

**VIRGIN ISLANDS**  
**MERCHANT SHIPPING (CARIBBEAN SMALL COMMERCIAL**  
**VESSELS) (AMENDMENT) REGULATIONS, 2025**

**ARRANGEMENT OF REGULATIONS**

**REGULATION**

1. Citation
2. Regulation 2 amended
3. Regulation 3 amended
4. Regulation 6 amended
5. Regulation 7 amended
6. Regulation 8 amended
7. Regulation 10 amended
8. Regulation 11 amended
9. Regulation 22 amended
10. Regulation 26 amended
11. Regulation 29 amended

**VIRGIN ISLANDS**  
**STATUTORY INSTRUMENT 2025 NO. 71**  
**MERCHANT SHIPPING ACT, 2001**  
**(NO. 13 OF 2001)**

**Merchant Shipping (Caribbean Small Commercial Vessels) (Amendment)**  
**Regulations, 2025**

[Gazetted 10<sup>th</sup> July, 2025]

The Governor, in exercise of the powers conferred by sections 459 and 467 of the Merchant Shipping Act, 2001, No. 13 of 2001, makes the following Regulations:

**Citation**

1. These Regulations may be cited as the Merchant Shipping (Caribbean Small Commercial Vessels) (Amendment) Regulations, 2025.

**Regulation 2 amended**

2. The Merchant Shipping (Caribbean Small Commercial Vessels) Regulations, 2004, S.I. No. 7 of 2004 (hereinafter referred to as the “principal Regulations”) is amended in regulation 2 as follows:

- (a) by inserting after the definition of “Act” the following definition:

““Caribbean Trading Area” means the Gulf of Mexico and Caribbean Sea proper including the bays and seas therein and that portion of the Atlantic Ocean within the boundary constituted by a rhumb line from a point on the east coast of the United States of America in latitude 32° 00' north to the intersection 20° 00' north, 59° 00' west; thence a rhumb line to the intersection of 7° 20' north, 50° west; thence a rhumb line drawn southwesterly to the eastern boundary of French Guiana”;
- (b) by deleting the definition of “Code” and substituting the following definition:

““Code” means the Code of Safety for Small Commercial Vessels Operating in the Caribbean Trading Area (SCV Code 2021) prepared for Caribbean Countries with the support of the International Maritime Organisation (August 2021), as subsequently amended or replaced from time to time;”;
- (c) by deleting the definition of “small commercial vessel” and substituting the following definition:

““small commercial vessel” means a vessel which

- (a) is of 5 metres or more in length but less than 24 metres in length; and
- (b) operates commercially, trading within the Caribbean Trading Area;”;
- (d) by inserting after subregulation (1) the following subregulation:

“(1A) A word or expression used in these Regulations which is defined in the Code has the same meaning given in the Code unless expressly provided otherwise.”.

### **Regulation 3 amended**

3. Regulation 3 of the principal Regulations are amended by deleting and substituting with the following regulation:

#### **“Application**

3. (1) Subject to regulation 4, these Regulations apply to
- (a) small commercial vessels operating within the Caribbean Trading Area which are Virgin Islands vessels; and
  - (b) foreign small commercial vessels operating in Virgin Islands waters.
- (2) These Regulations do not apply to
- (a) fishing vessels;
  - (b) pleasure vessels;
  - (c) vessels constructed or adapted for the carriage in bulk of liquid cargoes of a flammable or toxic nature (tankers); and
  - (d) boats forming part of a vessel’s lifesaving equipment that are used to carry passengers only in emergencies or during emergency exercises.
- (3) These Regulations apply to a passenger vessel only if the vessel
- (a) operates at a distance of 20 miles or less from the nearest harbour or safe refuge;
  - (b) carries no more than 150 passengers; and
  - (c) where overnight accommodation is provided, carries no more than 50 passengers on overnight voyages.”.

### **Regulation 6 amended**

4. Regulation 6 of the principal Regulations is amended by deleting the words “Certificate of Inspection” and substituting the words “SCV Safety Certificate”.

### **Regulation 7 amended**

5. Regulation 7 of the principal Regulations is amended by deleting the words “Certificate of Inspection” and substituting the words “SCV Safety Certificate” wherever they appear.

**Regulation 8 amended**

6. Regulation 8 of the principal Regulations is amended by deleting the words “Certificate of Inspection” and substituting the words “SCV Safety Certificate” wherever they appear.

**Regulation 10 amended**

7. Regulation 10 of the principal Regulations is amended by deleting the words “Certificate of Inspection” and substituting the words “SCV Safety Certificate” wherever they appear.

**Regulation 11 amended**

8. Regulation 11(1)(a) of the principal Regulations is amended by deleting the words “Certificate of Inspection” and substituting the words “SCV Safety Certificate” wherever they appear.

**Regulation 22 amended**

9. Regulation 22 of the principal Regulations is amended by deleting subregulation (4) and substituting the following subregulation:

“(4) The hours of rest shall be as follows:

(a) a minimum of 10 hours of rest in any 24 hour period; and

(b) 77 hours in any 7 day period,

and the hours of rest may be divided into no more than two periods, one of which shall be at least six hours in length, and the intervals between consecutive periods of rest shall not exceed fourteen hours.”.

**Regulation 26 amended**

10. Regulation 26 of the principal Regulations is amended by deleting the words “Certificate of Inspection” and substituting the words “SCV Safety Certificate”.

**Regulation 29 amended**

11. Regulation 29 of the principal Regulations is deleted and substituted by the following regulation:

“29. In any case where a ship to which these Regulations apply does not comply with the requirements of these Regulations, the ship shall be liable to be detained and section 439 of the Merchant Shipping Act 2001, which relates to the detention of a ship, shall have effect in relation to the ship.”.

Made by the Governor this 26<sup>th</sup> day of June, 2025.

(Sgd.) Daniel Pruce,  
Governor.