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MERCHANT SHIPPING (LOAD LINES) REGULATIONS, 2025

Arrangement of Regulations

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SCHEDULE

Merchant Shipping Act
(Act 2024–28)

MERCHANT SHIPPING (LOAD LINES) 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 (Load Lines) Regulations, 2025*.

Definitions

2.(1) In these Regulations,

“1966 Convention” means the International Convention on Load Lines, 1966;

“1988 Protocol” means the Protocol of 1988 relating to the 1966 Convention;

“Act” means the *Merchant Shipping Act, 2024* (Act 2024-28);

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

“alteration” includes a deterioration;

“amidships” in relation to a ship, means the middle of the ship's length;

“anniversary date” in relation to a certificate, means the day and the month of each year that correspond to the date of expiry of the certificate;

“appropriate load line” means the load line directed to be marked on a ship pursuant to regulation 7(2)(b) or, in the case of a ship not surveyed under these Regulations, pursuant to an International Load Line Certificate or an International Load Line Certificate (1966) that is in force, indicating the maximum depth to which the ship may be loaded in salt water in a particular zone or area and seasonal period;

“appropriate mark” means the appropriate load line, the deck-line and the load line mark;

“assigning authority” means the Minister or a person or organization authorized by the Administration, after consultation with the Minister, for the purposes of these Regulations;

“certificate” means an International Load Line Certificate or an International Load Line Certificate (1966);

“clearance” includes trans-hire;

“conditions of assignment” means conditions relating to construction, arrangement and stability with which a ship is required to comply in order to be assigned freeboards;

“Convention country” means

- (a) a country the government of which is party to the 1966 Convention or to the 1966 Convention, as amended by the 1988 Protocol; or
- (b) a territory to which the 1966 Convention or the 1966 Convention as amended by the 1988 Protocol extends;

“Convention-size” means

- (a) in relation to an existing ship, a size not less than 150 gross tons, ascertained in accordance with the law in force on 21st July, 1968; and
- (b) in relation to a new ship, a size of not less than 24 metres in length;

“exclusive surveyor” means a surveyor appointed by, and working exclusively for, an assigning authority;

“exemption certificate” means an International Load Line Exemption Certificate;

“existing ship” means a ship that is not a new ship;

“freeboards” means the distance measured vertically downwards at amidships from the upper edge of the deck-line described in regulation 19 to the position at which the upper edge of the load line appropriate to the freeboard is to be marked;

“freeboard deck” means

- (a) the uppermost complete deck exposed to weather and the sea that has permanent means of closing all openings open to the weather, and below which all openings in the sides of the ship are fitted with permanent means of watertight closing; or
- (b) at the request of the owner and with the approval of the Administration,
 - (i) a deck lower than that described in subparagraph (a) that is a complete and permanent deck that is continuous both in a fore and aft direction at least between the machinery space and peak bulkheads of the ship, at thwart ships; or
 - (ii) where the deck is stepped, the lowest line of the deck and the continuation of that line parallel to the upper part of the deck;

“International Load Line Certificate” means an International Load Line Certificate issued under the 1966 Convention, as amended by the 1988 Protocol;

“International Load Line Certificate (1966)” means an International Load Line Certificate issued under the 1966 Convention before the date when the 1988 Protocol entered into force in respect of the government of the parent country of the ship in question;

“International Load Line Exemption Certificate” means an International Load Line Exemption Certificate issued under the 1966 Convention, as amended by the 1988 Protocol;

“International Load Line Exemption Certificate (1966)” means an International Load Line Exemption Certificate issued under the 1966 Convention before the date when the 1988 Protocol entered into force in respect of the government of the parent country of the ship in question;

“international voyage” means a voyage between

- (a) a port in Barbados and a port outside Barbados; or
- (b) a port in a Convention country other than Barbados and a port in another country or territory that is outside Barbados;

“length” in relation to a ship, means the greater of

- (a) 96% of the total length of the ship on a waterline at 85% of the least moulded depth measured from the top of the keel; or
- (b) the length from the fore-side of the stem of the ship to the axis of the rudder stock on that waterline;

“load line” means a mark on a ship indicating the maximum depth to which the ship may be loaded;

“material date” in relation to a new or existing ship, means

- (a) where parent country of the ship is a Convention country other than Barbados, the date on which the 1966 Convention entered into force for that country; and
- (b) in relation to any other ship, the 21st July, 1968;

“merchant shipping notice” means a notice described as such and issued in accordance with the Act, and includes a reference to a merchant shipping notice amending that notice;

“Minister” means the Minister with responsibility for Shipping;

“moulded depth” in relation to a ship, means the vertical distance measured

- (a) in the case of a wood or composite ship, from the lower edge of the keel rabbet to the top of the freeboard deck beam at side;

- (b) if the form at the lower part of the midship section of the ship is of a hollow character or if thick garboards are fitted, from the point where the line of the flat of the bottom continued inwards cuts the side of the keel to the top of the freeboard deck beam at side;
- (c) in the case of a ship having rounded gunwales, from the top of the keel to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwale were of angular design;
- (d) if the freeboard deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, from the top of the keel to a line of reference extending from the lower part of the deck along a line parallel to the raised part of the deck; and
- (e) in any other case, from the top of the keel to the top of the freeboard deck beam at side;

“new ship” means a ship whose keel is laid, or that is at a similar stage of construction, on or after the material date;

“non-Barbados ship” means a ship registered in a country other than Barbados;

“parent country” in relation to a ship, means the country or territory in which the ship is registered or, if the ship is not registered, the country or territory whose flag the ship flies;

“pleasure vessel” has the same meaning as in the *Shipping (Domestic Vessels (Pleasure Vessels) Regulations, 2024* (S. I. 2024 No. 62);

“rake of keel” means the inclination of the keel to a horizontal baseline;

“sailing ship” means a ship designed to carry sail, whether as the sole means of propulsion or as a supplementary means;

“sea” means waters beyond Barbados’ territorial waters;

“surveyor” means a surveyor appointed by the Administration or an exclusive surveyor of another assigning authority;

“valid Convention certificate” means

- (a) an International Load Line Certificate or an International Load Line Exemption Certificate that is in force; or
- (b) an International Load Line Certificate (1966) or an International Load Line Exemption Certificate (1966) that is in force; and

“watertight” in relation to any part of a ship, means capable of preventing the passage of water in any direction.

(2) In determining, for the purposes of the definition “international voyage” in paragraph (1), the ports between which a voyage is made, no account shall be taken of any deviation by a ship from its intended voyage that is solely due to stress of weather or any other circumstance that the master, owner or any charterer of the ship could not have prevented or forestalled.

(3) Any reference in these Regulations to the 1966 Convention includes an amendment to it specified in a merchant shipping notice.

(4) For the purpose of the definition “length” in paragraph (1),

- (a) where the stem contour is concave above the waterline at 85% of the least moulded depth, both the forward terminal of the total length and the fore-side of the stem shall be taken at the vertical projection to that waterline of the aftermost point of the stem contour above that waterline; or
- (b) in a ship designed with a rake of keel, the waterline on which the length is measured shall be parallel to the designed waterline.

Purpose

3. The purpose of these Regulations is to enhance maritime safety by ensuring that ships are not loaded in excess of their safety loading limits, through implementation of the International Convention on Load Lines, 1966 and the Protocol of 1998 relating to that Convention.

Application

4.(1) Subject to paragraph (2), these Regulations apply to Barbados ships at any location and to other ships while they are within Barbados waters, other than

- (a) ships of war;
- (b) ships engaged solely in fishing;
- (c) pleasure vessels; and
- (d) ships that do not go to sea.

(2) These Regulations do not apply to any of the following ships under 80 net tons that are engaged solely in the coasting-trade and not carrying cargo:

- (a) tugs or salvage ships;
- (b) hopper barges or dredgers;
- (c) ships used by or on behalf of
 - (i) a marine and ports authority for the purpose of the authority's functions;
 - (ii) a Barbados Government department for fishery protection purposes,
 - (iii) a local fisheries committee for the regulation of sea fisheries within its district; or
 - (iv) a Barbados Government department for fishery or scientific research; and
- (d) ships in respect of which passenger certificates are in force specifying limits beyond which the ship is prohibited to ply, and that operate solely within those limits.

(3) These Regulations do not apply to a ship referred to in paragraph (2)(d) that is carrying cargo in accordance with the terms of the ship's passenger certificate that expressly authorize the carriage of cargo.

Exemptions

5.(1) Subject to paragraph (4), the Administration may exempt from these Regulations

- (a) a ship engaged on international voyages that embodies features of a novel kind, if the development of those features and their incorporation in the ship might be seriously impeded if the ship had to comply with these Regulations;
- (b) a ship plying on international voyages between near neighbouring ports if
 - (i) in its opinion, the sheltered nature and condition of the voyages makes it unreasonable or impracticable to apply these Regulations; and
 - (ii) it is satisfied that the government of each of the other countries to which the ship voyages concurs in that opinion.

(2) The Administration may exempt from these Regulations

- (a) a ship that is not a Convention-size ship; and
- (b) any other ship that does not ply on international voyages.

(3) Where a Barbados ship does not normally ply on international voyages but is required to undertake a single international voyage, the Administration may exempt the ship from these Regulations while it is engaged on that voyage.

(4) An exemption conferred under this regulation may be conferred subject to such conditions as the Administration thinks fit and, where any such exemption is conferred subject to conditions, the exemption shall not have effect unless those conditions are complied with.

General compliance

- 6.(1) A ship shall not proceed, or attempt to proceed, to sea unless
- (a) it has been surveyed in accordance with these Regulations;
 - (b) it is marked with the appropriate marks;
 - (c) it complies with the conditions of assignment applicable to it; and
 - (d) the ship's owner provides the information required by regulations 32 and 33 for the guidance of the master of the ship.
- (2) Paragraph (1) does not apply to a non-Barbados ship in respect of which a valid Convention certificate is produced.
- (3) A ship shall not be so loaded that
- (a) if the ship is in salt water and has no list, the appropriate load line on each side of the ship is submerged; or
 - (b) in any other case, the appropriate load line on each side of the ship would be submerged if the ship were in salt water and had no list.
- (4) A ship shall not proceed to sea unless it complies with paragraph (3).
- (5) Before a ship proceeds to sea from a port in Barbados, the master of the ship shall produce a valid Convention certificate to an officer of customs from whom a clearance for the ship is demanded for an international voyage.
- (6) For the purpose of this regulation, where a valid Convention certificate cannot be produced, the freeboard deck and the freeboard shall be determined in accordance with these Regulations and the appropriate load line shall be the maximum depth to which the ship may be loaded in salt water.

PART II

SURVEYS AND CERTIFICATES

Assignment of freeboards

7.(1) An assigning authority shall assign freeboards to a Barbados ship in accordance with the requirements of these Regulations.

(2) The assigning authority shall

- (a) determine the particulars of the freeboards to be assigned;
- (b) determine which of the load lines described in Part III are to be marked on the sides of the ship in accordance with the requirements of that Part;
- (c) determine the position where the load lines, the deck-line and the load line mark are to be marked; and
- (d) complete a copy of the record of particulars relating to the conditions of assignment.

(3) Where a passenger ship is marked with subdivision load lines and the lowest of those lines is lower than the line that is the appropriate load line, that subdivision load line shall have effect as if it were the appropriate load line for the purposes of these Regulations.

Initial renewal and annual surveys

8.(1) A Barbados ship shall be subject to

- (a) an initial survey before the ship is put into service that includes a complete inspection of its structure and equipment as required by these Regulations and that ensures that the arrangements, materials and scantlings comply fully with the requirements of these Regulations;

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- (b) a renewal survey at intervals not exceeding 5 years that ensures that the structure, equipment, arrangements, materials and scantlings comply fully with the requirements of these Regulations; and
 - (c) an annual survey within the period of 3 months before or after each anniversary date of the certificate to ensure that
 - (i) alterations have not been made to the hull or superstructures that would affect the calculations determining the position of the load line;
 - (ii) the fittings and appliances for the protection of openings, guard rails, freeing ports and means of access to crew's quarters are maintained in an effective condition;
 - (iii) the appropriate marks are correctly and permanently indicated; and
 - (iv) information is provided in accordance with regulations 32 and 33.
- (2) The owner and master of a ship shall ensure that after a survey referred to in paragraph (1) has been completed, no material alteration is made to the ship, her structure or equipment, without the approval of the assigning authority.
- (3) After a satisfactory annual survey referred to in paragraph (1)(c), the surveyor shall endorse the International Load Line Certificate or the International Load Line Certificate (1966) accordingly.

Issuance of certificates

- 9.(1) An assigning authority shall issue an International Load Line Certificate in respect of a Barbados ship that has been surveyed and marked in accordance with these Regulations.
- (2) An International Load Line Certificate shall be in the form prescribed by Annex III to the 1988 Protocol.

- (3) A ship shall not proceed, or attempt to proceed to sea, unless a certificate is in force in respect of that ship.
- (4) The Administration may request the government of a Convention country to survey a Barbados ship and, if that government is satisfied that the requirements of the Convention are complied with,
- (a) issue or authorize the issuance of an International Load Line Certificate in respect of the ship; or
 - (b) in the case of an annual survey required under regulation 8(1)(c), endorse or authorize the endorsement of the International Load Line Certificate or the International Load Line Certificate (1966) accordingly.
- (5) A certificate issued or an endorsement made in accordance with a request under paragraph (4) that contains a statement that it has been so issued or made has the same effect as if it had been issued by the Administration or made by a surveyor, respectively.
- (6) Where a ship has been transferred from the registry of the government of another country to the Barbados registry, an assigning authority may, subject to any survey requirements it considers to be necessary, issue an International Load Line Certificate for a period to be determined by the assigning authority, but for not longer than the period of validity of the certificate issued by or on behalf of the government of that other country, if it is satisfied that
- (a) the ship has already been subjected to the appropriate satisfactory initial renewal and annual surveys;
 - (b) the condition of the ship, including its structure and equipment, has been maintained so as to comply with the requirements of the 1966 Convention applicable to the ship;
 - (c) after a survey referred to in subparagraph (a) was completed, no material change has been made to the ship, including her structure and equipment, without the approval of the administration of that state; and

- (d) the intact stability information approved by or on behalf of the government of that state is in English and complies with the requirements of the International Maritime Organization's Resolution A. 167(ES.1V).

Duration and extension of certificates

10.(1) Subject to paragraphs (2) to (9), the duration of a certificate issued under these Regulations shall not exceed a period of 5 years from the date of completion of the initial or renewal survey referred to in regulation 8(1)(a) or (b).

- (2) When a renewal survey referred to in regulation 8(1)(b) is completed
 - (a) within 3 months before the expiry of the existing certificate, the new certificate shall be valid for a period that does not exceed 5 years from the expiry of the existing certificate;
 - (b) after the expiry of an existing certificate, the new certificate shall be valid for a period that does not exceed 5 years from the expiry of the previous certificate; or
 - (c) more than 3 months before the expiry of the existing certificate, the new certificate shall be valid for a period that does not exceed 5 years from the date of completion of the renewal survey.
- (3) If a certificate is issued for a period of less than 5 years, the assigning authority may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph (1), if the annual surveys applicable when a certificate is issued for a period of 5 years are carried out.
- (4) If, after a renewal survey, a new certificate cannot be issued to a ship before the expiry of its existing certificate, the assigning authority may extend the validity of the existing certificate for a period not exceeding 5 months, if there have been no alterations in the structure, equipment, arrangements, materials or scantlings that affect the ship's freeboard.
- (5) An extension under paragraph (4) shall be endorsed on the certificate.

(6) If, at the time when a certificate expires, a ship is not in a port in which it is to be surveyed, the assigning authority may extend the validity of the certificate for a period longer than 3 months from the date of expiry, for the purpose of allowing the ship to complete its voyage to the port in which she is to be surveyed.

(7) A ship to which an extension is granted under paragraph (6) shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of the extension to leave that port without having a new certificate.

(8) When a renewal survey is completed under paragraph (6), the new certificate shall be valid for a period of not more than 5 years from the expiry of the previous certificate before the extension was granted.

(9) A certificate issued to a ship engaged on short voyages that has not been extended under paragraph (3), (4), (6), (7) or (8) may be extended by the assigning authority for a period of not more than one month from the date of its expiry.

(10) When a renewal survey of a ship referred to in paragraph (9) is completed, the new certificate shall be valid for a period of not more than 5 years from the expiry of the previous certificate before the extension was granted.

(11) Notwithstanding paragraphs (2), (6), (7), (8) and (9), an assigning authority may issue a new certificate that is valid for a period of not more than 5 years from the date of completion of the renewal survey.

(12) If an annual survey is completed before the period specified in regulation 8(1)(c),

- (a) a new anniversary date shall be endorsed on the certificate that is not more than 3 months later than the date on which the annual survey was completed;
- (b) the subsequent annual survey required by regulation 8(1)(c) shall be completed at the intervals prescribed by that regulation using the new anniversary date; and

- (c) the expiry date of the certificate may remain unchanged if one or more annual surveys are carried out so that the maximum intervals between the surveys prescribed by regulation 8(1)(c) are not exceeded.

Surrender and cancellation of invalid certificates

11.(1) A certificate issued in respect of a Barbados ship ceases to be valid if

- (a) material alterations have taken place in the hull or superstructures of the ship that necessitate the assignment of an increased freeboard;
- (b) the fittings and appliances referred to in regulation 8(1)(c)(ii) are not maintained in an effective condition;
- (c) the certificate is not endorsed in accordance with regulation 8(3) to show the ship has been surveyed in accordance with regulation 8(1)(c);
- (d) the structural strength of the ship is lowered to such an extent that the ship is unsafe;
- (e) a new certificate is issued in respect of the ship; or
- (f) the ship ceases to be a Barbados ship.

(2) The Administration may cancel a certificate issued in respect of a Barbados ship if it is satisfied that

- (a) the certificate was issued on false or erroneous information;
- (b) information on the basis of which freeboards were assigned to the ship was incorrect in a material particular; or
- (c) the ship ceases to comply with the conditions of assignment relating to it.

(3) Where the Administration proposes to cancel a certificate, it shall first notify the owner in writing, specifying the grounds for the proposed cancellation.

(4) Subject to paragraph (5), the Administration shall not cancel a certificate until the owner has been given a reasonable opportunity to make representations, and the Administration has considered any representations made.

(5) Paragraph (4) does not apply where the Administration considers that urgent safety considerations so require.

(6) The Administration may require a certificate issued under these Regulations that has expired, ceased to be valid or has been cancelled to be surrendered as it directs.

(7) For the purposes of paragraph (3), a notification is in writing where the text of the notification is

- (a) transmitted by electronic means;
- (b) received in legible form; and
- (c) capable of being used for subsequent reference.

Issuance of exemption certificates

12.(1) Where a ship is exempted under regulation 5(1), (2) or (3), the Administration shall issue an International Load Line Exemption Certificate in respect of the ship in the form prescribed by the 1966 Convention, as amended by Annex III to the 1988 Protocol.

(2) Except in so far as the nature or terms of any such exemption require otherwise,

- (a) the ship shall be assigned freeboards in accordance with regulation 7;
- (b) the ship shall be subject to surveys in accordance with regulation 8; and
- (c) regulations 8 to 10 apply in relation to the exemption certificate in the same manner as they apply in relation to a certificate, subject to the substitution of references to the Administration for references in those regulations to an assigning authority.

Publication of load line certificate and notification of draughts

13.(1) Where a certificate or an exemption certificate is issued in respect of a Barbados ship, the owner and master of the ship shall ensure that it is kept legible and posted up in a conspicuous place on board the ship.

(2) Before a Barbados ship leaves a dock, wharf, harbour or other place for the purpose of proceeding to sea, the master of the ship shall, subject to paragraph (4), ensure that a notice is posted in a conspicuous place on board the ship, containing particulars relating to the depth to which the ship is loaded.

(3) Where a notice has been posted up in accordance with paragraph (2), the master of the ship shall cause it to be kept posted and legible until the ship arrives at another dock, wharf, harbour or place.

(4) Paragraph (2) does not apply to a ship employed on a near-coastal voyage.

Non-Barbados ships

14.(1) The Administration may, at the request of a government of a Convention country, survey a ship registered in that country and if it is satisfied that the requirements of the 1966 Convention, as amended by the 1988 Protocol, are complied with and that a survey has been satisfactorily completed in accordance with these Regulations, issue to the ship an International Load Line Certificate and, where appropriate, endorse the certificate in accordance with the requirements of that Convention and Protocol.

(2) A certificate issued in accordance with such a request shall contain a statement that it has been so issued and shall have the same effect as if it were issued by the requesting government.

PART III

LOAD LINE AND MARKS

Marking

15.(1) The deck-line and the load line mark whose position is determined under regulation 7(2)(c) shall be marked by the owner on each side of the ship in accordance with the directions of the assigning authority and the requirements of this Part.

(2) Where an exemption certificate is issued in association with the assignment of special freeboards that are less than those required by regulation 29, the ship shall be marked by the owner in accordance with regulation 22(4).

Deck-line

16.(1) The deck-line shall consist of a horizontal line 300 mm in length and 25 mm in width and shall be marked amidships on each side of the ship so as to indicate the position of the freeboard deck.

(2) Subject to paragraph (3), the deck-line shall be marked in such a position on the side of the ship that its upper edge passes through the point amidships where the continuation outwards of the upper surface of the freeboard deck, or of any sheathing of that deck, intersects the outer surface of the shell of the ship as shown in Figure 1 in the *Schedule*.

(3) Where the design of the ship or other circumstances render it impracticable to mark the deck-line in accordance with paragraph (2), the assigning authority may direct that it be marked by reference to another fixed point as near as practicable to the position described in paragraph (2).

Load line mark

17.(1) The load line mark shown in Figure 2 in the *Schedule* shall consist of a ring 300 mm in outside diameter and 25 mm wide, intersected by a horizontal

line 450 mm long and 25 mm wide, the upper edge of which passes through the centre of the ring.

(2) For the purposes of paragraph (1), the centre of the ring shall be marked amidships vertically below the deck-line so that, subject to regulation 31, the distance from the centre of the ring to the upper edge of the deck-line is equal to the summer freeboard assigned to the ship.

Load lines

18.(1) Subject to paragraph (4), the load lines shown in Figure 2 in the *Schedule* shall consist of horizontal lines 230 mm in length and 25 mm in width extending forward or abaft a vertical line 25 mm in width marked 540 mm forward of the centre of the ring of the load line mark and at right angles to that line.

(2) The individual load lines are

- (a) the summer load line, which shall extend forward of the vertical line referred to in paragraph (1), shall correspond horizontally with the line passing through the centre of the ring of the load line mark and shall be marked S;
- (b) the winter load line, which shall extend forward of that vertical line and be marked W;
- (c) the winter North Atlantic load line, which shall extend forward of that vertical line and be marked WNA;
- (d) the tropical load line, which shall extend forward of that vertical line and be marked T;
- (e) the fresh water load line, which shall extend abaft that vertical line and be marked F; and
- (f) the tropical fresh water load line, which shall extend abaft that vertical line and be marked TF.

(3) The maximum depth to which a ship may be loaded in relation to a load line referred to in paragraph (1) or (2) shall be the depth indicated by the upper edge of the appropriate load line.

(4) Where a ship is a sailing ship,

- (a) the summer load line shall consist of the line passing through the centre of the ring of the load line mark; and
- (b) the winter North Atlantic load line and fresh water load line shall be marked on the ship as shown in Figure 3 in the *Schedule*.

Timber load lines

19.(1) Timber load lines shall consist of horizontal lines of the dimensions specified in regulation 18(1), extending abaft or forward of a vertical line 25 mm in width and marked 540 mm abaft the centre of the ring of the load line mark and at right angles to that line as shown in Figure 4 in the *Schedule*.

(2) Individual timber load lines shall be as follows:

- (a) the summer timber load line shall extend abaft the vertical line referred to in paragraph (1) and be marked LS;
- (b) the winter timber load line shall extend abaft that vertical line and be marked LW;
- (c) the winter North Atlantic Timber load line shall extend abaft that vertical line and be marked LWNA;
- (d) the tropical timber load line shall extend abaft that vertical line and be marked LT;
- (e) the fresh water timber load line shall extend forward of that vertical line and be marked LF; and
- (f) the tropical fresh water timber load line shall extend forward of that vertical line and be marked LTF.

(3) The maximum depth to which a ship may be loaded in relation to a timber load line shall be the depth indicated by the upper edge of the appropriate timber load line.

Appropriate load line

20. The appropriate load line in respect of a ship at a zone or area and the seasonal period shall be ascertained in accordance with the 1966 Convention and 1998 Protocol.

Position of load lines

21. Each load line of a ship shall be marked in such a position on each side of the ship that the distance measured vertically downwards from the upper edge of the deck-line to the upper edge of the load line is equal to the freeboard assigned to the ship that is appropriate to that load line.

Method of marking

22.(1) The appropriate marks of a ship shall be marked in such a manner as to be plainly visible and

- (a) if the sides of a ship are of metal, the marks shall be cut in, centre punched or welded;
- (b) if the sides of the ship are of wood, the marks shall be cut into the planking to a depth of not less than 3 mm; and
- (c) if the sides are of other materials to which the foregoing methods of marking cannot effectively be applied, the marks shall be permanently affixed by bonding or some other effective method.

(2) The appropriate marks shall be painted in white or yellow if the background is dark, and in black if the background is light.

(3) Where an exemption certificate is issued in association with the assignment of special freeboards that are less than those required by regulation 29, the load

lines and the load line mark shall be marked on the ship by being painted in red on a contrasting background in accordance with paragraph (1).

Maintenance of appropriate marks

- 23.** After the appropriate marks have been made on a ship,
- (a) the owner and master shall keep the ship marked; and
 - (b) the marks shall not be concealed, removed, altered, defaced or obliterated except with the authority of the assigning authority.

Mark of assigning authority

- 24.(1)** The identity of the assigning authority may be marked alongside the load line ring either above the horizontal line that passes through the centre of the ring, or above and below it.
- (2) Such a mark shall consist of not more than 4 initials, each measuring approximately 115 mm in height and 75 mm in width.

PART IV**CONDITIONS OF ASSIGNMENT****Assignment of freeboards**

- 25.(1)** An existing ship shall comply with the requirements related to the assignment of freeboards to ships under the law in force immediately before 21st July, 1968, or with the conditions of assignment set out in paragraph (2).
- (2) Every other ship to which freeboards are assigned under these Regulations shall comply with the conditions of assignment applicable to that ship specified in the International Association of Classification Societies Rules.

Compliance with conditions of assignment

26.(1) Subject to paragraph (2), a ship ceases to comply with the conditions of assignment if

- (a) at any time after the assignment of freeboards there has been an alteration of the hull, superstructures, fittings or appliances of the ship such that
 - (i) the ship does not comply with a requirement applicable to the ship under regulation 25; or
 - (ii) it differs in a material respect from the record of particulars provided in accordance with regulation 27; or
- (b) the record of particulars is not on board in accordance with regulation 27(2).

(2) A ship complies with the conditions of assignment notwithstanding an alteration referred to in paragraph (1)(a) if

- (a) amended freeboards appropriate to the condition of the ship have been assigned, the ship has been marked with these load lines and a new certificate has been issued to the owner of the ship accordingly; or
- (b) the alteration has been inspected by a surveyor on behalf of the assigning authority and that authority is satisfied that the alteration does not require a change in the freeboards assigned to the ship, and full particulars of the alteration together with the date and place of his inspection have been endorsed by the surveyor on the record referred to in regulation 27(1).

Record of particulars

27.(1) A record of particulars shall be provided to the Administration by the assigning authority.

(2) The record shall be retained on board at all times.

PART V

FREEBOARDS

Types of freeboards

28. The following freeboards may be assigned to a ship under these Regulations:

- (a) the summer freeboard;
- (b) the tropical freeboard;
- (c) the winter freeboard;
- (d) the winter North Atlantic freeboard;
- (e) the fresh water freeboard;
- (f) the tropical fresh water freeboard; and
- (g) in the case of a ship carrying timber,
 - (i) the summer timber freeboard;
 - (ii) the winter timber freeboard; .
 - (iii) the winter North Atlantic timber freeboard;
 - (iv) the tropical timber freeboard;
 - (v) the fresh water timber freeboard; and
 - (vi) the tropical fresh water timber freeboard.

Determination of freeboards

29.(1) Subject to regulation 30, the minimum freeboards assigned to a new ship shall be determined in accordance with International Association of Classification Societies Rules.

(2) The minimum freeboards assigned to an existing ship shall be determined in accordance with the law in force immediately before 21st July, 1968.

(3) Notwithstanding paragraph (2), if an existing ship has been so constructed or modified as to comply with all the conditions of assignment set out in the International Association of Classification Societies Rules, or set out in a merchant shipping notice, that are applicable to a new ship of her type, and an application is made for the assignment to her of freeboards determined in accordance with those Rules or that notice, those freeboards shall be assigned to her.

Greater than minimum freeboards

30.(1) Subject to paragraph (2), the assigning authority may, if it is satisfied that a ship complies with the requirements of these Regulations, assign freeboards, other than timber freeboards, that exceed the minimum freeboards by such an amount as it may determine.

(2) Timber freeboards shall not be assigned to a ship in an amount greater than the minimum freeboards assigned.

(3) Where a freeboard greater than the minimum is assigned to a ship and the load line appropriate to that freeboard corresponds to, or is lower than, the position at which the lowest of the load lines appropriate to minimum freeboards would be marked,

- (a) only load lines appropriate to the greater than minimum summer freeboard and fresh water freeboard shall be marked on the sides of the ship;
- (b) the load line appropriate to the greater than minimum summer freeboard shall consist of the horizontal line intersecting the load line mark;
- (c) the vertical line described in regulation 18 shall be omitted; and
- (d) notwithstanding subparagraph (c), the fresh water load line shall be as described in regulation 18(1) and be marked accordingly.

Special position of deck-line: correction of freeboards

31. In a ship on which the deck-line is marked in accordance with regulation 16(3), the freeboards assigned to the ship shall be corrected to allow for the vertical distance by which the position of the deck-line is altered by virtue of that paragraph, and the reference point to which the deck-line has been marked, and the identity of the deck that has been taken as the freeboard deck, shall be specified in the certificate issued in respect of the ship.

PART VI**STABILITY****Information as to stability of ships**

32.(1) The owner of every ship shall provide, for the guidance of the ship's master, information relating to the stability of the ship, in the form of a book, that shall be kept on the ship at all times in the custody of the master.

(2) Subject to paragraph (4), the information shall be based on the determination of stability taken from an inclining test carried out in the presence of a surveyor appointed by the Administration.

(3) The information shall be amended whenever alterations are made to the ship or changes occur to it that will materially affect the information and, if necessary, the ship shall be re-inclined.

(4) An inclining test may be dispensed with if

- (a) in the case of a ship specially designed for the carriage of liquids or ore in bulk, or of a class of such ships, the information available in respect of similar ships shows that the ship's proportions and arrangements will ensure more than sufficient stability in all probable loading conditions; and

- (b) in the case of any other ship, basic stability data are available from the inclining test of a sister ship and the Administration or the assigning authority is satisfied that stability information can be obtained from such data.
- (5) Before information relating to the stability of a ship is issued to the master,
 - (a) if it relates to a ship in respect of which the freeboards were assigned by an assigning authority, it shall be approved by the assigning authority that assigned freeboards to the ship; and
 - (b) if it relates to any other ship, it shall be approved by the Administration.

Information as to loading and ballasting of ships

- 33.(1)** The owner of a ship of more than 150 metres in length that is specially designed for the carriage of liquids or ore in bulk shall provide, for the guidance of the master, information relating to the loading and ballasting of the ship.
- (2) The information shall indicate the maximum stresses permissible for the ship and specify the manner in which the ship is to be loaded and ballasted to avoid the creation of unacceptable stresses in its structure.
- (3) In the case of a Barbados ship, regulation 32(5) applies in respect of information required under this regulation, and the information so approved shall be included in the book referred to in regulation 32(1).

PART VII

EQUIVALENTS, PENALTIES AND DETENTION

Equivalents

- 34.(1)** An assigning authority may, with the approval of the Minister,
- (a) allow a fitting, material, appliance or apparatus to be fitted in a ship, or allow other provisions to be made in a ship, in the place of a fitting,

material, appliance, apparatus or provision that is required under these Regulations, if it is satisfied by trial or otherwise that it is at least as effective as the one required; or

- (b) where the assigning authority determines it to be an exceptional case, allow a departure from the requirements of any of these Regulations on condition that the freeboards to be assigned to the ship are increased to such an extent as to satisfy the Minister that the safety of the ship and protection afforded to the crew will be no less effective than would be the case if the ship fully complied with those requirements and there were no increase of freeboards.

(2) The assigning authority shall notify the Administration of any departure from requirements in these Regulations allowed under paragraph (1)(b).

Penalties

35.(1) Where a ship contravenes regulation 6(1), the owner and master of the ship each commit an offence and are liable

- (a) on summary conviction, to a fine of \$20 000; or
- (b) on conviction on indictment, to a fine of \$50 000.

(2) Where a ship contravenes regulation 6(3), the owner and master each commit an offence and are liable

- (a) on summary conviction, to a fine of \$15 000 and to an additional fine, in an amount calculated in accordance with paragraph (3), that the court thinks fit to impose, having regard to the extent to which the earning capacity of the ship was increased by reason of the contravention; or
- (b) on conviction on indictment, to a fine of \$30 000.

(3) An additional fine imposed under paragraph (2)(a) shall not exceed \$2 000 for each complete centimetre by which

- (a) in the case of a contravention of regulation 6(3)(a), the appropriate load line on each side of the ship was submerged; or

-
- (b) in the case of a contravention of regulation 6(3)(b), the appropriate load line on each side of the ship would have been submerged.
- (4) Where a ship contravenes regulation 6(4), the master and any other person who, having reason to believe that the ship is so loaded, sends or is a party to sending the ship to sea, each commit an offence and are liable, in addition to any fine in respect of an offence under paragraph (2),
- (a) on summary conviction, to a fine of \$15 000; or
- (b) on conviction on indictment, to a fine of \$30 000.
- (5) Where a person is charged with an offence under paragraph (2), it shall be a defence to prove that the contravention was due solely to a deviation or delay that was caused solely by stress of weather or other circumstances that the master, owner or any charterer could not have prevented or forestalled.
- (6) Where a person contravenes regulation 23(a), the owner and the master each commit an offence and are liable on summary conviction to a fine of \$10 000.
- (7) Where a person contravenes regulation 23(b), the owner and the master each commit an offence and are liable on summary conviction to a fine of \$20 000.
- (8) It is a defence for a person charged under paragraph (6) or (7) to show that he had a reasonable excuse for the contravention.
- (9) Where a ship contravenes regulation 9(3) the master of the ship commits an offence and is liable
- (a) on summary conviction, to a fine of \$20 000; or
- (b) conviction on indictment, to a fine of \$30 000.
- (10) Where a person contravenes regulation 13, the master and owner each commit an offence and are liable on summary conviction to a fine of \$7 000.

Offences and penalties in relation to certificates and surveys

- 36.(1)** No person shall
- (a) intentionally alter a certificate;
 - (b) falsely make a certificate;
 - (c) in connection with a survey required by these Regulations, knowingly or recklessly furnish false information;
 - (d) with intent to deceive, use, lend, or allow to be used by another, a certificate;
 - (e) fail to surrender as directed a certificate required to be surrendered under regulation 11(6).
- (2) A person who contravenes paragraph (1) commits an offence and is liable
- (a) on summary conviction, to a fine of \$20 000; or
 - (b) on conviction on indictment, to imprisonment for a term of 6 months or a fine of \$50 000, or to both.

Detention

- 37.(1)** A ship that, in contravention of regulation 6(1), proceeds or attempts to proceed to sea without being surveyed and marked may be detained until it has been surveyed and marked.
- (2) A ship that does not comply with the conditions of assignment applicable to it may be detained until it complies.
- (3) Without prejudice to any proceedings under regulation 35, a ship that is loaded in contravention of regulation 6(3) may be detained until it complies with that regulation.
- (4) Where a ship is liable to be detained, section 1221 of the Act applies in relation to the ship, subject to the modification that the words "this Act" are to

be read as "the *Merchant Shipping (Load Lines) Regulations, 2025* (S. I. No. 30)".

(5) Sections 454 and 455 of the Act apply in relation to a detention notice issued under this regulation in the same manner as they apply in relation to detention notices issued under section 453 of the Act, and in those sections "inspector" shall be read as a person issuing the detention notice.

SCHEDULE

(Regulations 16(2), 17, 18(1) and 3(b) and 19))

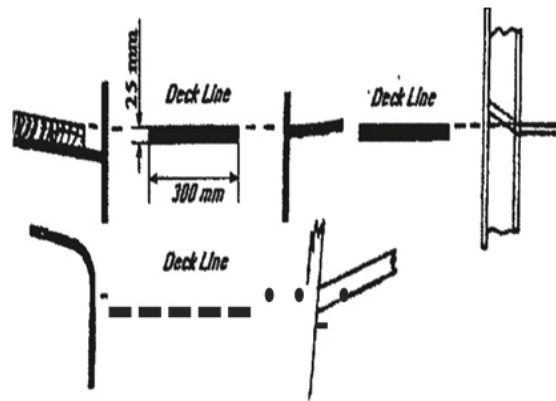


Figure 1: Deck-Line

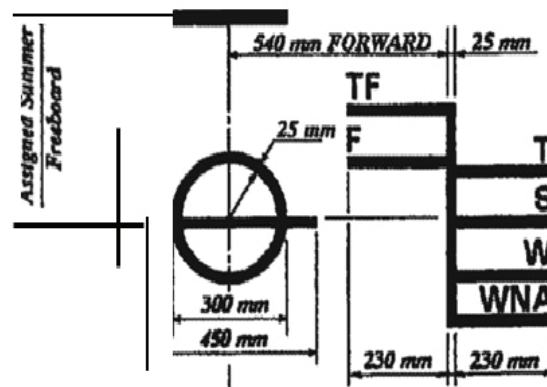


Figure 2: Load Line Mark and Lines to be used with this mark

Schedule - (Concl'd)

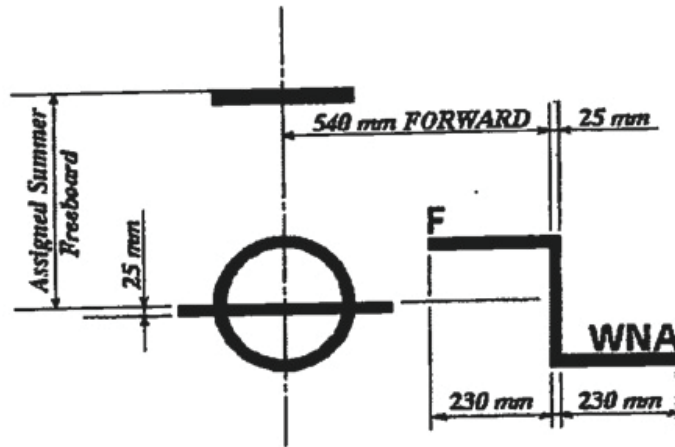


Figure 3: Load Line Mark and Lines for Sailing Ships

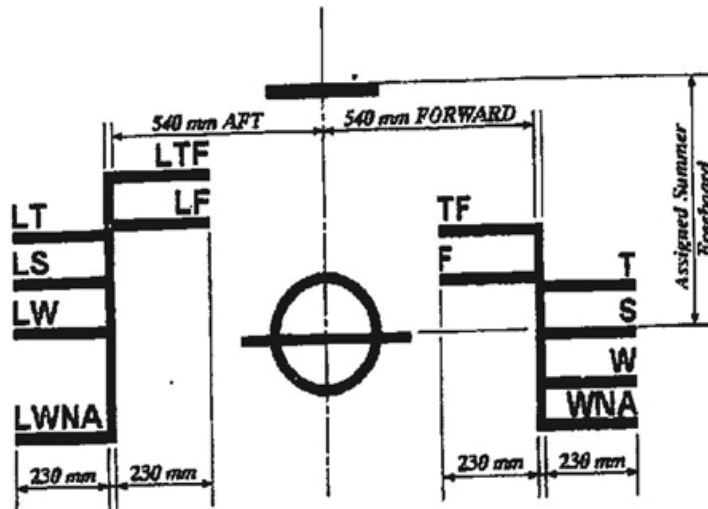


Figure 4: Timber Load Line Mark and Lines to be used with this mark

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

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