MINIMUM REQUIREMENTS FOR WORK ON BOARD FISHING VESSELS	
Minimum age for fishers.	**15.** (1) A ship owner shall not employ a child in any capacity on board a fishing vessel.
	(2) Notwithstanding sub-regulation (1), the Director General may allow a young person to be on board a fishing vessel solely for the purposes of vocational training or apprenticeship, provided that—
	(a) the training or apprenticeship is conducted under a formal, recognized programme approved by the relevant competent authority;
	(b) the young person is not assigned duties that are likely to jeopardize their health, safety, morals or development;
	(c) the young person does not engage in hazardous fishing operations, or duties involving dangerous machinery or equipment;
	(d) the young person does not engage in night work between the hours of 6.30 p.m. and 6.30 a.m.; and
	(e) written consent of a parent or legal guardian is obtained.
	(3) A ship owner who engages a young person shall keep and maintain a register on-board and onshore containing the following particulars of every young person—
	(a) age and date of birth;
	(b) date of embarkation and disembarkation;
	(c) duties and responsibilities;
	(d) hours of work and rest; and
	(e) contact details of parents or legal guardians.

	(4) An authorised officer may require a young person engaged on board a fishing vessel to be medically examined at any time during the period of engagement.
Medical certificate.	**16.** (1) A fishing vessel owner shall not permit a fisher to work on board a fishing vessel unless that fisher holds a valid medical certificate.
	(2) A medical certificate issued pursuant to sub -regulation 1 shall be in English language and in the form set out in the Fourth Schedule.
	(3) A medical certificate issued to a fisher shall at all times be carried onboard the fishing vessel during the fisher's period of engagement.
Application and issue of a fisher's medical certificate.	**17.** (1) A person who intends to be engaged as a fisher shall obtain a medical certificate from a medical practitioner recognised by the Authority.
	(2) An applicant for a medical certificate shall—
	(a) not be less than 16 years of age;
	(b) provide satisfactory proof of his or her identity; and
	(c) meet the applicable medical fitness standards established under Regulation 18.
	(3) A recognized medical practitioner shall, while issuing or when recommending to the Authority the issuance a medical certificate, be guided by the standards of of medical fitness set out in the Fourth Schedule.
Standards of medical fitness for fishers.	**18.** (1) The examining medical practitioner shall recommend to the Authority the issuance of a medical certificate to a fisher in accordance with the standards of medical fitness for fishers set out in the Fourth Schedule.
	(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.
	(2) Notwithstanding the standards of medical fitness in sub regulation (1), a medical practitioner conducting a fisher's medical examination may exercise professional discretion and judgement considering the special requirements of a fisher's life and the different duties of a fisher,
	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 or immediate vision and colour vision as specified in the Third Schedule for fishers in the deck department required to undertake lookout duties; and
	(ii) discretion shall only be exercised in respect of fishers in the engine department where their combined vision fulfils the requirements specified in the Third Schedule.
Limitations or restrictions.	**19.** (1) The recognized medical practitioner shall specify any limitation or restriction on medical certificate issued under regulation 16.
	(2) The limitations or restrictions may concern—
	(a) the job the fisher is expected to perform;
	(b) the trade area;
	(c) the time limit; or
	(d) any other necessary considerations.
	(3) A fisher shall not work on a fishing vessel in a capacity of sea service or in a geographical area precluded by any restriction in that fisher's medical certificate or in breach of a condition of that fisher's medical certificate.

	(4) A fishing vessel owner shall not employ a fisher in a fishing vessel in a capacity of sea service or in a geographical area precluded by any restriction in that fisher's medical certificate or in such a way as to breach a condition of the fisher's medical certificate.
	(5) a person who contravenes sub regulation (3) and (4) commits an offence and shall be liable upon conviction to a fine not exceeding one million Kenya shillings.
Validity of a medical certificate	**20.** (1) A fisher's medical certificate shall be valid for a period of two years from the date of issue, unless the fisher is under the age of eighteen, in which case the period of validity shall be one year.
	(2) If the period of validity of a fisher'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 fisher 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 fisher to work without a valid medical certificate until the next port of call where the fisher shall obtain a medical certificate from a recognised medical practitioner, provided that—
	(a) the fisher concerned is in possession of medical certificate which has expired no earlier not than one month before the date on which he joined the fishing vessel; and
	(b) the period of such permission shall not exceed three months.
Cancellation or suspension of a medical certificate	**21.** (1) A medical certificate may be cancelled or suspended if a medical practitioner has reasonable grounds for believing that—
	(a) there has been a significant change in the medical fitness of a fisher during the period of validity of the medical certificate;

	(b) a fisher 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 fisher, had a medical practitioner been in possession of full details of that fisher's condition, the medical practitioner could not reasonably have considered that the fisher was fit, having regard to the medical standards specified in Regulation 18; or
	(d) the medical certificate was issued to a fisher otherwise than in accordance with these Regulations.
	(2) Where sub-regulation (1) applies, the medical practitioner shall—
	(a) suspend the medical certificate until the fisher to whom the certificate was issued has undergone further medical examination;
	(b) suspend the medical certificate for such period as the medical practitioner considers the fisher to whom the certificate was issued will remain unfit to perform the duties that fisher will carry out at sea; or
	(c) cancel the medical certificate if he considers that the fisher to whom the certificate was issued is likely to remain permanently unfit to perform the duties that fisher will carry out at sea and must notify the fisher concerned accordingly.
	(3) The medical practitioner who suspends or cancels a fisher’s medical certificate shall notify the Authority within seven days of such suspension or cancellation.
	(4) Upon receiving the notification, the Authority shall issue instructions to the fisher to surrender the cancelled medical certificate within seven days.
	(5) In this regulation, a significant change in the medical fitness of a fisher means a condition which affects or would be reasonably likely to affect that fisher's ability to carry out their duties, including their ability to undertake emergency duties.
Further examination.	**22.** A fisher who is the holder of a valid medical certificate may at any time be required by the fishing vessel owner or skipper, or by the Authority, to obtain a new medical certificate where as a result of illness,

	injury or other cause it is believed the fisher may no longer be medically fit.
Appealing against the decision of recognized medical practitioner.	**23.** (1) A person who is aggrieved by—
	(a) the refusal a medical practitioner to issue or recommend to the Authority the issuance of a medical certificate in accordance with Regulation 17;
	(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 21;
	(d) may apply to the Authority for the matter to be reviewed, at his own cost.
	(2) A matter which is the subject of an application under sub regulation (1) shall be reviewed if the application—
	(a) is lodged with the Director General 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 Director General may, upon consideration of any reasons for the lateness of the application, decide that the matter is nonetheless to be reviewed.
	(4) A copy of the report and any other evidence shall be provided to the applicant by the medical practitioner or the medical referee.
	(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 15, 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 the applicant 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 15, 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 be valid.
	(7) If in light of the medical evidence, and having regard to the medical standards specified by Regulation 18, the medical referee considers that the applicant is unfit to perform the duties that fisher 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.
Replacement certificates.	**24.** (1) Unless a medical certificate has been surrendered under regulation 18(4), if a fisher who was issued with a medical certificate which is still valid is no longer in possession of that certificate, then upon—
	(a) application made by the fisher or the fishing vessel owner 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 fisher 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 fisher hold more than one valid medical certificate.
Fishers' Medical records.	**25.** (1) A copy of the fisher’s medical certificates shall be kept in the files of the health institution in which it was issued.

	(2) The medical examination records should be clearly marked as confidential and retained, according to relevant laws, in the custody of the health institution where the medical certificate was issued and the files kept confidential and not used for any purpose other than facilitating the treatment of fishers and should be made available only to persons duly authorized in accordance with the data protection laws.
Recognition and authorization of medical practitioners	**26.** (1) Examination of fishers 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—
	(a) appropriate academic qualification;
	(b) valid registration and licensing by the Kenya Medical Practitioners and Dentists Council;
	(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 fisher medical fitness examinations shall be conducted.
	(3) The premises required under sub-regulation (2)(e) shall –
	(a) have the facilities and equipment required to carry out medical fitness examination for fishers;
	(b) be conveniently situated for easy access by fishers; and

	(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 these 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 fisher 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 fishers, 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 16.
Variation, suspension, cancellation or revocation of recognition.	**27.** 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 Kenya Medical Practitioners and Dentists Council; 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 without notifying the Authority; or
	(iii) when, in the Director-General's opinion, the circumstances warrant such variation, suspension, cancellation or revocation.
Medical certificates issued by other Parties.	**28.** 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- F Convention.
PART IV – CONDITIONS OF SERVICE	
Manning.	**29.** (1) A fishing vessel owner shall ensure that the fishing vessel is—
	(a) under the control of a competent skipper; and,

	(b) sufficiently and safely manned by competent fishers for the safe navigation and operation of the vessel
	(2) A fishing vessel shall be manned by fishers in accordance with the requirements stipulated under regulations relating to safe manning of fishing vessels.
Hours of rest.	**30.** (1) An owner of a fishing vessel or skipper shall, so far as is reasonably practicable, ensure that the minimum number of hours of rest for fishers is observed.
	(2) The minimum hours of rest for fishing vessels remaining at sea for more than three days, shall not be less than:
	(a) ten hours in any 24-hour period; and
	(b) 77 hours in any seven-day period.
	(3) The minimum hours of rest for fishing vessels remaining at sea for less than three days, shall not be less than ten hours in any 24-hour period.
	(4) A young person's —
	(a) minimum hours of rest shall not be less than sixteen hours per day or a hundred and twenty-eight hours per week;
	(b) break period shall be for fifteen minutes after every two hours of continuous service; and
	(c) meal breaks shall be at least one hour.
	(5) Shipboard working arrangements shall be posted in a conspicuous place on board the fishing vessel and shall contain, for every fisher at least —
	(a) the schedule of service at sea and service in port; and
	(b) the minimum hours of rest provided under sub-regulations (2), (3) and (4).

	(7) Notwithstanding sub-regulation (2) and (3), an owner of a fishing vessel or a skipper may require a fisher to exceed the scheduled duty periods where in the opinion of the skipper it is necessary for—
	(a) the immediate safety of the fishing vessel, persons on board the fishing vessel or the catch; or
	(b) the purpose of giving assistance to other ships or persons in distress at sea:
	Provided that the fisher is given adequate period of rest to compensate the exceeded scheduled duty periods when the normal situation is restored.
	(8) A skipper of a fishing vessel shall —
	(a) maintain a record of a fisher's daily hours of rest, in the form set out in the Fifth Schedule; and
	(b) give the fisher a copy of the record relating to the fisher's daily hours of rest, endorsed by the skipper and the fisher.
Annual Leave.	**31.** (1) Subject to section 156 of the Act, a fisher shall be granted annual leave.
	(2) Subject to any collective bargaining agreement providing for an appropriate method of calculation that takes account of the special needs of fishers, the annual leave with pay entitlement shall be calculated on the basis of a minimum of 2.5 calendar days per month of employment or in accordance with the Act whichever is applicable.
	(3) An agreement to forego the minimum annual leave with pay under this Regulation is prohibited.
Crew List.	**32.** (1) Subject to Section 199 of the Act, a skipper shall ensure that a crew list is kept on board a ship.
	(2) The crew list referred to in sub-regulation (1) shall include the following particulars—
	(a) name and port of registry and official number of the fishing vessel to which the crew list relates;

	(b) the name, address, date and place of birth in respect of each fisher employed on the fishing vessel;
	(c) capacity in which the fisher is employed on the fishing vessel;
	(d) date and place of embarkation; and
	(e) the fisher's continuous discharge certificate and record book number.
	(3) The skipper shall avail a copy of the crew list to the Authority and any other authorized officers ashore prior to entry or departure of the fishing vessel.
	(4) Where the Registrar of Seafarers requests for a copy of the crew list from the fishing vessel owner or skipper, the fishing vessel owner or skipper shall avail a copy of the crew list within forty-eight hours of such demand.
	(5) Any person who without reasonable cause–
	(a) fails to avail a copy of the crew list within 48 hours of such demand; or
	(b) makes any changes to the crew list and fails to notify the Authority of such changes,
	commits an offence and is liable upon conviction to a fine not exceeding five hundred thousand Kenya shillings.
Fisher's Work Agreement.	**33.** (1) A fishing vessel owner shall enter into fisher's work agreement with a fisher to work on board a fishing vessel.
	(2) The fisher's work agreement shall be as set out in the Sixth Schedule.
	(3) The fishing vessel owner and fisher shall each have a signed original fisher's work agreement.
	(4) The fishing vessel owner shall ensure that the agreement is accessible for scrutiny by authorized officers.
	(5) A fishing vessel owner shall cause the agreement to be read over and explained to each fisher or otherwise ascertain that each fisher

	understands the agreement or has an opportunity to seek advice prior to signing the agreement.
	(6) Where the language of the agreement and any applicable collective bargaining agreement is not in English, the following documents shall be available in English —
	(a) a copy of a standard form of the agreement; and
	(b) an extract of the relevant parts of the collective bargaining agreement that are subject to a port state inspection.
	(7) Where a collective bargaining agreement form all or part of a fisher's work agreement, a copy of that agreement shall be made available on board the fishing vessel.
	(8) For the purposes of this regulation, the minimum period of notice required to be given by the fisher and the fishing vessel owner for the early termination of a fisher's work agreement shall be seven days except for exceptional circumstances, where a fisher may give a shorter notice period.
	(9) The fishing vessel owner shall ensure that a form of the fisher's work agreement is displayed on board the vessel at a conspicuous place in the accommodation area.
Repatriation	**34.** (1) A fishing vessel owner shall expeditiously and at no cost to the fisher repatriate a fisher under the following circumstances–
	(a) the fisher's work agreement has expired;
	(b) the fisher's work agreement has been terminated for justifiable reasons by the fishing vessel owner or fisher; or
	(c) the fisher is no longer able to carry out the duties required under the fisher's work agreement.
	(2) Sections 194, 196 and 197 of the Act shall apply to the fishing vessel owner and fisher.
	(3) The repatriation costs shall include—
	(a) transport by air to the fisher's destination of choice among the prescribed destinations in the fisher's work agreement;

	(b) accommodation and food from the moment the fisher leaves the fishing vessel up until arrival at their destination;
	(c) an allowance from the time the fisher leaves the fishing vessel up until arrival at their destination;
	(d) transportation of thirty kilograms of the fisher's personal luggage to the repatriation destination; and
	(e) medical treatment when necessary.
	(4) A fishing vessel owner shall not—
	(a) require a fisher to make an advance payment towards the cost of repatriation at the beginning of the fisher's employment; or
	(b) recover the cost of repatriation from the fisher's wages or other entitlements, except where, the fisher has been found, to be in serious default of the fisher's employment obligations under the law or collective bargaining agreements.
	(5) Where the Government as the last resort, repatriates' fishers, the Cabinet Secretary shall recover costs associated with the repatriation from the fishing vessel owner directly or through the competent administration of the flag state in accordance with section 196 (a) of the Act.
	(6) A fishing vessel owner who contravenes any provision of this regulation commits an offence and shall be liable upon conviction to the penalty set out in section 429 of the Act.
Financial security for repatriation.	**35.** (1) A fishing vessel owner who recruits fishers shall provide the Authority with evidence that financial security has been taken out to ensure that fishers are repatriated.
Cap. 487.	(2) The financial security shall be subject to the provisions of the Insurance Act or its equivalent, and shall provide direct access, have sufficient coverage and expedite financial assistance.
	(3) A fishing vessel owner shall carry on board a certificate or other documentary evidence showing proof of financial security issued by the financial security provider.
	(4) A copy of the certificate or other documentary evidence referred to in sub-regulation (3) shall be posted in a conspicuous place on

	board the ship so that it is accessible to the fishers and where more than one financial security provider provides the cover, the document provided by each provider shall be carried on board.
	(5) A fishing vessel owner shall provide the Authority with evidence of a valid financial security on the following instances —
	(a) during registration or licensing of fishing vessels; or
	(b) when engaging fishers on board the vessel.
	(6) A fishing vessel owner who contravenes this regulation commits an offence and is liable upon conviction to the penalty set out in section 429 of the Act.
Recruitment and Placement Agencies.	**36.** (1) A person either as principal or agent who engages or recruits a Kenyan fisher for employment on board a fishing vessel shall apply for a licence in the form set out in the Seventh Schedule.
	(2) A person licensed to operate as a recruitment and placement agency shall—
	(a) maintain and make available for inspection information and data relevant to recruitment and placement of fishers;
	(b) ensure that fishers are informed in writing of their rights and duties under their fisher's work agreement prior to signing the agreement;
	(c) make proper arrangements for the fisher to examine their work agreement prior to its execution;
	(d) provide each fisher with a copy of the work agreement;
	(e) provide the Authority with a copy of the fisher's work agreement;
	(f) verify that fisher's recruited or placed are qualified and hold the appropriate qualifications for the position;
	(g) verify that the fisher's work agreement is in accordance with the Act and where applicable, any collective bargaining agreement which forms part of the agreement;

	(h) ensure that the fishing vessel owner has taken out a financial security and has the means to protect fishers from being stranded in a foreign port;
	(i) ensure that the fishing vessel owner has taken out a medical insurance cover to protect fishers during illness;
	(j) examine and respond to any complaint concerning the recruited fisher and advise the Authority of unresolved complaints;
	(k) establish a system of protection of fishers, by way of insurance or an equivalent appropriate measure;
	(l) comply with any statutory deduction requirements;
	(m) promote the engagement of Kenyan fishers; and
Cap. 61. *Cap. 63A.* *Cap. 141.*	(n) ensure that the recruitment and placement of fishers is not for an exploitative purpose as provided under the Counter-Trafficking in Persons Act, Sexual Offences Act, Children Act or any other written law.
	(3) No person shall impose fees or other charges on a fisher for recruiting, placing or providing employment, except the cost of —
	(a) obtaining a medical certificate;
	(b) a discharge book;
	(c) a passport or other travel documents excluding the cost of visa and transport which shall be borne by the fishing vessel owner;
	(d) training required for a particular position; or
	(e) statutory deductions.
	(4) No recruitment or placement agency shall use means and mechanisms intended to prevent or deter any person from gaining employment for which they are qualified.
	(5) Where a fisher is registered with a trade union, the recruitment and placement agency shall ensure that the fisher's work agreement is subject to the applicable collective bargaining agreement.

	(6) Where a fishing vessel owner employs a fisher from a recruitment and placement agency in a country or territory in which these Regulations do not apply, the fishing vessel owner shall ensure the agency meets the requirements of these Regulations.
	(7) Where the recruitment or placement agency fails to comply with any of the conditions or requirements under these Regulations or any other laws of Kenya, the Authority shall prohibit the agency from carrying on such business either absolutely or for such time as is declared.
Payment of Fishers.	**37.** (1) a fisher shall be paid on a monthly basis or at regular intervals in accordance with the fisher's work agreement set out in the Fifth Schedule and any applicable collective bargaining agreement.
	(2) Sections 136, 137, 138, 139 and 145 of the Act shall apply to this regulation.
	(3) A fishing vessel owner shall ensure that a fisher is given a monthly account of the wages or other remunerations under the fisher's work agreement—
	(a) periodically during the term of the fisher's work agreement, at intervals not exceeding one month; and
	(b) not less than twenty-four hours before the discharge or paying off.
	(4) Subject to section 145 of the Act, a fishing vessel owner at the time of employment shall establish a system for enabling a fisher, allot a proportion of their wages for remittance at regular intervals to the nominated beneficiaries.
	(5) An allotment referred to under sub-regulation (4) shall be remitted within a reasonable period and directly to the person nominated by the fisher.
	(6) An allotment shall be in the form of an allotment note as set out in the Eighth Schedule.
	(7) An allotment shall not exceed one third of the fishers' monthly wages.
	(8) Any charge for the service under sub-regulation (4) shall be reasonable in amount, and the rate of exchange, unless otherwise provided, shall be at the prevailing market rate or the official published rate and not unfavourable to the fisher.

PART V— ACCOMMODATION AND FOOD	
Accommodation	**38.** (1) A fishing vessel owner shall provide and maintain safe and decent accommodation and recreational facilities for fishers working or living on board the fishing vessel.
	(2) The accommodation in sub-regulation (1) shall be of sufficient size and quality, and appropriately equipped for the service of the vessel and length of time fishers live on board in line with the requirements set out in the Eighth Schedule and shall address the following —
	(a) approval of plans for the construction or modification of fishing vessels in respect of accommodation;
	(b) maintenance of accommodation and galley spaces with due regard to hygiene and overall safe, healthy and comfortable conditions;
	(c) ventilation, heating, cooling and lighting;
	(d) mitigation of excessive noise and vibration;
	(e) location, size, construction materials, furnishing and equipping of sleeping rooms, mess rooms and other accommodation spaces;
	(f) sanitary facilities, including toilets and washing facilities, and supply of sufficient hot and cold water; and
	(g) procedures for responding to complaints concerning accommodation that does not meet the requirements of these regulations.
	(3) The Director General may exempt a fishing vessel from some or all the requirements set out in the Eighth Schedule provided that it does not result in the overall conditions of the vessel being less favorable than those required.
Food and Catering.	**39.** (1) A fishing vessel owner shall ensure —
	(a) the provision and maintenance of an adequate supply of clean drinking water at suitable points conveniently accessible to all fishers;

	(b) that there is adequate supply of food having regard to the number of fishers on board and their religious and cultural practices;
	(c) that the food supply lasts the duration of the voyage and the food shall be suitable in respect of quantity, nutritional value, quality and variety;
	(d) that the catering department is organized and equipped to provide fishers with adequate, varied and nutritious meals prepared and served in hygienic conditions;
	(e) catering staff are properly trained and qualified; and
	(f) a fisher engaged as a cook on board the fishing vessel has completed the relevant training course in accordance with Regulations relating to the Training and Certification of fishers.
	(2) Drinking water which is not connected to a piped water supply network shall be contained in suitable vessels and renewed daily, and all practicable steps shall be taken to preserve the water and vessels from contamination, and drinking water whether connected to a piped water supply network or not shall, in such cases be provided as an occupational safety and health officer or any other officer authorized by the Authority may direct.
PART VI— MEDICAL CARE, HEALTH PROTECTION AND SOCIAL SECURITY	
Medical care.	**40.** (1) A fishing vessel owner shall provide medical care, including approved medical equipment and supplies and put in place health protective measures for fishers working on board the fishing vessel.
	(2) A fisher shall have access to prompt medical care while on board and on shore while working on board the fishing vessel.
	(3) A fishing vessel owner shall ensure that a fishing vessel has at least one fisher on board qualified or trained in first aid and other forms of medical care with the knowledge to use the medical equipment and supplies.
	(4) Medical equipment and supplies carried on board shall be accompanied by instructions or other information in a language and format understood by the fishers.

	(5) A fishing vessel owner shall ensure that the vessel is equipped for radio or satellite communication with persons or services ashore that can provide medical advice, taking into account the area of operation and the length of the voyage.
	(6) Fishers shall have the right to medical treatment ashore and the right to be taken ashore in a timely manner for treatment in the event of serious injury or illness.
	(7) A skipper shall ensure that there is an approved medical guide on board.
Occupational safety and health and accident prevention.	**41.** (1) A fishing vessel owner shall provide every fisher on board a fishing vessel with occupational health protection consistent with their right to live, work and train in a safe and hygienic environment.
	(2) A fisher shall comply with all on board ship occupational safety and health management policies and programmes.
LN.151 of 2015.	(3) A fishing vessel owner shall take measures in line with Merchant Shipping (Occupational Safety) Regulations to prevent occupational accidents, injuries and diseases on board ship, including measures designed to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals and the risk of injury or disease that may arise from the use of equipment and machinery on board ships.
	(4) A fishing vessel owner shall provide fishers with sufficient guidance and suitable training materials on how to evaluate and manage risks to safety and health on board fishing vessels.
	(5) A fishing vessel owner shall involve all persons concerned in the implementation of occupational health and safety in the continuous improvement of occupational safety and health protection.
Cap 237A. L.N. 151 of 2015.	(6) A fishing vessel owner shall ensure all accidents, incidents and dangerous occurrences are inspected, reported and investigated and adequate measures to correct unsafe conditions are taken in accordance with the provisions of the Occupational Safety and Health Act and the Merchant Shipping (Occupational Safety) Regulations.
Cap 389	(7) A fisher who fails to comply with sub-regulation (2) commits an offence and on conviction shall be liable to the penalties provided for under Section 429 of the Act.

Social security. Cap. 258.	**42.** (1) A fisher who is a citizen of Kenya or is ordinarily resident in Kenya and is employed partly in Kenya and partly outside Kenya shall be covered under the social security scheme established under the National Social Security Fund Act or an equivalent scheme.
	(2) A fishing vessel owner who employs a fisher who is a citizen of Kenya or is ordinarily resident in Kenya, shall remit on behalf of the fisher, the fisher's contributions to the social security scheme referred to under sub-regulation (1).
	(3) To give effect to sub regulation (2), the Authority may advice the Government on entering into reciprocal or bilateral agreements to facilitate the application of sub-regulation (1).
	(4) A fisher's work agreement or a collective bargaining agreement shall provide details of the agreed social protection arrangements.
Protection in the case of work-related sickness, injury or death	**43.** (1) A fishing vessel owner shall be liable to bear the costs of a fisher working on its fishing vessel in respect of work-related sickness, injury or death of the fisher during the period of employment
Cap 236	(2) A fishing vessel owner who intends to employ fishers shall provide the Authority with evidence that fishers shall be covered in respect of any claim which relates to work-related sickness, injury, death or long-term disability due to an occupational injury, illness or hazard in accordance with the Work Injury Benefits Act or its equivalent.
	(3) A fishing vessel owner shall carry on board a certificate or other documentary evidence of financial security for purposes of this regulation in accordance with the requirements set out in the Ninth Schedule.
Cap 487	(4) The financial security shall be subject to the provisions of the Insurance Act or its equivalent, and shall provide direct access, have sufficient coverage and expedited assistance.
	(5) Upon request, the fishing vessel owner shall provide evidence of payment of all claims covered by it which arose during the period of the validity of the insurance.

	(6) A fishing vessel owner shall ensure that any compensation due is made without delay.
	(7) A fishing vessel owner shall be liable to defray the expense of medical care, including medical treatment and the supply of the necessary medicines, therapeutic appliances, hospital admission and lodging away from home including in a foreign country, until the sick or injured fisher has recovered, or until the sickness or incapacity has been declared of a permanent character.
	(8) A fishing vessel owner shall be liable to pay the cost of burial expenses in the case of death occurring on board or ashore during the period of engagement and further take charge of the property of the fisher upon his death in accordance with sections 160 and 161 of the Act.
	(9) A fishing vessel owner's liability shall be excluded in the following instances —
	(a) injury occurred other than in the service of the fishing vessel;
	(b) injury or sickness due to the wilful misconduct of the sick, injured or deceased fisher;
	(c) sickness or infirmity intentionally concealed when the engagement is entered into; and
	(d) in the circumstances provided under section 195 of the Act.
PART VII— MISCELLANEOUS PROVISIONS	
Inspection and detention of Kenyan ships.	**44.** (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—
	(a) any fisher 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.
Inspection and detention of foreign ships.	**42**. An inspector duly authorized by the Director-General may inspect any foreign ship to which these Regulations apply when the detention of ship is in a Kenyan port, and where he is satisfied that any fisher is unable to produce a valid medical certificate he may—
	(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.
Savings.	**43.** Any certificate, authorization or approval in force at the date of entry into force of these Regulations shall remain valid unless revoked, replaced, rescinded by legislation, licences, certificates or any other administrative orders, directions or instructions made or issued under the Merchant Shipping Act or subsidiary legislations.

FIRST SCHEDULE

Reg. 9(1)



REPUBLIC OF KENYA

APPLICATION FOR FISHING VESSEL LABOUR CERTIFICATE

(See Notes Overleaf before completing the form)

PART A: APPLICANT DETAILS			
Applicant Name:			
PIN Number		Nationality	
Postal Address		Postal Code	
Physical Address		Town/City	
Office Number		Email	
Signature		Date	
PART B: SHIP DETAILS			
Type of Ship		Hull No./ IMO No. Official No	
Certificate of Registration No		Expiry date if Applicable	
Year of Registry		Country &Port of Registry	
Year Built		Depth	
Length overall		Breadth (m)	

Main Propulsor rated power (Kw)		Propulsor make and model	
Registered Gross tonnage		Net tonnage	
Expiry date of previous certificate (if any)			
Classed by			
Date keel laid		Previous Flag of Registry	
Previous Owner name and address			
Full Name and address of ship builder			

PART C: OWNERSHIP ELIGIBILITY

Nationals of Kenya ☐	Corporation registered in Kenya ☐	Individual/Corporation in *bona fide* joint venture with nationals of Kenya ☐	Individual/Corporation owning ships hired out on bareboat charter. ☐	Ships subject to the provisions of any treaty or agreement with a foreign Government ☐	Foreign Individuals/ Corporations /Such other persons☐

Name and address of ship owner			
Current Operational area of the ship			
Registration Number of ship owner		Nationality of ship owner	
Name and address of bareboat charterer/joint venture party			

PART D: AUTHORIZED LOCAL REPRESENTATIVE DETAILS	
Name	
Postal Address	
Physical address	
Nationality	
Certificate of incorporation details in case of company	
Passport details in case of individual	
Licence (Where Applicable)	
Letter of Authorization	

PART E: MANNING LEVELS

Capacity	**Certificate**		**Number of fishers**
Skipper	STCW-F II/1 and II/6		
Officer in charge of a navigational watch	STCW-F II/2 and II/6		
Chief engineer officer	STCW-F II/5		
Second engineer officer	STCW-F II/5		
Deck hands	STCW-F reg. III and Res.4		
Rating forming part of engineering watch	STCW III/4		

I hereby make an application for licence and confirm the information provided is accurate to the best of my knowledge.

Made this …… day of …… by the above-named …… in the presence of…….
……
……

Commissioner for Oaths/Notary Public.

Name of applicant and Signature of Applicant (in case of an individual…….

In case of company insert company Seal/Stamp and Signature of two directors or) a director and the Company Secretary (in case of a) company)

Name of Director…….
Signature……..

Name of Director…….
Signature……

PART F. FOR OFFICIAL USE ONLY

Documentation Review

Document Name	Issuing Authority	Issue/Expiry Date	Remark
Certificate of Registry			
Ship Owner ID			
Ship Agent licence			
CLC Certificate			
BUNKER Certificate			
NWR Certificate			
Fishers Repatriation Insurance			
Ship Class Certificate			
SMC			
Loadline Certificate			
Tonnage Certificate			
Safety Equipment Certificate			
Safety Construction Certificate			

Safety Radio Certificate			
IOPP			
IAPP			
Sewage Certificate			
Safe Manning Certificate			
Fishing Vessels Labour Certificate			

Ship Inspection particulars			
Date of Inspection		Place of Inspection	
Name of Inspector			
Remark …… …… …… . Recommended ☐ Not Recommended ☐			
Name/Signature of Reviewer		Date of Review	
Checked by.		Date	

<u>Notes</u>;

1. Complete the form in **BOLD CAPITAL LETTERS** where applicable.
2. In case of a foreign national or body corporate, specify your nationality on the space provided appropriately.
3. Attach the following supporting documents to this application.

DOCUMENTS CHECKLIST

No.	Document	YES/NO/N/A
1	Duly executed declaration of Individual ownership for foreign ships form	
2	Duly executed form for authorization of owner's representative	
3	Copy of Bareboat charter agreement ***(where applicable)***	
4	Copy of *bona fide* Joint Venture agreement ***(where applicable)***	
5	Documentary evidence supporting the unavailability of similar Kenyan ship), training of Kenyan cadets, technology transfer or skills transfer	
6	Copy of current Certificate of Registry ***(if applicable)***	
7	Notarized Copy of Builder Certificate ***(in case of new build)***	
8	Notarized Bill of sale ***(if applicable)***	
9	Certified Copy of individual ship owner Identification documents (Passport/National ID)	
10	Certified Copy of identity document of authorized representative (where applicable)	
11	Certified Ship owner Copy of Certificate of incorporation (if owner is a body corporate)	
12	Certified Copy of ship owner KRA PIN Certificate where applicable	
13	Copy of ship owner KRA Tax Compliance Certificate where applicable	
14	Copy of Tonnage Certificate or tonnage calculation sheet	
15	Copy of current Ship statutory certificates	
16	Copy of class certificate	
17	Crew list	

18	Safe Manning certificate	
19	Third party liabilities insurance i.e., oil pollution, wreck removal, fisher repatriation, shipowner liabilities'	
20	No objection letter from Kenya Fisheries Services	
21	Copy of Transcript of free of any encumbrances	
22	Copy of Deletion certificate ***(where applicable)***	
23	Certified Copy of most current CR12 Certificate for ship owner	
24	Copy of ID/Passport/incorporation certificate of listed shareholder/directors	

SECOND SCHEDULE
Reg. 9(2)
Fees

FISHING VESSEL LABOUR CERTIFICATE

1. Fees for survey of a ship for a Maritime Labour Certificate

From (tons) – To (tons)	**Initial/renewal survey (USD)**	**Intermediate survey (USD)**
Below 500	100	75
500-1000	200	150
1001-5000	300	225
5001 and above	400	300

(a) A charge of USD 100 is payable for the review of the application and documentation for issuance fishing vessel labour certificate.
(b) A fee of USD 50 is payable for the Interim Fishing Labour Certificate.
(c) Crew lists for vessels where the number of the crew does not exceed 5 persons shall be USD 50. For each person in excess of 5……..USD 10
(d) Inspection for issuance of crew accommodation document of compliance- USD 150
(e) Inspection of provisions and water……. USD 60

THIRD SCHEDULE
Reg. 9(3)(a)

REPUBLIC OF KENYA
FISHING VESSEL LABOUR CERTIFICATE

Merchant Shipping (Working in Fishing) Regulations

Issued to indicate compliance with the Working in Fishing Convention (ILO C188) under the authority of the Government of Kenya by **Kenya Maritime Authority**

Name of vessel			
Distinctive number or letters		Port of registry	
Length		Gross tonnage	
Date of keel laying		Propulsion power	
IMO Number		Type of Ship	
Name and address of the owner			

This is to certify that:

1. the vessel has been inspected and verified to be in compliance with the requirements of the Working in Fishing Convention, 2007 (ILO C188).
2. The vessel accommodation and sanitary space is provided for _____ persons.
3. The established minimum level of manning for the safe navigation (unlimited waters) is:-

Capacity	Certificate	No of personnel
Skipper	STCW-F II/1 and II/6	
Officer in charge of a navigational watch	STCW-F II/2 and II/6	
Chief engineer officer	STCW-F II/5	
Second engineer officer	STCW-F II/5	
Deck hands	STCW-F reg. III and Res.4	
Rating forming part of engineering watch	STCW III/4	

This Certificate is valid until dd/mm/yyyy subject to intermediate inspections.

Completion date of the inspection on which this Certificate is based was dd/mm/yyyy

Issued at _____ on dd/mm/yyyy

REGISTRAR OF KENYAN SHIP

Endorsements for intermediate inspection and, if required, any additional inspection.

Intermediate inspection: (between the second and third anniversary dates)

Signed.....

Place ..... Date .....

Additional inspection:

Signed.....

Place ..... Date .....

Additional inspection:

Signed.....

Place ..... Date .....

Additional inspection:

Signed.....

Place ..... Date .....

FOURTH SCHEDULE
Reg. 16(2)
FISHER MEDICAL CERTIFICATE

REPUBLIC OF KENYA

KENYA MARITIME AUTHORITY

FISHER MEDICAL CERTIFICATE

Issued in accordance to Merchant Shipping (Fisher) Regulations, 2026

Certificate No: M-

FISHER INFORMATION

Last name:	First name:	Middle name(s):	
Nationality:	Passport No:	Date of Birth:	Discharge book No:
Gender: ☐ Male ☐ Female	Rank/Job:	Department:	

This is to certify that above named fisher has been examined in accordance with the fishers' medical fitness standards and certification requirements established in accordance with the provisions of STCW -F Convention as amended and ILO Convention C188 and found to be fit for sea service, subject to any limitations indicated

DECLARATION OF THE RECOGNIZED MEDICAL PRACTITIONER

		Yes
1.Confirmation that identification documents were checked at the point of examination		☐
2. Hearing meets the standards in STCW-F Code Section A-I/12? Date of test *(dd/mm/yyyy):*		☐
3. Unaided hearing satisfactory?		☐
4. Visual acuity meets standards in section A-I/12? Visual aids (if worn):	Spectacles: ☐ Contact lenses: ☐ None: ☐	☐
5. Colour vision meets standards in section A-I/12? Date of last color vision test:		☐
6. Fit for look-out duties? *(Deck and Engine Dept. only)*		☐
7. Limitations or restrictions on fitness?		☐
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?		☐

Date of Issue	Date of Expiry*
RECOGNIZED MEDICAL PRACTITIONER	**REGISTRAR OF KENYAN SEAFARERS**
Sign: _ _ _ _ _ _ _ _ _ _ _ _ _ _ _	Sign: _ _ _ _ _ _ _ _ _ _ _ _ _ _ _
Name (print): _	Name (print): _
Place of examination: _	Place of issue: _
Seal/Stamp: _____	Seal/Stamp: _____

Fisher'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 (Fisher) Regulations, 2016.

Signature of the seafarer: _____

STANDARDS OF MEDICAL FITNESS FOR FISHERS

The recognized medical practitioner shall base the decision to issue a medical certificate on whether criteria for minimum performance requirements, are met in the following areas:

a) vision, hearing and physical capabilities
b) impairment from the use of medication; and
c) presence or recent history of an illness or condition and the likelihood that they will develop an impairing condition

The standards of physical and medical fitness shall ensure that fisher satisfy the following criteria:

a) have the physical capability, fulfil all the requirements of the basic safety training
b) demonstrate adequate hearing and speech to communicate effectively and detect any audible alarms;
c) have no medical condition, disorder or impairment that will prevent the effective and safe conduct of their routine and emergency duties on board during the validity period of the medical certificate;
d) are not suffering from any medical condition likely to be aggravated by service at sea or to render the fisher unfit for such service or to endanger the health and safety of other persons on board; and
e) are not taking any medication that has side effects that will impair judgement, balance or any other requirements for effective and safe performance of routine and emergency duties on board.

The Authority shall establish processes and procedures to enable fisher who, after examination, do not meet the medical fitness standards or have had a limitation imposed on their ability to work, in particular with respect to time, field of work or operation area, to have their case reviewed in line with that Party's provisions for appeal.

The medical fitness standards shall, so far as possible, define objective criteria with regard to fitness for sea service, taking into account access to medical facilities and medical expertise on board fishing vessels.

The fitness standards shall, in particular, specify the conditions under which fisher suffering from potentially life-threatening medical conditions that are controlled by medication may be allowed to continue to serve at sea.

Role of the medical examination in fishing safety and health

A recognized medical practitioner shall be aware of the role of the medical examination in the enhancement of safety and health at sea and in assessing the ability of fisher to perform their routine and emergency duties and, if applicable, to live on board:

(i) The consequences of impairment from illness, injury or medication while working at sea which shall depend on:

a) the routine and emergency duties of the fishing vessel personnel,
b) the medical care available on board
c) the distance of the fishing vessel from shore-based medical care.

(ii) Infectious diseases may be transmitted to others on board.

(iii) Limitations to physical capability may affect ability to perform routine and emergency duties (e.g. using breathing apparatus).

(iv) The medical examination can identify early disease or risk factors for subsequent illness, and the transmission of disease, either directly or by food handling. The fishercan be advised on preventive measures or referred for further investigation or treatment.

(v) If a medical condition is identified, any adverse consequences may be reduced by increasing the frequency of surveillance, by limiting the duration of the certificate or restricting duties to those where the medical condition is not relevant or restricting the pattern of voyages to ensure that healthcare is readily available.

(vi) Fisherneed to be able to adjust to living and working conditions on board fishing vessels, including:

a) the requirement to keep watches at varying times of the day and night,
b) the motion of the vessel in bad weather, the need to live and work within the limited spaces of a fishing vessel,
c) to climb and lift weights and to work under a wide variety of weather conditions
d) able to live and work closely with the same people for long periods of time and under occasionally stressful conditions.
e) to deal effectively with isolation from family and friends and, in some cases, from persons of their own cultural background.

Type and frequency of medical examinations

i. For most medical conditions, the same criteria are appropriate for medical examinations undertaken at all stages of a fishing career.
ii. where a condition is present that is likely to worsen in the future and thus limit a trainee's ability to undertake the range of duties and assignments that are essential for complete training, there may be less flexibility in the application of fitness standards than for serving fisherin order to ensure that all training requirements can be met.
iii. Medical examinations shall be performed every two years except for fisherunder the age of 18 where maximum period of validity shall be one year.
iv. Where there is a health condition that requires more frequent surveillance, they may be performed at shorter intervals.
v. If examinations are at intervals of less than two years, they may solely concern the condition under surveillance and, in this case, any reissued medical certificate should not be valid for more than two years from the previous full examination.
vi. Fishermedical examinations may also provide an opportunity to take measures to correct or mitigate medical conditions which could adversely affect the health of fisherand should include measures of a preventive character. Tests necessary to evaluate the

occupational exposure at work on board fishing vessels may, when appropriate, be performed at the same time as the periodic examinations.

Conduct of medical examinations

The following suggested procedures do not aim to replace in any way the judgement or experience of the recognized medical practitioner. They will, however, serve as a tool to assist in the conduct of examinations of fishing vessel personnel.

A model **Medical Examination Form** has been provided in **Appendix**

(i) The recognized medical practitioner should determine whether there is any special purpose for the examination (e.g. return after illness or follow-up for continuing health problem) and, if so, should conduct the examination accordingly.

(ii) Information shall be collected from the fisher on his or her previous medical history. A fisher shall sign the form to certify that to the best of his/her knowledge it is a true statement. An individual shall not, however, bear the burden of proof concerning the consequences of illness, past or present, on his or her fitness for work.

(iii) The fishing vessel personnel's previous medical records, where appropriate and available, should be reviewed.

(iv) Testing for the presence of alcohol and drugs in the course of a medical examination does not form part of these international Guidelines. Where it is performed, as a requirement of national authorities or employers, the procedures used should follow national, if available, or international good practice guidelines.

(v) The application of multiple biochemistry or haematology tests or the use of imaging techniques applied to all fisheris not recommended, other than where indicated in Appendices A to E. Such tests should only be used where there is a clinical indication. The validity of any test used for the identification of a relevant medical condition relies on the prevalence of the condition and on the sensitivity and specificity of the test. Use is a matter for national or local judgement, based on disease prevalence and test validity. In addition, decisions about fitness based solely on the results of single or multiple screening tests in the absence of a specific diagnosis or impairment are of limited predictive value. Unless tests have very high validity, use may result in inappropriate certification of a proportion of those tested.

(vi) The recognized medical practitioner shall be aware that there are currently no suitable tests for the assessment of mental aspects of working ability that are recommended for inclusion in the medical examinations of fishing vessel personnel.

(vii) The results of the examination should be recorded and assessed to determine if the fisher is fit for the work which will be undertaken. The age and experience of the fisher to be examined, the nature of the duties to be performed, the voyages undertaken (if known), and the type of fishing operation should be taken into account.

(viii) In complex cases and where appropriate, the recognized medical practitioner may, with the informed consent of the fishing vessel personnel, discuss the case with the competent authority and, where permitted by national legislation, seek relevant information from the fishing vessel owner to be considered as part of the decision-making process.

There are defined numerical criteria for some aspects of vision and hearing. Here, decisions on fitness will depend on achieving the levels of perception that are listed, taking note of the explanatory information in the appendices. For other conditions, where such numerical criteria do not exist, the criteria have been classified in three categories **a, b** and **c** below and **Table C**, depending on the likelihood of recurrence at different stages and the severity of each condition.

Case-by-case assessment is recommended where a specialist view on prognosis is needed or where there is considerable diversity in capability or likelihood of recurrence or progression.

The three categories are:

(a) Incompatible with the reliable performance of routine and emergency duties safely or effectively:

(i) expected to be temporary (T), i.e. less than two years;

(ii) expected to be permanent (P), i.e. more than two years.

Note: For fisher who are determined by the medical practitioner to have a medical condition where such a finding has been made, a medical certificate would not normally be issued.

(b) Able to perform some but not all routine and emergency duties or to work in some but not all waters (R): a restricted medical certificate would normally be issued.

Increased surveillance needed (L): a medical certificate of limited duration would normally be issued.

This category may mean that the fisher has a condition that requires more frequent medical assessment than the two-year normal interval between medical certificates – i.e. a time-limited medical certificate (L).

Alternatively, they may be capable of performing the routine and emergency duties required of all fisher but need some of their own duties to be adapted because they are expected not to be able to perform some of the duties specific to the work they normally undertake. They may also be more likely to suffer serious adverse effects from working in certain climates or beyond a certain distance from onshore medical care. In these cases, the job adaptations needed are specified and the medical certificate is restricted (R).

(c) Able to perform all duties worldwide within a designated department: an unrestricted medical certificate of full duration would normally be issued.

This category means that the fisher can be expected to be fit for all duties within their department on board and can fully discharge all routine and emergency duties for the duration of the medical certificate.

1) Minimum in-service eyesight standards for fishing vessel personnel

a) The standards of medical fitness for fisher shall adhere to the minimum in-service eyesight standards set out in **table A**

b) These standards may, to the extent determined by the Party without prejudice to the safety of the fisher or the fishing vessel, differentiate between those persons seeking to start a career at sea and those fishers already serving at sea and between different functions on board, bearing in mind the different duties of fishing vessel personnel.
c) They shall also take into account any impairment or disease that will limit the ability of the fisher to effectively perform their duties during the validity period of the medical certificate.
d) Persons requiring the use of spectacles or contact lenses to perform duties should have a spare pair or pairs, as required, conveniently available on board the fishing vessel. Any need to wear visual aids to meet the required standards should be recorded on the medical fitness certificate issued.

2) Hearing standards

Testing

The testing standards of medical fitness of hearing for fisher shall be as follows:

a) Hearing capacity for fisher apart from those identified below should be an average of at least 30 dB in the better ear and an average of 40 dB in the less good ear within the frequencies 500, 1,000, 2,000 and 3,000 Hz (approximately equivalent to speech-hearing distances of 3 metres and 2 metres, respectively).
b) Unaided hearing examinations shall be made by a pure tone audiometer.
c) Alternative assessment methods using validated and standardized tests that measure impairment to speech recognition shall be acceptable.
d) Speech and whisper testing may be useful for rapid practical assessments.
e) Those undertaking deck/bridge duties be able to hear whispered speech at a distance of 3 metres.
f) Hearing aids shall only be acceptable in serving fisher where it has been confirmed that the individual will be capable of safely and effectively performing the specific routine and emergency duties required of them on the vessel that they serve on throughout the period of their medical certificate. (This may well require access to a back-up hearing aid and sufficient batteries and other consumables.) Arrangements need to be in place to ensure that they will be reliably aroused from sleep in the event of an emergency alarm.
g) When examining fisher using hearing aids, appropriate methods should be used.
h) If noise-induced hearing loss is being assessed as part of a health surveillance programme, different criteria and test methods will be required.

3) Physical Capability Requirements

The assessment criteria for physical fitness shall follow the standards established in **Table B**

The physical capability requirements for work at sea shall take account of both routine and emergency duties which may require assessment of:

- strength;
- stamina;
- flexibility;
- balance and coordination;
- size – compatible with entry into confined areas;
- exercise capacity – heart and respiratory reserve; and
- fitness for specific tasks – wearing breathing apparatus.

Medical conditions and physical capability

The following medical conditions may limit physical capability:

- high or low body mass/obesity;
- severely reduced muscle mass;
- musculoskeletal disease, pain or limitations to movement;
- a condition following an injury or surgery;
- lung disease;
- heart and blood vessel disease; and
- some neurological diseases.

4) Fitness criteria for medication use

a) The examining medical practitioner shall assess the known adverse effects of each continuing prescribed medication used and the individual's reaction to it.
b) The medical practitioner shall ensure that fisher have written documentation for the use of their medication which are legally prescribed controlled drugs or those drugs which may be abused.
c) This written documentation shall be in a form that can be shown to any official who may question the presence of the medication on board.

Medications that can impair routine and emergency duties

a) Medication affecting the central nervous system functions (e.g. sleeping tablets, antipsychotics, some analgesics, some anti-anxiety and anti-depression treatments and some antihistamines).
b) Agents that increase the likelihood of sudden incapacitation (e.g. insulin, some of the older anti-hypertensives and medications predisposing to seizures).
c) Medication impairing vision (e.g. hyoscine and atropine).

Medications that can have serious adverse consequences for the user while at sea

a) Bleeding from injury or spontaneously (e.g. warfarin); individual assessment of likelihood needed. Anticoagulants such as warfarin or dicoumarin normally have a likelihood of complications that is incompatible with work at sea but, if coagulation values are stable and closely monitored, work that is near to onshore medical facilities and that does not carry an increased likelihood of injury may be considered.

b) Dangers from cessation of medication use (e.g. metabolic replacement hormones including insulin, anti-epileptics, anti-hypertensives and oral anti-diabetics).
c) Antibiotics and other anti-infection agents.
d) Anti-metabolites and cancer treatments.
e) Medications supplied for use at individual discretion (asthma treatments and antibiotics for recurrent infections).

Medications that require limitation of period at sea because of surveillance requirements

a) A wide range of agents, such as anti-diabetics, anti-hypertensives and endocrine replacements.

5) Fitness criteria for common medical conditions

a) A medical practitioner shall bear in mind that it is not possible to develop a comprehensive list of fitness criteria covering all possible conditions and the variations in their presentation and prognosis.
b) The principles underlying the approach adopted in the **Table C** may be extrapolated to conditions not covered by it.
c) Decisions on fitness when a medical condition is present shall depend on careful clinical assessment and analysis and the following points need to be considered whenever a decision on fitness is taken:

- The recommendations in this appendix are intended to allow some flexibility of interpretation while being compatible with consistent decision-making that aims to maintain safety at sea.

- The medical conditions listed are common examples of those that may render fisher unfit. The list can also be used to determine appropriate restrictions or limitations on the medical certificate. The criteria given can only provide guidance for physicians and should not replace sound medical judgement.

- In complex cases and where appropriate, the recognized medical practitioner may, with the informed consent of the fishing vessel personnel, discuss the case with the competent authority and, where permitted by national legislation, seek relevant information from the fishing vessel owner to be considered as part of the decision-making process.

The **Diagnostic Code H00–99 (09, 10)** and **Diagnostic Code I00–99 (11**) in **Table C** is laid out as follows:

Column 1: WHO International Classification of Diseases, 10th revision (ICD-10) and 11th revision (ICD-11). Codes are listed as an aid to analysis and, in particular, international compilation of data.

Column 2: The common name of the condition or group of conditions, with a brief statement on its relevance to work at sea.

Column 3: The guideline recommending when work at sea is unlikely to be indicated, either temporarily or permanently. This column should be consulted first when the table is being used to aid decisions about fitness.

Column 4: The guideline recommending when work at sea may be appropriate but when restriction of duties or monitoring at intervals of less than two years is likely to be appropriate. This column should be consulted if the fisher does not fit the criteria in column 3.

Column 5: The guideline recommending when work at sea within a fishing vessel personnel's designated department is likely to be appropriate. This column should be consulted if the fisher does not fit the criteria in column 3 or 4.

For some conditions, one or more columns are either not relevant or are not an appropriate certification category. These are identified by the term "Not applicable"

Further examination

A fisher 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 fisher may no longer be medically fit.

Table A
Minimum in-service eyesight standards for fishing vessel personnel

STCW-F Convention regulation	Category of fishing vessel personnel	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				
II/1 II/2 II/3 II/4 II/7	Skippers, deck officers and fisherforming part of a navigational watch	0.5 [2]	0.5	Vision required for fishing vessel'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
II/5-1-1 II/5-1-2 II/5-2 II/7	All engineer officers and other fisherforming part of an engine-room watch	0.4	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

II/6 II/8	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'Eclairage (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 Administration may continue to be used.

[7] CIE colour vision standard 1, 2 or 3. Other equivalent confirmatory test methods currently recognized by the Administration may continue to be used.

Table B

Assessment of minimum entry level and in-service physical abilities for fisher[3]

Shipboard task, function, event or condition [3]	**Related physical ability**	**Medical examiner should be satisfied that the candidate:** [4]
Routine movement around vessel: - on moving deck - between levels - between compartments *Note 1 applies to this row*	Maintain balance and move with agility Climb up and down vertical ladders and stairways Step over coamings Open and close watertight doors	Has no disturbance in sense of balance does not have any impairment or disease that prevents relevant movements and physical activities Is, without assistance,[5] able to: - climb vertical ladders and stairways - step over high sills - manipulate door closing systems
Routine tasks on board: - use of hand tools - movement of vessel's stores - overhead work - valve operation - standing a four-hour watch - working in confined spaces responding to alarms, warnings and instructions	Strength, dexterity and stamina to manipulate mechanical devices Lift, pull and carry a load (e.g. 18 kg) Reach upwards Stand, walk and remain alert for an extended period Work in constricted spaces and move through restricted openings	Does not have a defined impairment or diagnosed medical condition that reduces ability to perform routine duties essential to the safe operation of the vessel Has ability to: - work with arms raised stand and walk for an extended period - enter confined space fulfil eyesight standards (table A-I/12) - fulfil hearing standards set by competent authority or take - account of international guidelines - hold normal conversation

- verbal communication *Note 1 applies to this row*	Visually distinguish objects, shapes and signals Hear warnings and instructions Give a clear spoken description	
Emergency duties[6] on board: - escape - fire fighting - evacuation *Note 2 applies to this row*	Don a lifejacket or immersion suit Escape from smoke-filled spaces Take part in fire-fighting duties, including use of breathing apparatus Take part in vessel evacuation procedures	Does not have a defined impairment or diagnosed medical condition that reduces ability to perform emergency duties essential to the safe operation of the vessel Has ability to: - don lifejacket or immersion suit - crawl - feel for differences in temperature - handle fire-fighting equipment - wear breathing apparatus (where required as part of duties)

Notes:

[1] Rows 1 and 2 of the above table describe: (a) ordinary shipboard tasks, functions, events and conditions; (b) the corresponding physical abilities which may be considered necessary for the safety of a fishing vessel personnel, other crew members and the fishing vessel; and (c) high-level criteria for use by medical practitioners assessing medical fitness, bearing in mind the different duties of fisherand the nature of shipboard work for which they will be employed.

[2] Row 3 of the above table describes: (a) emergency shipboard tasks, functions, events and conditions; (b) the corresponding physical abilities which should be considered necessary for the safety of a fishing vessel personnel, other crew members and the fishing vessel; and (c) high-level criteria for use by medical practitioners assessing medical fitness, bearing in mind the different duties of fisherand the nature of shipboard work for which they will be employed.

[3] This table is not intended to address all possible shipboard conditions or potentially disqualifying medical conditions. Parties should specify physical abilities applicable to the category of fisher(such as "deck officer" and "engine rating"). The special circumstances of individuals and for those who have specialized or limited duties should receive due consideration.

[4] If in doubt, the medical practitioner should quantify the degree or severity of any relevant impairment by means of objective tests, whenever appropriate tests are available, or by referring the candidate for further assessment.

[5] The term "assistance" means the use of another person to accomplish the task.

[6] The term "emergency duties" is used to cover all standard emergency response situations such as abandon ship or fire fighting as well as the procedures to be followed by each fisherto secure personal survival.

TABLE C

DIAGNOSTIC CODE H00–99 (09, 10)

ICD-10 (ICD-11) (diagnostic codes)	**Condition (justification for criteria*)***	**Incompatible with reliable performance of routine and emergency duties safely or effectively - expected to be temporary (T) - expected to be permanent (P)**	**Able to perform some but not all duties or to work in some but not all waters (R) Increased frequency of surveillance needed (L)**	**Able to perform all duties worldwide within designated department**
A00–B99 (01)	**Infections**			
A00–09 (1A00-40)	**Gastrointestinal infection** Transmission to others, recurrence	T – If detected while onshore (current symptoms or awaiting test results on carrier status); or confirmed carrier status until elimination demonstrated	Not applicable	*Non-catering department:* When satisfactorily treated or resolved *Catering department:* Fitness decision to be based on medical advice – bacteriological clearance may be required
A15–16 (1B10)	**Pulmonary TB** Transmission to others, recurrence	T – Positive screening test or clinical history, until investigated If diagnosis confirmed, until treatment stabilized and lack of infectivity confirmed P – Relapse or severe residual damage	Not applicable	Successful completion of a course of treatment in accordance with WHO. Treatment of Tuberculosis guidelines.
A50–64 (1A60-9Z)	**Sexually transmissible infections** Acute impairment, recurrence	T – If detected while onshore, until diagnosis confirmed, treatment initiated and impairing symptoms resolved P – Untreatable impairing late complications	R – Consider near coastal if oral treatment regime in place and symptoms non-incapacitating	On successful completion of treatment
B15 (1E50.0)	**Hepatitis A** Transmissible by food or water contamination	T – Until jaundice resolved and liver function tests returned to normal	Not applicable	On full recovery
B16–19 (1E50.1-5Z)	**Hepatitis B, C, etc.** Transmissible by contact with blood or other bodily fluids. Possibility of permanent liver impairment and liver cancer.	T – Until jaundice resolved and liver function tests returned to normal P – Persistent liver impairment with symptoms affecting safe work at sea or with likelihood of complications	R, L – Uncertainty about total recovery or lack of infectivity. Case-by-case decision-making based on duties and voyage patterns.	On full recovery and confirmation of low level of infectivity
B20–24 (1C60)	**HIV+** [5] Transmissible by contact with blood or other bodily fluids Progression to HIV-associated diseases or AIDS _____ [5] The recognized medical practitioner may refer to the WHO Guidelines for using HIV testing technologies in surveillance, selection, evaluation and implementation (2002 update).	T – Until stabilized on treatment with CD4 level of >350 or when treatment changed and tolerance of new medication uncertain P – Non-reversible impairing HIV-associated diseases. Continuing impairing effects of medication.	R, L – Time limited and/or near coastal: HIV+ and low likelihood of progression; on no treatment or on stable medication without side effects, but requiring regular specialist surveillance	HIV+, no current impairment and very low* likelihood of disease progression. No side effects of treatment or requirements for frequent surveillance.

A00–B99 (01) Not listed separately	**Other infections** Personal impairment, infection of others	T – If detected while onshore: until free from risk of transmission and capable of performing duties P – If continuing likelihood of repeated impairing or infectious recurrences	Case-by-case decision based on nature of infection	Full recovery and confirmation of low level of infectivity
C00–D48 **(02)**	**Cancers**			
C00–D48 (02)	**Malignant neoplasms – including lymphoma, leukaemia and related conditions.** Recurrence – especially acute complications, e.g. harm to self from bleeding and to others from seizures.	T – Until investigated, treated and prognosis assessed P – Continuing impairment with symptoms affecting safe work at sea or with high likelihood of recurrence	L – Time limited to interval between specialist reviews if: – cancer diagnosed <5 years ago; and – there is no current impairment of performance of normal or emergency duties or living at sea; and – there is a low likelihood of recurrence and minimal risk of requirement for urgent medical treatment. R – Restricted to near coastal waters if any continuing impairment does not interfere with essential duties and any recurrence is unlikely to require emergency medical treatment	Cancer diagnosed more than five years ago, or specialist reviews no longer required and no current impairment or low continuing likelihood of impairment from recurrence To be confirmed by specialist report with evidence for opinion stated
D50–89 **(03)**	**Blood disorders**			
D50–59 (3A00-9Z)	**Anaemia/Haemoglobinopathies. Reduced exercise tolerance.** Episodic red cell breakdown.	T – Distant waters, until haemoglobin normal and stable P – Severe recurrent or continuing anaemia or impairing symptoms from red cell breakdown that are untreatable	R, L – Consider restriction to near coastal waters and regular surveillance if reduced haemoglobin level but asymptomatic	Normal levels of haemoglobin
D73 (3B80-8Z)	**Splenectomy (history of surgery).** Increased susceptibility to certain infections.	T – Post surgery until fully recovered	R – Case-by-case assessment. Likely to be fit for coastal and temperate work but may need restriction on service in tropics.	Case-by-case assessment
D50–89 (03) Not listed separately	**Other diseases of the blood and blood-forming organs.** Varied recurrence of abnormal bleeding and also possibly reduced exercise tolerance or low resistance to infections.	T – While under investigation P – Chronic coagulation disorders	Case-by-case assessment for other conditions	Case-by-case assessment
E00–90 **(05)**	**Endocrine and metabolic**			
E10 (5A10)	**Diabetes – Insulin using. Acute impairment from hypoglycaemia. Complications from loss of blood glucose control.** Increased likelihood of visual, neurological and cardiac problems.	T – From start of treatment until stabilized P – If poorly controlled or not compliant with treatment. History of hypoglycaemia or loss of hypoglycaemic awareness. Impairing complications of diabetes.	R, L – Subject to evidence of good control, full compliance with treatment recommendations and good hypoglycaemia awareness. Fit for near coastal duties without solo watchkeeping. Time limited until next specialist check-up. Must be under regular specialist surveillance.	Not applicable
E11–14 (5A11-14)	**Diabetes – Non-insulin treated, on other medication.**	T – Distant waters and watchkeeping until stabilized	R – Near coastal waters and non-watchkeeping duties until stabilized	When stabilized, in the absence of impairing complications

	Progression to insulin use, increased likelihood of visual, neurological and cardiac problems.		R – Near coastal waters, no solo watchkeeping if minor side effects from medication. Especially when using sulphonylureas. L – Time limited if compliance poor or medication needs frequent review. Check diet, weight and vascular risk factor control.	
	Diabetes – Non-insulin treated, treated by diet alone. Progression to insulin use, increased likelihood of visual, neurological and cardiac problems.	T – Distant waters and watchkeeping until stabilized	R – Near coastal waters and non-watchkeeping duties until stabilized L – Time limited when stabilized, if compliance poor. Check diet, weight and vascular risk factor control.	When stabilized, in the absence of impairing complications
E65–68 (5B80-5C3Z)	**Obesity/abnormal body mass – high or low.** Accident to self, reduced mobility and exercise tolerance for routine and emergency duties. Increased likelihood of diabetes, arterial diseases and arthritis.	T – If safety-critical duties cannot be performed, capability or exercise test (Appendix C) performance is poor P – Safety-critical duties cannot be performed; capability or exercise test performance is poor with failure to achieve improvements. Note: Body mass index is a useful indicator of when additional assessment is needed. National norms will vary. It should not form the sole basis for decisions on capability.	R, L – Time limited and restricted to near coastal waters or to restricted duties if unable to perform certain tasks but able to meet routine and emergency capabilities for assigned safety-critical duties	Capability and exercise test (Appendix E) performance average or better, weight steady or reducing and no co-morbidity
E00–90 (05) Not listed separately	**Other endocrine and metabolic disease (thyroid, adrenal including Addison's disease, pituitary, ovaries, testes).** Likelihood of recurrence or complications.	T – Until treatment established and stabilized without adverse effects P – If continuing impairment, need for frequent adjustment of medication or increased likelihood of major complications	R, L – Case-by-case assessment with specialist advice if any uncertainty about prognosis or side effects of treatment. Need to consider likelihood of impairing complications from condition or its treatment, including problems taking medication, and consequences of infection or injury while at sea.	If medication stable with no problems in taking at sea and surveillance of conditions infrequent, no impairment and very low likelihood of complications. Addison's disease: The risks will usually be such that an unrestricted certificate should not be issued.
F00–99 (06)	**Mental, cognitive and behavioural disorders**			
F10 (6C40)	**Alcohol abuse (dependency).** Recurrence, accidents, erratic behaviour/safety performance.	T – Until investigated and stabilized and criteria for fitness met. Until one year after initial diagnosis or one year after any relapse. P – If persistent or there is co-morbidity likely to progress or recur while at sea	R, L – Time limited, not to work as skipper in charge of vessel or without close supervision and continuing medical monitoring, provided that: treating physician reports successful participation in rehabilitation programme; and there is an improving trend in liver function tests.	After three years from end of last episode without relapse and without co-morbidity
F11–19 (6C41-4Z)	**Drug dependence/persistent substance abuse includes both illicit drug use and dependence on prescribed medications.** Recurrence, accidents, erratic behaviour/safety performance.	T – Until investigated and stabilized and criteria for fitness met. Until one year after initial diagnosis or one year after any relapse.	R, L – Time limited, not to work as skipper in charge of vessel or without close supervision and continuing medical monitoring, provided that: – treating physician reports successful participation in rehabilitation programme;	After three years from end of last episode without relapse and without co-morbidity

		P – If persistent or there is co-morbidity likely to progress or recur while at sea	– evidence of completion of unannounced/random programme of drug screening for at least three months with no positives and at least three negatives; and – continuing participation in drug screening programme.	
F20–31 (6A20-25, 6A60-61, 6A6Y-6Z)	**Psychosis (acute) – whether organic, schizophrenic or other category listed in the ICD. Bipolar (manic depressive disorders).** Recurrence leading to changes to perception/cognition, accidents, erratic and unsafe behaviour.	Following single episode with provoking factors: T – Until investigated and stabilized and conditions for fitness met. At least three months after episode.	R, L – Time limited, restricted to near coastal waters and not to work as skipper in charge of vessel or without close supervision and continuing medical monitoring, provided that: – the fisherhas insight; – is compliant with treatment; and – has no adverse effects from medication.	Case-by-case assessment at least one year after the episode, provided that provoking factors can and will always be avoided.
		Following single episode without provoking factors or more than one episode with or without provoking factors: T – Until investigated and stabilized and conditions for fitness met. At least two years since last episode. P – More than three episodes or continuing likelihood of recurrence. Criteria for fitness with or without restrictions are not met.	R, L – Time limited, restricted to near coastal waters and not to work as skipper in charge of vessel or without close supervision and continuing medical monitoring providing that: – the fisherhas insight; – is compliant with treatment; and – has no impairing adverse effects from medication.	Case-by-case assessment to exclude likelihood of recurrence at least five years since end of episode if no further episodes; no residual symptoms; and no medication needed during last two years.
F32–38 (6A70-8Z)	**Mood/affective disorders** **Severe anxiety state, depression or any other mental disorder likely to impair performance.** Recurrence, reduced performance, especially in emergencies.	T – While acute, under investigation or if impairing symptoms or side effects of medication present. At least three months on stable medication. P – Persistent or recurrent impairing symptoms	R, L – Restrict to near coastal waters and not to work as skipper in charge of vessel, only when the fisherhas: – good functional recovery; – insight; – is fully compliant with treatment, with no impairing side effects; and – a low * likelihood of recurrence.	Case-by-case assessment to exclude likelihood of recurrence after at least two years with no further episodes and with no medication or on medication with no impairing effects
	Mood/affective disorders Minor or reactive symptoms of anxiety/depression. Recurrence, reduced performance, especially in emergencies.	T – Until symptom free. If on medication to be on a stable dose and free from impairing adverse effects. P – Persistent or recurrent impairing symptoms	R, L – Time limited and consider geographical restriction if on stable dose of medication and free from impairing symptoms or impairing side effects from medication	Case-by-case assessment after one year from end of episode if symptom free and off medication or on medication with no impairing effects

F00–99 (06) Not listed separately	**Other disorders, e.g. disorders of personality, attention (e.g. ADHD), development (e.g. autism).** Impairment of performance and reliability and impact on relationships.	P – If considered to have safety-critical consequences	R – As appropriate if capable of only limited duties	No anticipated adverse effects while at sea. No incidents during previous periods of sea service.
G00–99 (08)	**Diseases of the nervous system**			
G40–41 (8A60-6Z)	**Single seizure.** Harm to vessel, others and self from seizures.	Single seizure T – While under investigation and for one year after seizure	R – One year after seizure and on stable medication. Non- watchkeeping duties in near coastal waters	One year after seizure and one year after end of treatment. If provoked, there should be no continuing exposure to the provoking agent
	Epilepsy – No provoking factors (multiple seizures). Harm to vessel, others and self from seizures.	T – While under investigation and for two years after last seizure P – Recurrent seizures, not controlled by medication	R – Off medication or on stable medication with good compliance: case-by-case assessment of fitness, restricted to non-watchkeeping duties in near-coastal waters	Seizure-free for at least the last 10 years, has not taken anti-epilepsy drugs during that 10-year period and does not have a continuing likelihood of seizures
	Epilepsy – provoked by alcohol, medication, head injury (multiple seizures). Harm to vessel, others and self from seizures.	T – While under investigation and for two years after last seizure P – Recurrent fits, not controlled by medication	R – Case-by-case assessment after two years' abstention from any known provoking factors, seizure-free and either off medication or on stable medication with good compliance; restricted to non-watchkeeping duties in near coastal waters	Seizure-free for at least the last five years, has not taken anti-epilepsy drugs during that five-year period, provided there is not continuing exposure to the provoking agent
G43 (8A80)	**Migraine (frequent attacks causing incapacity).** Likelihood of disabling recurrences.	P – Frequent attacks leading to incapacity	R – As appropriate. If only capable of limited duties.	No anticipated incapacitating adverse effects while at sea. No incidents during previous periods of sea service.
G47 (7A00-7B2Z) (Sleep-wake disorders: 07)	**Sleep apnoea.** Fatigue and episodes of sleep while working.	T – Until treatment started and successful for three months P – Treatment unsuccessful or not being complied with	L – Once treatment demonstrably working effectively for three months, including compliance with CPAP (continuous positive airway pressure) machine use confirmed. Six-monthly assessments of compliance based on CPAP machine recording	Case-by-case assessment based on job and emergency requirements, informed by specialist advice
	Narcolepsy. Fatigue and episodes of sleep while working.	T – Until controlled by treatment for at least two years P – Treatment unsuccessful or not being complied with	R, L – Near coastal waters and no watchkeeping duties, if specialist confirms full control of treatment for at least two years. Annual review.	Not applicable
G00–99 (08) Not listed separately	**Other organic nervous disease, e.g. multiple sclerosis, Parkinson's disease** Recurrence/progression. Limitations on muscular power, balance, coordination and mobility.	T – Until diagnosed and stable P – If limitations affect safe working or unable to meet physical capability requirements (Appendix C)	R, L – Case-by-case assessment based on job and emergency requirements, informed by specialist advice	Case-by-case assessment based on job and emergency requirements, informed by specialist advice
R55 (MG45)	**Syncope and other disturbances of consciousness.** Recurrence causing injury or loss of control.	T – Until investigated to determine cause and to demonstrate control of any underlying condition Event is: (a) Simple faint;		

		(b) Not a simple faint; unexplained disturbance, not recurrent and without any detected underlying cardiac, metabolic or neurological cause T – Four weeks (c) Disturbance; recurrent or with possible underlying cardiac, metabolic or neurological cause T – With possible underlying cause that is not identified or treatable; for six months after event if no recurrences T – With possible underlying cause or cause found and treated; for one month after successful treatment (d) Disturbance of consciousness with features indicating a seizure. Go to G40–41. P – For all of above if recurrent incidents persist despite full investigation and appropriate treatment	R, L – Case-by-case decision, near coastal with no lone watchkeeping R, L – Case-by-case decision, near coastal with no lone watchkeeping	Simple faint; if no incapacitating recurrences. Three months after event if no recurrences. With possible underlying cause but no treatable cause found; one year after event if no recurrences. With possible underlying cause found and treated; three months after successful treatment. With seizure markers – not applicable.
T90 (NA00-0Z)	**Intracranial surgery/injury, including treatment of vascular anomalies or serious head injury with brain damage.** Harm to vessel, others and self from seizures. Defects in cognitive, sensory or motor function. Recurrence or complication of underlying condition.	T – For one year or longer until seizure likelihood low, * based on advice from specialist P – Continuing impairment from underlying condition or injury or recurrent seizures	R – After at least one year, near coastal, no lone watchkeeping if seizure likelihoods low * and no impairment from underlying condition or injury. Conditional on continued compliance with any treatment and on periodic review, as recommended by specialist.	No impairment from underlying condition or injury, not on anti-epilepsy medications. Seizure likelihood very low. * Conditional on continued compliance with any treatment and on periodic review, as recommended by specialist.
H00–99 (09, 10)	**Diseases of the eyes and ears**			
H00–59 (09)	**Eye disorders: Progressive or recurrent (e.g. glaucoma, maculopathy, diabetic retinopathy, retinitis pigmentosa, keratoconus, diplopia, blepharospasm, uveitis, corneal ulceration and retinal detachment).** Future inability to meet vision standards, risk of recurrence.	T – Temporary inability to meet relevant vision standards (Appendix A) and low likelihood of subsequent deterioration or impairing recurrence once treated or recovered P – Inability to meet relevant vision standards (Appendix A) or, if treated, increased likelihood of subsequent deterioration or impairing recurrence	R – Near coastal waters if recurrence unlikely but foreseeable and treatable with early medical intervention L – If risk of progression foreseeable but unlikely and can be detected by regular monitoring	Very low likelihood of recurrence. Progression to a level where vision standards (Appendix A) are not met during period of certificate is very unlikely.
H65–67 (AA80-AB0Z)	**Otitis – External or media.** Recurrence, risk as infection source in food handlers, problems using hearing protection.	T – Until treated P – If chronic discharge from ear in food handler	Case-by-case assessment. Consider effects of heat, humidity and hearing protection use in otitis externa.	Effective treatment and no excess likelihood of recurrence
H68–95 (AB10-AC0Z)	**Ear disorders: Progressive (e.g. otosclerosis)**	T – Temporary inability to meet relevant hearing standards (Appendix B) and low likelihood of subsequent deterioration or impairing recurrence once treated or recovered	L – If risk of progression foreseeable but unlikely and it can be detected by regular monitoring	Very low likelihood of recurrence. Progression to a level where hearing standards (Appendix B) are not met during period of certificate is very unlikely.

		P – Inability to meet relevant hearing standards (Appendix B) or, if treated, increased likelihood or subsequent deterioration or impairing recurrence		
H81 (AB34)	**Ménière's disease and other forms of chronic or recurrent disabling vertigo.** Inability to balance, causing loss of mobility and nausea. See STCW table in Appendix C.	T – During acute phase P – Frequent attacks leading to incapacity	R – As appropriate. If only capable of limited duties. R, L – If frequent specialist surveillance required	Low* likelihood of impairing effects while at sea
00–99 (11)	**Cardiovascular system**			
I05–08 I34–39 (BB60-BC20)	**Congenital and valve disease of heart (including surgery for these conditions).** Heart murmurs not previously investigated. Likelihood of progression, limitations on exercise.	T – Until investigated and, if required, treated P – If exercise tolerance limited or episodes of incapacity occur or if on anticoagulants or if permanent high likelihood of impairing event	R – Near coastal waters if case-by-case assessment indicates either likelihood of acute complications or rapid progression L – If frequent surveillance is recommended	Heart murmurs – Where unaccompanied by other heart abnormalities and considered benign by a specialist cardiologist following examination. Other conditions – Case-by-case assessment based on specialist advice.
I10–15 (BA00-04)	**Hypertension** Increased likelihood of ischaemic heart disease, eye and kidney damage and stroke. Possibility of acute hypertensive episode.	T – Normally if >160 systolic or >100 diastolic mm Hg until investigated and treated in accordance with national or international guidelines for hypertension management P – If persistently >160 systolic or >100 diastolic mm Hg with or without treatment	L – If additional surveillance needed to ensure level remains within national guideline limits	If treated in accordance with national guidelines and free from impairing effects from condition or medication
I20–25 (BA40-6Z)	**Cardiac event, i.e. myocardial infarction, ECG evidence of past myocardial infarction or newly recognized left bundle-branch block, angina, cardiac arrest, coronary artery bypass grafting, coronary angioplasty.** Sudden loss of capability, exercise limitation. Problems of managing repeat cardiac events at sea.	T – For three months after initial investigation and treatment, longer if symptoms not resolved P – If criteria for issue of certificate not met and further reduction of likelihood of recurrence improbable	L – If excess likelihood of recurrence is very low* and fully compliant with risk reduction recommendations and no relevant co-morbidity, issue six-month certificate initially and then annual certificate R, L – If excess likelihood of recurrence is low.* Restricted to: – no lone working or solo watchkeeping; and	Not applicable

			– operations in near-coastal waters, unless working on vessel with vessel's doctor. Issue six-month certificate initially and then annual certificate. R, L – If likelihood of recurrence is moderate* and asymptomatic. Able to meet the physical requirements or their normal and emergency duties: – no lone working or watchkeeping/lookout; and – operating within one hour of port, unless working on vessel with vessel's doctor. Case-by-case assessment to determine restrictions. Annual review.	
I44–49 (BC63-65)	**Cardiac arrhythmias and conduction defects (including those with pacemakers and implanted cardioverter defibrillators (ICD)).** Likelihood of impairment from recurrence, sudden loss of capability, exercise limitation. Pacemaker/ICD activity may be affected by strong electric fields.	T – Until investigated, treated and adequacy of treatment confirmed P – If disabling symptoms present or excess likelihood of impairment from recurrence, including ICD implant	L – Surveillance needed at shorter intervals and no impairing symptoms present and very low* excess likelihood of impairment from recurrence, based on specialist report R – Restrictions on solo duties or for distant waters if low* likelihood of acute impairment from recurrence or foreseeable requirement for access to specialist care. Surveillance and treatment regime to be specified. If pacemaker fitted, duration of certificate to coincide with pacemaker surveillance.	Surveillance not needed or needed at intervals of more than two years; no impairing symptoms present; and very low* likelihood of impairment from recurrence, based on specialist report
I61–69 G46 (8B00-2Z) (8B26)	**Ischaemic cerebrovascular disease (stroke or transient ischaemic attack).** Increased likelihood of recurrence, sudden loss of capability, mobility limitation. Liable to develop other circulatory disease causing sudden loss of capability.	T – Until treated and any residual impairment stabilized and for three months after event P – If residual symptoms interfere with duties or there is significant excess likelihood of recurrence	R, L – Case-by-case assessment of fitness for duties; exclude from lone watchkeeping. Assessment should include likelihood of future cardiac events. General standards of physical fitness should be met (Appendix C). Annual assessment.	Not applicable

I73 (BD42-4Z) (4A44.8)	**Arterial-claudication** Likelihood of other circulatory disease causing sudden loss of capability. Limits to exercise capacity.	T – Until assessed P – If incapable of performing duties	R, L – Consider restriction to non-watchkeeping duties in coastal waters, provided symptoms are minor and do not impair essential duties or if they are resolved by surgery or other treatment and general standard of fitness can be met (Appendix C). Assess likelihood of future cardiac events (follow criteria in I20–25). Review at least annually.	Not applicable
I83 (BD74.1)	**Varicose veins** Possibility of bleeding if injured, skin changes and ulceration	T – Until treated if impairing symptoms. Post-surgery for up to one month	Not applicable	No impairing symptoms or complications
I80.2–3 (BD71.4)	**Deep vein thrombosis/pulmonary embolus.** Likelihood of recurrence and of serious pulmonary embolus. Likelihood of bleeding from anticoagulant treatment.	T – Until investigated and treated and normally while on short-term anticoagulants P – Consider if recurrent events or on permanent anticoagulants	R, L – May be considered fit for work with a low liability for injury in national coastal waters, once stabilized on anticoagulants with regular monitoring of level of coagulation	Full recovery with no anticoagulant use
I00–99 (11) Not listed separately	**Other heart disease,** **e.g. cardio-myopathy, pericarditis, heart failure.** Likelihood of recurrence, sudden loss of capability, exercise limitation.	T – Until investigated, treated and adequacy of treatment confirmed P – If impairing symptoms or likelihood of impairment from recurrence	Case-by-case assessment, based on specialist reports	Case-by-case assessment, very low * likelihood of recurrence
J00–99 (12)	**Respiratory system**			
J02–04 J30–39 (CA02-05) (CA08-0Z)	**Nose, throat and sinus conditions.** Impairing for individual. May recur. Transmission of infection to food/other crew in some conditions.	T – Until resolved P – If impairing and recurrent	Case-by-case assessment	When treatment complete, if no factors predisposing to recurrence
J40–44 (CA20-22)	**Chronic bronchitis and/or emphysema.** Reduced exercise tolerance and impairing symptoms.	T – If acute episode P – If repeated severe recurrences or if general fitness standards cannot be met or if impairing shortness of breath	R, L – Case-by-case assessment More stringency for distant water duties. Consider fitness for emergencies and ability to meet general standards of physical fitness (Appendix C).	Not applicable

			Annual review.	
J45–46 (CA23)	**Asthma (detailed assessment with information from specialist in all new entrants).** Unpredictable episodes of severe breathlessness.	T – Until episode resolved, cause investigated (including any occupational link) and effective treatment regime in place. In person under age 20 with hospital admission or oral steroid use in last three years. P – If foreseeable likelihood of rapid life-threatening asthma attack while at sea or history of uncontrolled asthma, i.e. history of multiple hospital admissions	R, L – Near coastal waters only or on vessel with doctor if history of moderate ** adult asthma, with good control with inhalers and no episodes requiring hospital admission or oral steroid use in last two years, or history of mild or exercise-induced asthma that requires regular treatment	Under age 20: If history of mild or moderate ** childhood asthma, but with no hospital admissions or oral steroid treatment in last three years and no requirements for continuing regular treatment Over age 20: If history of mild ** or exercise-induced ** asthma and no requirements for continuing regular treatment
J93 (CB21)	**Pneumothorax (spontaneous or traumatic).** Acute impairment from recurrence.	T – Normally for 12 months after initial episode or shorter duration as advised by specialist P – After recurrent episodes unless pleurectomy or pleurodesis performed	R – Duties in harbour areas only once recovered	Normally 12 months after initial episode or shorter duration as advised by specialist.) Post-surgery – based on advice of treating specialist.
K00–93 (13)	**Digestive system**			
K01–06 (DA08-0D)	**Oral health.** Acute pain from toothache. Recurrent mouth and gum infections.	T – If visual evidence of untreated dental defects or oral disease P – If excess likelihood of dental emergency remains after treatment completed or the fishing vessel	R – Limited to near coastal waters, if criteria for full fitness not met, and type of operation will allow for access to dental care without safety-critical manning issues for vessel	If teeth and gums (gums alone of edentulous and with well-fitting dentures in good repair) appear to be good. No complex prosthesis; or if dental check in last year, with

		personnelnon-compliant with dental recommendations		follow-up completed and no problems since.
K25–28 (DA60-63)	**Peptic ulcer.** Recurrence with pain, bleeding or perforation.	T – Until healing or cure by surgery or by control of helicobacter and on normal diet for three months P – If ulcer persists despite surgery and medication	R – Consider case-by-case assessment for earlier return to near coastal duties	When cured and on normal diet for three months
K40–41 (DD51-52)	**Hernias – Inguinal and femoral.** Likelihood of strangulation.	T – Until surgically investigated to confirm no likelihood of strangulation and, if required, treated	R – Untreated: Consider case-by-case assessment for near coastal waters	When satisfactorily treated or exceptionally when surgeon reports that there is no likelihood of strangulation
K42–43 (DD53-57)	**Hernias – Umbilical, ventral.** Instability of abdominal wall on bending and lifting.	Case-by-case assessment depending on severity of symptoms or impairment. Consider implications of regular heavy whole-body physical effort.	Case-by-case assessment depending on severity of symptoms or impairment. Consider implications of regular heavy whole-body physical effort.	Case-by-case assessment depending on severity of symptoms or impairment. Consider implications of regular heavy whole-body physical effort.
K44 (DD50.0)	**Hernias – Diaphragmatic (hiatus).** Reflux of stomach contents and acid causing heartburn, etc.	Case-by-case assessment based on severity of symptoms when lying down and on any sleep disturbance caused by them	Case-by-case assessment based on severity of symptoms when lying down and on any sleep disturbance caused by them	Case-by-case assessment based on severity of symptoms when lying down and on any sleep disturbance caused by them
K50, 51, 57, 58, 90 (DD70, 71, DC70-1Z, DD91.0, DA96.0)	**Non-infectious enteritis, colitis, Crohn's disease, diverticulitis, etc.** Impairment and pain.	T – Until investigated and treated P – If severe or recurrent	R – Does not meet the requirements for unrestricted certificate but rapidly developing recurrence unlikely: near coastal duties	Case-by-case specialist assessment. Fully controlled with low likelihood of recurrence.
K60 I84 (DB50) (BD74.1)	**Anal conditions: Piles (haemorrhoids), fissures, fistulae.** Likelihood of episode causing pain and limiting activity.	T – If piles prolapsed, bleeding repeatedly or causing symptoms; if fissure or fistula painful, infected, bleeding repeatedly or causing faecal incontinence P – Consider if not treatable or recurrent	Case-by-case assessment of untreated cases for near coastal duties	When satisfactorily treated

K70, 72 (DB94, 91, 99.7, 99.8)	**Cirrhosis of liver** Liver failure. Bleeding oesophageal varices.	T – Until fully investigated P – If severe or complicated by ascites or oesophageal varices	R, L – Case-by-case specialist assessment	Not applicable
K80–83 (DC11-14)	**Biliary tract disease.** Biliary colic from gallstones, jaundice, liver failure.	T – Biliary colic until definitely treated P – Advanced liver disease, recurrent or persistent impairing symptoms	R, L – Case-by-case specialist assessment. Does not meet requirements for unlimited certificate. Sudden onset of biliary colic unlikely.	Case-by-case specialist assessment. Very low likelihood of recurrence or worsening in next two years.
K85–86 (DC30-3Z)	**Pancreatitis** Likelihood of recurrence	T – Until resolved P – If recurrent or alcohol related, unless confirmed abstention	Case-by-case assessment based on specialist reports	Case-by-case assessment based on specialist reports, very low likelihood of recurrence
Y83 (PK80)	**Stoma (ileostomy, colostomy)** Impairment if control is lost – need for bags, etc. Potential problems during prolonged emergency.	T – Until stabilized P – Poorly controlled	R – Case-by-case assessment	Case-by-case specialist assessment
N00–99 (16)	**Genito-urinary conditions**			
N00, N17 (GB40&XT5R, GB60)	**Acute nephritis** Renal failure, hypertension	P – Until resolved	Case-by-case assessment if any residual effects	Full recovery with normal kidney function and no residual damage
N03–05, N18–19 (GB40&XT8W, GB41, GB40&XK70) (GB61, GB6Z)	**Sub-acute or chronic nephritis or nephrosis.** Renal failure, hypertension.	T – Until investigated	R, L – Case-by-case assessment by specialist, based on renal function and likelihood of complications	Case-by-case assessment by specialist, based on renal function and likelihood of complications
N20–23 (GB70-7Z)	**Renal or ureteric calculus.** Pain from renal colic.	T – Until investigated and treated P – Recurrent stone formation	R – Consider if concern about ability to work in tropics or under high temperature conditions. Case- by-case assessment for near coastal duties.	Case-by-case assessment by specialist with normal urine and renal function without recurrence
N33, N40 (GC00-01) (GA90)	**Prostatic enlargement/urinary obstruction.** Acute retention of urine.	T – Until investigated and treated P – If not remediable	R – Case-by-case assessment for near coastal duties	Successfully treated; low * likelihood of recurrence
N70–98 (GA00-07, GA12-1Z)	**Gynaecological conditions – Heavy vaginal bleeding, severe menstrual pain, endometriosis,**	T – If impairing or investigation needed to determine cause and remedy it	R – Case-by-case assessment if condition is likely to require	Fully resolved with low* likelihood of recurrence

	prolapse of genital organs or other. Impairment from pain or bleeding		treatment on voyage or affect working capacity	
R31, 80, 81, 82 (MF50.4Z, GB4Z, GB90.45, MF9Y)	**Proteinuria, haematuria, glycosuria or other urinary abnormality.** Indicator of kidney or other diseases.	T – If initial findings clinically significant P – Serious and non-remediable underlying cause – e.g. impairment of kidney function	L – When repeat surveillance required R, L – When uncertainty about cause but no immediate problem	Very low likelihood of serious underlying condition
Z90.5 (QF01.Y)	**Removal of kidney or one non-functioning kidney.** Limits to fluid regulation under extreme conditions if remaining kidney not fully functional.	P – Any reduction of function in remaining kidney in new fishing vessel personnel. Significant dysfunctioning remaining kidney of serving fishing vessel personnel.	R – No tropical or other heat exposure. Serving fisherwith minor dysfunction in remaining kidney.	Remaining kidney must be fully functional and not liable to progressive disease, based on renal investigations and specialist report
O00–99 (18)	**Pregnancy**			
O00–99 (18)	**Pregnancy.** Complications, late limitations on mobility. Potential for harm to mother and child in the event of premature delivery at sea.	T – Late stage of pregnancy and early postnatal period. Abnormality of pregnancy requiring high level of surveillance.	R, L – Case-by-case assessment if minor impairing effects. May consider working until later in pregnancy on near coastal vessel.	Uncomplicated pregnancy with no impairing effects – normally until 24th week. Decisions to be in accord with national practice and legislation. Pregnancy should be declared at an early stage so that national recommendations on antenatal care and screening can be followed.
L00–99 (14)	**Skin**			
L00–08 (EA00-6Y)	**Skin infections** Recurrence, transmission to others	T – Until satisfactorily treated P – Consider for catering staff with recurrent problems	R, L – Based on nature and severity of infection	Cured with low likelihood of recurrence
L10–99 (EA80-EM0Z)	**Other skin diseases, e.g. eczema, dermatitis, psoriasis.** Recurrence, sometimes occupational cause.	T – Until investigated and satisfactorily treated	Case-by-case decision R – As appropriate if aggravated by heat, or substances at work	Stable, not impairing
M00–99 (15)	**Musculoskeletal**			

M10–23 (FA00-33)	**Osteoarthritis, other joint diseases and subsequent joint replacement.** Pain and mobility limitation affecting normal or emergency duties. Possibility of infection or dislocation and limited life of replacement joints.	T – Full recovery of function and specialist advice required before return to sea after hip or knee replacement P – For advanced and severe cases	R – Case-by-case assessment based on job requirements and history of condition. Consider emergency duties and evacuation from fishing vessel. Should meet general fitness requirements (Appendix D).	Case-by-case assessment. Able to fully meet routine and emergency duty requirements with very low likelihood of worsening such that duties could not be undertaken
M24.4 (FA34.2)	**Recurrent instability of shoulder or knee joints** Sudden limitation of mobility, with pain	T – Until satisfactorily treated	R – Case-by-case assessment of occasional instability	Treated; very low* likelihood of recurrence
M54.5 (ME84.2)	**Back pain.** Pain and mobility limitation affecting normal or emergency duties. Exacerbation of impairment.	T – In acute stage P – If recurrent or incapacitating	Case-by-case assessment	Case-by-case assessment
Y83.4 Z97.1 (QB83) (QB51.9)	**Limb prosthesis.** Mobility limitation affecting normal or emergency duties.	P – If essential duties cannot be performed	R – If routine and emergency duties can be performed but there are limitations on specific non-essential activities	If general fitness requirements are fully met (Appendix C). Arrangements for fitting prosthesis in emergency must be confirmed.
	General			
R47, F80 (MA80) (6A01)	**Speech disorders** Limitations to communication ability	P – Incompatible with reliable performance of routine and emergency duties safely or effectively	R – If assistance with communication is needed to ensure reliable performance of routine and emergency duties safely and effectively. Specify assistance.	No impairment to essential speech communication
T78 Z88 (NF09) (QC44.2)	**Allergies (other than allergic dermatitis and asthma).** Likelihood of recurrence and increasing severity of response. Reduced ability to perform duties.	T – Until fully investigated by specialist P – If life-threatening response reasonably foreseeable	Case-by-case assessment of likelihood and severity of response, management of the condition and access to medical care R – Where response is impairing rather than life-threatening, and reasonable adjustments can be made to reduce likelihood of recurrence	Where response is impairing rather than life-threatening, and effects can be fully controlled by long-term non-steroidal self-medication or by lifestyle modifications that are practicable at sea with no safety-critical adverse effects

Z94 (QB63.Z)	**Transplants – Kidney, heart, lung, liver (for prosthetics, i.e. joints, limbs, lenses, hearing aids, heart valves, etc. see condition-specific sections).** Possibility of rejection. Side effects of medication.	T – Until effects of surgery and anti-rejection medication stable P – Case-by-case assessment, with specialist advice	R, L – Case-by-case assessment, with specialist advice	Not applicable
Classify by condition	**Progressive conditions, which are currently within criteria, e.g. Huntington's chorea (including family history) and keratoconus**	T – Until investigated and treated if indicated P – Consider at pre-sea medical if likely to prevent completion or limit scope of training	Case-by-case assessment, with specialist advice. Such conditions are acceptable if harmful progression before next medical is judged unlikely.	Case-by-case assessment, with specialist advice. Such conditions are acceptable if harmful progression before next medical is judged unlikely.
Classify by condition	**Conditions not specifically listed**	T – Until investigation and treated if indicated P – If permanently impairing	Use analogy with related conditions as a guide. Consider likelihood of sudden incapacity, recurrence or progression and limitations on performing normal and emergency duties. If in doubt, obtain advice or consider restriction and referral to referee.	Use analogy with related conditions as a guide. Consider excess likelihood of sudden incapacity, of recurrence or progression and limitations on performing normal and emergency duties. If in doubt, obtain advice or consider restriction and referral to referee.

Notes:

* Recurrence rates: Where the terms very low, low and moderate are used for the excess likelihood of a recurrence. These are essentially clinical judgements but, for some conditions, quantitative evidence on the likelihood of recurrence is available. Where this is available, e.g. for seizure and cardiac events, it may indicate the need for additional investigations to determine an individual's excess likelihood of a recurrence.

Quantitative recurrence levels approximate to:

- Very low: recurrence rate less than 2% per year.
- Low: recurrence rate 2% to 5% per year.
- Moderate: recurrence rate 5% to 20% per year.

** Asthma severity definitions:

Childhood asthma:

- *Mild*: Onset age >10, few or no hospitalizations, normal activities between episodes, controlled by inhaler therapy alone, remission by age 16, normal lung function.

- *Moderate*: Few hospitalizations, frequent use of reliever inhaler between episodes, interference with normal exercise activity, remission by age 16, normal lung function.
- *Severe*: Frequent episodes requiring treatment to be made more intensive, regular hospitalization, frequent oral or IV steroid use, lost schooling, abnormal lung function.

Adult asthma:

Asthma may persist from childhood or start over the age of 16. There is a wide range of intrinsic and external causes for asthma developing in adult life. In late-entry recruits with a history of adult onset asthma, the role of specific allergens, including those causing occupational asthma, should be investigated. Less specific inducers such as cold, exercise and respiratory infection also need to be considered. All can affect fitness for work at sea.

- *Mild intermittent asthma*: Infrequent episodes of mild wheezing occurring less than once every two weeks, readily and rapidly relieved by beta agonist inhaler.
- *Mild asthma*: Frequent episodes of wheezing requiring use of beta agonist inhaler or the introduction of a corticosteroid inhaler. Taking regular inhaled steroids (or steroid/long acting beta agonists) may effectively eliminate symptoms and the need for use of beta agonist treatment.
- *Exercise-induced asthma*: Episodes of wheezing and breathlessness provoked by exertion, especially in the cold. Episodes may be effectively treated by inhaled steroids (or steroid/long-acting beta agonist) or other oral medication.
- *Moderate asthma*: Frequent episodes of wheezing despite regular use of inhaled steroid (or steroid/long-acting beta agonist) treatment requiring continued use of frequent beta agonist inhaler treatment or the addition of other medication, occasional requirement for oral steroids.
- *Severe asthma*: Frequent episodes of wheezing and breathlessness, frequent hospitalization, frequent use of oral steroid treatment.

Suggested format for recording medical examinations of fishing vessel personnel

Name (last, first, middle): _____

Date of birth (day/month/year): ..../..../……

Sex: __ Male __ Female

Home address: _____

Method of confirmation of identity, e.g. Passport No./Seafarer's identity document No. or other relevant identity document No.: _____

Department (deck/engine/catering/other): _____

Routine and emergency duties (if known): _____

Area of fishing operation/trade: _____

Examinee's personal declaration (Assistance should be offered by medical staff)

Have you ever had any of the following conditions?

	Condition	**Yes**	**No**
1.	Eye/vision problem		
2.	High blood pressure		
3.	Heart/vascular disease		
4.	Heart surgery		
5.	Varicose veins/piles		
6.	Asthma/bronchitis		
7.	Blood disorder		
8.	Diabetes		
9.	Thyroid problem		
10.	Digestive disorder		
11.	Kidney problem		
12.	Skin problem		
13.	Allergies		
14.	Infectious/contagious diseases		
15.	Hernia		
16.	Genital disorder		
17.	Pregnancy		
18.	Sleep problem		
19.	Do you smoke, use alcohol or drugs, if so, how much?		
20.	Operation/surgery		
21.	Epilepsy/seizures		

22.	Dizziness/fainting
23.	Loss of consciousness
24.	Psychiatric problems
25.	Depression
26.	Attempted suicide
27.	Loss of memory
28.	Balance problem
29.	Severe headaches
30.	Ear (hearing, tinnitus)/nose/throat problem
31.	Restricted mobility
32.	Back or joint problem
33.	Amputation
34.	Fractures/dislocations

If you answered "yes" to any of the above questions, please give details:

	Additional questions	**Yes**	**No**
35.	Have you ever been signed off as sick or repatriated from a vessel?		
36.	Have you ever been hospitalized?		
37.	Have you ever been declared unfit for sea duty?		
38.	Has your medical certificate even been restricted or revoked?		
39.	Are you aware that you have any medical problems, diseases or illnesses?		
40.	Do you feel healthy and fit to perform the duties of your designated position/occupation?		
41.	Do you feel healthy and fit to safely and effectively perform emergency duties?		
42.	Are you allergic to any medication?		

Comments:

	Additional questions	**Yes**	**No**
43.	**Are you taking any non-prescription or prescription medications?**		

If yes, please list the medications taken, and the purpose(s) and dosage(s):

I hereby certify that the personal declaration above is a true statement to the best of my knowledge.

Signature of examinee: _____ Date (day/month/year):……./……./……

Witnessed by (signature): _____ Name (typed or printed): _____

I hereby authorize the release of all my previous medical records from any health professionals,
health institutions and public authorities to Dr. _____

(the recognized medical practitioner).

Signature of examinee: _____ Date (day/month/year): ...../……../……

Witnessed by (signature): _____ Name (typed or printed): _____

Date and contact details for previous medical examination (if known): _____

MEDICAL EXAMINATION

Sight

Use of glasses or contact lenses: Yes/No (if yes, specify which type and for what purpose)

_____

Visual acuity

	Unaided			**Aided**		
	Right eye	**Left eye**	**Binocular**	**Right eye**	**Left eye**	**Binocular**
Distant						
Near						

Visual fields

	Normal	**Defective**
Right eye		
Left eye		

Colour vision

☐ Not tested ☐ Normal ☐ Doubtful ☐ Defective

Hearing

	Pure tone and audiometry (threshold values in dB)			
	500 Hz	**1,000 Hz**	**2,000 Hz**	**3,000 Hz**
Right ear				
Left ear				

Speech and whisper test (metres)

	Normal	Whisper
Right ear		
Left ear		

Clinical findings

Height: _____ (cm) Weight: _____ (kg)

Pulse rate: _____/(minute) Rhythm: _____

Blood pressure: Systolic: _____ (mm Hg) Diastolic: _____ (mm Hg)

Urinalysis: Glucose: _____ Protein: _____ Blood: _____

	Normal	Abnormal
Head		
Sinuses, nose, throat		
Mouth/teeth		
Ears (general)		
Tympanic membrane		
Eyes		
Ophthalmoscopy		
Pupils		
Eye movement		
Lungs and chest		
Breast examination		
Heart		
Skin		
Varicose veins		
Vascular (inc. pedal pulses)		
Abdomen and viscera		
Hernia		
Anus (not rectal exam)		
G-U system		
Upper and lower extremities		
Spine (C/S, T/S and L/S)		
Neurologic (full/brief)		
Psychiatric		
General appearance		

Chest X-ray

☐ Not performed ☐ Performed on (day/month/year): ..../..../…….

Results:

Other diagnostic test(s) and result(s)

Test: Result:

Medical practitioner's comments and assessment of fitness, with reasons for any limitations:

Assessment of fitness for service at sea

On the basis of the examinee's personal declaration, my clinical examination and the diagnostic test results recorded above, I declare the examinee medically:

☐ Fit for lookout duty ☐ Not fit for lookout duty

	Deck department	**Engine department**	**Catering department**	**Other departments**
Fit	☐	☐	☐	☐
Unfit	☐	☐	☐	☐

☐ Without restrictions ☐ With restrictions Visual aid required ☐ Yes ☐ No

Describe restrictions (e.g. specific position, type of fishing vessel, fishing area)

Medical certificate's date of expiration (day/month/year): _____/_____/_____

Date medical certificate issued (day/month/year): _____/_____/_____

Number of medical certificate: _____

Signature of recognized medical practitioner: _____

Recognized medical practitioner information (name, licence number, address):

_____

_____

FIFTH SCHEDULE

Reg. 30(8)(a)

FIFTH SCHEDULE

THE REPUBLIC OF KENYA

MERCHANT SHIPPING (WORK IN FISHING) REGULATIONS, 2026

RECORD OF FISHERS DAILY HOURS OF REST

Name of fishing vessel…….. IMO No. / Official No……. flag…….

Fisher (Full name)……. Position / Rank……..

Month and Year……. Watchkeeper Yes ☐ No ☐

Please mark periods of rest with an "X" or using a continuous line or arrow:

Date	0	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21

I agree that these record is an accurate reflection of the hours of rest of the fisher concerned.

Name/Signature of the Skipper or authorized person: …… Signature of fisher…… Date……

A copy of this record is to be given to the fisher

SIXTH SCHEDULE

Reg. 33(2)

THE REPUBLIC OF KENYA

MERCHANT SHIPPING (WORK IN FISHING) REGULATIONS, 2026 FISHERS AGREEMENT

THIS AGREEMENT IS ENTERED INTO BY AND BETWEEN: —

1. Particulars of Fisher

Name of fisher member (as it appears on travel documents): _____ _

Date of Birth: _____ Place of Birth: _____

Physical Address: _____

Postal Address: _____

SHA No _____ NSSF No _____

(hereinafter referred to as, *"the Fisher")*

and

2. Particulars of Employer

Name of Agent: _____

Name of Principal/Shipowner: _____

Physical address of Principal/Shipowner: _____

Postal Address_____

For the following Vessel:

Name of Fishing Vessel _____ IMO Number_____

Gross Registered Tonnage _____ Year Built _____

Flag _____Type of Vessel _____ Classification Society _____

Fleet:

(hereinafter referred to as, *"the Employer")*

3. Capacity/Position

The capacity in which the fisher is initially employed ……..…..... (*insert capacity)*

4. Place of work

The fisher will be employed on ……..……

(insert name of Fishing Vessel or state any Vessel owned, managed or chartered by the shipowner)

5. Wages

The fisher's wages will be …… (*insert amount and currency or formula for determining wages)* per week/month/year.

6. Claim against fisher's wages for maintenance

Where, during a fisher's employment in a ship, expenses are incurred by a public officer for the benefit of any of his/her dependants, the public officer may by notice in writing require the persons employing the seafarer to retain for a period specified in the notice such proportion of his/her net wages as may be so specified in accordance with section 148 of the Merchant Shipping Act, 2009.

7. Means of Payment of Wages

The fisher's wages will be payable by .....(*insert method of payment*) at weekly/monthly intervals on the ……. day of each …….. week/month.

(Overtime hours i.e. hours worked outside of normal working hours shall be paid…… (*insert overtime rate*) with an extra fee of twenty-five percent (25%) of the basic salary per hour. This charge applies also to the overtime hours of the consolidated wage and those exceeding the corresponding to the consolidated wage.)

The employer shall pay not less than one third of each such wages either into a local bank account nominated by you or to a person in Kenya nominated by you.

8. Benefits

Kenyan fishers and fishers domiciled in Kenya shall make and maintain the requisite statutory deductions in accordance to the laws of Kenya. They shall be entitled to benefits attached to the deductions.

If there are any additional remuneration or benefits payable to the fisher and any benefits due to the fisher by reason of the fisher working outside Kenya, this shall be clearly enumerated in terms of the type of benefit/remuneration and the figures.

9. Annual Leave

(1) The fisher is entitled to take ……. (*insert number)* working days as paid leave in each year of employment.

(2) If the fisher's employment commenced or terminates part way through the holiday year, the fisher's entitlement to paid annual leave will be assessed on a pro rata basis.

(3) Deductions from final salary due to the fisher on termination of employment will

be made in respect of any paid annual leave taken in excess of the fisher's entitlement.

(4) There is no provision for the transfer of paid annual leave from one year to the next. All paid annual leave shall be taken in the year in which it accrues.

(5) There is no provision for payment to be made in lieu of leave not taken except where paid annual leave has accrued but has not been taken at the date of termination of employment.

(6) The fisher shall be allowed shore leave when practicable, upon the consent of the master or his deputy, taking into consideration the operations and safety of the ship.

10. Allotment

(1) The principal/employer/skipper/company shall put in place and provide facilities to transmit the all or part of the earnings of fishers to their family, dependants or legal beneficiaries.

(2) The principal/employer/skipper/company shall provide the fisher with the above stated facilities at no expense to the fisher.

(3) The fisher is entitled to make an allotment which is payable once a month to the designated allottee in Kenya through any authorized Kenyan bank.

(4) The allotments shall be paid to the designated allottee in Kenyan currency at the prevailing market rate/rate of exchange indicated in the credit advice of the local authorized Kenyan bank.

(5) This may include the fisher's pension contributions.

11. Notice of Termination of Employment

(*Delete whichever is not applicable)*

Definite Period Agreement

The fisher's employment is for a period commencing on ..... (*insert date*) and ending on ..... *(insert date)* unless it is terminated for justified reasons in advance of this point or the fishing vessel is at sea at that point of time in which event it will continue until its arrival in port at which point it will terminate.

Or

Indefinite Agreement

The length of notice which the fisher is required to give to terminate the fishers employment agreement is ..... (*insert notice which is to be less than seven days), or* The length of notice which the fisher is entitled to receive from the fishing vessel owner to terminate the fishers employment is ..... *(insert notice period which is to be not less than seven days). Or*

Voyage Agreement

The fishers' employment is for the length of the voyage of [*ship*] commencing on …… (*insert date*) from the port of .....(*insert name of port*) until …… (*insert date*) or the vessel' *arrival in the port of..... (insert name of port)* at which point it will terminate, unless it is terminated for justified reasons

in advance of this point.

12. Commencement

The fishers' employment agreement between the employer and the fisher shall commence upon actual departure of the fisher from the country of residence airport or seaport. The fisher shall ensure they have a duly executed approved contract for hire prior to departure.

13. Transport

The employer shall provide free transport by road rail, air, or ship for each fisher from and to the place of work.

14. Termination of Employment

The employment of the fisher shall cease when the fisher completes their period of contractual service aboard the ship, signs-off from the ship and arrives at the point of hire.

15. Minimum Notice Period

(1) The employer may consider the working relationship as terminated in advance and in definitely, by notifying in writing to the fisher with a minimum of seven (7) days in advance, paying the salary for the rendered service, proportional vacations, repatriation and indemnification stated by national law. The prior-notice period starts from the first day following the notification of the anticipated termination of the working relationship and whenever the shipowner notifies seven (7) days in advance, the sum corresponding to the prior-notice shall be paid. The last voyage as well as its port of arrival shall be taken into account when meeting and enforcing the prior-notice period given to seafarers.

(2) The fisher may consider the working relationship as terminated in advance and indefinitely, by notifying the fishing vessel owner in writing seven (7) days in advance.

16. Health and Social Security Benefits

(1) If the fisher becomes sick or injured whilst on a voyage, the fisher will be paid the normal basic wages.

(2) Where there is incapacity to work due to sickness or injury, the fisher will be entitled to wages up until the fisher has been repatriated.

(3) After the fisher has been repatriated the fisher will be paid.....per cent (*insert number*) of the normal basic wages up to a maximum of ….....weeks (*insert number* less the amount of any Statutory Sick Pay to which the fisher may be entitled.

(4) If the fisher requires medical care while on-board this will be provided free of charge, including access to necessary medicines, medical equipment and facilities for diagnosis and treatment and medical information and expertise.

(5) Where practicable and appropriate, the fisher will be given leave to visit a qualified medical doctor or dentists in ports of call for the purpose of obtaining treatment. Transport to and from hospital shall be at the expense of the employer.

(6) In the event of sickness or incapacity, the fisher will be provided with medical

care, including medical treatment and the supply of necessary medicines and therapeutic devices and board and lodging away from home.

(7) In addition, the employer will meet the cost of the return of the fisher's property left on board to the fisher or the fisher's next of kin.

(8) In the event of the fisher's death occurring on board or ashore during a voyage, the employer will meet the cost of burial expenses, or cremation where appropriate or required by local legislation, and will return the seafarer's property left on-board to the fisher's next of kin.

(9) The employer shall further report every death, desertion, or serious injury to the Registrar of Seafarer's and shall remit any money due to any deceased fisher together with any property of each deceased fisher to the Registrar of Seafarer for payment to the person or persons entitled thereto and sums due and the property belonging to any fisher who deserts shall be remitted to the Registrar of Seafarer's one month after the date of desertion.

17. Repatriation

(1) The period of employment shall be for a period mutually agreed upon by the fisher and the fishing vessel owner but shall not exceed twelve months.

(2) A fisher shall be entitled to repatriation in the following circumstances:

(a) where a fisher's employment agreement expires while abroad;

(b) where a fishers' employment agreement is terminated:

(i) by the fishing vessel owner; or

(ii) by the fisher for justified reasons.

(c) when the fisher is no longer able to carry out duties under the employment agreement or cannot be expected to carry them out in the specific circumstances in the event of illness or injury or other medical condition which requires his or her repatriation when found medically fit to travel;

(d) upon the expiry of the period of notice given in accordance with the provisions of the agreement or the fisher's contract of employment;

(e) in the event of shipwreck;

(f) in the event of the fishing vessel owner not being able to continue to fulfil his or her legal or contractual obligations as an employer of the fisher by reason of bankruptcy, sale of ship, change of ship's registration or any other similar reason;

(g) in the event of a ship being bound for a war zone, as defined by applicable laws or regulations or collective agreements, to which the fisher does not consent to go; and

(h) in the event of termination or interruption of employment in accordance with an industrial award or collective agreement, or termination of employment for any other similar reason.

(3) where repatriation has taken place as a result of a fisher being found, in accordance with applicable laws or regulations or collective agreements, to be in serious default of his or her employment obligations, the right of recovery from the fisher of repatriation costs or part thereof in accordance with national laws

or regulations or collective agreements shall ensue; and,

(4) The maximum period of service following which the fisher will be entitled to repatriation at no cost him/her is..... months *(insert number of months –less than 12 months)*

18. Compensation and Benefits

The liabilities of the employer when the fisher suffers work-related injury or illness during the term of his contract are as follows:

(a) the employer shall continue to pay the fisher wages during the time the fisher is on board the ship;

(b) if the injury or illness requires medical or dental treatment in a foreign port, the employer shall be liable for the full cost of such medical, serious dental, surgical and hospital treatment as well as

board and lodging until the fisher is declared fit to work or to be repatriated. However, if after repatriation, the fisher still requires medical attention arising from that injury or illness, the employer shall be liable for the cost of the medical expenses until such time as the fisher is declared fit or the degree of his or her disability has been established by the company-designated physician.

(c) the fisher shall also receive sickness allowance from the employer in an amount equivalent to the basic wage computed from the time the seafarer signed off until the fisher is declared fit to work or the degree of disability has been assessed by the company-designated physician. The period within which the fisher shall be entitled to sickness allowance shall not exceed one hundred and twenty days. Payment of the sickness allowance shall be made on a regular basis, but not less than once a month.

d) the fisher shall be entitled to reimbursement of the cost of medicines prescribed by the company-designated physician. In case treatment of the fisher is on an out-patient basis as determined by the company-designated physician, the company shall approve the appropriate mode of transportation and accommodation. The reasonable cost of actual traveling expenses and accommodation shall be paid subject to liquidation and submission of official receipts and proof of expenses.

19. Applicable Collective Bargaining Agreement(s) *(Delete If Not Applicable)*

The fisher's employment will also be subject to the Collective Bargaining Agreement(s) entered into on……*(insert date(s) between the fishing vessel owner and (insert details of the other parties*
to the collective bargaining agreement(s) contains additional terms and conditions and forms part of this Seafarers' Employment Agreement, as attached.

20. Hours of Work

The fishers normal hours of work are from …….. (*insert time*) to ……..(*insert time*) from ……*(insert day of week)* to ….....*(insert day of week)* inclusive.

The fisher's hours of work will be arranged such as to ensure that you receive a minimum of ten hours available for rest in each twenty four hour period and a minimum of seventy seven hours' rest in each seven-day period. This minimum period of rest may not be reduced below ten hours except in an emergency.

The fisher may be required, at the absolute discretion of the skipper, to work additional hours during an emergency affecting the safety of the ship, crew or cargo or the marine environment or to give assistance to other ships or persons in peril. The fisher may also be required to work additional hours for safety drills such as musters, fire-fighting and lifeboat drills. In such circumstances the fisher will be provided subsequently with (a) compensatory rest period(s).

21. Financial Security

The employer shall ensure that they secure a financial security for purposes of repatriation for the fisher and deposit evidence of the same with the Registrar of Seafarer.

22. Complaints and Disciplinary Procedures

(1) Complaints

If the fisher has a complaint regarding his or her employment, the fisher should follow the shipowner's complaints procedure a copy of which will be provided to the fisher on or before execution of this Agreement.

(2) Disciplinary Rules and Procedure

The disciplinary rules applicable to the fisher are set out in the Merchant Shipping Act.

23. Transfer Clause

The fisher agrees to be transferred at any port to any ship owned or operated, manned or managed by the same employer, provided it is accredited to the same manning agent and provided further that the position of the skipper and the rate of his wages and terms of service are in no way inferior and the total period of employment shall not exceed that originally agreed upon.

Any form of transfer shall be documented and made available when necessary.

24. Applicable Law

Any unresolved dispute, claim or grievance arising out of or in connection with this contract including the annexes thereof, shall be governed by the laws of the Republic of the Kenya, international conventions, treaties and covenants to which the Kenya is a signatory.

25. Certification by Employer and Fisher

By signing this agreement, the undersigned Fisher and the undersigned fishing vessel owner, each confirm that the Fisher has —

(a) been given the opportunity to review and seek advice on the Fisher Employment Agreement;

(b) received an explanation of their rights and responsibilities under the agreement before signing it; and

(c) has entered into the agreement freely.

Signature of Fisher …….....……. Signature of Fishing Vessel Owner or representative …….. Place where this Agreement is entered into ……..……..

Date when this Agreement is entered into ……..……..……

SEVENTH SCHEDULE

Reg. 36(1)

THE REPUBLIC OF KENYA
KENYA MARITIME AUTHORITY
MERCHANT SHIPPING (MARITIME LABOUR) REGULATIONS, 2021

APPLICATION FOR ANNUAL FISHERS' RECRUITMENT AND PLACEMENT SERVICES LICENSE

WARNING TO APPLICANTS:

A false declaration may lead to legal proceedings.

Part 1: General particulars

Registered Name……

Postal Address ……..

Telephone…… Email ……

Physical location ……

Date of Establishment …….. Business registration No. ……...

Certificate of Taxpayer Registration ……

Director's particulars (***attach copy of latest annual returns of company directorship***)

No Name ID/Passport No. KRA PIN Certificate No.

1.

2

3..

4.

5.

Part 2: Undertaking

I, the undersigned, authorized to act on behalf of …… undertake to:

(i) Not use means, mechanisms or lists intended to prevent or deter seafarers from gaining employment for which they are qualified

(ii) require no fees or other charges for recruitment or placement of seafarers be borne directly or indirectly, in whole or in part, by the seafarers;

(iii) familiarize seafarers on recruitment policies and procedures, terms and conditions of employment and other relevant information;

(iv) ensure that any seafarer recruited or deployed is qualified and holds the documents necessary for the job concerned;

(v) ensure that contracts of employment are in accordance with the standard employment contract and other applicable laws, regulations and collective bargaining agreements;

(vi) ensure that seafarers are informed of their rights and duties under their contracts of employment prior to or in the process of engagement;

(vii) ensure that proper arrangements are made for seafarers to examine their contracts of employment and articles of agreement before and after they are signed and for them to receive a copy of the contract of employment;

(viii)ensure that the ship on which seafarer is engaged has a financial security. The system shall provide direct access, sufficient coverage and expedited financial assistance, in accordance with requirements of C188 as amended, to any abandoned seafarer:

(ix) ensure that the ship-owner provides evidence of insurance or equivalent from a recognized company to cover seafarers employed on the ships with respect to financial consequences of sickness or injury or death occurring while they are serving under a fishers' employment agreement in line with the requirements of Article 16 of C188 as amended

(x) ensure that seafarers are provided with access to social security protection in line with Article 34 of C188 as amended

(xi) assume full and complete responsibility for all claims and liabilities which may arise in connection with the use of the license;

(xii) assume joint and separate liability with the ship owner for all claims and liabilities arising from the employment contract between the seafarer and the ship owner;

(xiii) guarantee compliance with the applicable fisher's labour laws for the time being in force in Kenya, applicable regulations of the flag state of the ship on which a fisher is to be engaged and fishers labour regulations adopted by the International Maritime Organization and the International Labour Organization;

(xiv) assume full and complete responsibility for all acts of its officials, employees and representatives

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done in connection with recruitment and placement of seafarers on board ships;

(xv) submit copies of the crew agreement to the Authority in respect of every change of crew;

(xvi) maintain an up-to-date register of all fishers recruited or placed through them;

(xvii) examine and respond to any complaint concerning their activities and advise the Authority of any unresolved complaint;

(xviii)repatriate the deployed seafarers when the need arises;

(xix) maintaining up-to-date lists of the ships for which the seafarer recruitment and placement services provide seafarers and ensuring that there is a means by which the RPS can be contacted in an emergency at all hours;

Name of representative ……

Designation …… Date ……

Signature and stamp ……

DOCUMENTS SUBMITTED WITH THIS APPLICATION (tick appropriately)

I hereby submit the following documents with this application

	Document description	**Remarks**
1	Certified copy of Certificate of incorporation	
2	Certified copy of Memorandum & Articles of Association	
3	Certified copy of annual return on company directorship	
4	Certified copy of other business registration documents	
5	Certified copy of ID/Passport of directors	
6	Certified copy of KRA Certificate of Taxpayer Registration for the Directors	
	and Company	
7	Certified copy of Tenancy agreement/Title deed	
8	Crew agency agreement or show intention of crew placement and recruitment	
	(for new applicant)	
9	Certified copy of certificate of Tax compliance	
10	Certified copy (s) of insurance certificate for repatriation and personal injury	
	of seafarers	
11	Certified copy of good conduct	
12	Sample of Seafarers Employment Agreement	
13	Quality management system or procedure for recruiting seafarers	
14	In the case of foreign RPS (approval or license by a member of the MLC, 2006)	
15	Types of ships handled (General cargo, LNG, LPG, Fishing etc.)	
16.	Complaint procedures onshore and onboard	
17	Bank deposit slip (upon inspection and approval of the RPS)	

Notes

i. Providing false information is an offence punishable by either a prison term or fine or both;

ii. The Authority may seek to verify physically any pertinent information from the business premises;

iii. The undertaking shall supplement the seafarers' recruitment and placement services licence and shall be conspicuously be displayed within your business office;

iv. The Authority may cancel, suspend or revoke a license issued if deems fit to do so.

FOR OFFICIAL USE ONLY

Requirements met? *Approval*

Issuance Approval

☐ *Yes* ☐ *No* ☐ *Yes* ☐ *No*

…….. …….

verification committee *Registrar of Seafarers*

.....

.....

.....

.....

Fee paid for Application Forms Kshs/USD…… ……. Receipt	Licensing fee Paid Kshs/USD…… ……. Receipt
Certificate.....	Approved by(Name).....
Valid till.....	
Remarks.....	

Designation.....Signature.....Date.....

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EIGHTH SCHEDULE

Reg. 37(6)

THE REPUBLIC OF KENYA

MERCHANT SHIPPING (WORK IN FISHING) REGULATIONS, 2026

FISHERS ALLOTMENT NOTE

(A separate form shall be used for each allotment)

I, ...(name and address of fisher),

Nationality……Passport number…… CDC number ……

employed in ……(name of ship, its port of registry and

official number) require you.....(name and address of employer) to pay

to.....(names and addresses of persons to

whom. The allotment is made) the sum of ..... (amount of each payment)

on..... (date of first payment) and at intervals of …….

(intervals at which payments are to be made) thereafter until ……..

payments have been made or (number of payments*) until the employment agreement under which I am now employed is terminated or until 7 days after I have given notice in writing of revocation of this allotment note to you or to the master of my ship, whichever shall be the earlier.

Signed: .....

(Signature of fisher)

Date: .....

*Leave blank if number of payments is NOT to be limited.

Acknowledgement by Employer or Skipper

I acknowledge receipt of this allotment note.

**My agreement to its issue is not required under the Regulation. **I agree to its issue.

Signed: .....

(Signature of master or of other person on behalf of the employer of the fisher)

Date: .....

**Delete words which are NOT applicable

NINTH SCHEDULE

Reg. 38(2)

ACCOMMODATION REQUIREMENTS

1. Application

The provisions on accommodation shall apply to all new decked fishing vessels over 15m in length.

For the purposes of this Schedule,
"new fishing vessel" means a vessel for which: -

(a) the building or major conversion contract was placed on or after 4 August 2022; or
(b) the building or major conversion contract was placed before 4 August 2022, and which was delivered three years or more after that date;
(c) the keel was laid on or after 4 August 2022;
(d) construction identifiable with a specific vessel begun on or after 4 August 2022; or
(e) assembly comprising at least 50 tonnes or 1 per cent of the estimated mass of all structural material, whichever is less commenced on or after 4 August 2022.

"*existing vessel"* means a vessel that does not meet the criteria for a new fishing vessel

Feeder vessels

A fishing vessel owner shall ensure that fishers working on board feeder vessels which do not have appropriate accommodation and sanitary facilities are provided with such accommodation and facilities on board the mother vessel.

Construction and Design

2. Headroom

A fishing vessel owner shall ensure that—

(1) adequate headroom in all accommodation spaces and spaces where fishers are expected to stand for prolonged periods is provided.
(2) the minimum permitted headroom is not be less than 190 centimetres.

3. Openings into and between accommodation spaces

A fishing vessel owner shall ensure that;

(1) there are no direct openings into the accommodation from fish rooms and machinery spaces, except for the purpose of emergency escape
(2) direct openings into the accommodation from galleys, storerooms, drying rooms or communal sanitary areas are avoided where reasonable and practicable

(3) part of the bulkhead separating such places mentioned in this regulation from sleeping rooms and external bulkheads shall be efficiently constructed of steel or another approved material and shall be watertight and gas-tight

4. Insulation

A fishing vessel owner shall ensure that:

(1) the accommodation spaces are adequately insulated

(2) the materials used to construct internal bulkheads, panelling and sheeting, and floors and joinings are suitable for the purpose and shall be conducive to ensuring a healthy environment.

(3) sufficient drainage is provided in all accommodation spaces

(4) adequate insulation is provided for exposed decks over crew accommodation spaces, external bulkheads of sleeping rooms and mess rooms, machinery casings and boundary bulkheads of galleys and other spaces in which heat is produced, and, as necessary, to prevent condensation or overheating in sleeping rooms, mess rooms, recreation rooms and passageways

(5) main steam and exhaust pipes do not pass through crew accommodation or through passageways leading to crew accommodation where practicable

(6) where steam pipes and exhaust pipes have to pass through crew accommodation or through passageways leading to crew accommodation, the pipes should be adequately insulated and encased.

5. Flies

The fishing vessel owner shall ensure that practicable measures are taken to protect fishing vessels' crew accommodation against flies and other insects, particularly when vessels are operating in mosquito-infested areas.

6. Emergency Escapes

The fishing vessel owner shall ensure that Emergency escapes from all crew accommodation spaces are provided.

7. Ventilation, Heating & Lighting

A fishing vessel owner shall ensure that—

(1) accommodation spaces are ventilated and adequately heated, taking into account climatic conditions

(2) ventilation systems are in operation at all times when fishers are on board.

(3) air conditioning is provided in accommodation spaces, the bridge, the radio room and any centralized machinery control room

(4) emergency lighting is provided in sleeping rooms

(5) where a vessel is not fitted with emergency lighting in mess rooms, passageways, and any other spaces that are or may be used for emergency escape, permanent night lighting is provided in such spaces

(6) that accommodation spaces are lit with natural light in addition to artificial light where practicable

8. Sleeping rooms

A fishing vessel owner shall ensure that

(1) the sleeping accommodation shall in no case be located forward of the collision bulkhead.

(2) where the design, dimensions or purpose of the vessel allow, the sleeping accommodation is located so as to minimize the effects of motion and acceleration

(3) the number of persons per sleeping room and the floor area per person, excluding space occupied by berths and lockers, shall be such as to provide adequate space and comfort for the crew on board, taking into account the service of the vessel

(4) the number of persons allowed to occupy each sleeping room shall not be more than six. A separate sleeping room or sleeping rooms shall be provided for officers, wherever practicable

(5) the maximum number of persons to be accommodated in any sleeping room is legibly and indelibly marked in a place in the room where it can be conveniently seen

(6) individual berths of appropriate dimensions shall be provided. Mattresses shall be of a suitable material.

9. Mess Rooms

A fishing vessel owner shall ensure that—

(1) mess rooms are located close as possible to the galley, but in no case forward of the collision bulkhead

(2) mess-room accommodation shall be separate from sleeping quarters, where practicable

(3) the dimensions and equipment of each mess room is sufficient for the number of persons likely to use it at any one time

10. Sanitary Facilities

A fishing vessel owner shall ensure that

(1) the sanitary accommodation is such as to eliminate contamination of other spaces as far as practicable.

(2)the sanitary facilities allow for reasonable privacy

(3) sanitary facilities are fitted with ventilation to the open air, independent of any other part of the accommodation

(4) all surfaces in sanitary accommodation are such as to facilitate easy and effective cleaning and Floors have a non-slip deck covering.

11. Laundry Facilities

A fishing vessel owner shall ensure that amenities for washing and drying clothes are provided as necessary, taking into account the service of the vessel

12. Facilities for sick and injured fishers

A fishing vessel owner shall ensure that—

(1) a cabin is made available for a member of the crew who suffers illness or injury

(2) a vessel of 45metres in length and over shall ensure availability of a separate sick bay that is properly equipped and maintained in a hygienic state.

13. Hanging lines

A fishing vessel owner shall ensure that a place for hanging foul-weather gear and other personal protective equipment is provided outside of, but convenient to, sleeping rooms.

14. Beddings & mess utensils

A fishing vessel owner shall ensure that appropriate eating utensils, and bedding and other linen are provided to all fishers on board

15. Communication facilities

A fishing vessel owner shall ensure that—

(1) all fishers on board are given reasonable access to communication facilities, to the extent practicable

(2) the cost of communication shall be borne by the fisher

16. Galley and food storage facilities

A fishing vessel owner shall ensure that

(1) cooking equipment is provided on board

(2) the galley or cooking area is of adequate size for the purpose, well lit and ventilated, and properly equipped and maintained

(3) containers of gas used for cooking purposes are kept on the open deck and in a shelter which is designed to protect them from external heat sources and external impact.

(4) a suitable place for provisions of adequate capacity is provided which shall be kept dry, cool and well ventilated

(5) galley and food storage facilities are maintained in a hygienic condition

(6) accommodation is kept free of goods and stores which are not the personal property of the fishers or for their safety or rescue

(7) waste is kept in closed, well-sealed containers and removed from food handling areas where practicable

17. On board Inspections

(1) A Skipper of the fishing vessel shall carry out inspections twice a week to ensure

(a) accommodation is clean, decently habitable and safe, and is maintained in a good state of repair;

(b) food and water supplies are sufficient; and

(c) galley and food storage spaces and equipment are hygienic and in a proper state of repair.

(2) A Skipper shall ensure that the results of such inspections, and the actions taken to address any deficiencies found, are recorded and available for review by authorized officers.

TENTH SCHEDULE

Reg. 43(3)

THE REPUBLIC OF KENYA

MERCHANT SHIPPING (WORK-IN FISHING) REGULATIONS, 2026

EVIDENCE OF FINANCIAL SECURITY REQUIRED.

The certificate or other documentary evidence of financial security required for purposes of regulations 40 to 43 of the Merchant Shipping (Work-in Fishing) Regulations, 2026, shall include the following information:

(a) name of the ship;

(b) port of registry of the ship;

(c) call sign of the ship;

(d) IMO number of the ship;

(e) name and address of the provider or providers of the financial security;

(f) contact details of the persons or entity responsible for handling fishers' contractual claims;

(g) name of the shipowner;

(h) period of validity of the financial security;

(i) an attestation from the financial security provider that the financial security meets the requirements of regulations 40 and 43 respectively.