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**MERCHANT SHIPPING (ADMINISTRATION OF MARITIME
INSTRUMENTS) REGULATIONS, 2025**

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Merchant Shipping

(Act 2024–28)

**MERCHANT SHIPPING (ADMINISTRATION OF MARITIME
INSTRUMENTS) REGULATIONS, 2025**

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

PART 1

PRELIMINARY

Citation

1. These Regulations may be cited as the *Merchant Shipping (Administration of Maritime Instruments) Regulations, 2025*.

Definitions

2. In these Regulations,

“International Maritime Convention” means a special type of treaty or agreement between plural countries outlining rules and regulations aimed at addressing one or more global maritime issues

(a) that have been adopted by the

- (i) Comité Maritime International;
- (ii) United Nations Secretariat;
- (iii) International Maritime Organization;
- (iv) International Labour Organization;

- (v) United Nations Conference on Trade and Development;
 - (vi) United Nations Commission on International Trade Law;
 - (vii) United Nations Educational, Scientific and Cultural Organization;
 - (viii) any other internationally recognized body whose instruments are endorsed or otherwise accepted by Barbados; and
- (b) that have been
- (i) ratified;
 - (ii) acceded to; or
 - (iii) otherwise formally accepted,
- by Barbados; and
- (c) a reference to international maritime conventions includes a reference to maritime codes adopted in relation to the conventions;

“IMO” means International Maritime Organization established through adoption of the Convention on the International Maritime Organization on the 17th day of March, 1948;

“International Maritime Instruments” include Conventions, Protocols, Codes, Resolutions, Guidelines, Circulars and other similar instruments adopted or developed by

- (a) Comité Maritime International;
- (b) United Nations Secretariat;
- (c) International Maritime Organization;
- (d) International Labour Organization;
- (e) United Nations Conference on Trade and Development;
- (f) United Nations Commission on International Trade Law;

- (g) United Nations Educational, Scientific and Cultural Organization.

Purpose

3. The purposes of these Regulations are set out as follows:
- (a) to enhance administrative and regulatory oversight of national maritime affairs within the context of the international maritime regulatory framework;
 - (b) to clarify matters regarding the application and effect of International Maritime Instruments in Barbados; and
 - (c) to enhance administration and regulation of the maritime sector within the purview of the international maritime regulatory framework relating to
 - (i) maritime safety, including maritime labour safety;
 - (ii) maritime security;
 - (iii) marine environmental protection;
 - (iv) maritime commerce and trade facilitation;
 - (v) shipping and logistics.

PART 2

INTERNATIONAL MARITIME INSTRUMENTS

General application of International Maritime Conventions

- 4.(1) The International Maritime Conventions to which Barbados is party, have the force of law.
- (2) Paragraph (1)(a) does not apply to vessels registered under the *Shipping (Domestic Vessels) Act, 2024* (Act 2024-22), except where expressly provided otherwise by enactment.

Specific application of International Maritime Conventions to Autonomous ships

5.(1) Subject to paragraph (2), the International Maritime Conventions to which Barbados is party, apply to

- (a) Barbados-registered maritime autonomous surface ships; and
- (b) foreign-registered maritime autonomous surface ships when in Barbados waters.

(2) The International Maritime Conventions apply to maritime autonomous surface ships specified at paragraph (1)(a) and (b), to the extent that such International Maritime Conventions

- (a) can effectively regulate the safe, secure and environmentally sound operation of maritime autonomous surface ships; and
- (b) in the operational circumstances, be practically applied.

(3) Notwithstanding section 4 of the *Merchant Shipping Act, 2024* (Act 2024-28), modifications made to existing International Maritime Conventions to effectively regulate maritime autonomous surface ships take effect, provided the amended provisions have been incorporated into

- (a) regulations made pursuant to Part XII of the *Merchant Shipping Act, 2024*; or
- (b) the Autonomous Vessels Operations Code for Ships and Ports, to be developed in accordance with section 242 of the *Merchant Shipping Act, 2024*.

Application of protocols

6.(1) Significant changes made to an International Maritime Convention through adoption of a Protocol shall take effect in Barbados after

- (a) ratification;

- (b) accession; or
- (c) other formal acceptance of the Protocol

by Barbados.

(2) Amendments to an existing Protocol take effect in Barbados through provisional acceptance, unless opted out of.

Application of Codes

7. Maritime codes adopted in relation to an International Maritime Convention Barbados is party to, shall have direct application in Barbados, and as such

- (a) mandatory parts of codes shall be complied with; and
- (b) guidance contained in non-mandatory parts of codes shall be followed.

Application of Resolutions

8.(1) International maritime resolutions take effect in Barbados through tacit acceptance, unless opted out of.

(2) Maritime safety, including maritime labour safety, security and marine environmental protection requirements or other guidance contained in international maritime resolutions shall be complied with.

Circulars

9. Clarifications, interpretations and guidance expressed in circulars relating to maritime safety, including maritime labour safety, security, marine environmental protection, or other maritime matters shall be given due regard.

Guidelines

10. International maritime guidelines, notwithstanding their non-binding nature, constitute an integral part of the national maritime regulatory framework and shall be adhered to in the interests of continually ensuring maritime safety,

including maritime labour safety, maritime security and marine environmental protection.

Commercial Maritime Rules

- 11.** Commercial maritime rules developed under the auspices of
- (a) Comité Maritime International;
 - (b) United Nations Conference on Trade and Development;
 - (c) United Nations Commission for International Trade Law; or
 - (d) any other internationally recognized body whose instruments are endorsed or otherwise accepted by Barbados,

shall be adhered to in the interest of continually improving maritime trade and commerce.

Alternative Maritime Compliance Measures

12.(1) Where a person or a ship is unable to comply with one or more shipping-related maritime standards or requirements, a written request may be made to the Administration for

- (a) an exemption; or
- (b) a request to enter into an alternative maritime compliance arrangement.

(2) The Administration shall before approving a written request in relation to paragraph (1)(a) and (b), verify the circumstances surrounding the claimed inability to comply with the requirement or requirements concerned.

(3) In granting an approval in relation to a written request in relation to paragraph (1)(a) and (b), the Administration shall specify in writing the alternative maritime compliance measures to be complied with.

(4) Alternative maritime compliance measures shall not amount to a derogation from international maritime safety, security, marine environmental protection or maritime labour protection standards and requirements.

(5) The same level of maritime safety, security, marine environmental protection and maritime labour protection standards must be maintained when alternative maritime compliance measures are used.

(6) In this regulation “alternative maritime compliance measures” means an alternative method, technology or activity that can be used to comply with maritime standards or requirements, provided that the method, technology or activity is equivalent to, and as effective as, the general standard or requirement it is varying from.

(7) Any person who contravenes an alternative maritime compliance measure shall be liable to

(a) automatic suspension of an approval in relation to paragraph (1)(a) and (b), and be required to comply with the general standards and requirements previously exempted from;

(b) pay an administrative penalty of \$10 000.

(8) A person to whom an administrative penalty notice is addressed and who wishes to challenge the alleged contravention, may instead of paying the amount of the administrative penalty appeal to a Judge in Chambers.

(9) The amount of an outstanding administrative penalty constitutes a debt to the State and is recoverable in civil proceedings before a magistrate's court.

Application of United Kingdom Statutory Instruments on Shipping

13.(1) Statutory instruments on shipping made by the United Kingdom, shall apply as specified by the Administration in a Merchant Shipping Notice, to Barbados-registered ships wherever they may be, and foreign-registered ships in Barbados waters.

(2) Any reference in the United Kingdom statutory instruments on shipping to British ships or to ships registered in the United Kingdom is to be construed as a reference to Barbados-registered ships, and any reference to ships in a port in the United Kingdom is to be construed as a reference to ships in Barbados.

(3) United Kingdom statutory instruments on shipping are to be construed with such modifications, adaptations, qualifications and exceptions as are necessary to bring them into conformity with any shipping enactment of Barbados and relevant international maritime instruments to which Barbados is Party.

(4) Any certificate, form or code of instructions printed and officially published for use in compliance with United Kingdom statutory instruments on shipping, apply in a similar manner to Barbados ships, as specified in paragraph (2).

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

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