# Ocean Governance in the Republic of Trinidad and Tobago- The role of the Maritime Services Division

Enhancing Ocean Governance in the Caribbean Region Symposium

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# Introduction

Ocean governance comprises overall policy and strategy with regard to the affairs of the world's oceans.

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# Introduction

UNCLOS mirrored in local legislation

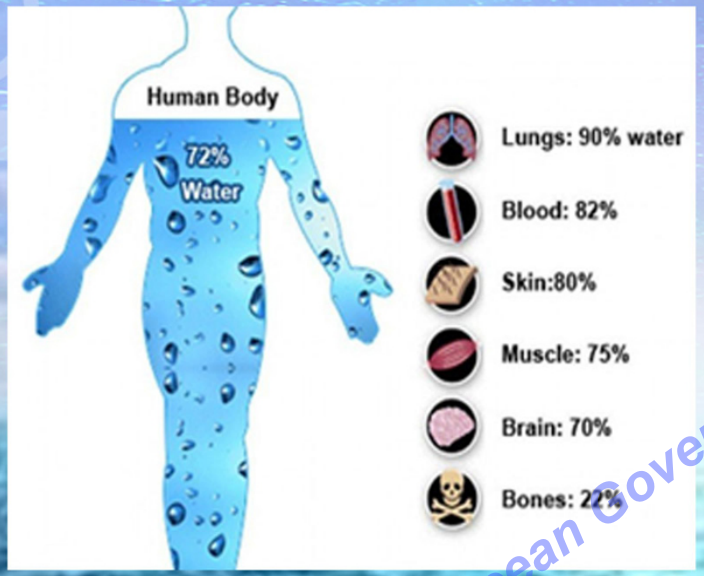
- The Archipelagic Waters and Exclusive Economic Zone Act, Act No. 24 of 1986;
- The Territorial Sea Act;
- The Continental Shelf Act;

And this is the way we will look at MSD role in Ocean Governance

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# Why is OG important- Anology




- 75% water
- Water used to regulate Heat in the body
- Oceans is one means of moving heat throughout the world

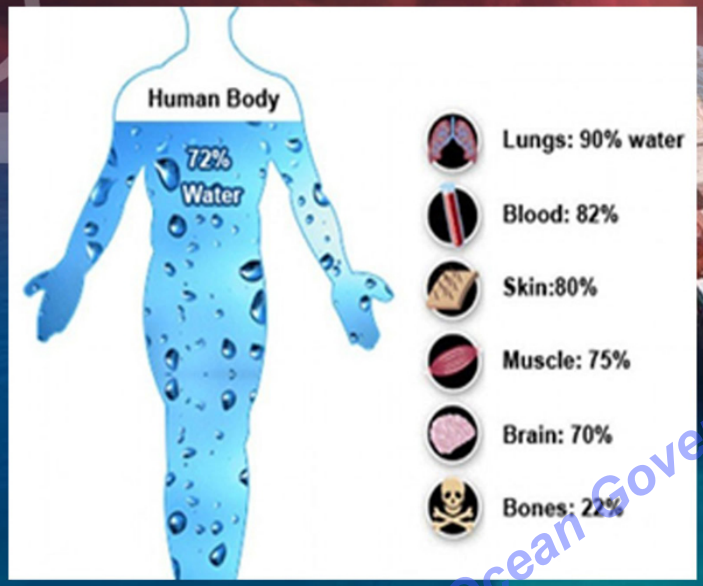
- 75% water



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# Why is OG important- Anology




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# MSD ROLE IN OG

The Maritime Services Division is the specialised maritime arm of the Ministry of Works and Transport which administers several pieces of legislation including, inter alia;

- The Shipping Act; Act No. 24 of 1987
- The Harbours Act ( No.13 of 1980)
- Oil pollution in the Territorial Waters of Trinidad and Tobago (Act 25 of 1951)

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# Control of Shipping Territorial Sea and Internal Waters

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# Control of Shipping
# Territorial Sea and Internal Waters

## Shipping Act

- Provides for the regulatory enforcement of the Safety of Life at Sea Convention (SOLAS) Convention
- Provides for the enforcement other mandatory international conventions of the IMO;
  - Tonnage Convention
  - Loadline Convention;
  - STCW Convention
  - Collision Regulation, among others.
- Provides for Registration of ships,
- Provides for Port State Control

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# Control of Shipping
# Territorial Sea and Internal Waters

## Shipping Act

- Provides for Flag State Implementation exercising its jurisdiction and control in the administrative, technical and social matters over its ships;
- Provides for Wreck and Salvage.
- Provides for Certification of seafarers.
- Provide for Aids to Navigation
- Provides for the safe operation of Passenger Ferries.

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# Control of Shipping
# Territorial Sea and Internal Waters




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# Control of Shipping
# Territorial Sea and Internal Waters

**Harbour Master Act**

- Provides for limited Ballast water sediment control

- Provides for visits to vessel before they are berthed at our ports .The *Harbours Act would be repealed and replaced by several modern provisions in the new Shipping Act.*

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# Control of Shipping
# Territorial Sea and Internal Waters

**Oil Pollution in the Territorial Waters of Trinidad and Tobago Act**

- This Act is self-explanatory and would be repealed and replaced by the ***Marine Pollution Act*** which seeks to implement several IMO maritime pollution prevention conventions to which Trinidad and Tobago is party, including MARPOL 73/78
- This act current provides the legal framework for Ballast Water regulating by the A Harbour Master

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# Control of Shipping
# Exclusive Economic Zone

***The Archipelagic Waters and Exclusive Economic Zone Act, Act No. 24 of 1986;***

- Section 28 empowers the Harbour Master to carry out his official duties in zones other than harbours, along with other law enforcement officials. Sections 11, 12 and 13 provide for innocent passage of vessels in the archipelagic waters.

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# Control of Shipping Continental Shelf

## The Continental Shelf Act

- Safety and security on offshore installations would be addressed in the new Shipping Act administered by the MSD.

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# Control of Shipping High Sea

- National law applies to Trinidad and Tobago registered vessels on the high seas.

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# Border Control

- ISPS Code
- More Focus

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# Current State of Regulatory Reform

- New Shipping Bill
- Marine Pollution Bill
- Extract the Ballast Water component

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# The Level of interaction with other Caribbean Territorial Agencies

- The Council for Trade and Economic Development on Transportation (COTED)
- Senior Maritime Administrators Biennial Conference
- Caribbean Memorandum of Understanding on Port State Control
- Caribbean Maritime Information System (Suriname)
- Regional Task Force for the implementation of the Ballast Water Convention in the Wider Caribbean Region via a Strategic Action Plan (Annual conferences or as required, Chair is now Colombia)

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# Challenges and Initiatives

- The development of the maritime policy, legislative, administrative and institutional frameworks could be further ahead as it relates to maritime safety and security legislation and the marine pollution legislation
- In particular, the transformation of the Division to a Maritime Authority
- Legislative upgrade of the shipping act and Marine pollution bill (on legislative agenda)
- Establishment of an Open Registry (Approved by Cabinet)
- Establishment of a Vessel Traffic Management System
- Staffing
- Framework for the expansion of layups and Ship to Ship Transfer in the Gulf of Paria.

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