



BELIZE

BELIZE PORT AUTHORITY ACT CHAPTER 233

REVISED EDITION 2020

SHOWING THE SUBSIDIARY LAWS AS AT 31ST DECEMBER, 2020

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2020.

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CHAPTER 233

BELIZE PORT AUTHORITY REGULATIONS

ARRANGEMENT OF REGULATIONS

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CHAPTER 223**BELIZE PORT AUTHORITY REGULATIONS**26 of 1980.
32 of 1980.*(Section 74)**[26th April, 1980.]*

1.—These Regulations may be cited as the

Short title.

PORT AUTHORITY REGULATIONS.

2. The definitions set out in the Port Authority (Tariff) Regulations shall apply to any term contained in these Regulations and not defined in Regulation 3 hereof.

Definition.

3. The term “power boat” includes boats capable of developing speeds in excess of ten knots and in particular vessels propelled by outboard, inboard-outboard or inboard engines intended for speeds in excess of ten knots.

Interpretation.

4. It shall be unlawful for any person whether as principal, servant, agent, employee, or otherwise to anchor any ship or other watercraft of any kind in any of the fairways or channels in the Port of Belize City and Commerce Bight or to otherwise obstruct navigation in the Ports. Any ship contravening this Regulation shall in addition to any penalty be liable to be removed at the ship’s risk and expense.

Anchorage or
obstruction in
turning basins
and channels.

5. No unauthorised ship shall be navigated within a quarter mile distance of the Pier of the Belize City Port. Any ship contravening this Regulation shall be guilty of an offence.

Unauthorised
movements of
ships.

Lights at night.

- 6.** All ships or other watercraft, while anchored, moored or manoeuvring in the territorial waters of Belize shall between the hours of sunset and sunrise show prescribed lights.
- 7.** Ships within the limits of a port shall make way for ships under way and shall between the hours of sunset and sunrise exhibit the lights prescribed for their class by collision regulations.
- 8.** Free passage shall be kept to landing places, wharves and mooring, and ships shall move when required to clear such passage. Ships' accommodation ladders and gangways shall be kept in good condition and clear of obstruction.
- 9.** Any person responsible for the sinking of any object in a Port shall report the matter immediately to the Ports Commissioner.
- 10.**—(1) It shall be unlawful for any person to deposit, place or discharge into the territorial waters of Belize, any ballast, dunnage, sanitary sewage, butcher's offal, garbage, dead animals, gaseous liquids or solid matter, oil, gasoline, residuum of gas, calcium, carbide, trade waste, tar or refuse, or any other matter which is capable of producing floating matter or scum on the surface of the water, sediment or obstruction on the bottom of the ocean bed, or odors of gases of putrefaction.
- (2) All ships and all persons using port facilities shall take every precaution to avoid pollution of the air.
- 11.** Any person who within a quarter mile of a port facility proceeds at a speed exceeding five knots or endangers other ships or structures or causes wake damage shall be guilty of an offence.
- 12.**—(1) It is the duty of every person having control of a power boat within territorial waters—
- (a) so to navigate such boat as to avoid collision with or injury to any ship or person present in,

on or under the water in the area occupied by or disturbed by the said boat or the wash or wake thereof; or

- (b) to navigate such boat with due care and consideration for other persons having regard to the prevailing conditions and the reasonable likelihood of other persons being present in or coming into the area occupied by such boat and the wash and wake thereof, as the case may be.

(2) No person under the age of fifteen years shall have control or navigate a power boat save under the supervision of a person over that age.

(3) Every person in control of a power boat within the limits of any Harbour shall when so instructed by the Ports Commissioner—

- (a) heave to; and
- (b) bring his boat alongside any place indicated by the Ports Commissioner and otherwise comply with any navigational orders issued to him by the Ports Commissioner.

(4) When any dispute arises as to who is in control of a boat every person present therein shall be deemed to be in control until he proves the contrary.

13.—(1) Every ship or other water-craft, shall at all times, have on board a person in charge with authority to take such action in any emergency as may be necessary to facilitate common navigation or commerce, or for the protection of other ships or property. The Ports Commissioner shall have authority to order and enforce the removal or change of berth or location of any ship or other water-craft at its own expense, to such place as he may direct, for the purpose of facilitating navigation or

Change of berth.

commerce, or for the protection of other ships or property and it shall be unlawful for the master, owner or agent of such ship to fail, neglect or refuse to obey such order.

(2) If there is no responsible person available, or if the person in charge refuses to shift the ship as directed, the Ports Commissioner shall cause the ship to be shifted at the risk and expense of the owner.

Unauthorised
berthing.

14.—(1) No person shall berth a ship other than at a designated berth and a ship berthed at a designated berth shall not be shifted without the prior approval of the Ports Commissioner.

(2) Any ship berthed or shifted in contravention of paragraph (1) shall be subject to removal to a proper berth by the Ports Commissioner without notice to the owners and at the owner's expense.

Emergencies.

15. Anyone on the port property at any time becoming aware of an emergency situation of any nature should notify an authorised officer by the fastest means, while taking such immediate action as may be appropriate.

Loitering on Port
Property.

16.—(1) It shall be unlawful for any person to loiter upon the premises of the Authority.

(2) It shall be unlawful for unauthorised persons to enter cargo movement or handling areas.

Signs.

17. Painting signs on structures belonging to the Authority is prohibited without prior approval. Signs to be created on the port shall be furnished by the port users and erected or placed by the user after the Ports Commissioner shall have approved the design, material and size of said signs.

Smoking.

18. It shall be unlawful for any person to smoke or to light any match or to have any naked flame upon or in any facilities where smoking is prohibited by the port.

19.—(1) It shall be unlawful to park any motor vehicle in a restricted area or to park a motor vehicle, trailer or any other vehicle in loading zones for any longer period than is necessary to load or discharge cargo or passengers.

Vehicles.

(2) All vehicles entering port premises, not engaged in the transportation of cargo, shall park in the areas designated by the Authority.

20.—(1) Stevedore's tools, appliances, equipment, vehicles or any other materials or objects which are not part of the cargo shall not be permitted to remain on the wharves or in the transit sheds, except at the discretion of the Ports Commissioner.

Wharf obstruction.

(2) Cargo or gear shall not be stored on the aprons, in driveways, roadways, or any other locations that would hamper normal port operations without approval of the Authority. If not removed when so ordered, it shall be subject to removal by the Authority at the agent's expense.

21.—(1) Ships within a port shall have sufficient hands on board to attend to their moorings, and to cause them to be slackened or heave in as necessary. No rope shall be made fast except to dolphins, buoys, moorings and bollards placed for that purpose, and no wire rope may be used unless the bollards and the edge of the coping of the wharf are protected from chafes to the satisfaction of the Ports Commissioner. Chain cables may not be used for mooring alongside a wharf.

Ship's moorings etc.

(2) Ships shall anchor, moor, and berth to the satisfaction of the Ports Commissioner, and shall take such additional precautions in severe weather as may be ordered.

(3) Ships alongside wharfs shall affix efficient rat guards on every line and wire connected to or reaching shore if so ordered by the Ports Commissioner.

22.—A watch shall be constantly kept by day and night upon the open deck of every ship in port.

Watch to be kept on board.

Ships to be in readiness to move.	23.—(1) Ships shall at all times be kept in a fit condition to be moved and in default the work may be performed by the Authority at the ship's risk and expense. (2) Ships entering, leaving or shifting berth within a port shall be provided with sufficient hands for the purpose and shall have on board good and sufficient warps, and no warp may be cast off unless so authorised by the Ports Commissioner.
Displaced mooring to be reported.	24.—If any mooring or marker buoy is dragged from its position or damaged by any ship, the fact shall be reported immediately to the Ports Commissioner and the cost of repairing or replacing the said mooring or marker shall be paid for by such ship.
Condition under which ship has priority.	25.—Ships arriving at a port with intentions of discharging cargo shall have priority to berth in order of their time of arrival, but if a ship proceeds to another port and commences discharging priority shall be given to the next ship arriving. Nevertheless, the Ports Commissioner may give priority to later ships in an emergency or in order to save perishable cargo.
Customs, Immigration and Health formalities.	26. Until Customs, Immigration and Health formalities have been completed no unauthorised person may board or leave an arriving ship.
Ships loading or discharging.	27. Ships loading or discharging loose cargo on pallets shall cause a cargo to be placed in such manner as to prevent any such cargo from falling into the waters of the Port, and any cargo or ship's gear dropped overboard shall at once be reported by the person in charge of the ship to the Ports Commissioner and shall be recovered by such persons if it is reasonably possible for him so to do. Failing this, it may be recovered by the Ports Commissioner at the risk and expense of the owners of such ship.
Ships to be worked with reasonable dispatch.	28.—(1) If a ship fails to take in or discharge its cargo with such dispatch as appears reasonable to the Ports Commissioner, such ship shall after notice has been given to that effect to the master

lose its turn and be removed from the wharf by the Ports Commissioner at the risk and expense of the ship.

(2) The Ports Commissioner may, in the event of excessive accumulation of goods upon a wharf require any ship to reduce or suspend the discharge of cargo.

29. No ship's gear, dunnage, cattle fittings or the like shall be placed on any wharf without the Ports Commissioner's permission.

Ships gear
repairs etc.

30.—(1) Ships in port are subject to inspection by the Ports Commissioner at any time, which inspection may extend to every part thereof including cargo gear.

Inspection.

(2) Such ship may be required to produce a valid cargo gear certificate issued from a source recognised by the Authority.

(3) Ropes, slings and wires in general use for hoisting or lowering shall be inspected once in every three months and where explosives are being handled, all machinery and attachments, including ropes, slings, nets and wire cables shall be inspected immediately prior to use.

31. When required by the Ports Commissioner a ship's water closets and latrines shall be closed during such period as the ship is in port. All closets and latrines shall have splash boards or similar device so as to prevent fouling the wharf or any other ship.

Sanitary
arrangements in
Port.

32.—(1) In the event of a fire occurring on board a ship in Port, the master or watch shall at once give the alarm and take such action towards the protection of property as the Ports Commissioner may direct.

Fire on ships.

(2) Ships shall in the event of a fire on board hoist "N. Q." of the International Code and at the same time sound one long and three short blasts in quick succession on the whistle. The signal

- Firefighting operations. “N. Q.” shall be kept hoisted until the fire on board has been extinguished.
33. Persons on port areas shall comply with the instructions of constables and other authorised persons in the event of an outbreak of fire, and shall not obstruct or interfere with firefighting operations.
- Boarding or leaving ships. 34. Whoever, except with the permission of the Ports Commissioner, boards or leaves a ship while such ship is in motion or otherwise than by means of a gangway or efficient pilot ladder is guilty of an offence.
- Ship Passes. 35. Ships will be provided with sufficient passes by the Ports Commissioner for crew members. No crew member will be permitted to leave or enter a port area without a pass; such passes must be returned to the Ports Commissioner one hour before sailing time posted on board such ship in order to ensure that all crew members are on board.
- Labourers and visitors to wear identification. 36.-(1) The Ports Commissioner may require labourers and visitors within a port to wear identification discs.
- (2) Labourers and visitors shall collect identification discs at the Authority’s Office and shall enter or leave the port area through the port gate provided for the purpose and while on port premises are subject to the Ports Commissioner’s lawful orders. The Ports Commissioner may, if he so desires, have all persons and vehicles checked before entering and leaving port areas.
- No liquor to be carried through port gates. 37. No persons shall supply or convey or deliver any intoxicating liquor to any crew member or to any other person on board any ship in port unless-
- (a) purchased with the consent of the master of the ship, from a person licensed to sell the same;

- (b) such liquor is delivered in bond and checked and sealed by Customs, the said seal not to be broken while the ship is within the Port limits.

Dogs and cats
aboard ships.

38. Dogs and cats are not permitted to land from ships without a certificate from a Veterinarian at the last port of call and port of origin (if different) and a permit from a Government Veterinary Officer showing that the said animal is free from disease.

39. Whoever drives a mechanically propelled vehicle within a port area so as to cause danger to any person or property is guilty of an offence.

Dangerous
driving.

40. Drivers and persons in charge of mechanically propelled vehicles shall at all times while entering or leaving a port area conduct themselves in an orderly manner and comply with such orders as may from time to time be issued by the Ports Commissioner and with the terms of any notices and signs exhibited by order of the Authority.

Behaviour of
motorists.

41. Whoever in a port area disregards a traffic signal or fails to stop when called upon to do so by a constable or other authorized person is guilty of an offence.

Traffic signals.

42. Explosives, inflammables and other hazardous commodities or materials shall not be handed over or received on the wharfs or other facilities of the Port Authority until and unless approval is obtained from the Commissioner of Police.

Explosives,
inflammables
and other.

CHAPTER 233**BELIZE PORT AUTHORITY (TARIFF) REGULATIONS****ARRANGEMENT OF REGULATIONS**

1. Short title.
2. Interpretation.
3. Appointment of cargos dues.
4. Tariff.

SCHEDULE I**SCHEDULE II****SCHEDULE III**

CHAPTER 233**BELIZE PORT AUTHORITY (TARIFF) REGULATIONS***(Section 52)*

26 of 1980.
59 of 1980.
72 of 1980.
103 of 1985.
41 of 1990.
21 of 1992.
136 of 2000.
143 of 2004.
12 of 2008.
81 of 2008.
160 of 2020.

[12th April, 1980.]

1.—These Regulations may be cited as the

Short title.

PORT AUTHORITY (TARIFF) REGULATIONS.

2. In these Regulations, unless the context otherwise requires—

Interpretation.
143 of 2004.

“Port Security (ISPS) Fee” means a fee levied against commercial ships calling on a port or port facility anywhere in Belize and payable to the Belize Port Authority.

3. Notwithstanding anything contained in these Regulations—

Appointment of
cargos dues.
12 of 2008.
81 of 2008.

(a) the Port of Belize Ltd. is authorised to collect cargo dues from vessels calling at its facility at Port Loyola provided that it may also collect cargo dues from vessels which do not call at its facility where such vessels are engaged in the following activities which formed a part of the revenue stream of the Port before privatization, namely—

(i) importation of fuel by ESSO at its offshore terminal;

- (ii) Belize Sugar Industries (BSI) loading of sugar in the vicinity of the Ship's Bogue; and
- (iii) BSI loading of molasses at the Wit-Concrete in the Vicinity of Grennel's Caye.
- (b) Toledo Enterprises Ltd is authorised to collect cargo dues from vessels calling at its facility at Big Creek, Independence, Stann Creek District;
- (c) subject to (a) and (b) above, all other cargo dues shall accrue to the credit of the Belize Port Authority.

Tariff.

4. The Tariff set out in the Schedule hereto and the Regulations therein embodied shall apply in respect of any port which is within the jurisdiction of the Belize Port Authority.

SCHEDULE

PORT AUTHORITY OF BELIZE TARIFF

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SECTION I

Definitions

In this Tariff the following expressions have the following meanings:

Administrative Charge

A charge levied against the agent of a ship for cargo which the Port Authority can handle but permits handling by any other person.

Application for a Berth

The agent of a ship desiring the assignment of a berth at the Port of Belize City, Commerce Bight or any other port shall as far as reasonably possible and in advance of the date of arrival of the ship, make application to the Ports Commissioner in the form set out in Schedules I and II.

Berthage Dues

A charge for the use of the wharf and does not include a charge for any other service.

Berth Assignment	The granting of permission to use a specified berth.
Cargo Dues	A charge levied against the vessel for the use of the Port and based on the cargo loaded or unloaded by that vessel.
Cargo Handling Charge	A charge assessed against a ship for handling any cargo to or from that ship, from release of ships tackle to tailgate inwards and from place of rest to under ships tackle outwards.
Checking	The service of counting and checking cargo against appropriate documents for the account of the cargo or the ship, or other person requesting same.
Free Time	The specified period immediately prior to the loading or subsequent to the discharge of cargo onto or off a ship during which cargo may occupy space assigned to it on port premises free of wharf demurrage or storage charges.
Heavy Lift	The service of providing heavy lift equipment for lifting cargo.

Loading and Unloading

The service of loading or unloading from a ship to any place on the port premises and into trucks, lighters or barges or any other means of conveyance to or from the port premises.

Loading and Unloading Charge

A charge levied for loading cargo from tailgate into vehicle, or unloading from vehicle to place of rest.

N.O.S.

Not otherwise specified.

Operator

Any person carrying on the business of furnishing wharfage, dock, warehouse, or other services or facilities as approved by the Port Authority.

103 of 1985

Person

Includes individuals, partnerships, corporations, associations, municipal and other governmental entities.

Place of Rest

Place of Rest means a location designated by the Authority within the port premises where goods and commodities shall be placed, in a manner acceptable to the Authority, and allowed to remain while

awaiting delivery to a consignee or for loading on board a ship.

103 of 1985

Port Dues

A charge assessed on its gross registered tonnage against any ship using any harbour or port in Belize where applicable.

**Shed and Wharf
Demurrage**

A charge assessed against cargo remaining in or on port premises after the expiration of free time unless arrangements have been made for storage, and also against cargo remaining in or on port premises after expiration of an authorised storage period.

Ship Hook

To and from ship tackle.

Tailgate

Tailgating is the delivery of cargo by the Port Authority from rest to the tailgate of the vehicle for inbound cargo, and for outbound cargo from tailgate of the vehicle to rest.

Terminal Storage

The service of providing transit shed or other terminal facilities for the storing of inbound or outbound cargo after the expiration of free time, including wharf storage, shipside storage, closed or covered storage, open or ground storage, and refrigerated storage, after storage arrangements have been made.

T.E.U.

Twenty (20) foot or equivalent unit.

SECTION II*General*

The rates of tariff as published in these Regulations are subject to the undermentioned conditions—

**Application of
Tariff and
Supplements**

1. (a) The charges, rates, rules and regulations published in this tariff shall apply equally to all users of, and all traffic in, any harbour, and to all users of the facilities owned, operated and administered by the Authority on and after the effective date of this tariff or any supplements thereto.

(b) The Ports Commissioner shall be the sole judge as to the application and interpretation of this tariff.

**Consent to Terms
of Tariff**

2. The use of the harbours and piers, wharves, bulkhead, docks and other facilities under the jurisdiction of the Authority shall constitute a consent to the terms and conditions of this tariff, and shall be evidence of an agreement on the part of ships, masters, their owners and agents, and other users of such harbours and facilities to pay all charges specified in this tariff and to be governed by all rules and regulations published herein.

Appeals

3. An appeal shall lie to the Board against any action taken by the Ports Commissioner under these Rules.

**Exemption for
Port construction**

4. All construction work at the Ports and Harbours of Belize whether new facility or maintenance, done under contract with and for the benefit of the Authority, is exempt from the charges enumerated in this tariff. The exemption applies only to those activities and materials specifically required and necessary for the completion of the construction work.

**General
Restrictions and
Limitations**

5.
 - (a) The Authority is not obliged to provide storage or accommodation for property which has not been transported, nor is intended to be transported by water to or from the port; nor is it obliged to provide berthage, wharfage, storage or other services beyond the reasonable capacity of the facilities; nor is it obliged to provide, in the course of normal operations, storage beyond a period of time determined by the Ports Commissioner for any property whatsoever.
 - (b) The Authority is not obliged to accept any cargo, either inbound or outbound, which is not compatible with the accepted objectives of the port and the established assurances to the community. The refusal of any such cargo is discretionary with the Ports Commissioner.

**Placement Goods
not to be Bailment**

6. The placing of goods of any nature, including cargo on Authority premises pursuant to this tariff shall not be construed, under any circumstances, as a bailment of such goods, nor shall the Authority, its officers, employees and agents, be considered to be bailees of any goods.

Abandoned Cargo

7. Any cargo on which the charges remain unpaid for more than forty-five days shall be considered abandoned cargo. The Authority reserves the right to remove any or all such cargo to another part of the premises, or remove it and place in storage off the port at the risk and expense of the owner. The Authority may retain possession of the cargo until all charges have been paid. When the Ports Commissioner determines final abandonment of cargo in any instance, he shall dispose of same under the provision of the Port Authority Act.

Furnishing Cargo Statements and Vessel Report

8. Within forty-eight hours of the arrival or departure as the case may be of any ship, the ship's master its agents, and all other users of the harbours and facilities in connection therewith are required to furnish the Ports Commissioner with copies of the inbound or outbound manifest or other documents in a form satisfactory to the Ports Commissioner, or a signed and certified full and correct statement on blanks furnished by the Port Authority, showing the weights or measurements of the various items to be discharged or loaded and the basis on which freight charges are assessed.

Payment of Bills

9. All charges assessed under this tariff are due as they accrue and are payable within seven days after presentation of invoices. The Authority reserves the right to demand payment of charges in advance for any services performed or facilities used.

Access to Record

10. All ships, masters, their owners and agents, and all other users of the harbours and facilities, are required to permit access to manifests of cargo, passenger lists and all other documents for the purpose of audit for ascertaining the correctness of reports filed, or for securing necessary data to permit a correct estimate of the charges to be levied.

Indemnity Bond

11. (a) Users of the port facilities are required to furnish the Authority with a bond, insuring the Authority against loss of any funds and indemnifying the Authority in full for the payment of bills that accrue as a result of berthage, cargo and passenger wharfage, water sales, storage, rentals, leases, warehousing, wharf demurrage, electric current and any other charges that may accrue for services rendered by the Authority; or any damage that may be caused to the Port Authority Property by any vessel or vehicle or other means of conveyance.
- (b) The Ports Commissioner is authorised to determine and fix the amount of the required Bond.

Insurance

12. (a) The rates and charges published in this tariff do not include insurance of any nature.
- (b) All users of the port facilities are required to carry bodily injury liability insurance and property damage liability insurance and to furnish certificates of insurance to the Ports Commissioner in proof thereof.

Allocation of Space

13. The Ports Commissioner shall control the allocation of all space, covered or open, on the port premises. All persons using port premises in any manner shall comply with such allocations. The Ports Commissioner is authorised to move goods at owner's or agent's expense, in order to enforce this regulation.

Cleanliness of Premises

14. (a) All ships, their owners and agents, and all other users of the facilities shall be held responsible for the general cleanliness of the property which has been allocated, assigned or leased to them. This shall include those parts of

the aprons, gutters, and truck docks used in connection with any loading, unloading or handling operation.

(b) Where any person fails to clean the facilities or premises he has used the Ports Commissioner may cause such facility or premises to be cleaned at the person's expense.

**Damage to
Facilities**

15. All ships' owners or agents and all other users of the facilities, shall be held responsible for any damage to the facilities occasioned by them. The Ports Commissioner may detain any ship or other watercraft responsible for damage to the facilities until sufficient security has been given for the amount of the damage. It shall be the responsibility of the users of the facilities to report any damages occasioned by them to the Ports Commissioner immediately.

**Explosives,
Inflammables, and
other hazardous
materials**

- 16 Explosives and inflammable and other hazardous commodities or materials shall not be handed over or received on the wharves or other facilities of the Authority until and unless approval is obtained from the Commissioner of Police.

**Unauthorised
Business**

17. It shall be unlawful for any person to carry on any business on the port premises without first obtaining a permit from the Authority as required by this tariff or any law.

**Wharf
Obstruction**

18. (a) Stevedore's tools, appliances, equipment, vehicles or any other material or object which is not part of the cargo shall not be permitted to remain on the wharves or in the transit sheds, except at the discretion of the Ports Commissioner.

(b) Cargo or gear shall not, without the approval of the Authority, be stored on the aprons, in

driveways, roadways, or any other locations in such manner as would hamper normal port operations. If not removed when so ordered, it shall be subject to removal by the Authority at the agent's expense.

**Removal of Ships
having Offensive
matter on Board**

19. The Ports Commissioner may order the removal from port of any ship which has on board cargo or other matter injurious to health or offensive or dangerous in any respect, and such cargo or matter shall be disposed of in such manner as the Ports Commissioner may order, at the risk and expense of the ship.

**Due Notice of
Departure to be
given**

20. Four (4) hours notice of its departure shall be given by the owner or agent of a ship and a report in the form prescribed in Schedule III shall be submitted to the Ports Commissioner at least forty-eight hours before such departure.

Offensive Cargo

21. The Ports Commissioner may with the consent of the Comptroller of Customs and after giving two hours notice to the owner or other persons entitled to receive goods or, if the owner or consignee cannot be found, without such notice, order the removal and if necessary the destruction of any goods described in paragraph 19 above if they are of an offensive nature and such removal or destruction shall be at the expense of the owner, consignee or other person concerned.

**Master or Agent to
give Notice of
dangerous cargo**

22. Ships having on board goods of a dangerous or inflammable nature shall, at least twenty-four (24) hours before arrival, give notice thereof to the Ports Commissioner. If such goods are landed without permission, the Ports Commissioner may order them to be placed on board the ship whence they came or otherwise deal with the goods as he considers necessary at the risk and expense of the ship.

**Ports
Commissioner
may Refuse to
Permit Goods to
be Stored**

23. The Ports Commissioner may refuse to allow the following goods to be stored in a port or may impose special conditions thereon—

(a) articles of unusual length, bulk or weight, or of exceptional bulk in proportion to weight;

(b) dangerous, hazardous or offensive goods, which are likely to cause harm or damage to persons or property;

(c) articles unpacked or improperly or insufficiently packed or secured;

(d) perishables and goods inherently liable to wastage or change in bulk or weight, or to latent inherent defect, vice or natural deterioration;

(e) timber, metals, animals.

**Vehicles to take
place Assigned**

24. (a) Vehicles engaged in the removal of goods from port areas, will operate on a number system, and take the place assigned to them by the Ports Commissioner.

(b) Persons in charge of vehicles within a port area shall move their vehicles as required by the Ports Commissioner. Whoever refuses to move his vehicle when required is guilty of an offence and such vehicle may be moved by the Ports Commissioner at the risk and expense of the owner.

**Advertising on
Port Authority**

25. Any person who, unless authorised to do so by the Authority, advertises or causes any advertisement to be exhibited on any premises or property of the Authority shall be guilty of an offence.

**Times of Request
for Berth**

26. All applications for berths shall be made seventy-two hours beforehand at the undermentioned times—

(a) on weekdays not later than 3 p.m.

(b) on weekends not later than 11a.m.

**Adherence to
Berth Assigned**

27. A berth assignment shall be made by the Ports Commissioner and when so made shall be strictly adhered to until further directions or orders in respect to any change or further use are given by the Ports Commissioner.

SECTION III*Marine Dues***Piloting of
Ships**

103 of 1985.

1. For any ship, either inwards or outwards between English Caye and Belize City Harbour, per foot of maximum draught \$5.00 With additional charge of 0.08 cents a ton for ships up to 800 gross registered tons; or 0.05 cents a ton for ships above 800 gross registered tons; subject to a minimum payment of \$150.00 in respect of any ship of more than 800 gross registered tons.
2. Shifting of vessel within the Belize City Harbour \$150.00
3. Between Belize City and any point on the Southern Coast as far as Placencia per foot of maximum draught \$6.00

Plus tonnage charges as set out in 1 above.

4. Between English Caye and any point on the Southern Coast as far as Placencia or between Belize City and places beyond Placencia per foot of maximum draught\$6.50
Plus tonnage charges as set out in 1 above.
5. Between English Caye and points beyond Placencia, per foot of maximum draught \$7.00
Plus tonnage charges as set out in 1 above.
6. An additional payment to the Port Authority for every day (including stoppage at intermediate points) the pilot is detained on board beyond the time necessary to bring in or take out the ship, or.....\$50.00
7. Transportation of Pilot to and from coastal ports will be for vessels account and charged at cost.
8. Pilotage - Not otherwise specified - by special arrangement

Running lines

Running Lines for the arrival, departure and shifting of ships.

Each ship move

For ships not more than 100 GRT

(between 8 a.m. and 4 p.m.) \$10.00

(between 4 p.m. and 8 a.m.) \$15.00

For ships more than 100 GRT, but not more than 500 GRT

(From 8 a.m. to 4 p.m.) \$20.00

(From 4 p.m. to 8 a.m.) \$30.00

For ships more than 500 GRT, but not more than 5,000 GRT

From 8 a.m. to 4 p.m. \$40.00

From 4 p.m. to 8 a.m. \$60.00

For ships more than 5,000 GRT, but not more than 15,000 GRT

From 8 a.m. to 4 p.m. \$50.00

From 4 p.m. to 8 a.m. \$75.00

143 of 2004. **Boarding for
Entry**

For ships not more than 100 GRT \$30.00

For ships more than 100 GRT \$75.00

143 of 2004. **Clearance**

For ships not more than 100 GRT \$30.00

For ships more than 100 GRT \$50.00

143 of 2004. **Navigational
Aids**

Per call per vessel – 1.50 cents per GRT (with a maximum of \$875.00)

SECTION IV

*Port Dues***Basis of Charge**

Port Dues shall be based on the highest gross registered tonnage of the ship as shown in Lloyd's Register of Shipping. However, the Port Authority reserves the right to admeasure any ship when deemed necessary and use such admeasurement as the basis for Port Dues.

143 of 2004. **Port Dues**

	<i>First 48 hrs.</i>	<i>Each 24 hrs thereafter</i>
on ships not more than 100 GRT	\$30.00	\$10.00
on ships more than 100 GRT but not more than 500 GRT	\$40.00	\$15.00
on ships more than 500 GRT but not more than 2,000 GRT	\$80.00	\$20.00
on ships more than 2,000 GRT but not more than 5,000 GRT	\$140.00	\$45.00
on ships more than 5,000 GRT but not more than 10,000 GRT	\$200.00	\$50.00
on ships more than 10,000 GRT but not more than 15,000 GRT	\$240.00	\$60.00

on ships more than 15,000 GRT but not more than 20,000 GRT	\$320.00	\$100.00
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on ships more than 20,000 GRT	\$400.00	\$120.00
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Berthage

1. For the occupancy of any berth at the new port –

(i)	ships less than 100m. in length per hour.....	0.35 cts per metre
-----	---	--------------------

(ii)	ships 100m. to 130m. in length per hour	0.48 cts per metre
------	---	--------------------

(iii)	ships greater than 130m. in length per hour	0.60 cts per metre
-------	---	--------------------

2. For the occupancy of any wharf, jetty or ramp under the control of the Authority either directly or in tier –

(i)	during loading or discharging operations.....	0.15 cts per metre of length
-----	---	------------------------------

(ii)	thereafter - for first twelve hours or part thereof.....	0.24 cts per metre of length
------	--	------------------------------

- | | | |
|-------|---|------------------------------------|
| (iii) | for second twelve hours or part thereof
..... | 0.36 cts per
metre of
length |
| (iv) | for subsequent periods of twelve hours or
part | 0.15 cts per
metre of
length |

Port Dues

143 of 2004.

	Standard Rate
Port Security (ISPS) Fee:	
for cruise ships	\$0.30 per head
for cargo ships	
on ships between 0-500 GRT	\$300.00
on ships more than 501 GRT	
but not more than 5,000 GRT	\$700.00
on ships more than 5,001 GRT	
but not more than 15,000 GRT	\$1,400.00
on ships more than 15,001 GRT	\$2,000.00

SECTION V

*Cargo Dues***Non-Shipment
By Water**

Cargo delivered on the port for export and not loaded on a ship berthed at the Port of Belize City or other Ports and subsequently moved inland from the Port shall be subject to Cargo Dues.

Trans - Shipments

Cargo transhipped through the Port of Belize City and other Ports shall be assessed cargo dues on both movements and shall be granted one authorised free time period.

Cargo dues shall be charged on all cargo whether handled by the Port Authority or not and shall be calculated at 40 cubic feet or 2000 lbs. per ton or as freighted on manifest, whichever is applied by the Authority, landed or loaded.

Imports	\$5.64 per ton
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Exports	\$2.82 per ton
---------	----------------

136 of 2000

Provided that the cargo dues on the export of sugar and molasses shall be \$1.41 per ton.

SECTION VI

*Cargo Handling Charges*21 of 1992. **Container
Flat Rate -
Imports**

1. A charge levied on cargo which is shipped in containers, which includes Cargo Dues, Administrative Charge and Heavy Lift Charge, and assessed on the following basis:

Per 20ft or equivalent unit \$550.00

Per 40ft or equivalent unit \$1000.000

**Administrative
Charge**

(a) where Port Authority handles cargo, after release from ship's hook to delivery per ton of 2,000 lbs. or 40 cu. ft. or part thereof.....\$18.00

(b) where Port Authority can handle the cargo but permits handling by other persons; per ton of 2,000 lbs. or 40 cu. ft. or part thereof..... \$6.00

**Unbound
Cargo
(Imports)
(including)**

The handling charges after release from ship's hook to delivery per ton of 2,000 lbs. or 40 cu. ft. or part thereof \$18.00 per ton

**Outbound
Cargo
(exports)**

The handling charges from place of rest to ship alongside dock per ton of 2,000 lbs. or 40 cu. ft. or part thereof.....\$7.50 per ton

**Loading
and Unloading
Charge.**

The handling charge from tailgate into vehicle or from vehicle to place of rest per ton of 2,000 lbs, or 40 cu. ft. or part thereof \$3.00 per ton

**Extra Charge
for Heavy Lift
Movements¹**

Heavy Lifts acceptable to the Port Authority will be assessed additional terminal handling charges on the following basis:

Per ton weight or part thereof - \$6.00

**Empty
Containers**

The following Handling and storage charges are applicable to 20' containers:

any *Single* handling of an empty container which may be required \$10.00 per unit

Storage of empty.....\$5.00 per unit per containers.....week or part thereof.

Note: Handling and storage charges assessed against an empty container are payable by the Agent.

Sorting

Ordinary sorting to shipping marks and numbers is included in the handling charge on imports but if additional sorting is required by the consignee or his agents to any subsidiary mark or marks or to size the latter meaning each of the three dimensions, the following additional charges shall apply:

- (i) For sorting to any mark or size
.....\$2.00 per ton

¹This Section was Amended by S.I. 21 of 1992.

- (ii) For each additional sorting carried out concurrently with (i) above \$1.50 per ton.

Note: For the purpose of this section shipping marks and numbers shall mean distinctive marks and numbers common to the whole consignment under which the goods are shipped and delivered. Subsidiary marks and numbers shall mean those which are mixed with other consignments not common to the one consignment.

Coopering

Any additional labour necessary to effect the handling of damaged goods and commodities or to repair containers found other than in good condition on arrival will be charged additionally for the account of the owner or of the carrier on a cost plus basis.

Damaged Goods

Goods and commodities arriving in apparently damaged condition shall be kept quite separate from sound cargo and delivered to the damaged goods locker which is to be considered as the place of rest for damaged cargo if not otherwise instructed.

Goods not under Cover

Goods and commodities held in open areas are at owner's risk on account of loss and damage caused by weather, deterioration or any other cause.

Requirements of Documents

To expedite prompt handling of goods through the terminal areas, the following documents will be required (must be originals or certified facsimiles):

Inbound Cargo

Four legible copies of ship's manifest (required at least two clear days prior to arrival of ship).

One copy of shipping company release (delivery order) for ships trading Inter-Caribbean manifest upon arrival of the ship.

Outbound Cargo

One copy of loading list (required twenty-four hours prior to ship's loading).

One copy Customs Report Outwards three legible copies of ship's manifest (required within two days after departure of ship).

Goods and commodities declared as carried and manifested on a weight basis may, at the discretion of the Authority, be measured and if applicable be subject to Terminal charges on a measurement basis.

**Weight/
Measurement
Adjustment**

SECTION VII

Excess Storage Charges

**Free Time
Allowance**

41 of 1990.

The free time allowed for assembling outbound cargo and for removing inbound cargo from the port, excluding Saturdays, Sundays and statutory holidays shall be -

Cargo imported for Belize consumption7 days

Cargo imported for re-export or Transhipment ... 7 days

Computation of Free Time

The free time allowed for assembling outbound cargo shall commence at 8.00 a.m. of the day following placement of the cargo on the port.

The free time allowed for removing inbound cargo shall commence at 8.00 a.m. of the day following the day the ship completes discharging.

Excess Storage (Open or shedded Storage)

All cargo remaining on the port after the free time period shall thereafter be assessed an excess storage charge as follows:

1. For each day or part thereof of the first seven days per ton or fraction thereof \$2.00
2. For the next succeeding seven days or part thereof, per ton or fraction thereof \$3.00
3. For the next succeeding seven days or part thereof, per ton or fraction thereof \$5.00
4. For every succeeding seven days or part thereof, per ton or fraction thereof \$7.00

Re-Export and Transshipment Cargo

1. For the first seven days or part thereof, per ton or fraction thereof \$2.50
2. Thereafter up to twenty-one days-for each seven days or part thereof, per ton or fraction thereof\$5.00
3. Thereafter - for each seven days or part thereof, per ton or fraction thereof \$7.50

The minimum invoice for excess storage charges shall be\$2.00

**Non-Shipment by
Water**

Cargo delivered at the Port for export and not loaded on a ship berthed at the Port of Belize City or other ports and then moved inland from the Port is subject to excess storage charges with no free time allowance commencing with the date of arrival at the Port.

SECTION VIII

*Miscellaneous Charges***Annual Permit
Fees (Licensing)**

The following annual permit fees are applicable to the following business categories for the privilege of conducting their operations on the Ports of Belize City and Commerce Bight:

Ship's Agents \$250.00

Stevedoring Firms \$300.00

Laundry and/or Dry Cleaning, per firm.....\$50.00

Ship chandlers \$100.00

Fueling of Vessels by truck per firm \$50.00

Freight Forwarders and Custom Brokers \$50.00

Sightseeing Buses, per vehicle \$50.00

Distribution of Merchandise for sale not otherwise listed
..... \$10.00

Owners of Equipment (Cranes and Heavy vehicles)
 \$1,000.00

Taxi Cabs-Permit fee, per cab \$12.00

Other business categories will be covered by special arrangement.

The above permit fees will be applied on a calendar year basis. Firms commencing business after 30th June of any calendar year will pay one-half of the schedules yearly fee.

103 of 1985. **Container
Handling**

A charge levied on owner/operator of any crane or other heavy equipment for the handling of containers on the port facilities.

\$3.50 per 20' or equivalent unit.

SECTION IX

*General Provisions***Normal Working
hours of Port
Authority**

The rates provided in this tariff shall apply only to services performed in normal working hours between 8.00 a.m. and 12.00 noon and 1.00 p.m. and 4.00 p.m. Mondays to Fridays inclusive and Saturday 8.00 a.m. to 12.00 noon. Special arrangements are required outside of the above hours for Saturday afternoon, Sundays or statutory holidays.

**Overtime
Payment By
Ship's Owner,
Agent or
Consignor, etc. ¹**

For any work after normal working hours, the Authority shall pay the basic rate for labour and the additional rate of overtime shall be—

- (a) to the ship's owner or Agent's account, if the overtime is vessel related; or
- (b) to the consignor, consignee, shipper, or their agent, if the overtime is cargo related.

All general cargo will be handled by the Port Authority on pallets—

Unitised Loads

- (a) Imports— All general cargo shall be assembled on pallets in ship's hold.
- (b) Exports— All general cargo shall be received by the Port Authority on pallets.

**Standby and
Stoppage Time**

Standby and stoppage Time shall be borne by the Agent of that Ship.

Perishable Goods

Will be removed by the Authority and sold after ten days of landing.

¹ This Section was amended by S.I. 160 of 2020.

SCHEDULE I.

BELIZE PORT AUTHORITY

NOTICE OF ARRIVAL OF SHIP AND

APPLICATION FOR A BERTH

To Ports Commissioner:

I hereby give notice that

Name of ship Flag

Last port of call E. T. A.....

Tonnage:- GRT N. R. T.....

Length Beam Draft FWD.....AFT.....

Manifest W/T C/T No. of mail bags

Description of Cargo.....

.....

Passengers Registered No.

Request Permission to berth/anchor at

on 20..... for the purpose of discharging/loading

and/or disembarking/embarking passengers.

.....

I hereby declare and certify as follows:

The ship is not/is carrying dangerous goods and/or explosives
other than/as that described below.

Description of Dangerous Cargo

<i>Kind</i>	<i>Flash Point</i>	<i>Weight/Gals.</i>	<i>Where Stored</i>	<i>Remarks</i>

.....
Master/Agent

.....
Date.

SCHEDULE II

BELIZE PORT AUTHORITY

REQUISITION FOR PORT SERVICES

To Ports Commissioner:

Please provide the following for the S/S Sch, M/V

due to arrive on

- (i) Berth or Anchorage
- (ii) In and Out Pilot
- (iii) Mooring Gangs
- (iv) Mooring Launch
- (v) Port Labour (*Overtime*)
- (vi) Crane to Lift/tons
- (vii) Forklifts on Board
- (viii) Other Port Equipment as follows:

.....

.....

.....

Delete those services not required.

I/We undertake to meet promptly the charges raised for these services together with any Overtime incurred and further to pay for any/all damage(s) caused to any equipment on hire from the Belize Port Authority.

The cash deposit in the sum of dollars
and cents is herein forwarded as deposit.

.....
Master/Agent.

.....
to be completed by the Authority.

The following arrangements have been made for the supply of service required:

CASH DEPOSIT (a) per ton unloaded

TOTAL (b) per ton loaded

.....
Port Commissioner

.....
Date.

SCHEDULE III

BELIZE PORT AUTHORITY

NOTICE OF DEPARTURE OF A SHIP

To Ports Commissioner:

1. Name of ship..... R.O.T.
2. Flag
3. Port of Registry
-
4. Tonnage.....GRT.....NRT.....
5. Date and time of Arrival
6. Port at which voyage commenced
-
7. Last port of call.....
8. Next port of call.....
9. Cargo discharged, B/L tons Cu. Ft.
10. No. of Mail Bags.....
11. Cargo loaded, B/L Tons Cu. Ft.
12. Date and Time Sailed.....
-
13. Draft Forward AFT
14. Remarks.....
-

.....
Owner/Agent.

CHAPTER 233**BELIZE PORT AUTHORITY (PILOTAGE)
REGULATIONS
ARRANGEMENT OF REGULATIONS**

1. Title.
2. Interpretation.
3. Qualifications.
4. Additional requirements.
5. Board.
6. Matters on which candidates to satisfy Board.
7. Certificate of competency.
8. Pilot's licence.
9. Pilot's licence in certain cases.
10. Refusal to renew and suspension of licence.
11. Fees.
12. Where towing vessels.
13. Disputes.
14. Inward and outward pilotage.
15. Boarding and leaving vessels.
16. Pilots' residence.
17. Lapse and revocation of permit.
18. Roster.
19. Attendance on Harbour Master.
20. Report.
21. Clearance.
22. Report on hoisting of flag.
23. Care and diligence.

24. Behaviour.
25. Obedience to orders, etc.
26. Provisions of law.
27. Pilots over 65.
28. Pilots flag.
29. Pilots light.
30. Calling pilot.
31. Display of signal.
32. Wrongly displaying lights, etc.
33. Payment to pilots.
34. Discontinuance of granting licences.
35. Report of change or unusual matter.
36. Penalty.

FIRST SCHEDULE

SECOND SCHEDULE

CHAPTER 233

**BELIZE PORT AUTHORITY (PILOTAGE)
REGULATIONS¹**

Ch. 150.
40 of 1965.
6 of 1980.
27 of 1980.
Ch. 233.

1.—These Regulations may be cited as the

Title.

PILOTAGE REGULATIONS.

2. In these Regulations—

Interpretation.

“Board” means the Board of Examiners appointed by the Harbour Master for the purposes of these Regulations;

“licence” means a licence as a pilot granted under the provisions of these Regulations;

LICENSING OF PILOTS

3. Any of the following persons being citizens of Belize and not less than twenty-one years of age or more than sixty-five years of age may apply in writing to the Harbour Master to be examined as to his capacity to be a licensed pilot:

Qualifications.

- (a) any person who has undergone an apprenticeship or continuous service under one or more qualified pilot or pilots for a term of, or for periods amounting in the whole to five years;

¹ These Regulations were made under the authority of the Pilotage Act which was repealed on 1st November 1981 when Part VII of the Belize Port Authority Act came into force; and has been saved by virtue of the provisions of s. 29 of the Interpretation Act (Cap.1).

- (b) any person who has served as master of a home trade or coasting ship of not less than twenty-five tons registered tonnage for a continuous period of not less than six years.

Additional
requirements.

4. Every applicant for examination under the provisions of these Regulations shall, on application for such examination—

- (a) produce at least two certificates of good moral character and sobriety;
- (b) pay into the Port Authority office the fee of \$50; and
- (c) produce a medical certificate signed by a Government medical officer showing that by reason of such applicant's sight, hearing and physical fitness he is medically fit to perform the duties of a pilot.

Board.

5.—(1) The Harbour Master may, from time to time, appoint such persons as he may think fit to form a Board for the examination of persons applying for certificates of competency as pilots.

(2) Any three of the persons so appointed shall form a quorum.

(3) The Board may call to its aid at any examination the assistance of any master mariner or qualified pilot.

Matters on which
candidates to
satisfy Board.

6. No person eligible for examination under these Regulations shall be granted a certificate of competency unless he satisfies the Board of his ability to read and write and of his knowledge of the following:

- (a) the international regulations for the prevention of collisions at sea;
- (b) charts and their use;

- (c) fixing the position of a vessel by compass bearings;
- (d) variation and deviation of a compass and the application of same to compass courses and bearings;
- (e) the ports of Belize including the depth of water within each port, off-lying shoals, reefs, the width of channels and other details relating to the regular navigational routes in the waters of Belize;
- (f) the courses and distances between places within Belize;
- (g) the complete management of a vessel including the anchoring, mooring and unmooring and berthing of vessels;
- (h) all recognised anchorages in the Belize Harbour and other harbours in Belize;
- (i) the marks on and the use of the hand lead line;
- (j) hurricanes in the Gulf of Mexico and Caribbean area and weather conditions in Belize;
- (k) the law and regulations governing pilotage in Belize;
- (l) the international signals to be given by vessels with respect to pilots,

and of any other matters which the Board of Examiners may consider necessary.

Certificate of
competency.

7.—(1) Every applicant for examination who complies with all the requirements of these Regulations and satisfies the Board of his fitness to perform the duties of a pilot shall be issued with a certificate of competency in the form set out in Form A of the First Schedule to these Regulations.

First Schedule.

(2) Every such certificate shall be signed by the members of the Board.

(3) Notices shall be published in the *Gazette* of every certificate of competency and of every licence issued under the provisions of these Regulations.

(4) The Harbour Master shall keep a list of all qualified pilots with their addresses exhibited in a conspicuous place in his office.

Pilot's licence.

8.—(1) A person who has been granted a certificate of competency shall not offer himself for service as a qualified pilot until he has been granted a pilot's licence by the Harbour Master in the form set out in Form B of the First Schedule to these Regulations.

First Schedule.

(2) A pilot's licence shall remain in force until the end of the year in which it is issued:

Provided that whenever an order suspending a pilot's licence is made such licence shall cease to have effect during the term of suspension.

(3) A pilot's licence shall be renewable annually on application made to the Harbour Master supported by a medical certificate giving particulars as required by paragraph (c) of regulation 4 of these Regulations.

Pilots licence in
certain cases.
First Schedule.

9.—(1) Notwithstanding anything contained in these Regulations the Harbour Master may grant a licence in Form C of the First Schedule to these Regulations to any person applying for the same who holds a pilot's licence granted to him before the 31st

December 1953, under the provisions of the Pilotage Act, as amended, and who the Harbour Master is satisfied has remained a fit and proper person to perform the duties of a pilot.

(2) A licence granted in Form C of the First Schedule to these Regulations shall contain the same conditions and limitations as are set out in the pilot's licence previously held by the applicant under the provisions of the Pilotage Act aforesaid.

First Schedule.

(3) The provisions of these Regulations which apply to licences granted in Form B of the First Schedule to these Regulations shall apply *mutatis mutandis* to licences when granted in the Form C of the First Schedule to these Regulations.

First Schedule.

(4) The annual fee for a pilot's licence whether in Form B or Form C of the First Schedule to these Regulations shall be one hundred dollars.

40 of 1965.
First Schedule.

10.—(1) If at any time the Harbour Master is of opinion that the licence of a pilot should not be renewed or that a pilot is for any reason incapable of discharging his duties as a pilot, the Harbour Master shall refuse to renew such licence or shall suspend such licence, as the case may be, and report the same to the Minister who shall institute such inquiry into the matter as he may deem fit.

Refusal to renew
and suspension
of licence.

(2) If the Minister after such inquiry is satisfied that the pilot so reported is unfit or unable to perform the duties of a pilot the Minister shall thereupon order that the licence of such pilot shall not be renewed or shall be cancelled as the case may be.

FEES FOR PILOTAGE

11.—(1) The fees payable to qualified pilots for the pilotage of all vessels shall be those set out in the Second Schedule to these Regulations and shall be paid in at the Port Authority office by the master of the vessel, and failing payment by him by the agent or consignee thereof.

Fees.
Second
Schedule.

Second
Schedule.

(2) The fees in respect of any pilotage not included in the said Schedule shall be fixed by the Harbour Master.

(3) Every pilot engaged to pilot an expected vessel shall be entitled to the fees applicable to other vessels of the same tonnage.

Where towing
vessels.

12.—(1) A pilot piloting any vessel which is towing another vessel or other vessels shall, in addition to the fees for the vessel which he is piloting, be entitled to the following fees:

Second
Schedule.

- (a) in respect of each vessel being towed on which there is no pilot, the appropriate fee specified in the Second Schedule hereto in respect of such vessel;
- (b) in respect of each vessel being towed on which there is a pilot, a fee equivalent to one-half of the appropriate fee specified as aforesaid in respect of such vessel.

Second
Schedule.

(2) A pilot piloting any vessel which is being towed shall be entitled to a fee equivalent to one-half the appropriate fee specified in the Second Schedule hereto in respect of such vessel.

Disputes.

13. In the event of any dispute as to the tonnage of a vessel the same shall forthwith be referred to the Harbour Master whose decision shall be final.

Inward and
outward pilotage.

14.—(1) A pilot who has been engaged for inward or outward pilotage of any vessel in a port other than Belize City or for any movements within the pilotage limits of Belize other than in the Belize Harbour or between English Caye and Belize City shall be reimbursed by the owner, master, agent or consignee of such vessel any reasonable transportation and subsistence expenses necessarily incurred by him in connection with the pilotage for which he was engaged.

(2) Notwithstanding the provisions of paragraph (1) of this regulation no pilot shall be entitled to be reimbursed any transportation expenses if a suitable means of transportation is offered to him by the owner, master, agent or consignee of the vessel in respect of which his services were engaged or if Government transportation is made available to him.

(3) For the purposes of paragraphs (1) and (2) of this regulation the decision of the Harbour Master as to whether the payments for transportation and for subsistence are reasonable or whether the means of transportation offered to a pilot is a suitable means of transportation shall be conclusive.

PILOT STATIONS

15.—(1) English Caye and Goffs Caye situate at the entrance to the ship's channel of the Belize City Harbour are pilot stations.

Boarding and
leaving vessels.

(2) Pilots shall board or leave incoming and outgoing vessels respectively immediately outside the hundred fathoms curve east of Goffs and English Caye Banks or approximately two miles to the east of the said Cayes:

Provided that a pilot may, with the consent of the master of the vessel which he is piloting, either board or leave such vessel at any other place.

16.—(1) Pilots will be permitted to reside either at English Caye or Goffs Caye.

Pilots' residence.

(2) Any pilot wishing to erect quarters for his residence shall make application in writing to the Harbour Master who shall, providing there is sufficient available space on either Caye, issue a permit in writing subject to the following:

- (a) the payment of an occupancy fee of one dollar per annum to the Commissioner of Lands and Surveys;

- (b) that not more than four persons in the pilot's household shall be permitted to reside on the Caye;
- (c) that the house shall be built on a site approved by the Harbour Master; and
- (d) such other conditions as the Harbour Master may consider necessary.

Lapse and
revocation of
permit.

17.—(1) Any permit granted under the last preceding regulation shall cease to have effect immediately on the cancellation of the licence of the pilot or on his ceasing for any cause to be a licensed pilot.

(2) The Harbour Master may, at any time, revoke such permit for breach by the pilot of any of the conditions therein contained.

SERVICE AND CONDUCT OF PILOTS

Roster.

18. Pilots shall work in rotation in accordance with instructions issued them by the Harbour Master who shall maintain a roster of duty and detail them for work according to their order of seniority.

Attendance on
Harbour Master.

19. Every qualified pilot shall, whenever required, attend and produce his licence to the Harbour Master.

Report.

20. Every pilot, who shall come to Belize City or into the harbour thereof, shall report himself without delay at the Harbour Master's office, and shall answer such questions with reference to his duties as a qualified pilot as may be there put to him.

Clearance.

21. No pilot shall move a ship from its anchorage to proceed on an outward voyage without the master previously exhibiting to him the clearance of the ship from the Port Authority office.

- 22.** Whenever the pilot signal shall be hoisted on the flagstaffs at the Port Authority office and/or the Court House in Belize City, every qualified pilot then in Belize City shall at once report at the Harbour Master's office. Report on hoisting of flag.
- 23.** Every pilot shall use his utmost care and diligence to conduct any vessel under his care without damage or injury to itself or any other vessel. Care and diligence.
- 24.** Every pilot shall conduct himself with strict sobriety and with due respect towards the masters and officers of vessels. Behaviour.
- 25.** Every pilot shall pay strict attention to all the harbour regulations, and shall obey all orders and directions which may be given to him by the Harbour Master with respect to placing, mooring and moving vessels in his charge within such harbour. Obedience to orders, etc.
- 26.** Every pilot shall make himself thoroughly acquainted with the provisions of the Act and any regulations made thereunder. Provisions of law.
- 27.** No pilot who has attained the age of sixty-five years shall be entitled to have his licence renewed: Provided that the Harbour Master may renew the licence of a pilot up to the age of seventy years if such pilot passes a medical examination to his satisfaction. Pilots over 65.
- 28.**—(1) Every pilot offering for service while afloat during the daytime shall carry a rectangular flag at least two feet in height and three feet in length, which shall be of two colours, the upper horizontal half white and the lower horizontal half red. Pilots flag.
- (2) This flag shall be placed on a mast, sprit or staff so that it can be clearly visible from all points on the horizon.
- 29.**—(1) Every pilot offering for service during the night-time shall exhibit from the craft or boat in which he is travelling a white light which may be either carried at the masthead or shown or exhibited at short intervals. Pilots light.

(2) In addition every pilot shall have on hand a lantern with a green glass on one side and a red glass on the other which shall be flashed or shown at intervals to indicate the direction in which his craft is heading.

(3) The green light shall be shown on the starboard side, and the red light shall be shown on the port side of the craft or boat.

Calling pilot.

30. The master of any vessel requiring the services of a pilot when approaching a pilot station, or whilst in the Port of Belize City, shall cause to be exhibited such signals as may be prescribed from time to time by international agreement and contained in the International Code of Signals.

Display of signal.

31. It shall be the duty of every pilot on taking pilotage charge of any vessel to cause to be displayed from the masthead of such vessel such flag or other signal which may be specified in the International Code of Signals to signify that such vessel is provided with a pilot:

Provided that if the master of the vessel prevents the pilot from having such flag or other signal displayed, such master and not the pilot shall be guilty of an offence against these Regulations.

Wrongly displaying lights, etc.

32.—(1) Any pilot showing any signal at night, when not in the proper recognised channels, or showing any light or signal when his boat is in such a position as would lead a vessel approaching such light or signal into danger, shall be guilty of an offence, and shall, in addition to any liability for damages at the instance of any person aggrieved, be liable on summary conviction to a fine not exceeding two hundred dollars.

(2) Every person who procures, abets or connives at the commission of any such offence shall be guilty of an offence and on summary conviction be liable to a like penalty.

GENERAL

33.—(1) The fees earned by pilots and deposited at the Port Authority office in accordance with the requirements of regulation 11 of these Regulations shall, subject to such deductions as are agreed to in writing between the Port Authority and the pilots, be repaid by the Harbour Master at either monthly or half monthly intervals as may be decided upon by the Harbour Master in equal shares to all qualified pilots who have worked throughout the month, or who reported for and were available for duty throughout the entire course of the month.

Payment to pilots.

(2) A pilot who through sickness or any other cause is unable to perform his duties for any period shall not be entitled to any share of monies earned during such period.

34.—(1) The Harbour Master may at any time and for any period discontinue the granting of licences if it shall appear to him that there is a sufficient number of pilots to meet the requirements of shipping.

Discontinuance of granting licences.

(2) The power conferred by paragraph (1) of this regulation shall not be exercised unless a notice of the intention to exercise such power has been published in six consecutive issues in the *Gazette*.

(3) As soon as the Harbour Master shall consider that it is again desirable to grant pilot's licences he shall cause a notice to that effect to be published in the *Gazette*.

35. Whenever any pilot shall observe any alteration to the charted depth of water at any port or anywhere around the coast, or the displacement of any buoy or of any irregularity in connection with any light, mark, or other navigational aid, or the presence of any floating object dangerous to navigation or of any matter affecting the safety of navigation, he shall forthwith report it to the Harbour Master.

Report of change or unusual matter.

Penalty.

36. Any person who fails to comply with or acts in contravention of any of these Regulations shall be guilty of an offence against these Regulations, and shall, on summary conviction, be liable to a fine not exceeding two hundred dollars.

FIRST SCHEDULE

(Regulation 7)

FORM A

BELIZE

**CERTIFICATE OF COMPETENCY UNDER THE
PILOTAGE REGULATIONS**

THIS IS TO CERTIFY that Mr..... of
..... has been carefully and
personally examined by us, whose names are hereunto
subscribed, members of the Board of Examiners, regarding his
skill and ability in the navigation of sailing vessels and steamers,
and his knowledge of the ports of Belize, and of the channels
leading thereto, and of the rocks, shoals and dangers therein, and
he is possessed of sufficient nautical skill to be put in pilotage
charge of vessels and steamers of the largest size and greatest
draught of water entering any of the ports of Belize, and that in
our belief he is a person of good character and of sober habits.

*Given under our hand at this
..... day of20.....*

.....
.....
.....

Board of Examiners

FORM B*(Regulation 8)***BELIZE****LICENCE TO QUALIFIED PILOT**

THIS IS TO CERTIFY that Mr.of
..... is licensed as a pilot
for conducting all sailing vessels and steamers of the largest size
and greatest draught of water entering or navigating within the
limits of the waters of Belize.

This licence expires on the 31st day of December 20....., unless
suspended or revoked prior to the aforesaid date under the
provisions of the Pilotage Regulations.

Dated this day of20.....

.....
Harbour Master.

FORM C

(Regulation 9)

BELIZE

LICENCE TO PILOTS HOLDING LICENCE PRIOR TO
31ST DECEMBER 1953

THIS IS TO CERTIFY that Mr.....
of is licensed as a pilot
for conducting sailing vessels and steamers of the largest size
and the greatest draught of water entering or navigating the
waters of Belize within the following limits—

.....
.....
.....
.....

This licence expires on the 31st day of December,
20....., unless suspended or revoked prior to the aforesaid
date under the provisions of the Pilotage Regulations.

SECOND SCHEDULE**FEEs FOR PILOTING OF SHIPS AND VESSELS**

1. For any vessel, either inwards or outwards between English Caye and Belize City, per foot of maximum draught \$4.50
 With additional charges of .08 cents a registered ton for vessels up to 800 tons; or .05 cents a ton for vessels above 800 tons; subject to a minimum payment in respect of any vessel above 800 tons of \$64.00
2. Between Belize City and The Bogue or Sibun \$75.00
3. Between Belize City and points on the Southern Coast as far as Placencia, per foot of maximum draught \$4.50
 plus tonnage charges as in 1.
4. Between English Caye and points on the Southern Coast as far as Placencia, or between Belize City and places beyond Placencia, per foot of maximum draught \$5.00
 plus tonnage charges as set out in 1 above.
5. Between English Caye and points beyond Placencia, per foot of maximum draught \$6.00
 plus tonnage charges as set out in 1 above.
6. A daily allowance to the pilot for every day (including stoppages at intermediate points) he is detained on board beyond the time necessary to bring in or take out the vessel, of \$40.00

CHAPTER 233**BELIZE PORT AUTHORITY (VERIFIED GROSS MASS)
REGULATIONS****ARRANGEMENT OF REGULATIONS**

1. Short title.
2. Interpretation.
3. Applicability.
4. Shipper's responsibility.
5. Container not to be loaded unless gross mass verified.
6. Original sealed packages, with mass labelled, not required to be weighed when packed in container.
7. Documentation of gross mass to be provided.
8. Documentation of delivering ship to be provided to port 24 hours prior.
9. Verified gross mass prevails where prior declaration differs.
10. Containers not to exceed permitted gross mass.
11. Port manager may verify gross mass.
12. Shipper commits offence where exceeds container's maximum gross mass.
13. Service charges apply where port measures gross mass.
14. Empty containers may be weighed.
15. Further provisions re shipping of empty containers.
16. Service charges.
17. Ports Commissioner to monitor compliance with Regulations.
18. Penalties.

CHAPTER 233

71 of 2016. **BELIZE PORT AUTHORITY (VERIFIED GROSS MASS)
REGULATIONS**

(Gazetted 22nd October, 2016)

Short title. **1.**—These Regulations may be cited as the,

**BELIZE PORT AUHORIY (VERIFIED GROSS
MASS) REGULATIONS, 2016**

Interpretation. **2.** In these Regulations—

“applicable container” means a container that is intended to be stowed on an applicable ship

“applicable ship” means a ship that falls within the category of ships that the Ports Commissioner or a person authorised by him has determined is subject to the requirements of Chapter VI of SOLAS;

“calibrated and certified equipment” means a scale, weighbridge, lifting equipment or any other device, capable of determining the actual gross mass of a packed container or of packages and cargo items, pallets, dunnage and other packing and securing material as verified by the Belize Bureau of Standards and certified by the Authority as being administered in compliance with these Regulations on an annual basis;

“cargo items” has the same general meaning as the word “cargo” in the International Convention for Safe Containers, 1972, as amended (hereinafter referred to as the “CSC Convention”), and means any goods, wares, merchandise, liquids, gases, solids and articles of every kind whatsoever carried in containers pursuant to a contract of carriage: however, ship’s equipment and ship’s supplies, including ship’s spare parts and stores, carried in containers are not to be regarded as cargo;

“container” means an article of transport equipment:

- (a) of a permanent character and accordingly strong enough to be suitable for repeated use;
- (b) specially designed to facilitate the transport of goods, by one or more modes of transport without intermediate reloading;
- (c) designed to be secured and or readily handled, having corner fittings for these purposes; and
- (d) of a size such that the area enclosed by the four outer bottom corners is either—
 - (i) at least 14m² (150sq. ft); or
 - (ii) at least 7 m² (75sq. ft.) if it is fitted with top corner fittings,

and includes tank-containers, flat-racks, bulk containers etc, and containers carried on a chassis or trailer except when such containers are driven on or off a ro-ro ship engaged in short international voyages, but does not include any type of vehicle;

“contract of carriage” has the same meaning as contained in the Carriage of Goods by Sea Act;

Cap. 248

“CSC” means the International Convention for Safe Containers, 1972, as amended;

“gross mass” means the combined mass of a container's tare mass and the masses of all packages and cargo items, including pallets, dunnage and other packing material and securing materials packed into the container;

“Method 1” means Method No. 1 of the methods for obtaining the verified gross mass of an applicable container prescribed by SOLAS by which a shipper may obtain the verified gross mass, that provides that upon the conclusion of the packing and sealing of the container, the shipper may weigh, or have arranged that a third party weighs, the packed container;

“Method 2” means Method No. 2 of the methods for obtaining the verified gross mass of an applicable container prescribed by SOLAS by which a shipper may obtain the verified gross mass, that provides that the shipper or, by arrangement of the shipper, a third party, may weigh all packages and cargo items, including the mass of pallets, dunnage and other packing and securing material to be packed in the container, and add the tare mass of the container to the sum of the single masses using a certified method as described in Method 1, which requires that any third party that has performed some or all of the packing of the container should inform the shipper of the mass of the cargo items and packing and securing material that the party has packed into the container in order to facilitate the shipper's verification of the gross mass of the container;

“package” means one or more cargo items that are tied together, packed, wrapped, boxed or parcelled for transportation;

“packed container” means a container loaded (“stuffed” or “filled”) with liquids, gases, solids, packages and cargo items including pallets, dunnage or other packing material and securing materials;

“packing material” means any material used or for use with packages and cargo items to prevent damage, including, but not limited to, crates, packing blocks, drums, cases, boxes, barrels, and skids, but not including any material within individual sealed packages to protect the cargo item inside the package;

“port” means a facility that has been specified in or designated as a port under the Act;

“securing material” means all dunnage, lashing and other equipment used to block, brace, and secure packed cargo items in a container;

“shipper” means the person named on the bill of lading or sea waybill or equivalent multimodal transport document (such as through a bill of lading) as shipper and for whom (or in whose name or on whose behalf) a contract of carriage has been concluded with a shipping company;

“shipping document” means a document used by the shipper to communicate the verified gross mass of the packed container, which document may be part of the shipping instructions to the shipping company or a separate communication (such as a declaration including a weight certificate produced by a weigh station);

“SOLAS” means the Convention on Safety of Life at Sea, as amended from time to time;

“tare mass” means the mass of an empty container that does not contain any packages, cargo items, pallets, dunnage, or any other packing material or securing material;

“terminal representative” means an individual or entity acting on behalf of a person engaged in the business of providing wharfage, dock, stowage, warehouse, or other cargo handling services in connection with a ship;

“verified gross mass” means the total gross mass of a packed container as obtained by the shipper described in regulation 6.

3. These Regulations apply to applicable containers.

Applicability of Regulations.

4. Each shipper of an applicable container shall obtain and document the verified gross mass of the container and notify the master of the relevant applicable ship or his representative and

Shipping responsibility.

the terminal representative thereof at least 24 hours in advance of ship loading, or such longer period of notice as the Ports Commissioner may determine to be required in any particular case.

Container not to be loaded unless gross mass verified.

5.-(1) An applicable container is not be loaded onto an applicable ship unless the master or his representative and the terminal representative have obtained, in advance of ship loading, the verified gross mass of the container.

(2) Each applicable container to be loaded onto an applicable ship is to be verified by the shipper using Method 1 or Method 2 and the shipper shall communicate the verified gross mass in a shipping document, which document shall clearly highlight that the gross mass provided is the “verified gross mass”.

(3) Irrespective of its form, the document declaring the verified gross mass of the packed container shall be signed by the shipper or a person duly authorized by the shipper, and the signature may be an electronic signature.

(4) The Master or his representative and the terminal representative shall enter into arrangements to ensure the prompt sharing of verified container gross mass information provided by each shipper or a third party duly authorised by the shipper; and existing communication systems may be used for the transmission and sharing of such verified container gross mass information.

(5) If a container is packed by multiple parties or contains cargo from multiple parties, the shipper shall be responsible for obtaining and documenting the verified gross mass of the packed container. If the shipper chooses Method No.2 to obtain the verified gross mass, the shipper is then subject to all the conditions given in paragraph (1).

6. Individual, original sealed packages that have the accurate mass of the packages and cargo items (including any other material such as packing material and refrigerants inside the packages) clearly and permanently marked on their surfaces, do not need to be weighed again when they are packed into the container.

Original sealed packages, with mass labelled, not required to be weighed when packed in container.

7.-(1) It shall be a condition for loading onto an applicable ship that the verified gross mass of an applicable container be provided, preferably by electronic means such as Electronic Data Interchange (EDI) or Electronic Data Processing (EDP), to the ship's master or his representative and to the terminal representative at least 24 hours in advance of ship loading to be used in the preparation and implementation of the ship stowage plan.

Documentation of gross mass to be provided.

(2). The master or his representative and the Authority shall obtain the shipper's submission of the verified gross mass of a container no later than twenty-four hours before it is to be loaded.

(3) The Master or his representative or the terminal representative may obtain the verified gross mass of the applicable container by arrangement of the shipper, and the verified gross mass so obtained shall be used in the preparation of the ship loading plan.

8.-(1) If an applicable container is delivered to a port from an applicable ship for transshipment onto another applicable ship, the master of the delivering ship or his representative shall provide the port with a copy of the verified gross mass certificate twenty-four hours before discharging such container.

Documentation of delivering ship to be provided to port 24 hours prior.

(2) An applicable container discharged in a port for transshipment shall not require further weighing in the transshipment port, where the master of the delivering ship or his representative has provided a copy of the verified gross mass certificate in accordance with regulation 7.

(3) The master of the delivering ship or his representative shall inform the port terminal facility of the verified gross mass of each delivered packed container.

(4) The master of the ship onto which the transhipped applicable containers are to be loaded and the transshipment port shall rely on the information provided by the delivering vessel.

Verified gross mass, where prior discrepancy.

9.—(1) Any discrepancy between a packed container's gross mass declared prior to the verification of its gross mass and its verified gross mass shall be resolved by use of the verified gross mass.

(2) Any discrepancy between an applicable container's gross mass obtained prior to the container's delivery to the port terminal facility and a verified gross mass of that container obtained by that port's facility weighing of the container shall be resolved by use of the latter verified gross mass obtained by the port terminal facility.

Containers not exceed permitted gross mass.

10. An applicable container shall not be packed to more than the maximum gross mass indicated on the Safety Approval Plate under the CSC Convention, and a container exceeding its maximum permitted gross mass shall not be loaded onto a ship.

Port manager may verify gross mass.

11.—(1) Where a port receives a container for which the gross mass has not been verified, for transshipment on an applicable ship, the port manager of the relevant port terminal facility shall verify the gross mass prior to loading the container on an applicable ships.

(2) Where a port receives an applicable container for which the gross mass has not been verified, the port manager of that port shall immediately report the matter to the Authority.

(3) Where the shipper fails to submit documentation attesting to the verified gross mass of a container under this regulation,

the shipper commits an offence and is liable upon summary conviction to a fine not less than one thousand dollars.

12. Where the gross mass of a packed container is greater than one metric ton above that indicated on the verified gross mass certificate furnished by the delivering ship, the shipper, and the consignee which furnished the certificate each commits an offence and is liable upon summary conviction to a fine not less than one thousand dollars and not exceeding five thousand dollars, and any port manager, upon becoming so aware of the discrepancy shall report the discrepancy to the Authority, which may be in such manner as the Authority determines.

Shipper commits offence where exceeds container's maximum gross mass.

13. Where a port manager verifies the gross mass of a container by arrangement of the shipper or pursuant to regulation 9 the charges set out at regulation 16 shall apply.

Service charges apply where port measures gross mass.

14.—(1) If the verified gross mass of a packed container is obtained by weighing the container while it is on a road vehicle, (e.g. chassis or trailer), the tare mass of the road vehicle (and, where applicable, the tractor) shall be subtracted to obtain the verified gross mass of the packed container, and—

Empty containers may be weighed.

- (a) the subtraction shall reflect the tare mass of the road vehicle (and, where applicable, the tractor) as indicated in their registration documents as issued by the competent authority;
- (b) the mass of any fuel in the tank of the tractor shall also be subtracted.

(2) If two packed containers on a road vehicle are to be weighed, their gross mass shall be determined by weighing each container separately.

(3) It shall be an offence to verify the total gross mass of the two containers by dividing their combined weight by two after

subtracting the mass of the road vehicle and the tractor, where applicable.

Further provisions re shipping of empty containers.

15.—(1) Shippers of empty containers are to ensure that they are empty.

(2) The tare weight of empty containers shall be those that visually appear on the container in accordance with the International Organization for Standardization (ISO) standard for container marking and identification.

(3) A port manager may weigh an empty container by arrangement of the shipper in order to determine its tare weight and where such containers are weighed, the charges at regulation 16 shall apply.

Service charges

16. The service charge that may be levied in relation to a port against the shipper, the ship or its agent, for services required in relation to the verification of the gross mass of containers shall not exceed the rates stated hereunder—

(a) packed containers: \$30

(b) empty containers: \$10

Ports Commissioner to monitor compliance with Regulations.

17. The Ports Commissioner or a person authorised by him shall conduct checks to ensure that procedures consistent with these regulations are in place and are complied with.

Penalties.

18. Any person who submits false information for the purpose of contravening these regulations or otherwise fails to comply with the requirements of these Regulations (other than regulation 7) commits an offence and upon summary conviction is liable to pay a fine of not less than one thousand dollars but not more than five thousand dollars.

MADE by the Minister responsible for ports this 18th day of
October, 2016.

(HON. RENE MONTERO)

*Minister of Works, Transport and National Emergency
Management (Minister responsible for ports)*

CHAPTER 233**BELIZE PORT AUTHORITY (DESIGNATED BERTH)
REGULATIONS****ARRANGEMENT OF REGULATIONS**

1. Short title.
2. Interpretation.
3. Designated Berth.
4. Applications to be made in advance.
5. Assignment of berth.
6. Motor vehicles to be assigned designated parking places.
7. Vessels to bear permanent name or number.
8. Berthage dues.
9. Loading and unloading of cargo.
10. Goods left at designated berth.
11. Recovery of seized goods procedure.
12. Removal of goods in public interest.
13. Removal of refuse.
14. Vessels not loading or unloading.
15. Monies payable.

CHAPTER 233

**BELIZE PORT AUTHORITY (DESIGNATED BERTH)
REGULATIONS**

Cap. 189.
141 of 1996.
Cap. 233.

[26th October, 1996.]

1.—These Regulations may be cited as the

Short title.

**BELIZE PORT AUTHORITY (DESIGNATED
BERTH) REGULATIONS.**

2. In these Regulations, unless the context otherwise requires:

Interpretation.

“alongside” means in such proximity to the designated berth that access may be had to such berth other than by the use of a lighter, barge, dorey or similar vessel, excluding such a vessel which is made fast to the berth;

“Authority” means the Belize Ports Authority;

“berthage charges” means the charges applicable for vessels moored alongside the designated berth as stipulated in the Port Authority (Tariff) Regulations.

“day” means a period of twelve consecutive hours from the time the vessel arrives alongside the berth;

“designated berth” means the low berthage facility area immediately at the foot of the Belize Port Authority’s main pier, extending approximately 150 meters therefrom to the east, in the direction of the Esso Bulk Storage facilities;

“motor vehicle” has the meaning assigned to it in section 2 of the Motor Vehicles and Road Traffic Act.

CAP. 230.

Designated
Berth.

3. All vessels engaging in loading or unloading operations relating to the carriage of goods between Belize City, the cayes and points along the coast and vice versa shall do so at the designated berth.

Applications to
be made in
advance.

4. The owner, master, or agent of any vessel desiring to be assigned a berth at the designated berth shall as far as reasonably possible but not later than 12 hours in advance of the arrival of the vessel, make application to the Ports Commissioner in writing.

Assignment of
berth.

5.-(1) The Ports Commissioner or Port Manager shall assign a berth upon receipt of an application referred to in Regulation 4 above.

(2) No vessel shall anchor or make fast alongside the designated berth without the consent of the Ports Commissioner or Port Manager.

(3) A berth assignment made under subregulation (1) above shall be strictly adhered to at all times, unless further directions, variations, or orders relating thereto are given by the Ports Commissioner or Port Manager.

(4) A vessel anchored or made fast alongside the designated berth may at any time be moved therefrom at the request of the Ports Commissioner or Port Manager.

(5) Where a request of the Ports Commissioner or Port Manager is not complied with by the master, owner or agent of the vessel concerned within the time stipulated in such request, the Ports Commissioner or Port Manager may cause such vessel to be moved at the expense and risk of the master, owner or agent.

Motor Vehicles
to be assigned
designated
parking places.

6.-(1) Motor vehicles engaged in the delivery or removal of cargo to and from the designated berth shall be assigned a parking place by an authorized officer.

(2) Any person in charge of a motor vehicle referred to in subregulation (1) above shall move that vehicle when requested to do so by the authorized officer, and if that person refuses to comply with the request of the authorized officer –

- (a) he shall be guilty of an offence and liable to a fine of two hundred dollars; and
- (b) such vehicle may be moved by the authorized officer at the risk and expense of the person concerned.

7.–(1) Every vessel coming alongside the designated berth shall bear in conspicuous place on the outside of its hull a distinctive and permanent name or number.

Vessels to bear permanent name or number.

(2) The master, owner or agent of a vessel which comes alongside the designated berth and is not marked as provided in subregulation (1) above shall be guilty of an offence and liable on summary conviction to a fine of not less than two hundred dollars.

8.–(1) There shall be paid berthage charges in respect of any vessel anchored or made fast alongside the designated berth.

Berthage dues.

(2) The berthage charges payable under the provisions of these Regulations shall be paid or secured to the satisfaction of the Ports Commissioner or Port Manager before a vessel is moved from alongside the designated berth.

(3) Any person moving, or attempting to move, a vessel in contravention of subregulation (2) above commits an offence and is liable on summary conviction to a fine equal to three times the unpaid berthage charges. The fine shall be credited to the account of the Authority.

Loading and
unloading of
cargo.

9.—The cargo of vessels at the designated berth shall be loaded or unloaded with such dispatch as appears reasonable to the Ports Commissioner or the Port Manager. If such vessel fails to load or unload its cargo with such dispatch, and after notice has been given to that effect to the master, such vessel shall lose its turn and shall be removed from the berth by the Ports Commissioner or the Port Manager at the risk and expense of the master, owner or agent.

Goods left at
designated berth

10.—(1) No goods shall be left at the designated berth for a period exceeding twelve consecutive hours without the written permission of the Ports Commissioner or Port Manager.

(2) Any goods left at the designated berth contrary to subregulation (1) above may be seized, and unless claimed by the owner within 14 days of such seizure, may be sold by the Ports Commissioner or Port Manager by public auction.

(3) Where goods have been sold by public auction in accordance with subregulation (2) above, the Ports Commissioner or the Port Manager shall apply the proceeds of such sale firstly towards meeting the cost of the public auction and any monies owed to the Belize Ports Authority, and then pay the remainder, if any, to the owner thereof.

Recovery of
seized goods-
procedure.

11.—(1) All goods left at the designated berth shall be at the sole risk of the owner or carrier of such goods.

(2) Where goods have been seized in accordance with Regulations 10 above, and the owner claims such goods within the period of 14 days before the public auction as provided in that Regulation, such owner shall be liable to pay to the Authority the same rent as would be payable if the goods were lodged in the Port Warehouse under the Port Authority (Tariff) Regulations.

(3) There shall be paid by the owner or carrier of goods left at the designated berth for more than twelve hours after they have been landed there at the same rent as would be payable if the goods were lodged in the Port Warehouse under the Port Authority (Tariff) Regulations.

(4) Any rent due under subregulations (2) and (3) above shall be paid by the owner or carrier upon demand by the Ports Commissioner or Port Manager.

(5) Where a demand for payment of any rent payable under subregulation (2) or (3) above has been made by the Ports Commissioner or Port Manager and the owner of such goods fails to pay such rent within 14 days from the demand, the Ports Commissioner or Port Manager may, after 14 days from such demand, sell the goods by public auction and apply the proceeds of such sale in the manner provided by Regulation 10(3) above.

12.—Whenever it appears necessary in the public interest that any goods should be removed from the designated berth, the Ports Commissioner or the Port Manager may order the owner or person in charge of such goods to remove them from the designated berth within a specified time and, if such goods are not removed within the specified time, it shall be lawful for the Ports Commissioner or Port Manager to cause such goods to be removed at the risk and expense of the owner or person in charge. In addition, the owner or person in charge of such goods shall be guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars.

Removal of
goods in public
interest.

13.—(1) Upon completion of the loading or unloading of its cargo, the master of every vessel shall ensure that all dunnage or other refuse caused thereby shall be removed from the designated berth.

Removal of
refuse.

(2) The master of any vessel who fails to comply with the provisions of subregulation (1) above commits an offence and shall be liable on summary conviction –

- (a) to the cost of the removal of the dunnage and other refuse; and
- (b) to a fine of three hundred dollars. The fine shall be credited to the account of the Authority.

Vessels not
loading or
unloading.

14.—Any vessel not engaged in loading or unloading operations at the designated berth shall not be moored at the berth, and shall be moored or anchored at a safe anchorage in the harbour.

Monies payable.

15.—All monies payable under these Regulations (including fines) shall be paid in Belize City to the account of the Belize Port Authority.

MADE by the Belize Port Authority this 11th day of October, 1996.

.....
(W. H. LONGSWORTH)
Chairman
Belize Port Authority

APPROVED by the Minister of Energy, Science, Technology and Transportation this 15th day of October, 1996.

.....
(JOSEPH CAYETANO)
Minister of Energy, Science, Technology
& Transportation

CHAPTER 233

BELIZE PORT AUTHORITY

DEFINITION OF LIMITS OF PORTS ORDER

1. Title.
2. Limits of Ports.

CHAPTER 233**DEFINITION OF LIMITS OF PORTS ORDER**

69 of 1980.

*(Section 20)**[11th October, 1980.]*

Title.

1.—This Order may be cited as the

DEFINITION OF LIMITS OF PORTS ORDER.

Limits of Ports.

2. In exercise of the powers vested in me by section 20 of the Port Authority Act, I Frederick Hopkins Hunter, Minister of Works do by this Order define the limits of the following ports-

(1) BELIZE CITY PORT - Starting at the Belize City Swing Bridge on the north bank of the Haulover Creek thence down stream to Fort George Light thence northwards along the coast to the Belize River Mouth, thence easterly to Mapp's Caye thence along the western coast of the Drowned Cayes to the southern point of Water Caye thence south-westerly to the northern point of Long Caye, thence due west to the coast thence northerly along the coast back to the Belize City Swing Bridge.

(2) COROZAL PORT - Starting at a point on the coast 9,000' northwards as the crow flies from the mouth of the New River thence due east to Longitude W. 88° 20' thence due north to the coast thence along the coast back to the starting point.

(3) DANGRIGA PORT - Starting at a point 4,500' northwards along the coast from Commerce Bight Pier thence due east to Longitude W. 88° 10' thence due north to Latitude N. 17° thence due west to the coast thence along the coast back to the starting point.

(4) COMMERCE BIGHT PORT - Starting at a point 4,500' northwards along the coast from Commerce Bight Pier thence

due east to Longitude W. 88° 10' thence due south to Latitude N. 16° 50' thence due west to False Sittie Point thence along the coast back to the starting point.

(5) RIVERSDALE PORT - Starting at the mouth of South Stann Creek River thence due east to Longitude W. 88° 16' thence due south to Latitude N. 16° 39' thence due west to the coast thence along the coast back to the starting point.

(6) PUNTA GORDA PORT - Starting at the mouth of the Rio Grande River thence due south to Latitude N. 16° 04' thence due west to the coast thence along the coast back to the starting point.

CHAPTER 233**BELIZE PORT AUTHORITY****HARVEST CAYE (DESIGNATION AND DEFINITION
OF LIMITS OF PORT) ORDER**

1. Citation.
2. Designation of Port and definition of limits.

SCHEDULE

CHAPTER 233**HARVEST CAYE (DESIGNATION AND DEFINITION
OF LIMITS OF PORT) ORDER**

70 of 2016.

*(Section 20)**[22nd October, 2016.]*

1.—This Order may be cited as the

Citation.

**HARVEST CAYE (DESIGNATION AND
DEFINITION OF LIMITS OF PORT) ORDER.**

2. The place in the Harvest Caye area of Stann Creek District, with limits as specified in the Schedule is hereby designated as a port to be known as the HARVEST CAY CRUISE SHIPPING PORT, and the limits thereof are hereby defined as so specified.

Designation of
Port and
definition of
limits.**SCHEDULE***(Paragraph 2)*

The port limits starting at a point on Harvest Caye are as follows:

1. 16° 28' 31.15" N, 088° 24' 19.94" W
2. Thence on a heading 129.77° to a point 0.08 miles (122 metres) to position 16° 28' 28.58" N, 088° 24' 16.77" W
3. Thence on a heading 191.26° for 0.17 miles (279 metres) to position 16° 28' 19.79" N, 088° 24' 18.62" W.
4. Thence on a heading 170.83° for a distance 0.35 miles (567 metres) to position 16° 28' 1.45" N, 088° 24' 15.53" W.

5. Thence on a heading 170.74° for 0.40 miles (647 metres) to position $16^{\circ} 27' 40.55''$ N, $088^{\circ} 24' 11.99''$ W.

6. Thence on a heading 81° for .14 miles (217.5 metres) to position $16^{\circ} 27' 41.71''$ N, $088^{\circ} 24' 04.70''$ W.

7. Thence on a heading 170° for a distance of .36 miles (585 metres) to position $16^{\circ} 27' 22.97''$ N, $088^{\circ} 24' 01.20''$ W.

8. Thence on a heading 260° for a distance .42 miles (672 metres) to position $16^{\circ} 27' 19.23''$ N, $088^{\circ} 24' 23.62''$ W.

9. Thence on a heading 350° for a distance of .36 miles (584 metres) to position $16^{\circ} 27' 37.96''$ N, $088^{\circ} 24' 26.89''$ W.

10. Thence on a heading 80° for a distance of .09 miles (150 metres) to position $16^{\circ} 27' 38.79''$ N, $088^{\circ} 24' 21.87''$ W.

11. Thence on a heading 350° for a distance of .37 miles (600 metres) to position $16^{\circ} 27' 58.09''$ N, $088^{\circ} 24' 25.44''$ W.

12. Thence on a heading 351.48° for a distance of 0.44 miles (807 metres) to position $16^{\circ} 28' 20.69''$ N, $088^{\circ} 24' 29''$ W.

13. Thence on Harvest Caye travelling on a heading 38.1° for a distance of 0.24 miles (367 metres) to position $16^{\circ} 28' 30.46''$ N, $088^{\circ} 24' 21''$ W.

MADE by the Minister responsible for Ports this 18th day of October, 2016.

(HON. RENE MONTERO)

*Minister of Works, Transport and National Emergency
Management (Minister responsible for Ports)*

CHAPTER 233

**BELIZE PORT AUTHORITY (NOMINATED
COMPANY) ORDER**

ARRANGEMENT OF ORDERS

1. Short title.
 2. Nominated Company.
-

CHAPTER 233**BELIZE PORT AUTHORITY (NOMINATED
COMPANY) ORDER**

58 of 2002.

[27th April, 2002.]

Short title.

1.—This Order may be cited as the**BELIZE PORT AUTHORITY (NOMINATED
COMPANY) ORDER.**Nominated
Company
CAP. 233
37 of 2001.

2. In exercise of the powers conferred upon me by section 102(l) of the Belize Port Authority Act (as amended), and all other powers thereunto me enabling, I, HENRY CANTON, Minister responsible for Ports, do hereby nominate the PORT OF BELIZE LIMITED, a public limited liability company registered under the Companies Act, as the “nominated company” to take over the operational and management function of the Belize Port Authority in respect of a privatised port.

CAP. 250

MADE by the Minister responsible for Ports, this 18th day of January, 2002.

.....
(DR.) (HENRY CANTON)
Minister of Works,
Transport and Communications,
Minister responsible for Ports

CHAPTER 233

**BELIZE PORT AUTHORITY (APPOINTED DAY)
ORDER**

ARRANGEMENT OF ORDERS

1. Short title.
2. Appointed day.

CHAPTER 233**BELIZE PORT AUTHORITY (APPOINTED DAY)
ORDER**

57 of 2002.

[27th April, 2002.]

Short title.

1.—This Order may be cited as the**BELIZE PORT AUTHORITY (APPOINTED DAY)
ORDER.**Appointed day.
CAP. 233 Act
37 of 2001

2. In exercise of the powers conferred upon me by section 102(1) of the Belize Port Authority Act (as amended), and all other powers thereunto me enabling, I, HENRY CANTON, Minister responsible for Ports, do hereby appoint the 18th January, 2002, as the “appointed day” on which Part XIII of the said Act shall come into force.

MADE by the Minister responsible for Ports, this 17th day of January, 2002.

.....
(DR.) (HENRY CANTON)
*Minister of Works,
Transport and Communications,
Minister responsible for Ports*

CHAPTER 233

BELIZE PORT AUTHORITY (VESTING DAY) ORDER

ARRANGEMENT OF ORDERS

1. Short title.
2. Vesting day.
3. Transfer of assets and liabilities of the Authority to the nominated Company.
4. Compensation.

SCHEDULE

CHAPTER 233

59 of 2002. **BELIZE PORT AUTHORITY (VESTING DAY) ORDER**

[27th April, 2002.]

Short title. **1.**—This Order may be cited as the

**BELIZE PORT AUTHORITY (VESTING DAY)
ORDER.**

Vesting day. **2.** In exercise of the powers conferred upon me by section 102(1) of the Belize Port Authority Act (as amended), and all other powers thereunto me enabling, I, SAID W. MUSA, Minister responsible for Finance, do hereby appoint the 18th January, 2002, as the “vesting day” for the purposes of the said Act.

CAP. 233. Act 37 of 2001. Transfer of assets and liabilities of the Authority to the nominated company Schedule. **3.** As from the vesting day, the assets and liabilities of the Belize Port Authority as set out in the Schedule hereto shall be transferred to and vest in the Port of Belize Limited, the nominated Company.

Compensation. **4.** The compensation to be paid by the nominated Company for the transfer of property pursuant to paragraph 3 above shall be the issue to the Government of Belize 26,666,667 fully paid up shares of BZ \$1.50 each in the capital stock of the nominated Company.

MADE by the Minister responsible for Finance, this 17th day of January, 2002.

.....
(SAID W. MUSA)

Minister of Finance

SCHEDULE

(Paragraph 3)

	Notes
ASSETS	
Property and equipment	
Leasehold property - Commerce Bight	1
Total non-current assets	
Cash and Bank	
Investments	2
Inventories	3
Accounts receivable and prepayments	4
Total current assets	
Total assets	
EQUITY AND LIABILITIES	
Advance by Government of Belize	
Contributed capital	
Capital reserve	
Unappropriated retained earnings	
Appropriated retained earnings	
Total equity	
Long-term debt	
Total non-current liabilities	5
Accounts payable and accruals	6
Customer deposits	
Long-term debt current portion	5
Total current and liabilities	
Total equity and liabilities	

Note 1 – Property and Equipment***ITEM*****BELIZE CITY PORT BUILDINGS**

BELIZE CITY PORT OFFICE
WAREHOUSE #1
BLDG LOW LEVEL BERTH
SECURITY BOOTH
GENERATOR HOUSE
MECH. WORKSHOP & GARAGE #1
MECH. WORKSHOP & SHED #2
MECH. GARAGE #3
PILOT BUILDING
OPERATIONS & SECURITY SHED
OFFICE - WAREHOUSE #1
CONCRETE VAT
SECURITY OFFICER TOILET
RAMP SHED #1
SECURITY BOOTHS
FUEL STORAGE FACILITY
SHED EXTENSION OFFICE
CONCRETE BUILDING PIERHEAD
TOTAL BUILDINGS

LIGHTING

LIGHTING - PORT COMPOUND
PIER
LOW-BERTHAGE
REEFER OUTLETS
TOTAL LIGHTING

PIER

BELIZE CITY PORT-PIER
PROTECTIVE PILES

WOODEN PIER
LOW BERTH FACILITY
TOTAL PIER

FENCING

BELIZE CITY PORT

VEHICLES

GOLF CART [1]
1 GOLF CART
TOTAL VEHICLES

Note 1 - Property and Equipment (cont'd)

BELIZE CITY PORT EQUIPMENT

MANITOWOC CRANE
1 DOCK TRACTOR (OTTOWA)
1 FORKLIFT HYSTER (CONT. HLDG)
2 DOCK TRACTOR (OTTOWA)
4 FORKLIFT HYSTER (BUTANE)
1DOCK TRACTOR (OTTOWA)
1 LOWBED TRAILER (20')
5 TRAILER 40' COMBINATION
1 FORKLIFT HYSTER (BUTANE)
1 LOW-BOY TRAILER (34 TONS)
2 HIGHBED TRAILER (20')
1 CONTAINER STACKER
2 FLAT BED TRAILER 40'
2 FIRE EXTINGUISHERS
2 FLAT BED TRAILER 40'
FUEL TANK
TRAILER CAMPER.

FIRE HYDRANTS (3)
GANGWAY
BICYCLE RACK
LINCOLN ARC WELDER
AIR COMPRESSOR
1 SPREADER (40')
1 SPREADER (20')
1 GENERATOR HOUSE SHED #1
1 GENERATOR (CATERPILLAR)
EXCELL PRESSURE WASHERS
4 NYLON SLINGS
3 PALLET JACKS
1 TRIMMER POULAN 185R
1 HYSTER
1 SUPER HAWK FUMIGATOR
1 MOTOROLA G1225-50 W REPEATER
1-13 HP PRESSURE WASHER (HONDA)
WEATHER RADAR EQUIPMENT
1 HONDA GENERATOR WELDER
2 FORKLIFTS
TOTAL BELIZE CITY PORT EQUIPMENT

RADIO EQUIPMENT BELIZE CITY PORT

FURNITURE & EQUIPMENT

COMPUTER PROGRAMME

FREEHOLD LAND

TOTAL FIXED ASSETS BELIZE PORT

Note 2 - Investments

Time Deposits

Bank of Nova Scotia

Belize Bank Ltd.

Note 3 - Inventories

Spares and accessories
Stationary and supplies
Stores
Fuel, Lubricants
Less: provision

Note 4 - Accounts receivable and prepayments

Trade receivables
Trade receivables
Advance to Employees
Hurricane relief advance
Prepaid insurance
Interest receivable

Less: provision

Cash and Bank

Bank of Nova Scotia

Barclays Bank PLC.

Atlantic Bank Ltd.

Petty Cash

CHAPTER 233**PORT FACILITY SECURITY REGULATIONS****ARRANGEMENTS OF REGULATIONS****PART I***Preliminary*

1. Short title.
2. Interpretation.

PART II*Special Measures to Implement Maritime Security**General*

3. Application.
4. Security measures: Belize Port Authority
5. Requirements for companies.
6. Ship security plans.
7. Company security officer
8. Ship security officer
9. Requirements for ships.
10. Ship security alert system.
11. Threats to ship.
12. Master's discretion for ship safety and security.
13. Verification for ships.
14. Issue, endorsement, duration and validity of certificate.
15. Issue and endorsement of certificates by another Government.
16. Certificate issued or endorsed on behalf of another Government.
17. Interim certification.
18. Prohibition on proceeding to sea without appropriate certificate.

Control and compliance measures

19. Control of ships in port.
20. Ship intending to enter port.
21. Additional control and compliance provisions.

Port facilities

22. Port facilities: Belize Port Authority responsibilities.
23. Port facilities: duties of port facility operators.
24. Port facility security officers.
25. Drills and exercise

Supplementary

26. Alternative security agreements.
27. Equivalent security agreements.
28. Communication of information.

Enforcement

29. Requirement to provide information.
30. Powers of inspection.
31. False statements relating to baggage, cargo, etc.
32. False statements in connection with identity documents.
33. Unauthorized presence in restricted zone.
34. Offences relating to authorized persons.
35. Penalties, defences, etc.

PART III

Continuous synopsis record

36. Continuous Synopsis Record.
37. Transfer of flag by ship.
38. Offences and penalties.
39. Commencement.

CHAPTER 233

101 of 2004.

PORT FACILITY REGULATIONS*(Gazetted 12th June, 2004.)***PART I***Preliminary*

Short title.

1. These Regulations may be cited as the**PORT FACILITY REGULATIONS.**

Interpretation.

2.-(1) In this Part unless the context otherwise requires:

“Administration” means the Maritime Authority of the State, other than Belize, whose flag the ship is entitled to fly;

“authorised person” means a person authorized in writing by or on behalf of the Belize Port Authority for the purpose of these Regulations;

CAP. 233.

“Belize Port Authority” means the Belize Port Authority established under section 3 of the Belize Port Authority Act;

“bulk carrier” means a ship which is constructed generally with single deck, top-side tanks and hopper side tanks in cargo spaces, and is intended primarily to carry dry cargo in bulk, and include such types as ore carriers and combination carriers;

“certificate” means an International Ship Security Certificate or an interim International Ship Security Certificate issued in accordance with Part A of the ISPS Code;

“Chapter” means a chapter of the Convention;

“chemical tanker” means a cargo ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the IBC Code;

“company” means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner of the ship and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the ISPS Code;

“company security officer” means the person designated by the Company for ensuring that a ship security assessment is carried out; that a ship security plan is developed, submitted for approval, and thereafter implemented and maintained, and for liaison with port facility security officers and the ship security officer;

“Convention” means the international Convention for the Safety of life at Sea, 1974 as amended;

“Contracting Government” means the government of a State which is Party to the International Convention for the Safety of Life at Sea;

“Declaration of Security” means an agreement reached between a ship and either a port facility or another ship with which it interfaces, specifying the security measures each will implement;

“Designated Authority” means, the organization(s) or the administration(s) identified, as responsible for ensuring the implementation of the provisions of Chapter XI-2 of the

Convention pertaining to port facility security and ship/port interface, from the point of view of the port facility and in the case of Belize means the Belize Port Authority;

“gas carrier” means a cargo ship constructed or adapted for the carriage in bulk of any liquefied gas or other liquid product in chapter 19 of the IGC Code;

“Government” means Government of Belize;

“high speed craft” means a craft capable of a maximum speed in metres per second (m/s) equal to or exceeding:

$$3.7 \nabla^{0.1667}$$

where:

∇ = displacement corresponding to the design waterline (m3);

“IBC Code” means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Marine Environment Protection Committee of the Organization by resolution MEPC.19(22), as may be amended and adopted by the Organization and brought into force in accordance with the amendment procedures in MARPOL applicable to an appendix to an Annex;

“IGC Code” means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, 1983, as amended;

“IMMARBE” means the International Merchant Marine Registry of Belize established under section 3 of the Registration of Merchant Ships Act; CAP. 236.

“ISM Code” means the International Management Code for the Safe Operation of Ships and for Pollution Prevention as adopted by IMO by Resolution A.741 (18), together with any amendments which may be in effect in respect of Belize;

“ISPS Code” or “Code” means the international Code for the Security of Ships and of Port Facilities, as adopted, on 12 December 2002, by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of life at Sea, 1974 and any amendments that maybe in effect for Belize;

“mobile offshore drilling unit” means a vessel capable of engaging drilling operations for the exploration for or the exploitation of resources beneath the sea-bed such as liquid or gaseous hydrocarbons, sulphur or salt, when not on location;

“Belize Port Authority” is the Designated Authority for Belize;

“oil tanker” means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes

- (a) a combination carrier;
- (b) a chemical tanker as defined in Chapter III when it is carrying a cargo or part cargo of oil in bulk; and
- (c) a gas carrier as defined in Regulation 3.20 Of Chapter II-I of the Convention, when it is carrying a cargo or part cargo of oil in bulk.

“port facility operator” means any person operating a port facility or such other person as maybe designated for the purposes of this Part as port facility operator for one or more port facilities by the Belize Port Authority;

“port facility” means a location, as determined in Belize by the Belize Port Authority, or elsewhere by the relevant governmental authority, where the ship/port interface takes place. This includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate;

“port facility security assessment” means an assessment of the security of a port facility (or more than one port facility) carried out in accordance with section 15 of Part A of the ISPS Code;

“port facility security officer” means the person designated as responsible for the development, implementation, revision and maintenance of the port facility security plan and for liaison with the ship security officers and company security officers;

“port facility security plan” means a plan developed to ensure the application of measures designed to protect the port facility and ships, persons, cargo, cargo transport units and ship's stores within the port facility from the risks of a security incident;

“recognized security organization” means an organization with appropriate expertise in security matters and with appropriate knowledge of ship and port operations authorized to carry out an assessment, or a verification, or an approval or a certification activity, required by this chapter or by Part A of the ISPS Code;

“restricted zone” means a zone to which access is restricted for security reasons pursuant to these Regulations;

“security level” means the qualification of the degree of risk that a security incident will be attempted or will occur;

“security incident” means any suspicious act or circumstance threatening the security of a ship, including a mobile offshore drilling unit and a high speed craft, or of a port facility or of any ship/port interface or any ship to ship activity;

“ship/port interface” means the interactions that occur when a ship is directly and immediately affected by actions involving the movement of persons, goods or the provisions of port services to or from the ship;

“ship to ship” activity means any activity not related to a port facility that involves the transfer of goods or persons from one ship to another;

“tons” means gross tonnage.

(2) The term “all ships”, when used in Part II, means any ship to which the Part applies.

(3) In these Regulations, any reference made to Part A of the ISPS Code, the guidance in Part B of the Code in relation to that matter shall be taken into account in construing Part A.

(4) For the purposes of Part II a person is permitted to have access to a restricted zone of a port facility if he is permitted to enter that zone or if arrangements exist for permitting any of his employees or agents to enter that zone

PART II

Special Measures to Enhance Maritime Security

General

Application.

3.-(1) Subject to sub-regulation (6), this Part of these Regulations applies to

- (a) the following types of ships engaged on international voyages:
 - (i) passenger ships, including high-speed passenger craft;
 - (ii) cargo ships, including high-speed craft, of 500 tons or more; and
 - (iii) mobile offshore drilling units; and
- (b) port facilities serving such ships engaged on international voyages.

(2) This Part shall also apply to any port facility specified in a Notice issued by the Belize Port Authority which, although

used primarily by ships not engaged on international voyages, is required, occasionally, to serve ships arriving or departing on international voyages.

(3) A Notice referred to in sub-regulation (2) shall not be issued without a port facility security assessment for that port facility having been done in accordance with section 15 of Part A of the ISPS Code. The Notice shall specify the extent of application of this Part and the relevant sections of Part A of the ISPS Code to the facility.

(4) Any Notice under sub-regulation (2) shall not compromise the level of security intended to be provided by this Part and Part A of the ISPS Code.

(5) Regulations 19, 20 and 21 also apply to a port facility not falling within sub-regulation (1) (b) or (2).

(6) This Part does not apply to

- (a) warships;
- (b) naval auxiliaries; or
- (c) other ships owned or operated by Parties to the Convention and used only on Government non-commercial service.

Security
measures: Belize
Port Authority.

4.-(1) Without prejudice to any other duties under this Part the Belize Port Authority shall:

- (a) in accordance with section 4 of Part A of the ISPS Code set security levels and ensure the provision of security level information to port facilities within Belize, and to ships prior to entering a port or whilst in a port within Belize;

- (b) when changes in security level occur, update security level information as the circumstance dictates;
- (c) determine which of the port facilities located within their territory are required to designate a port facility security officer (PFSO) who will be responsible for the preparation of the port facility security plan;
- (d) approve the port facility security plan (PFSP) and any subsequent amendments to a previously approved plan.

(2) The Belize Port Authority may delegate to a recognised security organisation some of their duties under these Regulations, except:

- (i) setting of the applicable security level for port facilities or ship to ship interface in Belize territorial waters;
- (ii) approving a port facility security assessment and subsequent amendments to an approved assessment;
- (iii,) determining the port facilities which will be required to designate a port facility security officer;
- (iv) approving a port facility security plan and subsequent amendments to an approved plan;
- (v) exercising control and compliance measures pursuant to Regulations 19, 20 and 21; and

- (vi) establishing the requirements for a Declaration of Security.

Requirements for companies.

5.(1) Companies shall comply with the relevant requirements of this Part and of Part A of the ISPS Code. In particular, and without prejudice to any other duties under this Part, the Company shall ensure that:

- (a) a company security officer is appointed, and is properly trained and qualified in his duties and responsibilities;
- (b) a ship security officer is appointed for each of its ships and is properly trained and qualified in his duties and responsibilities;
- (c) each ship has a ship security plan;
- (d) the master has available on board, at all times, information through which officers duly authorized by any State can establish:
 - (i) who is responsible for appointing the members of the crew or other persons currently employed or engaged on board the ship in any capacity on the business of that ship;
 - (ii) who is responsible for deciding the employment of the ship; and
 - (iii) in cases where the ship is employed under the terms of charter Party or Parties, who are the Parties to such charter Party or Parties.

(2) Any company which fails to comply with this Regulation shall be guilty of an offence.

6.-(1)

- (a) Every ship security plan or amendment thereto shall be submitted to the Administration, or to a recognised security organisation it authorises on its behalf, for approval in accordance with section 9 of Part A of the Code.
- (b) A recognised security organisation authorized under paragraph (a) shall not have been involved in the preparation of the ship security plan or the amendment in question.

Ship security plans.

(2) The Administration shall determine which changes to an approved ship security plan or to any security equipment specified in an approved plan shall not be implemented unless the relevant amendments to the plan are approved by the Administration. Any such changes shall be at least as effective as those measures prescribed in this Part and in Part A of the Code.

(3) Any company which does not comply with sub-regulation (1), or otherwise fails to comply with section 9 of Part A of the Code, shall be guilty of an offence.

7.-(1) The company security officer shall perform the responsibilities and duties specified in this Part and Part A of the Code, in particular those listed in paragraph 11.2 of Part A.

Company security officer.

(2) Any contravention of this Regulation by the company security officer shall be an offence.

8.-(1) The ship security officer shall perform the responsibilities and duties specified in this Part and Part A on the Code, in particular those listed in paragraph 12.2 of Part A.

Ship security officer.

(2) Any contravention of this Regulation by the ship security officer shall be an offence.

Requirements for ships.

9.—(1) Ships shall comply with the relevant requirements of this Part and of Part A of the ISPS Code.

(2) Prior to entering a port or whilst in a port within the territory of Belize, a ship shall comply with the requirements for the security level set by Belize, if such security level is higher than the security level set by the Administration for that ship.

(3) Ships shall respond without undue delay to any change to a higher security level.

(4) Where a ship is not in compliance with the requirements of this Part or of Part A of the ISPS Code, or cannot comply with the requirements of the security level set by the Administration or by another Contracting Government and applicable to that ship, then the ship shall notify the Belize Port Authority prior to conducting any ship/port interface or prior to entry into port, whichever occurs earlier.

(5) Where there is a breach of sub-regulations (1) to (4) in relation to a ship then the company and the master shall each be guilty of an offence.

Ship security alert system.

10.—(1) All ships shall be provided with a ship security alert system, as follows:

- (a) ships constructed on or after 1 July 2004;
- (b) passenger ships, including high-speed passenger craft, constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004;
- (c) oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high speed craft, of 500 tons and upwards constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004; and

- (d) other cargo ships of 500 tons and upward and mobile offshore drilling units constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2006.

(2) The ship security alert system, when activated, shall:

- (a) initiate and transmit a ship-to-shore security alert to a competent authority designated by the Administration, which in these circumstances may include the Company, identifying the ship, its location and indicating that the security of the ship is under threat or it has been compromised;
- (b) not send the ship security alert to any other ships;
- (c) not raise any alarm on-board the ship; and
- (d) continued the ship security alert until deactivated/or reset.

(3) The ships security alert system shall:

- (a) be capable of being activated from the navigation bridge and in at least one other location; and
- (b) conform to performance standards not inferior to those adopted by the Organization.

(4) The ship security alert system activation points shall be designed so as to prevent the inadvertent initiation of the ship security alert.

(5) The requirements for a ship security alert system may be complied with by using the radio installation fitted for

compliance with the requirements of Chapter IV of the International Convention for the Safety of Life at Sea, 1974, as amended, provided all requirements of this Regulation are complied with.

(6) When an Administration receives notification of a ship security alert relating to a ship entitled to fly its flag, it shall immediately notify the State(s) in the vicinity of which the ship is presently operating.

(7) When the Belize Port Authority receives notification of a ship security alert from a ship which is not entitled to fly the flag of Belize, it shall immediately notify the relevant Administration and, if appropriate, the State(s) in the vicinity of which the ship is presently operating.

(8) Any contravention of sub-regulations (1) to (4) shall be an offence by the company and the master.

11.-(1) The Belize Port Authority shall set security levels and ensure the provision of security level information to ships operating in the territorial sea of Belize or having communicated an intention to enter the territorial sea.

Threats to ships.

(2) The Belize Port Authority shall provide a point of contact through which such ships can request advice or assistance and to which such ships can report any security concerns about other ships, movements or communications.

(3) Where a risk of attack has been identified, the Belize Port Authority shall advise the ships concerned and their Administrations of:

- (a) the current security level;
- (b) any security measures that should to be put in place by the ships concerned to protect themselves from attack, in accordance with the provisions of Part A of the ISPS Code; and

- (c) security measures that the Belize Port Authority put in place, as appropriate.

12.-(1)

Master's discretion for ship safety and security.

- (a) The master of a ship shall not be constrained by the Company, the charterer or any other person from taking or executing any decision which, in the professional judgement of the master, is necessary to maintain the safety and security of the ship.
- (b) This includes denial of access to persons (except those identified as duly authorized by a Contracting Government) or their effects and refusal to load cargo, including containers or other closed cargo transport units.
- (2) (a) Where, in the professional judgement of the master, a conflict between any safety and security requirements applicable to the ship arises during its operations, the master shall give effect to those requirements necessary to maintain the safety of the ship.
- (b) In such cases, the master may implement temporary security measures and shall forthwith inform the Administration and, if appropriate, the Contracting Government in whose port the ship is operating or intends to enter.
- (c) Any such temporary security measures under this Regulation shall, to the highest possible degree, be commensurate with the prevailing security level. When such cases are identified, the Administration shall ensure that such conflicts are resolved and that the possibility of recurrence is minimised.

Verification for ships.

13.-(1) All ships to which this Part applies shall be subject to initial, renewal and intermediate verifications in accordance with paragraph 19.1.1 of Part A of the ISPS Code.

(2) The verification of ships shall be carried out by an officer authorised by the Administration, or, if it entrusts it, by a recognised security organisation.

(3) The security system and any associated security equipment of the ship after verification shall be maintained to conform with the provisions of regulations 5 and 10 of Part A of the ISPS Code and of the approved ship security plan. After any verification under sub-regulation (1), no changes shall be made in the security system and in any associated security equipment or the approved ship security plan without the sanction of the Administration.

(4) Any contravention of sub-regulation (1) or (3) shall be an offence by both the company and the master.

Issue, endorsement, duration and validity of certificate.

14.-(1) When an initial or renewal verification is satisfactorily completed pursuant to Regulation 13 the Administration or a recognised security organisation acting on its behalf shall issue or, as the case maybe, endorse an International Ship Security Certificate.

(2) The International Ship Security Certificate shall be drawn up in a form corresponding to the model given in the appendix to Part A of the Code.

(3) The duration and validity of an International Ship Security Certificate shall be in accordance with section 19.3 of Part A of the Code.

Issue and endorsement of certificates by another Government.

15.-(1) An Administration may request another Contracting Government to verify the ship and, if satisfied that the provisions of section 19.1.1 of the Code are complied with, to issue or authorize the issue of an International Ship Security Certificate to the ship end, where appropriate, endorse or

authorize the endorsement of that Certificate on the ship, in accordance with the Code.

(2) A Certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same effect as if it was issued by the Administration.

16.—(1) IMMARBE may at the request of another Contracting Government verify the ship and, if satisfied that the provisions of section 19.1.1 of the Code are complied with, issue or authorize the issue of an International Ship security Certificate to the ship and, where appropriate, endorse or authorize the endorsement of that Certificate on the ship, in accordance with the Code.

Certificates issued or endorsed on behalf of another Government.

(2) A Certificate so issued shall contain a statement to the effect it has been issued at the request of that Government and it shall have the same effect as if the Certificate was issued or endorsed by that Government and not by IMMARBE.

17.—(1) After 1 July 2004, for the purposes of:

Interim certification.

- (a) a ship without a Certificate, on delivery or prior to its entry or re-entry into service;
- (b) transfer of a ship from the flag one Government to that of another;
- (c) a Company assuming the responsibility for the operation of a ship not previously operated by that Company;

until the Certificate referred to in Regulation 14(1), 15(1) or 16—(1) is issued, and Administration may cause an Interim International Ship Security Certificate to be issued, in a form corresponding to the model given in the appendix to Part A of the Code.

(2) An Interim International Ship Security Certificate shall only be issued if the Administration or a recognised security organisation on its behalf is satisfied that the conditions specified in section 19.4.2.1 to section 19.4.2.7 of Part A of the Code are met.

(3) An Interim International Ship Security Certificate may be issued by an Administration or by a recognized security organization authorized to act on its behalf.

(4) An Interim International Ship Security Certificate shall be valid for 6 months, or until the Certificate required by Regulation 14(1), 15(1) or 16(1) is issued, whichever comes first, and may not be extended.

(5) No subsequent, consecutive Interim International Ship Security Certificate shall be issued to a ship if, in the judgement of the Administration or the recognized security organization, one of the purposes of the ship or Company in requesting such certificate is to avoid full compliance with this Part beyond the period of the initial Interim Certificate as specified sub-regulation (1)

(6) For the purposes of Regulations 19, 20 and 21 the Belize Port Authority may, prior to accepting an Interim International Ship Security Certificate as a valid Certificate, ensure that the requirements of sections 19.4.2.4 to 19.4.2.6 of Part A of the ISPS Code have been met.

Prohibition on proceeding to sea without an appropriate certificate.

18.—(1) No ship required to be verified under this Part shall proceed, or attempt to proceed to sea, unless there is in force a valid International Ship Security Certificate or an Interim International Ship Security Certificate.

(2) Where a ship proceeds, or attempts to proceed to sea in contravention of sub-regulation (1) the company and the master shall be guilty of an offence.

*Control and compliance measures***19.-(1)**

Control of ships
in port.

- (a) For the purpose of these Regulations, every ship to which this Part applies is subject to control when in a port in Belize by officers duly authorised by the Belize Port Authority.
- (b) Such control shall be limited to verifying that there is onboard a valid Certificate, which, if valid, shall be accepted, unless there are clear grounds for believing that the ship is not in compliance with the requirements of these Regulations or Part A of the ISPS Code.

(2) When there are such clear grounds, or where no valid Certificate is produced when required, the duly authorized officer shall impose any one or more control measures in relation to that ship as provided in sub-regulation (3). Any such measures imposed must be proportionate, taking into account the guidance given in Part B of the ISPS Code.

(3) (a) Such control measures are as follows:

- (i) inspection of the ship;
- (ii) delaying the ship;
- (iii) detention of the ship;
- (iv) restriction of operations including movement within the port; or
- (v) expulsion of the ship from port.

- (b) Such control measures may additionally or alternatively include other lesser administrative or corrective measures.

Ships intending to enter port.

20.-(1) The Belize Port Authority may require that ships intending to enter ports in Belize provide the following information to duly authorized officers to ensure compliance with this Part prior to entry into port with the aim of avoiding the need to impose control measures as steps:

- (a) that the ship processes a valid Certificate and the name of its issuing authority;
- (b) the security level at which the ship is currently operating;
- (c) the security level at which the ship operated in any previous port where it has conducted a ship/port interface within the time frame specified in sub-regulation (3);
- (d) any special or additional security measures that were taken by the ship in any previous port where it has conducted a ship/port interface within the time frame specified in sub-regulation (3);
- (e) that the appropriate ship security procedures were maintained during any ship to ship activity within the timeframe specified in sub-regulation (3); or
- (f) other practical security related information (but not details of the ship security plan), taking into account the guidance given in Part B of the ISPS Code.

Where requested by the Belize Port Authority, the ship or the Company shall provide confirmation, acceptable to it, of the information required above.

(2) Every ship to which this Part applies intending to enter a port facility in Belize shall provide the information described in sub-regulation (1) on the requests of the officers duly authorized by that Government. The master may decline to provide such information on the understanding that failure to do so may result in denial of entry to port.

(3) The ship shall keep records of the information referred to in sub-regulation (2) for the last 10 calls at port facilities.

(4) (a) Where, after receipt of the information described in sub-regulation (1), officers duly authorised by the Belize Port Authority have clear grounds for believing that the ship is not in compliance with the requirements of this Part of Part A of the ISPS Code, such officers shall attempt to establish communication with and between the ship and its Administration in order to rectify the non-compliance.

(b) Where such communication does not result in rectification, or if such officers have clear grounds otherwise for believing that the ship is not in compliance with the requirements of this Part or Part A of the ISPS Code, such officers may take steps in relation to that ship as provided in sub-regulation (5). Any such steps taken must be proportionate, taking into account the guidance given in Part B of the ISPS Code.

(5) Such steps are as follows:

(a) a requirement for the rectification of the non-compliance;

- (b) a requirement that the ship proceed to a location specified in the territorial sea or internal waters of Belize;
- (c) inspection of the ship, if the ship is in the territorial sea of Belize; or
- (d) denial of entry into port

Prior to initiating any such steps, the Belize Port Authority shall inform the ship of its intentions. Upon receipt of this information the master may withdraw the intention to enter that port. In such cases, this Regulation shall not apply.

Additional
control and
compliance
provisions.

21.-(1) In the event:

- (a) of the imposition of a control measure, other than a lesser administrative or corrective measure, referred to in Regulation 20(3); or
- (b) any of the steps referred to in Regulation 20(5) are taken;

an officer duly authorized by the Belize Port Authority shall forthwith inform in writing the Administration specifying which control measures have been imposed or steps taken and the reasons thereof. He shall also notify the recognized security organization, which issued the Certificate relating to the ship concerned and the Organization when any such control measures have been imposed or steps taken.

(2) When entry into port is denied or the ship is expelled from a port in Belize, the Belize Port Authority shall communicate the appropriate facts to the authorities of the State of the next appropriate ports of call, when known, and any other appropriate coastal States, taking into account any guidelines developed by the Organization. Confidentiality and security of such notification shall be ensured.

(3) Denial of entry into port, pursuant to Regulation 20(4) and (5), or expulsion from port, pursuant to Regulation 20(1) to (3), shall only be imposed where the duly authorised officers have clear ground to believe that the ship poses an immediate threat to the security or safety of persons, or of ships or other property and there are no other appropriate means for removing that threat.

(4) The control measures referred to in Regulation 19(1) and the steps referred to in Regulation 20(5) shall only be imposed, pursuant to Regulations 19 and 20, until the non-compliance giving rise to the control measures or steps has been corrected to the satisfaction of Belize Port Authority, taking into account actions proposed by the ship or the Administration or IMMARB, if any.

(2) When control is exercised under Regulation 19 or steps taken under Regulation 20:

- (a) all possible efforts shall be made to avoid a ship being unduly detained or delayed. If a ship is thereby unduly detained, or delayed, it shall be entitled to compensation for any loss or damage suffered; and
- (b) necessary access to the ship shall not be prevented for emergency or humanitarian reasons and for security purposes.

Port facilities

22.-(1) The Belize Port Authority shall ensure that:

- (a) port facility security assessments are carried out, reviewed and approved in accordance with the provisions of Part A of the ISPS Code;

Port facilities:
Belize Port
Authority
responsibilities.

- (b) port facility security plans are developed, reviewed, approved and implemented in accordance with the provisions of Part A of the ISPS Code; and
- (c) port facility security officers appointed by port facilities have the appropriate expertise.

(2) The Belize Port Authority shall designate and communicate to the port facility operator and the port facility security officer the measures required to be addressed in a port facility security plan for the various security levels, including when the submission of a Declaration of Security will be required.

(3) The Belize Port Authority shall issue guidelines to ensure the continued compliance with the ISPS Code which guidelines shall be mandatory and any breach of thereof shall constitute a breach of this Part.

Port facilities:
duties of port
facility
operators.

23.—(1) The port facility operator shall ensure that port facilities shall comply with the relevant requirements of this Part and Part A of the ISPS Code.

(2) (a) In particular the port facility operator shall appoint a suitably qualified port facility security officer, and ensure that he receives appropriate training, as specified in section 18.1 of Part A of the Code.

(b) The port facility operator shall provide the port facility security officer with the resources, assistance and support necessary to enable him to carry out his duties.

(3) The port facility operator shall ensure that port facility personnel having specific security duties have appropriate knowledge and receive appropriate training as specified in section 18.2 of Part A of the Code, the type of ship the port

facility is serving and other relevant circumstances, taking into account guidance given in Part B of the Code.

(4) The port facility operator shall ensure that other port facility personnel have appropriate knowledge as specified in section 18.3 of Part A of the Code.

(5) Any port facility operator which fails to comply with this Regulation shall be guilty of an offence.

24.—(1) A port facility security officer shall carry out the duties and responsibilities placed on him by this Part and Part A of the Code, in particular those listed in section 17.2 of Part A of the Code.

Port Facility
security officers.

(2) Any port facility security officer who fails to comply with this Regulation shall be guilty of an offence.

Drills and
exercises.

25.—(1) To ensure the effective implementation of the port facility security plan, drills shall be carried out at appropriate intervals, taking into account the types of operation of the port, facility, port facility personnel changes, the type of ship the port facility is serving and other relevant circumstances, taking into account guidance given in Part B of the Code.

(2) The port facility security officer shall ensure the effective co-ordination and implementation of the port facility security plan by participating in exercises at appropriate intervals, taking into account the guidance given in Part B of this Code.

(3) Any contravention of sub-regulation (1) shall be an offence by the port facility operator and the port facility security officer.

(4) Any contravention of sub-regulation (2) shall be an offence by the port facility security officer.

Supplementary

Alternative
security
arrangements.

26.—(1) The Belize Port Authority may, when implementing this Part and Part A of the ISPS Code, conclude in writing bilateral or multilateral agreements with other Contracting Governments on alternative security arrangements covering short intentional voyages on fixed routes between port facilities located within their territories.

(2) Any such agreement shall not compromise the level of security of other ships or of port facilities not covered by the agreement.

(3) No ship covered by such an agreement shall conduct any ship-to-ship activities with any ship not covered by the agreement.

(4) Such agreements shall be reviewed periodically, taking into account the experience gained as well as any changes in the particular circumstances or the assessed threats to the security of the ships, the port facilities or the routes covered by the agreement.

Equivalent
security
arrangements.

27.—(1) The Administration may allow a particular ship or a group of ships to implement other security measures equivalent to those prescribed in this chapter or in Part A of the ISPS Code, provided such security measures are at least as effective at those prescribed in this chapter or Part A of the ISPS Code. The Administration, where it allows such security measures, shall communicate to the Organization particulars thereof.

(2)(a) When implementing this Part and Part A of the ISPS Code, the Belize Port Authority may allow a particular port facility or a group of port facilities located within its territory, other than those covered by an agreement concluded under Regulation 26, to implement security measures equivalent to those prescribed in this

Part or in Part A of the ISPS Code, provided such security measures are at least as effective as those prescribed in this Part or Part A of the ISPS Code.

- (b) The Belize Port Authority, where it allows such security measures, shall communicate to the Organization particulars thereof.

28.—(1) The Government shall, not later than 1 July 2004, communicate to the Organization and shall make available for the information of Companies and ships:

Communication
of information.

- (a) the name and contact details of their national authority or authorities responsible for port facility security;
- (b) the locations within their territory covered by the approved port facility security plans;
- (c) the names and contact details of those who have been designated to be available at all times to receive and act upon the ship-to-shore security alerts, referred to in Regulation 10(2)(a);
- (d) the names and contact details of those who have been designated to be available at all times to receive and act upon any communications from Contracting Governments exercising control and compliance measures: and
- (e) the names and contact details of those who have been designated to be available at all times to provide advice or assistance to ships and to whom ships can report any security concerns, referred to in Regulation 8;

and thereafter update such information as and when changes relating thereunto occur.

(2) The Government shall, not later than the date referred in sub-regulation (1), communicate to the Organization the names and contact details of any recognized security organizations authorized to act on their behalf together with details of the specific responsibility and conditions of authority delegated to such organizations. Such information shall be updated as and when changes relating thereto occur.

(3) The Belize Port Authority shall, not later than the date referred to in sub-regulation (1), communicate to the Organization a list showing the approved port facility security plans for the facilities located within their territory together with the location or locations covered by each approved port facility security plan and the corresponding date of approval and thereafter shall further communicate when any of the following changes take place.

- (a) changes in the location or locations covered by an approved port facility security plan that are to be introduced or have been introduced. In such cases the information to be communicated shall indicate the changes in the locations or locations covered by the plan and the dates as of which such changes are to be introduced or were implemented;
- (b) an approved port facility security plan, previously included in the list submitted to the Organizations, that is to be withdrawn or has been withdrawn. In such cases, the information to be communicated shall indicate the date on which the withdrawal will take effect or was implemented. In these cases, the communication shall be made to the Organization as soon as is practically possible; and

- (c) additions that are to be made to the list of approved port facility security plans. In such cases, the information to be communicated shall indicate the location or locations covered by the plan and the date of approval.

(4) The Government shall, at five year intervals after 1 July 2004, communicate to the organization a revised and updated list showing all the approved port facility security plans for the port facilities located within their territory together with the location or locations covered by each approved port facility security plan and the corresponding date of approval (and the date of approval of any amendments thereto) which will supersede and replace all information communicated to the Organization, pursuant to sub-regulation (3), during the preceding five years.

(5) The Belize Port Authority shall communicate to the Organization information that an agreement under Regulation 26 has been concluded. The information communicated shall include:

- (a) the names of the Governments which have concluded the agreement;
- (b) the port facilities and the fixed routes covered by the agreement;
- (c) the periodicity of review of the agreement;
- (d) the date of entry into force of the agreement;
and
- (e) information on any consultations which have taken place with other Governments;

and thereafter shall communicate, as soon as practically possible, to the Organization information when the agreement has been amended or has ended.

Enforcement

Requirement to
provide
information.

29.—(1) Without prejudice to Regulation 20, but subject to section 9.8 and 9.9 of Part A of the ISPS Code (ship security plans not subject to inspection except in limited circumstances) the Belize Port Authority may, by notice in writing served on any of the following persons—

- (a) the owner, charterer, manager or master of any ship which is in, or appears to the Belize Port Authority to be likely to enter, a port facility;
- (b) a port facility operator;
- (c) any person who carries on operations in a port facility; and
- (d) any person who is permitted to have access to a restricted zone of a port facility for the purposes of the activities of a business carried on by him;

require that person to provide the Belize Port Authority with such information specified in the notice as the Belize Port Authority may require in connection with the exercise by the Belize Port Authority of its functions under this Part.

(2) A notice under sub-regulation (1) shall specify a date before which the information required by the notice is to be furnished to the Belize Port Authority.

(3) Any such notice may also require the person on whom it is served, after he has furnished to the Belize Port Authority the information required by the notice, to inform the Belize Port Authority if at any time the information previously furnished to the Belize Port Authority (including any information furnished in pursuance of a requirement imposed by virtue of this sub-regulation) is rendered inaccurate by any change of

circumstances (including the taking of any further measures for purposes of this Part or the alteration or discontinuance of any measures already being taken).

(4) In so far as such a notice requires further information to be furnished to the Belize Port Authority in accordance with sub-regulation (3), it shall require that information to be furnished to it before the end of such period as is specified in the notice for the purposes of this sub-regulation.

(5) A notice served on a person under sub-regulation (1) may at any time—

(a) be revoked by a notice in writing served on him by the Belize Port Authority; or

(b) be varied by a further notice under sub-regulation (1).

(6) Any person who—

(a) without reasonable excuse, fails to comply with a requirement imposed on him by a notice under this Regulation; or

(b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes statement which is false in a material particular;

shall be guilty of an offence.

Powers of
inspection.

30.—(1) An authorised person shall have power, on production (if required) of his credentials, to inspect—

(a) any ship while in a port facility

(b) any part of any port facility; or

- (c) any land outside a port facility which is occupied for the purposes of a business by a person who—
 - (i) carries on (or appears to the authorised person to be about to carry on) harbour operations in a port facility for the purposes of that business; or
 - (ii) is permitted (or appears to the authorised person to be about to be permitted) to have access to a restricted zone of a port facility for the purposes of the activities of that business.

(2) An authorised person inspecting a ship or any part of a port facility or any land outside a port facility under sub-regulation (1) above shall have power—

- (a) to subject any property by him on the ship or, as the case may be, to subject that part of the port facility or any property found by him there or on that land, to such tests;
- (b) to take such steps—
 - (i) to ascertain what practices or procedures are being followed in relation to security; or
 - (ii) to test the effectiveness of any practice or procedure relating to security; or
- (c) to require the owner, charterer, manager or master of the ship, the port facility operator or the occupier of the land to furnish to him such information;

as the authorised person may consider necessary for the purpose for which the inspection is carried out.

(3) Subject to sub-regulation (4), an authorised person, for the purpose of exercising any power conferred on him by sub-regulation (1) or (2) in relation to a ship, in relation to a port facility in relation to any land outside a port facility, shall have power—

- (a) for the purpose of inspecting a ship, to go on board it and to take all such steps as are necessary to ensure that it is not moved; or
- (b) for the purpose of inspecting any part of a port facility, to enter any building or works in the port facility or enter upon any land in the port facility; or
- (c) for the purpose of inspecting any land outside a port facility, to enter upon the land and to enter any building or works on the land.

(4) The powers conferred by sub-regulation (3) shall not include power for an authorised person to use force for the purpose of going on board any ship, entering any building or works or entering upon any land.

(5) Any person who—

- (a) without reasonable excuse, fails to comply with a requirement imposed on him under sub-regulation (2) (c); or
- (b) in furnishing any information so required, makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular;

shall be guilty of an offence.

False statements
relating to
baggage, cargo,
etc.

31.—(1) A person shall be guilty of an offence if, in answer to a question which—

- (a) relates to any baggage, cargo or stores (whether belonging to him or to another) that is or are intended for carriage by sea or by any ship to or from Belize; and
- (b) is put to him for purposes of this Part—
 - (i) by any of the persons mentioned in sub-regulation (2);
 - (ii) by any employee or agent of such a person in his capacity as employee or agent; or
 - (iii) by a constable;

He makes a statement which he knows to be false in a material particular, or recklessly makes a statement which is false in a material particular.

(2) The persons referred to in sub-regulation (1) (b) are—

- (a) a port facility operator;
- (b) the owner, charterer or manager of any ship; and
- (c) any person who—
 - (i) is permitted to have access to a restricted zone of a port facility for the purposes of the activities of a business carried on by him; and

- (ii) has control in that restricted zone over the baggage, cargo or stores to which the question relates.

(3) In this section—

“cargo” includes mail;

“ship” does not include a ship used in a naval, customs or police service; and

“stores” means any goods intended for sale or use in a ship, including fuel and spare parts and other articles of equipment, whether or not for immediate fitting.

32.—(1) A person shall be guilty of an offence if—

- (a) for the purpose of, or in connection with, an application made by him or another for the issue of an identity document to which this sub-regulation applies; or
- (b) in connection with the continued holding by him or another of any such document which has already been issued;

False statements
in connection
with identity
documents.

he makes to any of the persons specified in sub-regulation (3), to any employee or agent of such a person or to a constable, a statement which he knows to be false in a material particular, or recklessly makes to any of those persons, to any such employee or agent or to a constable, a statement which is false in a material particular.

(2) Sub-regulation (1) applies to any identity document which is to be or has been issued by any of the persons specified in sub-regulation (3) for the purposes of a ship security plan or a port facility security plan.

(3) the persons referred to in sub-regulation (1) are—

- (a) a port facility operator;
- (b) the owner, charterer or manager of any ship; and
- (c) any person who is permitted to have access to a restricted zone of a port facility for the purposes of the activities of a business carried on by him.

Unauthorized presence in restricted zone.

33.-(1) A person shall not—

- (a) go, with or without a vehicle or vessel, onto or into any part of a restricted zone of a port facility except with the permission of the port facility operator or a person acting on behalf of the port facility operator and in accordance with any conditions subject to which that permission is for the time being granted; or
- (b) remain in any part of such a restricted zone after being requested to leave by the port facility operator or a person acting on behalf of the port facility operator.

(2) Sub-regulation (1) (a) does not apply unless it is proved that, at the material time, notices stating that the area concerned was a restricted zone were posted so as to be readily seen and read by persons entering the restricted zone.

(3) A person who contravenes sub-regulation (1) shall be guilty of an offence.

Offences relating to authorized persons.

34. A person who—

- (a) intentionally obstructs an authorised person acting in the exercise of a power conferred on him by or under these Regulations; or

- (b) falsely pretends to be an authorised person;
shall be guilty of an offence.

35.—(1) Notwithstanding anything contained in section 21 (e) of the Interpretation Act, a person guilty of an offence under this Part is liable—

Penalties,
defences, etc.
CAP. 1.

- (a) on summary conviction, to a fine not exceeding fifty thousand dollars;
- (b) on conviction on indictment, to a fine not exceeding one hundred thousand dollars or to imprisonment for a term not exceeding two years or to both.

(2) It shall be a defence for a person charged under sub-regulation (1) to show that he took all reasonable precautions and exercised all due diligence to avoid the commissions of the offence.

(3) Where an offence under this section is committed or would have been committed save for the operation of sub-regulation (2), by any person due to the act or default of some other person, that other person is guilty of the offence and a person may be charged with and convicted of an offence by virtue of this sub-regulation whether or not proceedings are taken against the first mentioned person.

PART III

Continuous Synopsis Record

36.—(1) This Regulation applies to all ships engaged on international voyages, except—

Continuous
Synopsis Record.

- (a) ships of war and troop ships;
- (b) cargo ships of less than 500 tons;

- (c) ships not propelled by mechanical means;
- (d) wooden ships of primitive build;
- (e) pleasure vessels not engaged in trade; and
- (f) fishing vessels.

(2) (a) All ships shall be provided with a Continuous Synopsis Record for the purpose of providing an on-board record of the history of the ship with respect to the information recorded therein.

- (b) For ships constructed before 1 July 2004, the Continuous Synopsis Record shall, at least, provide the history of the ship as from 1 July 2004.

(3) The Continuous Synopsis Record shall be issued by the Administration to each ship and it shall contain at least, the following information:

- (a) the name of the flag State;
- (b) the date on which the ship was registered with that State;
- (c) the ship's identification number;
- (d) the name of the ship;
- (e) the port at which the ship is registered;
- (f) the name of the registered owner(s) and their registered address(es);
- (g) the name of the registered bareboat charterer(s) and their registered address(es), if applicable;

- (h) the name of the Company, its registered address and the address and the address(es) from where it carries out the safety management activities;
- (i) the name of all classification society(ies) with which the ship is classed;
- (j) the name of the Contracting Government or of the recognized organization which has issued the Document of Compliance (or the Interim Document of Compliance), specified in the ISM Code, to the Company operating the ship and the name of the body which has carried out the audit on the basis of which the document was issued, if other than that issuing the document;
- (k) the name of the Contracting Government or of the recognized organization that has issued the Safety Management Certificate (or the Interim Safety Management Certificate), specified in the ISM Code, to the ship and the name of the body which has carried out the audit on the basis of which the certificate was issued, if other than that issuing the certificate;
- (l) the name of the Contracting Government or of the recognized security organization that has issued the International Ship Security Certificate (or an Interim International Ship Security Certificate), specified in Part A of the ISPS Code, the ship and the name of the body which has carried out the verification on the basis of which the certificate was issued, if other than that issuing the certificate; and
- (m) the date on which the ship ceased to be registered with the flag state.

(4) The Continuous Synopsis Record shall be kept on board the ship and shall be available for inspection at all times.

(5) (a) any changes relating to the entries referred to in paragraphs (d) to (m) of sub-regulation (3) shall be recorded in the Continuous Synopsis Record so as to provide updated and current information together with the history of the changes.

(b) in case of any changes relating to the entries referred to in paragraph (a), the Administration shall issue, as soon as is practically possible but not later than three months from the date of the change, to the ships entitled to fly its flag either revised and updated version of the Continuous Synopsis Record of appropriate amendments thereto;

(c)(i) in case of any changes relating to the entries referred to in paragraph (a), the Administration, pending the issue of a revised and updated version of the Continuous Synopsis Record, shall authorize and require either the Company or the master of the ship to amend the Continuous Synopsis Record to reflect the changes;

(ii) in such cases after the Continuous Synopsis Record has been amended the Company shall, without delay, inform the Administration accordingly.

(6) (a) The Continuous Synopsis Record shall be in the format developed by the Organization and shall be maintained in accordance with guidelines developed by the Organization. Any previous entries in the Continuous Synopsis Record shall not be modified, deleted or, in any way, erased or defaced.

37.-(1) Whenever a ship is transferred to the flag of another State, or the ship is sold to another owner (or is taken over by

Transfer of flag
by ship.

another bareboat charterer) or another Company assumes the responsibility for the operation of the ship, the Continuous Synopsis Record shall be left on board.

(2) When a ship is to be transferred to the flag of another State, the Company shall notify the Administration of the name of the State under whose flag the ship is to be transferred so as to enable the Administration to forward to that State a copy of the Continuous Synopsis Record covering the period which the ship was under their jurisdiction.

(3) When a ship is transferred to the flag of another State the Government of which is a Contracting Government, the one Administration shall transmit to the other Administration as soon as possible after the transfer takes place a copy of the relevant Continuous Synopsis Record covering the period during which the ship was under its jurisdiction together with any Continuous Synopsis Records previously issued to the ship by other States.

(4) When a ship is transferred to the flag of another State, the Administration shall append the previous Continuous Synopsis Records to the Continuous Synopsis Record the Administration will issue to the ships so as to provide the continuous history record intended by this Regulation.

38.—(1) It shall be an offence by the company, in relation to each of its ships, not—

Offences and penalties.

- (a) to provide to the Administration the information required by subregulation (3) if requested by the Administration;
- (b) to inform the Administration of the changes referred to in subregulation (5);
- (c) to make changes in the Continuous Synopsis Record as is required to be made under subregulation (5) (c);

- (d) to inform the Administration as is required by sub-regulation (5) (c) (ii); or
- (e) to ensure that the Continuous Synopsis Record is left on the ship and is available for inspection as required by subregulation (4);

and any such offence shall be punishable by a fine not exceeding fifty thousand dollars.

(2) It shall be an offence by the master not to—

- (a) make any changes in the Continuous Synopsis Record as he is required to make under subregulation (5) (c);
- (b) to ensure the Continuous Synopsis Record is left on the ship and is available for inspection as required by sub-regulation (4);

and any such offence shall be punishable by a fine not exceeding twenty-five thousand dollars.

Commencement.

39. These Regulations shall come into force on the 1st day of June, 2004.

MADE by the Minister responsible for Ports, this 1st day of June, 2004.

(VALDO MARIN)
Minister responsible for Ports,
Minister of Health and Communications