

Commonwealth of Dominica**Office of the Maritime Administrator**

- TO:** ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, MOBILE OFFSHORE DRILLING UNITS AND RECOGNIZED ORGANIZATIONS
- SUBJECT:** Shipowner/Operator Representatives
- REFERENCE:**
- (a) Dominica Maritime Regulation, Chapter 2, Section 2.2 (2), Owner's Representative
 - (b) MARPOL 73/79, Annex I, Regulation 26, Shipboard Oil Pollution Emergency Plan
 - (c) Qualified Individual and Alternate Qualified Individual, United States Oil Pollution Act 1990, Vessel Response Plan, Section 16
 - (d) Designated Person(s), The International Safety Management (ISM) Code, Res. A.741(18), Section 4
- PURPOSE:** This Circular advises shipowners and operators of the various SOLAS, MARPOL and port State requirements for the appointment of appropriate company and ship representatives and the need to keep the Office of the Deputy Maritime Administrator notified of it.
- APPLICABILITY:** This Circular is applicable to every vessel in the Dominica International Registry.

REQUIREMENTS:**1.0 Decision Maker**

- 1.1 Dominica Maritime Regulation, Chapter 2, Regulation 2.2(2) requires owners of registered vessels, to provide the Office of the Maritime Administrator current information sufficient to allow direct and immediate contact with the owner's representative for each vessel registered. The Owner's Representative or Decision Maker is to have full authority to act on behalf of the Owner in all matters relating to marine safety and protection of the marine environment.

- 1.2 The following information is to be submitted, reviewed and updated whenever changes occur:
- .1 the full name of the Decision Maker,
 - .2 the name and Official Number of the vessel(s),
 - .3 the business address of the Owner's representative, as well as telephone and telefax number(s) and/or e-mail address(es),
 - .4 the night or 24-hour emergency telephone number.

2.0 On Board Point of Contact

- 2.1 Owners and Agents are reminded that every oil tanker (over 150 Gross Tons) and every other ship of 400 Gross Tons and above must carry on board a Shipboard Oil Pollution Emergency Plan (SOPEP).
- 2.2 One of the requirements of the Shipboard Oil Pollution Emergency Plan is that a point of contact on board designated for coordinating shipboard action with national and local authorities in combating oil pollution damage. Owners and Agents should see that such a person is designated on board each of their vessels in accordance with MARPOL 73/78, Annex I, Regulation 26. We will assume the Point of Contact is the Master unless otherwise notified.

3.0 Qualified Individual

- 3.1 Owners and Agents of vessels trading into ports in the United States are reminded that the Oil Pollution Act 1990 (OPA '90), Vessel Response Plan, Section 16, requires the identification of a Qualified Individual and at least one alternate Qualified Individual who meets the following requirements. The Qualified Individual or alternate must:
- .1 speak fluent English;
 - .2 be located in the United States;
 - .3 be available on a 24-hour basis;
 - .4 be familiar with the implementation of the Vessel Response Plan; and
 - .5 be trained in the responsibilities of the Qualified Individual under the Response Plan.

- 3.3 The Owner or Operator shall provide each Qualified Individual and alternate Qualified Individual identified in the Plan with a document designating them as a Qualified Individual specifying their full authority to:
- .1 activate and engage in contracting with oil spill removal organization(s);
 - .2 act as liaison with the pre-designated Federal On-Scene Coordinator (OSC); and
 - .3 obligate funds required to carry out response activities.
- 3.4 The Owner or Operator of a vessel may designate an organization to fulfill the role of the Qualified Individual or alternate Qualified Individual. The organization must identify a Qualified Individual and at least one alternate Qualified Individual in accordance with the requirements of OPA '90, Section 16.
- 3.5 The Qualified Individual shall not be responsible for:
- .1 the adequacy of Response Plans prepared by the Owner or Operator, or
 - .2 contracting or obligating funds for response resources beyond the full authority contained in their designation from the Owner or Operator of the vessel.
- 3.6 Noting all of the above, the Administration would appreciate receiving for each Dominica registered vessel trading into United States ports, the following information:
- .1 the full name of the Qualified Individual and Alternate Qualified Individual(s);
 - .2 the name and Official Number of the vessel;
 - .3 the business address of the Qualified and Alternate Qualified Individual(s), along with telephone, telefax and telex numbers; and
 - .4 the night or 24-hour emergency telephone numbers for both the Qualified Individual and the Alternate Qualified Individual(s).
- 3.7 The above information, submitted to the address shown below, must be current and should be reviewed periodically.
- 4.0 Designated Person(s)**
- 4.1 Owners and operators are advised to consider and implement the requirement of Section 4 of the ISM Code for the appointment of a Designated Person(s) ashore having direct

- access to the highest level of management. The responsibility and authority of the designated person(s) should include monitoring the safety and pollution prevention aspects of the operation of each ship and to ensure that adequate resources and shore based support are applied, as required.
- 4.2 For any management system to be adequately maintained, it is necessary for:
- .1 its effectiveness and degree of implementation to be verified;
 - .2 deficiencies to be reported to the responsible level of management; and
 - .3 persons responsible for rectifying the deficiencies to be identified.
 - .4 The task of implementing and maintaining a Safety Management System is a line-management responsibility. Verification and monitoring activities should be carried out by a person independent of the responsibility for implementation.
- 4.3 The Designated Person(s) should be suitably qualified and experienced in the safety and pollution control aspects of ship operations and should be fully conversant with the company's safety and environmental protection policies.
- 4.4 The Designated Person(s) should have the independence and authority to report deficiencies observed to the highest level of management.
- 4.5 The Designated Person(s) should have the responsibility for organizing safety audits, and should ensure that corrective action has been taken.
- 4.6 Noting all of the above, vessel owners and operators shall provide this office the following information for each Dominica registered vessel:
- .1 the full name of the Designated Person(s),
 - .2 the name and Official Number of the vessel,
 - .3 the business address of the Designated Person(s), along with telephone, telefax and/or e-mail address,
 - .4 the night or 24-hour emergency telephone numbers for the Designated Person(s).
- 4.7 The above information must be current and should be reviewed periodically.