



S.I. 2024 No. 64

**SHIPPING (DOMESTIC VESSELS)
(MOORING) REGULATIONS, 2024**

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Shipping (Domestic Vessels) Act, 2024
(Act 2024–22)

**SHIPPING (DOMESTIC VESSELS)
(MOORING) REGULATIONS, 2024**

The Minister, in exercise of the powers conferred on him by section 305(1) (s) of the *Shipping (Domestic Vessels) Act, 2024*, makes the following Regulations:

Citation

1. These Regulations may be cited as the *Shipping (Domestic Vessels) (Mooring) Regulations, 2024*.

Definitions

2. In these Regulations,
“berth” means a designated place in a port or mooring facility used for mooring vessels;
“Chief Executive Officer” means the person who is responsible for supervising and managing port and harbour areas that are under the authority and management of the Barbados Port Inc.;
“dinghy dock” means the designated area for docking dinghies for the purpose of loading and unloading passengers or supplies;
“marina” means a berthing area with docking facilities under common ownership or control and with berths for 10 or more vessels, including commercial marinas, boating facilities and yacht clubs which may be an independent facility or may be associated with a boatyard;

“moor” means the securing or making fast of a boat, raft or float by means of cables, anchors, lines, chains or other device to the ocean bottom, the shore, a dock, slip, pier, or marina;

“mooring” means a temporary, semi-permanent or permanent anchorage installation comprising an anchor, chain, pennant, mooring buoy or similar device;

“mooring buoy” means a white buoy with a blue band marking a mooring or any other device approved by the Harbour Master;

“mooring location” means the location of a mooring assigned by the Harbour Master to a mooring permit owner;

“mooring permit”

(a) means the permit issued by the Harbour Master authorizing a mooring permit owner to moor the vessel specified, using the mooring location specified in the permit, in Barbados waters; and

(b) includes a transient mooring permit and a yearly mooring permit;

“mooring permit owner” means a person to whom a mooring permit has been issued;

“transient mooring permit” means the mooring permit issued by the Harbour Master authorizing a mooring permit owner to moor the vessel specified, using the mooring location specified in the permit, on a temporary basis for a period of not more than 14 days;

“yearly mooring permit” means the mooring permit issued by the Harbour Master authorizing a mooring permit owner to moor the vessel specified, using the mooring location specified in the permit, for a period of more than 14 days but not more than one year.

Duties of the Harbour Master

- 3.(1) The Harbour Master shall be responsible for the following:
- (a) managing mooring activities;
 - (b) issuing permits under these Regulations;
 - (c) assigning mooring locations;
 - (d) establishing and maintaining mooring plans;
 - (e) renting or leasing a mooring, mooring location or mooring equipment;
 - (f) directing the relocation or removal of a mooring;
 - (g) developing and issuing mooring inspection guidelines;
 - (h) managing mooring inspections;
 - (i) collecting permit fees under these Regulations;
 - (j) implementing any policy in relation to mooring; and
 - (k) performing any function necessary to give effect to the Act and its statutory instruments.
- (2) A mooring plan referred to in paragraph (1)(d) shall specify the following:
- (a) the number of vessels that may be moored;
 - (b) the vessel sizes;
 - (c) the mooring locations; and
 - (d) any other information that the Harbour Master may specify.
- (3) Where the Harbour Master suspends, revokes or refuses to issue or renew a permit, as the case may be, the Harbour Master shall notify, in writing, the permit holder of its decision and the reason for the decision.

(4) The Harbour Master shall not revoke a permit unless the permit holder has been given a reasonable opportunity to make representation to the Harbour Master in respect of the revocation.

(5) The Harbour Master may authorize, in writing, an external person to perform a specified function or task.

Mooring permit

4.(1) No person shall moor, anchor or set any mooring or vessel without a mooring permit.

(2) Notwithstanding paragraph (1), a person may be exempted from obtaining a mooring permit in the case of an emergency.

(3) A person who contravenes paragraph (1) is guilty of an offence and is liable on summary conviction to a fine of \$20 000.

Application

5.(1) A person may apply to the Harbour Master for a mooring permit in the specified form and manner.

(2) An application under paragraph (1) shall be accompanied by the following:

- (a) the specified fee;
- (b) a copy of the vessel's certificate of registration;
- (c) a description of the mooring equipment to be used to moor the vessel;
- (d) the applicant's mooring location preference; and
- (e) any other documents and information that the Harbour Master may specify.

Contents of mooring permit

6. A mooring permit shall contain the following information:

- (a) the mooring permit number;

- (b) the name of the vessel owner;
- (c) the vessel to be moored;
- (d) the assigned mooring location; and
- (e) any condition that the Harbour Master may specify.

Issuance of mooring permit

7. Where a person has complied with the requirements of these Regulations and has paid the specified fee, the Harbour Master shall issue a mooring permit.

Terms, conditions and restrictions

- 8.(1) A mooring permit may contain such terms, conditions and restrictions as are considered necessary.
- (2) Unless suspended or revoked, a mooring permit is valid until the date of expiry specified therein.
- (3) A permit is not transferable.

Renewal of mooring permit

- 9.(1) A mooring permit may be renewed.
- (2) A person may apply to the Harbour Master to renew a mooring permit in the specified form and manner.
- (3) An application under paragraph (2) shall be accompanied by
- (a) the specified fee; and
 - (b) any other document specified by the Harbour Master.
- (4) A person who fails to renew a mooring permit is liable to have an assigned mooring location forfeited.

Assignment, rent or lease of mooring locations

- 10.(1)** No person other than the Harbour Master shall assign, rent or lease a mooring location.
- (2) In determining the assignment of a mooring location, the Harbour Master shall take into account any information relevant to the vessel including
- (a) the vessel length;
 - (b) the vessel size;
 - (c) the vessel type; and
 - (d) any other relevant factor.
- (3) A person who contravenes paragraph (1) is guilty of an offence and is liable on summary conviction to a fine of \$20 000.

Temporary mooring

- 11.(1)** No person shall cause a vessel, other than the vessel described in the mooring permit, to be temporarily moored at an assigned mooring location without the prior written approval of the Harbour Master.
- (2) A mooring permit owner may apply to the Harbour Master for written approval.
- (3) In determining whether to grant the approval, the Harbour Master shall take into account the following:
- (a) the vessel length;
 - (b) the vessel size;
 - (c) the vessel type; and
 - (d) any other relevant factor.

Relocation and removal of moorings

- 12.(1)** No person shall remove or relocate a mooring without the prior written approval of the Harbour Master.
- (2) Where a mooring is moved from its approved location by adverse weather or any other cause, the mooring permit owner shall relocate the mooring immediately, or not later than 14 days, from the date that the dislocation of the mooring is discovered.
- (3) The Harbour Master may relocate, remove or cause to be relocated or removed any mooring or vessel whenever, in the Harbour Master's judgment, the safety of other vessels or the maximum use of the area requires such action.
- (4) Where a vessel or mooring is to be relocated or removed, the Harbour Master shall notify the mooring permit owner,
- (5) A mooring permit owner who has been given notice and fails to comply with a directive given under paragraph (3) shall be liable for any loss incurred.
- (6) A person who contravenes paragraph (1) is guilty of an offence and is liable on summary conviction to a fine of \$20 000.

Dinghy docks

- 13.(1)** The Harbour Master may
- (a) specify how a person is to tie a vessel to a dinghy dock; or
 - (b) direct a person to relocate a vessel from a dinghy dock.
- (2) A person shall comply with a directive given under paragraph (1).
- (3) A person who contravenes paragraph (2) is guilty of an offence and is liable on summary conviction to a fine of \$20 000.

Mooring equipment

- 14.(1)** A mooring permit owner shall
- (a) maintain in good condition mooring equipment; and
 - (b) replace mooring equipment that is not in good condition.
- (2) A mooring permit owner shall ensure that chains, eye bolts, swivels, shackles and thimbles conform to ASTM A413 Test Standard or equivalent ISO Standards.
- (3) A person who contravenes paragraph (1) or (2) is guilty of an offence and is liable on summary conviction to a fine of \$20 000.
- (4) For the purposes of this regulation, “ASTM A413” means the Standard Specification for Standard Steel Chains developed by the American Society for Testing and Materials.

Duties of approved marine surveyors

- 15.** An approved marine surveyor shall
- (a) install, service and inspect a mooring;
 - (b) certify that mooring equipment, including mooring tackles, comply with these Regulations;
 - (c) prepare and submit mooring inspection reports to the Harbour Master;
 - (d) comply with any mooring inspection guidelines issued by the Harbour Master;
 - (e) comply with any directive issued by the Administration; and
 - (f) comply with the provisions of the Act and these Regulations.

Mooring inspection

- 16.(1)** No person shall place a mooring in service without
- (a) a mooring inspection; and
 - (b) certification from an approved marine surveyor that the mooring is fit for its intended service.
- (2) A mooring permit owner shall ensure the inspection of a mooring.
- (3) An approved marine surveyor shall
- (a) conduct a mooring inspection; and
 - (b) prepare and submit a report of the mooring inspection, within 30 days of the mooring inspection, to the Harbour Master.
- (4) The Harbour Master may
- (a) inspect or cause a mooring to be inspected;
 - (b) require a mooring permit owner to have his mooring hoisted, at the expense of the mooring permit owner, for the purpose of conducting a visual examination to determine the condition of the mooring; and
 - (c) remove or cause a mooring to be removed that fails to meet the requirements of these Regulations.
- (5) Where a mooring is found defective, the mooring permit owner shall rectify the defective condition before the mooring is put into operation.
- (6) A mooring may be inspected by hoisting the mooring out of the water, underwater visual inspection or by any other method of inspection.
- (7) A person who contravenes paragraph (1), (2) or (5) is guilty of an offence and is liable on summary conviction to a fine of \$20 000.

Fraudulent mooring inspection report

17.(1) No approved marine surveyor shall prepare a mooring inspection report

- (a) that contains false information;
- (b) without conducting a mooring inspection; or
- (c) that falsely states a mooring is fit for the intended service.

(2) A person who contravenes paragraph (1) is guilty of an offence and is liable on summary conviction to a fine of \$20 000 or imprisonment for 2 years or to both and is liable to have his name removed from the register of approved marine surveyors.

Suspension, revocation, refusal to renew mooring permit

18. Where a mooring permit owner fails to comply with any provision of these Regulations or with any condition stated in a mooring permit, the Harbour Master may suspend, revoke or refuse to renew the mooring permit.

Made by the Minister this 21st day of October, 2024.

G. P. I. GOODING-EDGHILL
Minister responsible for Shipping