



*EXTRAORDINARY*  
**OFFICIAL GAZETTE**  
**THE BAHAMAS**  
PUBLISHED BY AUTHORITY

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# MERCHANT SHIPPING (LOAD LINES) REGULATIONS, 2026

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

**MERCHANT SHIPPING (LOAD LINES) REGULATIONS,  
2026**

The Minister, in exercise of the powers conferred under section 104 and 227 of the Merchant Shipping Act, 2021 (No. 33 of 2021) makes the following regulations —

**PART I – PRELIMINARY**

**1. Citation and commencement.**

- (1) These Regulations may be cited as the Merchant Shipping (Load Lines) Regulations, 2026.
- (2) These Regulations shall come into force on the 1<sup>st</sup> day of April, 2026.

**2. Interpretation.**

- (1) In these Regulations —

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

“**Assigning Authority**” means for a —

- (a) Bahamian ship, the Authority or recognised organisation [by whom] the load lines of the ship are assigned in accordance with the Load Lines Convention; or
- (b) foreign ship, the Authority [by whom] the load lines of the ship are assigned in accordance with the Load Lines Convention;

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

“**Bahamas Load Line Certificate**” means the certificate issued by the Authority to a ship to which Part III applies [in lieu] of the International Load Line Certificate;

“**Bahamas Load Line Exemption Certificate**” means the exemption certificate issued by the Authority to a ship to which Part III applies

—

- (a) [in lieu] of the International Load Line Exemption Certificate; and

- (b) to record any exemption issued under regulation 25;
- “Bahamian ship”** means a ship registered, or required to be registered under this Act;
- “Bahamian waters”** means areas of water subject to the jurisdiction of The Bahamas and includes internal waters, archipelagic waters, territorial sea and exclusive economic zone;
- “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;
- “Conditions of assignment”** means the conditions relating to construction, arrangement and stability with which a ship shall comply in order to be assigned freeboards;
- “Contracting Government”** means the Government of a party to the 1966 Convention or to the Load Lines Convention;
- “1966 Convention”** means the International Convention on Load Lines 1966 including all amendments up to and including those adopted by IMO Resolution A.1083(28);
- “Convention country”** means a country or territory, the government of which is a Contracting Government;
- “fishing vessel”** means a vessel used for catching fish, whales, seals, walrus or other living resources of the sea;
- “foreign ship”** means a ship that is not a Bahamian ship;
- “gross tonnage”** means, for a ship having its tonnage determined, the measurement of a ship calculated in accordance with the —
  - (a) International Convention on Tonnage Measurement of Ships, 1969; or
  - (b) regulations relating to tonnage measurement;
- “immediate family”** means parent, husband, wife, child or sibling;
- “IMO”** means the International Maritime Organization;
- “Information Notice”** means a notice issued by the Authority providing additional information and guidance;
- “inspector”** has the meaning assigned to it under section 180 of the Act;
- “International Load Line Certificate”** means the certificate specified in Article 16(1) of the Load Lines Convention;
- “International Load Line Exemption Certificate”** means the exemption certificate specified in Article 16(2) of the Load Lines Convention;
- “international voyage”** means a voyage from a port in one country to a port in another country;

**“2008 IS Code”** means the International Code on Intact Stability 2008 as amended;

**“Load Lines Convention”** means the International Convention on Load Lines, 1966, and its Protocol of 1988;

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

**“pleasure vessel”** means —

- (a) a vessel which at the time it is being used is —
  - (i) in the case of a vessel wholly owned by an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
  - (ii) in the case of a vessel owned by a body corporate, used only for sport or pleasure and on which the persons are employees or officers of the body corporate, or their immediate family or friends,  
and on a voyage or excursion for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or
- (b) any vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family; and for the use of which any charges levied are paid into club funds and applied for the general use of the club; and
- (c) in the case of any vessel referred to in paragraph (a) or (b), no other payments are made by or on behalf of users of the vessel, other than by the owner;

**“1988 Protocol”** means the Protocol of 1988 relating to the 1966 Load Lines Convention as amended;

**“recognised organisation”** means any authorised classification society specified in Marine Notice 002 or any yacht survey organisation specified in Yacht Notice 009.

- (2) In these Regulations, a reference to “an Article”, is a reference to an Article so numbered in Annex A of the Load Lines Convention.

### **3. Application.**

- (1) Subject to paragraph (2) —

- (a) Parts I and II shall apply to a Bahamian ship which engages on international voyages if —
  - (i) constructed on or after 21 July 1968, and is 24 metres or more in length; or
  - (ii) constructed before 21 July 1968, and is 150 gross tonnage or more;
- (b) Parts I and III apply to a Bahamian ship to which paragraph (a) does not apply by its length, gross tonnage or the nature of its voyage; and
- (c) Parts I and IV apply to a foreign ship within Bahamian waters.
- (2) These Regulations do not apply to a Bahamian ship or a foreign ship that is a —
  - (a) pleasure vessel;
  - (b) fishing vessel;
  - (c) ship of war; or
  - (d) ship solely navigating the —
    - (i) Great Lakes of North America and the River St. Lawrence as far east as a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the meridian of longitude 63°W;
    - (ii) Caspian Sea; or
    - (iii) Plate, Parana and Uruguay Rivers as far east as a rhumb line drawn between Punta Rasa (Cabo San Antonio), Argentina and Punta del Este, Uruguay.

#### **4. Company compliance.**

Every company to whom these Regulations apply, shall ensure that a ship complies with the requirements of these Regulations.

## **PART II - BAHAMIAN SHIPS TO WHICH THE LOAD LINES CONVENTION APPLIES**

#### **5. Requirements for determining load lines.**

- (1) Subject to paragraphs (2) to (5), a ship shall comply with the requirements of —
  - (a) Marine Notice 100 issued by the Authority; or
  - (b) Annex I of the Load Lines Convention,

as it applies to a ship of its description.

- (2) A ship constructed before 21 July, 1968, that —
  - (a) does not fully comply with Annex I of the Load Lines Convention, shall comply with the requirements applicable to ships engaged on international voyages under the applicable law in force before 21 July, 1968;
  - (b) requires a reduction in freeboard, shall comply with the requirements applicable to ships constructed on or after 21 July, 1968 under Annex I of the Load Lines Convention.
- (3) A ship constructed on or after 21 July, 1968 but before 1 January, 2005, shall comply with the requirements of Annex I of the Load Lines Convention which were applicable to the ship engaged on international voyages as they applied immediately before 1 January, 2005.

## **6. Stability of ships.**

A ship constructed —

- (a) before 1 July 2010, shall comply with the stability standards acceptable to the Authority, as specified in Schedule 4 of Marine Notice 100;
- (b) on or after 1 July 2010, shall comply with the requirements of Part A of the 2008 IS Code applicable to the strength and intact stability of ships in accordance with regulation 1(3)(b) of Annex I of the Load Lines Convention.

## **7. Zones and areas for Bahamian ships.**

A ship shall comply with the requirements applicable to the ship in the zones and areas described in —

- (a) Marine Notice 100 issued by the Authority; or
- (b) Annex II of the Load Lines Convention.

## **8. Form of certificates for Bahamian ships.**

An International Load Line Certificate or, where appropriate, an International Load Line Exemption Certificate shall be in the form as set out in Annex III of the Load Lines Convention.

## **9. Prohibition on proceeding to sea.**

- (1) A ship shall not proceed or attempt to proceed to sea unless —
  - (a) the ship has been surveyed, marked and has a valid International Load Line Certificate or, where appropriate, a valid International

Load Line Exemption Certificate in accordance with the Load Lines Convention;

- (b) the ship complies with the conditions of assignment applicable to the ship in accordance with the Load Lines Convention; and
  - (c) the information required under regulation 10 of Annex I of the Load Lines Convention is provided to the master by the company.
- (2) 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.
- (3) A ship shall not proceed to sea when it is in contravention of paragraph (2).
- (4) The master of a ship to which these Regulations apply, shall, before the ship proceeds to sea from any port in The Bahamas, produce to an officer of customs from whom a clearance for the ship is demanded for an international voyage, an International Load Line Certificate or an International Load Line Exemption Certificate.
- (5) The Authority or recognised organisation may assign a greater freeboard to a ship than the minimum freeboard determined in accordance with Annex I of the Load Lines Convention.

#### **10. Marking.**

The owner shall ensure that the ship is marked with the deck-line mark and load line mark on each side of the ship in accordance with Schedule 10 of Marine Notice 100 and the directions of the Assigning Authority.

#### **11. Position of load lines.**

The load line 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 which is appropriate to that load line.

#### **12. Mark of Assigning Authority.**

- (1) The identity of the Assigning Authority may be marked alongside the load line ring —
  - (a) above the horizontal line which passes through the centre of the ring; or
  - (b) above and below the ring.

- (2) A mark shall consist of not more than four initials each measuring approximately 115 millimetres in height and 75 millimetres in width.
- (3) The identity of the Authority, when acting as the Assigning Authority, shall be the letters “BM”.

### **13. Authorisation of removal etc., of appropriate marks.**

After the appropriate marks have been made on a ship —

- (a) the company and master shall keep the ship so marked; and
- (b) the marks shall not be concealed, removed, altered, defaced or obliterated except with the authorisation of the Assigning Authority.

### **14. Exemptions.**

- (1) The Authority may exempt a ship engaged on international voyages between the near neighbouring ports of two or more States in accordance with Article 6(1) of the Load Lines Convention.
- (2) An exemption under paragraph (1) may only be granted to a ship if —
  - (a) the ship remains engaged on such voyages; and
  - (b) the Governments of the States in which the ports are situated are satisfied that the sheltered nature or conditions of the voyages between the ports make it unreasonable or impracticable to apply the Load Lines Convention to ships engaged on such voyages.
- (3) The Authority may exempt a ship that has features of a novel kind from any of the provisions of the Load Lines Convention that may prevent research into the development of the features and their incorporation in ships engaged on international voyages, in accordance with Article 6(2) of the Load Lines Convention.
- (4) An exemption under paragraph (3) may only be granted to a ship if the Authority is satisfied that the ship complies with safety requirements —
  - (a) adequate for the service for which the ship is intended;
  - (b) that ensure the overall safety of the ship; and
  - (c) acceptable to the Governments of the States to be visited by the ship.
- (5) The Authority shall notify the IMO of an exemption granted to a ship under paragraphs (1) or (3) in accordance with Article 6(3) of the Load Lines Convention.
- (6) The Authority may exempt a ship which is not normally engaged on international voyages but in exceptional circumstances is required to undertake a single international voyage from a requirement in accordance with Article 6(4) of the Load Lines Convention.

- (7) An exemption under paragraph (6) may only be granted to a ship if the Authority is satisfied that the ship complies with safety requirements that are adequate for the voyage to be undertaken.

#### **15. Force majeure.**

The Authority shall give due consideration to any deviation or delay caused to a ship owing to stress of the weather or *force majeure*, in accordance with Article 7 of the Load Lines Convention.

#### **16. Equivalents.**

The Authority —

- (a) may authorise a fitting, material, appliance or apparatus to be fitted or any other provision to be made in a ship, if the Load Lines Convention requires that —
  - (i) a particular fitting, material, appliance or apparatus to be fitted in the ship; or
  - (ii) any other provision to be made in the ship,provided that the Authority is satisfied by trial or otherwise of the fitting, material, appliance or apparatus, or provision that it is at least as effective as that required by the Load Lines Convention;
- (b) shall notify the IMO of equivalent arrangements granted to a ship in accordance with Article 8(2) of the Load Lines Convention.

#### **17. Approval for experimental purposes.**

The Authority —

- (a) may authorise approvals for experimental purposes for a ship in accordance with Article 9(1) of the Load Lines Convention;
- (b) shall notify the IMO of approvals granted to a ship for experimental purposes in accordance with Article 9(2) of the Load Lines Convention.

#### **18. Repairs, alterations and modifications.**

- (1) A ship which undergoes repairs, alterations, modifications and related outfitting shall continue to at least comply with the requirements previously applicable to the ship in accordance with Article 10 of the Load Lines Convention.
- (2) A ship constructed before 21 July 1968 shall not comply to a lesser extent with the requirements for a ship constructed on or after 21 July 1968 than

the ship complied with before undergoing the repairs, alterations, modifications or related outfitting.

- (3) The repairs, alterations and modifications of a major character and related outfitting shall meet the requirements for a ship constructed on or after 21 July 1968, as deemed reasonable and practicable by the Authority or recognised organisation.

## **19. Submersion.**

- (1) Subject to paragraphs (2) to (4), the appropriate load lines on the sides of the ship corresponding to the season of the year and the zone or area in which the ship may be shall not be submerged at any time when the ship puts to sea, during the voyage or on arrival in accordance with Marine Notice 100 and Article 12(1) of the Load Lines Convention.
- (2) If a ship is in fresh water of unit density the appropriate load line may be submerged by the amount of the fresh water allowance shown on the International Load Line Certificate.
- (3) If the density is other than unity, an allowance shall be made proportional to the difference between 1.025 and the actual density.
- (4) When a ship departs from a port situated on a river or inland waters, deeper loading is permitted corresponding to the weight of fuel and all other materials required for consumption between the point of departure and the sea.

## **20. Initial, renewal and annual survey.**

- (1) A ship shall be subjected to the surveys specified under Article 14(1) of the Load Lines Convention.
- (2) The Authority shall specify the intervals at which a renewal survey shall be conducted and the intervals shall not exceed five years in accordance with Article 14(1)(b) of the Load Lines Convention, except where paragraphs (2), (5), (6) and (7) of Article 19 of the Load Lines Convention applies.
- (3) The annual surveys shall be endorsed on the International Load Line Certificate, or the International Load Line Exemption Certificate issued to a ship exempted under Article 6(2), in accordance with Article 14(2) of the Load Lines Convention.

## **21. Maintenance of conditions after survey.**

If a survey of a ship has been completed under Article 14 of the Load Lines Convention, no change may be made in the structure, equipment, arrangements,

material or scantlings covered by the survey without the approval of the Authority or recognised organisation.

## **22. Issue or endorsement of certificate by a Contracting Government.**

- (1) The Authority may request a Contracting Government to survey a Bahamian ship in accordance with Article 17 of the Load Lines Convention.
- (2) If the Contracting Government, on surveying the Bahamian ship, is satisfied that the Load Lines Convention is complied with, the Contracting Government may —
  - (a) issue or authorise the issue of the International Load Line Certificate to the ship; and
  - (b) where appropriate, endorse or authorise the endorsement of the International Load Line Certificate on the ship in accordance with the Load Lines Convention.
- (3) The Authority shall request that a certificate, issued under paragraph (2), contains a statement that the certificate has been issued at the request of the Government of The Commonwealth of The Bahamas.

## **23. Duration and validity of certificate.**

- (1) Subject to paragraph (2), an International Load Line Certificate is valid for the period stated in the certificate, not exceeding five years beginning with the date of completion of the relevant initial or renewal survey that immediately preceded the issue of the certificate.
- (2) Notwithstanding paragraph (1) and subject to paragraphs (12) and (13), where the renewal survey referred to under Article 14(1)(b) of the Load Lines Convention is completed —
  - (a) within three months before the expiry date of the existing International Load Line Certificate, the new certificate is valid for a period beginning with the date of completion of the renewal survey and ending on a date not exceeding five years from the date of expiry of the existing certificate;
  - (b) after the expiry date of the existing International Load Line Certificate, the new certificate is valid for a period beginning with the date of completion of the renewal survey and ending on a date not exceeding five years from the date of expiry of the existing certificate; or
  - (c) more than three months before the expiry date of the existing International Load Line Certificate, the new certificate is valid for a period beginning with the date of completion of the renewal survey

and ending on a date not exceeding five years from the date of completion of that renewal survey.

- (3) If an International Load Line Certificate is issued for a period of less than five years, the Authority or recognised organisation may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph (1), if the annual surveys referred to under Article 14 of the Load Lines Convention is applicable when a certificate issued for a period of five years is carried out.
- (4) The Authority or recognised organisation carrying out the survey may extend the validity of the existing certificate for a period not exceeding five months, if, after the renewal survey referred to under Article 14(1)(b) of the Load Lines Convention, a new International Load Line Certificate cannot be issued to the ship before the expiry date of the existing International Load Line Certificate.
- (5) An extension under paragraph (4) —
  - (a) may be granted, if there have been no alterations in the structure, equipment, arrangements, materials or scantlings which affect the ship's freeboard; and
  - (b) shall be endorsed on the existing International Load Line Certificate.
- (6) Subject to paragraphs (7) to (9), the Authority or recognised organisation may extend the period of validity of the International Load Line Certificate, if —
  - (a) the certificate expires; and
  - (b) the ship is not in a port where the ship shall be surveyed.
- (7) Subject to paragraphs (12) and (13), an extension under paragraph (6) may —
  - (a) only be granted in cases where, in the opinion of the Authority or recognised organisation, it appears proper and reasonable to do so for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed; and
  - (b) extend the validity of the International Load Line Certificate for a maximum period of three months from the date of the expiry of the certificate.
- (8) If an extension is granted, a ship shall not, on its arrival in the port in which the ship shall be surveyed, be entitled to leave that port without a new International Load Line Certificate.
- (9) Subject to paragraphs (12) and (13), when the renewal survey is completed on a ship to which an extension is granted under paragraph (6), the new International Load Line Certificate is valid for a period ending on

a date not exceeding five years from the date of expiry of the existing International Load Line Certificate before the extension was granted.

- (10) The Authority or recognised organisation may extend an International Load Line Certificate, to a ship engaged on short voyages, for a period not exceeding one month from the date of expiry, if it has not been extended under paragraphs (2) to (9).
- (11) Subject to paragraphs (12) and (13), when the renewal survey is completed on a ship to which an extension is granted under paragraph (10), the new International Load Line Certificate is valid for a period ending on a date not exceeding five years from the date of expiry of the existing International Load Line Certificate before the extension was granted.
- (12) In special circumstances determined by the Authority, a new International Load Line Certificate —
  - (a) need not be dated from the date of expiry of the existing International Load Line Certificate before the extension was granted, as required under paragraphs (2), (9) and (11); and
  - (b) shall be valid for a period ending on a date not exceeding five years from the date of completion of the renewal survey.
- (13) If an annual survey is completed before the period specified under Article 14 of the Load Lines Convention —
  - (a) the anniversary date shown on the International Load Line Certificate shall be amended by endorsement to a date not exceeding three months later than the date on which the annual survey was completed;
  - (b) the subsequent annual survey required under Article 14 of the Load Lines Convention shall be completed at the intervals prescribed using the new anniversary date; and
  - (c) the expiry date of the International Load Line Certificate may remain unchanged provided that one or more annual surveys are carried out so that the maximum intervals between the surveys prescribed under Article 14 of the Load Lines Convention are not exceeded.
- (14) An International Load Line Certificate shall be invalid if —
  - (a) material alterations have taken place in the hull or superstructures of the ship that require the assignment of an increased freeboard;
  - (b) fittings and appliances referred to under Article 14(1)(c) of the Load Lines Convention are not maintained in an effective condition;

- (c) the certificate is not endorsed to show that the ship has been surveyed in accordance with Article 14(1)(c) of the Load Lines Convention; or
  - (d) the structural strength of the ship is lowered to such an extent that the ship is unsafe.
- (15) An International Load Line Exemption Certificate —
- (a) issued to an exempted ship subject to regulation 12(3), shall not exceed five years;
  - (b) is subject to the renewal, endorsement, extension and cancellation procedures provided for an International Load Line Certificate; and
  - (c) issued to a ship exempted under regulation 14(6), is limited to the single voyage for which the certificate is issued.

## **24. Validity of approvals, exemptions, and equivalents.**

An approval required under the Load Lines Convention, or an exemption or equivalent permitted under the Load Lines Convention, is valid, if —

- (a) approval, exemption, or equivalent is in writing;
- (b) approval, exemption, or equivalent specifies the commencement date; and
- (c) the conditions stated in the approval or exemption are complied with.

## **25. Publication of load line certificate and notification of draughts.**

- (1) If a Load Line Certificate or an Exemption Certificate is issued for a Bahamian ship, the company and master shall ensure that the certificate is —
  - (a) kept legible; and
  - (b) posted in a conspicuous place on board the ship.
- (2) Subject to paragraph (4), the master shall, before a Bahamian ship proceeds to sea, ensure that the notice of draughts is —
  - (a) posted in a conspicuous place on board the ship;
  - (b) in a specified form; and
  - (c) contains such particulars relating to the depth to which the ship is loaded as specified in Schedule 7 of Marine Notice 100.
- (3) If a notice has been posted, in accordance with paragraph (2), the master shall cause it to be kept legible and posted until the ship arrives at any other dock, wharf, harbour or place.

- (4) If records are kept in an approved electronic format, the notice referred to under paragraph (2) need not be displayed, if the particulars that would have been displayed on the notice are available on request.

## **PART III – BAHAMIAN SHIPS TO WHICH THE LOAD LINES CONVENTION DOES NOT APPLY**

### **26. Bahamian ships to which the Load Lines Convention does not apply.**

- (1) Subject to paragraphs (2) and (4) and regulation 27 —
  - (a) Part II of these Regulations apply to a Bahamian ship to which the Load Lines Convention does not apply by its length, gross tonnage or nature of its voyage; and
  - (b) notwithstanding paragraph (a), regulations 8 and 22 do not apply to a Bahamian ship.
- (2) For the purposes of this Part, a reference to an International Load Line Certificate or an International Load Line Exemption Certificate shall be read as a reference to a Bahamas Load Line Certificate or a Bahamas Load Line Exemption Certificate, respectively.
- (3) A Bahamas Load Line Certificate or a Bahamas Load Line Exemption Certificate shall be in the form as set out under Schedule 11 of Marine Notice 100.

### **27. Exemption for a Bahamian ship to which the Load Lines Convention does not apply.**

- (1) The Authority may exempt a Bahamian ship to which the Load Lines Convention does not apply by its length, gross tonnage or nature of its voyage —
  - (a) as specified in a Bahamas Load Line Exemption Certificate; or
  - (b) on such terms as the Authority determines; and
  - (c) on notice, may alter or cancel an exemption.
- (2) An exemption issued under paragraph (1) is valid if —
  - (a) the exemption is in writing;
  - (b) the exemption specifies the date on which it takes effect; and
  - (c) the conditions stated in the exemption are complied with.

## **PART IV — FOREIGN SHIP REQUIREMENTS**

### **28. Requirement for a foreign ship to comply with the Load Lines Convention.**

- (1) Subject to paragraphs (2) to (5), a foreign ship shall comply with the requirements of Annex I of the Load Lines Convention as is applicable to a ship of its description.
- (2) A foreign ship constructed before 21 July 1968 which does not comply with Annex I of the Load Lines Convention, shall comply with the requirements applicable to ships engaged on international voyages under the law in force immediately before 21 July 1968.
- (3) If a foreign ship constructed before 21 July 1968 requires a reduction in freeboard, the ship shall comply with the requirements applicable to ships constructed on or after 21 July 1968 under Annex I of the Load Lines Convention.
- (4) A foreign ship constructed on or after 21 July 1968 but before 1 January 2005 shall comply with the requirements of Annex I of the Load Lines Convention which were applicable to ships engaged on international voyages immediately before 1 January 2005.

### **29. Compliance with 2008 IS Code.**

A foreign ship constructed on or after 1 July 2010 shall comply with the requirements of Part A of the 2008 IS Code in accordance with regulation 1(3) (b) of Annex I of the Load Lines Convention.

### **30. Zones and areas for a foreign ship.**

A foreign ship shall comply with the requirements applicable to that ship under Article 11 of Annex II of the Load Lines Convention in the zones and areas applicable to Bahamian waters.

### **31. Form of certificates for a foreign ship.**

- (1) An International Load Line Certificate or, where appropriate, an International Load Line Exemption Certificate shall be in the form in Annex III of the Load Lines Convention.
- (2) The certificates specified in paragraph (1), if not written in English or French, shall be accompanied by a translation into one of those languages.

### **32. Prohibition on proceeding to sea.**

- (1) Subject to paragraph (2), a foreign ship shall not proceed or attempt to proceed, to sea from a port in The Bahamas unless —
  - (a) the ship has been surveyed in accordance with the applicable requirements of the Load Lines Convention;
  - (b) the ship is marked with the appropriate marks in accordance with the applicable requirements of the Load Lines Convention;
  - (c) the ship complies with the conditions of assignment applicable to the ship in accordance with the Load Lines Convention; and
  - (d) the information required under regulation 10 of Annex I of the Load Lines Convention is provided to the master by the company.
- (2) Paragraph (1) does not apply to a foreign ship for which a valid International Load Line Convention Certificate or, where appropriate, a valid International Load Line Exemption Certificate is produced.

### **33. Force majeure relating to a foreign ship.**

The Authority shall give due consideration to any deviation or delay caused to a foreign ship owing to stress of weather or *force majeure*, in accordance with Article 7 of the Load Lines Convention.

### **34. Submersion of load lines on a foreign ship.**

- (1) The appropriate load lines on the sides of a foreign ship shall not be submerged when the ship —
  - (a) puts to sea from a port in The Bahamas;
  - (b) is on a voyage in Bahamian waters; or
  - (c) arrives at a port in The Bahamas;in accordance with Article 12(1) of the Load Lines Convention.
- (2) For the purposes of paragraph (1), “**appropriate load lines**” means the load lines that correspond to the season of the year and the area or zone applicable to Bahamian waters in accordance with Annex II of the Load Lines Convention.

### **35. Control of foreign ships holding a valid Convention Certificate.**

- (1) A foreign ship in a port of The Bahamas holding an International Load Line Certificate or an International Load Line Exemption Certificate is subject to the control of an inspector in accordance with Article 21 of the Load Lines Convention.

- (2) If there is a valid International Load Line Certificate on board the ship, control is limited to determining that the —
  - (a) ship is not loaded beyond the limits allowed by the certificate;
  - (b) position of the load line of the ship corresponds with the certificate; and
  - (c) ship has not been so materially altered in respect of the matters set out in Article 19(9)(a) or (b) of the Load Lines Convention that the ship is manifestly unfit to proceed to sea without danger to human life.
- (3) If there is a valid International Load Line Exemption Certificate on board the ship, control is limited to determining that any conditions specified in that certificate are complied with.
- (4) If control is exercised under paragraph (2)(c), it shall only be exercised to ensure that the ship does not sail until the ship is fit to proceed to sea without danger to human life.
- (5) For the purposes of paragraph (2), an inspector may accept a certificate that the inspector considers to be equivalent to an International Load Line Certificate or an International Load Line Exemption Certificate, if the flag State of the foreign ship is not a Party to the 1966 Convention or the Load Lines Convention.

## **PART V - MISCELLANEOUS**

### **36. Offences and penalties.**

- (1) A person shall not —
  - (a) intentionally alter a certificate;
  - (b) falsely make a certificate;
  - (c) in connection with a survey required, knowingly or recklessly provide false information;
  - (d) with intent to deceive, use, lend, or allow a certificate to be used by any other person;
  - (e) fail to surrender a certificate on the request of the Authority or Assigning Authority.
- (2) A person who contravenes paragraph (1), commits an offence and is liable on —
  - (a) summary conviction to a fine not exceeding five thousand dollars; or
  - (b) conviction to a fine not exceeding two hundred thousand dollars.

- (3) A person who contravenes regulation 4 commits an offence and is liable—
  - (a) on summary conviction, to a fine not exceeding five thousand dollars; or
  - (b) on conviction on information to a fine not exceeding two hundred thousand dollars.
- (4) The company and master who contravenes regulation 9(1) commits an offence and is liable —
  - (a) on summary conviction, to a fine not exceeding five thousand dollars; and
  - (b) on conviction on information, to a fine not exceeding two hundred thousand dollars.
- (5) The company and master who contravenes regulation 9(2) commits an offence and is liable —
  - (a) on summary conviction, to a fine not exceeding five thousand dollars and by such additional fine, not exceeding an amount calculated in accordance with paragraph (6), as 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; and
  - (b) on conviction on information, to a fine not exceeding two hundred thousand dollars.
- (6) An additional fine imposed under paragraph (5)(a) shall not exceed one thousand dollars for each complete centimetre that the appropriate load line on each side of the ship —
  - (a) for regulation 9(2)(a), was submerged; or
  - (b) for regulation 9(2)(b), would have been submerged.
- (7) Without prejudice to paragraph (5), a person who, having reason to believe that a ship is so loaded, sends or is party to sending the ship to sea, commits an offence and is liable —
  - (a) on summary conviction, to a fine not exceeding five thousand dollars;
  - (b) on conviction on information, to a fine not exceeding two hundred thousand dollars.
- (8) When a person is charged with an offence under paragraph (5), it shall be a defence to prove that the —
  - (a) contravention was due solely to a deviation or delay; and
  - (b) deviation or delay was caused solely by the weather or other circumstances that the master, company or charterer could not have foreseen or prevented.

- (9) A company and master who contravenes regulation 13(a) commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars.
- (10) A person who contravenes regulation 13(b) commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars.
- (11) It shall be a defence for a person charged under paragraphs (9) and (10) to show that the person had reasonable excuse for the contravention.
- (12) A company and master who contravenes regulation 25 commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.

**37. Detention.**

- (1) A ship that —
  - (a) proceeds or attempts to proceed to sea without being surveyed and marked, may be detained until it has been surveyed and marked;
  - (b) fails to comply with the conditions of assignment applicable to the ship, may be detained until it complies with the conditions;
  - (c) without prejudice to any proceedings under regulation 36, is loaded in contravention of regulation 9(2), may be detained in accordance with the Act until it ceases to be so loaded.
- (2) 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 1<sup>st</sup> day of April, 2026.**

**Signed**  
**JOBETH COLEBY-DAVIS**  
**MINISTER RESPONSIBLE FOR MARITIME AFFAIRS**