



S.I. 2025 No. 28

**MERCHANT SHIPPING (UNDERWATER NOISE REDUCTION)  
REGULATIONS, 2025**

*Arrangement of Regulations*

PART I

PRELIMINARY

1. Citation
2. Definitions
3. Purpose
4. Application
5. Non-participating ships

PART II

SURVEY AND CERTIFICATION

6. IMO requirements
7. Authorizations
8. Surveys by Administration
9. Surveys
10. BUNRe Certificates for ships 400 GT and above

- 11. Arbitration
- 12. Certificate cancellations
- 13. Availability of certificates and other documents

### PART III

#### INSPECTIONS, DETENTIONS AND OFFENCES

- 14. Inspection of ships following a government request
- 15. General provisions on detention
- 16. Right of appeal and compensation
- 17. Offences
- 18. Service of documents on foreign companies
- 19. Enforcement and application of fines
- 20. Offences committed due to the act or default of another person
- 21. Offences by officers of bodies corporate
- 22. Defences
- 23. Transitional

---

FIRST SCHEDULE

*Barbados Water Noise Reduction Certificate*

SECOND SCHEDULE

*Endorsement of the Records*



## Merchant Shipping Act

(Act 2024–28)

**MERCHANT SHIPPING (UNDERWATER NOISE REDUCTION)  
REGULATIONS, 2025**

The Minister, in exercise of the powers conferred on him by section 1476 of the *Merchant Shipping Act*, makes the following Regulations:

## PART I

## PRELIMINARY

**Citation**

1. These Regulations may be cited as the *Merchant Shipping (Underwater Noise Reduction) Regulations, 2025*.

**Definitions**

2. In these Regulations,
- “Act” means *Merchant Shipping Act, 2024* (Act 2024-28);
- “Administration” means the Barbados Maritime Transport Administration;
- “Barbados Maritime Transport Administration” has the same meaning as in the Act;
- “Barbados Underwater Noise Reduction Certificate” means a certificate issued in respect of a ship in accordance with the Act and these Regulations, in the form set out in the *First Schedule*;
- “Barbados waters” has the same meaning as in the Act;

“bareboat charter terms” means the hiring of a ship for a stipulated period on terms that give the charterer possession and control of the ship, including the right to appoint the master and crew;

“certifying authority” means the Administration or a person authorized by the Administration;

“master” has the same meaning as in the Act;

“merchant shipping notice” means a notice described as such and issued in accordance with the Act, as amended;

“noise reducing system” means a system, application, mechanism or device that is used on a ship to control or reduce ship-generated noise;

“offshore terminal” means an installation situated away from the shore, where bulk, fluid or gas cargo is

(a) transferred between ships;

(b) loaded onto a ship after having been transported from the shoreline; or

(c) unloaded from a ship for transporting to the shoreline;

“operator” means a person registered in accordance with the Act as the owner of a Barbados ship;

“owner” in relation to a ship, includes a person, organization or manager, or a charterer on bareboat charter terms, who has assumed responsibility for the operation of the ship from the owner;

“ship” means a vessel operating in the maritime environment, and includes hydrofoil boats, aircushion vehicles, submersibles, floating craft, fixed or floating platforms, floating storage units and floating production storage and off-loading units; and

“ship-generated noise” means noise generated by a ship’s hull, operating machinery, propellers or any other part of a ship, but does not include noise emanating from people on board a ship.

**Purpose**

3. The objective of these Regulations is to protect the marine environment and marine life from the negative impacts of underwater noise generated from commercial ships.

**Application**

4.(1) Subject to paragraph (2) and except as otherwise provided in these Regulations, these Regulations apply to

- (a) Barbados ships participating in the Underwater Noise Reduction (Voluntary) Ship Survey and Certification Scheme;
- (b) foreign ships when in a port or in waters outside of a port within Barbados, where there is in force a written arrangement between the Government of Barbados and the government of the foreign State that their ships may participate in the Underwater Noise Reduction (Voluntary) Ship Survey and Certification Scheme; and
- (c) Barbados ships and foreign ships in Barbados waters, after the International Maritime Organization has officially adopted survey and certification requirements in respect of ship-generated noise reduction.

(2) These Regulations do not apply to

- (a) a warship;
- (b) a naval auxiliary ship; or
- (c) a ship owned or operated by a State that is being used only on government non-commercial service.

**Non-participating ships**

**5.** Barbados ships and foreign ships that are not participating in the Underwater Noise Reduction (Voluntary) Ship Survey and Certification Scheme shall comply with

- (a) the International Maritime Organization Marine Environment Protection Committee Guidelines for the Reduction of Underwater Noise from Commercial Shipping; and
- (b) any other applicable requirements in the Act or specified in a merchant shipping notice.

**PART II****SURVEY AND CERTIFICATION****IMO requirements**

**6.** When the International Maritime Organization has officially adopted survey and certification requirements in respect of ship-generated noise reduction, the Administration shall issue a merchant shipping notice in relation to them and specify in the notice any additional requirements in respect of ship-generated noise.

**Authorizations**

**7.(1)** An authorization by a certifying authority may be given conditionally or unconditionally.

(2) Conditions may impose limitations relating to

- (a) individual ships;
- (b) classes of ships; and
- (c) the extent of any survey to be carried out by that person.



---

**Surveys by Administration**

**8.(1)** The Administration may direct, in relation to an individual case or to a class of cases, that a survey, or a part of a survey, for the purpose of these Regulations is to be carried out by the Administration and not by another certifying authority.

(2) A certifying authority other than the Administration is not to be regarded as a servant or agent of the State, or as enjoying any status, immunity or privilege of the State, and its property is not to be regarded as property of, or held on behalf of, the Government of Barbados.

**Surveys**

**9.(1)** A ship of 400 gross tonnage or more that is engaged in international voyages is subject to the following surveys by the Authority or a certifying authority:

- (a) an initial survey before the ship is put into service or before the Barbados Underwater Noise Reduction Certificate is issued for the first time; and
- (b) another survey when the ship's noise controlling system is changed or replaced.

(2) Paragraph (1) does not apply to a fixed or floating platform, floating storage unit or floating production storage or off-loading unit.

**BUNRe Certificates for ships 400 GT and above**

**10.(1)** This regulation applies in relation to a ship that is of 400 gross tonnage or above, but does not apply in relation to a fixed or floating platform, a floating storage unit or a floating production storage and off-loading unit.

(2) A ship shall not be put into service for the first time, proceed on a voyage or, if she is already on a voyage, continue on the voyage, unless

- (a) the ship has been surveyed;

- (b) there is in force in relation to the ship a Barbados Underwater Noise Reduction Certificate;
- (c) the Certificate is carried on board the ship; and
- (d) the Certificate contains an endorsement, as prescribed in the *Second Schedule*.

### **Arbitration**

**11.(1)** If an applicant is dissatisfied for any reason with the outcome of a survey carried out for the purposes of these Regulations, the applicant may serve a written notice on the responsible person within 21 days of receiving notification of that outcome

- (a) stating that there is a dispute between them; and
  - (b) requesting that the dispute be referred to a single arbitrator.
- (2) Subject to paragraph (3), an arbitrator referred to in paragraph (1) shall be appointed by agreement between the applicant and the responsible person.
- (3) In default of agreement between the applicant and the responsible person, the arbitrator is to be a person appointed by the Chairman of the Chartered Institute of Arbitrators (Barbados Branch), or by a recognized maritime-industry-specific body, following a request made by
  - (a) a party, after giving written notice to the other party; or
  - (b) the parties jointly.
- (4) A person shall not be an arbitrator under this regulation unless that person is
  - (a) a person who holds a certificate of competency as
    - (i) a Class 1 Deck Officer; or
    - (ii) a Class 1 Marine Engineer Officer;

- 
- (b) a person who holds a certificate of competency equivalent to a certificate referred to in subparagraph (a);
  - (c) a naval architect;
  - (d) a practising barrister of not less than 5 years standing;
  - (e) a person with experience in shipping matters, of the fishing industry, or of activities carried on in ports; or
  - (f) a member of the Chartered Institute of Arbitrators (Barbados Branch).
- (5) An arbitrator appointed under this regulation has the powers of an inspector conferred by section 1058 of the Act.
- (6) The rules for arbitration set out in a merchant shipping notice apply, unless alternative procedures are agreed between the applicant and the responsible person before the commencement of arbitration proceedings.
- (7) In this regulation,
- (a) "applicant" means a person who makes an application for a survey required by these Regulations; and
  - (b) "responsible person" means the certifying authority responsible under these Regulations for the issuance or endorsement of the Barbados Underwater Noise Reduction Certificate in connection with which the survey was carried out.

### **Certificate cancellations**

**12.(1)** The Administration may cancel a Barbados Underwater Noise Reduction Certificate issued by, or at the request of, the Government of Barbados where it has reason to believe that

- (a) the certificate was issued on the basis of false or erroneous information; or
- (b) since a survey, the ship has sustained damage or is otherwise deficient in relation to its noise reduction capacity.

(2) The Administration may require that a Barbados Underwater Noise Reduction Certificate that has expired or has been cancelled be surrendered within such a time and in such a manner as the Administration may in writing direct.

(3) A person shall not

- (a) intentionally alter a certificate;
- (b) intentionally make a false certificate;
- (c) knowingly or recklessly provide false information in connection with a survey required under these Regulations;
- (d) with intent to deceive, use or lend a certificate or permit a certificate to be used by another person; or
- (e) fail to surrender a certificate when required to do so under paragraph (2).

#### **Availability of certificates and other documents**

**13.(1)** A Barbados Underwater Noise Reduction Certificate shall be readily available for examination at all times on board a ship referred to in regulation 10.

(2) An endorsement to a Barbados Underwater Noise Reduction Certificate referred to in regulation 10(2)(d) shall be readily available for examination at all times on board a ship referred to in regulation 10.

---

PART III

INSPECTIONS, DETENTIONS AND OFFENCES

**Inspection of ships following a government request**

**14.** Where a ship is inspected following receipt by the Administration of a request for an investigation of the ship from a government of a State other than Barbados, the Administration shall send a report of the inspection

- (a) to the government that requested the investigation; and
- (b) where the ship operates under the authority of the government of a State other than Barbados, to that government.

**General provisions on detention**

**15.(1)** Subject to paragraph (2), where a surveyor of ships has clear grounds for believing that, in relation to a ship,

- (a) a Barbados Underwater Noise Reduction Certificate is required to have been issued in respect of the ship but has not been issued, or has been issued but is not valid;
- (b) an endorsement to a Barbados Underwater Noise Reduction Certificate is required to be carried on board the ship, but is not carried; or
- (c) an offence under regulation 17 is being committed in respect of the ship;

the ship is liable to be detained by an authorized officer until a surveyor of ships is satisfied that it can proceed to sea without presenting an unreasonable threat of harm to the marine environment.

(2) A person who may detain a ship under paragraph (1) may permit the ship to proceed to sea for the purpose of proceeding to the nearest appropriate repair yard available.

- (3) A power under this regulation to detain a ship may be exercised only if the ship is
- (a) a Barbados ship;
  - (b) in a port or shipyard in Barbados;
  - (c) at an offshore terminal in Barbados waters;
  - (d) a fixed platform in Barbados waters; or
  - (e) a floating platform, a floating storage unit or a floating production storage and off-loading unit, in Barbados waters, other than a platform or unit that is in transit.
- (4) Section 1221 of the Act applies where a ship is liable to be detained under this regulation, as if
- (a) references to detention of a ship under the Act were references to detention of the ship under this regulation; and
  - (b) section 1221(7) of the Act were omitted.
- (5) Where a ship is liable to be detained under this regulation, the person detaining the ship shall serve on the master of the ship a detention notice that
- (a) states the grounds for the detention; and
  - (b) requires the terms of the notice to be complied with until the ship is released by a person referred to in section 1221(1) of the Act.
- (6) Where a ship other than a Barbados ship is detained, the Administration shall immediately inform the consul or diplomatic representative of the State whose flag the ship is entitled to fly or the appropriate maritime authorities of that State.
- (7) Where a ship is detained under paragraph (1), a person who has detained the ship shall, at the request of the owner or master, immediately release the ship
- (a) if no proceedings for an offence under regulation 17(1) are instituted within 7 days from the day on which the ship is detained;

- 
- (b) if proceedings for an offence under that Regulation were instituted within that period and are concluded without the owner or master being convicted;
  - (c) if either
    - (i) the sum of \$50 000 is paid to the Administration by way of security; or
    - (ii) security that, in the opinion of the Administration, is satisfactory and is for an amount not less than \$50 000 is given to the Administration;
  - (d) if the owner or master is convicted of an offence under that regulation and any costs or expenses ordered to be paid by that person, and any fine imposed on that person, have been paid; or
  - (e) the release is ordered by a court or tribunal referred to in Article 292 of the United Nations Convention on the Law of the Sea 1982, and any bond or other financial security ordered by the court or tribunal is posted.
- (8) The Administration shall repay any sum paid under paragraph (7)(c) or release any security given
- (a) if no proceedings for an offence under regulation 17(1) are instituted within 7 days from the day on which the sum is paid; or
  - (b) if proceedings for that offence were instituted within that period and are concluded without the owner or master being convicted.
- (9) Where a sum has been paid, or security has been given, by a person under paragraph (7)(c) and the owner or master is convicted of an offence under regulation 17(1), the sum paid or the amount made available under the security shall be applied as follows:
- (a) first, in payment of any costs or expenses ordered by the court to be paid by the owner or master;

- (b) next, in payment of any fine imposed by the court; and
- (c) then in repayment of any balance to the person who paid the sum or gave the security.

### **Right of appeal and compensation**

**16.** Regulations 15 to 17 of the *Merchant Shipping (Port State Control) Regulations, 2025* (S. I. 2025 No. 40) apply in relation to a detention notice served under these Regulations, with the modifications that

- (a) references to "inspector" are to be taken as references to the authority detaining the ship; and
- (b) references to "access refusal notice", "service of an access refusal notice" and "refusal of access" are omitted.

### **Offences**

**17.(1)** The owner and master of a ship referred to in regulation 4(1) each commit an offence if the ship fails to comply with

- (a) ISO/PAS 17208-1- Acoustics-Quantities standards;
- (b) ISO/DIS 16554 – Ship and Marine Technology underwater sound standards;
- (c) International Maritime Organization Marine Environment Protection Committee Guidelines for the Reduction of Underwater Noise from Commercial Shipping; or
- (d) underwater noise reduction requirements specified in these Regulations or in a merchant shipping notice.

(2) A contravention of regulation 10(2) or 13(3) constitutes an offence by the owner and the master of the ship.

(3) A person who commits an offence under these Regulations is liable

- (a) on summary conviction, to a fine of \$50 000; or



(b) on conviction on indictment, to a fine of \$100 000.

### **Service of documents on foreign companies**

**18.** Section 609 of the Act applies to proceedings for an offence under regulation 17 in the same manner as it applies to proceedings for an offence under section 647 of the Act.

### **Enforcement and application of fines**

**19.** Section 1211(1) of the Act applies to a fine for an offence under regulation 17 as if the reference in that section to proceedings against the owner or master of a ship for an offence under Division 2 of Part XXV of the Act were a reference to proceedings against the owner or master for an offence under regulation 17.

### **Offences committed due to the act or default of another person**

**20.** Where an offence under regulation 17 is committed, or would be committed but for the operation of regulation 22, by a person due to the act or default of another person, the other person also commits the offence, and may be charged with and convicted of the offence whether or not proceedings are taken against the first-mentioned person.

### **Offences by officers of bodies corporate**

**21.(1)** Where a body corporate commits an offence under regulation 17 and that offence is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or a person who was purporting to act in any such capacity, that person also commits the offence.

(2) Where the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of a member in connection with any management functions of that person as if he were a director of the body corporate.

**Defences**

**22.** In any proceedings for an offence under regulation 17, it is a defence for the person charged to prove that he took all reasonable steps and exercised all due diligence to avoid committing the offence.

**Transitional**

**23.** The underwater noise reduction requirements specified in these Regulations shall take effect 18 months after the entry into force of these Regulations.

**FIRST SCHEDULE***(Regulation 2)*

*Merchant Shipping (Underwater Noise Reduction) Regulations, 2025*  
(S.I. 2025 No. 28)

**BARBADOS UNDERWATER NOISE REDUCTION CERTIFICATE**

Certificate Number: \_\_\_\_\_

Ship Name: \_\_\_\_\_

IMO Number: \_\_\_\_\_

(This Certificate shall be supplemented by a Record of Underwater Noise Controlling Systems or Technologies)

Issued under the *Merchant Shipping Act, 2024* (Act 2024-28) and *Merchant Shipping (Underwater Noise Reduction) Regulations, 2025* (S.I. 2025 No. 28), under the authority of the Government of Barbados by the Ministry responsible for Shipping.

**Particulars of the Ship**

Name of the Ship:	
IMO number:	
Distinctive numbers or letters:	
Port of registry:	
Gross tonnage (ITC 69)	
Length:	

*First Schedule - (Cont'd)*

## THIS IS TO CERTIFY THAT:

1. the ship has been surveyed in accordance with the *Merchant Shipping (Underwater Noise Reduction) Regulations, 2025* (S.I. 2025 No. 28); and
2. the survey shows that the underwater noise control systems or technologies on the ship complies with Division 13, Part XXV, sections 631 and 633 for the *Merchant Shipping Act, 2024* (Act 2024-28).

When a certificate has been previously issued dated: \_\_\_\_\_

Issued at: \_\_\_\_\_

Date of issue: \_\_\_\_\_

**[official stamp]**

Signed: \_\_\_\_\_  
*Signature of the duly authorized official  
issuing the certificate*

Name of authorized official: \_\_\_\_\_

\*This certificate is issued by or on behalf of the Government of Barbados under the responsibility of Barbados as a flag State.

---

*First Schedule - (Cont'd)*

**Details of Underwater Noise Reducing System(s) or Technology(ies) installed**

Type(s) of underwater noise reducing system(s) or technology(ies) used:

--

Date(s) of application underwater noise reducing system(s) or technology(ies):

--

Name(s) of company(ies) and facility(ies)/location(s) where installed:

--

Name(s) of underwater noise reducing system(s) or technology(ies) manufacturer(s):

--

*First Schedule - (Cont'd)*

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued at: \_\_\_\_\_

Date of issue: \_\_\_\_\_

**[official stamp]**

Signed: \_\_\_\_\_  
*Signature of the duly authorized official  
issuing the certificate*

Name of authorized official: \_\_\_\_\_

\*This certificate is issued by or on behalf of the Government of Barbados under the responsibility of Barbados as a flag State.

*First Schedule - (Concl'd)*

## **RECORD OF UNDERWATER NOISE REDUCING SYSTEMS OR TECHNOLOGIES**

This Record shall be permanently attached to the Barbados Underwater Noise Reduction (BUNRe) Certificate

Issued under the *Merchant Shipping (Underwater Noise Reduction) Regulations, 2025* (S.I. 2025 No. 28) under the authority of the Government of Barbados by the Ministry responsible for Shipping.

### **Particulars of the Ship**

Name of the Ship:	
IMO number:	
Distinctive numbers or letters:	

**SECOND SCHEDULE***(Regulation 10(2)(d))*

*Merchant Shipping (Underwater Noise Reduction) Regulations, 2025*  
(S.I. 2025 No. 28)

**ENDORSEMENT OF THE RECORDS**

Certificate Number: \_\_\_\_\_

Issued under the *Merchant Shipping (Underwater Noise Reduction) Regulations, 2025* (S.I. 2025 No. 28) under the authority of the Government of Barbados by the Ministry responsible for Shipping.

**Particulars of the Ship**

Name of the Ship:	
IMO number:	
Distinctive numbers or letters:	



---

*Second Schedule - (Cont'd)*

THIS IS TO CERTIFY THAT:

A survey required in accordance with the *Merchant Shipping Act, 2024* (Act 2024-28) and the *Merchant Shipping (Underwater Noise Reduction) Regulations, 2025* (S.I. 2025 No. 28) found that the ship was in compliance with sections 631 and 633 of the Act.

Issued at: \_\_\_\_\_

Date of issue: \_\_\_\_\_

**[official stamp]**

Signed: \_\_\_\_\_  
*Signature of the duly authorized official  
issuing the certificate*

Name of authorized official: \_\_\_\_\_

*Second Schedule - (Concl'd)***Details of Underwater Noise Reducing System(s) or Technology(ies) installed**

Type(s) of underwater noise reducing system(s) or technology(ies) used:

--

Date(s) of installation of underwater noise reducing system(s) or technology(ies):

--

Name(s) of company(ies) and facility(ies)/location(s) where installed:

--

Name(s) of underwater noise reducing system(s) or technology(ies) manufacturer(s):

--

Made by the Minister this 23rd day of April, 2025.

G.P.I. GOODING-EDGHILL  
Minister responsible for Shipping