

SAINT VINCENT AND THE GRENADINES
THE SHIP AND PORT FACILITY SECURITY REGULATIONS, 2004
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SAINT VINCENT AND THE GRENADINES

STATUTORY RULES AND ORDERS

2004 NO.

(GAZETTED, 2004)

IN EXERCISE of the powers conferred upon him by Section 400 of the Shipping Act, No. ____ of 2004 of the Laws of Saint Vincent and the Grenadines, and all other powers, thereto enabling, the Minister makes the following Regulations:

THE SHIP AND PORT FACILITY SECURITY REGULATIONS

PART I

PRELIMINARY

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| <p>1. These Regulations may be cited as the Ship and Port Facility Security Regulations 2004.</p> | <p>Citation</p> |
| <p>2. (1) In these Regulations -</p> <p style="padding-left: 40px;">“Administration” means the Maritime Authority of the State, other than Saint Vincent and the Grenadines, whose flag the ship is entitled to fly;</p> <p style="padding-left: 40px;">“authorised person” for the purpose of these Regulations means a person authorised in writing by or on behalf of -</p> <p style="padding-left: 80px;">(a) the Registrar of Ships; or</p> <p style="padding-left: 80px;">(b) the Saint Vincent and the Grenadines Coastguard</p> <p style="padding-left: 40px;">“bulk carrier” means a ship which is constructed generally with single deck, top-side tanks and hopper side tanks in cargo spaces, and is intended primarily to carry dry cargo in bulk, and includes such types as are carriers and combination carriers;</p> <p style="padding-left: 40px;">“certificate” means an International Ship Security Certificate or an Interim International Ship Security Certificate issued in accordance with these Regulations and Part A of the ISPS Code;</p> | <p>Interpretation</p> |

“chemical tanker” means a cargo ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the IBC Code;

“Company” means the owner of the ship or any other organisation or person such as the manager, or the bareboat charterer, who has assumed the responsibility for the operation of the ship and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the ISPS Code;

“company security officer” means the person designated by the Company for ensuring that a ship security assessment is carried out, that a ship security plan is developed, submitted for approval, and thereafter implemented and maintained, and for liaison with port facility security officers and the ship security officer;

“Contracting Government” means the government of a State which is Party to the Convention;

“Convention” or “Solas Convention” means the *International Convention for the safety of Life at Sea and its amendments*;

“Declaration of Security” means an agreement reached between the master or the ship security officer of a ship and either a port facility operator or the master and ship security officer of another ship with which it interfaces, specifying the security measures each will implement;

“Designated Authority” means the organisation or the administration identified, as responsible for ensuring the implementation of the provisions of Chapter XI-2 of the Safety Convention pertaining to port facility security and ship or port interface, from the point of view of the port facility and in the case of Saint Vincent and the Grenadines means the Saint Vincent and the Grenadines Coastguard;

“gas carrier” means a cargo ship constructed or adapted for the carriage in bulk of any liquefied gas or other liquid product listed in chapter 19 of the IGC Code;

“high speed craft” means a craft capable of a maximum speed in metres per second (m/s) equal to or exceeding:

$$3.7 = 0.1667$$

where: Δ = displacement corresponding to the design waterline (m³)

“IBC Code” means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Marine Environment Protection Committee of the Organisation by resolution MEPC.19(22) as may be amended and adopted by the Organisation and brought into force in accordance with the amendment procedures in MARPOL applicable to an appendix to an Annex;

“IGC Code” means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, 1983, as amended;

“ISM Code” means the International Management Code for the Safe Operation of Ships and for the Pollution Prevention as adopted by IMO by Resolution A.174 (18), together with any amendments which may be in effect in respect of Saint Vincent and the Grenadines;

“ISPS Code” or “Code” means the International Code for the Security of Ships and of Port Facilities, as adopted, on 12 December 2002, by resolution 2 of the conference of Contracting Governments to the Convention, the text of which is set out in the Schedule;

“mobile offshore drilling unit” means a vessel capable of engaging drilling operations for the exploration for or the exploitation of resources beneath the sea-bed such as liquid or gaseous hydrocarbons, sulphur or salt, when not on location;

“oil tanker” means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes -

- (a) a combination carrier
- (b) a chemical tanker when it is carrying a cargo or part cargo of oil in bulk; and
- (c) a gas carrier when it is carrying a cargo or part cargo of oil in bulk.

“port facility operator” means any person operating a port facility or such other person as may be designated for the purposes of these Regulations as port facility operator for one or more port facilities by the Saint Vincent and the Grenadines Coastguard;

“port facility” means a location, as determined in Saint Vincent and the Grenadines by the Saint Vincent and the Grenadines

Coastguard, or elsewhere by the relevant governmental authority, where the ship or port interface takes place. This includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate;

“port facility security assessment” means an assessment of the security of a port facility (or more than one port facility) carried out in accordance with section 15 of Part A of the Code;

“port facility security officer” means the person designated as responsible for the development, implementation, revision and maintenance of the port facility security plan and for liaison with the ship security officers and company security officers;

“port facility security plan” means a plan developed in accordance with section 16 of the Code to ensure the application of measures designated to protect the port facility and ships, persons, cargo, cargo transport units and ship’s stores within the port facility from the risks of a security incident;

“recognised security organisation” means an organisation with appropriate expertise in security matters and with appropriate knowledge of ship and port operations authorised to carry out an assessment, or a verification, or an approval or a certification activity, required by these Regulations or by Part A of the Code;

“Registrar of Ships” means the Registrar of Ships established under section 12 of the Shipping Act;

“restricted zone” means a zone to which access is restricted for security reasons pursuant to these Regulations;

“Saint Vincent and the Grenadines Coastguard”, means the members so designated within the Royal Saint Vincent and the Grenadines Police Force;

“security level” means the qualification of the degree of risk that a security incident will be attempted or will occur;

“security incident” means any suspicious act or circumstance threatening the security of a ship, including a mobile offshore drilling unit and a high speed craft, or of a port facility or of any ship or port interface or any ship to ship activity;

“security zone” means all areas of land, water, or land and water, which are so designated by the Coastguard for such time as the Coastguard deems necessary to prevent damage or injury

to any vessel or port facility, to safeguard ports, harbours, territories or waters of Saint Vincent and the Grenadines or to secure the observance of the rights and obligations of Saint Vincent and the Grenadines;

“ship or 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;

“ship security officer” means the person on board the ship, accountable to the master, designated by the company as responsible for the security of the ship, including implementation and maintenance of the ship security plan, and for liaison with the company security officer and port facility security officers;

“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;

“tons” means gross tonnage.

(2) The term “all ships”, when used in these Regulations, means any ship to which the Regulations apply.

(3) In these Regulations, where any reference is made to part A of the ISPS Code, the guidance in part B of the Code in relation to that reference shall be taken into account in construing part A.

(4) For the purposes of these Regulations, a reference made in Part A of the Code to the Administration shall in relation to Saint Vincent and the Grenadines ships be a reference to the Registrar of Ships.

(5) For the purposes of these Regulations a person is permitted to have access to a restricted zone of a port facility if he is permitted to enter that zone or if arrangements exist for permitting any of his employees or agents to enter that zone.

(6) The Saint Vincent and the Grenadines Coastguard is hereby established as the Designated Authority for Saint Vincent and the Grenadines.

(7) Subject to these Regulations, the Code, the text of which is set out in the Schedule, shall have the force of law in Saint Vincent and the Grenadines.

PART II

SPECIAL MEASURES TO ENHANCE MARITIME SECURITY

General

Application

3. (1) Subject to sub-regulation (6), this Part of these Regulations applies to-

- (a) the following types of ships engaged on international voyages:
 - (i) passenger ships, including high-speed passenger craft;
 - (ii) cargo ships, including high-speed craft, of 500 tons or more; and
 - (iii) mobile offshore drilling units; and
- (b) port facilities serving such ships engaged on international voyages.

(2) Notwithstanding sub-regulation 1(b) these Regulations shall also apply to any port facility specified in a Notice issued by the Saint Vincent and the Grenadines Coastguard which, although, used primarily by ships not engaged on international voyages, is required, occasionally, to serve ships arriving or departing on international voyages.

(3) A Notice referred to in sub-regulation (2) shall-

- (a) not be issued without a port facility security assessment for that facility having been done in accordance with section 15 of Part A of the ISPS Code;
- (b) specify the extent of application of these Regulations and the relevant sections of Part A of the ISPS Code to the facility.

(4) Any Notice under sub-regulation (2) shall not compromise the level of security intended to be provided by these Regulations and Part A of the ISPS Code.

(5) Regulations 20, 21 and 22 also apply to a port facility not falling within sub-regulation (1) (b) or (2).

(6) This Part does not apply to -

- (a) warships;
- (b) naval auxiliaries; or

- (c) other ships owned or operated by Parties to the Safety Convention and use only on Government non commercial service.

4. (1) Without prejudice to any other duties under these Regulations, the Registrar of Ships shall -

Security measures:
responsibility of
the Registrar of
Ships

- (a) in accordance with section 4 of part A of the ISPS Code set security levels for and ensure the provision of security level information to Saint Vincent and the Grenadines ships;
- (b) when changes in security level occurs, update security level information as the circumstances dictates;
- (c) indicate when a Declaration of Security is required for a Saint Vincent and the Grenadines ship;
- (d) approve the ship security plan and relevant amendments to a previously approved plan.

(2) The Registrar of Ships may delegate his responsibilities under these Regulations to a recognised security organisation, except the following -

- (i) setting of the applicable security level for ships;
- (ii) exercising control and compliance measures pursuant to regulations 20, 21, and 22;
- (iii) establishing the requirements for a Declaration of Security.

5. (1) Without prejudice to any other duties under these Regulations the Saint Vincent and the Grenadines Coastguard -

Security measures :
responsibility of
Saint Vincent and
the Grenadines
Coastguard

- (a) shall in accordance with section 4 of part A of the ISPS Code set security levels for and ensure the provision of security level information to port facilities within Saint Vincent and the Grenadines, and to ships prior to entering a port or whilst in a port within Saint Vincent and the Grenadines;
- (b) shall when changes in security level occur, update security level information as the circumstance dictates;
- (c) shall determine of the port authorities located within Saint Vincent and the Grenadines that are required to designate a port facility security officer (PFSO) who

will be responsible for the preparation of the port facility security plan;

- (d) shall approve the port facility security plan (PFSP) and any subsequent amendments to a previously approved plan.
- (e) may by notice publish in the *Gazette*, after consultation with the Minister, establish security zones and provide for matters incidental thereto.

(2) The Saint Vincent and the Grenadines Coastguard may delegate to a recognised security organisation their duties under these Regulations, except -

- (i) setting of the applicable security level for port facilities or ship to ship interface in Saint Vincent and the Grenadines territorial waters;
- (ii) approving a port facility security assessment and subsequent amendments to an approved assessment;
- (iii) determining the port facilities which will be required to designate a port facility security officer;
- (iv) approving a port facility security plan and subsequent amendments to an approved plan;
- (v) exercising control and compliance measures pursuant to regulations 20, 21 and 22; and
- (vi) establishing the requirements for a Declaration of Security.

Ships

Requirements for companies

6. (1) Companies shall comply with the relevant requirements of these Regulations and Section 6 of Part A of the ISPS Code.

(2) Notwithstanding the generality of sub-regulation (1) and without prejudice to any other duties under these Regulations the Company shall ensure that -

- (a) a company security officer is appointed, and is properly trained and qualified in his duties and responsibilities;
- (b) a ship security officer is appointed for each of its ships and is properly trained and qualified in his duties and responsibilities;

- (c) each ship has a ship security plan;
- (d) the master has available on board, at all times, information through which officers duly authorised by any State can establish -
 - (i) who is responsible for appointing the members of the crew or other persons currently employed or engaged on board the ship in any capacity on the business of that ship;
 - (ii) who is responsible for deciding the employment of the ship; and
 - (iii) in cases where the ship is employed under the terms of charter Party or Parties, who are the Parties to such charter Party or Parties.

(3) Any company which fails to comply with this regulation shall be guilty of an offence.

7. (1) A ship security plan or amendment thereto -

Ship security plans

- (a) shall be prepared and submitted to the Registrar of Ships, or to a recognised security organisation authorised by the Registrar, for approval in accordance with section 9 of Part A of the Code; and
- (b) shall not have been prepared by a recognised security organisation authorised under paragraph (a).
- (c) Each ship shall carry on board a ship security plan approved in accordance with paragraph (a)

(2) The Registrar of Ships shall determine which changes to an approved ship security plan or to any security equipment specified in an approved plan shall not be implemented unless the relevant amendments to the plan are approved by the Registrar of Ships. Any such changes shall be at least as effective as those measures prescribed in these Regulations and in Part A of the Code.

(3) Any Company which does not comply with sub-regulation (1), or otherwise fails to comply with section 9 of Part A of the Code, shall be guilty of an offence.

8. (1) The Company shall designate a company security officer and the person so designated may act as the company security officer for one or more ships, depending on the number of types of ships the company operates and it is clearly identified for which ship that person is responsible.

Company security officer

(2) The company security officer shall perform the responsibilities and duties specified in these Regulations and Part A of the Code, in particular those listed in paragraphs 11(2) of Part A.

(3) Any contravention of this regulation by the company security officer shall be an offence.

Ship security officer

9. (1) A ship security officer shall be designated for each ship.

(2) The ship security officer shall perform the responsibilities and duties placed on him by these Regulations and Part A of the Code, in particular those listed in paragraphs 12(2) of Part A.

(3) Any contravention of this regulation by the ship security officer shall be an offence.

Requirements for ships

10. (1) Ships shall comply with the relevant requirements of these Regulations and of Part A of the ISPS Code.

(2) Prior to entering a port or whilst in a port within the territory of any other State, a ship shall comply with the requirements for the security level set by that State, if such security level is higher than the security level set by the Registrar of Ships for that ship.

(3) Ships shall respond without undue delay to any change to a higher security level.

(4) Where a ship is not in compliance with the requirements of this Part or of Part A of the ISPS Code, or cannot comply with the requirements of the security level set by the Registrar of Ships or by another Contracting Government and applicable to that ship, then the ship shall notify the appropriate competent authority prior to conducting any ship or port interface or prior to entry into port, whichever occurs earlier.

(5) Where there is a breach of sub-regulations (1) to (4) in relation to a ship then the company and the master shall each be guilty of an offence.

Ship security alert system

11. (1) The following ships shall be provided with a ship security alert system -

- (a) ships constructed on or after 1 July 2004;
- (b) passenger ships, including high-speed passenger craft constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004;
- (c) oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high speed craft, of 500 tons and upwards

constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004; and

- (d) other cargo ships of 500 tons and upward and mobile offshore drilling units constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2006.
- (2) The ship security alert system, when activated, shall -
- (a) initiate and transmit a ship-to-shore security alert to a competent authority designated by the Registrar of Ships, which in these circumstances may include the Company identifying the ship, its location and indicating that the security of the ship is under threat to it has been compromised;
 - (b) not send the ship security alert to any other ships;
 - (c) not raise any alarm on-board the ship; and
 - (d) continue the ship security alert until deactivated or reset.
- (3) The ship security alert system shall -
- (a) be capable of being activated from the navigation bridge and in at least one other location; and
 - (b) conform to performance standards not inferior to those adopted by the Organisation.
- (4) The ship security alert system activation points shall be designed so as to prevent the inadvertent initiation of the ship security alert.
- (5) The requirement for a ship security alert system may be complied with by using the radio installation fitted for compliance with the requirement of Chapter IV of the Convention, provided there is compliance with all the requirements of this regulation.
- (6) When the Registrar of Ships receives notification of a ship security alert relating to a ship entitled to fly the flag of Saint Vincent and the Grenadines the Registrar shall immediately notify each State in the vicinity in which the ship is presently operating.
- (7) When the Saint Vincent and the Grenadines Coastguard receives notification of a ship security alert from a ship which is not entitled to fly the flag of Saint Vincent and the Grenadines, the Coastguard shall immediately notify the relevant Administration and, if appropriate, each State in the vicinity in which the ship is presently operating.

(8) Any contravention of sub-regulations (1) to (4) shall be an offence by the company and the master.

Threats to ships

12. (1) The Saint Vincent and the Grenadines Coastguard shall set security levels and ensure the provision of security level information -

- (a) to ships operating in; or
- (b) to ships that have communicated an intention to enter,

the territorial sea of Saint Vincent and the Grenadines.

(2) The Saint Vincent and the Grenadines Coastguard shall provide a point of contact through which the ships referred to in sub-regulation (1) can request advice or assistance and to which such ships can report any security concerns about other ships, movements or communications.

(3) Where a risk of attack has been identified, the Saint Vincent and the Grenadines Coastguard shall advise the ships concerned and their Administrations of -

- (a) the current security level;
- (b) any security measures that should be put in place by the ships concerned to protect themselves from attack, in accordance with the provisions of these Regulations and Part A of the ISPS Code; and
- (c) security measures that the Saint Vincent and the Grenadines Coastguard has put in place, as appropriate.

Discretion of master for ship safety and security

13. (1) The master of a Saint Vincent and the Grenadines ship shall not be constrained by the Company, the charterer or any other person from taking or executing any decision which, in the professional judgement of the master, is necessary to maintain the safety and security of the ship.

(2) The decision in sub-regulation (1) includes denial of access to persons (except those identified as duly authorised by a Contracting Government) or their effects and refusal to load cargo, including containers or other closed cargo transport units.

(3) Where, in the professional judgement of the master, a conflict between any safety and security requirements applicable to the ship arises during its operations, the master shall give effect to those requirements necessary to maintain the safety of the ship.

(4) Where conflict arises under sub-regulation (3), the master may implement temporary security measures and shall forthwith inform

the Registrar of Ships and, if appropriate, the Contracting Government in whose port the ship is operating or intends to enter.

(5) Any temporary security measures under this regulation shall, to the highest possible degree, be commensurate with the prevailing security level.

(6) When the Registrar of Ships is notified in accordance with sub-regulation (4) he shall ensure that such conflicts are resolved and that the possibility of recurrence is minimised.

14. (1) All Saint Vincent and the Grenadines ships to which this Part applies shall be subject to initial, renewal and intermediate verifications in accordance with paragraphs 19.1.1 of Part A of the ISPS Code.

Verification for ships

(2) The verification of ships shall be carried out by an officer authorised by the Registrar of Ships, or, the Registrar may entrust the verification to a recognised security organisation.

(3) The security system and any equipment of the ship after verification shall be maintained to conform with the provisions of chapter XI - 2, of Part A of the ISPS Code and of the approved ship security plan. After any verification under sub-regulation (1), no changes shall be made in the security system and in any associated security equipment or the approved ship security plan without the sanction of the Registrar of Ships.

(4) Any contravention of sub-regulation (1) or (3) shall be an offence by both the company and master.

15. (1) When an initial or renewal verification is satisfactorily completed pursuant to regulation 14 the Registrar of Ships or a recognised security organisation acting on his behalf shall issue or, as the case may be, endorse an International Ship Security Certificate.

Issue, endorsement, duration and validity of certificate

(2) The International Ship Security Certificate shall be drawn up in a form corresponding to the model given in the appendix to Part A of the Code.

(3) The duration and validity of an International Ship Security Certificate shall be in accordance with section 19.3 of the Code.

16. (1) The Registrar of Ships may request another Contracting Government to verify the ship and, if satisfied that the provisions of section 19.1.1 of the Code are complied with, to issue or authorise the issue of an International Ship Security Certificate to the ship and, where appropriate, endorse or authorise the endorsement of that certificate on the ship, in accordance with the Code.

Issue and endorsement of certificates by another Contracting Government

(2) A certificate so issued shall contain a statement to the effect

that it has been issued at the request of the Registrar of Ships and it shall have the same effect as if it was issued by the Registrar of Ships.

Certificates issued or endorsed on behalf of another Contracting Government

17. (1) The Registrar of Ships may at the request of another Contracting Government verify the ship and, if satisfied that the provisions of section 19.1.1 of the Code are complied with, issue or authorise the issue of an International Ship Security Certificate to the ship and, where appropriate, endorse or authorise the endorsement of that certificate on the ship, in accordance with the Code.

(2) A certificate so issued shall contain a statement to the effect that it has been issued at the request of that Government and it shall have the same effect as if the certificate was issued or endorsed by that Government and not by the Registrar of Ships.

I n t e r i m certification

18. (1) After July 1 2004 and until the certificate referred to in regulation 15(1), 16(1) or 17(1) is issued, the Registrar of Ships may issue an Interim International Ship Security Certificate in a form corresponding to the model given in the appendix to Part A of the Code for the purposes of -

- (a) a ship without a Certificate, on delivery or prior to its entry or re-entry into service;
- (b) transfer of a ship from the flag of another Government to the Saint Vincent and the Grenadines register;
- (c) a Company assuming the responsibility for the operation of a ship not previously operated by that Company

(2) An Interim International Ship Security Certificate shall only be issued if the Registrar of Ships or a recognised security organisation authorised to act on his behalf is satisfied that the conditions specified in section 19.4.2.1 to section 19.4.2.7 of Part A of the Code are met.

(3) An Interim International Ship Security Certificate may be issued by the Registrar of Ships or by a recognised security organisation authorised to act on his behalf.

(4) An Interim International Ship Security Certificate shall be valid for 6 months, or until the Certificate required by regulation 15 (1), 16(1) or 17(1) is issued, whichever comes first, and may not be extended.

(5) No subsequent, consecutive Interim International Ship Security Certificate shall be issued to a ship if, in the judgement of the Registrar of Ships or the recognised security organisation, one of the purposes of the ship or a Company in requesting such certificate is to avoid full compliance with this Part beyond the period of the initial Interim

Certificate as specified sub-regulation (1).

(6) For the purposes of regulations 20, 21 and 22 the Saint Vincent and the Grenadines Coastguard may, prior to accepting an Interim International Ship Security Certificate as a valid Certificate, ensure that the requirements of sections 19.4.2.4 to 19.4.2.6 of Part A of the ISPS Code have been met.

19. (1) No Saint Vincent and the Grenadines ship required to be verified under this Part shall proceed, or attempt to proceed to sea, unless there is in force a valid International Ship Security Certificate or an Interim International Ship Security Certificate.

Prohibition on proceeding to sea without appropriate certificate

(2) Where a ship proceeds, or attempt to proceed to sea in contravention of sub-regulation (1) the company and the master shall be guilty of an offence.

Control and compliance measures

20. (1) For the purpose of these Regulations -

Control of ships in port

- (a) every ship to which this Part applies is subject to control when in a port in Saint Vincent and the Grenadines by officers duly authorised by the Saint Vincent and the Grenadines Coastguard;
- (b) the control in paragraph (a) shall be limited to verifying that there is on board a valid certificate, which, shall be accepted, unless there are clear grounds for believing that the ship is not in compliance with the requirements of these Regulations or Part A of the Code.

(2) When there are clear ground for believing that the ship is not in compliance with these Regulations or Part A of the Code, or where no valid certificate is produced when required, the duly authorised officers shall impose any one or more control measures in relation to that ship as provided in sub-regulation (3).

(3) The control measures referred to in sub-regulation (2) are -

- (a) are as follows -
 - (i) inspection of the ship;
 - (ii) delaying the ship;
 - (iii) detention of the ship;
 - (iv) restriction of operations including movement within

the port, or

(v) expulsion of the ship from port.

(b) may additionally or alternatively include other lesser administrative or corrective measures.

(4) The measures imposed pursuant to sub-regulation (2) shall be proportionate, taking into account the guidance given in Part B of the Code.

Ships intending to enter a port

21. (1) The Saint Vincent and the Grenadines Coastguard may require that ships intending to enter ports in Saint Vincent and the Grenadines provide the following information to duly authorised officers to ensure compliance with these Regulations prior to entry into port and with the aim of avoiding the need to impose control measures or steps -

- (a) that the ship possess a valid certificate and the name of its issuing authority;
- (b) the security level at which the ship is currently operating;
- (c) the security level at which the ship operated in any previous port where it has conducted a ship or port interface within the time frame specified in sub-regulation (3);
- (d) any special or additional security measures that were taken by the ship in any previous port where it has conducted a ship or port interface within the time frame specified in sub-regulation (3); or
- (e) that the appropriate ship security procedures were maintained during any ship to ship activity within the time frame specified in sub-regulation (3); or
- (f) other practical security related information (but not details of the ship security plan), taking into account the guidance given in Part B of the ISPS Code.

and where requested by the Saint Vincent and the Grenadines Coastguard, the ship or the Company shall provide confirmation, acceptable to the Coastguard, of the information required under this sub-regulation (1).

(2) Every Saint Vincent and the Grenadines ship to which this Part applies intending to enter the port of another Contracting Government shall provide the information described in sub-regulation (1) on the request of the officers duly authorised by that Government;

The master may decline to provide such information on the understanding

that failure to do so may result in denial of entry into port.

(3) The ship shall keep a record of the information referred to in sub-regulations (2) for the last 10 calls at port facilities.

(4) Where -

(a) after receipt of the information described in sub-regulation (1), officers duly authorised by the Saint Vincent and the Grenadines Coastguard have clear grounds for believing that the ship is not in compliance with the requirements of this Part or Part A of the ISPS Code, such officers shall attempt to establish communication with and between the ship and its Administration in order to rectify the non-compliance.

(b) the communication mentioned in paragraph (a) does not result in rectification, or if such officers have clear grounds otherwise for believing that the ship is not in compliance with the requirements of these Regulations or Part A of the ISPS Code, such officers may take steps in relation to that ship as provided in sub-regulation (5) and such steps taken must be proportionate, taking into account the guidance given in Part B of the ISPS Code.

(5) The steps which may be taken pursuant to sub-regulation (4) shall include -

(a) a requirement for the rectification of the non-compliance;

(b) a requirement that the ship shall proceed to a location specified in territorial sea or internal waters on Saint Vincent and the Grenadines;

(c) inspection of the ship, if the ship is in the territorial sea of Saint Vincent and the Grenadines; or

(d) denial of entry into port.

(6) Prior to initiating any of the steps under sub-regulation (5), the Saint Vincent and the Grenadines Coastguard shall inform the ship of its intentions and upon receipt of this information the master may withdraw the intention to enter that port.

22. (1) Where -

(a) the imposition of a control measure, other than a lesser

Additional control
and compliance
provisions

administrative or corrective measure, referred to in regulation 20(3); or

(b) any step referred to in regulation 21(5) is taken,

an officer duly authorised by the Saint Vincent and the Grenadines Coastguard shall forthwith inform the Administration in writing, specifying which control measures have been imposed or steps taken and the reasons thereof, and the duly authorised officer shall also notify the recognised security organisation, which issued the certificate relating to the ship concerned and the Organisation when any such control measures have been imposed or steps taken.

(2) When entry into port is denied or the ship is expelled from a port in Saint Vincent and the Grenadines, the Saint Vincent and the Grenadines Coastguard shall communicate the appropriate facts to the authority of the State of the next appropriate port of call, when known, and any other appropriate coastal States, taking into account any guidelines developed by the Organisation and confidentiality and security of such notification shall be ensured.

(3) Denial of entry into port, pursuant to regulation 21(4) and (5), or expulsion from port, pursuant to regulation 20(1) to (3), shall only be imposed where the duly authorised officers have clear grounds to believe that the ship poses an immediate threat to security or safety of persons, or of ships or other property and there are no other appropriate means for removing that threat.

(4) The control measures referred to in regulation 20(3) and the steps referred to in regulation 21(5) shall only be imposed, pursuant to regulations 20 and 21, until the non-compliance giving rise to the control measures or steps have been corrected to the satisfaction of Saint Vincent and the Grenadines Coastguard, taking into account actions proposed by the ship or the Administration or the Registrar of Ships, if any.

(5) Where control is exercised under regulation 20 or steps taken under regulation 21 -

- (a) all possible effort shall be made to avoid a ship being unduly detained or delayed and if a ship is unduly detained, or delayed, it shall be entitled to compensation for any loss or damage suffered; and
- (b) necessary access to the ship shall not be prevented for emergency or humanitarian reasons and for security purposes.

Port facilities

23. (1) The Saint Vincent and the Grenadines Coastguard shall ensure that -

- (a) port facilities security assessments are carried out, reviewed and approved in accordance with the provisions of Section 15 of Part A of the ISPS Code; and
- (b) port facility security plans are developed, reviewed, approved and implemented in accordance with the provisions of Section 16 of Part A of the ISPS Code.

Port facilities:
responsibility of
the Saint Vincent
and the
Grenadines
Coastguard

(2) The Saint Vincent and the Grenadines Coastguard shall designate and communicate to the port facility operator and the port facility security officer the measures required to be addressed in a port facility security plan for the various security levels, including when the submission of a Declaration of Security will be required.

24. (1) The port facility operator shall -

- (a) ensure that port facilities comply with the relevant requirements of these Regulations Part and Part A of the ISPS Code.
- (b) appoint a suitably qualified port facility security officer, and ensure that he receives appropriate training, as specified in section 18.1 of Part A of the Code.
- (c) provide the port facility security officer with the resources, assistance and support necessary to enable him to carry out his duties.
- (d) ensure that port facility personnel entrusted with specific security duties have appropriate knowledge and receive appropriate training as specified in section 18.2 of Part A of the Code.
- (e) ensure that other port facility personnel have appropriate knowledge as specified in section 18.3 of Part A of the Code.

Port facilities:
duties of port
facility operator

(2) A port facility operator who fails to comply with this regulation shall be guilty of an offence.

25. (1) A port facility security officer shall carry out the duties and responsibilities placed on him by these Regulations and Part A of the Code, in particular those listed in section 17.2 of Part A of the Code.

Port facility
security officer

(2) A port facility security officer who fails to comply with this regulation shall be guilty of an offence.

Drills and
exercises

26. (1) To ensure the effective implementation of the port facility security plan, drills shall be carried out at appropriate intervals, taking into account the types of operation of the port facility, port facility personnel changes, the type of ship the port facility is serving, other relevant circumstances and taking into account the guidance given in Part B of the Code.

(2) The port facility security officer shall ensure the effective coordination and implementation of the port facilities security plan by participating in exercises at appropriate intervals, taking into account the guidance given in Part B of this Code.

(3) Any contravention of sub-regulation (1) shall be an offence by the port facility operator and the port facility security officer.

(4) Any contravention of sub-regulation (2) shall be an offence by the port facility security officer.

Supplementary

Alternative
security
arrangements

27. (1) The Saint Vincent and the Grenadines Coastguard may, when implementing this Part and Part A of the ISPS Code, conclude in writing bilateral or multilateral agreements with other Contracting Governments on alternative security arrangements covering short international voyages on fixed routes between port facilities located within their territories.

(2) Any agreement made pursuant to sub-regulation (1) shall not compromise the level of security of other ships or of port facilities not covered by the agreement.

(3) A ship covered by an agreement made pursuant to sub-regulation (1) shall not conduct any ship-to ship activities with any ship not covered by the agreement.

(4) An agreement made pursuant to sub-regulation (1) shall be reviewed periodically, taking into account the experience gained as well as any changes in the particular circumstances or the assessed threats to the security of the ships, the port facility or the routes covered by the agreement.

Equivalent
security
arrangements

28. (1) The Registrar of Ships -

- (a) may allow a particular ship or a group of Saint Vincent and the Grenadines ships to implement other security measures equivalent to those prescribed in these

Regulations or in Part A of the ISPS Code, provided such security measures are at least as effective as those prescribed in these Regulations or Part A of the ISPS Code;

- (b) shall communicate to the Organisation the particulars in every instance where equivalent security measures are allowed in accordance with paragraph (a).

(2) When implementing this Part and Part A of the ISPS Code, the Saint Vincent and the Grenadines Coastguard -

- (a) may allow a particular port facility or a group of port facilities located within its territory, other than those covered by an agreement concluded under regulation 27, to implement security measures equivalent to those prescribed in this Part or in Part A of the ISPS Code, provided such security measures are at least as effective as those prescribed in this Part or Part A of the ISPS Code;
- (b) shall communicate to the Organisation the particulars in every instance where equivalent security measures are allowed in accordance with paragraph (a).

29. (1) The Designated Authority shall, not later than 1 July 2004, communicate to the Organisation and shall make available for the information of Companies and ships -

Communication of
information

- (a) the names and contact details of their national authority or authorities responsibilities for ship and port facility security;
- (b) the locations within their territory covered by the approved port facility security plans;
- (c) the names and contact details of those who have been designated to be available at all times to receive and act upon the ship-to shore security alerts, referred to in regulation 11(2)(a);
- (d) the names and contact details of those who have been designated to be available at all time to receive and act upon any communications from Contracting Governments exercising control and compliance measures; and

- (e) the names and contact details of those who have been designated to be available at all times to provide advice or assistance to ships and to whom ships can report any security concerns, referred to in regulation 8 (2);

and thereafter update such information as and when changes relating thereto occur.

(2) The Designated Authority shall not later than the date referred to in sub-regulation (1), communicate to the Organisation the names and contact details of any recognised security organisations authorised to act on their behalf together with details of the specific responsibility and conditions of authority delegated to such organisations. Such information shall be updated as and when changes relating thereto occur.

(3) The Saint Vincent and the Grenadines Coastguard shall, not later than the date referred to in sub-regulation (1), communicate to the Organisation a list showing the approved port facility security plan for the port facilities located within their territory together with the location or locations covered by each approved port facility security plan and the corresponding date of approval and thereafter shall further communicate when -

- (a) changes in the location covered by an approved port facility security plan are to be introduced or have been introduced. In such cases the information to be communicated shall indicate the changes in the location covered by the plan and the date as of which such changes are to be introduced or were implemented;
- (b) an approved port facility security plan, previously included in the list submitted to the Organisation, is to be withdrawn or has been withdrawn. In such cases, the information to be communicated shall indicate the date on which the withdrawal will take effect or was implemented. In these cases, the communication shall be made to the Organisation as soon as is practically possible; and
- (c) additions are to be made to the list of approved port facility security plans.

and the information to be communicated shall indicate the locations covered by the plan and the date of approval.

(4) The Designated Authority shall at five year intervals after 1 July 2004, communicate to the Organisation a revised and updated list

showing all the approved port facility security plan for the port facilities located within their territory with the location or locations covered by each approved port facility security plan and the corresponding date of approval including (and the date of approval of any amendments thereto).

(5) The information communicated under sub-regulation (4) shall supersede and replace all information communicated to the Organisation pursuant to sub-regulation (3) during the preceding five years

(6) The Saint Vincent and the Grenadines Coastguard shall communicate to the Organisation information that an agreement under regulation 27 has been concluded. The information communicated shall include -

- (a) the names of the Government which have concluded the agreement;
- (b) the port facilities and the fixed routes covered by the agreement;
- (c) the periodicity of review of the agreement;
- (d) the date of entry into force of the agreement; and
- (e) information on any consultations which have taken place with other Governments;

and thereafter shall communicate, as soon as practically possible, to the Organisation information when the agreement has been amended or has ended.

(7) Where the Registrar of Ships or Coastguard allows, under the provisions of regulation 28, any equivalent security arrangements with respect to a ship entitled to fly its flag or with respect to a port facility located within its territory respectively, the Registrar or Coastguard shall communicate to the Organisation particulars thereof.

Enforcement

30. Without prejudice to regulation 21, but subject to section 9.8 and 9.9 of Part A of the ISPS Code the Saint Vincent and the Grenadines Coastguard may, by notice in writing served on any of the following persons-

- (a) the owner, charterer, manager or master of any ship which is in, or appears to the Saint Vincent and the Grenadines Coastguard to be likely to enter, a port facility;

Requirement to
p r o v i d e
information

- (b) a port facility operator;
- (c) any person who carries on operations in a port facility, and
- (d) any person who is permitted to have access to a restricted zone of a port facility for the purposes of the activities of a business carried on by him,

require that person to provide the information specified in the notice as the Saint Vincent and the Grenadines Coastguard may require in connection with the exercise by the Saint Vincent and the Grenadines Coastguard of its function under these Regulations.

(2) A notice under sub-regulation (1) shall specify a date before which the information required by the notice is to be furnished to the Saint Vincent and the Grenadines Coastguard.

(3) Any notice made under sub-regulation (1) may also require the person on whom it is served, to inform the Saint Vincent and the Grenadines Coastguard if at any time the information furnished (including any information furnished in pursuance of a requirement imposed by virtue of this sub-regulation) is rendered inaccurate by any change of circumstances including the taking of any further measures for purposes of these Regulations or the alteration or discontinuance of any measure already being taken.

(4) Where a notice requires further information to be furnished to the Saint Vincent and the Grenadines Coastguard in accordance with sub-regulation (3), The Saint Vincent and the Grenadines Coastguard shall require that information to be furnished to it before the end of such period as is specified in the notice for the purposes of this sub-regulation.

(5) A notice served on a person under sub-regulation (1) may at any time -

- (a) be revoked by a notice in writing served on him by the Saint Vincent and the Grenadines Coastguard; or
- (b) be varied by a further notice made under sub-regulation (1).

(6) The Registrar of Ships may require the owner, charterer, manager or master of any St. Vincent and the Grenadines ship to provide him with information, and sub-regulations (1) to (5) shall apply as if references to the Saint Vincent and the Grenadines Coastguard were references to the Registrar of Ships.

(7) Any person who -

- (a) without reasonable excuse, fails to comply with a requirement imposed on him by a notice under this regulation, or
- (b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence.

31. (1) An authorised person shall have power, on production of his identification credentials, to inspect -

Powers of inspection

- (a) any Saint Vincent and the Grenadines ship,
- (b) any other ship while in port facility,
- (c) any part of any port facility, or
- (d) any land outside a port facility which is occupied for the purposes of a business by a person who -
 - (i) carries on or appears to the authorised person to be about to carry on harbour operations in a port facility for the purposes of that business, or
 - (ii) is permitted or appears to the authorised person to be about to be permitted to have access to a restricted zone of a port facility for the purposes of the activities of that business.

(2) An authorised person inspecting a ship or any part of a port facility or any land outside a port facility under sub-regulation (1) above shall have the power -

- (a) to subject any property found by him on the ship or, as the case may be, to subject that part of the port facility or any property found by him there on that land, to such tests,
- (b) to take such steps -
 - (i) to ascertain what practices or procedures are being followed in relation to security; or
 - (ii) to test the effectiveness of any practice or procedures relating to security; or

- (c) to require the owner, charterer, manager or master of the ship, the port facility operator or the occupier of the land to furnish to him such information,

as the authorised person may consider necessary for the purposes for which the inspection is carried out.

(3) Subject to sub-regulation (4), an authorised person, for the purpose of exercising any power conferred on him by sub-regulation (1) and (2) in relation to a ship, to a port facility or to any land outside a port facility, shall have power -

- (a) for the purpose of inspecting a ship, to go on board it and to take all such steps as are necessary to ensure that it is not moved; or
- (b) for the purpose of inspecting any part of a port facility, to enter any building or works in the port facility or enter upon any land in the port facility; or
- (c) for the purpose of inspecting any land outside a port facility, to enter upon the land and to enter any building or works on the land.

(4) The powers conferred by sub-regulation (3) shall not include power for an authorised person to use force for the purpose of going on board any ship, entering any building or works or entering upon any land.

(5) The identification credentials referred to in sub-regulation (1) -

- (a) shall be issued by the Coastguard and shall be known as the "Coastguard Port Security Card".
- (b) shall be maintained in the form and manner prescribed by the Coastguard after consultation with the Minister.
- (c) shall be revoked or surrendered when the Coastguard is no longer satisfied that the holder is entitled thereto.
- (d) shall be valid for a period of five years from the date of issuance unless sooner suspended or revoked by the Coastguard.

(6) Any person who -

- (a) without reasonable excuse, fails to comply with a requirement imposed on him under sub-regulation (2)(c), or

- (b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence.

32. (1) A person shall be guilty of an offence if, in answer to a question which -

False statements relating to baggage, cargo, or stores

- (a) relates to any baggage, cargo or stores whether belonging to him or to another that is or are intended for carriage by sea -
 - (i) by a Saint Vincent and the Grenadines ship, or
 - (ii) by any other ship to or from Saint Vincent and the Grenadines, and
- (b) is put to him for purposes of these Regulations -
 - (i) by any of the persons mentioned in sub-regulation (2);
 - (ii) by any person in his capacity as employee or agent of any of the persons mentioned in sub-regulation (2); or
 - (iii) by a Police Officer;

he makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular.

(2) The persons referred to in sub-regulation (1)(b) are -

- (a) a port facility operator,
- (b) the owner, charterer or manager of any ship, and
- (c) any person who -
 - (i) is permitted to have access to a restricted zone of a port facility for the purposes of the activities of a business carried on by him, and
 - (ii) has control in that restricted zone over the baggage, cargo or stores to which the question relates.

(3) In this section -

“cargo” includes mail;

“ship” does not include a ship used in naval, customs or police service; and

“stores” means any goods intended for sale or use in a ship including fuel and spare parts and other articles of equipment, whether or not for immediate fitting.

False statements in connection with identity documents

33. (1) A person shall be guilty of an offence if -

(a) for purposes of, or in connection with, an application made by him or another person for the issue of an identity document to which this regulation applies; or

(b) in connection with the continued holding by him or another person of an identity document which has already been issued,

he makes to any of the persons specified in sub-regulation (3), to any employee or agent of such a person, or to a police officer, a statement which he knows to be false in a material particular, or recklessly makes to any of those persons, to any such employee or agent or to a constable, a statement which is false in a material particular.

(2) Sub-regulation (1) applies to any identity document which is to be or has been issued by any of the persons specified in sub-regulation (3) for the purpose of a ship security plan or port facility security plan.

(3) The persons referred to in sub-regulation (1) and (2) are -

(a) a port facility operator,

(b) the owner, charterer or manager of any ship, and

(c) any person who is permitted to have access to a restricted zone of a port facility for the purpose of the activities of a business carried on by him.

Unauthorised presence in restricted zones

34. (1) A person shall not -

(a) go, within or without a vehicle or vessel, onto or into any part of a restricted zone of a port facility except with the permission of the port facility operator or a person acting on behalf of the port facility operator and in accordance with any conditions subject to which that permission is for the time being granted; or

- (b) remain in any part of a restricted zone after being requested to leave by the port facility operator or a person acting on behalf of the port facility operator.

(2) Sub-regulation (1)(a) does not apply unless it is provided that, at the material time, notices that the area concerned was a restricted zone was posted so as to be readily seen and read by persons entering the restricted zone.

(3) A person who contravenes sub-regulation (1) shall be guilty of an offence.

35. A person who -

- (a) intentionally obstructs an authorised person acting in the exercise of a power conferred on him by or under these Regulations; or
- (b) falsely pretends to be an authorised person,

Offences relating
to authorised
persons

shall be guilty of an offence.

36. (1) A person guilty of an offence under this Part is liable -

- (a) on summary conviction, to a fine not exceeding fifty thousand dollars;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

Penalties and
defences

(2) It shall be a defence for a person charged under sub-regulation (1) to show that he took all reasonable precaution and exercised all due diligence to avoid the commission of the offence.

(3) Where an offence under this section is committed, or would have been committed save for the operation of sub-regulation (2), by any person due to the act or default of some other person, that other person is guilty of the offence, and a person may be charged with and convicted of an offence by virtue of this sub-regulation whether or not proceedings are taken against the first mentioned person.

PART III

CONTINUOUS SYNOPSIS RECORD

37. (1) This regulation applies to all ships engaged on international voyages, except -

- (a) a ship of war and troop ships;
- (b) cargo ships of less than 500 tons;

C o n t i n u o u s
Synopsis Record

- (c) ships not propelled by mechanical means;
 - (d) wooden ships of primitive build;
 - (e) pleasure vessels not engaged in trade; and
 - (f) fishing vessels.
- (2) (a) A ship shall be provided with a Continuous Synopsis Record for the purpose of providing an on-board record of the history of the ship with respect to the information recorded therein.
- (b) The Continuous Synopsis Record for ships constructed before 1st July 2004 shall, at least, provide the history of the ship as from 1 July 2004.
- (3) The Continuous Synopsis Record shall be issued by the Registrar of Ships to each Saint Vincent and the Grenadines ship and it shall contain the following information -
- (a) the name of Saint Vincent and the Grenadines;
 - (b) the date on which the ship was registered with Saint Vincent and the Grenadines;
 - (c) the ship's identification number;
 - (d) the name of the ship;
 - (e) the port at which the ship is registered
 - (f) the name of the registered owner and his registered address;
 - (g) the name of the registered bareboat charterer and his registered address, if applicable;
 - (h) the name of the Company, its registered address and the address from where it carries out the safety management activities;
 - (i) the name of all classification society with which the ship is classed;
 - (j) the name of the Registrar of Ships or of the Contracting Government or of the recognised organisation which has issued the Document of Compliance or the Interim Document of Compliance, specified in the ISM Code, to the Company operating the ship and the name of the

body which has carried out the audit on the basis of which the document was issued, if other than that issuing the document;

- (k) the name of the Registrar of Ships or of the Contracting Government or of the recognised organisation that has issued the Safety Management Certificate or Interim Safety Management Certificate, specified in the ISM Code, to the ship and the name of the body which has carried out the audit on the basis of which the certificate was issued, if other than that issuing the certificate;
 - (l) the name of the Registrar of Ships or of the Contracting Government or of the recognised security organisation that has issued the International Ship Security Certificate or an Interim International Ship Security Certificate, specified in Part A of the ISPS Code, to the ship and the name of the body which has carried out the verification on the basis of which the certificate was issued, if other than that issuing the certificate; and
 - (m) the date on which the ship ceased to be registered with Saint Vincent and the Grenadines.
- (4) The Continuous Synopsis Record shall be kept on board the ship and shall be available for inspection at all times.
- (5) (a) Any changes relating to the entries in paragraphs (d) to (m) of sub-regulation (3) shall be recorded in the Continuous Synopsis Record so as to provide updated and current information together with the history of the changes.
- (b) In case of any changes relating to the entries referred to in paragraph (a), the Registrar of Ships shall issue, as soon as is practically possible but not later than three months from the date of the change, to the ships entitled to fly the Saint Vincent and the Grenadines flag either a revised and updated version of the Continuous Synopsis Record or appropriate amendments thereto.
- (c) (i) In case of any changes relating to the entries referred to in paragraph (a), the Registrar of Ships, pending the issue of a revised and updated version of the Continuous Synopsis Record, shall authorise and require either the Company or the master of

the ship to amend the Continuous Synopsis Record to reflect the changes.

- (ii) In such cases, after the Continuous Synopsis Record, has been amended the Company shall, without delay, inform the Registrar of Ships accordingly.

(6) The Continuous Synopsis Record shall be in the format developed by the Organisation and shall be maintained in accordance with guidelines developed by the Organisation. Any previous entries in the Continuous Synopsis Record shall not be modified, deleted or, in anyway, erased or defaced.

Transfer of flag by ship

38. (1) Whenever a ship is transferred to the flag of another State or the ship is sold to another owner or is taken over by another bareboat charterer or another Company assumes the responsibility for the operation of the ship, the Continuous Synopsis Record shall be left on board.

(2) When a ship is to be transferred to the flag of another State, the Company shall notify the Registrar of Ships of the name of the State under whose flag the ship is to be transferred so as to enable the Registrar of Ships to forward to that State a copy of the Continuous Synopsis Record covering the period during which the ship was under their jurisdiction.

(3) When a ship is transferred to the flag of another State the Government of which is a Contracting Government, the Registrar of Ships shall transmit to the Administration as soon as possible after the transfer takes place a copy of the relevant Continuous Synopsis Record covering the period during which the ship was under Saint Vincent and the Grenadines jurisdiction together with any Continuous Synopsis Records previously issued to the ship by other States.

(4) When a ship is transferred to the flag of another State, the Registrar of Ships shall append the previous Continuous Synopsis Records to the Continuous Synopsis Record, the Registrar of Ships will issue to the ship so as to provide the continuous history record intended by this regulation.

Offences by the Company

39. It shall be an offence punishable by a fine not exceeding fifty thousand dollars for the Company, in relation to each of its ships, not -

- (a) to provide to the Registrar of Ships the information required by regulation 37 (3) if requested by the Registrar of Ships;
- (b) to inform the Registrar of Ships of the changes referred to in regulation 37(5);

- (c) to make the changes in the Continuous Synopsis Record as he is required to make under sub-regulation 37(5)(c);
- (d) to inform the Registrar of Ships as is required by sub-regulation 37(5)(c)(ii); or
- (e) to ensure the Continuous Synopsis Record is left on the ship and is available for inspection as required by sub-regulation 37(4),

40. It shall be an offence by the master not to -

Offences by the
master

- (a) make any changes in the Continuous Synopsis Record he is required to make under sub-regulation 37(5)(c);
- (b) to ensure the Continuous Synopsis Record is left on the ship and is available for inspection as required by sub-regulation 37(4),

punishable by a fine not exceeding twenty-five thousand dollars.

Dated the day of ,2004.