



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

1st April, 2026

(A)

**MERCHANT SHIPPING (FLAG STATE INSPECTION)
REGULATIONS, 2026**

Arrangement of Regulations

Regulation

1.	Citation and commencement.....	2
2.	Interpretation.....	2
3.	Application.....	2
4.	Inspections.....	3
5.	Authorisation of inspectors.....	3
6.	Power of inspectors.....	3
7.	Maintenance of records and completion of inspection report.....	4
8.	Exemptions.....	4
9.	Offences and penalties.....	4
10.	Detention.....	5

**MERCHANT SHIPPING ACT, 2021
(NO. 33 OF 2021)**

**MERCHANT SHIPPING (FLAG STATE INSPECTION)
REGULATIONS, 2026**

The Minister, in exercise of the powers conferred under section 97(2)(i) of the Merchant Shipping Act, 2021 (*No. 33 of 2021*) makes the following regulations —

1. Citation and commencement.

- (1) These Regulations may be cited as the Merchant Shipping (Flag State Inspection) Regulations, 2026.
- (2) These Regulations shall come into force on the 1st day of April, 2026.

2. Interpretation.

In these Regulations —

“**Act**” means the Merchant Shipping Act 2021 (*No. 33 of 2021*);

“**Authority**” means The Bahamas Maritime Authority established under section 3 of The Bahamas Maritime Authority Act (*Ch. 283*);

“**Bahamian ship**” means a ship registered under the Act;

“**company**” in relation to a ship means —

- (a) the owner of a ship; or
- (b) any other organisation or person that has assumed responsibility for operation of the ship from the owner;

“**Director**” means the Managing Director of The Bahamas Maritime Authority appointed under section 4 of The Bahamas Maritime Authority Act (*Ch. 283*);

“**inspector**” means a person appointed under section 180 of the Act;

“**Marine Notice**” means a notice issued by the Authority providing additional technical instructions and requirements.

3. Application.

These Regulations apply to a Bahamian ship except a —

- (a) ship of war;
- (b) unmanned non-self-propelled barge; and
- (c) submersible.

4. Inspections.

- (1) An anniversary date for periodical inspection shall be assigned by the Director to every ship registered with the Authority.
- (2) The owner of every Bahamian ship shall cause the ship to be periodically inspected in accordance with Marine Notice 91, issued by the Authority.
- (3) If a ship is not inspected in accordance within these Regulations, the certificate of registry in respect of the ship may be suspended on the instructions of the Director.

5. Authorisation of inspectors.

Unless otherwise stated, an inspector shall, for the purposes of these Regulations be authorised to inspect —

- (a) the boiler and machinery of a ship;
- (b) the equipment of a ship, including the ship's tackle, furnishing and appurtenances;
- (c) the hulls and superstructures of a ship;
- (d) the life-saving, fire fighting and other safety equipment of a ship;
- (e) the radiotelegraphy and radiotelephony installations of a ship;
- (f) the stowage and manner of loading of a ship's cargoes and the stowage of dangerous goods;
- (g) the safety of the working arrangements and provision of safe systems of work;
- (h) accommodation, catering, sanitation, hospital and recreation spaces of a ship;
- (i) a seafarer qualifications, employment arrangements and hours of rest; and
- (j) any other function, document, equipment or other matter with respect to the ship.

6. Power of inspectors.

- (1) Without prejudice to the generality of section 182 and 183 of the Act, an inspector, in the exercise of his duties, may, at all reasonable times, go on board any ship in The Bahamas, or any Bahamian ship wherever it may be, to inspect the ship or any of its machinery or equipment or any certificate of a master, mate or engineer, and if the inspector considers —
 - (a) the ship to be unsafe;
 - (b) the ship to be unfit to carry passengers;

- (c) the machinery or equipment defective in any way so as to expose persons on board the ship to serious danger; or
 - (d) any provisions of the Act or regulations made thereunder have not been complied with.
- (2) The inspector may, on the instructions of the Director, suspend the certificate of registry of the ship until such time as the Director is satisfied that the ship may properly go to sea.
- (3) An inspector may, in the exercise of his duties pursuant to paragraph (1), require the person with responsibility to operate machinery or equipment of the ship to enable him to adequately conduct his inspection.
- (4) An inspector shall not in the exercise of his powers under this regulation, detain or delay a ship unreasonably.

7. Maintenance of records and completion of inspection report.

- (1) An inspector shall —
 - (a) prepare a written report of every inspection carried out in accordance with instructions issued by the Authority;
 - (b) maintain a register of every certificate issued in respect of any inspection carried out.
- (2) The inspector shall forward to the Authority —
 - (a) a copy of the written report prepared in accordance with paragraph (1);
 - (b) details of every certificate issued; and
 - (c) any other information as may be required by the Director, in accordance with the instructions issued by the Authority.

8. Exemptions.

- (1) The Director may exempt a specific ship or type of ship from these Regulations.
- (2) If a ship is exempted pursuant to paragraph (1), the ship shall possess on board thereon an Exemption Certificate issued by the Authority.
- (3) A ship exempted pursuant to paragraph (1) shall be listed in Marine Notice 91.

9. Offences and penalties.

- (1) No person shall —
 - (a) intentionally alter a certificate issued under these Regulations;

- (b) falsely make a certificate purportedly to be issued under these Regulations;
 - (c) in connection with any inspection, knowingly or recklessly provide false information;
 - (d) with intent to deceive, use, lend, or allow to be used by another, a certificate; or
 - (e) fail to surrender a certificate upon the request of the Authority.
- (2) A —
- (a) company which fails to comply with regulation 4(2) commits an offence and is liable on summary conviction, to a fine not exceeding five thousand dollars;
 - (b) person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars, or imprisonment for a term not exceeding six months, or a fine not exceeding two hundred fifty thousand dollars, or both.
- (3) For the purposes of this regulation, “**a certificate**” means a certificate issued under these Regulations.

10. Detention.

The provisions of sections 114, 115 and 116 of the Act shall apply in relation to a detention notice issued pursuant to this regulation.

Made this 1st day of April, 2026.

Signed
JOBETH COLEBY-DAVIS
MINISTER RESPONSIBLE FOR MARITIME AFFAIRS