



## **The Shipping (Small Craft Control) Regulations 2016**

### **Introduction**

In the last year alone, there have been two fatalities on vessels operating in Antigua and Barbuda waters, engaged in trading between the islands.

Under casualty investigations this is a high percentage, based on the volume of commercial and pleasure trade, within these islands.

It is corporate risk to the Antigua and Barbuda government not to address this and have in place enforceable regulations to ensure that all operations, both commercial and pleasure, in Antigua and Barbuda waters, are carried out safely and that these small vessels are fit for their intended purpose.

In addition, where a fishing vessel which is engaged in commercial fishing and registered under the Fisheries Act, is exempted from the small vessel regulations, then such a vessel should not be used for carriage of cargo and/or passengers.

Small commercial vessels are regulated by The IMO Small Commercial Vessel (SCV) Code which applies to vessels operating commercially, trading in the Caribbean area, which are 5 metres or more in length and less than 24 metres in length.

This Code was adopted by the Parliament of Antigua and Barbuda in 2008, through the Merchant Shipping (Small Commercial Vessel) Regulations 2008.

To regulate small pleasure craft, The Small Craft Control Act 2010 was then drafted for Ministry of Tourism, but was not taken forward at that time.

This has now been addressed by the Small Craft Control Act 2015, which has been passed by both Houses of Parliament and received Royal Assent and came into force on 1st January 2016.

In addition, under this Small Craft Control Act 2015, the Antigua Department of Marine Services (ADOMS) will now be the Authority with full responsibility for the Registration, Licensing and Regulation of all small pleasure craft and small commercial vessels.

## **The Small Craft Control Act 2015**

This Act applies to small pleasure craft operating in Antigua and Barbuda waters and ADOMS is responsible for Registration, Licensing and Regulation.

Small craft are defined as all vessels less than 24 metres in length and includes boats, canoes, dinghies, kayaks, pontoons and jet skis/personal water craft.

It includes private/pleasure operations on inland waters, rivers, coastal and also commercial operations.

The Shipping (Small Craft Control) Regulations 2016 and supporting Code of Practice, to regulate and control these type of operations in Antigua and Barbuda, have been drafted and are with Ministry of Legal Affairs.

The objectives of the Small Pleasure Craft regulations and Code of Practice are to minimize risk of injury, or loss of life, to personnel engaged in these activities and to address unsafe practices.

Compliance is vital for sustaining the current level of tourism attracted by watersports activities and also to create opportunities for future tourism projects in Antigua and for those that have been earmarked for Barbuda.

### **Summary**

The Antigua and Barbuda Department of Marine Services (ADOMS) now authorise the Registration, Licensing and Regulation of all vessels below 24 metres in length.

Enforcement of the regulations will be through Antigua and Barbuda Defence Force and Coast Guard.

It is important that all operators and stakeholders engage with this marine safety regulatory regime and promote and support the required safety standards, which is vital in ensuring continued development of the economy, businesses and tourism for these islands.