

THE SHIPPING ACT

REGULATIONS
(under section 15)

THE SHIPPING (LOCAL TRADE) REGULATIONS, 2003

(Made by the Minister on the 20th day of March, 2003)

L.N. 29¹A/2003

1. These Regulations may be cited as the Shipping (Local Trade) Regulations, 2003.

Citation.

2. In these Regulations—

Interpretation

“foreign ship” means a ship that is not a Jamaican ship;

“local trade” means local trade in Jamaican waters;

“local trade in Jamaica waters” means the transport locally of passengers or goods or the carrying out of any other operation or activity locally, within Jamaican waters, for the purposes of trade, profit or reward; and

“local trade certificate” means a local trade certificate issued under regulation 5.

3. Subject to the provisions of these Regulations, a foreign ship shall not engage in local trade unless the ship holds a valid local trade certificate.

Local trade by foreign ships.

4. The provisions of Parts IX and X of the Act (which relate respectively to safety and inspection of ships) and any regulations made thereunder, shall—

Application of safety provisions.

(a) apply to foreign ships engaged in local trade; and

(b) be additional to any other requirements applicable to the operation of such ships.

5.—(1) The owners or agent of any foreign ship proposed to be engaged in local trade, shall submit to a registrar—

Certification of foreign ships in local trade.
First Schedule.

(a) an application in the form set out in the First Schedule; and

- (b) the documents and information specified in paragraph (2) in relation to the ship.

(2) The documents and information referred to in paragraph (1) are—

- (a) Certificate of Registry;
- (b) Tonnage Certificate;
- (c) Load Line Certificates;
- (d) Safety Certificates;
- (e) Proposed Manning Schedule;
- (f) where the owners are not resident in Jamaica, written evidence of appointment of a person resident in Jamaica as managing owner or agent of the ship;
- (g) written evidence of financial responsibility against risk of damage to third parties;
- (h) such other information as the Registrar-General may require.

(3) Upon being satisfied that the requirements of paragraph (1) have been met the Registrar shall forward all the documents to the Surveyor-General, who shall cause the ship to be surveyed and thereafter forward the documents and his findings to the Registrar-General.

(4) The Registrar-General shall if satisfied that—

- (a) the operation of the ship is in compliance with the requirements of the law with respect to maritime safety and marine pollution prevention;
- (b) a Jamaican ship is not available to perform the same functions as those of the foreign ship,

issue upon payment of the appropriate fee specified in the Third Schedule, a local trade certificate as set out in the Second Schedule in respect of the ship.

(5) A local trade certificate shall, subject to the provisions of these Regulations, be issued for a duration of three, six, nine or twelve months, as the case may be.

(6) A local trade certificate may be renewed on one or more occasions in accordance with the provisions applicable to the original application and shall take effect from the expiration of the previous certificate.

(7) An application for renewal shall be made not later than one month before the expiration of the existing certificate and shall be accompanied by the appropriate fee specified in the Third Schedule.

Third
Schedule.
Second
Schedule.

(8) The fees specified in the Third Schedule shall be payable in the currency of the United States of America as therein specified or in the equivalent in Jamaican currency.

Third
Schedule.

(9) Where an application for the grant or renewal of a certificate does not meet the requirements of these Regulations and is refused, the Registrar-General shall, in writing, notify the applicant and state the reasons therefor.

6.—(1) The Registrar-General may cancel a local trade certificate in the following circumstances—

Cancellation
of certificate.

- (a) he is satisfied that the continued operation of the ship in local trade would be detrimental to the interests of Jamaica;
- (b) the owner or master of the ship has been convicted of an offence under the Act or any other enactment relating to the prevention of marine pollution; or
- (c) the shipowner has made a written request therefor.

(2) Where a certificate is cancelled the owner of the ship shall, forthwith upon being notified thereof, return the certificate to the Registrar-General.

7.—(1) The provisions of the Act and any regulations made thereunder relating to the manning requirements of Jamaican ships shall apply to a foreign ship engaged in local trade.

Manning.

(2) Subject to paragraph (3), only Jamaican seafarers shall be employed as such on a foreign ship engaged in local trade.

(3) Where the owners of a ship prove to the satisfaction of the Director that there are insufficient Jamaican-certificated seafarers available for employment on the ship, then such number of other appropriately qualified and duly certificated seafarers may be employed.

(4) An uncertificated seafarer seeking employment or a prospective employer thereof, may apply in writing to the Director for an exemption from the requirements of this regulation, and the Director may grant an exemption subject to such conditions as he thinks fit and for a period not exceeding twelve months.

8. The Director may, on written application by the owner of a foreign ship engaged in local trade, by instrument in writing direct that the ship be exempt from any specific requirement of these Regulations if he is satisfied that the requirements relating to safety, marine pollution and prevention and manning have been substantially complied with.

Exemptions.

FIRST SCHEDULE

(Regulation 5 (1))

Application for Local Trade Operation

Regulation 5



Certificate Number

**MARITIME AUTHORITY OF JAMAICA
LOCAL TRADE CERTIFICATE**

Name of Ship	Official Number	IMO Number	Call Sign	Port & Country of Registry
Base (Hailing) Port in Jamaica	Length	Gross Tonnage	Number of Passengers	Number of Crew
Proposed Local Trade Activity				
APPROVED MANNING LEVEL				
Master	No.	Chief Engineer	No.	
Chief Officer		2 nd Engineer		
Second Officer		3 rd Engineer		
Third Officer		4 th Engineer		
Able Bodied Seamen (A/B)		Electrician		
Ordinary Seamen (OS)		Refrigeration Engineer		
Number of Holders of GMDSS Certificates		Motor Man		
Cook		Pump Man		
Other:				
The vessel described above is hereby authorized to engage in Local Trade subject to the following conditions:				
This Certificate remains valid unless withdrawn until: _____				
Expiry Date				
_____ Surveyor General	_____ Date	_____ Signature/Seal		

• A review of the conditions of this permit is necessary where the intended business changes.

FIRST SCHEDULE, *contd.*

(Regulation 5 (1))

An Application for Local Trade Certification should where applicable, be accompanied by the following Documents:

- ❖ Certificate of Registry
- ❖ Tonnage Certificate
- ❖ Loadline Certificate
- ❖ Safety Certificate
- ❖ Proposed Manning Schedule
- ❖ Appointment of Authorized Agent
- ❖ Evidence of Financial Responsibility against third party damage
- ❖ Applicable Fee

Local Trade Certificate

Regulation 5



MARITIME AUTHORITY OF JAMAICA
APPLICATION FOR LOCAL TRADE OPERATION

Name of Ship		Official Number	BMO/Carship Number	Call Sign	Port & Country of Registry
Base (Hoisting) Port in Jamaica	Gross Tonnage	Length	Type of Vessel	Construction	
Year of Build	Propulsion Type	Propulsion Method	Engine Rating	No. Crew	
Nature of Operations			Intended Duration of Operations	No. Passengers	
Area of Operation / Route Plan					
Name & Address of Insurers			Phone: Fax: Email:		
Name & Address of Owner			Name & Address of Agent		
Contact Details of Owner Phone: Fax: Email: ID Number			Contact Details of Agent Phone: Fax: Email: ID Number		
Proposed Manning Level:					
Master	No.	Chief Engineer	No.		
Chief Officer		2 nd Engineer			
Second Officer		3 rd Engineer			
Third Officer		4 th Engineer			
Able Bodied Seamen (AB)		Electrician			
Ordinary Seamen (OS)		Refrigeration Engineer			
Number of Holders of GMDSS Certificates		Motor Man			
Cook		Pump Man			
Other					
I hereby apply to engage the ship described above, in Local Trade activities in Jamaican Waters in accordance with Section 15 (7) of the Shipping Act, 1998 and have attached hereto, the required supporting documentation indicated overleaf. To the best of my knowledge, all the information provided is true.					
_____ Owners/Agents Name		_____ Date		_____ Signature/(Seal)	
Signed in the presence of:					
_____ Name of Witness		_____ Signature/(Seal)		_____ Signature/(Seal)	
Address: _____					

THIRD SCHEDULE

(Regulation 5(4), (7)
and (8))

FEES

<i>Service</i>	<i>Fees</i>
1. Issue of a 12 month Local Trade Certificate—	
(a) Vessels 24 metres and below:	
Up to 30 ft. (up to 9 metres)	US\$1,350.00
31—40 ft. (9.3—12 metres)	US\$3,300.00
41—79 ft. (12.5—24 metres)	US\$6,500.00
(b) Vessels over 24 metres:	
First 7500 tonnes or under	US\$13,000.00
For each tonne from 7501—15000 tonnes	US\$3.00
For each tonne from 15001—25000 tonnes	US\$2.00
For each tonne from 25001—35000 tonnes	US\$1.40
For each tonne over 35001 tonnes	US\$1.00
Notes: 1. Fees for certificates of shorter duration will be prorated accordingly.	
2. Fees relate to gross tonnage.	
2. Replacement of a certificate which has been lost	US\$250.00