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FINANCIAL INSTITUTIONS (AMENDMENT) ACT, 2024

OBJECTS AND REASONS

This Bill would amend the *Financial Institutions Act*, Cap. 324A to provide for

(a) the Central Bank to exercise a discretion to require a licensee to disclose the basis for imposing a fee or charge;

(b) the period of notice within which a licensee informs the Central Bank of the imposition or variation of a fee or charge;

(c) the period of notice for the Central Bank to advise a licensee in respect of the imposition of a proposed fee or charge;

(d) the Central Bank to issue directives;

(e) the Central Bank to make regulations relating to the imposition of fees and charges; and

(f) related matters.

FINANCIAL INSTITUTIONS (AMENDMENT) ACT, 2024

Arrangement of Sections

1. Short title

2. Amendment of section 43 of Cap. 324A

3. Repeal and replacement of section 95 of Cap. 324A

4. Repeal and replacement of section 114A of Cap. 324A

5. Amendment of section 115 of Cap. 324A

BARBADOS

A Bill entitled

An Act to amend the *Financial Institutions Act*, Cap. 324A.

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Financial Institutions (Amendment) Act, 2024*.

Amendment of section 43 of Cap. 324A

2. ***The Financial Institutions Act, Cap. 324A in this Act referred to as the principal Act is amended by deleting section 43 and substituting the following:***

"Financial statements

43.(1) A licensee, in relation to its operations, shall on a solo basis and also on a consolidated basis if applicable, submit to the Central Bank in the prescribed form,

(a) not later than 21 days after the end of each month, or such other period as the Central Bank may in any particular case determine, a monthly statement showing the assets and liabilities of the licensee accompanied by a statement showing the amounts of all outstanding unsecured advances or unsecured credit; and

(b) not later than 21 days after the end of each quarter ending on 31st March, 30th June, 30th September and 31st December respectively, or such other period as the Central Bank may in any particular case determine, returns containing statements of

(i) assets and liabilities;

(ii) loans and advances; and

(iii) earnings and expenses.

(2) The Central Bank may require a licensee to submit within such period and in such manner as the Central Bank determines,

(a) any financial data required by the Central Bank; and

(b) such returns in addition to those specified in subsection (1) as the Central Bank requires.

(3) The Central Bank may require a licensee to submit such information that it considers necessary

(a) to facilitate an understanding of any statement or return furnished by that licensee under subsection (1) or (2); and

(b) in respect of any holding company, financial holding company, subsidiary or affiliate of the licensee,

and the information shall be submitted within such time and in such manner as the Central Bank requires.

(4) The Central Bank may require a licensee to show separately, amounts of unsecured credit.

(5) A licensee shall disclose all large exposures to the Central Bank.

(6) The assets that a Barbados bank which is a licensee holds for its own account shall be shown separately; and its equity interests in subsidiaries shall be separately disclosed.

(7) The Central Bank may publish in the *Official Gazette* and in a daily newspaper published and circulating in Barbados information submitted on the quarterly returns of each licensee under this section but no information in respect of the affairs of a particular customer of a licensee shall be so published.”.

Repeal and replacement of section 95 of Cap. 324A

3. ***The principal Act is amended by deleting section 95 and substituting the following:***

"Fees and charges

95.(1) Where, in the opinion of the Central Bank, a licensee is imposing a fee or charge that is unreasonable, the Central Bank shall require the licensee to disclose the basis for the fee or charge.

(2) Notwithstanding subsection (1), a licensee under Part II that intends to impose a fee or charge or vary an existing fee or charge shall submit written notice to the Central Bank of its intention 60 days before the proposed date that the licensee intends to impose or vary the fee or charge.

(3) Where the Central Bank receives written notice in accordance with subsection (2), it shall, within 30 days of receiving the notice, inform the licensee in writing whether it objects to the fee or charge to be imposed or varied and shall issue a directive to the licensee stating any action that the licensee is required to take, if any, in relation to the proposed fee.".

Repeal and replacement of section 114A of Cap. 324A

4. ***Section 114A of the principal Act is deleted and the following substituted:***

"Power to issue guidelines and directives

114A. The Central Bank may issue guidelines and directives on any matter that it considers necessary

(a) to ensure the safety and soundness of licensees;

(b) respecting the operation of common trust funds;

(c) respecting the information to be recorded in relation to trust accounts of a licensee;

(d) approving the manner of using, investing or managing any property or funds outside or within Barbados by a licensee;

(e) in respect of loans and other assets; and

(f) generally to provide for the conduct of licensees.”.

Amendment of section 115 of Cap. 324A

5. ***Section 115 of the principal Act is amended by deleting paragraph (j) and substituting the following:***

“(j) in respect of the imposition of fees and charges; and

(k) generally for giving effect to the provisions of this Act.”.

Read three times and passed the House of Assembly this day of , 2024.

Speaker

Read three times and passed the Senate this day of , 2024.

President

TRANSPORT AUTHORITY (AMENDMENT) ACT, 2024

OBJECTS AND REASONS

This Bill would amend the *Transport Authority Act*, Cap. 295A to make provision for the Transport Authority to cancel or suspend any licence issued in respect of authorising a person to drive or act as a conductor on a public service vehicle, motor omnibus, minibus or route-taxi; and for related matters.

TRANSPORT AUTHORITY (AMENDMENT) ACT, 2024

Arrangement of Sections

1. Short title

2. Amendment of section 2 of Cap. 295A

3. Amendment of section 23 of Cap. 295A

4. Amendment of section 31 of Cap. 295A

BARBADOS

A Bill entitled

An Act to amend the *Transport Authority Act*, Cap. 295A to make provision for the Transport Authority to cancel or suspend any licence issued in respect of authorising a person to drive or act as a conductor on a public service vehicle, motor omnibus, minibus or route-taxi.

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Transport Authority (Amendment) Act, 2024.*

Amendment of section 2 of Cap. 295A

2. ***Section 2 of the Transport Authority Act, Cap. 295A in this Act referred to as the principal Act is amended by inserting in the appropriate alphabetical order the following new definitions:***

" "licence" means

(a) a driving licence to drive a public service vehicle, motor omnibus, minibus or route-taxi issued pursuant to section 23(1A); or

(b) a licence or authorization to act as a conductor on a public service vehicle, motor omnibus, minibus or route-taxi issued pursuant to section 23(1A);

"permit " means a permit issued pursuant to section 23(1) to operate a motor vehicle as a public service vehicle, motor omnibus, minibus or route taxi; ".

Amendment of section 23 of Cap. 295A

3. ***Section 23 of the principal Act is amended in paragraph (b) of subsection (1A) by deleting the word "it" appearing immediately after the word "licence".***

Amendment of section 31 of Cap. 295A

4. ***Section 31 of the principal Act is amended by deleting paragraph (f) and substituting the following:***

"*(f)* issuing licences in respect of public service vehicles, motor omnibuses, minibuses and route taxis;".

Read three times and passed the House of Assembly this day of , 2024.

Speaker

Read three times and passed the Senate this day of , 2024.

President

LABOUR CLAUSES (CONCESSIONS) ACT, 2024

OBJECTS AND REASONS

This Bill would make provision for the conditions applicable to concessions granted to employers.

LABOUR CLAUSES (CONCESSIONS) ACT, 2024

Arrangement of Sections

1. Short title

2. Interpretation

3. Labour clauses

4. Conditions applicable to concessions

5. Appeal

6. Regulations

7. Amendment of Schedules

8. Consequential amendments

FIRST SCHEDULE

Concessions Enactments

SECOND SCHEDULE

Labour Clauses

THIRD SCHEDULE

Labour Enactments

FOURTH SCHEDULE

Consequential Amendments

BARBADOS

A Bill entitled

An Act to make provision for the conditions applicable to concessions granted to employers.

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Labour Clauses (Concessions) Act, 2024*.

Interpretation

2. In this Act,

"Barbados Revenue Appeals Tribunal" means the Barbados Revenue Appeals Tribunal established under the *Barbados Revenue Authority Act* (Act 2014-1);

"concession" may include

(a) an exemption, waiver or remit of a tax under an enactment set out in the *First Schedule*; or

(b) a benefit granted to an employer having received an approval of

(i) the status of the employer as an approved entity as defined in an enactment;

(ii) the status of an approved product or an approved project, as defined in an enactment, developed by the employer; or

(iii) the status referred to in subparagraphs (i) and (ii);

"employee" means an individual who has entered into or works under a contract of employment;

"employer" in relation to an employee means

(a) the person by whom the employee is employed;

(b) the person in whose organization the employee is employed; or

(c) the operator of an establishment where the employee is engaged to work;

"Employment Rights Tribunal" means the Employment Rights Tribunal established under the *Employment Rights Act, 2012* (Act 2012-9);

"tax" means import duty, consumption tax, income tax or any other tax, duty or impost.

Labour clauses

3.(1) The labour clauses set out in the *Second Schedule* shall have effect in relation to employees and employers referred to under this Act.

(2) A Minister referred to in the *Second Schedule* shall carry out such actions as are required in relation to the employers and employees referred to in subsection (1) in accordance with the labour clauses set out in the *Second Schedule*.

(3) The Chief Labour Officer shall carry out such actions as are required in relation to the employers and employees referred to in subsection (1) in accordance with the labour clauses set out in the *Second Schedule*.

(4) Where a dispute arises as to what wages ought to be paid or what hours or other working conditions ought to be observed in accordance with the requirements of paragraph 1 of the *Second Schedule*, the dispute shall be referred to the Employment Rights Tribunal by the Chief Labour Officer.

Conditions applicable to concessions

4.(1) Notwithstanding anything contained in any enactment, where an employer fails to comply with

(a) the labour clauses set out in the *Second Schedule*

(b) the enactments set out in the *Third Schedule* or any other enactment relating to labour,

a concession granted under any enactment may be suspended or revoked by the Minister responsible for the enactment under which the concession is granted on consultation with the Minister responsible for labour.

(2) A decision made under subsection (1) in regard to an employer shall be communicated to that employer, in writing, within 7 days of the making of that decision.

Appeal

5. A person aggrieved by a decision made under section 4(1) may, within 7 days after receiving the decision, appeal to the Barbados Revenue Appeals Tribunal.

Regulations

6.(1) The Minister responsible for labour may make regulations generally for the purposes of giving effect to this Act.

(2) The regulations made under subsection (1) shall be subject to negative resolution.

Amendment of Schedules

7. The Minister responsible for labour may, by order, amend the *First Schedule*, *Second Schedule* and *Third Schedule*.

Consequential amendments

8. The enactments set out in Column 1 of the *Fourth Schedule* are amended in the manner specified in Column 2 of the *Fourth Schedule*.

FIRST SCHEDULE

(Section 2)

Concessions Enactments

1. *Duties, Taxes and Other Payments (Exemption) Act, 2023* (Act 2023-14)
2. *Shipping (Incentives) Act*, Cap. 90A
3. *Small Business Development Act*, Cap. 318C
4. *Special Development Areas Act*, Cap. 237A
5. *Tourism Development Act*, Cap. 341

SECOND SCHEDULE

(Sections 3,4 and 7)

Labour Clauses

1. An employer shall pay the rates of wages and observe hours and other conditions of employment that are not less favourable than those established in the trade, industry or sector for which he has been granted a concession pursuant to any enactment.

2. The rates of wages, hours and conditions of employment shall be established by agreement or arbitration between the most representative organisation of employers and the most representative organisation of employees engaged in the trade, industry or sector to which the concession relates.

3. Where there are no established rates, hours or other conditions as defined in paragraph 1, the Chief Labour Officer, after consultation with representatives of employers and employees, shall establish and publish in the *Official Gazette* a schedule setting out fair and reasonable rates and conditions which are to be observed by the employer, having regard to persons employed in a capacity and in general circumstances similar to those engaged by the employer.

4. An employer shall keep records of wages and records of time worked of an employee in the execution of tasks or duties under the award of the concession or other benefit and the records shall be kept in electronic form or otherwise to be made available for inspection of any person authorized by the Chief Labour Officer in accordance with the provisions of the *Labour Department Act*, Cap. 23.

5. An employer shall treat an employee pursuant to a grant of concessions as a person insured under section 12(1) of the *National Insurance Act*, Cap. 47.

6. An employer shall recognize the freedom of their employees to be members of a registered trade union and recognize their right to bargain collectively.

7. Where there is a default in the payment of any money in respect of wages or other entitlements of an employee, that employee may make a claim for the payment of unpaid wages or other entitlements in accordance with any enactment governing the protection of wages or other entitlements in Barbados.

8. The employer shall from time to time furnish to the relevant Minister under a relevant enactment such further detailed information and evidence as the Minister, on consultation with the Chief Labour Officer, may deem necessary in order to satisfy him that the conditions set out in the provisions of this *Schedule* have been complied with.

THIRD SCHEDULE

(Section 4 and 7)

Labour Enactments

1. *Employment Rights Act, 2012* (Act 2012-9)
2. *Employment (Prevention of Discrimination) Act, 2020* (Act 2020-26)
3. *Employment (Sexual Harassment Prevention) Act, 2017* (Act 2017-21)
4. *Labour Clauses (Public Contracts) Act*, Cap. 349
5. *Labour Department Act*, Cap. 23
6. *Protection of Wages Act*, Cap. 351
7. *Safety and Health at Work Act*, Cap. 356
8. *Shops Act, 2015* (Act 2015-30)

FOURTH SCHEDULE

(Section 8)

Consequential Amendments

Column 1 *Enactments*	Column 2 *Amendments*
1. *Barbados Revenue Authority Act, 2014* (Act 2014-1)	In the *First Schedule*, delete paragraph 12 and substitute the following: "12. *Labour Clauses (Concessions) Act, 2024* (Act 2024-)."."
2. *Employment Rights Act, 2012* (Act 2012-9)	Section 7(2) is deleted and the following is substituted: "(2) The jurisdiction of the Tribunal is to determine complaints made to it under this Act or under any other enactment that provides for enforcement by the Tribunal or the determination of disputes referred to the Tribunal under any enactment, and subject to section 48, to make awards and other decisions in relation to those complaints in accordance with its powers.".

Read three times and passed the House of Assembly this day of , 2024.

Speaker

Read three times and passed the Senate this day of , 2024.

President

BARBADOS

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Act 2024-1

COMMISSIONERS OF PROBATES ACT, 2024-1

Arrangement of Sections

1. Short title

2. Interpretation

3. Appointment and functions of Commissioners

4. Fees of Commissioners

5. Amendment of Schedule

6. Appointment of Acting Commissioners

7. Commissioners not entitled to pension

8. Repeal of Cap. 120

FIRST SCHEDULE

Certificate

SECOND SCHEDULE

Fees

BARBADOS

I assent
J. GIBSON
Acting President of Barbados
7th February, 2024.

2024-1

An Act to repeal and replace the *Commissioners of Probates Act*, Cap. 120 and to provide for the appointment of Commissioners of Probates and matters related thereto.

[Commencement: 12th February, 2024]

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Commissioners of Probates Act, 2024*.

Interpretation

2. In this Act, "Commissioner" means a Commissioner of Probate appointed under section 3.

Appointment and functions of Commissioners

3.(1) The President may by instrument appoint any number of Commissioners of Probates, not exceeding 7.

(2) The Commissioners of Probates shall be responsible for taking the acknowledgement and the probate of deeds in the form set out in the *First Schedule*.

Fees of Commissioners

4. The fees in the *Second Schedule* shall be payable to all Commissioners upon taking the acknowledgment and the probate of deeds.

Amendment of Schedule

5. The Minister may by order amend the *Schedules* to this Act.

Appointment of Acting Commissioners

6.(1) The President may grant leave to a Commissioner and may give approval for the duties of a Commissioner to be performed by another person during the period of leave.

(2) An acting Commissioner shall be invested with, and exercise and perform the same powers and authorities, rights and duties, as a Commissioner, and shall be entitled to the same fees.

Commissioners not entitled to pension

7. The *Pensions Act*, Cap. 25 does not apply to the office of Commissioner.

Repeal of Cap. 120

8. The *Commissioners of Probates Act*, Cap. 120 is hereby repealed.

FIRST SCHEDULE

CERTIFICATE

(Section 3(2))

CERTIFICATE

Appear before me this day_____, the subscribed witness to the execution of the foregoing deed and made oath and say that he/she was present and saw the within named _____, the executing party to the foregoing duly sign, seal and deliver the same as for his/her free and voluntary act and deed.

Given under my hand, this ____ day of_____ 20_____.

_____
Commissioner of Probates

SECOND SCHEDULE

(Section 4)

FEES

For proving

(a) a deed other than a power of attorney

(i) if the value of the property is under $500,000…….……$25.00

(ii) if the value of the property is $500,000 or more……..$50.00

(b) a power of attorney…….…….$25.00

For the purposes of this *Schedule*, the proving of a deed or power of attorney includes the writing of the affidavit or certificate of proof.

BARBADOS

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Act 2024-2

FACILITATION OF INTERNATIONAL MARITIME TRAFFIC ACT, 2024-2

Arrangement of Sections

1. Short title

2. Interpretation

3. Convention to have force of law

4. Application of Act

5. Act to bind State

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FIRST SCHEDULE

National Maritime Transport Facilitation Committee

SECOND SCHEDULE

1965 Convention on Facilitation Of International Maritime Traffic (FAL 1965)

THIRD SCHEDULE

Pre-arrival Documents

FOURTH SCHEDULE

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FIFTH SCHEDULE

List of officers to whom pre-arrival and pre-departure documents to be submitted

SIXTH SCHEDULE

Certificates of Clearance on Pre-Arrival and Arrival

SEVENTH SCHEDULE

Form of Notice of Intended Departure

EIGHTH SCHEDULE

Certificates of Clearance on Departure

NINTH SCHEDULE

List of officers to whom fines are to be paid for outstanding pre-arrival and pre-departure documents

TENTH SCHEDULE

Consequential Amendments

BARBADOS

I assent
J. GIBSON
Acting President of Barbados
7th February, 2024.

2024-2

An Act to provide for the implementation of the *Convention on Facilitation of International Maritime Traffic* to make provision for the electronic transmission and exchange of information in order to facilitate and expedite the clearance of international maritime traffic; the establishment of an enabling environment for a port community system; and for related purposes.

[Commencement: 12th February, 2024]

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Facilitation of International Maritime Traffic Act, 2024*.

Interpretation

2.(1) In this Act,

"advance cargo information" means a manifest, an airway bill, a bill of lading, information or data in respect of

(a) cargo and stores including all imports, exports in transit and transshipment of goods; or

(b) any package of which there is no bill of lading or airway bill on board a ship;

"advance passenger information" means the information in respect of a passenger, crew member or other person transported in a ship;

"attempted stowaway" means a person who is

(a) secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or master; and

(b) detected on board the ship before it has departed from the port;

"Barbados Maritime Single Window" means the national single service environment managed by the Barbados Port Inc., that covers maritime and port administrative procedures for the purpose of clearing vessels in Barbados;

"Barbados Maritime Transport Administration" or "Administration" means the division within the Ministry responsible for shipping concerned with maritime transport affairs;

"CARICOM Electronic Single Window" or CARICOM Single Window means the regional single service environment managed by the JRCC through

which maritime trade information, other than customs related information**,** is submitted;

"clearance" means the process of obtaining the necessary permissions to facilitate the clearance of a ship in Barbados

(a) to enter or leave;

(b) to berth;

(c) to leave berth;

(d) to embark or disembark passengers;

(e) to import and export cargo; or

(f) to complete any other ship-related activity;

"coastal state" means a sovereign state that is not land locked and has territory connected to the ocean or whose coastlines lie on exorheic basins which naturally externally drain into rivers or oceans;

"Committee" means the National Maritime Transport Facilitation Committee established under section **7**;

"Convention" means the International Maritime Organization Convention on Facilitation of International Maritime Traffic, 1965

(a) the text of which is set out in the *Second Schedule*; and

(b) to which Barbados is a party;

"cruise ship" means a ship on an international voyage carrying passengers participating in a group programme and accommodated on board for the purpose of making scheduled temporary tourist visits at one or more ports, and which during the voyage does not normally

(a) embark or disembark any other passengers; or

(b) load or discharge any cargo;

"customs officer" means a customs officer appointed under section 13 of the *Public Service Act*, Cap. 29 and includes the Comptroller of Customs, a Deputy Comptroller of Customs, an Assistant Comptroller of Customs and a Customs Guard;

"document" includes information presenting data by electronic means or by non-electronic means;

"designated lead port state control officer" means the officer designated by the Barbados Maritime Transport Administration to lead on port state control inspections on the behalf of the Administration;

"domestic space" means the countries of Anguilla, Antigua and Barbuda, Bahamas, Belize, Bermuda, British Virgin Islands, Cayman Islands, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago, Turks and Caicos Islands and any other country so designated under an enactment governing the customs system in Barbados;

"free pratique" means permission for a ship

(a) to enter a port;

(b) to embark or disembark passengers; or

(c) to discharge or load cargo or stores;

"goods" means tangible products and includes animals and plants transported on an international voyage or for utilization on board a ship;

"immigration officer" means an immigration officer appointed under section 13 of the *Public Service Act*, Cap. 29 and includes the Chief Immigration Officer, the Deputy Chief Immigration Officer, an Assistant Chief Immigration Officer and a Senior Immigration Officer;

"IMPACS" means the CARICOM Implementing Agency for Crime and Security established under the Agreement Establishing the CARICOM Implementation Agency for Crime and Security, 2006;

"International Health Regulations" means the regulations adopted by the World Health Assembly on the 23rd May, 2005 which entered into force on the 15th June, 2007 to which Barbados is a party;

"JRCC" means the Joint Regional Communication Centre which is a sub-agency of IMPACS which receives advance passenger information data and advance cargo information data;

"maritime autonomous surface ship" means a ship which to a varying degree can operate independently of human interaction;

"MARPOL" means the International Convention for the Prevention of Pollution from Ships, 1973 to which Barbados is a party;

"master" means the person having command of a ship;

"Minister" means the Minister responsible for Maritime Affairs;

"non-coastal state" means a land locked state whose territory is not connected to the ocean or whose coastlines lie on endorheic basins which internally drain into lakes or swamps, and allows no natural outflow to rivers or oceans;

"passenger ship" means a ship which carries more than 12 passengers;

"passport" means a valid passport referring to the person producing the same, furnished with a photograph of that person and duly issued to him by or on behalf of the Government of the country of which he is a subject or citizen and for a period which, according to the law in force in that country, has not expired, and includes a travel permit or other document establishing to the satisfaction of an immigration officer the nationality and identity of the person to whom it refers;

"Port" means the Port of Bridgetown as described in the *First Schedule* to the *Barbados Port Inc. (Transfer of Management and Vesting of Assets) Act*, Cap. 285B;

"port" includes any port, terminal, offshore terminal, ship and repair yard or roadstead which is normally used for the loading, unloading, repair and anchoring of ships or any other place at which a ship can call;

"port state control inspection" mean the inspection of a foreign vessel to verify that the condition of the vessel and its equipment comply with international requirements related to maritime safety, maritime labour safety, maritime security and marine environmental protection;

"Programme" means the National Maritime Transport Facilitation Programme established under section 5;

"public health risk" means a likelihood of an event that may affect adversely the health of human populations with an emphasis on one which may spread internationally or may present a serious and direct danger;

"Seafarers' Identity Document" means the form of identification issued to a seafarer for the purpose of the *Seafarers' Identity Documents Convention*, (Revised) 2003, ILO Convention No. 185, to which Barbados is a party;

"ship" means a vessel which is designed, used or capable of being used solely or partly for navigation in, on, through, or immediately above the water, without regard to method or lack of propulsion and includes a maritime autonomous surface ship;

"ship agent" means

(a) the party representing the owner of the ship; or

(b) the charterer in port;

"ship owner" means a person who owns or operates a ship and includes any person other than the ship agent acting on the behalf of the owner or the operator;

"ship document" includes certificates and other documents which must be made available by the master of the ship in order to demonstrate that the ship is in compliance with national and international regulations;

"ship equipment" includes articles, other than the spare part of the ship, that are on board a ship for use on the ship and which are removable but not of a consumable nature, including accessories such as life boats, life-saving devices, furniture, ship apparel and similar items;

"ship spare parts" includes articles of a repair or replacement nature for incorporation into the ship in which they are carried;

"ship stores" includes goods that are to be used in the ship, including consumable goods, goods carried for sale to passengers and crew members, fuel and lubricants but does not include ship equipment and ship spare parts;

"shore leave" means permission for a crew member to go ashore during the stay of a ship in port within such geographical or time limits, if any, as may be decided by the public authorities;

"signature"or "signed" includes any symbol executed or adopted, or any methodology or procedure employed or adopted by a person with the intention of authenticating a record, including electronic or digital methods;

"SOLAS" means the International Convention for Safety of Life at Sea, 1974 to which Barbados is a party;

"STCW" means the International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978 to which Barbados is a party;

"stowaway" means a person who

(a) is secreted on a ship, or in cargo which is subsequently loaded on the ship without the consent of the ship owner or master;

(b) is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival; and

(c) is reported as a stowaway by the master to the appropriate authorities.

(2) In this Act, "Annex" shall be construed as a reference

(a) to the Annex to the Convention as modified from time to time; or

(b) where the Annex is replaced by an instrument, to that instrument.

(3) For the purposes of subsection (2), the Annex is modified where

(a) omissions, additions or other alterations to the text take effect in accordance with Article VII of the Convention; or

(b) a supplementary provision made under Article VII of the Convention takes effect.

(4) A modification or replacement of the Annex shall come into force in accordance with Article VII(3) of the Convention.

Convention to have force of law

3.(1) Subject to this Act, the Convention set out in the *Second Schedule*, with the exception of standard 7.4, shall have the force of law in Barbados.

(2) In the event of any inconsistency between this Act and the Convention, the Convention shall prevail to the extent of the inconsistency.

Application of Act

4. This Act shall apply to all passenger vessels and cargo vessels from coastal and non-coastal states, the governments of which are party to the Convention.

Act to bind State

5. This Act shall bind the State.

PART II

ADMINISTRATION

Establishment of National Maritime Transport Facilitation Programme

6.(1) There is established a Programme to be known as the National Maritime Transport Facilitation Programme for the adoption of measures under the Convention to facilitate and expedite the clearance of international maritime traffic which arrives at and departs from the Port.

(2) The Programme shall

(a) set the standards for the formalities, documentary requirements and procedures which should be applied on the arrival, stay and departure of a ship entering or leaving the Port, in relation to:

(i) the ship;

(ii) the crew and passengers;

(iii) baggage and cargo;

(iv) freight containers;

(v) goods;

(vi) postal parcels; and

(vii) human remains;

(b) harmonize the formalities, documentary requirements and procedures set out in the *Health Services Act*, Cap. 44, the *Quarantine Act*, Cap. 53, the *Quarantine (Maritime) Regulations* (S.I. 1947 No. 38) and any enactments governing the customs system and immigration system in Barbados with the standards set out under paragraph *(a)* for the safe arrival, stay and departure of a ship into and from the Port;

(c) create a paperless system for the exchange of information, including the electronic data interchange for the transmission of information relating to maritime transport; and

(d) prevent unnecessary delays to ships, persons and property on board ships while in the Port.

Establishment of National Maritime Transport Facilitation Committee

7.(1) There is established a committee to be known as the National Maritime Transport Facilitation Committee.

(2) The Committee shall develop the Programme established under section 6 to facilitate and expedite the clearance of international maritime traffic which arrives at and departs from the Port.

(3) The Committee shall submit reports to the Chief Executive Officer of Barbados Port Inc. annually.

(4) The *First Schedule* shall have effect with respect to the constitution of the Committee and otherwise in relation thereto.

Functions of Committee

8. The functions of the Committee are as follows:

(a) to implement and enforce national policies and enactments on the facilitation of international maritime traffic in accordance with the Programme established under section 6;

(b) to develop and maintain technological and administrative systems to support a Barbados Maritime Single Window;

(c) to supervise and regulate the operations of the Barbados Maritime Single Window in accordance with international best practices;

(d) to advise the Minister on matters relating to this Act; and

(e) to do such other things as are necessary to effectively carry out the purposes of this Act.

Functions of Barbados Port Inc.

9.(1) The Barbados Port Inc. shall implement the Programme to facilitate and expedite the clearance of international maritime traffic by

(a) establishing and upgrading from time to time a maritime single window at the Port;

(b) establishing and maintaining a monitoring, review and evaluation mechanism to ensure that procedures are simplified and that administrative burdens are reduced for ships engaged in international voyages, arriving to, staying in and departing from the Port;

(c) applying the principles of efficiency, security and convenience;

(d) treating humanely and protecting passengers, crew, seafarers and stowaways who are on board a ship engaged in an international voyage arriving to, staying in and departing from the Port;

(e) providing training for port authorities to operate the maritime single window to ensure that international ships comply with the requirements under this Act;

(f) developing and implementing a port community system development and management plan

(i) to connect and continuously maintain the multiple systems operated by the various entities within the port community system;

(ii) to continuously facilitate and improve trade and commerce; and

(g) to do such other things as are necessary to effectively carry out the purposes of this Act.

(2) The port community system development and management plan referred to subsection (1)*(f)*

(a) shall be developed and implemented, subject to the approval of the Minister, within 2 years after the coming into force of this Act;

(b) shall not take effect until notice of the approval of the plan is published in the *Official Gazette*;

(c) shall be reviewed no later than 5 years after notice of its approval is published in the *Official Gazette*;

(d) may be withdrawn where the Minister, after consultation with the Chief Executive Officer of the Barbados Port Inc., considers it necessary to do so and the plan shall cease to have effect when notice of its withdrawal is published in the *Official Gazette;*

(e) shall, where withdrawn under paragraph *(d)*, be replaced with a new plan subject to the approval of the Minister and to publication in the *Official Gazette*.

(3) The Chief Executive Officer of the Barbados Port Inc. shall be responsible for the general administration of this Act.

PART III

ARRIVAL, STAY AND DEPARTURE OF SHIPS

Establishment of Barbados Maritime Single Window

10. There is established a maritime single window for Barbados, to be known as the Barbados Maritime Single Window, to facilitate and expedite the clearance of international maritime traffic which arrives in Barbados from a port outside Barbados or departs from Barbados for a port outside Barbados.

Procedure for submitting documents

11.(1) The ship owner, ship agent or master of every ship shall submit in an electronic format, correct in all particulars,

(a) to the Chief Operations Officer of the JRCC through the CARICOM Single Window all documents, except documents referred to in paragraph *(b)* and *(c)* relating to

(i) the arrival and stay of a ship in Barbados; and

(ii) the departure of a ship from Barbados;

(b) to the Comptroller of Customs through Electronic Manifest Management ASYCUDA all documents related to customs; and

(c) to the designated lead port state control officer through the Barbados Maritime Single Window all documents relating to port state control inspections.

(2) All documents submitted under subsection (1) shall be signed and dated by

(a) the ship owner, ship agent or master;

(b) a person authorized by the ship owner; or

(c) a person approved by the Chief Executive Officer of the Port, Comptroller of Customs, Chief Immigration Officer, Chief Medical Officer, Chief Environmental Health Officer or Chief Agricultural Officer, as the case may be.

(3) All documents submitted under subsection (1)*(a)* and *(b)* shall thereafter be submitted to the Barbados Maritime Single Window by the Chief Operations Officer of the JRCC and the Comptroller of Customs, as the case may be, as follows:

(a) documents related to immigration, to the Chief Immigration Officer;

(b) documents related to the health of passengers and crew, to the Chief Medical Officer;

(c) documents related to the sanitary health of the ship, to the Chief Environmental Health Officer; and

(d) documents related to phytosanitary health and agriculture generally to the Chief Agricultural Officer.

Documents pre-arrival

12.(1) The ship owner, ship agent or master of every ship which intends to come to Barbados from a port outside Barbados and proposing to call at the Port shall submit the following documents

(a) in the form set out in the Convention in the *Second Schedule* through the CARICOM Single Window

(i) a General Declaration set out in Form 1;

(ii) a Cargo Declaration set out in Form 2 or a copy of the ship's manifest where the manifest contains the information required in the Cargo Declaration;

(iii) a Ship's Stores Declaration set out in Form 3;

(iv) a Crew's Effects Declaration set out in Form 4;

(v) a Crew List set out in Form 5;

(vi) a Passenger List set out in Form 6, or a list compiled by the owner of the ship if that list contains the information required in the Passenger List;

(vii) a Dangerous Goods Manifest set out in Form 7;

(b) in the form set out in Part A of the *Third Schedule* through the CARICOM Single Window

(i) Advanced Notification Form for Waste Delivery to Port Reception Facilities set out in Form 1;

(ii) a List of Ports of Call set out in Form 2;

(iii) a Maritime Declaration of Health set out in Form 3;

(iv) an International Certificate of Vaccination or Prophylaxis set out in Form 4;

(v) a Yellow Fever Vaccination List set out in Form 5;

(vi) Security-related information as required under SOLAS regulation XI-2/9.2 set out in Form 6;

(vii) a Ship Sanitation Control Exemption Certificate & Ship Sanitation Control Certificate set out in Form 7;

(viii) a Letter Bill - Bulk Mail under the Universal Postal Convention set out in Form 8;

(ix) Ship Particulars set out in Form 9;

(x) Advanced Passenger Information set out in Form 10; and

(xi) a clearance certificate or clearance notification from the last port; and

(xii) certificate of vessel registration;

(c) in the form set out in Part B of the *Third Schedule*, through Electronic Manifest Management ASYCUDA, Advanced Cargo Information*;*

(d) in the form set out in the relevant international maritime convention through the Barbados Maritime Single Window:

(i) SOLAS certificates;

(ii) STCW certificates;

(iii) MARPOL certificates;

(iv) maritime labour certificate for vessels 500 gross tonnes and above;

(v) Declaration of Maritime Labour Compliance for vessels 500 gross tonnes and above;

(vi) International Ballast Water Management Certificate for vessels 400 gross tonnes and above;

(vii) International Anti-Fouling Systems Certificate for vessels 400 gross tonnes and above but not including floating platforms, floating storage units and floating production storage and offloading vessels;

(viii) Declaration on Anti-fouling System for vessels 24 metres and above in length and less than 400 gross tonnes but not including fixed or floating platforms, floating storage units and floating production storage and offloading vessels; and

(ix) any other document specified in the Caribbean Memorandum of Understanding on Port State Control; and

(e) where there are stowaways on board the ship, submit the details of the stowaway in the form set out in Part B of the *Fourth Schedule* through the CARICOM Single Window.

(2) In the case of a ship arriving from within the domestic space

(a) the documents referred to in subsection (1)*(a)*, *(b)* and *(c)* shall be submitted through the CARICOM Single Window no later than one hour in advance of the arrival of the ship;

(b) the documents referred to in subsection (1)*(d)* shall be submitted through the Barbados Maritime Single Window no later than twelve hours in advance of the arrival of the ship.

(3) In the case of a ship arriving from outside the domestic space,

(a) the documents referred to in subsection (1)*(a)*, *(b)* and *(c)* shall be submitted through the CARICOM Single Window no later than 24 hours in advance of the arrival of the ship.

(b) the documents referred to in subsection (1)*(d)* shall be submitted through the Barbados Maritime Single Window no later than 24 hours in advance of the arrival of the ship.

(4) Notwithstanding subsections (2) and (3), the Maritime Declaration of Health shall be submitted between 1 hour and 48 hours in advance of the arrival of the ship in Barbados.

(5) Notwithstanding subsection (1), for a period of 12 months after the coming into force of this Act, a ship owner, ship agent or master may, submit the documents referred to in paragraphs *(a)* and *(b)*(iii) and (vi) of subsection (1) to the Chief Executive Officer of the Port in original hard copy as follows:

(a) five copies of the General Declaration;

(b) four copies of the Cargo Declaration;

(c) four copies of the Ship Stores Declaration;

(d) two copies of the Crew Effects Declaration;

(e) four copies of the Crew List;

(f) four copies of the Passenger List;

(g) one copy of the Dangerous Goods Manifest;

(h) one copy of the Maritime Declaration of Health; and

(i) one copy of security-related information as required under SOLAS regulation XI-2/9.2.2.

(6) Notwithstanding section 11, a ship owner, ship agent or master shall submit the documents referred to in paragraph *(a)* of subsection (1) in original hard copy, in circumstances resulting from acts beyond the reasonable control of the Barbados Port Inc. which prevents the electronic submission of documents.

(7) The *Fifth Schedule* sets out the officer to whom the Chief Operations Officer of the JRCC shall submit the documents through the Barbados Maritime Single Window.

(8) Every document that is submitted through the Barbados Maritime Single Window shall be retrieved, signed and dated by the respective officer in order to facilitate and expedite the clearance of a ship.

Clearance of ship pre-arrival

13.(1) Where the documents referred to in section 12 are submitted to the Barbados Maritime Single Window and retrieved, signed and dated by the respective officer, that the documents are correct in all particulars, the Comptroller of Customs shall issue an electronic Final Certificate of Clearance for Arrival to the ship owner, ship agent or master in the form set out in Part B of the *Sixth Schedule* no later than one hour before the ship arrives in Barbados.

(2) Where the ship owner, ship agent or master is not issued a Final Certificate of Clearance for Arrival, the Comptroller of Customs shall give reasons for not issuing a Final Certificate of Clearance for Arrival to the ship owner, ship agent or master in an electronic form and shall issue an electronic Provisional Certificate of Clearance for Arrival in the form set out in Part A of the *Sixth Schedule* before the ship arrives in Barbados.

(3) A ship owner, ship agent or master who is issued a Provisional Certificate of Clearance for Arrival under subsection (2) shall be issued a Final Certificate of Clearance for Arrival in the form set out in Part B of the *Sixth Schedule* after the ship arrives in Barbados and is inspected by

(a) a customs officer;

(b) an immigration officer;

(c) an environmental health officer;

(d) an environmental health specialist; and

(e) a port state control officer.

Amendment of documents on arrival

14.(1) Where a ship owner, ship agent or master submits documents in accordance with section 11 and the information submitted is no longer accurate because there is a change in the circumstances on the ship, the ship owner, ship agent or master shall resubmit the document to which the change is to be made through the Barbados Maritime Single Window on arrival in Barbados, without incurring a penalty.

(2) Notwithstanding subsection (1), where the document to be changed is the Cargo Manifest, the ship owner, ship agent or master shall resubmit the document to which the change is to be made through the Barbados Maritime Single Window within 72 hours after arrival in Barbados, without incurring a penalty.

Ship arriving for medical emergency

15.(1) Where a ship arrives in Barbados from a port outside Barbados for the purpose of bringing ashore

(a) a sick or an injured passenger or crew member;

(b) a person rescued at sea;

(c) any other person who requires emergency medical treatment; or

(d) a person who requires treatment against

(i) a notifiable disease set out in the *First Schedule* to the *Health Services (Communicable and Notifiable Diseases) Regulations* (S.I. 1969 No. 179); or

(ii) a public health emergency of international concern,

the ship owner, ship agent or master shall submit the documents set out in subsection (2).

(2) In accordance with subsection (1), the ship owner, ship agent or master shall submit the following documents through the CARICOM SingleWindow:

(a) Crew List set out in Form 5 of the Convention in the *Second Schedule*;

(b) Passenger List set out in Form 6 of the Convention in the *Second Schedule* or a list compiled by the owner of the ship if that list contains the information required in the Passenger List;

(c) Maritime Declaration of Health set out in Form 3 in Part A of the *Third Schedule*;

(d) International Certificate of Vaccination or Prophylaxis set out in Form 4 in Part A of the *Third Schedule*; and

(e) Certificate of Vaccination and Re-Vaccination set out in the International Health Regulations.

Documents pre-departure

16. The ship owner, ship agent or master of every ship which intends to depart from a port in Barbados shall submit through the CARICOM Single Window

(a) a Notice of Intended Departure in the form set out in the *Seventh Schedule* as follows:

(i) in the case of a ship departing to a port within the domestic space, 30 minutes in advance of the departure of the ship; and

(ii) in the case of a ship departing to a port outside the domestic space, no less than 30 minutes or more than 4 hours in advance of the departure of the ship; and

(b) in the form set out in the Convention in the *Second Schedule*

(i) a General Declaration set out in Form 1;

(ii) a Cargo Declaration set out in Form 2, for cargo which was not the subject of a declaration when the ship arrived in Barbados;

(iii) a Ship's Stores Declaration set out in Form 3, for ship stores which were not the subject of a declaration when the ship arrived in Barbados;

(iv) a Crew List set out in Form 5, where there is a change in the number or the composition of the crew that arrived in Barbados; and

(v) a Passenger List set out in Form 6, or a list compiled by the owner of the ship if that list contains the information required in the Passenger List.

Clearance of ship pre-departure

17.(1) A ship owner, ship agent or master of a ship who submits documents in accordance with section 16 shall be issued an electronic Final Certificate of Clearance for Departure in the form set out in Part B of the *Eighth Schedule* no later than 4 hours before the ships departs from Barbados.

(2) Where the ship owner, ship agent or master is not issued a Final Certificate of Clearance for Departure, the Comptroller of Customs shall give reasons for not issuing a Final Certificate of Clearance for Departure to the ship owner, ship agent or master in an electronic form and shall issue an electronic Provisional Certificate of Clearance for Departure in the form set out in Part B of the *Eighth Schedule* before the ship departs from Barbados.

(3) A ship owner, ship agent or master who is issued a Provisional Certificate of Clearance for Departure under subsection (2) shall be issued a Final Certificate of Clearance for Departure in the form set out in Part B of the Eighth Schedule before the ship departs Barbados and is inspected by

(a) a customs officer;

(b) an immigration officer;

(c) an environmental health officer;

(d) an environmental health specialist; and

(e) a port state control officer, where the designated lead port state control officer issues a result under section 38*(b)*, *(c)* or *(d)*.

(4) Where a ship owner, ship agent or master does not receive a Provisional Certificate of Clearance for Departure in accordance with subsection (2) and can provide proof that the documents were submitted in accordance with section 16, a Provisional Certificate of Clearance for Departure shall be issued immediately.

Failure to submit pre-arrival and pre-departure documents

18.(1) A ship owner, ship agent or master who fails to submit a document required under section 12 or 16 shall submit that document immediately on arrival or departure and the ship owner, ship agent or master is liable to pay the administrative penalty set out in subsections (2) and (3) to the officer specified in the *Ninth Schedule* for each document that should have been submitted in advance of the arrival or departure of the ship.

(2) Where a ship owner, ship agent or master fails to submit

(a) a Maritime Declaration of Health set out in Form 3 in Part A of the *Third Schedule*; or

(b) Security-related information as required under SOLAS regulation XI-2/9.2 set out in Form 6 in Part A of the *Third Schedule*;

the administrative penalty shall not exceed $200 000.

(3) Where a ship owner, ship agent or master fails to submit Advanced Passenger Information set out in Form 10 of Part A of the *Third Schedule* the penalty shall be in accordance with the provisions of the *Immigration Act*, Cap. 190.

(4) Where a ship owner, ship agent or master fails to submit Advanced Cargo Information set out in the Form in Part B of the *Third Schedule* the penalty shall be in accordance with the provisions of the *Customs Act* (Act 2021-34).

(3) Where a ship owner, ship agent or master fails to submit any other document, the administrative penalty shall not exceed $150 000.

Request for additional documents

19. The Chief Executive Officer of the Port, Chief Immigration Officer, Comptroller of Customs, Chief Medical Officer, Chief Environmental Health Officer, Chief Operations Officer of JRCC, Chief Agricultral Officer or designated lead port state control officer may, where necessary, request a ship owner, ship agent or master to submit documents in addition to those submitted under section 12, 15 and 16.

Documents to be signed

20. Where a document to be submitted through the CARICOM Single Window is to be signed, that signature shall be in accordance with section 8(1) of the *Electronic Transactions Act*, Cap. 308B.

Correction of errors

21.(1) Where the ship owner, ship agent or master submits a document that is not correct in all particulars and the ship owner, ship agent or master can show that the error in the particulars

(a) was inadvertent;

(b) was not of a serious nature;

(c) was not due to recurrent carelessness; and

(d) was not made to violate any

the ship owner, ship agent or master may amend the document and resubmit that document through the CARICOM Single Window, Electronic Manifest Management ASYCUDA or Barbados Maritime Single Window, as the case may be.

(2) Where the ship owner, ship agent or master submits a document specified in the *Ninth Schedule* through the CARICOM Single Window, Electronic

Manifest Management ASYCUDA or Barbados Maritime Single Window, as the case may be, that is not correct in all particulars and it is found that the error in the particulars

(a) was intentional;

(b) was of a serious nature;

(c) was due to recurrent carelessness; and

(d) was made to violate any enactment,

the ship owner, ship agent or master is liable to pay a fine of $200 for each error that is contained in the document.

PART IV

ARRIVAL AND DEPARTURE OF CRUISE SHIPS

Arrival of a cruise ship

22. Sections 11, 12, 13 and 14 shall apply to a cruise ship which arrives in Barbados from a port outside Barbados.

Documents pre-arrival of a cruise ship

23. Notwithstanding subsection (1) of section 12, when a cruise ship arrives in Barbados from a port outside Barbados, the ship owner, ship agent or master of that ship

(a) shall submit the following documents set out in the Convention in the *Second Schedule* through the CARICOM Single Window:

(i) a General Declaration set out in Form 1;

(ii) a Ship's Stores Declaration set out in Form 3;

(iii) a Crew's Effects Declaration set out in Form 4

(iv) a Crew List set out in Form 5;

(v) a Passenger List set out in Form 6, or a list compiled by the owner of the ship if that list contains the information required in the Passenger List, and

(b) shall submit the following documents set out in the Part A of the *Third Schedule* through the CARICOM Single Window:

(i) a List of Ports of Call set out in Form 2; and

(ii) a Maritime Declaration of Health set out in Form 3.

Documents on departure of a cruise ship

24. Notwithstanding section 16, when a ship is scheduled to depart from Barbados for a port outside Barbados and Barbados is the first port of departure, the ship owner, ship agent or master shall submit through the CARICOM Single Window, the following documents set out in the Convention in the *Second Schedule*:

(a) a General Declaration set out in Form 1;

(b) a Crew List in Form 5; and

(c) a Passenger List in Form 6, or a list compiled by the owner of the ship where that list contains the information required in the Passenger List.

Clearance of cruise ship for departure

25. Section 17 shall apply to a cruise ship which intends to depart from Barbados for a port outside Barbados.

PART V

ARRIVAL AND DEPARTURE OF PASSENGERS AND CREW MEMBERS

Final Certificate of Clearance to be issued before disembarking ship

26. No passenger or crew member shall disembark a ship including a cruise ship which arrives in Barbados from a port outside Barbados unless that ship has been issued a Final Certificate of Clearance on Arrival in the form set out in Part B of the *Sixth Schedul*e.

Documents required from passengers on arrival

27. When a Final Certificate of Clearance on Arrival in the form set out in Part B of the *Sixth Schedul*e has been issued, a passenger who seeks to enter Barbados from a port outside Barbados must be the holder of a passport.

Documents required from crew members on arrival

28. When a Final Certificate of Clearance on Arrival in the form set out in Part B of the *Sixth Schedul*e has been issued, a crew member who seeks to enter Barbados from a port outside Barbados must be the holder of one of the following:

(a) a passport; or

(b) a Seafarers' Identity Document.

Passengers and crew members arriving without documents

29. A passenger or crew member who seeks to enter Barbados and is not the holder of a passport or Seafarers' Identity Document shall not be permitted to enter unless he

(a) explains to an immigration officer why he is not the holder of a passport or Seafarers' Identity Document; and

(b) establishes his identity and national status to the satisfaction of the immigration officer.

Shore Leave

30.(1) When a ship arrives in Barbados from a port outside Barbados and remains in the Port or anywhere in Barbados waters the master of the ship shall grant shore leave to those crew members who are eligible to shore leave while the ship is in the Port.

(2) A crew member shall not require a visa or special permit for the purpose of shore leave granted in accordance with subsection (1).

(3) Where shore leave has not been granted in accordance with subsection (1), the master of the ship shall provide written reasons to

(a) the crew member whose shore leave was denied; and

(b) the Chief Executive Officer of the Port.

Documents required from passengers and crew members on departure

31. Sections 28 and 29 shall apply to a passenger or crew member who seeks to depart from Barbados for a port outside Barbados.

Improper documents

32. Where a passenger or crew member seeking to enter Barbados from a port outside Barbados, or depart from Barbados for a port outside Barbados

(a) fabricates or falsifies any passport, identity document, seafarers' document or other document; or

(b) uses, utters or possesses, or attempts to use, utter or possess,

(i) any passport, identity document, seafarers' identity document or other document which has not been lawfully issued or which he is not entitled to use, utter or possess; or

(ii) any fabricated or falsified passport, identity document, seafarers' identity document or other document knowing the same to be fabricated or falsified,

that passenger or crew member is guilty of an offence and is liable on summary conviction to a fine of $20 000 or to imprisonment for 12 months or both.

PART VI

STOWAWAYS

Incidences of stowaways and attempted stowaways to be reported

33.(1) When a ship arrives in Barbados from a port outside Barbados and a stowaway is discovered on board the ship, the ship owner, ship agent or master shall report immediately the discovery of the stowaway to the Chief Immigration Officer and the Commissioner of Police in the form set out in Part B of the *Fourth Schedule*.

(2) When a ship is scheduled to depart from Barbados for a port outside Barbados and an attempted stowaway is discovered on board the ship, the ship owner, ship agent or master shall report immediately the discovery of the stowaway to the Chief Immigration Officer and the Commissioner of Police.

Ship owner to defray cost of maintaining stowaway

34. Where the ship owner, ship agent or master has reported the discovery of a stowaway or attempted stowaway in accordance with section 33 and the stowaway or attempted stowaway disembarks the ship and is taken into the custody of the Chief Immigration Officer, the ship owner shall be responsible for the cost of maintaining the stowaway or attempted stowaway.

Treatment of stowaways

35. The conditions governing the detention, return and repatriation of an attempted stowaway or a stowaway are set out in Part A of the *Fourth Schedule*.

PART VII

PORT STATE CONTROL INSPECTIONS

Interpretation

36. For the purposes of this Part,

"clear grounds" means evidence which warrants a more detailed inspection of the ship, equipment and crew;

"concentrated inspection campaign" means an inspection focused on specific areas where a higher risk of non-compliance could exist;

"expanded inspection" means an inspection of the following vessels that fall under a higher risk category to other ships

(a) bulk carriers over 12 years old;

(b) gas and chemical tankers over 10 years old;

(c) oil tankers over 15 years old;

(d) passenger ships over 15 years old; or

(e) any other type of vessel classified as high-risk.

"initial inspection" includes

(a) checking of certificates and documents submitted in accordance with subsection 12(1)*(d);*

(b) checking that the condition and hygiene of the vessel satisfies international rules and standards;

(c) where applicable, verifying whether any deficiencies found by an authority at a previous inspection are rectified in accordance with the time specified in the inspection report;

"more detailed inspection" means an inspection conducted by a port state control officer where there are clear grounds for believing during the inspection that the condition of the ship or of its equipment or crew does not substantially meet the requirements of the relevant international maritime convention.

Port state control inspections

37. Where a ship owner, ship agent or master of every ship which intends to come to Barbados from a port outside Barbados and proposing to call at the Port submits the documents referred to under section 12(1)*(d)* through the Barbados Maritime Single Window the designated lead port state control officer shall conduct an initial inspection.

Inspection results

38. The designated lead port state control officer shall issue in electronic format in respect of each document submitted under section 12(1)*(d)* one of the following results:

(a) pass on initial inspection;

(b) more detailed inspection on arrival;

(c) expanded inspection on arrival; or

(d) concentrated inspection on arrival.

Detention of vessel

39.(1) Where the designated lead port state control officer issues a result under section 38*(b)*, *(c)* or *(d)*, he may detain the vessel for it to be inspected on arrival in Barbados.

(2) Where a port state control officer conducts an inspection and identifies that there are deficiencies on the vessel, the vessel shall continue to be detained in Barbados until the ship owner, ship agent or master rectifies the deficiencies.

Release of vessel

40.(1) Where a port state control officer verifies that the deficiencies identified pursuant to section 39(2) are rectified, the designated lead port state control officer shall notify the vessel's Flag Administration for the purpose of reviewing and verifying that the deficiencies have been rectified.

(2) Where the vessel's Flag Administration verifies that the deficiencies have been rectified, the designated lead port state control officer shall issue a certificate which indicates that the deficiency is corrected and release the vessel so that it may depart from Barbados to a port outside Barbados.

(3) Where the deficiencies cannot be rectified in Barbados, the designated lead port state control officer shall

(a) issue a certificate indicating that the deficiency is to be rectified in the next scheduled port;

(b) notify the intended port and the vessel's Flag Administration that the deficiency is to be rectified in the next scheduled Port; and

(c) release the vessel so that it may depart Barbados for the next scheduled port.

Application to cruise ships

41. This Part shall apply to every cruise ship which intends to come to Barbados from a port outside Barbados.

PART VIII

OFFENCES AND PENALTIES

Offences relating to the submission of false documents

42.(1) A ship owner, ship agent or master who

(a) submits a false Crew's Effects Declaration set out in Form 4 of the Convention in the *Second Schedule* is guilty of an offence and is liable on summary conviction to a fine of $500 000;

(b) submits a false

(i) General Declaration set out in Form 1 of the Convention in the *Second Schedule*;

(ii) Cargo Declaration set out in Form 2 of the Convention in the *Second Schedule* or a false copy of the ship's Manifest;

(iii) Ship's Store Declaration set out in Form 3 of the Convention in the *Second Schedule*;

(iv) Crew List set out in Form 5 of the Convention in the *Second Schedule*; or

(v) Passenger List set out in Form 6 of the Convention in the *Second Schedule* or a false copy of a compilation listing the passengers on board the ship,

is guilty of an offence and is liable on summary conviction to a fine of $100 000; or

(c) submits a false Dangerous Goods Manifest set out in Form 7 of the Convention in the *Second Schedule* is guilty of an offence and is liable on summary conviction to a fine of $2 000 000.

(2) A ship owner, ship agent or master who

(a) submits a false

(i) Maritime Declaration of Health set out in Form 3 in Part A of the *Third Schedule*;

(ii) International Certificate of Vaccination or Prophylaxis set out in Form 4 in Part A of the *Third Schedule; or*

(iii) Security information as required under SOLAS regulation XI-2/9.2 set out in Form 6 of the *Third Schedule*

is guilty of an offence and is liable on summary conviction to a fine of $2 000 000.

(b) submits a false Ship Sanitation Control Exemption Certificate and Ship Sanitation Control Certificate set out in Form 7 of Part A of the *Third Schedule* is guilty of an offence and is liable on summary conviction to a fine of $1 000 000; or

(c) submits a false Letter Bill - Bulk Mail under the Universal Postal Convention set out in Form 8 of the *Third Schedule* is guilty of an offence and is liable on summary conviction to a fine of $500 000.

PART IX

MISCELLANEOUS

Maritime Trade Facilitation Directives

43. The Minister may by notice published in the *Official Gazette* issue a maritime trade facilitation directive in respect of improving seaborne trade and facilitating and expediting the clearance of international maritime traffic in a timely and efficient manner.

Confidentialty of data

44. The Barbados Port Inc. shall secure all data received through the Barbados Maritime Single Window and ensure that it is kept confidential.

Retention of records

45. The Port shall keep a record of all documents received through the Barbados Maritime Single Window for a period not exceeding 7 years.

Settlement of disputes

46.(1) In the case of a dispute between the ship owner, ship agent or master and any person relating to the submission of any document in accordance with section 11 the parties shall consult together with a view to settle the dispute by mediation.

(2) Nothing in this section shall prevent the parties from seeking other methods of dispute resolution,

Conflict

47. In the case of any conflict between the provisions under this Act and provisions under any enactment relating to advance passenger information and advance cargo information that enactment shall prevail.

Exception to electronic submission of documents

48. Notwithstanding section 11, a ship owner, ship agent or master shall submit any document required under this Act in original hard copy in circumstances resulting from acts beyond the reasonable control of the JRCC, the Comptroller of Customs, or Barbados Port Inc. which prevents the electronic submission of documents.

Regulations

49. The Minister may make regulations generally for giving effect to this Act.

Amendment of Schedules

50. The Minister may by order amend the *First Schedule*, *Fifth Schedule*, *Sixth Schedule*, *Seventh Schedule*, *Eighth Schedule* and *Ninth Schedule*.

Consequential amendments

51. The enactments set out in the first column of the *Tenth Schedule* are amended in the manner set out opposite thereto in the second column.

Repeal

52. The *Facilitation of International Maritime Traffic Act* (Act 2021-33) is repealed.

FIRST SCHEDULE

(Sections 2 and 7(4))

National Maritime Transport Facilitation Committee

Appointment of members

1.(1) The Committee shall comprise of 13 members as follows:

(a) three representatives from the Barbados Port Inc.;

(i) one representative from Port Security;

(ii) one representative from the Port Information Technology Department;

(iii) one representative from the Port Corporate Department;

(b) two representatives from Port Health;

(c) two representatives from the Customs Department;

(d) two representatives from the Immigration Department;

(e) one representative from a cruise tour operator organization;

(f) one representative from a local shipping company;

(g) two persons appointed by the Minister as follows:

(i) one person who appears to the Minister to be qualified and experienced in economics, accounts, finance, tax, law, public administration or business or such other area as, in the opinion of the Minister, is required for the discharge of the functions of the Committee; and

(ii) one person nominated by the most representative organisation of employees from among its members.

(2) A member shall subject to the provisions of this *Schedule*

(a) hold office for a term not exceeding 3 years; and

(b) be eligible for reappointment.

(3) The Minister shall, pursuant to subparagraph (3), determine the term of office of a member in such a manner that in any one year the respective terms of office of no more than 3 members expire.

Chairman and Deputy Chairman

2. The Minister shall appoint a member to be Chairman, and another to be Deputy Chairman, of the Committee.

Resignation

3.(1) The Chairman may resign his office by instrument in writing addressed to the Minister.

(2) A member, other than the Chairman, may resign his office by instrument in writing addressed to the Chairman, who shall forthwith forward the instrument to the Minister.

(3) A resignation takes effect from the date on which the Minister receives the instrument.

Temporary leave of absence

4. The Minister may, in writing, grant leave of absence to a member.

Tempor ary appointment

5. Where a member is, or is likely to be, unable to perform the functions of his office for more than 30 days, whether as a result of absence from Barbados, illness or other cause, the Minister may appoint a person to act in the place of the member.

Revocation of appointment

6. The Minister shall revoke the appointment of a member who

(a) fails to carry out any of his functions under this Act;

(b) becomes of unsound mind or becomes permanently unable to perform his functions by reason of ill health;

(c) is convicted of an offence involving fraud or dishonesty or, in the case of any other offence, is sentenced to a term of imprisonment;

(d) is guilty of serious misconduct in relation to his functions;

(e) is bankrupt or compounds with or suspends payment to his creditors; or

(f) fails to declare his interest in a matter before the Committee.

Vacancies

7.(1) A vacancy in the membership of the Committee arises on

(a) the death or resignation of a member;

(b) the revocation of the appointment of a member; or

(c) the absence of a member from 4 consecutive meetings of the Committee without the approval of the Minister.

(2) A person who is appointed to fill a vacancy referred to in subparagraph (1) shall hold office only for the unexpired portion of the term of the former member concerned.

Disqualification

8. A person who

(a) is a member of Parliament;

(b) other than a person specified in paragraph 1*(a)*(ii) or (iii), is a public officer within the meaning of the *Public Service Act*, Cap. 29; or

(c) were he a member, would have to be removed from office pursuant to paragraph 6,

is not eligible to be a member.

Gazetting of appointments

9. The appointment, resignation, death or removal of a member of the Committee shall be notified in the *Official Gazette*.

Seal and execution of documents

10.(1) The seal of the Committee shall be

(a) kept in the custody of the Chairman, the Deputy Chairman or the person performing the functions of secretary to the Committee and may be affixed to documents or instruments pursuant to a resolution of the Committee, in the presence of any 2 of the persons referred to in this subparagraph; and

(b) authenticated by the signature of the Chairman or the Deputy Chairman or the person performing the functions of secretary to the Committee.

(2) All documents or instruments made by the Committee, other than those required by law to be under seal, and all decisions of the Committee shall be signified under the hand of the Chairman or the Deputy Chairman or the person performing the functions of secretary to the Committee.

Meetings

11.(1) The Committee shall meet quarterly or as often as may be necessary or expedient for the transaction of its business; and such meetings shall be held at such places and times and on such days as the Committee may determine.

(2) The Chairman, or in the event of his absence from Barbados or inability to act as such, the Deputy Chairman, may at any time call a special meeting of

the Committee and shall call such a meeting within 7 days of the receipt by him of a request for the purpose addressed to him in writing and signed by not less than 3 members.

(3) The Chairman, or in his absence, the Deputy Chairman, shall preside at all meetings of the Committee.

(4) Where the Chairman and the Deputy Chairman are absent from a meeting, the members present shall elect a member from among their number to preside at the meeting.

(5) Five members shall constitute a quorum.

(6) The decisions of the Committee shall be by a majority of votes and in a case where the voting is equal, the Chairman or other person presiding at the meeting shall, in addition to an original vote, have a casting vote.

(7) Minutes of each meeting shall be kept by the person performing the functions of secretary to the Committee or by such other officer as the Committee appoints for the purpose and shall be confirmed by the Committee and signed by the Chairman or Deputy Chairman at the next meeting of the Committee.

Attendance of non-members at meetings

12. The Committee may invite any person to attend any of its meetings to assist or advise it with respect to any matter under its consideration, but a person so invited does not have a right to vote.

Committee may regulate proceedings

13. Subject to the provisions of this *Schedule*, the Committee may regulate its own proceedings.

SECOND SCHEDULE

(Sections 2, 3(1), 12(1)(a), 15(2)(a), (b), 16(b), 23(a), 24, 42(1))

1965 Convention on Facilitation Of International Maritime Traffic (FAL 1965)

Adopted in London, England on 9 April 1965

THE CONTRACTING GOVERNMENTS:

DESIRING to facilitate maritime traffic by simplifying and reducing to a minimum the formalities, documentary requirements and procedures on the arrival, stay and departure of ships engaged in international voyages;

HAVE AGREED as follows:

ARTICLE I

The Contracting Governments undertake to adopt, in accordance with the provisions of the present Convention and its Annex, all appropriate measures to facilitate and expedite international maritime traffic and to prevent unnecessary delays to ships and to persons and property on board.

ARTICLE II

(1) The Contracting Governments undertake to co-operate, in accordance with the provisions of the present Convention, in the formulation and application of measures for the facilitation of the arrival, stay and departure of ships. Such measures shall be, to the fullest extent practicable, not less favourable than measures applied in respect of other means of international transport; however, these measures may differ according to particular requirements.

(2) The measures for the facilitation of international maritime traffic provided for under the present Convention and its Annex apply equally to the ships of coastal and non-coastal States the Governments of which are Parties to the present Convention.

(3) The provisions of the present Convention do not apply to warships or pleasure yachts.

ARTICLE III

The Contracting Governments undertake to co-operate in securing the highest practicable degree of uniformity in formalities, documentary requirements and procedures in all matters in which such uniformity will facilitate and improve international maritime traffic and keep to a minimum any alterations in formalities, documentary requirements and procedures necessary to meet special requirements of a domestic nature.

ARTICLE IV

With a view to achieving the ends set forth in the preceding Articles of the present Convention, the Contracting Governments undertake to co-operate with each other or through the Inter-Governmental Maritime Consultative Organization (hereinafter called the "Organization") in matters relating to formalities, documentary requirements and procedures, as well as their application to international maritime traffic.

ARTICLE V

(1) Nothing in the present Convention or its Annex shall be interpreted as preventing the application of any wider facilities which a Contracting Government grants or may grant in future in respect of international maritime traffic under its national laws or the provisions of any other international agreement.

(2) Nothing in the present Convention or its Annex shall be interpreted as precluding a Contracting Government from applying temporary measures considered by that Government to be necessary to preserve public morality, order and security or to prevent the introduction or spread of diseases or pests affecting public health, animals or plants.

(3) All matters that are not expressly provided for in the present Convention remain subject to the legislation of the Contracting Governments.

ARTICLE VI

For the purposes of the present Convention and its Annex:

(a) "Standards" are those measures the uniform application of which by Contracting Governments in accordance with the Convention is necessary and practicable in order to facilitate international maritime traffic;

(b) "Recommended Practices" are those measures the application of which by Contracting Governments is desirable in order to facilitate international maritime traffic.

ARTICLE VII

(1) The Annex to the present Convention may be amended by the Contracting Governments, either at the proposal of one of them or by a conference convened for that purpose.

(2) Any Contracting Government may propose an amendment to the Annex by forwarding a draft amendment to the Secretary-General of the Organization (hererinafter called the "Secretary-General"):

(a) Upon the express request of a Contracting Government, the Secretary-General shall communicate any such proposal directly to all Contracting Governments for their consideration and acceptance. If he receives no such express request, the Secretary-General may proceed to such consultations as he deems advisable before communicating the proposal to the Contracting Governments;

(b) Each Contracting Government shall notify the Secretary-General within one year from the receipt of any such communication whether or not it accepts the proposal;

(c) Any such notification shall be made in writing to the Secretary-General who shall inform all Contracting Governments of its receipt;

(d) Any amendment to the Annex under this paragraph shall enter into force six months after the date on which the amendment is accepted by a majority of the Contracting Governments;

(e) The Secretary-General shall inform all Contracting Governments of any amendment which enters into force under this paragraph, together with the date on which such amendment shall enter into force.

(3) A conference of the Contracting Governments to consider amendments to the Annex shall be convened by the Secretary-General upon the request of at least one-third of these Governments. Every amendment adopted by such conference by a two-thirds majority of the Contracting Governments present and voting shall enter into force six months after the date on which the Secretary-General notifies the Contracting Governments of the amendment adopted.

(4) The Secretary-General shall notify promptly all signatory Governments of the adoption and entry into force of any amendment under this Article.

ARTICLE VIII

(1) Any Contracting Government that finds it impracticable to comply with any Standard by bringing its own formalities, documentary requirements or procedures into full accord with it or which deems it necessary for special reasons to adopt formalities, documentary requirements or procedures differing from that Standard, shall so inform the Secretary-General and notify him of the differences between its own practice and such Standard. Such notification shall be made as soon as possible after entry into force of the present Convention for the Government concerned, or after the adoption of such differing formalities, documentary requirements or procedures.

(2) Notification by a Contracting Government of any such difference in the case of an amendment to a Standard or of a newly adopted Standard shall be made to the Secretary-General as soon as possible after the entry into force of such amended or newly adopted Standard, or after the adoption of such differing formalities, documentary requirements or procedures and may include an indication of the action proposed to bring the formalities, documentary requirements or procedures into full accord with the amended or newly adopted Standard.

(3) Contracting Governments are urged to bring their formalities, documentary requirements and procedures into accord with the Recommended Practices insofar as practicable. As soon as any Contracting Government brings its own formalities, documentary requirements and procedures into accord with any Recommended Practice, it shall notify the Secretary-General thereof.

(4) The Secretary-General shall inform the Contracting Governments of any notification made to him in accordance with the preceding paragraphs of this Article.

ARTICLE IX

The Secretary-General shall convene a conference of the Contracting Governments for revision or amendment of the present Convention at the request of not less than one-third of the Contracting Governments. Any revision or amendments shall be adopted by a two-thirds majority vote of the Conference and then certified and communicated by the Secretary-General to all Contracting Governments for their acceptance. One year after the acceptance of the revision or amendments by two-thirds of the Contracting Governments, each revision or amendment shall enter into force for all Contracting Governments except those which, before its entry into force, make a declaration that they do not accept the revision or amendment. The Conference may by a two-thirds majority vote determine at the time of its adoption that a revision or amendment is of such a nature that any Contracting Government which has made such a declaration and which does not accept the revision or amendment within a period of one year after the revision or amendment enters into force shall, upon the expiration of this period, cease to be a party to the Convention.

ARTICLE X

(1) The present Convention shall remain open for signature for six months from this day's date and shall thereafter remain open for accession.

(2) The Governments of States Members of the United Nations, or of any of the specialized agencies, or the International Atomic Energy Agency, or Parties to the Statute of the International Court of Justice may become Parties to the present Convention by:

(a) signature without reservation as to acceptance;

(b) signature with reservation as to acceptance followed by acceptance; or

(c) accession.

Acceptance or accession shall be effected by the deposit of an instrument with the Secretary-General.

(3) The Government of any State not entitled to become a Party under paragraph 2 of this Article may apply through the Secretary-General to become a Party and shall be admitted as a Party in accordance with paragraph 2, provided that its application has been approved by two-thirds of the Members of the Organization other than Associate Members.

ARTICLE XI

The present Convention shall enter into force sixty days after the date upon which the Governments of at least ten States have either signed it without reservation as to acceptance or have deposited instruments of acceptance or accession. It shall enter into force for a Government which subsequently accepts it or accedes to it sixty days after the deposit of the instrument of acceptance or accession.

ARTICLE XII

Three years after entry into force of the present Convention with respect to a Contracting Government, such Government may denounce it by notification in writing addressed to the Secretary- General who shall notify all Contracting Governments of the content and date of receipt of any such notification. Such denunciation shall take effect one year, or such longer period as may be specified in the notification, after its receipt by the Secretary-General.

ARTICLE XIII

(1) (a) The United Nations in cases where they are the administering authority for a territory, or any Contracting Government responsible for the international relations of a territory, shall as soon as possible consult with such territory in an endeavour to extend the present Convention to that territory, and may at any time by notification in writing given to the Secretary-General declare that the Convention shall extend to such territory.

(b) The present Convention shall from the date of the receipt of the notification or from such other date as may be specified in the notification extend to the territory named therein.

(c) The provisions of Article VIII of the present Convention shall apply to any territory to which the Convention is extended in accordance with the present Article; for this purpose, the expression "its own formalities, documentary requirements or procedures" shall include those in force in that territory.

(d) The present Convention shall cease to extend to any territory one year after the receipt by the Secretary-General of a notification to this effect, or on such later date as may be specified therein.

(2) The Secretary-General shall inform all the Contracting Governments of the extension of the present Convention to any territory under paragraph 1 of this Article, stating in each case the date from which the Convention has been so extended.

ARTICLE XIV

The Secretary-General shall inform all signatory Governments, all Contracting Governments and all Members of the Organization of:

(a) the signatures affixed to the present Convention and the dates thereof;

(b) the deposit of instruments of acceptance and accession together with the dates of their deposit;

(c) the date on which the Convention enters into force in accordance with Article XI;

(d) any notification received in accordance with Articles XII and XIII and the date thereof;

(e) the convening of any conference under Articles VII or IX.

ARTICLE XV

The present Convention and its Annex shall be deposited with the Secretary-General who shall transmit certified copies thereof to signatory Governments and to acceding Governments. As soon as the present Convention enters into force, it shall be registered by the Secretary-General in accordance with Article 102 of the Charter of the United Nations.

ARTICLE XVI

The present Convention and its Annex shall be established in the English and French languages, both texts being equally authentic. Official translations shall be prepared in the Russian and Spanish languages and shall be deposited with the signed originals.

IN WITNESS WHEREOF the undersigned being duly authorized by their respective Governments for that purpose have signed the present Convention.

DONE at London this ninth day of April 1965.

ANNEX

Section 1 - Definitions and general provisions

A. Definitions

For the purpose of the provisions of this annex, the following meanings shall be attributed to the terms listed:

Attempted stowaway. A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board the ship before it has departed from the port.

Cargo. Any goods, wares, merchandise, and articles of every kind whatsoever carried on a ship, other than mail, ship's stores, ship's spare parts, ship's equipment, cargo transport units not carried under a contract of carriage with a shipper, crew's effects and passengers' accompanied baggage.

Cargo transport unit (CTU). A freight container, swap-body, vehicle, railway wagon or any other similar unit.

Clearance. Accomplishment of customs and/or other formalities necessary to:

(a) Permit goods to enter home use, to be exported or to be placed under another customs procedure (so called customs clearance),

(b) Permit persons to enter the territory of a State, or

(c) Permit a ship to enter or depart a port within the territory of a State.

Crew's effects. Clothing, items in everyday use and other articles, which may include currency, belonging to the crew and carried on the ship.

Crew member. Any person actually employed for duties on board during a voyage in the working or service of a ship and included in the crew list.

Cruise ship. A ship on an international voyage carrying passengers participating in a group programme and accommodated aboard, for the purpose of making scheduled temporary tourist visits at one or more different ports, and which during the voyage does not normally:

(a) embark or disembark any other passengers;

(b) load or discharge any cargo.

Document. Information presenting data by electronic means or by non-electronic means.

Estimated time of arrival (ETA). Time when a ship estimates it will arrive at the pilot station serving a port or, when it expects to enter a specific location in the port area, where port regulations apply.

Freight container. An article of transport equipment that is of a permanent character and accordingly strong enough to be suitable for repeated use; specially designed to facilitate the transport of goods, by one or other modes of transport, without intermediate reloading: designed to be secured and/or readily handled, having fittings for these purposes, and approved in accordance with the International Convention for Safe Containers (CSC), 1972, as amended. The term "freight container" includes neither vehicle nor packaging; however a freight container that is carried on a chassis is included.

ISPS Code. The "International Ship and Port Facility Security (ISPS) Code" adopted on 12 December 2002 by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as may be amended by the Organization.

Manifest. Document recapitulating the various data from bills of lading and other transport documents issued for the carriage of goods on board ships.

Master. The person having command of a ship.

Passenger in transit. A passenger who arrives by ship from a foreign country for the purpose of continuing his/her journey by ship or some other means of transport to a foreign country.

Passengers' accompanied baggage. Property, which may include currency, carried for a passenger on the same ship as the passenger, whether in his/her personal possession or not, so long as it is not carried under a contract of carriage of goods or other similar agreement.

Port. Any port, terminal, offshore terminal, ship and repair yard or roadstead which is normally used for the loading, unloading, repair and anchoring of ships, or any other place at which a ship can call.

Postal items. Correspondence and other objects tendered to be carried by a ship for carriage by postal administrations and intended for delivery to postal administrations in the ship's ports of call.

Public authorities. The agencies or officials in a State responsible for the application and enforcement of the laws and regulations of that State which relate to any aspect of the Standards and Recommended Practices contained in this annex.

Release. Action taken by customs authorities to permit goods undergoing clearance to be placed at the disposal of the persons concerned.

Security measures. Measures developed and implemented in accordance with international agreements to improve security on board ships, in port areas, facilities and of goods moving in the international supply chain to detect and prevent unlawful acts.

Ship agent. The party representing the ship's owner and/or charterer (the Principal) in port. If so instructed, the agent is responsible to the Principal for arranging, together with the port, a berth, all relevant port and husbandry services, tending to the requirements of the master and crew, clearing the ship with the port and other authorities (including preparation and submission of appropriate documentation) along with releasing or receiving cargo on behalf of the Principal.

Shipowner. One who owns or operates a ship, whether a person, a corporation or other legal entity, and any person other than the ship agent acting on behalf of the owner or operator.

Ship's documents. Certificates and other documents which must be made available by a ship's master in order to demonstrate the ship's compliance with international or national regulations.

Ship's equipment. Articles, other than ship's spare parts, on board a ship for use thereon, which are removable but not of a consumable nature, including accessories such as lifeboats, life-saving devices, furniture, ship's apparel and similar items.

Ship's spare parts. Articles of a repair or replacement nature for incorporation into the ship in which they are carried.

Ship's stores. Goods for use in the ship, including consumable goods, goods carried for sale to passengers and crew members, fuel and lubricants, but excluding ship's equipment and ship's spare parts.

Shipper. The party named on the bill of lading or waybill as shipper and/or who concludes a contract of carriage (or in whose name or on whose behalf a contract of carriage has been concluded) with a carrier. The shipper is known also as the sender.

Shore leave. Permission for a crew member to be ashore during the ship's stay in port within such geographical or time limits, if any, as may be decided by the public authorities.

Single Window. A facility that allows submission of standardized information covered by the Convention to a single entry point.

Stowaway. A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities.

Temporary admission. The customs procedure under which certain goods can be brought into a customs territory conditionally relieved, totally or partially, from payment of import duties and taxes and without application of import prohibitions or restrictions of economic character; such goods must be imported for a specific purpose and must be intended for re-exportation within a specified period and without having undergone any change except normal depreciation owing to the use made of them.

Time of arrival. Time when a ship first comes to rest, whether at anchor or at a dock, in a port.

Transport document. Information evidencing a contract of carriage between a shipowner and a shipper, such as a sea waybill, a bill of lading or a multi-modal transport document.

B. General Provisions

In conjunction with paragraph 2 of article V of the Convention, the provisions of this annex shall not preclude public authorities from taking such appropriate measures, including calling for further information, as may be necessary in cases of suspected fraud, or to deal with special problems constituting a grave danger to public order (ordre public), public security or public health, such as unlawful acts against the safety of maritime traffic and illicit trafficking in narcotic drugs and psychotropic substances, or to prevent the introduction or spread of disease or pests affecting animals or plants.

1.1. **Standard**. Public authorities shall in all cases require only essential information to be furnished, and shall keep the number of items to a minimum.

1.1.1. *Not in use*.

1.2. **Recommended Practice**. Notwithstanding the fact that documents for certain purposes may be separately prescribed and required in this annex, public authorities, bearing in mind the interests of those who are required to complete the documents as well as the purposes for which they are to be used, should provide for any two or more such documents that are to be submitted by the same party to be combined into one in any case in which this is practicable and in which an appreciable degree of facilitation would result.

1.3. **Recommended Practice.** Measures and procedures imposed by Contracting Governments for the purposes of security or preventing the trafficking of narcotics should be efficient. Such measures and procedures (e.g. risk management and cross-checking of information) should be implemented in such a manner as to cause a minimum of interference with, and to prevent unnecessary delays to, ships and persons or property on board**.**

C. **Systems for the electronic exchange of information**

1.3*bis*. **Standard**. Public authorities shall take all necessary measures for the establishment of systems for the electronic exchange of information by 8 April 2019.

1.3*ter*. **Standard**. Public authorities, when introducing systems for the electronic exchange of information to assist clearance processes, shall provide shipowners and other parties concerned with the necessary information about the systems requirements and give an adequate period of transition before the use of the systems are made mandatory. A period of no less than 12 months for transition to the mandatory use of the systems shall be provided from the date of the introduction of such systems.

1.3*quart*. **Recommended Practice**. Public authorities should, for a transitional period, allow for the submission of required information for clearance processes in both electronic and paper form.

1.3*quin*. **Recommended Practice**. Contracting Governments should encourage public authorities to introduce arrangements to enable the submission of all the information required by public authorities in connection with the arrival, stay and departure of ships, persons and cargo, avoiding duplication, to a "Single Window".

Consideration should also be given to such a Single Window serving as the mechanism through which the public authorities communicate decisions and other information covered by this Convention.

1.4. *Not in use*.

1.5. *Not in use*.

1.6. **Standard**. Public authorities, when introducing systems for the electronic exchange of information for clearance processes, shall limit the information they require from shipowners and other parties concerned to that required by the FAL Convention.

1.6*bis*. **Standard**. When introducing systems for the electronic exchange of information required by public authorities for the arrival, stay and departure of the ship, persons and cargo to facilitate clearance processes, Contracting Governments shall encourage public authorities and other parties concerned (shipowners, handling companies, seaports, and/or cargo agents, etc.) to exchange data in conformity with the relevant UN Standards, including UN Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT) Standards, or other internationally agreed Standards, such as the XML Standard.

1.6*ter*. **Recommended Practice**. When introducing new electronic message formats, public authorities should continue to allow for the usage of existing electronic message formats in agreement with the parties concerned.

1.7. **Recommended Practice**. When planning for, introducing or modifying systems for the electronic exchange of information for clearance processes, public authorities should:

(a) afford all interested parties, from the outset, the opportunity for consultation;

(b) evaluate existing procedures and eliminate those which are unnecessary;

(c) determine those procedures which are to be computerized;

(d) use United Nations (UN) Recommendations, WCO Information Packages and relevant ISO Standards to the maximum extent practicable;

(e) adapt these systems for multimodal applications;

(f) take appropriate steps to minimize the cost of implementing these systems to operators and other private parties; and

(g) give attention to the desirability of obtaining compatibility with other relevant information systems.

1.7.1. **Recommended Practice**. Contracting Governments should encourage public authorities and other parties concerned to cooperate or participate directly in the development of electronic systems using internationally agreed Standards with a view to enhancing the exchange of information relating to the arrival, stay and departure of ships, persons and cargo and assuring inter-operability between the systems of public authorities and other parties concerned.

1.8. Not in use.

1.8.1. Not in use.

D. **Illicit drug trafficking**

1.9. **Recommended Practice**. Public authorities should seek to establish cooperation arrangements with shipowners and other parties concerned to improve their ability to combat drug smuggling, while providing enhanced facilitation. Such arrangements could be based on the World Customs Organization Memoranda of Understanding and the associated guidelines.

1.10. **Standard**. Where, as part of cooperation arrangements, public authorities, shipowners, and other parties concerned are provided access to sensitive commercial and other information, the information shall be treated confidentially.

E. **Control techniques**.

1.11. **Standard**. Public authorities shall use risk management to enhance their border control procedures related to:

the release/clearance of cargo;

security requirements; and

their ability to target smuggling,

thereby facilitating the legitimate circulation of persons and goods.

Section 2 - Arrival, stay and departure of the ship

This section contains the provisions concerning the formalities required of shipowners by the public authorities on the arrival, stay and departure of the ship and shall not be read so as to preclude a requirement for the presentation, for inspection by the appropriate authorities, of certificates and other documents made available by the ship pertaining to its registry, measurement, safety, manning and other related matters.

A. General

2.1. **Standard**. Public authorities shall not require for their retention, on arrival or departure of ships to which the Convention applies, any documents other than those covered by the present section. The documents in question are:

General Declaration

Cargo Declaration

Ship's Stores Declaration

Crew's Effects Declaration

Crew List

Passenger List

Dangerous Goods Manifest

The document required under the Universal Postal Convention for mail

Maritime Declaration of Health

Security-related information as required under SOLAS regulation XI-2/9.2.2

Advance electronic cargo information for customs risk assessment purposes

Advanced Notification Form for Waste Delivery to Port Reception Facilities, when communicated to the Organization.

2.1.1. **Standard**. Contracting Governments shall not require consular formalities, charges or fees in connection with documents for the clearance of ships, including the electronic submission of documents.

2.1.2. **Standard**. Public authorities shall develop procedures for the lodgement of pre-arrival and pre-departure information in order to facilitate the processing of such information for the expedited subsequent release/clearance of cargo and persons.

2.1.3. **Recommended Practice**. National legislation should specify the conditions for the lodgement of pre-arrival and pre-departure information. With regard to the point in time of transmission of the pre-arrival information, it should not normally be set before the moment the ship has left the country of departure. However, national legislation could, in addition to the basic rule, also specify the exceptions from this principle where required, e.g. for voyages of short duration.

2.1.3*bis*. **Recommended Practice**. Public authorities should, for the submission of advance electronic cargo information for customs risk assessment purposes, take into account the time limits specified in the WCO SAFE Framework of Standards.

2.1.4. **Recommended Practice**. Public authorities should not require the lodgement of a separate General Declaration, Cargo Declaration, Crew List, Passenger List and Dangerous Goods Manifest if the data elements contained in these documents are included in the pre-arrival or pre-departure information or in the ship's manifest.

2.1.5. **Standard**. Public authorities shall reuse the pre-arrival and pre-departure information in subsequent procedures where such data is required.

B. **Contents and purpose of documents**

2.2. **Standard**. The General Declaration shall be the basic document on arrival and departure providing data required by public authorities relating to the ship.

2.2.1. **Recommended Practice**. The same form of General Declaration should be accepted for both the arrival and the departure of the ship.

2.2.2. **Recommended Practice**. In the General Declaration, public authorities should not require more than the following data:

name, type and IMO number of ship

call sign

flag State of ship

voyage number

particulars regarding registry

particulars regarding tonnage

name of master

name and contact details of ship's agent

brief description of the cargo

number of crew

number of passengers

brief particulars of voyage

date and time of arrival/departure

port of arrival/departure

the ship's requirements in terms of waste and residue reception facilities

last port of call/next port of call.

2.2.3. **Standard**. Public authorities shall accept that the General Declaration is either dated and signed by the master, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned.

2.3. **Standard**. The Cargo Declaration shall be the basic document on arrival and departure providing data required by public authorities relating to the cargo. However, particulars of any dangerous cargo may also be required to be furnished separately.

2.3.1. **Recommended Practice**. In the Cargo Declaration, public authorities should not require more than the following data:

(a) on arrival

name and IMO number of ship

flag State of ship

name of master

voyage number

port of loading

port where report is made

freight container identification, where appropriate; marks and numbers; number and kind of packages; quantity and description of the goods or, if available, the Harmonized System (HS) code

transport document numbers for cargo to be discharged at the port in question

ports at which cargo remaining on board will be discharged

original ports of shipment in respect of goods shipped under multimodal transport documents or through bills of lading

(b) on departure

name and IMO number of ship

flag State of ship

name of master

voyage number

port of discharge

in respect of goods loaded at the port in question: freight container identification, where appropriate; marks and numbers; number and kind of packages; quantity and description of the goods or, if available, the Harmonized System (HS) code

transport document numbers for cargo loaded at the port in question.

2.3.2. **Standard**. In respect of cargo remaining on board, public authorities shall require only brief details of the minimum essential items of information to be furnished.

2.3.3. **Standard**. Public authorities shall accept that the Cargo Declaration is either dated and signed by the master, the shipowner issuing the transport document, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned.

2.3.4. **Standard**. Public authorities shall accept in place of the Cargo Declaration a copy of the ship's manifest provided it contains at least the information required in accordance with Recommended Practice 2.3.1 and Standard 2.3.2 and is signed or authenticated, and dated, in accordance with Standard 2.3.3.

2.3.4.1. **Recommended Practice**. As an alternative to Standard 2.3.4, public authorities may accept a copy of the transport document signed or authenticated in accordance with Standard 2.3.3, or certified as a true copy, if the nature and quantity of cargo make this practicable and

provided that any data required and identified in accordance with Recommended Practice 2.3.1 and Standard 2.3.2 which does not appear in such documents is also furnished elsewhere and duly certified.

2.3.5. **Standard**. Public authorities shall allow unmanifested parcels in possession of the master to be omitted from the Cargo Declaration provided that particulars of these parcels are furnished separately.

2.4. **Standard**. The Ship's Stores Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to ship's stores.

2.4.1. **Standard**. Public authorities shall accept that the Ship's Stores Declaration is either dated and signed by the master or by some other ship's officer duly authorized by the master and having personal knowledge of the facts regarding the ship's stores, or authenticated in a manner acceptable to the public authority concerned.

2.5. **Standard**. The Crew's Effects Declaration shall be the basic document providing information required by public authorities relating to crew's effects. It shall not be required on departure.

2.5.1. **Standard**. Public authorities shall accept that the Crew's Effects Declaration is either dated and signed by the master or by some other ship's officer duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned. For the purpose of onboard verification, the public authorities may also require each crew member to sign or verify in a manner acceptable to the public authorities the declaration relating to his/her personal effects.

2.5.2. **Recommended Practice**. Public authorities should normally require particulars of only those crew's effects which would not qualify for relief from customs duties and taxes or which are subject to prohibitions or restrictions.

2.6. **Standard**. The Crew List shall be the basic document required by public authorities containing data relating to the number and composition of the crew on the arrival and departure of a ship.

2.6.1. **Standard**. In the Crew List, public authorities shall not require more than the following data:

name and IMO number of ship

flag State of ship

call sign

voyage number

family name

give names

nationality

rank or rating

gender

date and place of birth

nature and number of identity document

issuing State of identity document

expiry date of identity document

port and date of arrival/departure of the ship

last pot of call.

2.6.2. **Standard**. Public authorities shall accept that the Crew List is either dated and signed by the master or by some other ship's officer duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned.

2.6.3. *Not in use*.

2.6.4. **Recommended Practice**. The Passenger List shall be the basic document required by public authorities containing the data relating to passengers on the arrival and departure of a ship.

2.7. **Standard**. In the Crew List, public authorities shall not require more than the following data:

2.7.1. *Not in use*.

2.7.2. **Recommended Practice**. Public authorities should not require embarkation or disembarkation cards in addition to Passenger Lists in respect of passengers whose names appear on those Lists. However, where public authorities have special problems constituting a grave danger to public health, a person on an international voyage may on arrival be required to give a destination address in writing.

2.7.3. **Standard**. In the Passenger List, public authorities shall not require more than the following data

name and IMO number of ship

call sign

flag State of ship

voyage number

family name

give names

nationality

date of birth

place of birth

gender

type of identity document

serial number if identity or travel document

issuing State of identity document

expiry date of identity document

port of embarkation

port and date of arrival/departure of the ship

transit passenger or not.

2.7.4. **Recommended Practice**. A list compiled by the shipowners for their own use should be accepted in place of the Passenger List, provided it contains at least the information required in accordance with Standard 2.7.3 and is dated and signed or authenticated in accordance with Standard 2.7.5.

2.7.5. **Standard**. Public authorities shall accept that the Passenger List is either dated and signed by the master, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned.

2.8. **Standard**. The Dangerous Goods Manifest shall be the basic document providing public authorities with the information regarding dangerous goods.

2.8.1. **Standard**. In the Dangerous Goods Manifest public authorities shall not require more than the following information:

name of ship

IMO number

call sign

flag State of ship

port of loading

port of discharge

stowage position

reference number

marks and numbers

freight container identification No(s).

vehicle registration No(s).

UN Number

proper shipping name/(Technical Specifications)

class/(subsidiary risk(s))

packing group

additional information/marine pollutant/flash point/etc.

number and kind of packages

mass (kg) or volume (L)

EmS

shipping agent.

2.9. **Standard**. Public authorities shall not require on arrival or departure of the ship any written declaration in respect of postal items other than that prescribed in the Universal Postal Convention, provided the latter is actually produced. In the absence of such a document, the postal objects (number and weight) must be shown in the Cargo Declaration.

2.10. **Standard**. The Maritime Declaration of Health shall be the basic document containing the data required by port health authorities relating to the state of health on board a ship during the voyage and on arrival at a port.

C. Documents on arrival

2.11. **Standard**. Until the expiration of the transitional period referred to in Standard 1.3*ter*, public authorities shall in respect of a ship's arrival in port not require more than:

5 copies of the General Declaration

4 copies of the Cargo Declaration

4 copies of the Ship's Stores Declaration

2 copies of the Crew's Effects Declaration

4 copies of the Crew List

4 copies of the Passenger List

1 copy of the Dangerous Goods Manifest

1 copy of the Maritime Declaration of Health

1 copy of the security-related information as required under SOLAS regulation XI-2/9.2.2

1 copy of the Advanced Notification Form for Waste Delivery to Port Reception Facilities when communicated to the Organization.

Upon expiration of the transitional period, paper copies shall not be required except in case of force majeure where means of electronic transmission are unavailable.

D. Documents on departure

2.12. Standard. Until the expiration of the transitional period referred to in Standard 1.3*ter*, public authorities shall in respect of a ship's departure from port not require more than:

5 copies of the General Declaration

4 copies of the Cargo Declaration

3 copies of the Ship's Stores Declaration

2 copies of the Crew List

2 copies of the Passenger List

1 copy of the Dangerous Goods Manifest.

Upon expiration of the transitional period, paper copies shall not be required except in case of *force majeure* where means of electronic transmission are unavailable.

2.12.1. **Standard**. A new Cargo Declaration shall not be required on departure from a port in respect of cargo which has been the subject of a declaration on arrival in that port and which has remained on board.

2.12.2. **Recommended Practice**. A separate Ship's Stores Declaration on departure should not be required in respect of ship's stores which have been the subject of a declaration on arrival, nor in respect of stores shipped in the port and covered by another customs document presented for the purpose in that port.

2.12.3. **Standard**. Where public authorities require information about the crew of a ship on its departure from the port, one of the copies of the Crew List presented on arrival at the port shall be accepted on departure, provided it is signed again by the master or an officer duly authorized by him/her, and endorsed or authenticated in a manner acceptable to the public authority concerned, to indicate any change in the number or composition of the crew at the time of the ship's departure or to indicate that no such change has occurred during the ship's stay in the port.

2.13. *Not in use*.

E. Consecutive calls at two or more ports in the same State

2.14. **Standard**. Taking into account the procedures carried out on the arrival of a ship at the first port of call in the territory of a State, shipowners shall only be obligated to submit required information once to the public authorities of a State. The formalities and documents required by the public authorities at any subsequent port of call in that country visited without intermediate call at a port in another country shall be kept to a minimum.

F. Completion of documents

2.15. **Recommended Practice**. Public authorities should as far as possible accept the documents provided for in this annex, except as regards Standard 3.7, irrespective of the language in which the required data is furnished thereon, provided that they may require a written or oral translation into one of the official languages of their country or of the Organization when they deem it necessary.

2.16. **Standard**. If public authorities require documents in paper form, they shall accept documents conveyed by any legible and understandable medium, including documents handwritten in ink or indelible pencil or produced by the use of information technology.

2.16.1. **Standard**. Public authorities shall accept a signature, when required, in handwriting, in facsimile, perforated, stamped, in symbols, or made by any other mechanical or electronic means, if such acceptance is not inconsistent with national laws. The authentication of information submitted on non-paper media shall be in a manner that is acceptable to the public authority concerned and which facilitates the electronic submission of the information by the parties concerned irrespective of their residence.

2.17. **Standard**. Public authorities of the country of any intended port of arrival, discharge, or transit shall not require any document relating to the ship, its cargo, stores, passengers or crew, as mentioned in this section, to be legalized, verified, authenticated, or previously dealt with by any of their representatives abroad. This shall not be deemed to preclude a requirement for the presentation of a passport or other identity document of a passenger or crew member for visa or similar purposes.

G. Errors and amendments in documentation and penalties therefor

2.18. **Standard**. Public authorities shall, without delaying the ship, allow correction of errors in a document provided for in this annex which they are satisfied are inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate laws or regulations, on the condition that these errors are discovered before the document is fully checked and the corrections can be effected without delay.

2.19. **Standard**. If errors are found in the data transmitted as provided for in appendix 1 of this annex, which have been signed by or on behalf of a shipowner or master, or otherwise authenticated, no penalties shall be imposed until an opportunity has been given to satisfy the public authorities that the errors were inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate the laws or regulations of the port State.

2.19*bis*. Standard. Public authorities shall allow for amendments to information already submitted in accordance with applicable laws and regulations.

H. Special measures of facilitation for ships calling at ports in order to put ashore sick or injured crew members, passengers, persons rescued at sea or other persons for emergency medical treatment

2.20. **Standard**. Public authorities shall seek the cooperation of shipowners to ensure that, when ships intend to call at ports for the sole purpose of putting ashore sick or injured crew members, passengers, persons rescued at sea, or other persons for emergency medical treatment, the master shall give the public authorities as much notice as possible of that intention, with the fullest possible details of the sickness or injury and of the identity of the persons.

2.21. **Standard**. Public authorities shall, by the fastest channels available, inform the master, before the arrival of the ship, of the documentation and the procedures necessary to put the sick or injured persons ashore expeditiously and to clear the ship without delay.

2.22. **Standar**d. With regard to ships calling at ports for this purpose and intending to leave again immediately, public authorities shall give priority in berthing if the state of the sick person or the sea conditions do not allow a safe disembarkation in the roads or harbour approaches.

2.23. **Standard**. With regard to ships calling at ports for this purpose and intending to leave again immediately, public authorities shall not require the documents mentioned in Standard 2.1 with the exception of the Maritime Declaration of Health, and, if it is indispensable, the General Declaration. Public authorities shall in such situations waive the time limits for the submission of the documents.

2.24. **Standard**. Where public authorities require the General Declaration, this document shall not contain more data than those mentioned in Recommended Practice 2.2.2 and, wherever possible, shall contain less.

2.25. **Standard**. Where the public authorities apply control measures related to the arrival of a ship prior to sick or injured persons being put ashore, emergency medical treatment and measures for the protection of public health shall take precedence over these control measures.

2.26. **Standard**. Where the public authorities apply control measures related to the arrival of a ship prior to sick or injured persons being put ashore, emergency medical treatment and measures for the protection of public health shall take precedence over these control measures.

2.27. **Standard**. Emergency medical treatment and measures for the protection of public health shall take precedence over any control measures which public authorities may apply to sick or injured persons being put ashore.

Section 3 - Arrival and departure of persons

This section contains the provisions concerning the formalities required by public authorities from crew and passengers on the arrival or departure of a ship.

A. Arrival and departure requirements and procedures

3.1. Standard. A valid passport shall be the basic document providing public authorities with information relating to the individual passenger on arrival or departure of a ship.

3.1.1. Recommended Practice. Contracting Governments should as far as possible agree, by bilateral or multilateral agreements, to accept official documents of identity in lieu of passports.

3.2. Standard. Public authorities shall make arrangements whereby passports, or official documents of identity accepted in their place, from ship's passengers need be inspected by the immigration authorities only once at the time of arrival and once at the time of departure. In addition, these passports or official documents of identity may be required to be produced for the purpose of verification or identification in connection with customs and other formalities on arrival and departure.

3.3. Standard. After individual presentation of passports or official documents of identity accepted in their place, public authorities shall hand back such documents immediately after examination rather than withholding them for the purpose of obtaining additional control, unless there is some obstacle to the admission of a passenger to the territory.

3.3.1. Standard. Each Contracting Government shall ensure that the public authorities seize fraudulent, falsified or counterfeit travel documents of inadmissible persons. Such documents shall be removed from circulation and returned to the appropriate authorities when practicable. In place of a seized document, a covering letter shall be issued by the removing State and attached to it will be a photocopy of the forged travel documents, if available, as well as any important information. The covering letter and its attachment shall be handed over to the operator responsible for the removal of the inadmissible person. It will serve to give information to the authorities at the transit and/or the original point of embarkation.

3.3.2. Standard. Contracting Governments shall accept for examination a person being returned from his/her point of disembarkation after having been found inadmissible if this person had embarked in their territory. Contracting Governments shall not return such a person to the country where he or she was earlier found to be inadmissible.

3.3.3. Standard. Before passengers and crew are accepted for examination as to their admissibility into the State, responsibility for their custody and care shall remain with the shipowner.

3.3.4. Recommended Practice. After acceptance of passengers and crew for examination, whether conditional or unconditional and if the persons concerned are under the physical control

of the public authorities, the public authorities should be responsible for their custody and care until they are admitted for entry or are found to be inadmissible.

3.3.5. **Standard**. The obligation of a shipowner to transport any person away from the territory of a State shall terminate from the moment such a person has been definitely admitted into that State.

3.3.6. **Standard**. Where a person is found to be inadmissible, the public authorities shall, without unreasonable delay, inform the shipowner and consult the shipowner regarding the arrangements for removal. The shipowner is responsible for the costs of stay and removal of an inadmissible person and, in the case where the person is transferred back to the custody of the shipowner, the shipowner shall be responsible for effecting his/her prompt removal to:

the country of embarkation; or

to any other place where the person is admissible.

3.3.7. **Standard**. Contracting Governments and shipowners shall cooperate, where practicable, to establish the validity and authenticity of passports and visas.

3.4. **Recommended Practice**. Public authorities should not require from embarking or disembarking passengers, or from shipowners on their behalf, any information in writing supplementary to or repeating that already presented in their passports or official documents of identity, other than as necessary to complete any documents provided for in this annex.

3.5. **Recommended Practice**. Public authorities which require written supplementary information, other than as necessary to complete any documents provided for in this annex, from embarking or disembarking passengers should limit requirements for further identification of passengers to the items set forth in Recommended Practice 3.6 (embarkation/disembarkation card). Public authorities should accept the embarkation/disembarkation card when completed by the passenger and should not require that it be completed or checked by the shipowner. Legible handwritten script should be accepted on the card, except where the form specifies block lettering. One copy only of the embarkation/disembarkation card, which may include one or more simultaneously prepared carbon copies, should be required from each passenger.

3.6. **Recommended Practice**. In the embarkation/disembarkation card, public authorities should not require more than the following information:

family name

give names

nationality

number and expiry date of passport or other official identity document

date of birth

place of birth

port of embarkation/disembarkation

gender

destination address

signature.

3.7. **Standard**. In cases where evidence of protection against yellow fever is required from persons on board a ship, public authorities shall accept the International Certificate of Vaccination or Re-Vaccination in the forms provided for in the International Health Regulations.

3.8. **Recommended Practice**. Medical examination of persons on board or of persons disembarking from ships should normally be limited to those persons arriving from an area infected with quarantinable diseases within the incubation period of the disease concerned (as stated in the International Health Regulations). Additional medical examination may, however, be required in accordance with the International Health Regulations.

3.9. **Recommended Practice**. Public authorities should normally perform customs inspections of inbound passengers' accompanied baggage on a sampling or selective basis. Written declarations in respect of passengers' accompanied baggage should be dispensed with as far as possible.

3.9.1. **Recommended Practice**. Public authorities should, wherever possible, waive inspections of accompanied baggage of departing passengers, with due regard to the possible need to impose appropriate security measures preferably by automated means to facilitate review.

3.9.2. **Recommended Practice**. Where inspection of accompanied baggage of departing passengers cannot be waived completely, such inspection should normally be performed on a sampling or selective basis.

3.10. **Standard**. A passport or an identity document issued in accordance with relevant ILO Conventions, or else a valid and duly recognized seafarer's identity document, shall be the basic document providing public authorities with information relating to the individual member of the crew on arrival or departure of a ship.

3.10.1. **Standard**. In the seafarer's identity document, public authorities shall not require more than the following information:

family name

give names

gender

date and place of birth

nationality

physical characteristics

photograph (authenticated)

signature

date of expiry (if any)

issuing public authority.

3.10.2. **Standard**. When it is necessary for a seafarer to enter or leave a country as a passenger by any means of transportation for the purpose of:

(a) joining his/her ship or transferring to another ship,

(b) passing in transit to join his/her ship in another country, or for repatriation, or for any other purpose approved by the authorities of the country concerned,

public authorities shall accept from that seafarer in place of a passport the valid seafarer's identity document, when this document guarantees the readmission of the bearer to the country which issued the document.

3.10.3. **Recommended Practice**. Public authorities should not normally require presentation of individual identity documents or of information supplementing the seafarer's identity document in respect of members of the crew other than that given in the Crew List.

B. Measures to facilitate clearance of passengers, crew and baggage

3.11. **Recommended Practice**. Public authorities should, with the cooperation of shipowners and port authorities and/or port administration, take appropriate measures to the end that satisfactory port traffic flow arrangements may be provided so that passengers, crew and baggage can be cleared rapidly, should provide adequate personnel, and should ensure that adequate installations are provided, particular attention being paid to baggage loading, unloading

and conveyance arrangements (including the use of mechanized systems) and to points where passenger delays are frequently found to occur. Arrangements should be made, when necessary, for passage under shelter between the ship and the point where the passenger and crew check is to be made. Such arrangements and installations should be flexible and capable of expansion to meet increased security measures during higher security levels.

3.11.1. **Recommended Practice**. Public authorities should:

(a) in cooperation with shipowners and port authorities, introduce suitable arrangements, such as:

(i) an individual and continuous method of processing passengers and baggage;

(ii) a system which would permit passengers readily to identify and obtain their checked baggage as soon as it is placed in an area where it may be claimed; and

(iii) ensuring that facilities and services are available to meet the needs of elderly and disabled passengers;

(b) ensure that port authorities take all necessary measures so that:

(i) easy and speedy access for passengers and their baggage, to and from local transport, is provided; and

(ii) if crews are required to report to premises for governmental purposes, those premises should be readily accessible, and as close to one another as practicable.

3.11.2. **Recommended Practice**. Public authorities should consider, as a means of ensuring prompt clearance, the introduction of the dual-channel system for the clearance of passengers, and their baggage and private road vehicles.

3.12. **Standard**. Public authorities shall require that shipowners ensure that ship's personnel take all appropriate measures which will help expedite arrival procedures for passengers and crew. These measures may include:

(a) furnishing public authorities concerned with an advance message giving the best estimated time of arrival, followed by information as to any change in time, and stating the itinerary of the voyage where this may affect inspection requirements;

(b) having ship's documents ready for prompt review;

(c) providing for ladders or other means of boarding to be rigged while the ship is en route to berth or anchorage; and

(d) providing for prompt, orderly assembling and presentation of persons on board, with necessary documents, for inspection, with attention to arrangements for relieving crew members for this purpose from essential duties in engine-rooms and elsewhere.

3.13. **Recommended Practice**. The practice of entering names on passenger and crew documents should be to put the family name or names first. Where both paternal and maternal family names are used, the paternal family name should be placed first. Where for married women both the husband's and wife's paternal family names are used, the husband's paternal family name should be placed first.

3.14. **Standard**. Public authorities shall, without unreasonable delay, accept persons present on board a ship for examination as to their admissibility into the State.

3.15. **Recommended Practice**. Public authorities should not impose unreasonable or disproportionate fines upon shipowners, in the event that any control document in possession of a passenger is found by public authorities to be inadequate, or if, for that reason, the passenger is found to be inadmissible to the State.

3.15.1. **Standard**. Public authorities shall encourage shipowners to take precautions at the point of embarkation with a view to ensuring that passengers are in possession of any control documents prescribed by the receiving or transit States.

3.15.2. **Standard**. When a person is found to be inadmissible and is removed from the territory of the State, the shipowner shall not be precluded from recovering, from such a person, any costs arising from his/her inadmissibility.

3.15.3. **Recommended Practice**. For use at marine terminals and on board ships in order to facilitate and expedite international maritime traffic, public authorities should implement or, where the matter does not come within their jurisdiction, recommend responsible parties in their country to implement standardized international signs and symbols developed or accepted by the Organization in cooperation with other appropriate international organizations and which, to the greatest extent practicable, are common to all modes of transport.

C. Special facilities for marine transport of elderly and disabled passengers

3.16. **Recommended Practice**. Measures should be taken to ensure that all necessary information on transport and safety is readily available for passengers who have impaired hearing or vision.

3.17. **Recommended Practice**. For elderly and disabled passengers being set down or picked up at a terminal building, reserved points should be located as close as possible to main entrances. These should be clearly marked with appropriate signs. Access routes should be free of obstacles.

3.18. **Recommended Practice**. Where access to public services is limited, every effort should be made to provide accessible and reasonably priced public transportation services by adapting current and planned services or by providing special arrangements for passengers who have impaired mobility.

3.19. **Recommended Practice**. Provisions of suitable facilities should be made in terminals and on ships, as appropriate, to allow safe embarkation and disembarkation for elderly and disabled passengers.

D. Facilitation for ships engaged on cruises and for cruise passengers

3.20. **Standard**. Public authorities shall authorize granting of pratique by electronic means to a cruise ship when, on the basis of information received from it prior to its arrival, the health authority for the intended port of arrival is of the opinion that its arrival will not result in the introduction or spread of a quarantinable disease.

3.21. **Recommended Practice**. For cruise ships, the General Declaration, the Passenger List and the Crew List should be required only at the first port of arrival and final port of departure in a country, provided that there has been no change in the circumstances of the voyage.

3.22. **Standard**. For cruise ships, the Ship's Stores Declaration and the Crew's Effects Declaration shall be required only at the first port of arrival in a country.

3.23. **Standard**. Passports or other official documents of identity shall at all times remain in the possession of cruise passengers.

3.24. **Recommended Practice**. If a cruise ship stays at any port within the Contracting Government's territory for less than 72 hours, it should not be necessary for cruise passengers to have visas, except in special circumstances determined by the public authorities concerned.

3.25. **Standard**. Cruise passengers shall not be unduly delayed by the control measures exercised by public authorities.

3.26. **Standard**. In general, except for security purposes and for the purposes of establishing identity and admissibility, cruise passengers shall not be subject to personal examination by public authorities responsible for immigration control.

3.27. **Standard**. If a cruise ship calls consecutively at more than one port in the same country, passengers shall, in general, be examined by public authorities at the first port of arrival and at the final port of departure only.

3.28. **Recommended Practice**. To facilitate their prompt disembarkation, the inward control of passengers on a cruise ship, where practicable, should be carried out on board before arrival at the place of disembarkation.

3.29. **Recommended Practice**. Cruise passengers who disembark at one port and rejoin the same ship at another port in the same country should enjoy the same facilities as passengers who disembark and rejoin a cruise ship at the same port.

3.30. **Recommended Practice**. The Maritime Declaration of Health should be the only health control necessary for cruise passengers.

3.31. **Standard**. Duty-free ship's stores shall be allowed aboard ship for cruise passengers during the ship's stay in port.

3.32. **Standard**. Cruise passengers shall not normally be required to provide a written declaration for their personal effects. However, in the case of articles which involve a high amount of customs duties and other taxes and charges, a written declaration and a security may be required.

3.33. **Recommended Practice**. Cruise passengers should not be subject to any currency control.

3.34. **Standard**. Embarkation/disembarkation cards shall not be necessary for cruise passengers.

3.35. *Not in use.*

E. **Special measures of facilitation for passengers in transit**

3.36. **Standard**. A passenger in transit who remains on board the ship on which he or she arrived and departs with it shall not normally be subjected to routine control by public authorities except in extraordinary circumstances determined by the public authorities concerned.

3.37. **Recommended Practice**. A passenger in transit should be allowed to retain his/her passport or other identity document.

3.38. **Recommended Practice**. A passenger in transit who remains on board the ship on which he or she arrived and departs with it should not be required to complete a disembarkation/ embarkation card.

3.39. **Recommended Practice**. A passenger in transit who is continuing his/her journey from the same port in the same ship should normally be granted temporary permission to go ashore during the ship's stay in port if he/she so wishes subject to the public authorities' admissibility and visa requirements.

3.40. **Recommended Practice**. A passenger in transit who is continuing his/her journey from the same port in the same ship should not be required to have a visa, except in special circumstances determined by the public authorities concerned.

3.41. **Recommended Practice**. A passenger in transit who is continuing his/her journey from the same port in the same ship should not normally be required to give a written Customs Declaration.

3.42. **Recommended Practic**e. A passenger in transit who leaves the ship at one port and embarks in the same ship at a different port in the same country should enjoy the same facilities as a passenger who arrives and departs in the same ship at the same port.

F. Measures of facilitation for ships engaged in scientific services

3.43. **Recommended Practice**. A ship engaged in scientific services carries personnel who are necessarily engaged on the ship for such scientific purposes of the voyage. If so identified, such personnel should be granted facilities at least as favourable as those granted to the crew members of that ship.

G. Further measures of facilitation for foreigners belonging to the crews of ships engaged in international voyages - shore leave

3.44. **Standard**. Crew members shall be allowed ashore by the public authorities while the ship on which they arrive is in port, provided that the formalities on arrival of the ship have

been fulfilled and the public authorities have no reason to refuse permission to come ashore for reasons of public health, public safety or public order. Shore leave shall be allowed in a manner which excludes discrimination such as on the grounds of nationality, race, colour, sex, religion, political opinion, or social origin and irrespective of the flag State of the ship on which they are employed, engaged or work.

3.44*bis*. **Standard**. In any case where permission for shore leave has been refused, the relevant public authorities shall communicate their reasons for shore leave denial to the seafarer concerned and the master. If requested by the seafarer concerned or the master, such reasons shall be provided in writing.

3.45. **Standard**. Crew members shall not be required to hold a visa for the purpose of shore leave.

3.46. **Recommended Practice**. Crew members, before going on or returning from shore leave, should not normally be subjected to personal checks.

3.47. **Standard**. Crew members shall not be required to have a special permit, e.g. a shore leave pass, for the purpose of shore leave.

3.48. **Recommended Practice**. If crew members are required to carry documents of identity with them when they are on shore leave, these documents should be limited to those mentioned in Standard 3.10.

3.49. **Recommended Practice**. Public authorities should provide a system of pre-arrival clearance to allow the crew of ships which call regularly at their ports to obtain advance approval for temporary shore leave. Where a ship has no adverse immigration record and is locally represented by a shipowner or a reputable agent of the shipowner, the public authorities should normally, after satisfactory consideration of such pre-arrival particulars as they may require, permit the ship to proceed directly to its berth and be subject to no further routine immigration formalities, unless otherwise required by the public authorities.

Section 4 - Stowaways

A. General Principles

4.1. **Standard**. The provisions in this section shall be applied in accordance with international protection principles as set out in international instruments, such as the UN Convention relating to the Status of Refugees of 28 July 1951 and the UN Protocol relating to the Status of Refugees of 31 January 1967, and relevant national legislation.

4.2. **Standard**. Public authorities, port authorities, shipowners and masters shall cooperate to the fullest extent possible in order to prevent stowaway incidents and to resolve stowaway cases expeditiously and secure that an early return or repatriation of the stowaway will take place. All appropriate measures shall be taken in order to avoid situations where stowaways must stay on board ships for an unreasonable amount of time.

B. Preventive measures

4.3. Ship/Port preventive measures

4.3.1. Port/terminal authorities

4.3.1.1. **Standard**. Contracting Governments shall ensure that the necessary infrastructure, and operational and security arrangements for the purpose of preventing persons attempting to stowaway on board ships from gaining access to port installations and to ships, are established in all their ports, taking into consideration when developing these arrangements the size of the port, and what type of cargo is shipped from the port. This should be done in close cooperation with relevant public authorities, shipowners and shoreside entities, with the aim of preventing stowaway occurrences in the individual port.

4.3.1.2. **Recommended Practice**. Operational arrangements and/or port facility security plans should at least be equivalent to those contained in the relevant text of section B/16 of the ISPS Code.

4.3.2. Shipowner/Master

4.3.2.1. **Standard**. Contracting Governments shall require that shipowners and masters, as well as other responsible persons have security arrangements in place which, as far as practicable, will prevent intending stowaways from getting aboard the ship, and, if this fails, as far as practicable, will detect them before the ship leaves port.

4.3.2.2. **Recommended Practice**. When calling at ports and during stay in ports, where there is risk of stowaway embarkation, operational arrangements and/or ship security plans should at least be equivalent to those contained in the relevant text of paragraph B/9 of the ISPS Code.

4.3.2.3. **Standard**. Contracting Governments shall require that ships entitled to fly their flag, except passenger ships, when departing from a port, where there is risk of stowaway embarkation, have undergone a thorough search in accordance with a specific plan or schedule, and with priorities given to places where stowaways might hide taking into account the specific ship type and its operations. Search methods which are likely to harm secreted stowaways shall not be used.

4.3.2.4. **Standard**. Contracting Governments shall require that fumigation or sealing of ships entitled to fly their flag may not be carried out until a search which is as thorough as practicable of the areas to be fumigated or sealed has taken place in order to ensure that no stowaways are present in those areas.

4.3.3. National Sanctions

4.3.3.1. **Standard**. Where appropriate, Contracting Governments shall incorporate into their national legislation legal grounds to allow prosecution of stowaways, attempted stowaways and any individual or company aiding a stowaway or an attempted stowaway with the intention to facilitate access to the port area, any ship, cargo or freight containers.

C. Treatment of the stowaway while on board

4.4. General principles – Humane treatment

4.4.1. **Standard**. Stowaways shall not be permitted to work on board the ship, except in emergency situations or in relation to the stowaway's accommodation and provisioning on board.

4.4.2. **Standard**. Contracting Governments shall require that masters operating ships entitled to fly their flag take appropriate measures to ensure the security, general health, welfare and safety of the stowaway while he/she is on board, including providing him/her with adequate provisioning, accommodation, proper medical attention and sanitary facilities.

4.5. Work on board

4.5.1. **Standard**. Stowaways shall not be permitted to work on board the ship, except in emergency situations or in relation to the stowaway's accommodation and provisioning on board.

4.6. Questioning and notification by the master

4.6.1. **Standard**. Contracting Governments shall require masters to take practicable steps to establish the identity, including nationality/citizenship of the stowaway and the port of embarkation of the stowaway, and to notify the existence of the stowaway along with relevant details to the public authorities of the first planned port of call. This information shall also be provided to the shipowner, public authorities at the port of embarkation, the flag State and, if necessary, subsequent ports of call.

4.6.2. **Recommended Practic**e. When gathering relevant details for notification, masters should use the form as specified in appendix 3.

4.6.3. **Standard**. Contracting Governments shall instruct masters operating ships entitled to fly their flag that when a stowaway declares himself/herself to be a refugee, this information shall be treated as confidential to the extent necessary for the security of the stowaway.

4.7. Notification to the International Maritime Organization

4.7.1. **Standard**. Public authorities shall report all stowaway incidents of which they become aware to the Secretary-General of the International Maritime Organization.

D. Deviation from the planned route

4.8. **Standard**. Public authorities shall urge all shipowners operating ships entitled to fly their flag to instruct their masters not to deviate from the planned voyage to seek the disembarkation of stowaways discovered on board the ship after it has left the territorial waters of the country where the stowaways embarked, unless:

permission to disembark the stowaway has been granted by the public authorities of the State to whose port the ship deviates; or

repatriation has been arranged elsewhere with sufficient documentation and permission for disembarkation; or

there are extenuating safety, security, health or compassionate reasons; or

attempts to disembark in other ports on the planned voyage have failed and deviation is necessary in order to avoid that the stowaway remain on board for a significant period of time.

E. Disembarkation and return of a stowaway

4.9. The State of the first port of call according to the voyage plan

4.9.1. **Standard**. Public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall decide in accordance with national legislation whether the stowaway is admissible to that State and shall do their utmost to cooperate with the parties involved in resolving the issue.

4.9.2. **Standard**. Public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall allow disembarkation of the stowaway, when the stowaway is in possession of valid travel documents for return, and the public authorities are satisfied that timely arrangements have been or will be made for repatriation and all the requisites for transit fulfilled.

4.9.3. **Standard**. Public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall allow disembarkation of the stowaway when the public authorities are satisfied that they or the shipowner will obtain valid travel documents, make timely arrangements for repatriation of the stowaway, and fulfil all the requisites for transit. Public authorities shall, further, favourably consider allowing disembarkation of the stowaway, when it is impracticable for the stowaway to remain on the ship or other factors exist which would preclude the stowaway remaining on the ship. Such factors may include, but are not limited to, when:

a case is unresolved at the time of sailing of the ship; or

the presence on board of the stowaway would endanger the safe operation of the ship, the health of the crew or the stowaway.

4.10. **Subsequent ports of call**

4.9.1. Standard. When disembarkation of a stowaway has failed in the first scheduled port of call after discovery of the stowaway, public authorities of subsequent ports of call shall examine the stowaway as for disembarkation in accordance with Standards 4.9.1, 4.9.2 and 4.9.3.

4.11. **State of Nationality or Right of Residence**

4.11.1. **Standard**. Public authorities shall in accordance with international law accept the return of stowaways with full nationality/citizenship status or accept the return of stowaways who in accordance with their national legislation have a right of residence in their State.

4.11.2. **Standard**. Public authorities shall, when possible, assist in determining the identity and nationality/citizenship of stowaways claiming to be a national or having a right of residence in their State. Where possible, the local embassy, consulate or other diplomatic representation of the country of the stowaway's nationality will be required to assist in verifying the stowaway's nationality and providing emergency travel documentation.

4.12. **State of Embarkation**

4.12.1. **Standard**. When it has been established to their satisfaction that stowaways have embarked a ship in a port in their State, public authorities shall accept for examination such stowaways being returned from their point of disembarkation after having been found inadmissible there. The public authorities of the State of embarkation shall not return such stowaways to the country where they were earlier found to be inadmissible.

4.12.2. **Standard**. When it has been established to their satisfaction that attempted stowaways have embarked a ship in a port in their State, public authorities shall accept disembarkation of attempted stowaways, and of stowaways found on board the ship while it is still in their territorial waters or if applicable according to the national legislation of that State in the area of immigration jurisdiction of that State. No penalty or charge in respect of detention or removal costs shall be imposed on the shipowner.

4.12.3. **Standard**. When an attempted stowaway has not been disembarked at the port of embarkation, he/she is to be treated as a stowaway in accordance with the regulation of this section.

4.13. **The flag State**

4.13.1. **Standard**. The public authorities of the flag State of the ship shall assist and cooperate with the master/shipowner or the appropriate public authority at ports of call in:

identifying the stowaway and determining his/her nationality;

making representations to the relevant public authority to assist in the removal of the stowaway from the ship at the first available opportunity; and

making arrangements for the removal or repatriation of the stowaway.

4.14. **Return of stowaways**

4.14.1. **Recommended Practice**. When a stowaway has inadequate documents, public authorities should, whenever practicable and to an extent compatible with national legislation and security requirements, issue a covering letter with a photograph of the stowaway and any other important information or, alternatively, a suitable travel document accepted by the public authorities involved. The covering letter, authorizing the return of the stowaway either to his/her country of origin or to the point where the stowaway commenced his/her journey, as appropriate, by any means of transportation and specifying any other conditions imposed by the authorities, should be handed over to the operator affecting the removal of the stowaway. This letter will include information required by the authorities at transit points and/or the point of disembarkation.

4.14.2. **Recommended Practice**. Public authorities in the State where the stowaway has disembarked should contact the relevant public authorities at transit points during the return of a stowaway, in order to inform them of the status of the stowaway. In addition public authorities in countries of transit during the return of any stowaway should allow, subject to normal visa requirements and national security concerns, the transit through their ports and airports of

stowaways travelling under the removal instructions or directions of public authorities of the country of the port of disembarkation.

4.14.3. **Recommended Practice**. When a port State has refused disembarkation of a stowaway, that State should, without undue delay, notify the flag State of the ship carrying the stowaway of the reasons for refusing disembarkation.

4.15. Cost of return and maintenance of stowaways

4.15.1. **Recommended Practice**. The public authorities of the State where a stowaway has been disembarked should generally inform the shipowner on whose ship the stowaway was found, as far as practicable, of the level of cost of detention and return and any additional costs for the documentation of the stowaway, if the shipowner is to cover these costs. In addition, public authorities should cooperate with the shipowner to keep such costs to a minimum as far as practicable and according to national legislation, if they are to be covered by the shipowner.

4.15.2. **Recommended Practice**. The period during which shipowners are held liable to defray costs of maintenance of a stowaway by public authorities in the State where the stowaway has been disembarked should be kept to a minimum.

4.15.3. **Standard**. Public authorities shall, according to national legislation, consider mitigation of penalties against ships where the master of the ship has properly declared the existence of a stowaway to the appropriate authorities in the port of arrival, and has shown that all reasonable preventive measures had been taken to prevent stowaways gaining access to the ship.

4.15.4. **Recommended Practice**. Public authorities should, according to national legislation, consider mitigation of other charges that might otherwise be applicable, when shipowners have cooperated with the control authorities to the satisfaction of those authorities in measures designed to prevent the transportation of stowaways.

Section 5 - Arrival, stay and departure of cargo and other articles

This section contains the provisions concerning the formalities required by public authorities from the shipowner, his/her agent or the master of the ship.

A. General

5.1. **Recommended Practice**. Public authorities should, with the cooperation of shipowners, port authorities and port facilities and terminals, take appropriate measures to ensure

that port time may be kept to a minimum, should provide satisfactory port traffic flow arrangements, and should frequently review all procedures in connection with the arrival and departure of ships, including arrangements for embarkation and disembarkation, loading and unloading, servicing and the like and the security measures associated therewith. They should also make arrangements whereby cargo ships and their loads can be entered and cleared, in so far as may be practicable, at the ship working area.

5.2. **Recommended Practice**. Public authorities should, with the cooperation of shipowners, port authorities and port facilities and terminals, take appropriate measures to ensure that satisfactory port traffic flow arrangements are provided so that handling and clearance procedures for cargo will be smooth and uncomplicated. These arrangements should cover all phases from the time the ship arrives at the dock for unloading and public authority clearance, and also free zones, storage facilities, warehousing and onward movement of cargo if required. There should be convenient and direct access between the free zone, storage facilities and cargo warehouse and the public authority clearance area, which should be located close to the dock area with, whenever possible, easy access and transfer capabilities and infrastructure.

5.3. **Recommended Practice**. Public authorities should encourage owners and/or operators of marine cargo terminals to equip them with storage facilities for special cargo (e.g. valuable goods, perishable shipments, human remains, radioactive and other dangerous goods, as well as live animals), as appropriate; those areas of marine cargo terminals in which general and special cargo and postal items are stored prior to shipment by sea or importation should implement access control measures at least equivalent to those contained in the relevant text of paragraph B/16 of the ISPS Code.

5.3*bis*. **Recommended Practic**e. Public authorities should require only a minimum of data necessary for the identification of the cargo that is to be placed in storage prior to release or re-export or importation, and should, whenever available, use the information contained in the pre-arrival declaration for this purpose.

5.4. **Standard**. A Contracting Government which continues to require export, import and transhipment licences or permits for certain types of goods shall establish simple procedures whereby such licences or permits can be obtained and renewed rapidly.

5.5. **Recommended Practice**. When the nature of a consignment could attract the attention of different agencies authorized to carry out inspections, such as customs and veterinary or sanitary controllers, Contracting Governments should authorize either customs or one of the other agencies to carry out the required procedures or, where that is not feasible, take all necessary steps to ensure that such inspections are carried out simultaneously at one place and with a

minimum of delay and whenever possible carried out upon prior coordination with the party having custody of the consignment.

5.6. **Recommended Practice**. Public authorities should provide simplified procedures for the prompt clearance of private gift packages and trade samples not exceeding a certain value or quantity which should be set at as high a level as possible.

B. Clearance of cargo

5.7. **Standard**. Public authorities shall, subject to compliance with any national prohibitions or restrictions and any measures required for port security or the prevention of trafficking of narcotics, grant priority clearance to live animals, perishable goods and other consignments of an urgent nature.

5.7.1. **Recommended Practice**. In order to protect the quality of goods awaiting clearance, public authorities should, in collaboration with all the concerned parties, take all measures to permit practical, safe and reliable storage of goods at the port.

5.8. **Recommended Practice**. Contracting Governments should facilitate the temporary admission of specialized cargo-handling equipment arriving by ships and used on shore at ports of call for loading, unloading and handling cargo.

5.9. *Not in use.*

5.10. **Recommended Practice**. Public authorities should provide procedures for the clearance of cargo based on the relevant provisions of and associated guidelines to the *International Convention on the simplification and harmonization of Customs procedures* – the revised Kyoto Convention.

5.10.1. **Recommended Practice**. Public authorities should introduce simplified procedures for authorized persons allowing:

(a) release of the goods on the provision of the minimum information necessary to identify the goods, to accurately identify and assess risk as it relates to concerns such as health, safety and security, and permit the subsequent completion of the final goods declaration;

(b) clearance of the goods at the declarants premises or another place authorized by the relevant public authority; and

(c) submission of a single goods declaration for all imports or exports in a given period where goods are imported or exported frequently by the same person.

5.11. **Standard**. Public authorities shall limit physical interventions to the minimum necessary to ensure compliance with applicable law.

5.12. **Recommended Practice**. Public authorities should, on the basis of a valid request, conduct physical examinations of cargo, where necessary, at the point where it is loaded into its means of transport and while loading is in progress, either at the dockside or, in the case of unitized cargo, at the place where the freight container is packed and sealed.

5.13. **Standard**. Public authorities shall ensure that requirements for collection of statistics do not significantly reduce the efficiency of maritime trade.

5.14. **Recommended Practice**. Public authorities should use systems for the electronic exchange of information for the purposes of obtaining information in order to accelerate and simplify storage, clearance and re-export processes.

5.14.1. **Recommended Practice**. Public authorities should quickly terminate the transit procedure covering goods from another State awaiting loading.

C. Freight containers and pallets

5.15. **Standard**. Public authorities shall, in conformity with their respective regulations, permit the temporary admission of freight containers, pallets and freight container equipment and accessories that are affixed to the container or are being transported separately without payment of customs duties and other taxes and charges and shall facilitate their use in maritime traffic.

5.16. **Recommended Practice**. Public authorities should provide in their regulations, referred to in Standard 5.15, for the acceptance of a simple declaration to the effect that temporarily imported freight containers, pallets and freight container equipment and accessories will be re-exported within the time limit set by the State concerned. Such declaration may take the form of an oral declaration or any other act acceptable to the authorities.

5.17. **Standard**. Public authorities shall permit freight containers, pallets and freight container equipment and accessories entering the territory of a State under the provisions of Standard 5.15 to depart the limits of the port of arrival for clearance of imported cargo and/or loading of export cargo under simplified control procedures and with a minimum of documentation.

5.18. **Standard**. Contracting Governments shall permit the temporary admission of component parts of freight containers without payment of customs duties and other taxes and charges when these parts are needed for the repair of freight containers already admitted under the terms of Standard 5.15.

D. Cargo not discharged at the port of intended destination

5.19. **Standard**. Where any cargo listed on the Cargo Declaration is not discharged at the port of intended destination, public authorities shall permit amendment of the Cargo Declaration and shall not impose penalties if satisfied that the cargo was not in fact loaded on the ship, or, if loaded, was landed at another port.

5.20. **Standard**. When, by error or for another valid reason, any cargo is discharged at a port other than the port of intended destination, public authorities shall facilitate reloading or onward movement to its intended destination. This provision does not apply to prohibited or restricted cargo.

E. Limitation of shipowner's responsibilities

5.21. **Standard**. Public authorities shall not require a shipowner to place special information for use of such authorities on a transport document or a copy thereof, unless the shipowner is, or is acting for, the importer or exporter.

5.22. **Standard**. Public authorities shall not hold the shipowner responsible for the presentation or accuracy of documents which are required of the importer or exporter in connection with the clearance of cargo, unless the shipowner is, or is acting for, the importer or exporter.

5.23. **Standard**. The shipowner shall be obliged to provide the information regarding the entry or exit of goods known to the shipowner at the time of lodging such data and as set out in the transport document that evidences the bill of lading. Thus, the shipowner can base the lodgement on data provided by the shipper customer, unless the shipowner has reason to believe that the data provided is untrue.

5.24. **Recommended Practice**. Public authorities should implement regulations pursuant to which the person who initiates and contractually agrees with a party (e.g. a consolidator, a freight forwarder or a shipowner) for the carriage of a maritime cargo shipment to the territory of another State must provide complete and accurate cargo shipment information to that party.

Section 6 - Public health and quarantine, including sanitary measures for animals and plants

6.1. **Standard**. Public authorities of a State not Party to the International Health Regulations shall endeavour to apply the relevant provisions for these Regulations to international shipping.

6.2. **Recommended Practice**. Contracting Governments having certain interests in common owing to their health, geographical, social or economic conditions should conclude special arrangements pursuant to article 85 of the International Health Regulations when such arrangements will facilitate the application of those Regulations.

6.3. **Recommended Practice**. Where Sanitary Certificates or similar documents are required in respect of shipments of certain animals, plants or products thereof, such certificates and documents should be simple and widely publicized and Contracting Governments should cooperate with a view to standardizing such requirements.

6.4. **Recommended Practice**. Public authorities should authorize granting of pratique by electronic means to a ship when, on the basis of information received from it prior to its arrival, the health authority for the intended port of arrival is of the opinion that its arrival will not result in the introduction or spread of a quarantinable disease. Health authorities should as far as practicable be allowed to join a ship prior to entry of the ship into port.

6.4.1. **Standard**. Public authorities shall seek the cooperation of shipowners to ensure compliance with any requirement that illness on a ship is to be reported promptly by electronic means to health authorities for the port for which the ship is destined, in order to facilitate provision for the presence of any special medical personnel and equipment necessary for health procedures on arrival.

6.5. **Standard**. Public authorities shall make arrangements to enable all travel agencies and others concerned to make available to passengers, sufficiently in advance of departure, lists of the vaccinations required by the public authorities of the countries concerned, as well as vaccination certificate forms conforming to the International Health Regulations. Public authorities shall take all possible measures to have vaccinators use the International Certificates of Vaccination or Re-Vaccination in order to assure uniform acceptance.

6.6. **Recommended Practice**. Public authorities should provide facilities for the completion of International Certificates of Vaccination or Re-Vaccination as well as facilities for vaccination at as many ports as feasible.

6.7. **Standard**. Public authorities shall ensure that sanitary measures and health formalities are initiated forthwith, completed without delay, and applied without discrimination.

6.8. **Recommended Practice**. To ensure, *interalia*, efficient maritime traffic, public authorities should maintain at as many ports as feasible adequate facilities for the administration of public health, animal and agricultural quarantine measures.

6.9. **Standard**. There shall be maintained readily available at as many ports in a State as feasible such medical facilities as may be reasonable and practicable for the emergency treatment of crews and passengers.

6.10. **Standard**. Except in the case of an emergency constituting a grave danger to public health, a ship which is not infected or suspected of being infected with a quarantinable disease shall not, on account of any other epidemic disease, be prevented by the health authorities for a port from discharging or loading cargo or stores or taking on fuel or water.

6.11. **Recommended Practice**. Shipments of animals, animal raw materials, crude animal products, animal foodstuffs and quarantinable plant products should be permitted in specified circumstances and when the certification requirements have been met at the time of discharge.

Section 7- Miscellaneous provisions

A. Bonds and other forms of security

7.1. **Recommended Practice**. Where public authorities require bonds or other forms of security from shipowners to cover liabilities under the customs, immigration, public health, agricultural quarantine or similar laws and regulations of a State, they should permit the use of a single comprehensive bond or other form of security wherever possible.

B. Services at ports

7.2. **Recommended Practice**. The normal services of public authorities at a port should be provided without charge during normal working hours. Public authorities should establish normal working hours for their services at ports consistent with the usual periods of substantial workload.

7.3. **Standard**. Contracting Governments shall adopt all practicable measures to organize the normal services of public authorities at ports in order to avoid unnecessary delay of ships after their arrival or when ready to depart and reduce the time for completion of formalities

to a minimum, provided that sufficient notice of estimated time of arrival or departure shall be given to the public authorities.

7.4. **Standard**. No charge shall be made by a health authority for any medical examination, or any supplementary examination, whether bacteriological or otherwise, carried out at any time of the day or night, if such examination is required to ascertain the health of the person examined, nor for visit to and inspection of a ship for quarantine purposes except inspection of a ship for the issue of a Ship Sanitation Control Certificate or Ship Sanitation Control Exemption Certificate, nor shall a charge be made for any vaccination of a person arriving by ship nor for a certificate thereof. However, where measures other than these are necessary in respect of a ship or its passengers or crew and charges are made for them by a health authority, such charges shall be made in accordance with a single tariff which shall be uniform to the territory concerned and they shall be levied without distinction as to the nationality, domicile or residence of any person concerned or as to the nationality, flag, registry or ownership of the ship.

7.5. **Recommended Practice**. When the services of public authorities are provided outside the regular working hours referred to in Recommended Practice 7.2, they should be provided on terms which shall be moderate and not exceed the actual cost of the services rendered.

7.6. **Standard**. Where the volume of traffic at a port warrants, public authorities shall ensure that services are provided for the accomplishment of the formalities in respect of cargo and baggage, regardless of value or type.

7.7. **Recommended Practice**. Contracting Governments should endeavour to make arrangements whereby one Government will permit another Government certain facilities before or during the voyage to examine ships, passengers, crew, baggage, cargo and documentation for customs, immigration, public health, plant and animal quarantine purposes when such action will facilitate clearance upon arrival in the latter State.

C. **Emergency assistance**

7.8. **Standard**. Public authorities shall facilitate the arrival and departure of ships engaged in

disaster relief work;

the rescue of persons in distress at sea in order to provide a place of safety for such persons;

the combating or prevention of marine pollution; or

other emergency operations designated to enhance maritime safety, the safety of life at sea, the safety of the population or the protection of the marine environment.

7.9. **Standard**. Public authorities shall, to the greatest extent possible, facilitate the entry and clearance of persons, cargo, material and equipment required to deal with situations described in Standard 7.8.

7.10. **Standard**. Public authorities shall grant prompt customs clearance of specialized equipment needed to implement security measures.

D. National facilitation committees

7.11. **Recommended Practice**. Each Contracting Government should consider establishing, in close cooperation with the maritime industry, a national maritime transport facilitation programme based on the facilitation requirements of this annex and ensure that the objective of its facilitation programme should be to adopt all practical measures to facilitate the movement of ships, cargo, crews, passengers, mail and stores, by removing unnecessary obstacles and delays.

7.12. **Recommended Practice**. Each Contracting Government should establish a national maritime transport facilitation Committee or a similar national coordinating body, for the encouragement of the adoption and implementation of facilitation measures, between governmental departments, agencies and other organizations concerned with, or responsible for, various aspects of international maritime traffic, as well as port authorities, port facilities and terminals and shipowners.

THIRD SCHEDULE

(Section 12(1)(b))

Pre-arrival Documents

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

PART A

(Section 12(1)(b)(i))

FORM 1

Advanced Notification Form for Waste Delivery to Port Reception Facilities

Notification of the Delivery of Waste to: _____
(Name of port or terminal)

The master of a ship should forward the information below to the designated authority at least 1 hour in advance of arrival or on departure of the previous port if the voyage is less than 24 hours from within the domestic space and 24 hours from outside the domestic space.
This form shall be retained on board the vessel along with the appropriate Oil RB, Cargo RB or Garbage RB.

DELIVERY FROM SHIPS (ANF)

1. SHIP PARTICULARS

1.1 Name of ship:	
1.2 IMO number:	
1.3 Gross tonnage:	
1.4 Type of ship:	☐ Oil tanker ☐ Chemical tanker ☐ Bulk carrier ☐ Container ☐ Other cargo ship ☐ Passenger ship ☐ Ro-ro ☐ Other (specify)
1.5 Owner or master:	
1.6 Distinctive number or letters:	
1.7 Flag State:	

Third Schedule - (Cont'd)

2. PORT AND VOYAGE PARTICULARS

2.1 Location/Terminal name and POC:	
2.2 Arrival Date and Time:	
2.3 Departure Date and Time:	
2.4 Last Port and Country:	
2.5 Next Port and Country (if known):	
2.6 Last Port where waste was delivered:	
2.7 Date of Last Delivery:	
2.8 Next Port of Delivery (if known):	
2.9 Person submitting this form is (if other than the master):	

3. TYPE AND AMOUNT OF WASTE FOR DISCHARGE TO FACILITY

MARPOL Annex I - Oil	**Quantity (m^3)**
Oily bilge water	
Oily residues (sludge)	
Oily tank washings	
Dirty ballast water	
Scale and sludge from tank cleaning	
Other (please specify)	
MARPOL Annex II - NLS	**Quantity (m^3)/Name[1]**
Category X substance	
Category Y substance	
Category Z substance	
OS - other substances	

[1] Indicate the proper shipping name of the NLS involved.

Third Schedule - (Cont'd)

MARPOL Annex IV - Sewage	**Quantity (m^3)**
MARPOL Annex V - Garbage	**Quantity (m^3)**
A. Plastics	
B. Food wastes	
C. Domestic waste (e.g. paper products, rags, glass, metal, bottles, crockery, etc.)	
D. Cooking oil	
E. Incinerator ashes	
F. Operational wastes	
G. Cargo residues[2]	
H. Animal carcass(es)	
I. Fishing gear	
MARPOL Annex VI - Air pollution	**Quantity (m^3)**
Ozone-depleting substances and equipment containing such substances	
Exhaust gas-cleaning residues	

[2] Indicate the proper shipping name of the dry cargo.

Third Schedule - (Cont'd)

Name of ship:	IMO number:

Please state below the approximate amount of waste and residues remaining on board and the percentage of maximum storage capacity. If delivering all waste on board at this port please strike through this table and tick the box below. If delivering some or no waste, please complete all columns.

I confirm that I am delivering all the waste held on board this vessel (as shown on page 1) at this port ☐

Type	Maximum dedicated storage capacity (m^3)	Amount of waste retained on board (m^3)	Port at which remaining waste will be delivered (if known)	Estimate amount of waste to be generated between notification and next port of call (m^3)
MARPOL Annex I - Oil				
Oily bilge water				
Oily residues (sludge)				
Oily tank washings				
Dirty ballast water				
Scale and sludge from tank cleaning				
Other (please specify)				
MARPOL Annex II - NLS[3]				
Category X substance				
Category Y substance				
Category Z substance				
OS - other substances				

[3] Indicate the proper shipping name of the NLS involved.

Third Schedule - (Cont'd)

Type	Maximum dedicated storage capacity (m^3)	Amount of waste retained on board (m^3)	Port at which remaining waste will be delivered (if known)	Estimate amount of waste to be generated between notification and next port of call (m^3)
MARPOL Annex IV - Sewage				
Sewage				
MARPOL Annex V - Garbage				
A. Plastics				
B. Food wastes				
C. Domestic waste (e.g. paper products, rags, glass, metal, bottles, crockery, etc.				
D. Cooking oil				
E. Incinerator ashes				
F. Operational wastes				
G. Cargo residues[4]				
H. Animal carcass(es)				
I. Fishing gear				

Name and Position *Signature*

Date *Time*

[4] Indicate the proper shipping name of the dry cargo.

Third Schedule - (Cont'd)

(Sections 12(1)(b)(ii) and 23(b)(i))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM 2

List of Ports of Calls

☐ Arrival ☐ Departure

Name of Ship			Port of Arrival/Departure	Date of Arrival/Departure
Nationality of Vessel			Next Port	
No.	Name of Port	Country	Date of Arrival	Date of Departure
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Name of Master

Signature by Master, Authorized Agent or Officer

Ship's Stamp

Date

Third Schedule - (Cont'd)

(Sections 12(1)(b)(iii), 15(2)(c), 18(2)(a), 23, 23(b)(ii) and 42(2)(a)(i))

Facilitation of International Maritime Traffic Act, 2024

(Act 2024-2)

FORM 3

Maritime Declaration of Health

To be completed and submitted to the competent authorities by the masters of ships arriving from foreign ports.

Submitted at the port of:_____

Date:_____

Name of ship or inland navigation vessel:_____

Registration/IMO No.:_____

Arriving from:_____

Sailing to:_____

(Nationality)/(Flag of vessel):_____

Master's name:_____

Gross tonnage (ship):_____

Tonnage (inland navigation vessel):_____

Valid Sanitation Control Exemption/Control Certificate carried on board? ☐ Yes ☐ No

Issued at:_____

Date:_____

Third Schedule - (Cont'd)

Re-inspection required? ☐ Yes ☐ No

Has ship/vessel visited an affected area identified by the World Health Organization? ☐ Yes ☐ No

Port and date of visit:_____

List ports of call from commencement of voyage with dates of departure, or within past thirty days, whichever is shorter:_____

On the request of the competent authority at the port of arrival, list crew members, passengers or other persons who have joined ship/vessel since international voyage began or within past thirty days, whichever is shorter, including all ports/countries visited in this period (add additional names to the attached schedule):

(1) Name:_____

joined from: (1)_____

(2)_____

(3)_____

(2) Name:_____

joined from: (1)_____

(2)_____

(3)_____

(3) Name:_____

joined from: (1)_____

(2)_____

(3)_____

Number of crew members on board:_____ Number of passengers on board:_____

Third Schedule - (Cont'd)

Health questions

(1) Has any person died on board during the voyage otherwise than as a result of accident? ☐ Yes ☐ No

If yes, state particulars in attached schedule. Total no. of deaths_____

(2) Is there on board or has there been during the international voyage any case of disease which you suspect to be of an infectious nature? ☐ Yes ☐ No

If yes, state particulars in attached schedule.

(3) Has the total number of ill passengers during the voyage been greater than normal/ expected? ☐ Yes ☐ No

How many ill persons?_____

(4) Is there any ill person on board now? ☐ Yes ☐ No

If yes, state particulars in attached schedule.

(5) Was a medical practitioner consulted? ☐ Yes ☐ No

If yes, state particulars of medical treatment or advice provided in attached schedule.

(6) Are you aware of any condition on board which may lead to infection or spread of disease? ☐ Yes ☐ No

If yes, state particulars in attached schedule.

(7) Has any sanitary measure (e.g. quarantine, isolation, disinfection or decontamination) been applied on board? ☐ Yes ☐ No

If yes, specify type, place and date:_____

_____

_____

Third Schedule - (Cont'd)

(8) Have any stowaways been found on board? ☐ Yes ☐ No

If yes, where did they join the ship? (if known) _____

_____

(9) Is there a sick animal or pet on board? ☐ Yes ☐ No

Note: In the absence of a surgeon, the master should regard the following symptoms as grounds for suspecting the existence of a disease of an infectious nature:

(a) fever, persisting for several days or accompanied by:

(i) prostration;

(ii) decreased consciousness;

(iii) glandular swelling;

(iv) jaundice;

(v) cough or shortness of breath;

(vi) unusual bleeding; or

(vii) paralysis.

(b) with or without fever:

(i) any acute skin rash or eruption;

(ii) severe vomiting (other than sea sickness);

(iii) severe diarrhoea; or

(iv) recurrent convulsions.

I hereby declare that the particulars and answers to the questions given in this Declaration of Health (including the schedule) are true and correct to the best of my knowledge and belief.

_____ *Signature of Master*

_____ *Countersignature Ship's Surgeon (if carried)*

_____ *Date*

Third Schedule - (Con'd)

ATTACHMENT TO MARITIME DECLARATION OF HEALTH

Name	Class or rating	Age	Sex	Nationality	Port, date joined ship/vessel	Nature of illness	Date of onset of symptoms	Reported to a port medical officer?	Disposal of case[1]	Drugs, medicines, or other treatment given to patient	Comments

[1] State: (1) whether the person recovered, is still ill or died; and
(2) whether the person is still on board, was evacuated (including the name of the port or airport), or was buried at sea.

Third Schedule - (Cont'd)

(Sections 12(1)(b)(iv), 15(2)(d), and 42(2)(a)(ii))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM 4

International Certificate of Vaccination or Prophylaxis

This is to certify that _____ (*name*), _____ (*sex*), born on _____ (*date of birth*), national of _____ (*nationality*), as evidenced by national identification document no., _____ whose signature follows _____ (*signature*) has on the date indicated been vaccinated or received prophylaxis against:

_____ (*name of disease or condition*) in accordance with the International Health Regulations.

Third Schedule - (Cont'd)

Vaccine or prophylaxis	Date	Signature and professional status of supervising clinician	Manufacturer and Batch No. of vaccine or prophylaxis	Certificate valid from _____ (DD/MM/YYYY) until _____ (DD/MM/YYYY)	Official stamp of administering centre
1.					
2.					
3.					
4.					

This certificate is valid only if the vaccine or prophylaxis used has been approved by the World Health Organization.

This certificate must be signed in the hand of the clinician, who shall be a medical practitioner or other authorized health worker, supervising the administration of the vaccine or prophylaxis. The certificate must also bear the official stamp of the administering centre; however, this shall not be an accepted substitute for the signature.

Any amendment of this certificate, or erasure, or failure to complete any part of it, may render it invalid.

The validity of this certificate shall extend until the date indicated for the particular vaccination or prophylaxis. The certificate shall be fully completed in English or in French. The certificate may also be completed in another language on the same document, in addition to either English or French.

Third Schedule - (Cont'd)

(Section 12(1)(b)(v))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM 5

Yellow Fever Vaccination List

	Family Name	Given Name	Rank	Nationality	Date of Birth	Yellow Fever Vaccination Date	Expiry
1							
2							
3							
4							
5							
6							
7							
8							

Name of Master

Ship's Stamp

Third Schedule - (Cont'd)

(Sections 12(1)(b)(vi) and 18(2)(b))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM 6

Standard Data Set of Security-Related Information

1 ***Particulars of the ship and contact details***

1.1 IMO Number[1, 2]:_____

1.2 Name of ship[1, 2]:_____

_____

1.3 Port of registry[1, 2]:_____

_____

1.4 Flag State[1, 2]:_____

1.5 Type of ship[1]:_____

1.6 Call Sign:_____

1.7 Inmarsat call numbers[3]:_____

1.8 Gross Tonnage[1]:_____

1.9 Name of Company[1, 2]:_____

_____

Third Schedule - (Cont'd)

1.10 IMO Company identification number[2]: _____

1.11 Name and 24-hour contact details of the Company Security Officer[4]: _____

_____

2. *Port and port facility information*

2.1 Port of arrival and port facility where the ship is to berth, if known: _____

_____

2.2 Expected date and time of arrival of the ship in port *(paragraph B/4.39.3 of the ISPS Code):*

_____

2.3 Primary purpose of call: _____

_____

3. *Information required by SOLAS regulation XI-2/9.2.1*

3.1 The ship is provided *(SOLAS regulation 9.2.1.1)* with a valid:

- International Ship Security Certificate ☐ Yes ☐ No
- Interim International Ship Security Certificate ☐ Yes ☐ No

3.1.1 The certificate indicated in 3.1 has been issued by _____ *(Name of the Contracting Government[1, 2] or the Recognized Security Organization[1, 2])* and which expires on _____ *(Date of expiry[1])*.

3.1.2 If the ship is not provided with a valid International Ship Security Certificate or a valid Interim International Ship Security Certificate, explain why.

_____

_____

3.1.2.1 Does the ship have an approved ship security plan on board? ☐ Yes ☐ No

Third Schedule - (Cont'd)

3.2 Current security level *(SOLAS regulation XI-2/9.2.1.2)*: ☐

3.2.1 Location of the ship at the time the report is made *(paragraph B/4.39.2 of the ISPS Code)*:

3.3 List the last ten calls, in chronological order with the most recent call first, at port facilities at which the ship conducted ship/port interface[5] together with the security level at which the ship operated *(SOLAS regulation XI-2/9.2.1.3)*:

No.	Date		Port, Country, Port Facility and UNLOCODE[3]	Security level
	From[6]	To[6]		

3.3.1 Did the ship, during the period specified in 3.3, take any special or additional security measures, beyond those specified in the approved ship security plan?

☐ Yes ☐ No

Third Schedule - (Cont'd)

3.3.2 If the answer to 3.3.1 is YES, for each of such occasions please indicate the special or additional security measures which were taken by the ship *(SOLAS regulation XI-2/9.2.1.4)*:

No.	Date		Port, Country, Port Facility and UNLOCODE[3]	Special or additional security measures
	From[6]	To[6]		

Third Schedule - (Cont'd)

3.4 List the ship-to-ship activities[7], in chronological order with the most recent ship-to-ship activity first, which have been carried out during the period specified in 3.3:

☐ Not applicable

No.	Date		Location or Latitude and Longitude	Ship-to-ship activity
	From[6]	To[6]		

3.4.1 Have the ship security procedures, specified in the approved ship security plan, been maintained during each of the ship-to-ship activities specified in 3.4 *(SOLAS regulation XI-2/9.2.1.5)*? ☐ Yes ☐ No

Third Schedule - (Cont'd)

3.4.2 If the answer to 3.4.1 is NO, identify the ship-to-ship activities for which the ship security procedures were not maintained and indicate, for each, the security measures which were applied *in lieu*:

No.	Date		Security measures applied	Ship-to-ship activity
	From[6]	To[6]		

3.5 Provide a general description of cargo aboard the ship *(SOLAS regulation XI-2/9.2.1.6 and paragraph B/4.39.5 of the ISPS Code):* _____

_____

3.5.1 Is the ship carrying any dangerous substances[8] as cargo? ☐ Yes ☐ No

3.5.2 If the answer to 3.5.1 is YES, provide details or attach a copy of the Dangerous Goods Manifest (IMO FAL Form 7).

_____

_____

_____

Third Schedule - (Cont'd)

3.6 A copy of the ship's Crew List (IMO FAL Form 5) is attached *(SOLAS regulation XI-2/9.2.1.6 and paragraph B/4.39.4 of the ISPS Code)* ☐

3.7 A copy of the ship's Passenger List (IMO FAL Form 6) is attached *(SOLAS regulation XI-2/9.2.1.6 and paragraph B/4.39.6 of the ISPS Code)* ☐

4. ***Other security-related information***

4.1 Is there any security-related matter you wish to report? ☐ Yes ☐ No

4.1.1 If the answer to 4.1 is YES, provide details[9]:_____

_____

_____

5. ***Agent of the ship at the intended port of arrival***

5.1 Name and contact details (telephone number) of the agent of the ship at the intended port of arrival:_____

_____

6. ***Identification of the person providing the information***

6.1 Name:_____

6.2 Title or position[10]:_____

6.3 Signature:_____

This report is dated at_____ on _____.
(place) *(time and date)*

Third Schedule - (Cont'd)

EXPLANATORY NOTES

1. As appearing on the ship's International Ship Security Certificate or the ship's Interim International Ship Security Certificate.

2. If a copy of the ship's current Continuous Synopsis Record (CSR) is submitted there is no need to complete this entry.

3. If available.

4. Refer to paragraph 27 of the Guidance relating to the implementation of SOLAS chapter XI-2 and of the ISPS Code (MSC/Circ.1132).

5. *Ship/port interface* means the interactions that occur when a ship is directly and immediately affected by actions involving the movement of persons, goods or the provisions of port services to or from the ship (*SOLAS regulation XI-2/1.1.8*).

6. Provide the date.

7. *Ship-to-ship activity* means any activity not related to a port facility that involves the transfer of goods or persons from one ship to another (*SOLAS regulation XI-2/1.1.10*).

   Information would not normally be required to include records of transfers of pilots or of customs, immigration or security officials nor bunkering, lighting, loading of supplies and unloading of waste by ship within port facilities as these would normally fall within the auspices of the Port Facility Security Plan (PFSP) (*paragraph B/4.38 of the ISPS Code*).

   Ascertaining whether these activities fall within the PFSP should form part of the dialogue between the Ship Security Officer and the Port Facility Security Officer. It should be remembered that the physical boundaries of port facilities may not always coincide with the boundaries of the port or harbour authority.

Third Schedule - (Cont'd)

8. *Dangerous substances as cargo* means the carriage of substances, materials and articles covered by the IMDG Code and falling under the following classes of dangerous goods irrespective of whether these are carried in bulk or packaged form:

   - Class 1: Explosives
   - Class 2.1: Flammable gas
   - Class 2.3: Toxic gases
   - Class 3: Flammable liquids
   - Class 4.1: Flammable solids, self-reactive substances and desensitized explosives
   - Class 5.1: Oxidizing substances
   - Class 6.1: Toxic substances
   - Class 6.2: Infectious substances
   - Class 7: Radioactive material
   - Class 8: Corrosive substances

   This information may be extracted from the Dangerous Goods Manifest (IMO FAL Form 7) or the whole Dangerous Goods Manifest may be submitted.

9. Other security-related matters include but are not limited to the carriage of stowaways or any persons rescued at sea. When reporting stowaways please see the Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases adopted by the Organization with resolution A.871(20). This resolution provides in the Appendix to the Annex a Stowaway details report which should be completed and forwarded to the extent that is practically possible. When reporting persons rescued at sea please see the guidance provided in paragraph B/4.38.3 of the ISPS Code.

10. Master, Ship Security Officer, Company Security Officer or Agent of the ship at the intended port of arrival.

Third Schedule - (Cont'd)

(Sections 12(1)(b)(vii) and 42(2)(b))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM 7

Ship Sanitation Control Exemption Certificate/Ship Sanitation Control Certificate

Port of _____ Date: _____

This Certificate records the inspection and (1) exemption from control or (2) control measures applied

Name of ship or inland navigation vessel _____

_____

Flag _____ Registration/IMO No. _____

At the time of inspection the holds were unladen/laden with _____ tonnes of _____ cargo

Name and address of inspecting officer _____

_____

Third Schedule - (Cont'd)

Ship Sanitation Control Exemption Certificate

Areas, [systems, and services] inspected	Evidence found[1]	Sample results[2]	Documents reviewed
Galley			Medical log
Pantry			Ship's log
Stores			Other
Hold(s)/cargo			
Quarters:			
-crew			
- officers			
- passengers			
- deck			
Potable water			
Sewage			
Ballast tanks			
Solid and medical waste			
Standing water			
Engine room			
Medical facilities			
Other areas specified - see attached			
Note areas not applicable, by marking N/A			

No evidence found. Ship/vessel is exempted from control measures.

Name and designation of issuing officer	*Signature and seal*	*Date*

[1](a) Evidence of infection or contamination, including: vectors in all stages of growth; animal reservoirs for vectors; rodents or other species that could carry human disease, microbiological, chemical and other risks to human health; signs of inadequate sanitary measures.

(b) Information concerning any human cases (to be included in the Maritime Declaration of Health).

[2] Results from samples taken on board. Analysis to be provided to ship's master by most expedient means and, if re-inspection is required, to the next appropriate port of call coinciding with the re-inspection date specified in this certificate.

Sanitation Control Exemption Certificates and Sanitation Control Certificates are valid for a maximum of six months but the validity period may be extended by one month if inspection cannot be carried out at the port and there is no evidence of infection or contamination.

Third Schedule - (Cont'd)

Ship Sanitation Control Certificate

Control measures applied	Re-inspection date	Comments regarding conditions found

No evidence found. Ship/vessel is exempted from control measures.

Name and designation of issuing officer	*Signature and seal*	*Date*

[1](a) Evidence of infection or contamination, including: vectors in all stages of growth; animal reservoirs for vectors; rodents or other species that could carry human disease, microbiological, chemical and other risks to human health; signs of inadequate sanitary measures.

(b) Information concerning any human cases (to be included in the Maritime Declaration of Health).

[2]Results from samples taken on board. Analysis to be provided to ship's master by most expedient means and, if re-inspection is required, to the next appropriate port of call coinciding with the re-inspection date specified in this certificate.

Sanitation Control Exemption Certificates and Sanitation Control Certificates are valid for a maximum of six months but the validity period may be extended by one month if inspection cannot be carried out at the port and there is no evidence of infection or contamination.

Third Schedule - (Con'd)

Attachment to Model Ship Sanitation Control Exemption Certificate/ Ship Sanitation Control Certificate

Areas/facilities/ systems inspected[1]	Evidence found	Sample results	Documents reviewed	Control measures applied	Re-inspection date	Comments regarding conditions found
Food						
Source						
Storage						
Preparation						
Service						
Water						
Source						
Storage						
Distribution						
Waste						
Holding						
Treatment						
Disposal						
Swimming pools/spas						
Equipment						
Operation						
Medical facilities						
Equipment and medical devices						
Operation						
Medicines						
Other areas inspected						

[1] Indicate when the areas listed are not applicable by marking N/A.

Third Schedule - (Cont'd)

(Sections 12(1)(b)(viii) and 42(2)(c))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM 8

Dispatch-ID

LETTER BILL
Bulk mail

CN 32

☐ CN 44 trial note attached

Operators	Origin						Previous number
	Destination						
Origin OE and IMPC code		Destination OE and IMPC code	Category	Sub-class	Year	Dispatch No.	Date
Transportation							

1 Receptacle labels and types

Receptacle labels			Receptacle types	Bags	Trays	Others	Total
Number of labels	Red	Violet	Receptacles in mail				
Total weight			Receptacles to be returned				
			Empty receptacles being returned				

Third Schedule - (Cont'd)

2 Number of items and weight per format

Format	Number of receptacles	Weight	Number of items
P or S			
G			
E			
Mixed mail			

3 Identified items

	Number of receptacles containing	Number of inner packets containing	Number of special lists	Number of items subject to additional terminal dues	Number of items exempt from additional terminal dues	Total number of items
Registered items						
Insured items						
Tracked items						

4 Miscellaneous information

Number of CN 65 bills	Presence of COD: unregistered items ☐ registered items ☐

Dispatching office of exchange signature

Office of exchange of destination signature

Third Schedule - (Cont'd)

(Section 12(1)(b)(ix))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM 9

Ship Particulars

1. Name of ship	2. Flag
3. IMO number	4. Type of Ship
5. Gross Tonnage	6. Net Tonnage
7. Year of Build	8. Builder
9. Deadweight	10. Lightship weight
11. Draught	12. Speed

Third Schedule - (Cont'd)

(Sections 12(1)(b)(x) and 18(3))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM 10

Advanced Passenger Information

A. Data relating to the voyage

1. **(Ship) Identification**

   IMO or registration number.

2. **Registration**

   Ship registration number.

3. **Country of Registration**

   Country where ship is registered.

4. **Agent or Owner**

   Name of agent for the ship or, where no agent, name of owner.

5. **Call Sign (if applicable)**

6. **Scheduled Departure Date**

   Date of scheduled departure of ship based on local time of departure from location.

Third Schedule - (Cont'd)

7. **Scheduled Departure Time**

   Time of scheduled departure of ship based on local time of departure from location.

8. **Scheduled Arrival Date**

   Date of scheduled arrival of ship based on local time of arrival at location.

9. **Scheduled Arrival Time**

   Time of scheduled arrival of ship based on local time of arrival at location.

10. **Last Place or Port of Call of Ship**

    Ship departed from this last place or port of call to go to a place or port of call.

11. **Place or Port of Initial Arrival of Ship**

    Place or port of call in the country of destination where the ship arrives from the last place or port of call of ship initial arrival.

12. **Subsequent Place or Port of Call Within the Country or Domestic Space**

13. **Number of Passengers on Board Ship**

    Total number of passengers on board ship.

14. **Number of Crew Members on Board Ship**

    Total number of crew on board ship.

Third Schedule - (Cont'd)

B. Data relating to each individual on board a ship

Core Data Elements of the Official Travel Documents

1. **Official Travel Document Number**

   Passport or other official travel document number.

2. **Issuing State or Organisation of the Official Travel Document**

   Name of the state or organisation responsible for the issuance of the official travel document.

3. **Official Travel Document Type**

   Indicator to identify type of official travel document.

4. **Expiration Date of Official Travel Document**

   Expiration date of the official travel document.

5. **Surname and Given Name(s)**

   Family name and given name(s) of the holder as they appear on the official travel document.

6. **Nationality**

   Nationality of the holder of the travel document.

7. **Date of Birth**

   Date of birth of the holder of the travel document.

8. **Gender**

   Gender of the holder of the travel document.

Third Schedule - (Cont'd)

9. **Place of Birth**

Please give City and Country of birth.

10. **Place or Port of Original Embarkation**

Place or port on that journey where traveller first boarded for foreign travel.

11. **Place or Port of Clearance**

Place or port where the traveller is cleared by the border control agencies.

12. **Place or Port of Onward Foreign Destination**

Foreign place or port where the traveller is transiting.

13. **Passenger Name Record (PNR) Data**

As available in the traveller's Passenger Name Record (PNR) in the carrier's Reservation System including all historical changes to the PNR listed. Must include:

(1) PNR record locator

(2) Date of reservation or issue of ticket

(3) Date(s) of intended travel

(4) Surname and Given Name(s)

(5) Address and contact information (telephone number, e-mail address)

(6) All forms of payment information, including billing address

(7) Complete travel itinerary for specific PNR

(8) Frequent flyer information

(9) Travel agency or travel agent

Third Schedule - (Cont'd)

(10) Travel status of passenger, including confirmations, check-in status, no show or go show information

(11) Split or divided PNR information

(12) General remarks (including all available information on unaccompanied minors under 18 years, such as name and gender of the minor, language(s) spoken, name and contact details of guardian on departure and relationship to the minor, name and contact details of guardian on arrival and relationship to the minor, departure and arrival agent)

(13) Ticketing field information, including ticket number, date of ticket issuance and one-way tickets, Automated Ticket Fare Quote fields

(14) Seat number and other seat information

(15) Code share information

(16) All baggage information

(17) Number and other names of travellers on PNR

(18) Any Advanced Passenger Information (API) data collected

(19) All historical changes to the PNR listed in numbers 1 to 18

Third Schedule - (Cont'd)

C. Additional Data

1. **Visa Number** (if applicable)

2. **Place of Issue of the visa**

   Place where visa was issued

3. **Date of Issue of the visa**

   Date when visa was issued

4. **Other Document Number used for Travel** (if applicable)

   The other document number used for travel when the official travel document is not required

5. **Other Document Number used for Travel** (if applicable)

   Type of other document used for travel (supporting travel document)

6. **Primary Residence**

   Country of primary residence

   (Country where passenger resides most of the year)

   Address

   (location identification such as: street name and number)

   City

   State/Province/Country

   Postal Code

Third Schedule - (Cont'd)

D. Data relating to the Reporting Party

Reporting Party Name

Reporting Party Telephone Number

Reporting Party Facsimile Number

Reporting Party Electronic Mail Address

Third Schedule - (Cont'd)

(Sections 12(1)(c) and 18(4))

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

PART B

Advanced Cargo Information

Electronic Manifest Management Asycuda

A. Maritime Cargo Data Messages

Cargo Manifest:

To be submitted by master or ship agent

Master Waybill:

To be submitted by master or ship agent

House Waybill:

To be submitted by Freight Forwarded or Representatives

Response Message:

To be handled by the filing party

Third Schedule - (Cont'd)

B. Cargo for Discharge in Barbados

Data relating to the Manifest

Data relating to the Manifest:

Voyage number

(A number assigned by local Shipping Agent for ships)

Date and Time of submission

Carrier

(Name of ship)

Scheduled Departure Date

(Date of departure of ship)

Scheduled Arrival Date

(Date of arrival of ship)

Scheduled Arrival Time

(Time of arrival of ship)

Place of Departure

(The last foreign port or place of call for ship)

Destination

(Port or place in the country of destination where the ship first reports)

Subsequent Place or Port of call within the country (Optional)

Third Schedule - (Cont'd)

Agent: Name

Authorised representative of the ship (where available)

Owner

(Name of owner of ship)

Transport: Mode

(The manner in which the goods are imported or exported)

Transport: Name

(Name of the importing or exporting ship)

Transport: Nationality

(Nationality of ship as determined by its port of registry)

Transport: Place (Optional)

(Port of registry)

Registration (Optional)

(International registration number including, in respect of ships, the International Maritime Organisation or Lloyd's registration number)

Master (Optional)

(Name of ship's captain)

Total: Bills

Total: Packages

Total: Containers

Third Schedule - (Cont'd)

Total: Gross (Optional)

Tonnage: Net

(Ship's registered tonnage)

Date of last discharge (Optional)

(Date ship last discharged cargo at any port)

C. Data relating to Container Management

Container: Number

(The BIC identification number of containers)

Container: Type

(Type of containers e.g. 20 feet, refrigerated)

Empty/Full Indicator

(Whether full container load or less than container load)

Seals

(The number of the security seal(s) affixed to the container door)

Marks

(Marks or numbers of the seal(s) affixed to the container door)

Sealing Party

(The authority that affixed the seal(s) to the containers)

Total Containers

Transport Document Reference Number

Third Schedule - (Cont'd)

D. Data relating to individual Bills of Lading

Manifest Line Number

(Number indicating the order of bills of lading on a manifest)

Transport Document Type

(Type of document issued by ship, bills of lading or waybills)

Transport Document Reference Number

Purpose of Shipment

(Whether for import, export, in transit or transhipment)

Unique Cargo Reference (Optional)

Place of loading

Place of discharge

Exporter

Exporter Address

Consignee

Notify

(Either the consignee or the name and phone number of the representative)

Total Containers

Packages: Kind

Packages: Marks and Numbers

Third Schedule - (Cont'd)

Quantity: Package

Quantity: Gross Mass

Volume: Cubic Measurement (cbm)

Description of Goods

(pursuant to applicable law)

Freight Indicator

(payment status, whether prepaid or payment on collection)

Amount and Currency

Values:

Customs (Optional)

Insurance (Optional)

Freight (Optional)

Additional Seals

Additional Information

Third Schedule - (Cont'd)

ADVANCED CARGO INFORMATION ELECTRONIC MANIFEST MANAGEMENT ASYCUDA CARGO MANIFEST DATA FIELDS

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
1	Office of departure or arrival	Code of the Customs Department filing of departure or arrival	YES
2	Voyage number	Voyage number which uniquely identifies the current journey of the means of transport	YES
3	Date of departure	Date when the ship leaves the place of departure	YES
4	Time of departure	Estimated time when the ship departs the place of departure	YES
5	Date of arrival	Estimated date when the ship arrives at the place of destination	YES
6	Time of arrival	Estimated time when the ship arrives at the place of destination	YES
7	Place of departure	Place (LOCODE) where current voyage begins on the ship	YES
8	Place of destination	Place (LOCODE) where current voyage ends on the ship	YES
9	Port of last call	The place of (LOCODE) where the ship last reported before docking at the place of arrival.	YES

Third Schedule - (Cont'd)

SHIPPING INFORMATION

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
10	Ship code	Ship code assigned to the party undertaking the transport of the goods	YES
11	Agent	Code of the agent in charge of the ship reporting during the stay in port	YES

TOTALS

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
12	Bills	Total number of waybills on manifest	YES
13	Packages	Total number of packages on manifest	YES
14	Vehicles	Total number of motor vehicles on manifest	YES
15	Containers	Total number of containers on manifest	YES
16	Gross Weight	Total gross weight contained in the manifest	YES

Third Schedule - (Cont'd)

TRANSPORT

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
17	Mode	Identifying the mode of transport	YES
18	Nationality	Flag or Nationality of means of transport	YES
19	Identity	Name of ship	YES
20	Registration	Registration number of ship	YES
21	Place	Port where the ship was registered	NO
22	Date	Date of discharge	NO
23	Master or Commander	Name of Master or Commander of the ship	YES

TONNAGE

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
24	Gross Tonnage	Net tonnage plus maximum allotted cargo weight per voyage	YES
25	Net Tonnage	Carrier's base weight	
26	Office of destination	Office of destination. Code of the Customs Department of destination in case of transit	Conditional or Optional

Third Schedule - (Cont'd)

CO-LOADER

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
27	Co-loader code	Carrier code of the party sharing the ship or aircraft when multiple parties involved	Conditional or Optional

WAYBILL SEGMENT: Bill of lading

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
28	Office Code	The Code of the Department	

General Information

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
29	Waybill reference number	This is the "Identifier" of the transport document. This is the reference assigned by the carrier or agent (e.g. bill of lading; it is unique in the manifest)	YES
30	Waybill type	Alphanumeric code for the type of transport document	YES

Third Schedule - (Cont'd)

General Information - (Concl'd)

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
31	Nature	Code of the document: export-22, import-23, transit-24, transhipment-28, FROB-26	YES
32	Waybill line	The 'line number' is a sequence number used to identify each item-bill of lading in the manifest	YES
33	Previous document	Reference of the previous document (master waybill) when consolidated cargo	Conditional or Optional
34	UCR	Unique consignment reference number	NO
35	Place of loading	Place (LOCODE) where the goods were orignally loaded on the ship	YES
36	Place of unloading	Place (LOCODE) where the goods will be ultimately unloaded or discharged from the ship	YES
37	FAS/Liner	Terms of condition for transported goods (accepted values F or L)	YES

Third Schedule - (Cont'd)

CARRIER

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
38	Carrier	Carrier code, name and address of the party undertaking the transport of the goods.	YES
39	Carrier Name	The name of the shipping line transporting cargo to and from Barbados	YES
40	Carrier Address	The address of the shipping line transporting cargo to and from Barbados	YES
41	Shipping agent	Code of the shipping agent in charge of the ship management during the stay in port	YES

EXPORTER OR SHIPPER

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
42	Exporter code	Exporter code	NO
43	Name of Exporter	Name of Exporter	YES
44	Address of Exporter	Address of Exporter	YES

Third Schedule - (Cont'd)

TRANSPORT

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
45	Place of loading on current transport	Place (LOCODE) where the goods were loaded on current transport (if there was a change of ship, it would be recorded here)	YES or Optional
46	Place of discharge from current transport	Place (LOCODE) where the goods will be discharged from current transport (if there was further transhipment to be done, it would be recorded here)	YES or Optional

NOTIFY

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
47	Notify code	Code of the notifying party	NO
48	Notify name	Name of the notifying party	YES
49	Notify address	Address of the notifying party	YES

Third Schedule - (Cont'd)

CONSIGNEE

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
50	Consignee	Consignee code (TIN)	NO or Optional
51	Consignee name	Name of the consignee	YES
52	Consignee address	Full address of the consignee	YES

GOOD DETAILS

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
53	Total containers	Total number of containers for this transport document	YES
54	Packages codes	Kind of packages (packaging type code)	YES
55	Marks and Ndr	Marks and numbers	YES
56	Manifested packages	Number of packages as indicated on the waybill	YES
57	Total vehicles	Total number of vehicles for this waybill	YES

Third Schedule - (Cont'd)

GOOD DETAILS - (Concl'd)

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
58	Manifested gross weight	Gross weight as indicated on the waybill. This field must be accurately captured as the data are compared to the "Totals" information of the general segment.	YES
59	Volume (CBM)	Volume of the goods in cubic metres	NO or Mandatory
60	Description of goods	Commercial description of the goods from the waybill data (e.g. clothes, machines...)	YES
61	H.S. Code	Tariff code for goods	NO or Optional
62	UNDG	Dangerous goods code (UNDG)	Conditional
63	Place of Origin	Place where goods are loaded into container for shipment (free text area)	NO or Optional
64	Place of Destination	Place where goods will be unloaded from container (free text area)	NO or Optional
65	Location	Code of the place where the goods are located in a shed or container park	NO or Optional

Third Schedule - (Cont'd)

DECLARED VALUES AND SEAL DETAILS

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
66	Value or freight code	Value or freight code	YES
67	P/C	Prepaid or collect indicator for the value code	Conditional or Mandatory
68	Freight value amount	Amount of the value code	YES
69	Freight currency	Currency code for the value code	YES
70	Customs value	Customs value of goods	YES or Optional
71	Customs currency	Customs currency code	YES or Optional
72	Insurance value	Insurance cost of the goods	YES
73	Insurance currency	Insurance currency code	YES
74	Transport value	Overall freight cost	YES
75	Transport currency	Overall freight currency code	YES
76	Seal number of seals	Number of seals affixed on non-containerized cargo	Conditional or Optional
77	Marks of seals	Description marks or references number of seals	Conditional or Optional
78	Party	Code of the party having affixed the seals	Conditional or Optional
79	Information	Additional information when required	NO or Optional

Third Schedule - (Cont'd)

CONTAINER SEGMENT

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
80	Container Number	Container number(s) for container(s) relating to waybill	YES
81	Number of packages	Number of packages in container	YES
82	Container Type	Container size-type	YES
83	E/F	Empty or Full indicator	YES
84	Seal Number	Quantity of seals affixed and seal numbers (3 fields)	YES or Optional
85	Sealing Party	Party affixing the seals	YES or Optional
86	Empty Weight	Empty weight of container (KG)	YES or Optional
87	Goods Weight	Weight of goods in container(KG)	YES
88	Min. Temp. CE	Minimum temperature in celsius for refrigerated containers	Conditional or Optional
89	Max. Temp. CE	Maximum temperature in celsius for refrigerated containers	Conditional or Optional
90	Humidity	Temperature in celsius that the goods should be stored	Conditional or Optional
91	Dangerous Code	UNDG code for dangerous goods	Conditional or Optional

Third Schedule - (Cont'd)

CONTAINER SEGMENT - (Concl'd)

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
92	H.S. Code	Tariff Code for goods in container	No or Optional
93	Goods Description	Description of goods in container	YES
94	Container Disposition	(Cargo disposition, accepted values "CY. CFS and P. UNSTUFF). Required only when BL nature 23 and container is not empty	Conditional
95	Volume	Volume of cargo per container	YES
96	Container line code	Code identifying shipping container owner	YES

Third Schedule - (Cont'd)

VEHICLE SEGMENT

No.	DATA FIELDS	DESCRIPTION	MANDATORY
Tracking No.	**General Information**	**General details with respect to voyage and Ship**	**YES**
97	Chassis Number	Chassis number of vehicle	YES
98	Engine Number	Engine number of vehicle	YES or Optional
99	Engine Size	Engine (cc) or (kw)	YES
100	Odometer Reading	Mileage of vehicle	YES or Optional
101	Make or Brand	Make and brand of vehicle	YES
102	Year	Year of manufacture	YES
103	Colour	Colour of vehicle	YES or Optional
104	New or Used	If vehicle new or used	YES or Optional

Third Schedule - (Concl'd)

DATA SUBMISSION TIME FRAME

1. The information set out in the Advanced Cargo Information System Data Fields

(a) for incoming cargo by ship:

(i) containerized cargo: 24 hours before arrival at first port in the country of destination;

(ii) bulk or break bulk: 24 hours before arrival at first port in the country of destination;

(b) for outgoing cargo by ship:

(i) containerized cargo: 24 hours before loading at port of departure;

(ii) bulk or break bulk: 24 hours before departure to the first port in the country of destination.

FOURTH SCHEDULE

(Sections 12(1)(e), 33(1) and 35)

Documents relating to Stowaways

PART A

REVISED GUIDELINES ON THE PREVENTION OF ACCESS BY STOWAWAYS AND THE ALLOCATION OF RESPONSIBILITIES TO SEEK THE SUCCESSFUL RESOLUTION OF STOWAWAY CASES

THE FACILITATION COMMITTEE,

HAVING CONSIDERED the general purposes of the Convention on Facilitation of International Maritime Traffic, 1965, as amended (FAL Convention), and in particular article III thereof,

RECALLING the provisions of resolution A.1027(26) on *Application and revision of the Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases* (resolution A.871(20)),

RECALLING ALSO that the International Convention Relating to Stowaways, which attempted to establish an internationally acceptable regime for dealing with stowaways, has not yet come into force,

RECALLING FURTHER that it adopted, in accordance with article VII(2)*(a)* of the FAL Convention, at its twenty-ninth session, on 10 January 2002, amendments to the Convention on Facilitation of International Maritime Traffic, 1965, as amended (resolution FAL.7(29)), which introduced a new section 4 on Stowaways in the annex to the FAL Convention, prescribing Standards and Recommended Practices on matters relating to stowaways (the FAL provisions on stowaways), which entered into force on 1 May 2003,

RECALLING IN ADDITION that, for the purposes of this resolution, a stowaway is defined as a person who is secreted on a ship or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities,

Fourth Schedule - (Cont'd)

NOTING with concern the number of incidents involving stowaways, the consequent potential for disruption of maritime traffic, the impact such incidents may have on the safe operation of ships and the considerable risks faced by stowaways, including loss of life,

NOTING ALSO that several Member States which are also Contracting Governments to the FAL Convention:

(a) have notified the Secretary-General, in accordance with article VIII(1) of the FAL Convention (in relation to the Standards specified in section 4 of the annex to the FAL Convention) either that they find it impracticable to comply with the above-mentioned Standards or of differences between their own practices and those Standards; or

(b) have not yet notified the Secretary-General, in accordance with article VIII(3) of the FAL Convention, that they have brought their formalities, documentary requirements and procedures into accord in so far as practicable with the Recommended Practices specified in section 4 of the annex to the FAL Convention,

RECALLING that resolution A.1027(26) expressed conviction of the need to align, to the extent possible and desirable, the Guidelines with the FAL provisions on stowaways and to revise them in a manner that reflects developments in efforts undertaken to prevent stowaways, as well as to provide guidance and recommendations, taking into account the FAL provisions on stowaways, on measures which can be implemented by vessels to prevent cases involving stowaways,

TAKING INTO ACCOUNT that some stowaways may be asylum seekers and refugees, which should entitle them to such relevant procedures as those provided by international instruments and national legislation,

BEING AWARE that considerable difficulties continue to be encountered by masters and shipping companies, shipowners and ship operators when stowaways are to be disembarked from ships into the care of the appropriate authorities,

AGREEING that the existence of such guidance should in no way be regarded as condoning or encouraging the practice of stowing away and other illegal migration, and should not undermine efforts to combat the separate problems of alien smuggling or human trafficking,

Fourth Schedule - (Cont'd)

AGREEING ALSO that the provisions of this resolution should, in accordance with resolution A.1027(26), be considered as being of relevance only with respect to:

(a) Member States which are not Contracting Governments to the FAL Convention; and

(b) Member States which are Contracting Governments to the FAL Convention and which:

(i) have notified the Secretary-General, in accordance with article VIII(1) of the FAL Convention (in relation to the Standards specified in section 4 of the annex to the FAL Convention) either that they find it impracticable to comply with the aforementioned Standards or of differences between their own practices and those Standards; or

(ii) have not yet notified the Secretary-General, in accordance with article VIII(3) of the FAL Convention, that they have brought their formalities, documentary requirements and procedures into accord in so far as practicable with the Recommended Practices specified in section 4 of the annex to the FAL Convention,

BELIEVING that, at present, stowaway cases can best be resolved through close cooperation among all authorities and persons concerned,

BELIEVING ALSO that, in normal circumstances, through such cooperation, stowaways should, as soon as practicable, be removed from the ship concerned and returned to the country of nationality/citizenship or to the port of embarkation, or to any other country which would accept them,

RECOGNIZING that stowaway incidents should be dealt with humanely by all Parties involved, giving due consideration to the operational safety of the ship and its crew,

WHILST URGING national authorities, port authorities, shipowners and masters to take all reasonable precautions to prevent stowaways gaining access to vessels,

NOTING that the Maritime Safety Committee, at its eighty-eighth session, adopted the *Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases* (resolution MSC.312(88)),

NOTING ALSO that, at its thirty-seventh session, it adopted the *Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases* (resolution FAL.11(37)),

Fourth Schedule - (Cont'd)

RECALLING that, at its fortieth session, it adopted amendments to the annex to the FAL Convention (resolution FAL.12(40)), which included amendments to section 4 (Stowaways), AGREEING that these amendments should be reflected in the revised guidelines as adopted by resolution FAL.11(37),

NOTING that the Maritime Safety Committee, at its ninety-ninth session, adopted the Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases (resolution MSC.448(99)),

1 ADOPTS the *Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases*, set out in the annex to the present resolution;

2 URGES Governments to implement in their national policies and practices the amended procedures recommended in the annexed Guidelines;

3 ALSO URGES Governments to deal with stowaway cases in a spirit of cooperation with other parties concerned, on the basis of the allocation of responsibilities set out in the annexed Guidelines as from 1 July 2018;

4 INVITES shipping companies, shipowners and ship operators to take on the relevant responsibilities set out in the annexed Guidelines and to guide their masters and crews as to their respective responsibilities in stowaway cases;

5 INVITES Governments to develop, in cooperation with the industry, comprehensive strategies to improve access control and prevent intending stowaways from gaining access to ships;

6 RESOLVES to continue to monitor the effectiveness of the annexed Revised guidelines on the basis of information provided by Governments and the industry, to keep them under review and to take such further action, including the development of a relevant binding instrument, as may be considered necessary in light of the developments;

7 REVOKES resolution FAL.11(37) on *Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases*;

8 REQUESTS the Assembly to endorse the action taken by the Maritime Safety Committee and the Facilitation Committee.

Fourth Schedule - (Cont'd)

REVISED GUIDELINES ON THE PREVENTION OF ACCESS BY STOWAWAYS AND THE ALLOCATION OF RESPONSIBILITIES TO SEEK THE SUCCESSFUL RESOLUTION OF STOWAWAY CASES

1 Introduction

1.1 Masters, shipowners, public authorities, port authorities and other stakeholders, including those providing security services ashore, have a responsibility to cooperate to the fullest extent possible in order:

.1 to prevent stowaway incidents; and

.2 to resolve stowaway cases expeditiously and secure that an early return or repatriation of the stowaway will take place; all appropriate measures should be taken in order to avoid situations where stowaways must stay on board ships for an unreasonable amount of time.

1.2 However, no matter how effective port and ship security measures are, it is recognized that there will still be occasions when stowaways gain access to vessels, either secreted in the cargo or by surreptitious boarding.

1.3 The resolution of stowaway cases is difficult because of different national legislation in each of the several potentially involved States: the State of embarkation, the State of disembarkation, the flag State of the ship, the State of apparent, claimed or actual nationality/citizenship or right of residence of the stowaway, and States of transit during repatriation.

2 Definitions

For the purpose of these Guidelines, the following meanings shall be attributed to the terms listed:

.1 *Attempted stowaway*. A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board the ship before it has departed from the port.

.2 *Port*. Any port, terminal, offshore terminal, ship and repair yard or roadstead which is normally used for the loading, unloading, repair and anchoring of ships, or any other place at which a ship can call.

Fourth Schedule - (Cont'd)

.3 *Public authorities*. The agencies or officials in a State responsible for the application and enforcement of the laws and regulations of that State which relate to any aspect of the present Guidelines.

.4 *Security measures*. Measures developed and implemented in accordance with international agreements to improve security on board ships and in port areas and facilities, and of goods moving in the international supply chain, to detect and prevent unlawful acts.[1]

.5 *Shipowner*. One who owns or operates a ship, whether a person, a corporation or other legal entity, and any person acting on behalf of the owner or operator.

.6 *Stowaway*. A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities.

3 Basic principles

On the basis of the experience thus far, the application of the following basic principles have been useful in preventing stowaway incidents and have been helpful in the speedy resolution of stowaway cases:

.1 Stowaway incidents should be dealt with in a manner consistent with humanitarian principles. Due consideration must always be given to the operational safety of the ship and to the safety and well-being of the stowaway.

.2 Public authorities, port authorities, shipowners and masters should cooperate to the fullest extent possible in order to prevent stowaway incidents.

[1] Reference is made to chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, as amended (1974 SOLAS Convention) and the International Ship and Port Facility Security Code, as amended (ISPS Code); and to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 (1988 SUA Convention) and its 2005 Protocol (2005 SUA Protocol).

Fourth Schedule - (Cont'd)

.3 Shipowners, masters, port authorities and public authorities should have adequate security arrangements in place which, as far as practicable, will prevent intending stowaways from getting aboard a ship or, if this fails, will detect them before the ship leaves port or, at the latest, before it arrives at the next port of call.

.4 Adequate, frequent and well-timed searches minimize the risk of having to deal with a stowaway case and may also save the life of a stowaway who may, for example, be hiding in a place which is subsequently sealed and/or chemically treated.

.5 Public authorities, port authorities, shipowners and masters should cooperate to the fullest extent possible in order to resolve stowaway cases expeditiously and secure that an early return or repatriation of the stowaway will take place. All appropriate measures should be taken in order to avoid situations where stowaways must stay on board ships for an unreasonable amount of time.

.6 Stowaways arriving at or entering a State without the required documents are, in general, illegal entrants. Decisions on dealing with such situations are the prerogative of the States where such arrival or entry occurs.

.7 Stowaway asylum seekers should be treated in accordance with international protection principles as set out in international instruments, such as the provisions of the United Nations Convention relating to the Status of Refugees of 28 July 1951 and of the United Nations Protocol relating to the Status of Refugees of 31 January 1967 and relevant national legislation.[2]

.8 Every effort should be made to avoid situations where a stowaway has to be detained on board a ship indefinitely. In this regard States should cooperate with the shipowner in arranging the disembarkation of a stowaway to an appropriate State.

.9 States should accept the return of stowaways who have full nationality/citizenship status in that State, or have a right of residence in that State.

.10 Where the nationality or citizenship or right of residence cannot be established, the State of the original port of embarkation of a stowaway should accept the return of such a stowaway for examination pending final case disposition.

[2] In addition, public authorities may wish to consider the non-binding conclusion of the UNHCR Executive Committee on Stowaway Asylum Seekers (1988, No. 53 (XXXIX)).

Fourth Schedule - (Cont'd)

4 Preventive measures

4.1 *Port/terminal authorities*

4.1.1 States and port and terminal owners, operators and authorities should ensure that the necessary infrastructure, and operational and security arrangements for the purpose of preventing persons attempting to stowaway on board ships from gaining access to port installations and to ships, are established in all their ports, taking into consideration when developing these arrangements the size of the port, and what type of cargo is shipped from the port. This should be done in close cooperation with relevant public authorities, shipowners and shore-side entities, with the aim of preventing stowaway occurrences in the individual port.

4.1.2 Operational arrangements and/or port facility security plans should at least be equivalent to those contained in the relevant text of section B/16 of the ISPS Code.[3]

4.2 *Shipowner/Master*

4.2.1 Shipowners and masters should ensure that adequate security arrangements are in place which, as far as practicable, will prevent intending stowaways from getting aboard the ship, and, if this fails, as far as practicable, will detect them before the ship leaves port or, at the latest, before it arrives at the next port of call.

4.2.2 When calling at ports and during stay in ports, where there is risk of stowaway embarkation, operational arrangements and/or ship security plans should at least be equivalent to those contained in the relevant text of paragraph B/9 of the ISPS Code.[4]

4.2.3 When departing from a port, where there is risk of stowaway embarkation, a ship should undergo a thorough search in accordance with a specific plan or schedule, and with priorities given to places where stowaways might hide taking into account the specific ship type and its operations. Search methods which are likely to harm secreted stowaways should not be used.

4.2.4 Fumigation or sealing should not be carried out until a thorough search of the areas to be fumigated or sealed has taken place in order to ensure that no stowaways are present in those areas.

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[3] Recommended Practice 4.3.1.2 of the FAL Convention.

[4] Recommended Practice 4.3.2.2 of the FAL Convention.

Fourth Schedule - (Cont'd)

5 Responsibilities in relation to the resolution of stowaway cases

5.1 *Questioning and notification by the master*

It is the responsibility of the master of the ship which finds any stowaways on board:

.1 to make every effort to determine immediately the port of embarkation of the stowaway;

.2 to take practical steps to establish the identity, including the nationality/ citizenship and the right of residence, of the stowaway;

.3 to prepare a statement containing all available information relevant to the stowaway for presentation to the appropriate authorities (for example, the public authorities at the port of embarkation, the flag State and, if necessary, subsequent ports of call) and the shipowner; in this respect the reporting form provided in the appendix should be used and completed as far as practicable;

.4 to notify the existence of a stowaway and any relevant details to the shipowner and appropriate authorities at the port of embarkation, the next port of call and the flag State, with the understanding that when a stowaway declares himself or herself to be a refugee, this information should be treated as confidential to the extent necessary for the security of the stowaway; to ensure confidentiality in these cases no information should be forwarded to authorities public or private in the country of origin or residence of the stowaway;

.5 not to depart from the planned voyage to seek the disembarkation of a stowaway discovered on board the ship after it has left the territorial waters of the State where the stowaways embarked, unless permission to disembark the stowaway has been granted by the public authorities of the State to whose port the ship deviates, or repatriation has been arranged elsewhere with sufficient documentation and permission given for disembarkation, or unless there are extenuating safety, security, health or compassionate reasons, or attempts to disembark in other ports on the planned voyage have failed and deviation is necessary in order to avoid that the stowaway remain on board for a significant period of time;

.6 to ensure that the stowaway is presented to the appropriate authorities at the next port of call in accordance with their requirements;

Fourth Schedule - (Cont'd)

.7 to take appropriate measures to ensure the security, general health, welfare and safety of the stowaway until disembarkation, including providing him or her with adequate provisioning, accommodation, proper medical attention and sanitary facilities;

.8 to ensure that stowaways are not permitted to work on board the ship, except in emergency situations or in relation to the stowaway's accommodation and provisioning on board; and

.9 to ensure that stowaways are treated humanely, consistent with the basic principles.

5.2 *The shipowner*

It is the responsibility of the shipowner of the ship on which stowaways are found:

.1 to ensure that the existence of, and any relevant information on, the stowaway has been notified to the appropriate authorities at the port of embarkation, the next port of call and the flag State;

.2 to comply with any removal directions made by the competent national authorities at the port of disembarkation; and

.3 to cover any applicable costs relating to the removal, detention, care and disembarkation of the stowaway in accordance with the legislation of the States which may be involved.

5.3 *The State of the first port of call according to the voyage plan*

It is the responsibility of the State of first port of call according to the voyage plan after the discovery of the stowaway:

.1 to accept the stowaway for examination in accordance with the national laws of that State and, where the competent national authority considers that it would facilitate matters, to allow the shipowner and the competent or appointed P&I Club correspondent to have access to the stowaway;

Fourth Schedule - (Cont'd)

.2 to favourably consider allowing disembarkation and provide, as necessary and in accordance with national law, secure accommodation which may be at the expense of the shipowner, where:

.1 a case is unresolved at the time of sailing of the ship; or

.2 the stowaway is in possession of valid documents for return and the public authorities are satisfied that timely arrangements have been or will be made for repatriation and all the requisites for transit fulfilled; or

.3 other factors make it impractical for the stowaway to remain on the ship; such factors may include but are not limited to cases where a stowaway's presence on board would endanger the safe and secure operation of the ship, the health of the crew or the stowaway;

.3 to make every effort to cooperate in the identification of the stowaway and the establishment of his or her nationality/citizenship or right of residence;

.4 to make every effort to cooperate in establishing the validity and authenticity of a stowaway's documents and, when a stowaway has inadequate documents, to whenever practicable and to an extent compatible with national legislation and security requirements issue a covering letter with a photograph of the stowaway and any other important information, or alternatively, a suitable travel document accepted by the public authorities involved; the covering letter authorizing the return of the stowaway either to his or her State of origin or to the point where the stowaway commenced his or her journey, as appropriate, by any means of transportation and specifying any other conditions imposed by the authorities, should be handed over to the operator effecting the removal of the stowaway; this letter will include information required by the authorities at transit points and/or the point of disembarkation;

.5 to give directions for the removal of the stowaway to the port of embarkation, State of nationality/citizenship or right of residence or to some other State to which lawful directions may be made, in cooperation with the shipowner;

.6 to inform the shipowner on whose ship the stowaway was found, as far as practicable, of the level of cost of detention and return and any additional costs for the documentation of the stowaway, if the shipowner is to cover these costs; in addition, public authorities should cooperate with the shipowner to

Fourth Schedule - (Cont'd)

keep such costs to a minimum, as far as practicable, and according to national legislation, if they are to be covered by the shipowner, as well as keeping to a minimum the period during which shipowners are held liable to defray costs of maintenance of a stowaway by public authorities;

.7 to consider mitigation of charges that might otherwise be applicable when shipowners have cooperated with the control authorities to the satisfaction of those authorities in measures designed to prevent the transportation of stowaways; or where the master has properly declared the existence of a stowaway to the appropriate authorities in the port of arrival, and has shown that all reasonable preventive measures had been taken to prevent stowaways gaining access to the ship;

.8 to issue, if necessary, in the event that the stowaway has no identification and/or travel documents, a document attesting to the circumstances of embarkation and arrival to facilitate the return of the stowaway either to his or her State of origin, to the State of the port of embarkation, or to any other State to which lawful directions can be made, by any means of transport;

.9 to provide the document to the transport operator effecting the removal of the stowaway;

.10. to take proper account of the interests of, and implications for, the shipowner when directing detention and setting removal directions, so far as is consistent with the maintenance of control, their duties or obligations to the stowaway under the law, and the cost to public funds;

.11 to report incidents of stowaways of which they become aware to the Organization;[5]

.12 to cooperate with the flag State of the ship in identifying the stowaway and their nationality/citizenship and right of residence, to assist in removal of the stowaway from the ship, and to make arrangements for removal or repatriation; and

.13 if disembarkation is refused, to notify the flag State of the ship the reasons for refusing disembarkation.

[5] Refer to FAL.2/Circ.50/Rev.3 on *Information on stowaway incidents*, as may be amended.

Fourth Schedule - (Cont'd)

5.4 *Subsequent ports of call*

When the disembarkation of a stowaway has not been possible at the first port of call, it is the responsibility of the State of the subsequent port of call to follow the guidance provided in paragraph 5.3.

5.5 *State of embarkation*

It is the responsibility of the State of the original port of embarkation of the stowaway (i.e. the State where the stowaway first boarded the ship):

.1 to accept any returned stowaway having nationality/citizenship or right of residence;

.2 to accept a stowaway back for examination where the port of embarkation is identified to the satisfaction of the public authorities of the receiving State; the public authorities of the State of embarkation should not return such stowaways to the State where they were earlier found to be inadmissible;

.3 to apprehend and detain the attempted stowaway, where permitted by national legislation, if the attempted stowaway is discovered before sailing either on the ship or in cargo due to be loaded; to refer the attempted stowaway to local authorities for prosecution, and/or, where applicable, to the immigration authorities for examination and possible removal; no charge is to be imposed on the shipowner in respect of detention or removal costs, and no penalty is to be imposed;

.4 to apprehend and detain the stowaway, where permitted by national legislation, if the stowaway is discovered while the ship is still in the territorial waters of the State of the port of his or her embarkation, or in another port in the same State (not having called at a port in another State in the meantime); no charge is to be imposed on the shipowner in respect of detention or removal costs, and no penalty is to be imposed;

.5 to report incidents of stowaways or attempted stowaways of which they become aware to the Organization;[6] and

.6 to reassess the preventative arrangements and measures in place and to verify the implementation and effectiveness of any corrective actions.

[6] Refer to FAL.2/Circ.50/Rev.3 on *Information on stowaway incidents*, as may be amended.

Fourth Schedule - (Cont'd)

5.6 *State of nationality or right of residence*

It is the responsibility of the apparent or claimed State of nationality/citizenship of the stowaway and/or of the apparent or claimed State of residence of the stowaway:

.1 to make every effort to assist in determining the identity and nationality/ citizenship or the rights of residence of the stowaway and to document the stowaway, accordingly once satisfied that he or she holds the nationality/ citizenship or the right of residence claimed; where possible, the local embassy, consulate or other diplomatic representation of the country of the stowaway's nationality will be required to assist in verifying the stowaway's nationality and providing emergency travel documentation;

.2 to accept the stowaway where nationality/citizenship or right of residence is established; and

.3 to report incidents of stowaways of which they become aware to the Organization.[7]

5.7 *The flag State*

It is the responsibility of the flag State of the ship:

.1 to be willing, if practicable, to assist the master/shipowner or the appropriate authority at the port of disembarkation in identifying the stowaway and determining his or her nationality/citizenship or right of residence;

.2 to be prepared to make representations to the relevant authority to assist in the removal of the stowaway from the ship at the first available opportunity;

.3 to be prepared to assist the master/shipowner or the authority at the port of disembarkation in making arrangements for the removal or repatriation of the stowaway; and

.4 to report incidents of stowaways of which they become aware to the Organization.

5.8 *States of transit during repatriation*

It is the responsibility of any States of transit during repatriation to allow, subject to normal visa requirements and national security concerns, the transit through their ports and airports of stowaways travelling under the removal instructions or directions of the State of the port of disembarkation.

[7] Refer to FAL.2/Circ.50/Rev.3 on *Information on stowaway incidents*, as may be amended.

Fourth Schedule - (Cont'd)

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

PART B

FORM OF STOWAWAY DETAILS REFERRED TO IN RECOMMENDED PRACTICE 4.6.2 OF THE CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME TRAFFIC 1965, AS AMENDED

SHIP DETAILS Name of ship:_____ IMO number:_____ Flag:_____ Company:_____ Company address:_____	Date of birth:_____ Place of birth:_____ Claimed nationality:_____ Home address:_____ Country of domicile:_____ ID document type, e.g. passport no.:_____ ID card no. or Seaman's book no.:_____ If yes, When issued:_____ Where issued:_____
Agent in next port:_____ Agent address:_____	
IRCS:_____ Inmarsat number:_____	

Fourth Schedule - (Cont'd)

FORM OF STOWAWAY DETAILS REFERRED TO IN RECOMMENDED PRACTICE 4.6.2 OF THE CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME TRAFFIC 1965, AS AMENDED - (Cont'd)

Port of registry:_____	Date of expiry:_____
Name of master:_____	Issued by:_____
STOWAWAY DETAILS	Photograph of the stowaway:
Date/time found on board:_____	Photograph if available
Place of boarding:[8]_____	
Country of boarding:_____	
Date/time of boarding:_____	
Intended final destination:_____	General physical description of the stowaway:
Stated reasons for boarding the ship:[9]	
Surname:_____	
Given name:_____	
Name by which known:_____	
Gender:_____	

[8] "Place of boarding" should include port, port facility number, berth and terminal information (FAL.7/Circ.1, related to the *Unified interpretation of appendix 3 to the FAL Convention*).

[9] If the stowaway declares himself or herself to be a refugee or an asylum seeker, this information shall be treated as confidential to the extent necessary to the security of the stowaway.

Fourth Schedule - (Cont'd)

FORM OF STOWAWAY DETAILS REFERRED TO IN RECOMMENDED PRACTICE 4.6.2 OF THE CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME TRAFFIC 1965, AS AMENDED - (Cont'd)

First language:_____	Other languages:_____
Spoken:_____	Spoken:_____
Read:_____	Read:_____
Written:_____	Written:_____

Other details:

(1) Method of boarding, including other persons involved (e.g. crew, port workers, etc.), and whether the stowaway was secreted in cargo/container or hidden in the ship:

_____

_____

_____

_____

(2) Inventory of the stowaway's possessions:_____

_____

_____

_____

_____

Fourth Schedule - (Concl'd)

FORM OF STOWAWAY DETAILS REFERRED TO IN RECOMMENDED PRACTICE 4.6.2 OF THE CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME TRAFFIC 1965, AS AMENDED - (Concl'd)

(3) Statement made by the stowaway:_____

(4) Care provided to the stowaway (first aid, clothing, food):_____

Date(s) of interview(s):_____

Stowaway's signature:_____ Master's signature:_____

Date:_____ Date:_____

FIFTH SCHEDULE

(Sections 12(7) and 50)

List of officers to whom pre-arrival and pre-departure documents to be submitted

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

Officer	Document
Chief Agricultural Officer	Phytosanitary documents
	Other agricultural related information
Chief Environmental Health Officer	Crew List
	Passenger List
	Advanced Notification Form for Waste Delivery
	List of Ports of Call
	Maritime Declaration of Health
	International Certification of Vaccination
	Yellow Fever Vaccination List
	Ship Sanitation Control Exemption Certificate
	Ship Sanitation Control Certificate

Fifth Schedule - (Concl'd)

Officer	Document
Chief Executive Officer, Barbados Port Inc.	Security-related information
	Stowaway documents
Chief Immigration Officer	Advanced Passenger Information
	List of Ports of Call
Chief Operations Officer, JRCC	Advanced Passenger Information
	Advanced Cargo Information
Comptroller of Customs	General Declaration
	Cargo Declaration/Ship Manifest
	Ship's Stores Declaration
	Crew's Effects Declaration
	Dangerous Good's Manifest
	Advanced Cargo Information
Designated Lead Port State Control Officer	SOLAS certificates
	STCW certificates
	MARPOL certificates;
	Maritime labour certificate
	Declaration of Maritime Labour Compliance
	International Ballast Water Management Certificate
	International Anti-fouling Systems Certificate
	Declaration on Anti-fouling System
	any other document specified in the Caribbean Memorandum of Understanding

SIXTH SCHEDULE

(Sections 13, 26, 27, 28 and 50)

Certificates of Clearance on Pre-Arrival and Arrival

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

PART A

FORM OF PROVISIONAL CERTIFICATE OF CLEARANCE FOR ARRIVAL

Ship Name: _____

Type of Ship: _____

Gross Tonnage: _____

IMO Number: _____

Call Sign: _____

Port of Registry: _____

Date of Registry: _____

Passenger Amount (where applicable): _____

Date and time of virtual arrival in Barbados: _____

Expected date and time of actual arrival in Barbados: _____

Issued by: _____

Date of issue: _____

Time of issue: _____

Sixth Schedule - (Cont'd)

This is to certify that the pre-arrival documents submitted through the Barbados Maritime Single Window, relating to _____, in accordance with
Name of Ship
section 12 of the *Facilitation of International Maritime Traffic Act, 2024 (Act 2024*-2) have been examined and the information has been verified and is in order.

The _____ is granted Provisional Clearance to enter the
Name of Ship
Port of Bridgetown in accordance with section 13 of the *Facilitation of International Maritime Traffic Act, 2024* and shall be subject to on-board inspection on arrival at the Port.

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

PART B

FORM OF CERTIFICATE OF CLEARANCE FOR ARRIVAL

Ship Name: _____

Type of Ship: _____

Gross Tonnage: _____

IMO Number: _____

Call Sign: _____

Port of Registry: _____

Date of Registry: _____

Passenger Amount (where applicable): _____

Date and time of arrival in Barbados: _____

Date and time of actual arrival in Barbados: _____

Issued by: _____

Date of issue: _____

Time of issue: _____

In accordance with section 13 of the *Facilitation of International Maritime Traffic Act, 2024* (Act 2024-2) - the Ship _____ has been inspected and has satisfied the requirements of the *Immigration Act*, Cap. 190, *Customs Act*, Cap. 66 and *Health Services (Assignment of Public Inspectors to Private Businesses) Regulations, 1986* (S.I. 1986 No. 143).

Name of Ship

The Ship _____ is granted Final Clearance to enter the Port of Bridgetown.

Name of Ship

Issued by: _____

Date of Issue: _____

Time of Issue: _____

SEVENTH SCHEDULE

(Sections 16 and 50)

Form of Notice of Intended Departure

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

FORM OF NOTICE OF INTENDED DEPARTURE

Port Authority (Marine Section)

Port of_____

Name of Ship:_____ Nationality:_____

Tons: Gross_____ Net:_____

Name of Master:_____ Number of Crew:_____

Arrived from:_____ Date:_____

Cargo imported: Bill of Lading_____ Packages:_____

Tons:_____

Number of Passengers Arrived:_____

Bound to:_____

Cargo imported: Bill of Lading_____ Packages:_____

Tons:_____

Deck Cargo Outwards: Tons_____ c. ft_____Animals_____

Number of Mail bags shipped:_____

Number of Passengers embarked:_____

_____19_____

_____

Owners/Agents.

EIGHTH SCHEDULE

(Sections 12, 17(1) and (2), 50)

Certificates of Clearance on Departure

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

PART A

PROVISIONAL CERTIFICATE OF CLEARANCE FOR DEPARTURE

Ship Name: _____

Type of Ship: _____

Gross Tonnage: _____

IMO Number: _____

Call Sign: _____

Port of Registry: _____

Date of Registry: _____

Passenger Amount (where applicable): _____

Date and time of virtual departure from Barbados: _____

Expected date and time of actual departure from Barbados: _____

Eighth Schedule - (Cont'd)

This is to certify that the pre-departure documents submitted through the Barbados Maritime Single Window in accordance with section 16 of the *Facilitation of International Maritime Traffic Act, 2024* (Act 2024-2) have been examined and the information has been verified and is in order.

The_____ is granted Provisional Clearance to depart
Name of Ship

from the Port of Bridgetown in accordance with section 17 of the *Facilitation of International Maritime Traffic Act, 2024* and shall be subject to on-board inspection prior to departure from the Port.

_____
Signature

Issued by:_____

Date of Issue:_____

Time of Issue:_____

Stamp

Eighth Schedule - (Cont'd)

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

PART B

FORM OF FINAL CERTIFICATE OF CLEARANCE ON DEPARTURE

Ship Name:_____

Type of Ship:_____

Gross Tonnage:_____

IMO Number:_____

Call Sign:_____

Port of Registry:_____

Date of Registry: _____

Passenger Amount (where applicable): _____

Date and time of departure from Barbados:_____

Date and time of actual departure from Barbados:_____

Eighth Schedule - (Concl'd)

In accordance with section 17(2) of the *Facilitation of International Maritime Traffic Act, 2024* (Act 2024-2) - the _____ has been inspected and has
Name of Ship
satisfied the requirements of the *Immigration Act*, Cap. 190, *Customs Act*, Cap. 66 and *Health Services (Assignment of Public Inspectors to Private Businesses) Regulations, 1986* (S.I. 1986 No. 143).

The _____ is granted Final Clearance to depart from
Name of Ship
the Port.

Issued by: _____

Date of Issue: _____

Time of Issue: _____

Stamp

NINTH SCHEDULE

(Sections 18(1), (2) and 50)

List of officers to whom fines are to be paid for outstanding pre-arrival and pre-departure documents

Facilitation of International Maritime Traffic Act, 2024
(Act 2024-2)

Officer	Document
Chief Agricultural Officer	Phytosanitary documents
	Other agricultural related information
Chief Environmental Health Officer	Crew List
	Passenger List
	Maritime Declaration of Health
	International Certification of Vaccination
	Yellow Fever Vaccination List
	Ship Sanitation Control Exemption Certificate
	Ship Sanitation Control Certificate

Ninth Schedule - (Concl'd)

Officer	Document
Chief Executive Officer, Barbados Port Inc.	Security-related information
	Stowaway documents
Chief Immigration Officer	List of Ports of Call
Comptroller of Customs	General Declaration
	Cargo Declaration/Ship Manifest
	Ship's Stores Declaration
	Crew's Effects Declaration
	Dangerous Good's Manifest
	Letter Bulk - Bulk mail
Designated Lead Port State Control Officer	SOLAS certificates
	STCW certificates
	MARPOL certificates
	Maritime labour certificate
	Declaration of Maritime Labour Compliance
	International Ballast Water Management Certificate
	International Anti-fouling Systems Certificate
	Declaration on Anti-fouling System
	any other document specified in the Caribbean Memorandum of Understanding

TENTH SCHEDULE

(Section 51)

CONSEQUENTIAL AMENDMENTS

Column 1 Enactment	Column 2 Amendments
Barbados Harbours Regulations, 1961 (L.N. 1961 No. 11)	1. Revoke regulations 12, 13, 17 and 35. 2. Delete regulation 22 and substitute the following: "**Master to deliver ship registry certificate** **22.** The master of a ship which has arrived in Barbados from a port outside of Barbados shall on entering a harbour produce the ship's registry certificate at the request of an authorised employee.". 3. Delete regulation 103 and substitute the following: "**Dangerous Goods Manifest** **103.** (1) The ship owner, ship agent or master of every ship having on board any dangerous goods shall submit a Dangerous Goods Manifest in accordance with section 12 of the *Facilitation of International Maritime Traffic Act, 2024* (Act 2024-2).

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

Column 1 Enactment	Column 2 Amendments
Barbados Harbours Regulations, 1961 (L.N. 1961 No. 11) - *(Concl'd)*	(2) Where the ship owner, ship agent or master fails to submit a Dangerous Goods Manifest in accordance with subsection (1) and dangerous goods are landed in Barbados, the management may *(a)* order the dangerous goods to be placed on board the ship on which which they have arrived; *(b)* destroy the dangerous goods; or *(c)* otherwise deal with the dangerous goods as it considers necessary at the risk and expense of the ship on which they arrived.".
Quarantine Act, Cap. 53	4. Delete the *Second Schedule*. In section 12, delete the words "nine hundred and sixty dollars" wherever they appear and substitute the words "one hundred thousand dollars".
Quarantine (Maritime) Regulations, 1947 (S.I. 1947 No. 38)	1. In regulation 2, *(a)* in the definition "approved port" delete the words "deratisation certificate" and

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

Column 1 Enactment	Column 2 Amendments
Quarantine (Maritime) Regulations, 1947 (S.I. 1947 No. 38) - *(Cont'd)*	"deratisation exemption certificate" and substitute the words "Ship Sanitation Control Exemption Certificate" and "Ship Sanitation Control Certificate" set out in *Schedule E*"; *(b)* delete the definition "deratisation certificate" and "deratisation exemption certificate"; *(c)* in the defintion "valid" delete the words "deratisation certificate or deratisation exemption certificate" and substitute the words "Ship Sanitation Control Exemption Certificate" or "Ship Sanitation Control Certificate" set out in *Schedule E.*". 2. Delete regulation 4 and substitute the following: "**Declaration of health** **4.** (1) The master of a ship approaching the Island from a foreign port shall submit a Maritime Declaration of Health set out in *Schedule A* through the Barbados Maritime Single Window.

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

Column 1 Enactment	Column 2 Amendments
Quarantine (Maritime) Regulations, 1947 (S.I. 1947 No. 38) - *(Cont'd)*	(2) For the purposes of this section "Barbados Maritime Single Window" has the meaning assigned to it in the *Facilitation of International Maritime Traffic Act, 2024* (Act 2024-2).

3. Delete *Schedule A* and substitute the following:

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

"SCHEDULE A

(Regulations 4 and 5)

Maritime Declaration of Health

To be completed and submitted to the competent authorities by the masters of ships arriving from foreign ports.

Submitted at the port of:_____

Date:_____

Name of ship or inland navigation vessel: _____

Registration/IMO No.:_____

Arriving from:_____

Sailing to:_____

(Nationality)/(Flag of vessel):_____

Master's name:_____

Gross tonnage (ship):_____

Tonnage (inland navigation vessel):_____

Valid Sanitation Control Exemption/Control Certificate carried on board? ☐ Yes ☐ No

Issued at:_____

Date:_____

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

Re-inspection required? ☐ Yes ☐ No

Has ship/vessel visited an affected area identified by the World Health Organization? ☐ Yes ☐ No

Port and date of visit:_____

List ports of call from commencement of voyage with dates of departure, or within past 30 days, whichever is shorter:_____

On the request of the competent authority at the port of arrival, list crew members, passengers or other persons who have joined ship/vessel since international voyage began or within past 30 days, whichever is shorter, including all ports/countries visited in this period (add additional names to the attached schedule):

(1) Name:_____

joined from: (1)_____

(2)_____

(3)_____

(2) Name:_____

joined from: (1)_____

(2)_____

(3)_____

(3) Name:_____

joined from: (1)_____

(2)_____

(3)_____

Number of crew members on board:_____ Number of passengers on board:_____

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

Health questions

(1) Has any person died on board during the voyage otherwise than as a result of accident? ☐ Yes ☐ No

If yes, state particulars in attached schedule. Total no. of deaths_____

(2) Is there on board or has there been during the international voyage any case of disease which you suspect to be of an infectious nature? ☐ Yes ☐ No

If yes, state particulars in attached schedule.

(3) Has the total number of ill passengers during the voyage been greater than normal/ expected? ☐ Yes ☐ No

How many ill persons?_____

(4) Is there any ill person on board now? ☐ Yes ☐ No

If yes, state particulars in attached schedule.

(5) Was a medical practitioner consulted? ☐ Yes ☐ No

If yes, state particulars of medical treatment or advice provided in attached schedule.

(6) Are you aware of any condition on board which may lead to infection or spread of disease? ☐ Yes ☐ No

If yes, state particulars in attached schedule.

(7) Has any sanitary measure (e.g. quarantine, isolation, disinfection or decontamination) been applied on board? ☐ Yes ☐ No

If yes, specify type, place and date:_____

_____

_____

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

(8) Have any stowaways been found on board? ☐ Yes ☐ No

If yes, where did they join the ship? (if known)_____

(9) Is there a sick animal or pet on board? ☐ Yes ☐ No

Note: In the absence of a surgeon, the master should regard the following symptoms as grounds for suspecting the existence of a disease of an infectious nature:

(a) fever, persisting for several days or accompanied by:

(i) prostration;

(ii) decreased consciousness;

(iii) glandular swelling;

(iv) jaundice;

(v) cough or shortness of breath;

(vi) unusual bleeding; or

(vii) paralysis;

(b) with or without fever:

(i) any acute skin rash or eruption;

(ii) severe vomiting (other than sea sickness);

(iii) severe diarrhoea; or

(iv) recurrent convulsions.

I hereby declare that the particulars and answers to the questions given in this Declaration of Health (including the schedule) are true and correct to the best of my knowledge and belief.

_____ *Signature of Master*

_____ *Countersignature Ship's Surgeon (if carried)*

_____ *Date*

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

ATTACHMENT TO MARITIME DECLARATION OF HEALTH

Name	Class or rating	Age	Sex	Nationality	Port, date joined ship/vessel	Nature of illness	Date of onset of symptoms	Reported to a port medical officer?	Disposal of case[1]	Drugs, medicines, or other treatment given to patient	Comments

[1] State: (1) whether the person recovered, is still ill or died; and
(2) whether the person is still on board, was evacuated (including the name of the port or airport), or was buried at sea.".

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

Column 1 Enactment	Column 2 Amendments
Quarantine (Maritime) Regulations, 1947 (S.I. 1947 No. 38) - *(Cont'd)*	4. In regulation 5, delete paragraph 4 and substitute the following: "(4) When a ship is granted radio pratique, the master shall immediately on arrival at a port of the Island, deliver or cause to be delivered to the environmental health officer the Maritime Declaration of Health set out in *Schedule A* , the ship's bill of health (if any) and the Ship Sanitation Control Exemption Certificate or the Ship Sanitation Control Certificate set out in Schedule out in *Schedule E*;". 5. In Part VI, delete the Part Heading "Deratisation of Ships" and substitute the Part Heading "Sanitizing of Ships".

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Cont'd)*

Column 1 Enactment	Column 2 Amendments
Quarantine (Maritime) Regulations, 1947 (S.I. 1947 No. 38) - *(Cont'd)*	6. In regulation 27, *(a)* in paragraph (1) delete the words "deratisation certificate or deratisation exemption certificate" and substitute the words "Ship Sanitation Control Exemption Certificate or "Ship Sanitation Control Certificate"; *(b)* in paragraph (2) delete the words "deratisation exemption certificate" and substitute the words "Ship Sanitation Control Exemption Certificate"; *(c)* in paragraph (4), delete the words "deratisation certificate or deratisation exemption certificate" and substitute the words "Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate"; and

Tenth Schedule - (Cont'd)

CONSEQUENTIAL AMENDMENTS - *(Concl'd)*

Column 1 Enactment	Column 2 Amendments
Quarantine (Maritime) Regulations, 1947 (S.I. 1947 No. 38) - *(Concl'd)*	7. In regulation 28, *(a)* delete the words "deratisation certificate or deratisation exemption certificate" appearing immediately after the word "valid" and substitute the words "Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate"; and *(b)* delete the words "deratisation certificate" appearing at the end of the regulation and substitute the words "Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certifcate".
	8. In regulation 29, delete the words "Deratisation certificates and deratisation exemption certificates" and substitute the words "Ship Sanitation Control Exemption Certificates and Ship Sanitation Control Certificates".
	9. In regulation 31, in paragraph (1) delete the words "valid deratisation certificates or valid deratisation exemption certificates" and substitute the words "valid Ship Sanitation Control Exemption certificates or valid Ship Sanitation Control Certificates".
	10. Delete *Schedule E* and substitute the following:

Tenth Schedule - (Cont'd)

"SCHEDULE E

(Regulations 2, 27, 28, 29 and 31)

Ship Sanitation Control Exemption Certificate/Ship Sanitation Control Certificate

Port of_____ Date:_____

This Certificate records the inspection and (1) exemption from control or (2) control measures applied

Name of ship or inland navigation vessel_____

_____

Flag_____ Registration/IMO No. _____

At the time of inspection the holds were unladen/laden with_____tonnes of_____cargo

Name and address of inspecting officer_____

_____

Tenth Schedule - (Cont'd)

Ship Sanitation Control Exemption Certificate

Areas, [systems, and services] inspected	**Evidence found**[1]	**Sample results**[2]	**Documents reviewed**
Galley			Medical log
Pantry			Ship's log
Stores			Other
Hold(s)/cargo			
Quarters:			
- crew			
- officers			
- passengers			
- deck			
Potable water			
Sewage			
Ballast tanks			
Solid and medical waste			
Standing water			
Engine room			
Medical facilities			
Other areas specified - see attached			
Note areas not applicable, by marking N/A			

No evidence found. Ship/vessel is exempted from control measures.

Name and designation of issuing officer	*Signature and seal*	*Date*

[1](a) Evidence of infection or contamination, including: vectors in all stages of growth; animal reservoirs for vectors; rodents or other species that could carry human disease, microbiological, chemical and other risks to human health; signs of inadequate sanitary measures.

(b) Information concerning any human cases (to be included in the Maritime Declaration of Health).

[2] Results from samples taken on board. Analysis to be provided to ship's master by most expedient means and, if re-inspection is required, to the next appropriate port of call coinciding with the re-inspection date specified in this certificate.

Sanitation Control Exemption Certificates and Sanitation Control Certificates are valid for a maximum of 6 months but the validity period may be extended by one month if inspection cannot be carried out at the port and there is no evidence of infection or contamination.

Tenth Schedule - (Cont'd)

Ship Sanitation Control Certificate

Control measures applied	Re-inspection date	Comments regarding conditions found

No evidence found. Ship/vessel is exempted from control measures.

Name and designation of issuing officer	*Signature and seal*	*Date*

[1](a) Evidence of infection or contamination, including: vectors in all stages of growth; animal reservoirs for vectors; rodents or other species that could carry human disease, microbiological, chemical and other risks to human health; signs of inadequate sanitary measures.

(b) Information concerning any human cases (to be included in the Maritime Declaration of Health).

[2]Results from samples taken on board. Analysis to be provided to ship's master by most expedient means and, if re-inspection is required, to the next appropriate port of call coinciding with the re-inspection date specified in this certificate.

Sanitation Control Exemption Certificates and Sanitation Control Certificates are valid for a maximum of six months but the validity period may be extended by one month if inspection cannot be carried out at the port and there is no evidence of infection or contamination.

Tenth Schedule - (Concl'd)

Attachment to Model Ship Sanitation Control Exemption Certificate/ Ship Sanitation Control Certificate

Areas/facilities/ systems inspected[1]	Evidence found	Sample results	Documents reviewed	Control measures applied	Re-inspection date	Comments regarding conditions found
Food						
Source						
Storage						
Preparation						
Service						
Water						
Source						
Storage						
Distribution						
Waste						
Holding						
Treatment						
Disposal						
Swimming pools/spas						
Equipment						
Operation						
Medical facilities						
Equipment and medical devices						
Operation						
Medicines						
Other areas inspected						

[1] Indicate when the areas listed are not applicable by marking N/A.".

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