



BERMUDA MERCHANT SHIPPING NOTICE

Hours of Work and Rest Requirements

2021 - 002

Application

Ship Owners, Managers, Masters and Officers of Bermuda Registered Ships

References

Maritime Labour Convention, 2006 (Applied in Bermuda from 2nd May 2014)
Bermuda Merchant Shipping (Hours of Rest) Regulations 2011 (BR 51 / 2011)

Summary

This notice sets out the requirements for all Bermuda ships to maintain compliance with the Maritime Labour Convention, 2006 with regards to Hours of Work and Hours of Rest.

This Notice was issued on 29 April 2021 and supersedes Bermuda Shipping Notice 2011 - 02

1. Introduction

(1) For the purposes of this Notice the following definitions apply:

- a. Hours of Work
 - i. Hours of work are when seafarers are required to do work on the business of the ship.
- b. On-Call-Time
 - i. On-call time is not counted as 'Hours of Work' unless the seafarer is required to work during that time. The Regulations provide that a seafarer whose normal period of rest on board a ship is disturbed by a call-out, should have compensatory rest. An example is where a seafarer, having set the alarms in an unattended machinery space, retires to their bunk but has their rest disturbed by a call-out to work. In such circumstances, the seafarer is entitled to

compensatory rest to make up for the rest time lost because he was called out to work.

c. Hours of Rest

- i. Hours of rest means time outside hours of work and does not include short breaks.
- ii. **Maximum hours of work shall not exceed:**
14 hours in any 24-hour period; and
72 hours in any seven-day period; or
- iii. **minimum hours of rest shall not be less than:**
10 hours in any 24-hour period; and
77 hours in any seven-day period

2. Requirements

- (1) Hours of rest may be divided into no more than two periods, one of which shall be at least six hours in length. The interval between consecutive periods of rest shall not exceed 14 hours and these two periods must in total provide at least 10 hours rest.
- (2) Musters, firefighting and lifeboat drills, and drills prescribed by regulations and by international instruments, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.
- (3) A table with the shipboard working arrangements shall be the posted in an easily accessible place and shall contain for every position at least:
 - a. The schedule of service at sea and service in port; and
 - b. The minimum hours of rest required by the Regulations or any collective or workforce agreements in force.
- (4) The table with the shipboard working arrangements shall be established in a standardized format and be in English.
- (5) The Regulations recognize that situations may arise in which a seafarer may be required by the master to work during scheduled hours of rest. These include emergencies which threaten the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. Accordingly, the master may suspend the hours of rest schedules and require a seafarer to perform any hours of work necessary until the normal situation has been restored. As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest.
- (6) The master, or a person authorised by the master, shall maintain records of each seafarer's hours of rest in English and the records shall:
 - a. Be completed monthly;

- b. Show for each day in the month a column of hours into which can be recorded whether or not the seafarer was working or resting;
- c. Provide for a column to show the total hours of rest for each 24-hour period;
- d. Provide for a column in which can be recorded the reasons for any hours of rest that are less than the minimum; and
- e. Provide for a column to show the total weekly hours of rest in any seven-day period.

(7) The recording format for the hours of rest shall be that set out in Annex 1, or an equivalent format containing the same information.

(8) At the end of each month each seafarer and the master, or a person authorised by the master, shall endorse the record for each seafarer. Each seafarer shall be given a copy of the endorsed record, or shall be provided with access to examine at any time the seafarer's own records. Where access to the records is electronic, the seafarer shall have access to facilities that permit the seafarer to readily obtain, at any reasonable time during working hours, a printed copy of the seafarer's record since commencing employment on board.

BERMUDA MERCHANT SHIPPING GUIDANCE NOTICE

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ANNEX 1

Hours of rest – recorded with an “X” or a solid line.								Total in 24 hours	Comments		
Hours	00-01	2-Jan	3-Feb	-----	21-22	22-23	23-24			Rest in any 24 hours	Rest in each 7 day period
Date											

