



S.I. 2025 No. 40

**MERCHANT SHIPPING (PORT STATE CONTROL) REGULATIONS,
2025**

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Merchant Shipping Act
(Act 2024–28)

**MERCHANT SHIPPING (PORT STATE CONTROL) REGULATIONS,
2025**

The Minister, in exercise of the powers conferred on him by section 1476, of the *Merchant Shipping Act*, makes the following Regulations:

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the *Merchant Shipping (Port State Control) Regulations, 2025*.

Definitions

2.(1) In these Regulations,

“Act” means the *Merchant Shipping Act, 2024* (Act 2024-28);

“Administration” has the same meaning as in the Act;

“Barbados ship” has the same meaning as in the Act;

“Barbados waters” has the same meaning as in the Act;

“bulk carrier” has the meaning given to that expression in Chapter 1.7 of International Maritime Organization Resolution A. 1119(30);

“clear grounds” other than in regulation 6(4), has the meaning given to that expression in Chapter 1.7 of International Maritime Organization Resolution A. 1119(30);

“Conventions” means the following International Maritime Organization conventions:

- (a) the International Convention on Load Lines, 1966;
- (b) the Protocol of 1988 relating to the International Convention on Load Lines, 1966;
- (c) the International Convention for the Safety of Life at Sea, 1974;
- (d) the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea;
- (e) the International Convention for the Prevention of Pollution from Ships 1973, and the 1978 Protocol relating to it;
- (f) the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;
- (g) the Convention on the International Regulations for Preventing Collisions at Sea, 1972;
- (h) the International Convention on Tonnage Measurement of Ships, 1969;
- (i) the International Convention on Civil Liability for Oil Pollution Damage, 1992; and
- (j) non-mandatory International Maritime Organization instruments to which Barbados is a party that are incorporated under the Act and regulations made under it for enhancing the safety, security and environmental performance compliance by Barbados ships and foreign ships when in Barbados’ waters;

“Convention enactment” means

- (a) the Act; or
- (b) a statutory instrument made under the Act that implements a Convention;

“deficiency” has the meaning given to that term in Chapter 1.7 of International Maritime Organization Resolution A. 1119(30);

“detention” has the meaning given to that term in Chapter 1.7 of International Maritime Organization Resolution A.1119(30);

“expanded inspection” has the meaning given to that expression in Chapter 2.4 of International Maritime Organization Resolution A. 1119(30);

“fishing vessel” means a vessel used for catching fish or other living resources of the sea;

“flag administration” in relation to a ship, means the administration of the state whose flag the ship is entitled to fly;

“initial inspection” has the meaning given to that expression in Chapter 1.7 of International Maritime Organization Resolution A. 1119(30);

“inspection” means a visit on board a ship by an inspector to check compliance with a Convention, including the checks set out in International Maritime Organization Resolution A. 1119(30), and includes

- (a) an initial inspection;
- (b) a more detailed inspection; and
- (c) an expanded inspection;

“inspector” means

- (a) a person specified under Part XXXI of the Act; or
- (b) a person authorized by the Minister to carry out inspections required by these Regulations;

“International Maritime Organization procedures for port state control” means International Maritime Organization Resolution A. 1119(30)-2011, as amended;

“merchant shipping notice” has the same meaning as in the Act;

“more detailed inspection” has the same meaning as in section 36 of the *Facilitation of International Maritime Traffic Act, 2024* (Act 2024-2);

“port authority” means the government entity that manages cargo, passengers and related services within the port facilities in Barbados, and that generally has control of the operation of a port;

“port state control” means the authority of the Government of Barbados, through the Administration, over vessels of any flag, when such vessels enter a port in Barbados;

“port state control officer” has the same meaning as in the Act;

“recognized organization” has the same meaning as in the Act;

“refusal of access notice” means a decision issued by the competent authority of a Memorandum of Understanding on Port State Control region to the master of a ship, to the shipowner and to the ship’s flag state, notifying them that the ship will be refused access to all ports and anchorages in the territory of any member state of International Maritime Organization;

“ship” has the same meaning as in the Act;

“shipowner” in relation to a ship, includes an operator, manager, charterer or agent of the ship;

“stoppage” in relation to an operation, has the meaning given to that term in Chapter 1.7 of International Maritime Organization Resolution A. 1119(30); and

“substandard” in relation to a ship, has the meaning given to that term in Chapter 1.7 of International Maritime Organization Resolution A. 1119(30).

(2) A reference to a convention in these Regulations includes the most recent version of the protocols and amendments to the Convention and any related codes of mandatory status, in so far as those versions

- (a) relate to securing the safety of Barbados ships and persons on them, protecting the health of persons on Barbados ships, and protecting the marine environment in which such ships operate;
- (b) relate to securing the safety of other ships and persons on them while they are within Barbados waters, for protecting the health of persons on non-Barbados ships while they are within Barbados waters, and for protecting the marine environment of Barbados;
- (c) are considered by the Administration to be relevant from time to time; and
- (d) are specified in a merchant shipping notice.

(3) A reference in these Regulations to Barbados includes Barbados waters.

(4) In these Regulations, a reference to International Maritime Organization Resolution A.1119 (30) shall be construed as a reference to that Resolution as amended from time to time.

Purpose

3. The purpose of these Regulations is to provide for the inspection of foreign ships in ports within Barbados waters to verify that the ships comply with the requirements of international shipping instruments of the International Maritime Organization and that the ship is manned and operated in compliance with international maritime rules established by that Organization, and to provide for related matters.

Application

4.(1) These Regulations apply to a ship and her crew calling at a port or anchorage in Barbados to engage in a ship-port interface.

(2) Except where expressly provided otherwise, these Regulations do not apply to

- (a) a Barbados ship;
- (b) a fishing vessel;
- (c) a warship;
- (d) a naval auxiliary;
- (e) a wooden ship of primitive build;
- (f) a government ship used for non-commercial purposes;
- (g) a pleasure yacht not engaged in trade; or
- (h) a vessel to which the *Shipping (Domestic Vessels) Act, 2024* (Act 2024-22) applies.

(3) An inspector shall, when exercising functions in respect of a ship of less than 500 GT,

- (a) have regard to International Maritime Organization Procedures for Port State Control Chapter 1.6;
- (b) to the extent a Convention applies to the ship, apply the requirements of that Convention; and
- (c) to the extent a Convention does not apply to the ship, take such action as may be necessary to ensure that the ship is not hazardous to safety, health or the environment.

(4) An inspection in Barbados of a ship while not in a port is considered an inspection for the purposes of these Regulations.

(5) Where

- (a) a ship is detained under a Convention enactment; or
- (b) the master of a ship is served with a detention notice under such an enactment;

the Act applies in relation to the ship as if a reference to proceeding to sea were a reference to proceeding contrary to the detention notice and references to sending or taking to sea were construed accordingly.

Port state control inspection commitment

5.(1) The Administration will in each calendar year ensure the carrying out of inspections on 15 per cent of the vessels visiting Barbados that are subject to these Regulations.

(2) A record of inspections conducted in Barbados will be maintained by the Administration.

PART II

PORT STATE CONTROL MEASURES

Inspections: initial and more detailed

6.(1) Subject to paragraph (2), in carrying out an inspection of a ship, the inspector shall as a minimum carry out an initial inspection.

(2) If

(a) after an initial inspection has been carried out in an International Maritime Organization member state, deficiencies to be rectified in the ship's next port of call have been recorded in a port state inspection database; and

(b) that next port of call is in Barbados;

an inspector in Barbados shall, if carrying out an inspection of that ship, as a minimum, comply with the requirements of International Maritime Organization Resolution A. 1119(30) and verify that the outstanding deficiencies have been rectified.

(3) A more detailed inspection of a ship shall be carried out when there are clear grounds for believing, after an initial inspection, that the condition of the ship or of its equipment or crew does not substantially meet the requirements of a Convention.

(4) For the purposes of paragraph (3) and regulation 7(3), clear grounds exist when an inspector finds evidence that, in the inspector's professional judgement, warrants a more detailed inspection of the ship, its equipment or its crew as set out in Chapter 2.4 of International Maritime Organization Resolution A. 1119(30).

Expanded inspection of certain ships

7.(1) This regulation applies to ships in the categories that are eligible for expanded inspections set out in Chapter 2.4 of International Maritime Organization Resolution A. 1119(30).

(2) The following categories of vessels visiting a port or anchorage in Barbados are subject to expanded inspections:

- (a) high-risk profile vessels on the black list recorded in the database of the Memorandum of Understanding on Port State Control region of the state whose flag the vessels flies that have not been inspected in that region during the previous 5 months;
- (b) standard-risk profile vessels on the grey list recorded in the database of the Memorandum of Understanding on Port State Control region of the state whose flag the vessel flies that have not been inspected in that region during the previous 10 months; and
- (c) low-risk profile vessels on the white list recorded in the database of the Memorandum of Understanding on Port State Control region of the state whose flag the vessel flies that have not been inspected in that region during the previous 24 months.

(3) The Memorandum of Understanding on Port State Control regions referred to in paragraph (2) are

- (a) the Tokyo Memorandum of Understanding on Port State Control (Asia Pacific) region;
- (b) the Paris Memorandum of Understanding on Port State Control (Europe, United Kingdom and North Atlantic) region;
- (c) the Acuerdo de Vina del Mar (Latin American) region;
- (d) the Caribbean Memorandum of Understanding on Port State Control (Caribbean) region;
- (e) the Mediterranean Memorandum of Understanding on Port State Control (Mediterranean Sea) region;
- (f) the Indian Ocean Memorandum of Understanding on Port State Control (Indian Ocean) region;
- (g) the Abuja Memorandum of Understanding on Port State Control (West and Central African) region;
- (h) the Black Sea Memorandum of Understanding on Port State Control (Black Sea) region; and
- (i) the Riyadh Memorandum of Understanding on Port State Control (Arab Gulf) region.

(4) United States visiting vessels falling into the categories set out in Chapter 2.4 of International Maritime Organization Resolution A. 1119(30) are eligible for expanded inspections.

(5) If a ship is eligible for an expanded inspection and is to call at a port or anchorage in Barbados, her shipowner, master or operator shall

- (a) notify the Administration;
- (b) include in the notification information required for a ship requesting an expanded inspection;

- (c) use the Maritime Single Window or other electronic means approved by the Administration to make the notification;
 - (d) make the notification
 - (i) at least 3 days before the expected time of arrival at the port or anchorage; or
 - (ii) if the voyage to the port or anchorage is expected to take less than 3 days, before leaving the previous port or anchorage.
- (6) An expanded inspection may include a more detailed inspection whenever there are clear grounds for believing that the condition of a ship or of its equipment or crew does not substantially meet the relevant requirements of a Convention described in regulation 6(4).
- (7) A shipowner or master shall ensure that sufficient time is available in the operating *schedule* to allow an expanded inspection to be carried out.
- (8) Without prejudice to control measures required for security purposes, a ship shall not leave the port or anchorage until an inspection required under this regulation is completed.
- (9) If the Administration notifies an inspector that an expanded inspection of a ship will not be carried out, the inspector shall notify the ship's master or shipowner.

Report of inspection to ship's master

8. On completion of an inspection, the inspector shall draw up a report in accordance with Chapter 4.1 of the International Maritime Organization Resolution A. 1119(30) and shall provide the ship's master with a copy of the report.

Inspectors: professional profile

9.(1) Subject to paragraph (2), an inspection under these Regulations shall be carried out by an inspector who is qualified and trained in accordance with

Chapters 1.8 and 1.9 of International Maritime Organization Resolution A.1119 (30) and employed by the Administration.

(2) Where an inspector with the required professional expertise cannot be provided by the Administration, an inspection may be conducted by any person that the Administration considers to have acceptable professional expertise.

(3) An inspector and any person assisting an inspector shall have no commercial interest in the port of inspection or in the ships inspected, and an inspector shall not be employed by, or undertake work on behalf of, a non-governmental organization that issues statutory and classification certificates, or that carry out surveys necessary for the issuance of those certificates, to ships.

Rectification and detention

10.(1) A shipowner shall satisfy the Administration that any deficiencies that are confirmed or revealed by an inspection are or will be rectified in accordance with the Conventions.

(2) Where a deficiency is clearly hazardous to safety, health or the environment, the inspector shall detain the ship, or require stoppage of the operation in the course of which the deficiency was revealed, in accordance with Convention enactments, or issue a prohibition notice under section 1061 of the Act.

(3) A detention notice issued in the circumstances described in paragraph (2) may

(a) include a direction that a ship shall remain in a particular place or move to a particular anchorage or berth; and

(b) specify circumstances under which the master of the ship may move that ship from a specified place for reasons of safety or prevention of pollution.

(4) Measures imposed by an inspector under paragraph (2) shall not be lifted until the Administration has established that the ship can, subject to any necessary conditions, proceed to sea, or the operation can be resumed, without risk to the

safety and health of passengers or crew, without risk to other ships, and without an unreasonable threat of harm to the marine environment.

(5) Without prejudice to any other requirement in a Convention enactment, when exercising professional judgement as to whether a ship should be detained, an inspector shall apply the criteria set out in Chapter 3.5 of the International Maritime Organization Procedures for Port State Control.

(6) A ship may be detained if it is not equipped with a functioning voyage data recorder system, if its use is required by a Convention.

(7) If a deficiency referred to in paragraph (6) cannot readily be rectified in the port of detention, an inspector may allow the ship to proceed to an appropriate repair yard nearest to the port of detention where it can be rectified, or require that the deficiency be rectified within a period of 30 days.

(8) Where the overall condition of a ship is obviously substandard, an inspector may, in addition to detaining the ship, suspend the inspection of that ship until the shipowner or ship's master have taken the steps necessary to ensure that the ship complies with the requirements of the Conventions.

(9) If a ship is detained following an inspection, the Administration shall immediately notify, in writing,

- (a) the ship's flag administration;
- (b) the consul of the state of the flag administration; or
- (c) the nearest diplomatic representative of the state of the flag administration.

(10) A notice referred to in paragraph (9) shall set out all the circumstances relating to the decision to detain the ship and shall include the report of inspection.

(11) If a ship is detained following an inspection, the Administration shall also notify all surveyors or recognized organizations responsible for the issuance of classification certificates or statutory certificates.

(12) These Regulations do not prejudice any additional requirements of the Conventions concerning notification and reporting procedures related to port state control.

(13) When carrying out an inspection of a ship under these Regulations, an inspector shall make all possible efforts to avoid the ship being unduly detained or delayed.

(14) The risk of port congestion shall not be a consideration in a decision to detain a ship or to release a ship from detention.

Refusal of access

11. A ship in respect of which a refusal of access notice has been issued by a state that is a signatory to a port state memorandum shall not enter a port or anchorage in Barbados.

Power to issue refusal of access notice

12. The Minister may issue a refusal of access notice in respect of a ship described in regulation 11.

Effect of refusal of access notice

13. A refusal of access notice takes effect when the ship to which it applies leaves the port or anchorage where the refusal of access notice was issued.

Power to permit prohibited ships to enter port

14. Notwithstanding regulations 11, 13 and 18, the Minister may allow a ship access to a specific port or anchorage in Barbados if the Minister

- (a) considers that one of the following circumstances applies in relation to the ship:
 - (i) the existence of a *force majeure*;
 - (ii) there are overriding safety considerations;

- (iii) there is a need to reduce or minimize the risk of pollution; or
- (iv) there is a need to have deficiencies rectified; and
- (b) satisfied that adequate measures to ensure safe entry have been implemented by the shipowner or master of the ship.

Right of appeal and compensation

15.(1) Regulations 16 and 17 apply in relation to the exercise of a power of detention or refusal of access in a Convention enactment other than the Act and the *Merchant Shipping (Vessel Survey and Certification) Regulations, 2025* (S.I. 2025 No. 42).

(2) Section 454 of the Act applies in relation to a refusal of access notice issued under these Regulations in the same manner as it applies to a detention notice under that section, as if

- (a) references to “inspector” were to a person conducting an inspection under these Regulations; and
- (b) the following were omitted:
 - (i) in subsection 454(1), “under section 453(4)(b)”;
 - (ii) in subsection 454(2), “unless on the application of the person requiring the referral, the arbitrator so directs”;
 - (iii) in subsection 454(3), “to whether the ship was an unsafe ship”; and
 - (iv) in subsection 454(5), “as an unsafe ship”.

(3) Section 455 of the Act applies in relation to a detention notice or a refusal of access notice under these Regulations as if the following were substituted for section 455(1):

“(1) If on a reference under section 454 relating to a detention notice, or a refusal of access notice, issued in relation to a ship, the shipowner demonstrates to the satisfaction of the arbitrator that

- (a) a matter did not constitute a valid basis for the inspector’s opinion; and
- (b) there were no reasonable grounds for the inspector to form that opinion;

the arbitrator may award the shipowner such compensation in respect of any loss suffered by him in consequence of the detention of the ship or the service of the refusal of access notice as the arbitrator thinks fit.”

Arbitration

16.(1) A question as to whether a matter referred to in paragraph (2) constituted a valid basis for the inspector’s opinion shall, if the master of the ship or shipowner so requires by a notice given to the inspector within 21 days from the service of the detention notice or refusal of access notice, be referred to a single arbitrator appointed by agreement between the parties for that question to be decided by the arbitrator.

(2) A matter may be referred to arbitration under paragraph (1) if it is specified in relation to a ship in a detention notice or refusal of access notice as forming the basis for an opinion formed by the inspector.

(3) A notice given by the master of a ship or shipowner under paragraph (1) does not suspend the operation of the detention notice or refusal of access notice.

(4) The arbitrator shall have regard to any matter not specified in the detention notice or refusal of access notice that appears to him to be relevant to whether the ship was liable to be detained or served with a refusal of access notice.

(5) Where the arbitrator decides that a matter to which the referral relates did not constitute a valid basis for the inspector’s opinion, the arbitrator shall

- (a) cancel the detention notice or refusal of access notice, as the case may be; or

- (b) affirm it with such modifications as the arbitrator may in the circumstances think fit.
- (6) In any other case, the arbitrator shall affirm the detention notice or refusal of access notice in its original form.
- (7) The arbitrator shall include in his decision a finding as to whether there was a valid basis for the detention of the ship or for the service of a refusal of access notice.
- (8) A person shall not be appointed as an arbitrator under this regulation unless he is
 - (a) a person holding a certificate of competency as a master mariner or as a marine engineer officer class 1, or a person holding an equivalent certificate;
 - (b) a naval architect;
 - (c) a person who is qualified to be appointed to a high judicial office in Barbados; or
 - (d) a person with special experience of shipping matters, of the fishing industry, or of activities carried on in ports.
- (9) In an arbitration under this regulation, an arbitrator has the powers conferred on an inspector by section 1058 of the Act.

Compensation for unjustified detention

- 17.(1)** If on a reference under regulation 16 relating to a detention notice or refusal of access notice, the arbitrator decides that the shipowner has proved
- (a) that the matter complained of did not constitute a valid basis for the inspector's opinion; and
 - (b) that there were no reasonable grounds for the issuance of the detention notice or refusal of access notice;

the arbitrator shall award the shipowner such compensation in respect of any loss suffered in consequence of the detention of the ship or the issuance of a refusal of access notice as the arbitrator thinks fit.

(2) Any compensation awarded under this Regulation is payable by the Minister.

Detained ships requiring repair not to enter port

18.(1) A ship referred to in paragraph (2) that proceeds to sea from a port or anchorage in an International Maritime Organization member state

- (a) without complying with the conditions determined by the competent authority of that state in the port of inspection; or
- (b) without calling into an indicated repair yard;

shall not enter a port or anchorage within Barbados until the shipowner has provided evidence to the satisfaction of the competent authority that the ship fully complies with all applicable requirements of the Conventions.

(2) This regulation applies to a ship that

- (a) was detained in a port in an International Maritime Organization member state after an inspection revealed deficiencies that were clearly hazardous to safety, health or the environment; or
- (b) was so detained and was allowed by the competent authority of that state to proceed to an appropriate repair yard nearest to the port of detention.

Power to permit ship to proceed to repair yard

19.(1) Where deficiencies referred to in regulation 10(2) cannot be rectified in the port of inspection, an inspector may allow the ship to proceed without delay to an appropriate repair yard nearest to the port of detention, chosen by the master and authorities concerned, where follow-up action can be taken, if conditions

determined by the competent authority of the flag administration and agreed to by the inspector are complied with.

(2) Conditions referred to in paragraph (1) shall ensure that the ship can proceed without risk to the safety and health of passengers or crew or risk to other ships, or posing an unreasonable threat of harm to the marine environment.

Duty of pilots and port authorities to report anomalies

20.(1) This regulation applies to a pilot authorized under a statutory instrument who boards a ship in Barbados and who is

- (a) engaged in the berthing or un-berthing of a ship in Barbados; or
- (b) engaged on a ship
 - (i) bound for a port in Barbados; or
 - (ii) in transit through Barbados waters.

(2) If a pilot learns, in the course of his normal duties, that there are apparent anomalies that may prejudice the safe navigation of the ship or pose a threat of harm to the marine environment, the pilot shall immediately inform

- (a) where the ship is in Barbados, the port authority that authorized the pilot; or
- (b) in any other case,
 - (i) the Minister; or
 - (ii) the competent authority of an International Maritime Organization member state.

(3) If a port authority

- (a) receives information from a pilot in accordance with paragraph (2) (a); or

- (b) learns, in the course of its normal duties, that a ship within its port has apparent anomalies that may prejudice the safety of the ship or pose an unreasonable threat of harm to the marine environment;

that authority shall immediately inform the Minister.

(4) The information provided in accordance with paragraph (2) or (3) shall be in electronic format whenever possible and shall include

- (a) the ship's name, International Maritime Organization number and call sign;
- (b) the flag under which the ship is sailing;
- (c) the previous port of call;
- (d) the port of destination; and
- (e) a description of the apparent anomalies.

Duty of port authorities to report ship arrivals and departures

21.(1) A port authority shall provide to the Minister the following information in respect of each ship calling at its port or anchorage, within a reasonable time and, whenever possible, in electronic format:

- (a) the identifier of the port concerned;
- (b) the ship's name, International Maritime Organization number and call sign; and
- (c) the ship's time of arrival or departure.

(2) A port authority shall also provide the Minister with information in its possession about

- (a) a ship that fails to notify the port authority of any information in relation to
 - (i) port reception facilities; or
 - (ii) vessel traffic monitoring; and

- (b) a ship that has been denied entry or expelled from a port on security grounds.
- (3) The information provided in accordance with paragraph (2) shall include the ship's name, International Maritime Organization number and call sign.

PART III

MISCELLANEOUS

Complaints

- 22.(1)** If a complaint relating to a ship is submitted to the Minister, the Minister shall make an assessment of it as quickly as possible to determine whether it is justified.
- (2) If the complaint is determined to be justified, the Minister shall
- (a) inform the complainant of that conclusion and of any follow-up action taken with regard to the complaint;
 - (b) ensure that anyone directly concerned about the complaint can make his views known;
 - (c) take such action as the Minister considers necessary; and
 - (d) inform the administration of the ship's flag state, and the International Labour Organization if appropriate, of the complaint and action taken.
- (3) If a complaint is determined not to be justified, the Minister shall inform the complainant of the reasons for this conclusion.
- (4) The identity of the complainant shall not be revealed by the Minister or by an inspector to the master of the ship or shipowner concerned.
- (5) An inspector interviewing a member of the crew of the ship concerning a complaint shall
- (a) ensure confidentiality during such interviews; and

- (b) report on such interviews to the Minister.

Costs

23.(1) All costs relating to an inspection for the purposes of, or in connection with, a refusal of access notice under these Regulations, including the lifting of a refusal of access notice, are recoverable from the shipowner or his representative in Barbados.

(2) If a ship is detained pursuant to a Convention enactment for deficiencies in relation to the requirements of a Convention warranting the detention of the ship or under regulation 10(6), the following costs are recoverable from the shipowner or his representative in Barbados:

- (a) all costs of inspections that confirm or reveal
 - (i) deficiencies in relation to the requirements of a Convention warranting the detention of the ship; or
 - (ii) that the ship is not equipped with a functioning voyage data recorder system when its use is compulsory; and
- (b) all costs relating to the detention in port or anchorage.

(3) A detention made under these Regulations or a Convention enactment for deficiencies referred to in paragraph (2) shall not be lifted until any fees payable under the *Merchant Shipping (Vessel Fees) Regulations, 2025* (S. I. 2025 No. 38) in respect of an inspection leading to the detention or arising from it, and any other costs payable under paragraphs (1) and (2), have been paid or the person by whom they are payable has provided sufficient security for them.

Familiarity of crew with operational procedures

24.(1) Ships in port in Barbados and Barbados ships elsewhere are subject to inspection for the purpose of checking that the master and crew are familiar with essential procedures and operations relating to the safety of the ship.

(2) Section 1057 of the Act applies in relation to the inspection of a ship in a port in Barbados to ensure the familiarity of the crew with essential procedures and operations relating to the safety of the ship.

Application to vessels anchored at offshore facilities

25. Port state control inspections shall be conducted in respect of foreign-flagged vessels, including floating, production, storage and offloading units and floating, storage and offloading units anchored at offshore facilities or in waters outside a port in Barbados for compliance with the following instruments:

- (a) the International Convention on Load Lines, 1966;
- (b) the Protocol of 1988 relating to the International Convention on Load Lines, 1966;
- (c) the International Convention for the Safety of Life at Sea, 1974, as amended;
- (d) the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea;
- (e) the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it;
- (f) the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;
- (g) the Convention on the International Regulations for Preventing Collisions at Sea, 1972;
- (h) the International Convention on Tonnage Measurement of Ships, 1969;
- (i) the International Convention on Civil Liability for Oil Pollution Damage, 1992;
- (j) the International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001, as amended;

- (k) the International Convention for the Control and Management of Ships' Ballast Water and Sediment, 2004, as amended; and
- (l) any other applicable international maritime instruments to which Barbados is a party that are specified in a merchant shipping notice.

PART IV

PORT STATE CONTROL THROUGH MARITIME SINGLE WINDOW

Remote port state control inspections

26.(1) Port state control inspections may be conducted remotely in accordance with Part XXX of the Act.

(2) Notwithstanding subsection (1), where there is difficulty in submitting port state control documentation through the Barbados Maritime Single Window and this difficulty is communicated to the Designated Lead Port State Control Officer prior to arrival in Barbados or on arrival to Barbados, the port state control documentation may be submitted when the ship arrives in Barbados.

(3) Notwithstanding any other enactment requiring the submission of shipping documentation for port state control inspection purposes through the Maritime Single Window, port state control documentation may be submitted when the ship arrives in Barbados in accordance with subsection (2).

(4) In this regulation, "Designated Lead Port State Control Officer" has the same meaning as in the *Facilitation of International Maritime Traffic Act, 2024* (Act 2024-2).

Port state inspections under the Maritime Labour Convention

27. The Administration shall ensure that port state control inspections under the Maritime Labour Convention 2006, as amended, are carried out in accordance with the International Labour Organization Guidelines for Port State

Control Officers Carrying out Inspections under the Maritime Labour Convention 2006, as amended.

Safety, security and environmental-related port state inspections

28. The Administration shall ensure that port state control inspections in respect of maritime safety, maritime security and marine pollution prevention are carried out in accordance with International Maritime Organization Procedures for Port State Control.

Offences

29.(1) Subject to regulation 19, if a ship contravenes a direction made under regulation 10(3), the shipowner and master of the ship each commit an offence and are liable on summary conviction to a fine of \$10 000 or, on conviction on indictment, to imprisonment for 2 years or a fine of \$100 000, or both.

(2) Where a ship

- (a) enters a port or anchorage in breach of regulation 11 or 18;
- (b) is permitted to leave a port pursuant to regulation 19(1) but fails to proceed to the repair yard specified; or
- (c) is a ship referred to in regulation 10(7) that
 - (i) fails to proceed to the repair yard specified; or
 - (ii) fails to rectify the deficiency within 30 days,

the shipowner and master of the ship each commit an offence and are liable on summary conviction to a fine of \$10 000 or, on conviction on indictment, to imprisonment for 2 years or a fine of \$100 000, or both.

(3) Where a ship

- (a) fails to provide a notification required under regulation 7(5); or
- (b) leaves a port or anchorage in breach of regulation 7(8);

the shipowner and master each commit an offence and are liable on summary conviction to a fine of \$10 000.

(4) A person who obstructs an inspector or a person assisting the inspector commits an offence and is liable on summary conviction to a fine of \$10 000.

(5) A pilot who contravenes regulation 20(2) commits an offence and is liable on summary conviction to a fine of \$2 000.

(6) A port authority that contravenes regulation 20(3) or 21 commits an offence and is liable on summary conviction to a fine of \$2 000.

(7) It is a defence

- (a) for a person charged under this regulation to prove that he took all reasonable steps to avoid committing the offence; and
- (b) for a port authority charged with a contravention of regulation 21 to prove that it had been informed by the Minister that the Minister was not ready to receive the information referred to in that regulation.

SCHEDULE*(Regulations 1, 2 and 5)**Certification and Documentation*

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
International Tonnage Certificate	All ships – the gross and net tonnage of which have been determined in accordance with the Tonnage Convention	Article 7, Tonnage Convention
International Load Line Certificate	All ships – which have been surveyed and marked in accordance with the International Convention on Load Lines, 1966 or the Convention as modified by the Protocol of 1988 relating to the International Convention on Load Lines 1966, as appropriate	Article 16, International Convention on Load Lines, 1966; Article 18, Protocol of 1988 relating to the International Convention on Load Lines, 1966
International Load Line Exemption Certificate	To any ship to which an exemption has been granted under and in accordance with Article 6, International Convention on Load Lines, 1966 or the Convention as modified by the Protocol of 1988 relating to the International Convention on Load Lines, 1966, as appropriate	Article 6, International Convention on Load Lines, 1966; Article 18, Protocol of 1988 relating to the International Convention on Load Lines, 1966
Minimum Safe Manning Document	Every ship to which Chapter I, International Convention for the Safety of Life at Sea, 1974 applies	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation V/14.2

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
On-board Training and Drills Record	All ships above 150 GT	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation II-2/15.2.2.5
Document of Compliance	All ships above 150 GT	International Convention for the Safety of Life at Sea, 1974, (as amended), Regulation IX/4; International Management Code for the Safe Operation of Ships and for Pollution Prevention, paragraph 13
Document of Compliance with the Special Requirements for Ships Carrying Dangerous Goods	All ships carrying dangerous goods to which Regulation II-2/19, International Convention for the Safety of Life at Sea, 1974 (as amended) applies	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation II-2/19.4
Dangerous Goods Manifest or Stowage Plan	All ships carrying dangerous goods in packaged form	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulations VII/4.5 and VII/7-2; International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex III, Regulation 4

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
Safety Management Certificate	All ships above 150 GT	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation IX/4; International Management Code for the Safe Operation of Ships and for Pollution Prevention, paragraph 13
International Ship Security Certificate	All ships above 150 GT	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation XI-2/9.1.1; International Ship and Port Facility Security, Part A, Section 19 and appendices
Continuous Synopsis Record (CSR)	Every ship to which Chapter I, International Convention for the Safety of Life at Sea, applies	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation XI-1/5
Passenger Ship Safety Certificate	Every passenger ship to which the requirements of International Convention for the Safety of Life at Sea, Chapters II-1, II-2, III, IV and any other relevant International Convention for the Safety of Life at Sea, requirements apply	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation I/12 (as amended by the GMDSS amendments); Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, Regulation I/12 (2000 amendments)
Exemption Certificate	Every ship to which an exemption is granted under International Convention for the Safety of Life at Sea, 1974 (as amended)	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation I/12; Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, Regulation I/12

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
Special Trade Passenger Ship Safety Certificate	All Special Trade Passenger Ships	Special Trade Passenger 71, Rule 5
Special Trade Passenger Ship Space Certificate	All Special Trade Passenger Ships	SSTP 73, Rule 5
List of Operational Limitations	Passenger Ships to which International Convention for the Safety of Life at Sea, Chapter I applies	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation V/30
Cargo Ship Safety Construction Certificate	All Cargo Ships of 500 GT and above	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation I/12 (as amended by the GMDSS amendments); Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, Regulation I/12
Cargo Ship Safety Equipment Certificate	All Cargo Ships of 500 GT and above	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation I/12 (as amended by the GMDSS amendments); Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, Regulation I/12
Cargo Ship Safety Radio Certificate	All Cargo Ships of 300 GT and above	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation I/12 (as amended by the GMDSS amendments); Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, Regulation I/12

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
Cargo Ship Safety Certificate	All Cargo Ships required to comply with International Convention for the Safety of Life at Sea, Chapters II-1, II-2, III, IV, V and other relevant International Convention for the Safety of Life at Sea, requirements	Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, Regulation I/12
International Safety Management Certificate	All passenger ships, cargo ships, oil tankers, chemical tankers, gas carriers, bulk carriers, mobile offshore units and cargo high-speed craft of 500 GT and above	International Convention for the Safety of Life at Sea, 1974 (as amended), Chapter IX; Part A, International Management Code for the Safe Operation of Ships and for Pollution Prevention
Document of Authorization for the Carriage of Grain	All ships to which the International Code for the Safe Carriage of Grain in Bulk applies	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation VI/9; Section 3, International Code for the Safe Carriage of Grain in Bulk
High-Speed Craft Safety Certificate	All high-speed craft to which the International Code of Safety for High Speed Craft (HSC) Code applies	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation X/3; International Code of Safety for High-Speed Craft, Section 1.8
International Certificate of Fitness for the Carriage of INF Cargo	All ships carrying packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation VII/16; International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships Code

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
Nuclear Cargo Ship Safety Certificate	All nuclear-powered cargo ships	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation VIII/10
Nuclear Passenger Ship Safety Certificate	All nuclear-powered passenger ships	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation VIII/10
Special Purpose Ship Safety Certificate	All Special Purpose Ships	International Convention for the Safety of Life at Sea, 1974 (as amended), Regulation I/12; Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, Regulation I/12
Mobile Offshore Drilling Unit Safety Certificate	All mobile offshore drilling units	IMO Resolution A.414(XI), Section 1.6; IMO Resolution A.649(16) as modified by IMO Resolution MSC.38(63), Section 1.6
Certificates for Masters, Officers or Ratings	All ships above 150 GT	International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, Article VI, Regulation I/2; International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, Section A-I/2

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
Maritime Labour Certificate	All ships of 500 GT and above	Maritime Labour Convention 2006 (as amended), Regulation 5.1.3
Declaration of Maritime Labour Compliance (DMLC)	All ships of 500 GT and above	Maritime Labour Convention, Regulation 5.1.3
International Oil Pollution Prevention Certificate (IOPP)	Every ship (other than an oil tanker) of 400 GT and above Every oil tanker of 150 GT and above	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex I, Regulation 5
Oil Record Book	Every oil tanker of 150 GT and above Every ship (other than an oil tanker) of 400 GT and above	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex I, Regulation 20
International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (NLS Certificate)	All ships carrying noxious liquid substances in bulk	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex II, Regulations 11 and 12A
Cargo Record Book	Every ship to which Annex II, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it applies	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex II, Regulation 9

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
International Sewage Pollution Prevention Certificate (ISPP)	Any ship which is required to comply with the provisions of Regulation 4, Annex IV, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex IV, Regulation 5
Garbage Certificate of Compliance	Every ship of 400 GT and above Every ship which is certified to carry 15 persons or more	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex V,
Garbage Management Plan	Every ship of 400 GT and above Every ship which is certified to carry 15 persons or more	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex V, Regulation 9
Garbage Record Book	Every ship of 400 GT and above Every ship which is certified to carry 15 persons or more	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex V, Regulation 9
Engine International Air Pollution Prevention (EIAPP) Certificate	For ship engines that meet the international Nitrogen Oxide (NOx) emission limits for marine diesel engines	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it Annex VI, Regulation 13

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
Record of the Tier and On/Off Status of Marine Diesel Engines	To all ships entering and exiting a NOx Tier III Emission Control Area (NECA) or when the on/off status of an engine changes within such an area	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it Annex VI, Regulation 13.5.3
Record Book of Engine Parameters	For ship engines that shall meet the required international Nitrogen Oxide (NOx) emission limits	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it Annex VI, Regulation 13; NOx Technical Code to International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex VI, 6.2.3.2 and 6.2.3.3

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
NOx Technical File	For each NOx certified diesel engine	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it Annex VI, Regulation 13; NOx Technical Code to International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex VI, Regulation 2.3.4
International Air Pollution Prevention (IAPP) Certificate	All ships of 400 GT and above, fixed and floating drilling rigs and other platforms	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it Annex VI, Chapter III, Regulation 6

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
Ozone Depleting Substances Record Book	All ships of 400 GT and above, fixed and floating drilling rigs and other platforms	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it Annex VI, Chapter III, Regulation 12.7
International Energy Efficiency (IEE) Certificate	All ships of 400 GT and above, fixed and floating drilling rigs and other platforms	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it Annex VI, Chapter IV, Regulation 21
Record of Fuel Oil Changeover	To all ships prior to entering a SOx Emission Control Area (SECA)	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it Annex VI, Regulation 14.6

Schedule - (Cont'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
EEXI Technical File	As of January 1, 2023 – All vessels of 400 GT and above shall have on board an EEXI Technical File	Protocol of 1997 relating to the International Convention for the Prevention of Pollution from Ships, 1973, International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex VI, [2023 EEXI Regulations] IMO Marine Environment Protection Committee 76, 10 to 17 June, 2021
Certificate of Fitness for Off-shore Support Vessels	All Offshore Support Vessels	International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 and the Protocol of 1997 relating to it, Annex II, Regulation 13(4)
International Anti-fouling System Certificate	All ships of 400 GT and above	Article 11, International Convention on the Control of Harmful Anti-Fouling Systems on ships, 2001 (as amended)
Declaration on Anti-fouling System	All ships of less than 400 GT but of 24 metres or more in length	Article 11, International Convention on the Control of Harmful Anti-Fouling Systems on ships, 2001 (as amended)

Schedule - (Concl'd)

Certificate/ Documentation	Vessel Type	International Maritime Convention Requirement
International Ballast Water Management Certificate	All ships of 400 GT and above	Article 9, International Convention for the Control and Management of Ships' Ballast Water and Sediment, 2004 (as amended)
Ballast Water Record Book	Each ship shall have on board a Ballast Water record book that may be an electronic record system, or that may be integrated into another record book or system and, which shall at least contain the information specified in Appendix II, International Convention for the Control and Management of Ships' Ballast Water and Sediment, 2004	Regulation B-2, International Convention for the Control and Management of Ships' Ballast Water and Sediment, 2004
Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk	All chemical tankers built before July 1, 1986	Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH) Code, Section 1.6
International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk	All chemical tankers built after July 1, 1986	International Bulk Chemical Code (as amended), Section 1.5
Certificate of Fitness for the Carriage of Liquefied Gases in Bulk	All gas carrying ships constructed before July 1, 1986	Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk Code, Section 1.6
International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk	All gas carrying ships constructed before July 1, 1986	International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk; Section 1.5 International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (as amended)

Made by the Minister this 23rd day of April, 2025.

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