

Shipping Legislation Objective

- Shipping Legislation should give effect to international maritime instruments to which the State is Party and give effect to national policy objectives.
- This includes providing a similar level of protection to ships and shipping not covered by the international instruments

IMO INSTRUMENTS

CONVENTIONS

- Codes
- Resolutions
- Guidelines
- Manuals
 - Circulars

MANDATORY INSTRUMENTS

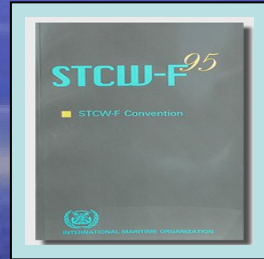
- Conventions
- Some Codes

IMO CONVENTIONS – Grouping

- Maritime Safety (10)
- Prevention of Marine Pollution (7)
- Liability and Compensation (7)
- Other IMO Conventions (4)

Maritime Safety Conventions

- International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995
- International Convention on Maritime Search and Rescue (SAR), 1979
- International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978
- International Convention for the Safety of Life at Sea (SOLAS), 1974
- Convention on the International Maritime Satellite Organization, 1976



Maritime Safety Conventions (cont'd)

- International Convention for Safe Containers (CSC), 1972
- Convention on the International Regulations for Preventing Collisions at Sea (COLREGs), 1972
- The Torremolinos International Convention for the Safety of Fishing Vessels, 1977
- Special Trade Passenger Ships Agreement, 1971 & Protocol on Space Requirements for Special Trade Passenger Ships, 1973
- International Convention on Load Lines (LOAD LINES), 1966

Prevention Of Marine Pollution Conventions

- International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001
- Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances (HNS Protocol), 2000
- International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC), 1990
- International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 relating thereto (MARPOL 73/78)
- Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972
- International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties (INTERVENTION), 1969
- International Convention For The Control and Management of Ballast Water and Sediments (BALLAST WATER), 2004







Liability and Compensation Conventions

- International Convention on Civil Liability for Bunker Oil Pollution Damage (BUNKERS), 2001
- International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS), 1996
- Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (PAL), 1974
- Convention on Limitation of Liability for Maritime Claims (LLMC), 1976
- International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND), 1971
- Convention relating to Civil Liability in the Field of Maritime Carriage of Nuclear material (NUCLEAR), 1971
- International Convention on Civil Liability for Oil Pollution Damage (CLC), 1969

Other IMO Conventions

- International Convention on Salvage, 1989
- Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988
- International Convention on Tonnage Measurement of Ships, 1969
- Convention on Facilitation of International Maritime Traffic, 1965

CODES

- International Ship and Port Facility Security (ISPS) 
- International Safety Management Code (ISM) 
- International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC) 
- International Code for Fire Safety Systems (FSS) 
- International Code of Safety for High Speed Craft (HSC) 
- International Maritime Dangerous Goods Code (IMDG) 
- International Code for the Safe Carriage of Grain in Bulk (IGC)
- Code of Safe Practice for Solid Bulk Cargoes (BC)
- Code of Practice for the Safe Loading and Unloading of Bulk Carriers (BLU)
- International Life-Saving Appliances Code (LSA)
- International Code of Signals

CODES [cont'd]

- International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High Level Radioactive Wastes on board Ships (INF)
- Code of Safe Practice for Cargo Stowage and Securing (CSS)
- Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (BCH)
- Code of Safety for Diving Systems
- Code for the Construction and Equipment of Mobile Offshore Drilling Units (MODU)
- International Code for the Application of Fire Test Procedures (FTP)
- Code on Alarms and Indicators
- Code on Intact Stability for all types of ships covered by IMO Instruments

How are IMO standards Implemented?

IMO

as a regulatory body **has NO enforcement powers**: but it does try to ensure that flag and port states fulfil their responsibilities properly

Article I

General obligations under the Convention

(a) The Contracting Governments undertake to give effect to the provisions of the present Convention and the annex thereto, which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the annex.

(b) The Contracting Governments undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the present Convention full and complete effect, so as to ensure that, from the point of view of safety of life, a ship is fit for the service for which it is intended.

Legislation

- Acts and Regulations

Maritime Administration

- Purpose
 - To administer maritime legislation
 - Fulfill Flag, Port and Coastal State obligations
- Basic Components
 - Ship and Seafarer Registration
 - Survey and Examinations
 - Support Services
- Qualified staff

Framework for the Voluntary IMO Member State Audit

Assembly Resolution A.974(24)
(ANNEX PART I)

Objective

The objective of the audit is to determine to what extent Member States are implementing and enforcing the applicable IMO instruments. In order to achieve this, a number of issues will be observed and assessed.

Areas to be covered include:

- Jurisdiction
- Organization and authority
- Legislation, rules and regulations
- Promulgation of IMO mandatory instruments, rules and regulations
- Enforcement arrangements
- Control, survey, inspection, audit, verification, approval and certification functions

Mandatory IMO Instruments

- SOLAS 74
- SOLAS 74 + PROT 78
- SOLAS 74 + PROT 88
- MARPOL 73/78 + PROT 97
- STCW 78
- LOAD LINES 66
- LOAD LINES 66 + PROT 88
- Tonnage 69
- COLREG 72
- All instruments (Codes etc.) made mandatory through these conventions and protocols

Government Responsibility

- The Government of a State Party to a mandatory IMO instrument **must** be in a position to implement and enforce its provisions through appropriate national legislation and to provide the necessary implementation and enforcement infrastructure.

IMO Support

- IMO Model Legislation for the Caribbean
 - Shipping Act
 - Shipping (Marine Pollution) Act
 - Shipping Regulations
- Codes of Safety
 - Caribbean Cargo Ships 24m-500GT
 - Small Commercial Vessels 5-24m

List of Model Regulations

- Carriage of Cargoes
- Additional Safety Measures for Bulk Carriers
- Distress Signals and Prevention of Collision
- Dangerous Goods and Harmful Substances
- Fire Protection: Small Passenger Ships
- High Speed Craft
- Load Lines
- Navigational Equipment
- Pilot Transfer
- Radio Installations
- Safety of Navigation
- Cargo Ship Construction
- Passenger Ship Construction - Classes I-III
- Passenger Ship Construction - Classes IV-VI
- Survey
- Gas Carriers
- Harmful Substances in Packaged Form
- Noxious Liquid Substances in Bulk
- Prevention of Oil Pollution
- Port Waste Reception Facilities
- Port State Control
- Accident Investigation
- Formal Investigation
- Training, Certification, Safe Manning, Hours of Work and Watchkeeping
- Wreck and Salvage
- Fees
- Local Trade
- Application of International Conventions
- Caribbean Cargo Ship Safety
- Licensing
- Medical Examination
- Certification of Ships Cooks
- Non-Commercial Vessels
- Tonnage
- Prevention of Pollution by Sewage
- Life Saving Appliances: Large Ships
- Life Saving Appliances: Small Passenger Ships
- Fire Protection: Large Ships

Administration

- Agency
 - Created by legislation

- Qualified Personnel

Conclusion

- Trinidad and Tobago has available the tools necessary to ensure the development of up to date shipping legislation to meet the modern maritime legislation objective of a member of the international maritime community.



Questions