

REGISTRATION OF MERCHANT SHIPS (SHIP SECURITY) REGULATIONS, 2004

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BELIZE:

STATUTORY INSTRUMENT

No. 90 of 2004

REGULATIONS made by the Minister responsible for the International Merchant Marine Registry of Belize in exercise of the powers conferred upon him by section 24 of the Registration of Merchant Ships Act, Chapter 236 of the Laws of Belize, Revised Edition 2000, and all other powers thereunto him enabling.

(Gazetted 30th April, 2004.)

PART I

PRELIMINARY

1. These Regulations may be cited as the Short title

**REGISTRATION OF MERCHANT SHIPS
(Ship Security) Regulations, 2004.**

2. (1) In these Regulations, unless the context otherwise requires: Interpretation

“authorised person” means a person authorised in writing by or on behalf of IMMARBE for the purposes of these Regulations;

“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 includes such types as ore carriers and combination carriers;

“Certificate” means an International Ship Security Certificate and “Interim Certificate” means an Interim International Ship Security Certificate issued in accordance with Part A of the ISPS Code;

“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 a ship or any other organisation 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 and these Regulations;

“company security officer” means the person designated by the company for ensuring that a ship security assessment is carried out and 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;

“Continuous Synopsis Record” means the Continuous Synopsis Record issued by IMMARBE to a ship for the purpose of providing an on-board record of the history of the ship with respect to the information recorded therein;

“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;

“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;

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

“IGC Code” means the International Gas Carrier 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 Safety Management Code for the safe operation of ships and for pollution prevention as adopted by the IMO by Resolution A.741 (18), together with any amendments which may be in effect with respect to Belize;

“ISPS Code” means the International Ship and Port Facility Security Code, as adopted on 12 December 2002, by resolution 2 of the Conference of Contracting

Governments to the Convention and any amendments that may be 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;

“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-1 of the Convention, when it is carrying a cargo or part cargo of oil in bulk;

“Organisation” or “IMO” means the International Maritime Organization;

“recognised security organisation” means an organisation with appropriate expertise in security matters and with appropriate knowledge of ship and port operations authorised to carry out an assessment, or a verification, or an approval or a certification activity, under Part A of the ISPS Code;

“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;

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

“ship” includes mobile offshore drilling units and high-speed craft;

“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 security plan” means a plan required under regulation 5 of these Regulations;

“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;

“the Convention” means the International Convention for the Safety of Life at Sea, 1974, as amended;

“tons” means gross tonnage.

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

(3) In these Regulations, where any reference is 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 these Regulations, references to the Administration shall, in relation to Belize ships, be references to IMMARBE.

PART II**SPECIAL MEASURES TO ENHANCE
MARITIME SECURITY**

Application. 3. (1) Subject to subregulation (2) below, this Part applies to the following types of ships engaged in international voyages:

- (i) passenger ships, including high-speed passenger craft;
- (ii) cargo ships, including high-speed craft, of 500 gross tons or more; and
- (iii) mobile offshore drilling units.

(2) 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:
responsibilities
of IMMARB.

4. (1) Without prejudice to any other duties under these Regulations, IMMARB shall:

- (a) in accordance with section 4 of Part A of the ISPS Code, set security levels and ensure the adequate provision of security level information to Belize ships;
- (b) when changes in security levels occur, update security level information as appropriate;

- (c) indicate when a Declaration of Security is required for a Belize ship;
- (d) approve a ship security plan and any relevant amendments to a previously approved ship security plan.

(2) IMMARBE may delegate its responsibilities under this Part to a recognised security organisation, except that the following shall not be delegated:

- (a) setting of the applicable security level for ships;
- (b) exercising control and compliance measures pursuant to regulation 19;
- (c) establishing the requirements for a Declaration of Security.

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

**Requirements
for
companies.**

- (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 of a ship has available on board, at all times, information through which officers duly authorised 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 a 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 a charter party or parties, determine 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.

Ship security plans.

6. (1) Every ship security plan or amendment thereto shall be submitted to IMMARBE, or to a recognised security organisation it authorises on its behalf, for approval in accordance with section 9 of Part A of the ISPS Code.

(2) A recognised security organisation authorised under subregulation 4 (2) above, shall not be involved in the preparation of the ship security plan or the amendment in question.

(3) IMMARBE 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 IMMARBE and any such changes shall be at least as effective as those measures prescribed in this Part and in Part A of the ISPS Code.

(4) Any company which does not comply with subregulation (1) above, or otherwise fails to comply with section 9 of Part A of the ISPS Code, shall be guilty of an offence.

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

Company security officer.

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

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

Ship security officer.

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

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

Requirements for ships.

(2) Prior to entering a port or whilst in a port within the territory of any other State, the master of a ship shall comply with the requirements for the security level set by that State, if such security level is higher than the security level set by IMMARBEE 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 applicable to that ship set by IMMARBEE or by another Contracting Government, then the master of the ship shall notify the appropriate competent authority prior to conducting any ship/port interface or prior to entry into port, whichever occurs earlier.

(5) Where a breach of this regulation takes place 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 IMMARBE, which in these circumstances, may include the company, identifying the ship and its location, and indicating that the security of the ship is under threat or that 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)* continue the ship security alert system until deactivated or reset.

(3) The ship 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 Organisation.

(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 requirement 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 Convention provided that all the requirements of this regulation have been satisfied.

(6) Where IMMARBE receives notification of a ship security alert relating to a ship entitled to fly the flag of Belize, it shall immediately notify the States in the vicinity of which the ship is presently operating.

(7) Any contravention of subregulations (1) to (4) above shall be an offence by the company and the master of a ship.

11. (1) Contracting Governments shall set security levels

Threats to ships.

and ensure the provision of security-level information to ships operating in their territorial sea or having communicated an intention to enter their territorial sea.

(2) Contracting Governments 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 Contracting Government concerned shall advise the ships concerned and their Administration of:

(a) the current security level;

(b) any security measures that should 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 coastal State has decided to put in place, as appropriate.

Master's discretion for ship safety and security.

12. (1) The master of a Belize ship shall not be constrained by the company, the charterer or any other person from taking or executing any decision which, in the professional judgment of the master, is necessary to maintain the safety and security of the ship, and this includes denial of access to persons, except those identified as duly authorised by a Contracting Government, or their effects and refusal to load cargo, including containers or other closed cargo transport units.

(2) Where, in the professional judgment of the master, a conflict between any safety and security requirements applicable to a ship arises during its operations, the master shall give effect to those requirements necessary to maintain the

safety of the ship.

(3) In cases specified in subregulation (2) above, the master may implement temporary security measures and shall forthwith inform IMMARBE and, where appropriate, the Contracting Government in whose port the ship is operating or intends to enter.

(4) Any such temporary security measures under this regulation shall, to the highest possible degree, be commensurate with the prevailing security level and where such cases are identified, IMMARBE shall ensure that such conflicts are resolved and that the possibility of recurrence is minimised.

13. (1) All Belize 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.

**Verification
for ships.**

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

(3) The security system and any associated security equipment of a ship after verification shall be maintained so as to conform with the provisions of regulations 5 and 10 of these Regulations, and also of Part A of the ISPS Code and of the approved ship security plan and, after any verification under subregulation (1) of this regulation, 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 IMMARBE.

(4) Any contravention of subregulation (1) or (3) above shall be an offence by both the company and the master of the ship.

14. (1) When an initial or renewal verification is satis-

**Issue
endorsement
duration and
validity of
certificate.**

factorily completed pursuant to regulation 13 of these Regulations, IMMARBE or a recognised security organisation acting on its behalf shall issue or, as the case may be, endorse a Certificate.

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

(3) The duration and validity of a Certificate shall be in accordance with section 19.3 of Part A of the ISPS Code.

**Issue and
endorsement
of certificates
by another
Government.**

15. (1) IMMARBE may request another Contracting Government to verify the ship and, if satisfied that the provisions of section 19.1.1 of the ISPS Code are complied with, to issue or authorise the issue of a Certificate to the ship and, where appropriate, endorse or authorise the endorsement of that Certificate on the ship, in accordance with the ISPS Code.

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

**Certificates
issued or
endorsed on
behalf of
another
Government.**

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

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

17. (1) After 1 July 2004, where the following takes place:

**Interim
certification.**

- (a) a ship does not have a Certificate on delivery or prior to its entry or re-entry into service;
- (b) the transfer of a ship from the flag of another Government to IMMARBE;
- (c) a company assumes the responsibility for the operation of a ship not previously operated by that company,

then, until the Certificate referred to in regulation 14(1), 15(1) or 16(1) of these Regulations is issued, IMMARBE may cause an Interim Certificate to be issued in a form corresponding to the model given in the appendix to Part A of the Code.

(2) An Interim Certificate shall be issued only if IMMARBE or a recognised security organisation on its behalf is satisfied that the conditions specified in sections 19.4.2.1 to 19.4.2.7 of Part A of the ISPS Code have been met.

(3) An Interim Certificate may be issued by IMMARBE or by a recognised security organisation authorised to act on its behalf.

(4) An Interim Certificate shall be valid for 6 months, or until the Certificate required under regulations 14(1), 15(1) or 16(1) of these Regulations is issued, whichever comes first, and may not be extended.

(5) No subsequent consecutive Interim Certificate shall be issued to a ship if, in the judgment of IMMARBE or the recognised security organisation, one of the purposes of the ship or a company in requesting such a Certificate is to avoid full compliance with this Part beyond the period of the initial Interim Certificate as specified in subregulation (1) of this regulation.

Prohibition
on proceeding
to sea
without an
appropriate
certificate.

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

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

PART III

CONTROL AND COMPLIANCE MEASURES

Ships
intending to
enter a port.

19. (1) Every Belize ship to which this Part applies, intending to enter the port of another Contracting Government, shall provide the following information on the request of the officers duly authorised by that Government to ensure compliance with this Part prior to entry into port with the aim of avoiding the need to impose control measures or steps:

- (a) the ship's valid Certificate and the name of the 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 timeframe specified in subregulation (5) of this regulation;
- (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 timeframe specified in subregulation (5) of this regulation;
- (e) that the appropriate ship security procedures

were maintained during any ship to ship activity within the timeframe specified in subregulation (5) of this regulation; or

(f) other practical security related information which are not details of the ship security plan, taking into account the guidance given in Part B of the ISPS Code.

(2) Where requested by the officers duly authorised by that Government under subregulation (1) above, a ship or the company shall provide confirmation, acceptable to it, of the information required above.

(3) Every ship to which this Part applies intending to enter the port of another Contracting Government shall provide the information described in subregulation (1) above on the request of any duly authorised officer by that Government.

(4) The master of a ship may decline to provide such information on the understanding that failure to do so may result in denial of entry into port.

(5) A ship shall keep records of the information referred to in subregulation (1) above for the last ten (10) calls at port facilities.

20. IMMARBE may allow a particular ship or a group of Belize ships to implement other security measures equivalent to those prescribed in these Regulations or in Part A of the ISPS Code, provided such security measures are at least as effective as those prescribed in these Regulations or Part A of the ISPS Code and IMMARBE, where it allows such security measures, shall communicate particulars of same thereof to the Organisation.

Equivalent security arrangements.

21. (1) Each Contracting Government shall, not later than 1

Communication of information.

July 2004, communicate to the Organisation and shall make available for the information of companies and ships:

- (a) the name and contact details of their national authority responsible for ship security;
- (b) 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) of these Regulations;
- (c) 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
- (d) 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 11(2) of these Regulations;

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

(2) The Government shall, not later than the date referred to in subregulation (1) of this regulation, communicate to the Organisation, the names and contact details of any recognised security organisations authorised to act on their behalf together with details of the specific responsibility and conditions of authority delegated to such organisations and such information shall be updated as and when changes relating thereto occur.

(3) Where IMMARBEE allows, under the provisions

of regulation 20 of these Regulations, any equivalent security arrangements with respect to a ship entitled to fly its flag, it shall communicate to the Organisation particulars thereof.

PART IV

CONTINUOUS SYNOPSIS RECORD

22. (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) 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 and shall contain, at least, the following information:

- (a)* the name of Belize;
- (b)* the date on which the ship was registered with Belize;
- (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 owners and their registered addresses;

- (g) the name of the registered bareboat charterers and their registered addresses if applicable;

- (h) the name of the company, its registered address and the address from where it carries out the safety management activities;

- (i) the name of all classification societies with which the ship is classed;

- (j) the name of IMMARBE or of the Contracting Government or of the recognised organisation 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 IMMARBE or of the Contracting Government or of the recognised organisation 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 IMMARBE or of the Contracting Government or of the recognised security organisation that has issued the Certificate or an

Interim Certificate specified in Part A of the ISPS Code to 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 Belize.

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

(4) Any changes relating to the entries referred to in paragraphs (d) to (m) of subregulation (2) above shall be recorded in the Continuous Synopsis Record so as to provide updated and current information together with the history of the changes.

(5) In case of any changes relating to the entries referred to in subregulation (4) of this regulation, IMMARBEL 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 the Belize flag, either a revised and updated version of the Continuous Synopsis Record or appropriate amendments thereto.

(6) In case of any changes relating to the entries referred to in subregulation (4) of this regulation, IMMARBEL, pending the issue of a revised and updated version of the Continuous Synopsis Record, shall authorise and require either the company or the master of the ship to amend the Continuous Synopsis Record to reflect the changes.

(7) Where changes have been made, and the Continuous Synopsis Record has been amended, the Company shall, without delay, inform IMMARBEL accordingly.

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

**Transfer of
flag by ship.**

23. (1) Where a ship is transferred to the flag of another State or the ship is sold to another owner or is taken over by another bareboat charterer or another company assumes the responsibility for the operation of the ship, the Continuous Synopsis Record shall be kept on board the ship.

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

(3) Where a ship is transferred to the flag of another State, the Government of which is a Contracting Government, IMMARBE shall transmit to that State 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 the jurisdiction of IMMARBE together with any Continuous Synopsis Records previously issued to the ship by other States.

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

(5) Any person who-

- (a) without reasonable excuse, fails to comply with a requirement imposed on him 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 a statement which is false in a material particular,

shall be guilty of an offence.

(6) It shall be an offence by the master of a ship not to -

- (a) make any changes in the Continuous Synopsis Record he is required to make under this regulation;
- (b) ensure that the Continuous Synopsis Record is left on the ship and is available for inspection as required under this regulation.

PART V

ENFORCEMENT

24. (1) IMMARBE may, by notice in writing served on the owner, charterer, manager or master of any Belize ship, require that person to provide IMMARBE with such information specified in the notice as IMMARBE may require in connection with the exercise by IMMARBE of its functions under this Part.

(2) A notice under subregulation (1) above shall specify a date before which the information required by the notice is to be furnished to IMMARBE.

**Requirement
to provide
information.**

(3) Any such notice may also require the person on whom it is served, after he has furnished to IMMARBE the information required by the notice, to inform IMMARBE if at any time the information previously furnished to IMMARBE, including any information furnished in pursuance of a requirement imposed by virtue of this subregulation, is rendered inaccurate by any change of circumstances including the taking of any further measures for the 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 IMMARBE in accordance with subregulation (3) above, IMMARBE 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 subregulation.

(5) A notice served on a person under subregulation (1) above may at any time -

(a) be revoked by a notice in writing served on him by IMMARBE or,

(b) be varied by a further notice under subregulation (1) of this regulation.

(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 a statement which is false in a material particular,

shall be guilty of an offence.

Powers of inspection.

25. (1) An authorised person shall have power, on production (if required) of his credentials, to inspect any Belize ship.

(2) An authorised person inspecting a ship under subregulation (1) above shall have power -

(a) to subject any property found by him on the ship including cargo and stores, to such inspections,

(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 a ship, to furnish to him such information,

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

(3) Subject to subregulation (4) below, an authorised person, for the purpose of exercising any power conferred on him under subregulation (1) or (2) of this regulation in relation to a ship, shall have power 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.

(4) The powers conferred under subregulation (3) above shall not include the power for an authorised person to use force for the purpose of going on board any ship.

- (5) Any person who -
- (a) without reasonable excuse, fails to comply with a requirement imposed on him under subregulation (2) (c) above, 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 in connection with identity documents.

26. (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 subregulation applies, or
- (b) in connection with the continued holding by him or another of any such document which has already been issued,

he makes to any of the persons specified in subregulation (3) below, 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) Subregulation (1) above applies to any identity document which is to be or has been issued by any of the persons specified in subregulation (3) below for the purposes of a ship security plan.

(3) The persons referred to in subregulations (1) and

(2) are -

- (a) the owner, charterer or manager of any ship, and
- (b) any person who is permitted to have access to a Belize ship for the purposes of the activities of a business carried on by him.

27. Any person who -

- (a) intentionally obstructs any 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.

28. Any contravention or breach of any of these Regulations shall be subject to the provisions of the Registration of Merchant Ships (Disciplinary) Regulations, 1999.

29. These Regulations shall come into force on the **1st day of May, 2004.**

MADE by the Minister responsible for the International Merchant Marine Registry of Belize this 26th day of April, 2004.



(RALPH H. FONSECA)
*Minister responsible for the
International Merchant Marine
Registry of Belize*

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Offences relating to authorised persons.

Application of S. I. 56/99
56/99.

Commencement.