



BRITISH VIRGIN ISLANDS
National Maritime Strategy
For the
IMO Instruments Implementation Code (IIC)
Prepared by the
VIRGIN ISLANDS SHIPPING REGISTRY



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1. Introduction

1.1 Virgin Islands Shipping Registry

The Virgin Islands Shipping Registry (VISR) is a department of the Premier's Office of the Government of the British Virgin Islands (BVI). It was created in 2005 from the merger of the BVI Maritime Authority and the Shipping Registry function of the Financial Commission. This consolidated the registration and administration of maritime matters under one department which reports directly to the Premier of the Virgin Islands through the Permanent Secretary in the Premier's Office.

VISR provides oversight on maritime matters across the various Government departments and statutory agencies tasked with maritime responsibilities in the Virgin Islands, and hosts regular meetings to discuss developments and requirements; and to provide advice support and auditory functions where required to verify compliance. This information and feedback are then advanced to the steering committee via the Director of Shipping.

The Virgin Islands has a vibrant trade by sea with our neighbours. We also host innumerable pleasure and commercial yachts which bring in tourists to sustain our economy. Passenger ferries offer mass rapid transportation system between the islands and are essential to connect the islands with one another and rest of the world. The VISR is essential to provide maritime administration service to the local marine industry.

The VISR carries out the registration of these ferries, yachts and ships and any mortgage or lien on them which are required by financiers to provide the funds to purchase and operate them. The VISR is the government body responsible for implementing and enforcing the International Conventions on Safety, Security and protection of the environment. We implement policies by issuing national legislation and guidance, which assists with the implementation and enforcement of the requirements for all safety and pollution prevention conventions and protocols. We issue certificates to show compliance to these.

Further the VISR carries out assessment of competence and certification of seafarers, issue certificates and endorsements that accurately reflect the competencies of the seafarers and also conducts of investigations into casualties.

The sea has played and will continue to play, a vital part in the development of this island territory. The Shipping Registry provides important advice in maritime matters to the Government, the public and private sector organisations as well as the general public.

Section 454 of the Merchant Shipping Act also provides for the establishment of a Maritime Advisory Board to provide advice to the Cabinet and the Premier as they require.

1.2 International Maritime Organization

The International Maritime Organization (IMO) is the United Nations' specialised agency and the global standard-setting authority for the safety and environmental performance of international shipping. Its main role is to create a regulatory framework for the shipping industry that is fair and effective and universally adopted and implemented. Shipping is very much an international industry,

and it can only operate effectively if the regulations and standards are themselves agreed, adopted and implemented on an international basis. IMO is the forum at which this process takes place.

2. Background

2.1. IMO Instruments Implementation Code

The IMO formally adopted the IMO Instruments Implementation (III) Code in 2013, to provide a global standard to enable States to meet their obligations as responsible flag, port and coastal States, and to provide the criteria for determining how Member States give full and complete effect to the provisions of those international maritime conventions to which they are Contracting Parties. The IMO has since adopted amendments to several IMO instruments to make the use of the III Code mandatory for the purpose of auditing Member States, these amendments entered into force on 1st January 2016.

The IMO instruments included within the scope cover:

- ❖ **Safety of life at sea (SOLAS 1974 and its 1988 Protocol);**
- ❖ **Prevention of pollution from ships (MARPOL);**
- ❖ **Standards of Training, Certification and Watch keeping for seafarers (STCW 1978);**
- ❖ **Load lines (LL 66 and its 1988 Protocol);**
- ❖ **Tonnage measurement of ships (Tonnage 1969); and**
- ❖ **Regulations for preventing collisions at sea (COLREG 1972).**

The UK Member State is signatory to international conventions on behalf of the Red Ensign Group (REG) Administrations (comprising of the UK, three Crown Dependencies (CDs) and nine UK Overseas Territories (OTs)). These conventions, where appropriate, have been extended by the UK to the CD and OT Administrations who are responsible for implementation of these conventions within their Administration. The UK maintains general superintendence of the CDs and OTs and assists them in fulfilling their international obligations under these treaties.

2.2. British Virgin Islands Maritime Administration

The BVI's Maritime Administration is a constitution of Government Departments, and other entities with statutory obligations, who are involved in maritime affairs, and with their various roles and maritime responsibilities, carry out statutory functions relevant to international maritime obligations. A diagram of the Maritime Administration can be found in Annex 1.

2.3. III Strategy Aim

The intention of this III strategy is to support the BVI in meeting the aims and objectives herein to achieve full compliance with relevant maritime international conventions in accordance with the mandatory III Code and IMO audit scheme.

3. Vision Statement

The Virgin Islands Shipping Registry works towards successfully contributing to continuous enhancement of global maritime safety and protection of the marine environment for and on behalf of the Government of the British Virgin Islands.

4. Mission Statement

The BVI's Maritime Administration, will exercise its flag, port and coastal State responsibilities by performing its duties in a way that gives full and complete effect to applicable international maritime rules and regulations (maritime safety and marine environmental).

5. III Strategy Purpose

5.1. Aims

1. Provide a consistent approach for the government of the BVI in meeting the requirements of the III Code, which became mandatory on 1st January 2016.
2. Achieve and maintain the ability to effectively implement and enforce relevant international mandatory instruments.
3. Achieve, maintain and improve overall performance and capability as a flag, port and coastal State by continuous monitoring, review and evaluation.
4. Enhance awareness and co-operation between respective governments, and respective departments within each government in the BVI to develop a collaborative approach to demonstrate compliance.

5.2. Objectives

1. Effectively demonstrate how compliance is achieved in accordance with the requirements of the III Code, as applicable.
2. In accordance with the III Code, identify areas of non-compliance, potential non-compliance and/or improvement.
3. Implement and enforce policies through issuing national legislation, procedures and guidance and ensure they are kept current.
4. Implement and maintain an oversight regime across all stakeholders to continuously check the adequacy of the measures being taken to meet the requirements of the III Code.

5. Ensure that competent personnel and sufficient resources and processes are in place to give full effect to the requirements of the III Code.
6. Promote the requirements of the III Code and collect feedback from relevant stakeholders on how international obligations are being achieved.
7. Create opportunities to maintain and develop relationships with responsible departments outside of the ship registry, and with other responsible stakeholders within the BVI to continue and improve collaborative working.

5.3. Activities

This III strategy's aims and objectives are met through the following ongoing activities:

5.3.1. Development and implementation of policies and procedures

- Explanation and intended delivery of the III Code and mandatory audit is incorporated into the objectives of the Virgin Islands Shipping Registry.
- Implementation and implications of the III Code and mandatory audit are incorporated into the relevant entities overall risk register / methodology for managing risks.
- Actions are identified and carried out by responsible stakeholders to demonstrate ongoing adherence to the III Code, where applicable.
- Policies are developed / amended by the BVI's Maritime Administration to implement the most recent legislation.
- Policies are effectively circulated and publicised for giving complete effect to applicable IMO instruments.
- Applicable records for tracking and compliance purposes are stored and maintained effectively, and an up-to-date policy is in place to support achievement of this.
- Responsibilities, authorities, qualifications and continuous training of personnel who manage and perform work relating to and affecting safety and pollution prevention are defined and documented by the respective responsible entities.
- Sufficient resources and processes capable of administering an effective system of safety and environmental protection are established and maintained by the respective responsible entities.
- The implementation of all the above procedures and policies will be periodically reviewed by the VISR.

- Revision of the Quality Management System to maintain the requirements of ISO 9001:2015 standard.

5.3.2. Stakeholder Relationships

- Liaison with responsible departments / stakeholders within the BVI Government takes place, to promote the requirements of the III Code and gather feedback on how International obligations are being achieved. Problem areas are identified and advice for improvement given.
- Collaborative relationships are built between the UK and CD/OT Maritime Administrations and assistance is given to the territories to support them in fulfilling their obligations, through development of appropriate instruments, guidelines, recommendations, REG monitoring visits, REG Conference and Technical Forum.

5.3.3. Monitoring

- All BVI government departments, statutory bodies, and port authority, with flag, port or coastal State responsibilities, have an effective monitoring methodology in place, to assess and give assurance to the VISR of their performance in meeting their international obligations, including the identification of any improvements necessary.

5.3.4. Review and Improvement

- The content of this III Code strategy is periodically reviewed by the VISR, to maintain and improve the BVI's performance and capability as a flag, port and coastal State.
- The VISR maintains on-going effort to identify issues and make changes to improve its effectiveness in carrying out its services and processes, and to continue to fulfil its obligations and objectives under the III Code.
- The VISR provides to the maritime industry, opportunities for improvement of performance in maritime safety and environmental related activities.

6. Supporting Annex

An annex supports the BVI III Code Strategy as listed below. This is detailed under Section 8.

8.1 Maritime Administration Structure

7. Category of the BVI flag State

7.1. Category of BVI Ship Registry

BVI is a Category 1 administration. The UK's Statutory Instrument No. 1248 of 2003, the Merchant Shipping (Categorisation of Registries of Relevant British Possessions) Order 2003, as amended, provides for the BVI to be a Category 1 Registry which permits the BVI to register vessels of unlimited tonnage, type and size. A Memorandum of Understanding (MOU) between the UK's Department for Transport and the BVI on survey and certification of ships and related standards is in place to provide a framework of objectives in support of the Categorisation Order.

7.2. Status of conventions relevant to the III Code which are extended to the BVI

The United Kingdom, in exercise of its powers under International Law and under the UN Convention on the Law of the Sea (UNCLOS), has devolved the implementation of the duties, obligations and responsibilities for flag, port and coastal States to the CDs and OTs through the extension of maritime conventions relating to safety of life at sea and protection of the marine environment.

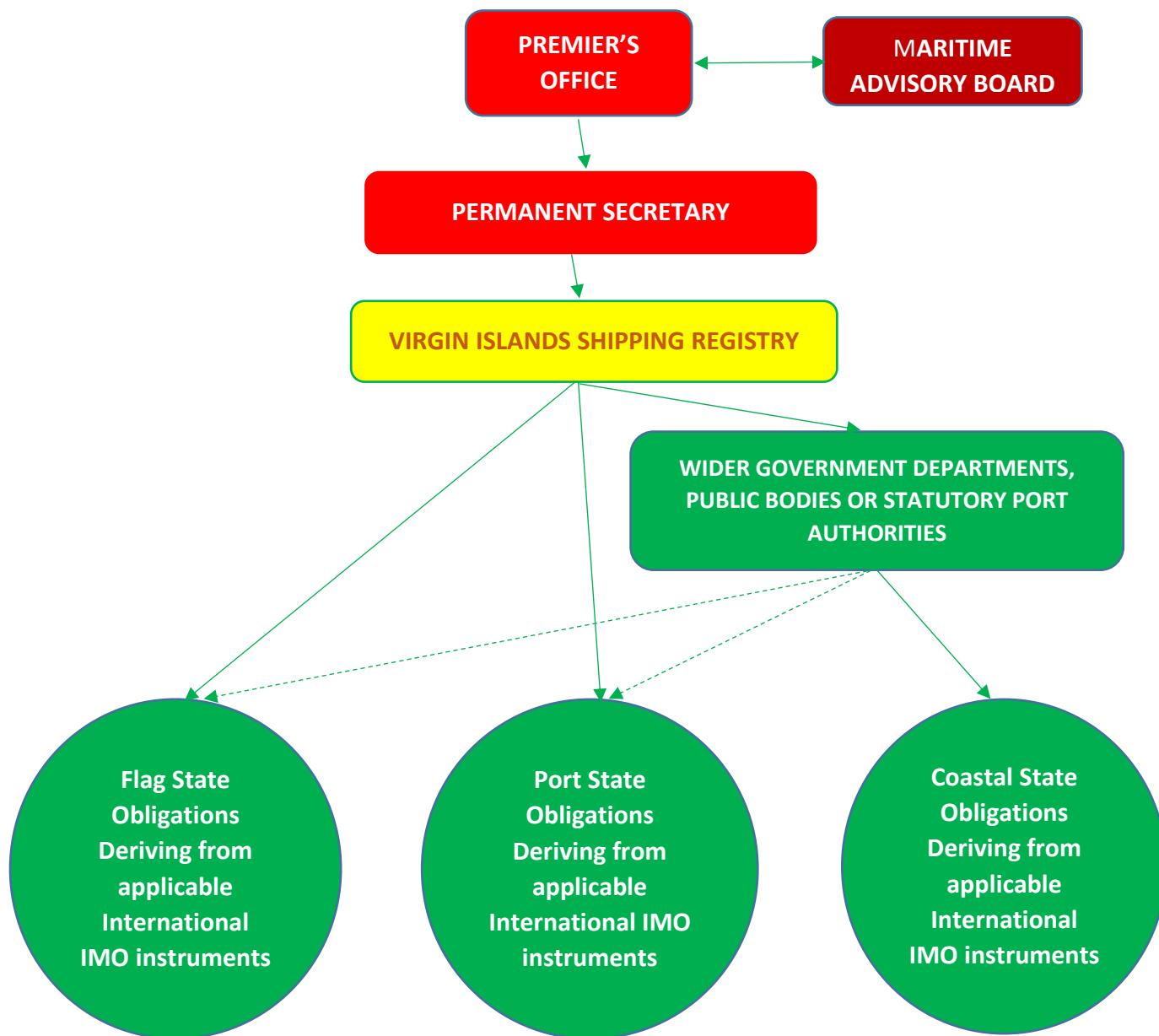
The table below illustrates which of the six conventions listed in section 2.1 have been extended to the BVI.

Convention name	Date of extension
SOLAS 1974	10-Jun-04
SOLAS Protocol 1988	10-Jun-04
MARPOL 1978	VARIOUS
MARPOL Annex I	19-Jun-06
MARPOL Annex II	19-Jun-06
MARPOL Annex III	19-Jun-06
MARPOL Annex IV	19-Jun-06
MARPOL Annex V	19-Jun-06
MARPOL Annex VI	09-Sep-13
LOAD LINE 1966	10-Jun-04
Load Line Protocol 1988	10-Jun-04
STCW 1978	19-Jun-06
TONNAGE 1969	15-Sep-09
COLREG 1972	15-Jul-77

7.3. Government-wide requirements

The III Code is a government-wide obligation and not just a matter for the department within the BVI Government responsible for operation of the shipping register.

Some obligatory functions under the scope of the III Code are under the control of other government departments, public bodies or statutory port & harbour authorities in the BVI.



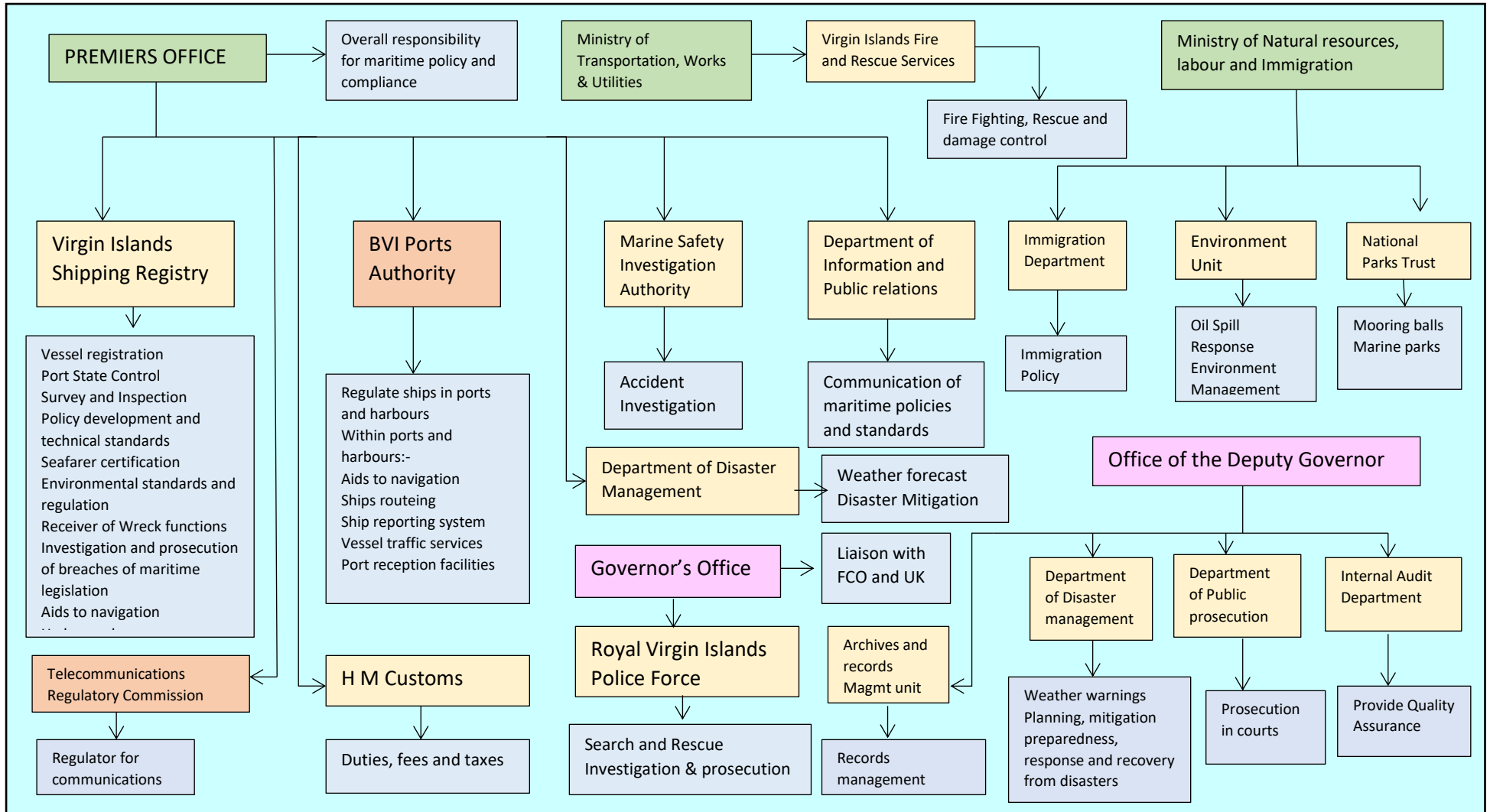
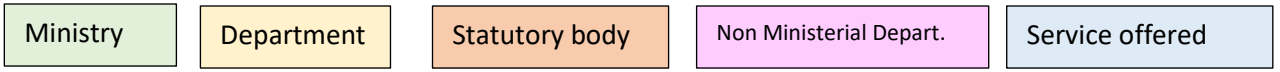
Broken line indicates there may be partial responsibility

8. Relationship of the Maritime Advisory Board with the Government of Virgin Islands

The work of the Maritime Advisory Board is carried out on behalf of the Government of Virgin Islands and the Chairman of the Maritime Advisory Board is responsible for ensuring that the Government of Virgin Islands is kept informed of the BVI's compliance with its international obligations.

ANNEX 1

BVI MARITIME ADMINISTRATION KEY



IMO Instruments Implementation Code (IIIC)

Maritime Strategy

