

SHIPPING (MEDICAL EXAMINATION) REGULATIONS

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2/1991.
[80/2002].**SHIPPING (MEDICAL EXAMINATION) REGULATIONS***made under section 146*

Citation.

1. (1) These Regulations may be cited as the Shipping (Medical Examination) Regulations.

(2) These Regulations come into operation on the 1st January, 1991.

Definitions.

2. In these Regulations—

“approved” means approved for the purpose by the Minister;

“approved medical practitioner” for the purposes of these Regulations means a medical practitioner approved by the Minister to whom the responsibility for health is assigned;

“chemical” means any substance listed in either or both of the following publications of the International Maritime Organisation:

(a) Chapter VI of the 1986 edition of the Code for the Construction of Equipment of Ships Carrying Dangerous Chemicals in Bulk (the BCH Code); and

(b) Chapter 17 of the 1986 edition of the International Code for the Construction and Equipment of Ships Carrying Dangerous Goods in Bulk (the IBC Code),

and any reference to these publications includes references to any subsequent supplements or publications amending or replacing them, which may be published from time to time by the Organisation and which are considered by the Minister to be relevant;

“fishing vessel” means a vessel used or intended to be used for commercial fishing;

“gross tonnage” in relation to a ship means its gross tonnage as determined in accordance with the Shipping (Tonnage) Regulations, and where a ship is assigned alternative gross tonnages it shall be taken to be the larger of those tonnages;

“medical fitness certificate” means a certificate issued under regulation 5, whether or not subject to restrictions, or a certificate deemed to be equivalent thereto under regulation 6 or 7;

“Minister” means, unless otherwise specified within the Regulations, the Minister to whom the responsibility for shipping is assigned;

“pleasure craft” means a ship, however propelled, that is used exclusively for pleasure and does not carry passengers for hire or reward, but does not include a ship that is provided for the transport or entertainment of lodgers at any institution, hotel, boarding house, guest house or other establishment;

“restricted service” means that the employment of a seafarer is restricted to certain shipping trades, geographical areas and types of ship or job, for such period of time as may be stipulated by an approved medical practitioner;

“seafarer” includes a master and a seaman;

“Trinidad and Tobago Ship” has the same meaning as in section 2 of the Shipping Act.

3. (1) These Regulations apply to Trinidad and Tobago ships. Application.

(2) Regulations 13 and 14 apply to ships other than Trinidad and Tobago ships when they are in a port or the territorial waters of Trinidad and Tobago.

(3) These Regulations apply to ships which are of two hundred gross tons or over and which proceed to sea and are actively engaged in commercial trading but excluding fishing vessels, pleasure craft and ships trading exclusively in the Gulf of Paria.

4. (1) Subject to this regulation, no person shall employ a seafarer in a ship to which these Regulations apply unless that seafarer is the holder of a valid medical fitness certificate. Prohibition on employment.

(2) A seafarer who has served at sea at any time during the two years immediately preceding the date on which these Regulations come into operation may continue his seagoing employment without a medical fitness certificate referred to in subregulation (1) for a period of one year from that date.

(3) A seafarer, the validity of whose certificate expires while he is in a location where medical examination in accordance with the Regulations is impracticable, may continue to be employed without a medical certificate referred to in subregulation (1) for a period not exceeding three months from the date of expiry of the medical fitness certificate.

(4) Subject to this Regulation, no person shall employ a seafarer in a ship in a capacity or in a geographical area precluded by any restriction in that seafarer's medical fitness certificate.

(5) Subject to this Regulation, no person shall employ a seafarer in a ship carrying chemicals in bulk unless that seafarer is the holder of a valid medical fitness certificate issued in respect of a medical examination undertaken not more than twelve months previously, notwithstanding that the period of validity specified in the medical fitness certificate may exceed twelve months.

(6) This Regulation does not apply to the employment of—

- (a) a pilot who is not a member of the crew;
- (b) a person employed in a ship solely in connection with the construction, alteration, repair or testing of the ship, its machinery or equipment, and not engaged in the navigation of the ship;
- (c) a person solely employed in work directly related to—
 - (i) the exploration of the seabed or subsoil or the exploitation of their natural resources;
 - (ii) the storage of gas in or under the seabed or the recovery of gas so stored;
 - (iii) the laying, inspection, testing, repair, alteration, renewal or removal of any submarine telegraph cable; or
 - (iv) submarine pipeline works, including the assembling, inspection, testing, maintaining, adjusting, repairing, altering, renewing, changing the position of, or dismantling a pipeline or length of pipeline;and who is not engaged in the navigation of the ship or is not engaged in the deck, engine room, radio, medical or catering department of that ship;
- (d) a member of the Defence Force when acting as such a member;
- (e) a person employed in a port who is not ordinarily employed at sea; or

- (f) a person employed in a ship solely to provide goods, personal services or entertainment on board and who is not employed by the owner or the person employing the master of the ship and who has no emergency safety responsibilities.

5. (1) An applicant for a medical fitness certificate shall be examined by an approved medical practitioner.

Issue of medical fitness certificate. [80/2002].

(2) An approved medical practitioner who examines an applicant and determines that the applicant is fit, having regard to the medical and visual standards in the First Schedule, shall issue to the applicant, a medical fitness certificate on the form set out in the Second Schedule.

First Schedule.

Second Schedule.

(3) An approved medical practitioner who examines an applicant and determines that—

- (a) although the applicant is fit, restrictions should be imposed on his service at sea; or
(b) the applicant is not fit having regard to medical and visual standards,

shall give to the applicant, notice of the restrictions or unfitness on the form set out in the Third Schedule.

Third Schedule.

5A. (1) A seafarer who—

Medical examination. [80/2002].

- (a) has not attained eighteen years of age, shall have an annual medical examination;
(b) has attained eighteen years of age, shall have a medical examination at intervals not exceeding two years; and
(c) serves on a bulk chemical carrier, shall have a medical examination, which may include blood tests, annually or at more frequent intervals, according to the nature of the cargo.

(2) A seafarer shall produce a form of personal identification to an approved medical practitioner before having a medical examination.

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(3) A seafarer who has previously been issued with a medical fitness certificate—

- (a) by another approved medical practitioner;
- (b) after an appeal to a medical referee; or
- (c) indicating that he has failed a medical examination,

shall so inform the approved medical practitioner before having a medical examination.

Approved medical practitioner may consult. [80/2002].

5B. (1) An approved medical practitioner may, with the written consent of a seafarer, consult with the seafarer's medical practitioner.

(2) Where an approved medical practitioner finds it necessary to consult with other medical practitioners, the medical ethical standards shall apply, but the approved medical practitioner alone, shall decide the question of the fitness of a seafarer, in accordance with the medical and visual standards, subject to the right of appeal under regulation 10.

Certificates equivalent to medical fitness certificates.

6. (1) A certificate of medical and visual fitness for seafaring employment issued by a medical practitioner to a seafarer in respect of a medical examination conducted before the date on which these Regulations come into operation shall be deemed for the purposes of these Regulations to be equivalent to a medical fitness certificate issued under these Regulations.

(2) A certificate referred to in subregulation (1) shall remain valid from the date of the medical examination only for the appropriate maximum period prescribed in regulation 8 or for such lesser period as may be specified in the certificate.

Certificates issued by foreign States.

7. (1) Any medical fitness certificate issued to a seafarer in accordance with the provisions of the Medical Examination (Seafarers) Convention 1946 (International Labour Organisation Convention 73 of 1946) or the Merchant Shipping (Minimum Standards) Convention 1976 (International Labour Organisation Convention 147 of 1976)—

- (a) by an authority empowered in that behalf by the laws of a country outside Trinidad and Tobago which has ratified the Convention of 1946 or the Convention of 1976; or

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- (b) by an approved authority empowered in that behalf by the laws of a foreign State,

shall be deemed for the purposes of these Regulations to be equivalent to a medical fitness certificate issued under these Regulations.

(2) A certificate referred to in subregulation (1) shall remain in force, unless renewed, only until the expiration of the period of validity specified in that certificate in the case of foreign ships, and for the appropriate maximum period (according to the age of the seafarer) prescribed in regulation 8 or for such lesser period as may be prescribed in the certificate in the case of Trinidad and Tobago ships.

8. (1) Subject to subregulation (2), an approved medical practitioner who issues a medical fitness certificate under regulation 5, shall specify on the certificate, the period of validity of the certificate.

Period of validity of certificate. [80/2002].

(2) The period of validity of the certificate shall be from the date of the medical examination and shall not exceed—

- (a) in the case of a seafarer who has not attained eighteen years of age, one year; and
(b) in the case of a seafarer who has attained eighteen years of age, two years.

9. Where an approved medical practitioner has reasonable grounds for believing that there has been a significant change in the medical fitness of a seafarer during the period of validity of his medical fitness certificate, the practitioner shall, using the form prescribed in the Third Schedule, notify the seafarer concerned and may—

Suspension or cancellation of valid certificate. [80/2002].

Third Schedule.

- (a) suspend the validity of that certificate until the seafarer has undergone a further medical examination;
(b) suspend the certificate for such period as he considers that the seafarer is likely to remain permanently unfit to go to sea; or
(c) cancel the certificate if he considers that the seafarer is likely to remain permanently unfit to go to sea.

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Seafarer with certificate to be examined in case of illness. [80/2002].

9A. (1) A seafarer who holds a valid medical fitness certificate and suffers a condition set out in the First Schedule, shall be examined by an approved medical practitioner as soon as practicable after diagnosis.

(2) An approved medical practitioner who examines a seafarer under subregulation (1), shall revise the medical fitness certificate of the seafarer;

Right of appeal. [80/2002].

10. (1) A seafarer who is aggrieved by—

- (a) a medical practitioner's refusal to issue him with a medical fitness certificate;
- (b) any restriction imposed on such a certificate; or
- (c) the suspension for a period of more than three months or cancellation of that certificate by an approved medical practitioner pursuant to regulation 9,

may apply to the Minister for the matter to be reviewed.

(2) The Minister shall immediately refer the matter to the Chief Medical Officer through the Minister to whom the responsibility for health is assigned, for review by a medical referee.

(3) The medical referees referred to in subregulation (2) shall be selected by the Chief Medical Officer from a list of referees kept by him for the purposes of these Regulations.

(4) An application under subregulation (1) may be made only by—

- (a) a seafarer who has served at any time during the two years immediately preceding the date on which these Regulations come into operation; or
- (b) a seafarer who has held a valid medical fitness certificate at any time during the two years immediately preceding that refusal, imposition of a restriction, suspension or cancellation.

(5) An application under subregulation (1)—

- (a) shall be lodged with the Minister within one month of the date on which the seafarer is given notice of the refusal, imposition of a restriction,

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suspension or cancellation, or such longer period as the Minister may determine if delay is caused by the seafarer's employment on board ship away from Trinidad and Tobago; and

- (b) shall specify the name and address of the medical practitioner responsible for the refusal, imposition of a restriction, suspension or cancellation and shall include the consent of the seafarer for that practitioner to provide a report to the Chief Medical Officer and to the medical referee.

(6) The Chief Medical Officer shall obtain a report from the approved medical practitioner by whom the applicant was examined and shall forward it to the medical referee who shall examine the medical condition of the applicant.

(7) The medical referee shall, if the applicant so requests, disclose to the applicant the report of the approved medical practitioner and any other evidence not produced by the applicant himself except that if the medical referee considers that such disclosure would be harmful to the applicant's health the referee shall not be required to make such disclosure.

(8) The medical referee shall have regard to any relevant medical evidence, whether produced by the applicant, his employer, the Maritime Services Division or by any other means, whether or not disclosed under subregulation (7), and shall—

- (a) determine whether the diagnosis has been established in accordance with the medical evidence on which the approved medical practitioner reached his decision and generally, with the assistance of a report from a consultant in the appropriate specialty;
- (b) determine whether the medical and visual standards have been properly interpreted;
- (c) consider whether a seafarer previously declared permanently unfit, may return to sea; and
- (d) where a case is not covered by the medical and visual standards or in cases of category E where

exceptional medical considerations apply, decide an appropriate classification, after consultation with the approved medical practitioner and consideration of the evidence;

(9) In the light of the medical evidence before him, the medical referee shall, if he considers that the applicant is fit, having regard to the medical standard referred to in regulation 5, issue the applicant with a medical fitness certificate in the approved form.

(10) Where the medical referee considers that restrictions as to capacity or geographical area other than those imposed on the medical fitness certificate issued to the applicant should be imposed, or that any restrictions so imposed should be deleted or varied, he shall issue to the applicant a revised medical fitness certificate and the former certificate shall thereupon cease to have effect and in any other case he shall notify the applicant of his decision but any such action by the medical referee shall be taken not later than two months from the date on which the application for review is lodged with the Minister, which date shall be notified to the medical referee by the Chief Medical Officer, or within such longer period as the Minister may determine.

Records and
annual returns.
[80/2002].

Fourth
Schedule.

Fifth
Schedule.

11. Any approved medical practitioner who conducts a medical examination in accordance with these Regulations shall—

- (a) keep full clinical notes and make a record of the medical examination on the form set out in the Fourth Schedule and shall retain the notes and the record for a period of six years from the date of the examination; and
- (b) send to the Director of Maritime Services an annual return of all such examinations in the form set out in the Fifth Schedule, which form, so far as the Minister considers practicable, shall not include medical information which can be identified as applying to a particular person.

12. (1) A person duly authorised by the Minister may inspect any Trinidad and Tobago ship to which these Regulations apply.

Inspection and detention of a Trinidad and Tobago ship.

(2) Where a person mentioned in subregulation (1) is satisfied that a seafarer, whose employer is required by regulation 4 to ensure that he is the holder of a medical fitness certificate—

- (a) is unable to produce a certificate which meets the requirements of that Regulation; and
- (b) is in such a state of ill health that the ship could not sail without serious risk to the safety and health of those on board,

he may detain the ship, but shall not, in the exercise of those powers, detain or delay the ship unreasonably.

13. (1) Any person duly authorised by the Minister may inspect any ship to which these Regulations apply, other than a Trinidad and Tobago ship when the ship is in a Trinidad and Tobago port or in the territorial waters of Trinidad and Tobago, and if he is satisfied that any seafarer is unable to produce a valid medical fitness certificate he may—

Inspection, detention and other measures in respect of foreign ships.

- (a) send a report to the government of the country in which the ship is registered, and a copy thereof to the Director-General of the International Labour Office; and
- (b) where conditions on board are clearly hazardous to safety or health, and where the ship has called at a Trinidad and Tobago port in the normal course of business or for operational reasons—
 - (i) take such measures as are necessary to rectify those conditions; or
 - (ii) detain the ship.

(2) Where the person authorised under subregulation (1) takes either of the measures specified in subregulation (1)(b), he shall forthwith notify the nearest maritime, consular or diplomatic representative of the flag State of the ship.

(3) The person authorised under subregulation (1) shall not, in the exercise of his powers under this Regulation, detain or delay the ship unreasonably.

Liability for costs and compensation.

14. (1) Where a ship is detained under regulation 12 or 13 and there was, at the time of detention, reasonable and probable cause by reason of the state of health of one or more members of the crew giving rise to—

- (a) serious risk to the safety and health of those on board; or
- (b) any member of the crew being unable to perform the duties required of him due to being medically unfit to the extent that the ship is, in effect, undermanned,

the owner of the ship is liable to pay to the Minister any costs of and incidental to the detention of the ship and those costs are, without prejudice to any other remedy, recoverable in the same manner as salvage.

(2) Where it is proved that there was no reasonable and probable cause for the detention of the ship under regulation 12 or 13 the Minister is liable to pay to the owner of the ship—

- (a) the owner's costs of and incidental to the detention; and
- (b) compensation for any loss or damage sustained by the owner by reason of the detention.

Penalties.

15. (1) Unless otherwise provided in the Act any person who contravenes regulation 4 is guilty of an offence and liable on summary conviction to a fine not exceeding one thousand dollars for each contravention.

(2) In any proceedings for an offence under these Regulations it shall be a defence for the employer to show that all reasonable steps had been taken by him to ensure compliance with the Regulations.

FIRST SCHEDULE

Regulation 5(2).
[80/2002].

MEDICAL AND VISUAL STANDARDS

PART A

General

1. (1) An approved medical practitioner shall, when examining a seafarer— General principles.

- (a) interpret the medical and visual standards widely; and
- (b) have regard to the occupational circumstances which apply at sea and in particular—
 - (i) the potentially hazardous nature of seafaring, which requires a high standard of health and continuing fitness;
 - (ii) that medical facilities on board a ship may be inadequate, as few ships carry medical practitioners and medical supplies are limited;
 - (iii) that there may be a delay before full medical treatment is available;
 - (iv) the possible difficulty of providing or replacing required medication;
 - (v) the confined nature of life on board a ship and the ability of a seafarer to live and work in a closed community;
 - (vi) that the illness of a seafarer may place a burden on others or impair the safe and efficient working of a ship especially where there is a limited crew complement; and
 - (vii) the potential need for seafarers to participate in an emergency drill, which may involve strenuous activity in adverse conditions.

(2) An approved medical practitioner, before issuing a medical fitness certificate, shall be satisfied that the seafarer—

- (a) does not suffer from a disease, defect or condition which may be aggravated by working at sea or represent an unacceptable risk to the health of the seafarer, other seafarers or the safety of the ship; and
- (b) is not pursuing a course of treatment which may cause adverse side effects at sea.

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(3) A seafarer shall not be allowed to serve at sea where he suffers from a condition which—

- (a) precludes air travel, including pneumothorax and a condition which predisposes to barotrauma; or
- (b) carries the possibility of serious exacerbation requiring expert treatment.

(4) Where medication is acceptable for a seafarer, the seafarer shall, with the agreement of the master, arrange for a reserve stock of the prescribed medication to be held in a safe place.

(5) As a general rule, a seafarer shall not be allowed to serve at sea where the loss of medicine may precipitate the rapid deterioration of a condition.

Classification in accordance with medical and visual standards.

2. (1) Where a seafarer satisfies the medical and visual standards, the approved medical practitioner may assess the seafarer as fit and shall classify him as—

- (a) category A for unrestricted service at sea;
- (b) category A(T) where the seafarer is considered fit for all shipping trades, geographical areas, types of ship or job but medical surveillance is required at intervals; and
- (c) category B for restricted service at sea.

(2) Where a seafarer does not satisfy the medical and visual standards, the approved medical practitioner shall assess the seafarer as not fit and classify him as—

- (a) category C for a temporary restriction from service at sea;
- (b) category D for an indefinite restriction from service at sea; and
- (c) category E for permanent restriction from service at sea.

(3) Where a seafarer is classified as category A(T), the approved medical practitioner shall validate the medical fitness certificate only for the appropriate period which shall take into account the expected duration of the tour of duty.

(4) Where a seafarer is classified as—

- (a) category C, his application may be reviewed after two weeks; and
- (b) category D, his application may be reviewed after one month.

(5) The employer of a seafarer, or the person authorised by the employer to act on his behalf, shall ensure that the category recommended by the approved medical practitioner is taken fully into account when the engagement or the continued employment of a seafarer is under consideration.

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3. (1) Where a seafarer has been classified as category B, the approved medical practitioner shall clearly state on the medical fitness certificate, the type of restriction and the period of time during which it shall be operative. Restricted service.

(2) Where a seafarer has been assessed as fit but requires medical treatment or surveillance at frequent intervals, the approved medical practitioner may classify the seafarer as category B and recommend that his service be restricted to ferry and coastal work.

4. (1) An approved medical practitioner shall, where possible, make full use of categories B, C and D before classifying a serving seafarer as category E. Permanent unfitness.

(2) An approved medical practitioner may classify a serving seafarer as category E only after a full investigation has been made and due consideration has been given to the case.

(3) Where the seafarer has been classified as category E, the approved medical practitioner shall, at the request of the seafarer, inform the seafarer's medical practitioner of the decision and the reasons for it.

PART B

Medical Standards

5. A seafarer who suffers from a gastrointestinal infection shall be classified as category C until satisfactorily treated and in respect of catering staff, shall be examined periodically for one year. Gastrointestinal infections.

6. A seafarer who suffers from a communicable disease, other than a gastrointestinal infection, shall be classified as category C until satisfactorily treated. Other communicable diseases.

7. In a case of active pulmonary tuberculosis— Active pulmonary tuberculosis.
- (a) an approved medical practitioner who—
 - (i) examines a seafarer who has had active pulmonary tuberculosis; and
 - (ii) is satisfied, on the advice of a chest physician, that the lesion is fully healed and that the seafarer has completed a full course of chemotherapy,shall consider the suitability of the seafarer for re-entry into sea service;
 - (b) a seafarer referred to in subclause (a) shall be classified as category A(T) initially, to allow for medical surveillance;

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- (c) a seafarer who has had one or both of his lungs seriously affected shall not, generally, be considered suitable for re-entry into sea service; and
- (d) a seafarer who has had a relapse shall be classified as category E.

Sexually transmitted diseases.

8. In a case of sexually transmitted disease, a seafarer who—
- (a) is acutely infected shall be classified as category C;
 - (b) is infected and undergoing treatment shall be classified as category C;
 - (c) is under medical surveillance after undergoing treatment shall generally be regarded as fit for unrestricted service unless facilities for surveillance are inadequate, in which case, restricted service may be imposed; and
 - (d) receives treatment shall produce evidence of a satisfactory test of cure.

Human immune virus.

9. (1) A seafarer who is infected with the Human Immune Virus (HIV), shall be classified as category A(T).
- (2) A seafarer who has confirmed Acquired Immune Deficiency Syndrome shall be classified as category E.

Malignant neoplasms.

10. In a case of a malignant neoplasm including lymphoma, leukaemia and similar conditions—
- (a) a seafarer who is diagnosed as having a malignant neoplasm shall be classified as category D;
 - (b) a seafarer referred to in paragraph (a) may be classified as category A, A(T), B or C on the assessment of progress, prognosis, measure of disability and the need for medical supervision following treatment; and
 - (c) except in a case of basal cell skin cancer, no seafarer shall, within five years of completion of treatment, be classified as category A.

Endocrine and metabolic diseases.

11. In a case of an endocrine or a metabolic disease, a serving seafarer who suffers from—
- (a) thyroid disease, shall be classified as category C for investigation and subsequently category A, A(T), B or C on assessment;

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- (b) an endocrine disease other than thyroid disease, shall be classified as category C for investigation upon which assessment will depend;
- (c) diabetes mellitus, and—
 - (i) requires insulin, shall be classified as category E;
 - (ii) whose diabetes is controlled by food restriction, shall be classified as category D and allowed an initial period of six months to achieve stabilisation;
 - (iii) is mentioned in subparagraph (ii) shall, after the initial period of six months, be subject to medical review at appropriate intervals and the current treatment regimen shall be confirmed with the seafarer's medical practitioner at each review;
 - (iv) who requires oral hypoglycaemic agents shall be classified as category D and allowed an initial period of six months to achieve stabilisation;
 - (v) is mentioned in subparagraph (iv) may, in the absence of any complications, be considered for sea service subject to a medical review and assessment for suitable sea service, every six months; and
 - (vi) a seafarer who has undergone assessment under subparagraph (iii) and (v) shall be classified as category A(T); and
- (d) obesity—
 - (i) which affects his tolerance for exercise, mobility and general health, shall be classified as category C for treatment;
 - (ii) which is refractory or relapsing shall be classified as category E; and
 - (iii) whose body mass index is thirty or more, shall have other existing risk factors for mobility and mortality taken into account before a classification is determined.

12. In a case of a disease of the blood or a blood forming organ, a seafarer who suffers from—

Diseases of the blood or blood forming organs.

- (a) a disease of the haemopoetic system, shall not be allowed sea service; and

- (b) unexplained or symptomatic anaemia, shall be classified as category C and subsequently as category A, A(T), B or E on assessment.

Mental disorders.

13. In a case of mental disorder, a seafarer who—

- (a) suffers from acute psychosis whether organic, schizophrenic, manic depressive or any other psychosis listed in the International Classification of Diseases, shall be classified as category E;
- (b) suffers from persistent abuse of alcohol that affects his health by causing physical or behavioural disorder shall be classified as category E;
- (c) has a history of abuse of drugs or substances within the last five years, shall be classified as category E;
- (d) is dependent on a dangerous drug shall be classified as category E; and
- (e) suffers from psychoneurosis including anxiety state, depression or any other mental disorder likely to impair safe performance at sea, shall be classified as category C for assessment and where the psychoneurosis is chronic or recurrent, as category E.

Diseases of the nervous system or sensory organs.

14. In a case of a disease of the nervous system or a sensory organ, a seafarer who—

- (a) suffers from organic nervous disease and in particular, a seafarer who has a condition causing defect of muscular power, balance, mobility and co-ordination, shall be classified as category E, while a seafarer who suffers from a minor localised disorder not causing symptoms of incapacity and unlikely to progress, may be classified as category A;
- (b) has suffered from any type of epilepsy since the age of five years shall be classified as category E;
- (c) is a serving seafarer and suffers a single seizure shall be classified as category C for investigation and then, providing that the post medical history is clear and investigation has shown no abnormality, re-entry into sea service may be considered after one year without a seizure without treatment, or after one year without a seizure following the cessation of treatment;

- (d) who is a serving seafarer and has had cranial surgery or significant traumatic brain damage shall be classified as category D for twelve months and subsequently as category A, B or E on assessment;
- (e) suffers from slight infrequent attacks of migraine and who responds quickly to treatment shall be classified as category A, while a seafafer who suffers from frequent attacks of migraine causing incapacity shall be classified as category E;
- (f) has had a single attack of syncope or other disturbance of consciousness shall be classified as category C for assessment, while a seafarer who suffers from recurrent attacks with complete or partial loss of consciousness shall be classified as category E; and
- (g) suffers from Meniere's disease shall be classified as category E.

15. (1) The cardiovascular system of a seafarer shall generally be free from acute or chronic disease causing significant disability. Cardiovascular system.

- (2) A seafarer who—
- (a) suffers from a valvular disease causing significant impairment or requiring surgery shall be classified as category E;
 - (b) has a satisfactorily treated patent ductus arteriosus or a satisfactorily treated arterial septal defect may be accepted for sea service;
 - (c) suffers from hypertension shall be classified as category C for investigation;
 - (d) is a serving seafarer and suffers from hypertension and whose blood pressure can be maintained below 170/100 mm by dietary control shall be classified as category A(T) for annual assessment;
 - (e) is a serving seafarer and suffers from hypertension and whose blood pressure can be maintained below 170/100 mm by anti-hypertension therapy without significant side effects shall be classified as category A(T) to allow medical surveillance and to ensure that arrangements have been made for continuation of treatment;

- (f) suffers from hypertension in circumstances other than those specified in paragraphs (d) and (e) shall be classified as category E;
- (g) has a history of coronary thrombosis myocardial infraction shall be classified as category E;
- (h) has a confirmed case of angina shall be classified as category E;
- (i) suffers from a clinically significant abnormality of rate or rhythm or disorder of conduction shall be classified as category E;
- (j) has had any cerebrovascular accident including transient ischaemic attacks shall be classified as category E;
- (k) who suffers from general cerebral arteriosclerosis including dementia and senility shall be classified as category E;
- (l) has a history of intermittent claudication including a case where vascular surgery was required shall be classified as category E;
- (m) has a slight or moderate degree of varicose veins without symptoms, or oedema shall be classified as category A, while a seafarer who has symptoms shall be classified as category C for treatment;
- (n) has had an operation for varicose veins and the disease recurs with symptoms shall be classified as category D for further surgical opinion, but a seafarer who is not suitable for further treatment shall be classified as category E;
- (o) suffers from chronic varicose ulceration shall be classified as category E;
- (p) suffers from chronic varicose ulceration with thin unhealthy scars of healed ulcers or unhealthy skin of varicose eczema shall be classified as category E;
- (q) suffers from recurrent or persistent deep vein thrombosis or thrombophlebitis shall be classified as category E;
- (r) has hemorrhoids that are not prolapsed, bleeding or causing symptoms shall be classified as category A, while other cases shall be classified as category C until satisfactorily treated; and
- (s) has varicocoele without symptoms shall be classified as category A, while a seafarer who has symptoms shall be classified as category D for a surgical opinion.

16. (1) The respiratory system of a seafarer shall generally be free from acute or chronic disease causing significant disability. Respiratory system.

- (2) A seafarer who—
- (a) suffers from acute sinusitis shall be classified as category C until it is resolved;
 - (b) suffers from chronic sinusitis that is causing disability with frequent relapses despite treatment shall be classified as category E;
 - (c) has nasal obstruction, including septal abnormality or polypus shall be classified as category C until satisfactorily treated;
 - (d) has a history of frequent sore throats or unhealthy tonsils with adenitis shall be classified as category C until satisfactorily treated;
 - (e) has a mild uncomplicated case of bronchitis or emphysema and has a good tolerance for exercise may be classified as category A, while a seafarer with recurring chronic bronchitis or emphysema causing significant disability in relation to the job shall be classified as category E;
 - (f) is suspected of having bronchial asthma shall be classified as category C for investigation;
 - (g) has confirmed bronchial asthma shall be classified as category E, unless the seafarer has—
 - (i) a history of bronchial asthma which was resolved without recurrence, before the age of sixteen years, in which case he shall be classified as category A(T); and
 - (ii) well controlled asthma treated with inhaled medication only and without a history of exacerbation requiring hospital admission or oral steroids, in which case he shall be classified as category A(T);
 - (h) suffers from occupational asthma shall be classified as category B to avoid the allergen;
 - (i) suffers from pneumothorax shall be classified as category D for at least twelve months; and
 - (j) suffers from recurrent pneumothorax shall be classified as category E.

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Diseases of the digestive system.

17. (1) A seafarer shall generally be orally fit.

(2) A seafarer who has an infection of the mouth or gum or a dental defect shall be classified as category C until satisfactorily treated.

(3) In a case of a disease of the oesophagus, stomach and duodenum, a seafarer who—

(a) suffers from peptic ulceration shall be classified as category C for investigation;

(b) has confirmed ulceration shall not be allowed to resume sea service until—

(i) he is free from the symptoms of ulceration;

(ii) there is evidence of healing on gastroscopy; and

(iii) he has been on an ordinary diet, without treatment, for at least three months;

(c) is referred to in paragraph (b), who has been allowed sea service, shall be classified as category A(T);

(d) suffers from gastrointestinal bleeding, perforation or recurrent peptic ulceration, despite maintenance H2 blocker treatment, or an unsatisfactory operation result, shall be classified as category E;

(e) suffers from recurrent attacks of appendicitis shall be classified as category C pending surgical removal;

(f) has non-infective enteritis and colitis that is severely recurrent or requires a special diet shall be classified as category E; and

(g) has intestinal stoma shall be classified as category E.

(4) In a case of a disease of the liver or pancreas, a seafarer who has—

(a) cirrhosis of the liver shall be classified as category C for investigation, but where the condition is serious or progressive or where complications such as oesophageal varices or ascites are present, the seafarer shall be classified as category E;

(b) had a complete surgical cure from biliary tract diseases shall be classified as category A or category A(T) on assessment; and

(c) recurrent pancreatitis or a case in which alcohol is an aetiological factor, shall be classified as category E.

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18. (1) A seafarer who has—
- (a) proteinuria, glycosuria or other urinary abnormalities shall be referred for investigation;
 - (b) acute nephritis shall be classified as category C until resolved; and
 - (c) subacute, chronic nephritis or nephrosis shall be classified as category C for investigation and subsequently as category B or category E on assessment.
- (2) In a case of the urinary tract, a seafarer who—
- (a) has an acute urinary infection shall be classified as category C until satisfactorily treated, while a recurrent case shall be classified as category B, unless a full investigation has proved satisfactorily;
 - (b) has renal or ureteric calculus shall be classified as category C for investigation and any necessary treatment;
 - (c) suffers an isolated attack of renal colic with passage of small calculus shall be classified as category A after a period of observation, provided that his urine and renal function remain normal and there is no clinical and radiological evidence of other calculi;
 - (d) suffers from recurrent formation of stone shall be classified as category E;
 - (e) suffers from urinary obstruction, from any cause, shall be classified as category D for investigation and where it is irremediable, as category E;
 - (f) is a serving seafarer and has had a kidney removed and the remaining kidney is healthy with normal function, shall be classified as category A(T) and where sea service is in the tropics or under other conditions of high temperature, as category B;
 - (g) has had a renal transplant shall be classified as category E;
 - (h) has incontinence of urine shall be classified as category C for investigation and where it is irremediable, as category E;
 - (i) has an enlarged prostate shall be classified as category C for investigation;
 - (j) suffers from small and symptomless hydrocoele shall be classified as category A;

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- (k) suffers from large or recurrent hydrocoele shall be classified as category C, or where untreated, as category E; and
- (l) a seafarer who suffers from abnormality of the primary and secondary sexual characteristics shall be classified as category C for investigation.

Obstetrical and gynaecological conditions.

19. (1) A seafarer who suffers from a gynaecological disorder or disease which may affect her capacity to work shall be classified as category E.

(2) A seafarer's medical practitioner shall discuss with the seafarer the implications of continuing sea service while being pregnant, particularly where it is a first pregnancy.

(3) A seafarer who has a normal pregnancy before the twenty-eighth week may be permitted sea service on a short haul trip or on a long haul trip on a vessel carrying a medical practitioner and the seafarer shall be classified as category B to allow for ante-natal care.

(4) A seafarer who has passed her twenty-eighth week of pregnancy shall not be permitted sea service until at least six weeks after delivery.

(5) A seafarer diagnosed as having an abnormal pregnancy shall be classified as category D.

Skin.

20. (1) A person who has a focus of skin sepsis shall not be employed as a member of a catering staff.

(2) A seafarer whose skin is liable to be aggravated by heat, sea air, oil, caustics, detergents or specific occupational allergens shall be classified as category A(T), B, C, D or E on assessment.

(3) A seafarer who has—

- (a) an infection of the skin shall be classified as category C until satisfactorily treated; and
- (b) acne, shall generally be classified as category A, but a seafarer who has severe pustular cystic acne shall be classified as category E.

(4) In a case of another inflammatory skin condition, a seafarer who has—

- (a) atopic dermatitis and related conditions shall be classified as category C until satisfactorily treated;
- (b) contact dermatitis shall be classified as category C and be referred for a dermatological opinion;
- (c) acute eczema shall be classified as category C and shall not resume sea service until his skin is healthy;

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- (d) recurrent eczema of more than minimal extent shall be classified as category E; and
- (e) psoriasis shall generally be classified as category A but a widespread or ulcerated case shall be classified as category C for treatment, while a severe case that is resistant to treatment, frequently relapsing or associated with joint disease, shall be classified as category E.

21. (1) A seafarer shall not have a defect of the musculo-skeletal system which may interfere with the discharge of his duties and his muscular power, balance, mobility and co-ordination shall be unimpaired. Musculo-skeletal system.

(2) A seafarer who has a limb prosthesis shall be classified as category E.

(3) A seafarer who suffers from recurrent, incapacitating back pain shall be classified as category E.

(4) A seafarer who has—

- (a) osteo-arthritis shall be classified as category C for assessment; and
- (b) an advanced case of osteo-arthritis with disability shall be classified as category E.

(5) A seafarer who has—

- (a) a hernia shall be classified as category C until the hernia is repaired; and
- (b) a diaphragmatic hernia shall be classified according to the disability.

22. A seafarer who suffers from a speech defect that is likely to interfere with communication shall be classified as category E. Speech defects.

23. (1) A seafarer who suffers from—

Hearing.

- (a) acute and chronic otitis externa shall be classified as category C and shall be completely healed before returning to sea;
- (b) acute otitis media shall be classified as category C until satisfactorily treated; and
- (c) chronic otitis media shall be classified as category C but may be classified as category A or B after satisfactory treatment.

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- (2) A seafarer who—
- (a) suffers from a loss of hearing with a degree of impairment that is sufficient to interfere with communication shall be classified as category E;
 - (b) is a serving seafarer and has suffered a unilateral, complete loss of hearing shall be assessed of this condition in relation to the job; and
 - (c) is a serving seafarer and is found to have impaired hearing acuity shall be referred for full investigation by a surgeon of the ear, nose and throat.

(3) A seafarer employed in the catering department who uses a satisfactory hearing aid may be allowed sea service where not hearing an instruction would not result in danger to the seafarer or others but the hearing aid shall be sufficiently effective to allow communication at normal conversational tones.

(4) A seafarer including an electrician and a radio officer who requires the use of a hearing aid shall not be permitted to work in, or be associated with, the deck or engine room departments.

PART C

Visual Standards

Diseases of the eye.

24. A person shall not be accepted for training or service at sea where he has—

- (a) an irremediable morbid condition of an eye or the lid of an eye, which is liable to risk of aggravation or recurrence;
- (b) diplopia, congenital night blindness, retinitis pigmentosa or any other serious or progressive disease of the eye; or
- (c) an homonymous or bitemporal defect which comes close to fixation where hemianopic or quadrantopic is present.

Binocular vision.

25. A person shall satisfy the standards for binocular vision set out in Table 1.

Monocular vision.

26. (1) Notwithstanding clause 25—
- (a) a monocular serving seafarer; or

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(b) a seafarer who becomes monocular during service at sea with no evidence of progressive disease in the remaining eye and who satisfies the standards for monocular vision set out in Table 2, may be allowed to continue service at sea.

(2) A seafarer shall be allowed a period of adaptation after becoming monocular, to enable him to descend and ascend stairs rapidly and safely.

27. (1) A seafarer who uses —

Visual aids.

(a) visual aids, including spectacles or contact lenses, for the efficient performance of his duties; and

(b) different visual aids for distant and near vision,

shall carry a spare set of each visual aid while seafaring.

(2) A seafarer who is required to use bifocal spectacles shall be allowed a period of adaptation during the initial use of the bifocal spectacles.

(3) A seafarer shall not be allowed to use aids to colour vision, including red-tinted, x-chroma, chromas lenses or chromagen lenses.

28. A seafarer, who has a pathological field defect, other than a new entrant, a deck officer and a monocular seafarer, shall have a field of vision at least 120 degrees in the horizontal, measured by the Goldman perimeter using the iii/4 setting (equivalent perimetry) and there shall be no significant defect in the binocular field which encroaches within 20 degrees of fixation above or below the meridian.

Pathological field defect.

29. (1) The colour vision of a deck officer and a rating shall be tested with Ishihara plates using the introductory plate and all the transformation and vanishing plates.

Colour vision.

(2) A candidate who fails the Ishihara colour plate test may request that his colour vision be re-tested using a Holmes Wright B lantern at an approved centre.

(3) The colour vision of a seafarer employed in the engine or radio department shall be tested using Ishihara plates, Farnsworth D15 test or City University test.

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Standards for certain seafarers.

30. Notwithstanding clause 25, the following standards shall continue to apply to a seafarer in service before 1st August, 2002:

- (a) in the case of deck department personnel required to operate lifting plant, 6/9 for the better eye for aided visual acuity;
- (b) in the case of deck department personnel not required to perform watchkeeping duties or to operate lifting plant, 6/18 for the better eye for aided visual acuity; and
- (c) in the case of engineers, 6/60 for the other eye for aided visual acuity.

TABLE 1

Category of seafarer	Basic Visual Acuity Standard- unaided		Higher Visual Acuity Standard- aided if necessary		Near	Colour	Visual Field
	Better eye	Other eye	Better eye	Other eye			
Deck or dual career	6/60	6/60	6/6	6/12	N8	Ishihara or Lantern 2 miles	No pathological field defect
Engineer/ Radio	6/60	—	6/18	6/18	N8	Ishihara or Farnsworth D15 or City University	Sufficient to undertake duties efficiently
Others	Sufficient to undertake duties efficiently						

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TABLE 2

Category of seafarer	Basic Visual Acuity Standard-unaided		Higher Visual Acuity Standard-aided if necessary		Near	Colour	Visual Field
Deck	6/60	—	6/6	—	N8	Ishihara or Lantern 2 miles	No pathological field defect
Engineer/ Radio	6/60	—	6/9	0	N8	Ishihara or Farnsworth D15 or City University	Sufficient to undertake duties efficiently
Others	Sufficient to undertake duties efficiently						