

**SHIPPING ACT, 2007**  
**THE SHIPPING (PROVISIONS AND WATER) REGULATIONS**  
**2007**

Made by the Minister under section    of the Shipping Act 2007

1. These Regulations may be cited as the Model Shipping (Provisions and Water) Regulations 2007. Citation

2. In these Regulations:- Interpretation

"employer" means the person for the time being employing the master; and

"length" in relation to a registered ship means registered length, and in relation to an unregistered ship means the length from the fore part of the stem to the aft side of the head of the stern post or, if no stern post is fitted to take the rudder, to the fore side of the rudder stock at the point where the rudder passes out of the hull.

3. (1) Subject to sub-regulation (2) ~~✓~~ Application

- (a) these Regulations other than regulation 9 apply to sea-going Trinidad and Tobago ships; and
- (b) regulations 1, 2, 3, 9 and 10 apply to non-Trinidad and Tobago sea-going ships (except fishing vessels) when in a Trinidad and Tobago port.

(2) These Regulations do not apply to -

- (a) ships under 24 metres in length;
- (b) pleasure craft;
- (c) submersible craft; or
- (d) offshore installations whilst on or within 500 metres of their working stations.

(3) The Director may grant exemptions from all or any of the provisions of these Regulations (as may be specified in the exemption) for classes of cases or individual cases on such terms (if any) as he may so specify and may, subject to giving reasonable notice, alter or cancel any such exemption.

4. It shall be the duty of the employer and master of every ship to ensure that there shall be provided on their ship provisions and water which - Duties of Employers and Master

- (a) are suitable in respect of quantity, nutritive value, quality and variety having regard to the size of the crew and the character and nature of the voyage;
- (b) do not contain anything which is likely to cause sickness or injury to health or which renders any provision or water unpalatable; and
- (c) are otherwise fit for consumption.

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Master's duty to inspect	<p>5. (a) It shall be the duty of the master to ensure that he, or a person authorised by him, together with a member of the crew employed in catering on the ship, inspects not less than once a week provisions and water for the purpose of checking whether the provisions and water still comply with paragraphs (a) to (c) of regulation 4.</p> <p>(b) The results of such inspections shall be recorded in the Official Log Book of the ship.</p>	Deleted: sub-
Offences and Penalties	<p>6. (1) Contravention of regulation 4 by an employer shall be an offence punishable by a fine not exceeding [\$15,000].</p> <p>(2) Contravention of regulation 4 or 5 by a master shall be an offence punishable by a fine not exceeding [\$6,500].</p> <p>(3) It shall be a defence for a person charged in respect of a contravention of any of these Regulations, including a person charged by virtue of regulation 7, to show that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.</p>	Deleted: only on summary conviction
Offence by another person	<p>7. Where an offence under any of these Regulations is committed, or would have been committed except for the operation of regulation 6(3), by any person due to the act or default of some other person, that other person shall be guilty of an offence, and a person may be charged with and convicted of the offence by virtue of this regulation whether or not proceedings are taken against the first-mentioned person.</p>	
Inspection and detention of a Trinidad and Tobago ship	<p>8. Any person duly authorised by the Director may inspect any ship to which these Regulations apply and if he is satisfied that there has been a failure to comply in relation to that ship with the requirements of these Regulations he may detain the ship until the health and safety of all employees and other persons aboard ship is secured, but shall not in the exercise of these powers detain or delay the ship unreasonably.</p>	
Inspection, detention and other measures in respect of ships registered outside the Trinidad and Tobago	<p>9. (1) Any person duly authorised by the Director may inspect any ship which is not a Trinidad and Tobago ship when the ship is in a Trinidad and Tobago port, and if he is satisfied that the ship does not conform to the standards required of Trinidad and Tobago ships by these Regulations, he may:</p> <p>(a) send a report to the government of the country in which the ship is registered, and a copy thereof to the Director General of the International Labour Office; and</p> <p>(b) where conditions on board are clearly hazardous to safety or health;</p> <p>(i) take such measures as are necessary to rectify those conditions;</p> <p>(ii) detain the ship:</p>	
	<p>Provided that the measures specified in paragraphs (a) and (b) may be taken only when the ship has called at a Trinidad and Tobago port in the normal course of business or for operational reasons.</p>	Deleted: sub-

(2) Where he takes either of the measures specified in paragraph (1)(b), the person duly authorised shall forthwith notify the nearest maritime, consular or diplomatic representative of the State whose flag the ship is entitled to fly.

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(3) The person duly authorised shall not in exercise of his powers under this regulation detain or delay the ship unreasonably.

Comment [I1]: Sub reg

10. In any case where a ship does not comply with the requirements of these Regulations the ship shall be liable to be detained and section 384 of the Model Shipping Act, 2000, which relates to the detention of a ship, shall have effect in relation to the ship, subject to the modification that as if for the words "this Act", wherever they appear, there were substituted the words "the Shipping (Provisions and Water) Regulations 2003".

Power to detain