

## GUIDANCE NOTE 08/2023 (Rev. 01)

### ACCEPTANCE OF ELECTRONIC OFFICIAL LOG BOOKS

To: OWNERS, MANAGERS & MASTERS OF CAYMAN ISLANDS SHIPS

#### 1. BACKGROUND

- 1.1 Guidance Note [05/2020](#) (Rev. 01) "Official Log Books & IMO Record Books", gives an acceptable alternative to the Cayman Islands printed and bound Official Log Book (OLB).
- 1.2 Since the publication of the Guidance Note, a number of clients have expressed a desire to keep the OLB in "electronic form".
- 1.3 Guidance Note [05/2019](#) (Rev. 02) outlines the process whereby electronic record books may be kept in accordance with the MARPOL Convention.
- 1.4 This Guidance Note sets out a process whereby a ship may keep an electronic OLB while meeting the requirements of section 140 of the Merchant Shipping Act (2021 Revision) (the MSA), as stated below.

#### 2. LEGAL STATUS OF AN OLB

- 2.1 Section 140 of the MSA requires that "*an official log book in a form approved by the Director shall be kept in every Cayman Islands ship*".
- 2.2 Throughout the MSA, and regulations made under the MSA, there are many references regarding entries that must be recorded in the OLB.
- 2.3 The OLB of a ship, and the entries recorded therein, are admissible in evidence in any legal proceedings before a judge or magistrate.

#### 3. ELECTRONIC OLB ARCHITECTURE

- 3.1 The acceptance of keeping an electronic OLB on board a Cayman Islands ship is based on the principles established by IMO for keeping electronic record books under the MARPOL Convention.

- 3.2 Reference should be made to the following IMO Resolution – MEPC.312(74) “*Guidelines on the use of Electronic Record Books under MARPOL.*”, and the principles contained therein.

#### **4. APPROVAL OF ELECTRONIC OLBs**

- 4.1 The generic system in use must be documented by an authorised Recognized Organization (RO) as meeting the general principles for data entry, storage, retrieval, back up and system updating contained in MEPC.312(74).
- 4.2 The RO responsible for classing the ship must verify that the OLB has been installed correctly on board the ship (including any offline or cloud based back up systems). If the RO is satisfied that the system and its installation on board meet the general principles contained in MEPC.312(74), the RO should issue a written statement to this effect.
- 4.3 A statement issued in accordance with 4.2 must be retained on board as evidence that the electronic OLB has been accepted.

#### **5. ELECTRONIC SIGNATURES, STORAGE OF DATA & OFFLINE RECORDS**

- 5.1 MEPC.312(74) requires electronic signatures, storage data and offline records to be determined by the Administration. This Administration’s policy on these areas is as follows –

##### 5.1.1 Electronic signatures

MEPC.312(74) requires electronic signatures applied to an electronic record book to meet authentication standards, as adopted by the Administration. The same authentication standards are to be adopted for electronic OLBs.

There are many different standards for electronic signatures and a standard has to be chosen that ensures the signature is secure and tamper-proof.

This Administration has adopted the advanced electronic signature standard that is stated in the European eIDAS Regulations.

The advanced standard serves two main purposes. It makes it possible to verify if:

1. the signer of the document is known and trusted (authenticity); and
2. the document has been altered since signed (to prevent tampering).

In order to achieve this, an advanced electronic signature must meet the following requirements –

1. it is uniquely linked to the signatory;
2. it is capable of identifying the signatory;
3. it is created using electronic signature creation data that the signatory can, with a high level of confidence, use under their sole control; and

4. it is linked to the data signed therewith in such a way that any subsequent change in the data is detectable.

The company submitting their electronic OLB for acceptance, must be able to demonstrate to the RO carrying out the approval, that the points listed above have been met.

#### 5.1.2 Storage of Data and Offline Records

MEPC.312(74) requires the electronic record book to have an appropriate method for backing up data and data recovery if the system were to fail or not be available from the ship's network.

Paragraph 4.4.4 states:

“This offline record may be provided in any format deemed appropriate by the Administration and should be digitally signed by the master.”

Again, this principle is to apply to electronic OLBs.

This Administration's policy is companies must determine their offline storage requirements and back up facilities which must ensure the information is stored for a minimum period of 10 years from any entry being made. This will be reviewed as part of the overall approval process which has been delegated to ROs. Any digital signatures used shall also be in compliance with the eIDAS advanced standard.

## **6. ELECTRONIC OLB ENTRIES**

6.1 Electronic OLBs must have the capability to record all entries currently in the appropriate printed and bound OLBs issued by either the Cayman Islands Shipping Registry or the UK Maritime and Coastguard Agency.