
IUU Fishing and Authorisation to Conduct Transhipment Operations

Notice to ship owners, managers, Masters, Approved Nautical Inspectors, Recognised Organisations and surveyors

This Notice supersedes BMA Information Bulletin No.155

1. Purpose

- 1.1. This Notice provides an overview of requirements for operators of Bahamian ships involved, or planning to be involved, in activities associated with fishing, such as transhipment of fisheries cargo on refrigerated cargo ships, and outlines the requirements applicable to all Bahamian ships involved in such activities world-wide.
- 1.2. This Notice also provides the Bahamas position on Illegal, Unreported & Unregulated (IUU) fishing.
- 1.3. This Notice should be read in conjunction with the Fisheries Act 2020¹, the Merchant Shipping Act², FAO Port State Measures Agreement³ and relevant documents of Regional Fisheries Management Organisations referred to herein.

2. Application

- 2.1. This Notice applies to all Bahamian ships engaged, or planning to be engaged, in fishing-related operations, including ship-to-ship transhipments of fisheries cargo on the high seas or in port.
- 2.2. The fisheries cargo transhipment authorisation regime described in this Notice applies only to refrigerated cargo ships registered in the Bahamas.

¹ [Fisheries Act, 2020](#)

² laws.bahamas.gov.bs

³ <https://www.fao.org/3/i5469t/I5469T.pdf>

3. IUU Fishing

- 3.1. Illegal, Unreported & Unregulated (IUU) fishing is defined in *The International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU)*, issued by the Food and Agriculture Organization of the United Nations (FAO).
- 3.2. The formal definition of IUU fishing is included in Annex 1 to this Notice.

4. Position of the Commonwealth of the Bahamas on IUU Fishing

- 4.1. The government of The Commonwealth of The Bahamas fully supports global efforts to monitor, deter and eliminate IUU fishing.
- 4.2. The Bahamas itself is affected by illegal fishing carried out on a commercial scale by ships of other States. These ships illegally take quantities of high value fisheries resources from the waters of The Bahamas, which has a serious negative economic impact. The Bahamas government expends considerable resources in addressing this problem.
- 4.3. As a member of the Caribbean Regional Fisheries Mechanism (CRFM - www.crfm.int), under the Caribbean Community and Common Market (CARICOM - www.caricom.org), The Bahamas has given its support to the Castries (St. Lucia) Declaration on Illegal, Unreported and Unregulated Fishing.
- 4.4. The Bahamas, through the Department of Marine Resources (DMR), cooperates fully with the efforts of the European Union (EU) to ensure exports from The Bahamas to EU Member States remain transparent, documented, and conducted in a manner to eliminate any possibility of IUU fishing. Catch Certificates are issued with all fishery product exports from The Bahamas caught legally by Bahamian owned and registered fishing vessels.
- 4.5. The Bahamas, through the DMR, is a member of the International Monitoring, Control and Surveillance (IMCS) Network (www.imcsnet.org).
- 4.6. In managing Bahamian merchant ship participation in worldwide fishing related activities, the Bahamas Maritime Authority (BMA) acts on behalf of the DMR under the provisions of a Memorandum of Understanding (MoU).
- 4.7. The BMA cooperates fully with the control and enforcement work of the Regional Fisheries Management Organisations (RFMOs), coastal States and non-governmental organisations (NGOs) acting on behalf of coastal States, including investigations into

allegations of involvement of Bahamian ships in IUU fishing and the associated activities.

5. Specific Regional Requirements

- 5.1. The Bahamas has held Cooperating Non-Contracting Party (CNCP) status with the North East Atlantic Fisheries Commission (NEAFC) since 2015.
- 5.2. Unfortunately the Contracting Parties to NEAFC were not in a position to make a decision on the renewal of The Bahamas' CNCP status at their annual general meeting in November 2024. The Bahamas has therefore not been granted CNCP status for 2025 and a decision will not be made until at least March 2025. As a consequence, Bahamian ships are not permitted to engage in fishery related activities, including transhipments, within the NEAFC regulatory area from 01 January 2025 until further notice.
- 5.3. The BMA, on behalf of the DMR, maintains ongoing cooperation with the International Commission on the Conservation of Atlantic Tunas (ICCAT) allowing to include the Bahamian ships in the ICCAT Record of Carrier Vessels. See Annex 3 of this Marine Notice for further information.
- 5.4. The BMA had an agreement with the Norwegian Directorate of Fisheries to allow Bahamian reefers to undertake transhipment of fisheries products in the Norwegian Exclusive Economic Zone and waters around Svalbard. However, this agreement was dependent on NEAFC CNCP status. As a consequence, Bahamian ships are not permitted to engage in fishery related activities, including transhipments, within the Norwegian Exclusive Economic Zone and waters around Svalbard from 01 January 2025 until further notice.
- 5.5. The Bahamas has been granted Cooperating Non Member status with the West and Central Pacific Fisheries Commission for 2025. Please see Annex 5 for further information.
- 5.6. Additionally, the BMA provides the possibility for Bahamian reefer ships to obtain an EU approval number allowing them to take part in importation of frozen fisheries products to European countries - see [BMA Marine Notice 70](#) for further details.

6. Instructions to Bahamian Ships

- 6.1. International fishing vessels and fish factory vessels **are not** accepted for registration in The Bahamas under the Merchant Shipping Act.

- 6.2. Bahamian owned and operated fishing vessels operate within Bahamian waters only are registered with the Port Department under the Boat Registration Act. Enquiries related to Bahamian fishing vessels should be referred to the Port Department at portcontroller@bahamas.gov.bs and/or the Department of Marine Resources at fisheries@bahamas.gov.bs.
- 6.3. Bahamian ships are strictly not permitted to take part in IUU fishing, or any associated fishing-related activities, including transhipments from fishing vessels or fish factory vessels, which are, or are suspected of being, involved in IUU fishing.
- 6.4. Bahamian ships are not permitted to assist vessels on RFMO IUU lists⁴, other than when a distress situation exists, and the Master is obliged to assist, as specified in Regulation 33 of Chapter V of the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS).
- 6.5. The Bahamas has no objection to the involvement of Bahamian ships in legal, regulated and controlled fisheries transshipment operations, in addition to the specific arrangements addressed in the Annexes to this Marine Notice, provided all relevant permissions and licences have been obtained for the affected Convention areas and/or coastal State(s) waters, and all applicable vessel monitoring and reporting requirements are observed in full.

7. Compliance and Enforcement

- 7.1. Every Bahamian registered ship, independent of type, age and ownership, is to operate in full compliance with all global, regional and national legislative incentives relating to responsible and sustainable fishing.
- 7.2. The BMA will facilitate information exchange and submission of reports within the FAO Port State Measures Agreement (PSMA) global framework where a Bahamian ship carrying a fisheries cargo on board may be inspected in a port of a Party to the Agreement.
- 7.3. The [Bahamas Fisheries Act 2020](#), and accompanying legislation, establishes the legislative structure of control and enforcement measures as well as apportioning legal responsibility to the Owners of ships flying the Bahamian flag. BMA will by all means available facilitate and assist with the investigation of any reported infringement and in applying the appropriate enforcement measures, including possible prosecution and/or de-registering of a ship identified in persistent or deliberate violations of responsible and sustainable fishing policies.

⁴ <https://iuu-vessels.org/>

8. Infringements, Non-Conformities and Penalties

8.1. The BMA, acting as the facilitator of the international fisheries policies on behalf of the DMR, on the basis of the authority conferred to BMA through the existing MoU with the DMR, maintains continuous monitoring of Bahamian registered merchant ship activities worldwide to ensure strict adherence to the principals outlined in Sections 3 to 6 above.

8.2. IUU Allegations and Related Offences

8.2.1. Where the BMA receives information from any third party implying a Bahamian registered merchant ship is involved in, or otherwise directly or indirectly supportive of, any IUU practices, BMA will investigate such allegations.

8.2.2. **Where, as a result of the BMA investigation, a ship, or her Owners or Managers/Operators, is confirmed of having participated in, or otherwise facilitated, any IUU practices, the ship's registration maybe suspended and the Owners, Operators and/or the Master may face prosecution under the Merchant Shipping Act and Fisheries Act.**

8.2.3. Additionally, in case of a ship holding a valid Transshipment Authorisation, the Authorisation will be suspended during the investigation and shall be withdrawn if the result of the BMA investigation finds that the ship or her Owners or Managers/Operators are confirmed as having participated in, or otherwise facilitated, the IUU practices.

8.3. Transshipment Regulation Offences and non-IUU Related Infringements

8.3.1. Where a ship, or her Owners or Managers/Operators, have been involved in a non-compliance with any transshipment operation requirements outlined either in this Notice or in the governing regulations of RFMOs, or national fisheries authorities in the locality where the ship operates, the BMA will investigate. This includes non-compliances with the transshipment authorisation regime, reporting provisions and/or correct declaration of fisheries resources cargo transhipped, carried on board or landed in port.

8.3.2. When a non-compliance is established, a penalty may be imposed on the ship, her Owners and/or Managers/Operators. The penalty may be a fine and/or administrative action, including suspension of any Transshipment Authorisation.

9. Transhipment Authorisation Program

- 9.1. BMA, acting on behalf of the DMR, has established agreements with a number of RFMOs to allow Bahamian registered reefer ships to obtain high-seas transhipment authorisations.
- 9.2. Participation in such transhipment authorisation programs is open to all qualifying refrigerated cargo ships registered in the Bahamas.
- 9.3. It is an offence under the Merchant Shipping Act, punishable by a fine of up to fifty thousand dollars or up to 2 years' imprisonment, or both, to undertake transhipment operations without authorisation.

10. Eligibility for Transhipment Authorisation Program Enrolment

- 10.1. Specific criteria for eligibility for individual transhipment authorisation programs are outlined in Annexes 2 to 5 to this Notice.
- 10.2. Participation in the transhipment authorisation program will be terminated in case of the authorised ship changing flag, Owner and/or ISM Company, or upon receiving a request from the authority under whose jurisdiction said transhipment authorisation has been issued.

11. Transhipment Authorisation Program Conditions

- 11.1. Provided that a ship complies with the requirements listed in Annexes 2 to 5 to this Notice, the BMA will issue a Statement of Authorisation to undertake transhipments in the respective Regulatory Area. The statement will be valid until 31 December of the year in which it is issued and may be renewed annually, if required, upon request, subject to the ship maintaining full compliance with the applicable requirements as outlined in the Annexes to this Notice.
- 11.2. A fee will be charged for issue or reissue of each statement as outlined in [Marine Notice 50](#).
- 11.3. The BMA reserves the right to suspend or terminate any Statement of Authorisation when a ship is under investigation for alleged infringements of transhipment authorisation conditions or other allegations in relation to the transhipment regime as may be communicated to the Bahamas by other authorities.

12. Fisheries Monitoring Centre and Reporting Requirements

- 12.1. The BMA has appointed CLS UK (formerly Fulcrum Maritime Systems Ltd)⁵ to provide and operate a Fisheries Monitoring Centre (FMC) for Bahamian ships on behalf of the DMR.
- 12.2. CLS is fully authorised to conduct monitoring and reporting activities necessary to comply with the requirements in relation to fisheries cargo transshipments for all Bahamian registered ships.
- 12.3. Bahamian ships involved in transshipments of fisheries products in regulated areas, as described in the Annexes to this Notice, are required to procure and install a satellite-based Vessel Monitoring System (VMS) as well as to ensure the ship's communication system on board allows transmission of mandatory fisheries activities reports.
- 12.4. Costs associated with the purchase, fitting and maintenance of compatible equipment are for Owner's account. Any fees for registration, maintenance and use of the FMC services and VMS system shall be for the Owner's account.
- 12.5. Bahamian ships intended to be involved in transshipments of fisheries cargo are required to register and maintain the service subscription with the FMC and comply fully with applicable reporting requirements at all times; i.e., **position notifications and activities reporting as may be required by a specific RFMO shall be transmitted at all times, whether a regulatory cargo is present on board or not.**
- 12.6. The VMS shall be in operation at all times when required by the provisions of the applicable RFMO reporting scheme and the Master must comply with all reporting requirements mandated by the RFMO.
- 12.7. Ships involved in high-seas transshipment **shall not** enter the Regulatory Area (RA) of the applicable RFMO without a functional tracking system.
- 12.8. In case of the VMS system failure, the Owners shall endeavour to repair or replaced the equipment within one (1) month. During this period, all reports and data specified by the RFMO, including position notifications and activities reports, shall be transmitted using the alternative format agreed with the FMC.

The BMA will verify the operational practices of the FMC and correct reporting data acquisition, handling and relay functions to the RFMO. To this end, audits will be conducted with the FMC on an annual basis, or more frequently, if required.

⁵ <https://uk.groupcls.com/about-cls-group/>

12.9. FMC contact details are:

CLS UK

3 Park Mews,
15 Park Lane,
Hornchurch,
Essex

RM11 1BB

United Kingdom

Tel: +44 1708 788400

Fax: +44 1708 788402

Email: FMC@fulcrum-maritime.com

Website: <https://uk.groupcls.com/>

Manual reports to the FMC, when required under the provisions of this Marine Notice, should be sent to FMC@fulcrum-maritime.com.

Revision History

Version	Description of Revision
1.0	First Issue
1.1	Periodic update. Section 7 revised. New NEAFC transshipment authorisation template.
2.0	Updated to reflect NEAFC/Norway EEZ position from 01 January 2025, addition of Annex 5, editorial amendments

Annex 1 - Illegal, Unreported & Unregulated (IUU) fishing definition

Illegal, Unreported & Unregulated (IUU) fishing is defined in *The International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU)*, issued by the Food and Agriculture Organization of the United Nations (FAO), as follows:

Illegal fishing refers to activities:

1. Conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations;
2. Conducted by vessels flying the flag of States that are parties to a relevant regional fisheries management organization but operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law; or
3. In violation of national laws or international obligations, including those undertaken by cooperating States to a relevant regional fisheries management organization.

Unreported fishing refers to fishing activities:

1. Which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or
2. Undertaken in the area of competence of a relevant regional fisheries management organization, which have not been reported or have been misreported, in contravention of the reporting procedures of that organization.

Unregulated fishing refers to fishing activities:

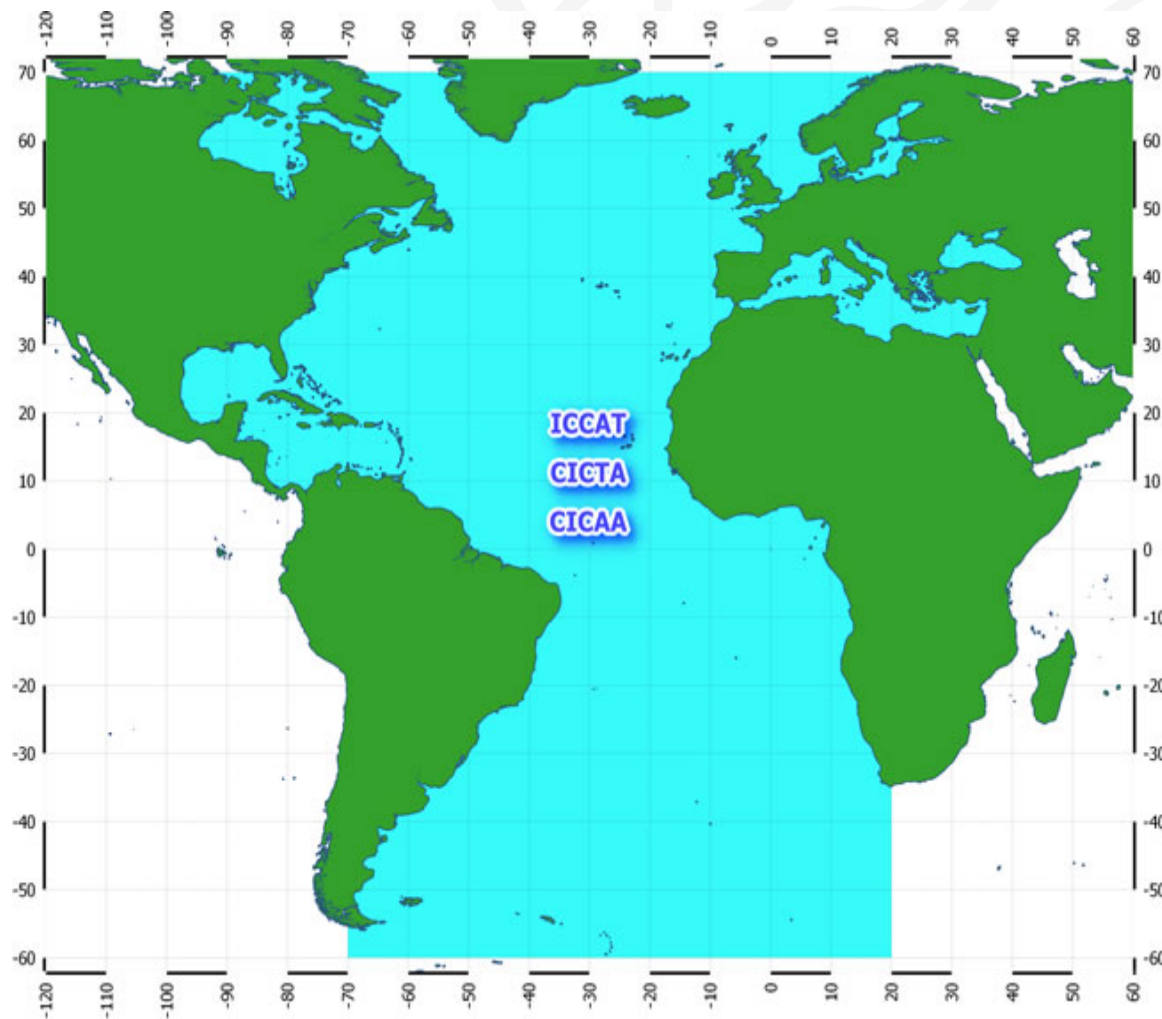
1. In the area of application of a relevant regional fisheries management organization that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or
2. In areas or for fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law.

Annex 2 - The North East Atlantic Fisheries Commission

- 1.1. This section has been removed pending a decision on renewal of the Bahamas' CNCP status with the NEAFC.
- 1.2. **Bahamian ships are not permitted to engage in fishery related activities, including transhipments, in the NEAFC regulatory area from 01 January 2025 until further notice.**

Annex 3 - The International Commission for the Conservation of Atlantic Tunas

- 1.1. The international Commission for the Conservation of Atlantic Tunas (ICCAT) is the inter-governmental organisation acting under the authority of UN FAO entrusted in regulation and protection of the tuna, and tuna-like species in the Atlantic Ocean area and surrounding seas.



- 1.2. The Bahamas has established an agreement with ICCAT Secretariat to allow the Bahamian reefers to part-take in the transshipment of the cargoes originated from the convention area.
- 1.3. A Transshipment Authorisation will be issued to qualified ships covering the period of time from the date of issuing to 31 December of the year when the Authorisation was issued.

1.4. In order to maintain the qualified ship eligibility to undertake transshipment operations with ICCAT regulatory cargo the Transshipment Authorisation shall be maintained at all times and be renewed as of 01 January each year.

1.5. **For the avoidance of doubt, all Bahamian ships, including fishing vessels, are not permitted to engage in commercial fishing operations in the ICCAT Regulatory area.**

1.6. Procedure for obtaining Authorisation to Undertake Transshipments

1.6.1. Owners of a ship wishing to participate in ICCAT cargoes transshipment shall submit an application to the BMA confirming the following:

- i. Name & IMO number of ship;
- ii. Confirmation of this Marine Notice having been reviewed and its requirements incorporated into the Safety Management System and the ship's operational procedures;
- iii. Confirmation the IUU warning in paragraph 7.5 above has been noted, understood and brought to attention of the Master and the Officer responsible for cargo operations on board⁶, as well as the Company personnel responsible for maintaining the compliance regime of the ship;
- iv. Confirmation that a system allowing to maintain the communication to the FMC has been installed on board to transmit position notifications and activity reporting messages as required by [ICCAT Recommendation 07-08](#);
- v. Confirmation that a VMS satellite tracking device, if different from the one described in iv above, has been fitted on board the ships to continuously collect and transmit to the FMC the ship's identification and most recent geographic position, date and time. For ships fitted with long range identification and tracking (LRIT) systems, as required by SOLAS V/19-1, such functionality can be performed by the existing LRIT system once updated by the FMC in accordance with the provision of [ICCAT Recommendation 18-10](#)⁷;
- vi. Confirmation that the ship has been subscribed to the FMC service for the year for which a Transshipment Authorisation is being requested;
- vii. Confirmation of agreement to a fee⁸ for the issue, or reissue of each annual Authorisation;
- viii. Any other relevant supporting information as may be requested by the BMA.

1.6.2. The operator shall also contact Fulcrum in order to:

- i. Procure, supply and installation the FMC required equipment;

⁶ Including every new joining Master and Officer

⁷Where transshipment of ICCAT cargo is intended to take place within the EEZ of a Coastal State, the position reporting transmissions shall be configured to allow messages to be received automatically by the Coastal State's FMC.

⁸ See [MN050](#)

- ii. Subscribe the ship to the FMC annual service;
 - iii. Test communications with the FMC.
- 1.6.3. Fulcrum will advise the BMA of the names and IMO numbers of ships which have subscribed to the FMC and have successfully passed testing of the ship tracking and catch reporting system.
- 1.6.4. The BMA will review the application and check that the ship is not on any IUU lists and has not been implicated in involvement in IUU activities.
- 1.6.5. Provided that the ship complies with these requirements, the BMA will issue a Statement of Authorisation to undertake Transhipments.
- 1.6.6. Once the statement has been issued, the BMA will notify the ICCAT Secretariat and request the ship to be added to the [Record List of Authorised Vessels](#)⁹.
- 1.6.7. A ship covered by a valid Statement of Authorisation to undertake Transhipments and once included in to the ICCAT Record List of Authorised Vessels can undertake direct transhipment of ICCAT cargoes either at sea or in port within or outside the regulatory area.

2. Specific Provisions in Relation to ICCAT Regulatory Cargo Transhipments

2.1. ICCAT Regional Observer Program Participation

- 2.1.1. Participation in the ICCAT Regional Observers Program mandates developing and implementing of an Emergency Action Plan (ROP-EAP) and is the standing requirement by the Commission applicable to every ship part taking in the regulatory cargo transhipments.
- 2.1.2. The Emergency Action Plan should be a part of the ICCAT Operations and Procedures manual on board of all authorised ships, as mandated under provisions of [Recommendation 19-10](#).
- 2.1.3. The current model Bahamas ROP-EAP¹⁰ can be consulted in order to elaborate a ship specific EAP and the associated on board procedures. Provisions required under the Rec.19-10 shall be incorporated into every authorised ship's ROP-EAP to the standards at least matching those as set by the model Bahamas ROP EAP.

⁹ <http://www.iccat.int/en/vesselsrecord.asp>

¹⁰ [See the Bahamas ROP-EAP Model Plan on the BMA website](#)

2.2. Bluefin Tuna Transshipment Authorisation Regime

- 2.2.1. A specific Bluefin tuna transshipment authorisation regime requirements is based on the ICCAT Recommendation 19-04, Part IV Sections B, para. 77-82 and Section E¹¹.
- 2.2.2. All transshipments of Bluefin tuna cargoes, either in port or on high seas, shall be permitted only to the carrier ships listed in the *ICCAT Bluefin Tuna Other Vessels List*. It appears such list is being maintained by the Secretariat concurrently with the *Authorised Carrier Vessels List* and is dedicated to illustrate compliance to the control and enforcement provisions as outlined in Rec.19-04.
- 2.2.3. The operators of the Bahamian ships already authorised to conduct transshipments of ICCAT cargoes for the year 2021 may apply to have their ships also enlisted in the *BFT Other Vessels List*. Applications via email will be accepted and may require upto 3 weeks processing time to ensure a ship to appears on the *BFT Other Vessels List*. This service is complimentary to those ships already on the *ICCAT Authorised Carrier Vessels List*.
- 2.2.4. Transshipments of Bluefin tuna cargoes to any ship not listed in the *BFT Other Vessels List* will be considered as infringement by the Secretariate.
- 2.2.5. When planning to part take in the Bluefin tuna transshipments in the future the operators of the Bahamian ships should take the above advice into account and where necessary submit an application for inclusion of their ships to the *BFT Other Vessels List* timely.

¹¹ [See the text on ICCAT site](#)

Annex 4 – Transhipment operations in Norwegian EEZ and waters around Svalbard

- 1.1. Transhipment within the Norwegian EEZ and waters around Svalbard is given based on the prerequisite that the Bahamas is authorised to conduct transhipment operations within the NEAFC. This section has been removed pending a decision on renewal of the Bahamas' CNCP status with the NEAFC.
- 1.2. **Bahamian ships are not permitted to engage in fishery related activities, including transhipments, in the NEAFC regulatory area from 01 January 2025 until further notice.**

Annex 5 – The West and Central Pacific Fisheries Commission (WCPFC)

- 1.1. **The West and Central Pacific Fisheries Commission** was established by the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPF Convention) which entered into force on 19 June 2004.
- 1.2. The Bahamas has been granted Cooperating Non-Member status with WCPFC.

1.3. Procedure