



**Maritime  
Administration  
Department**

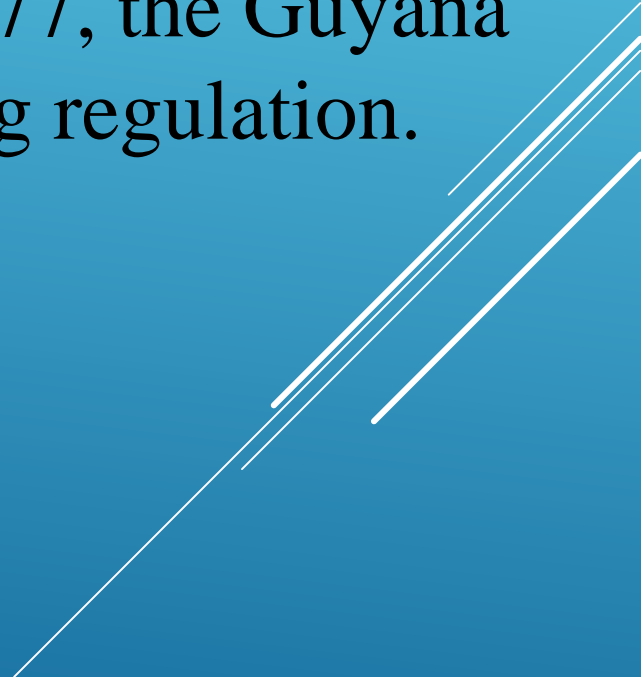
# **Country Report on MARPOL VI – Guyana**

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# CONSTITUTION

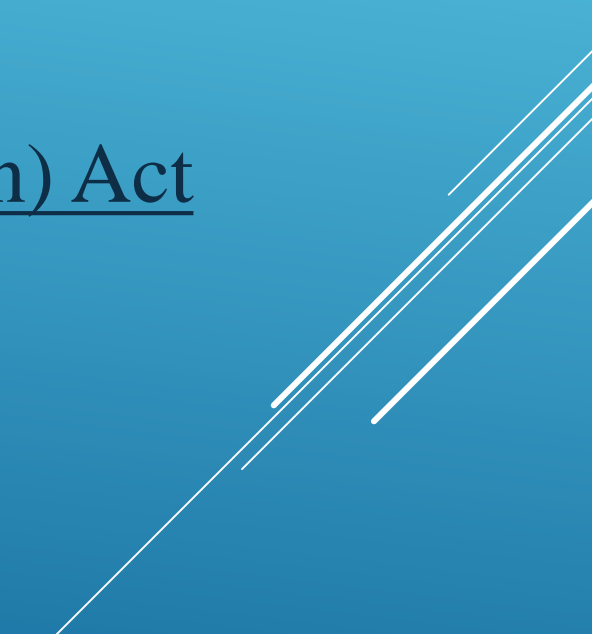
The Harbour in Georgetown and the other Harbours in Guyana and the approaches thereto are administered by the maritime administration department under the transport and Harbours ordinance, 1931, ordinance and ( amendment ) act 1977, the Guyana shipping act ( no. 7 of 1998 ) and the Guyana shipping regulation.



# Maritime And Shipping Acts and Regulations

## Principal Acts :

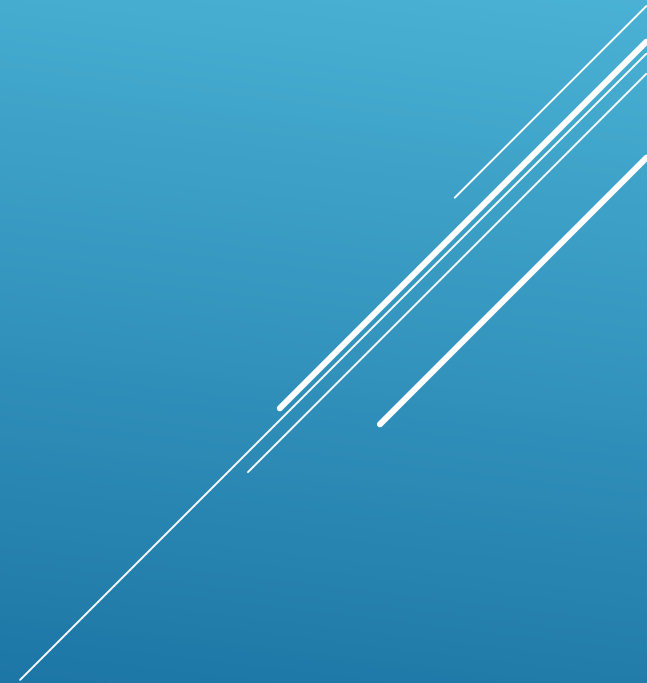
- ▶ Chapter 1007 – Maritime Drug Trafficking (Suppression) Act
- ▶ Chapter 1008 – Hijacking & Piracy Act
- ▶ Chapter 1501 – Defense Act
- ▶ Chapter 2005 – Environmental Protection Act
- ▶ Chapter 4901 – Shipping Act
- ▶ Chapter 4902 – Carriage Of Goods By Sea Act
- ▶ Chapter 4903 – Passengers Act
- ▶ Chapter 4904 – Transport & Harbours Act

- ▶ Chapter 4905 – Government Wharves Act
  - ▶ Chapter 4907 – Shipping Casualties (Investigation & Prevention) Act
  - ▶ Chapter 5001 – River Navigation Act
  - ▶ Chapter 5002 – River Navigation Markers Act
  - ▶ Chapter 6301 – Maritime Zones Act
  - ▶ Chapter 6504 – Petroleum (Exploration & Production) Act
  - ▶ Chapter 6505 – Petroleum (Production) Act
  - ▶ Chapter 7108 – Fisheries Act
  - ▶ Chapter 8201 – Customs Act
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# Subsidiary Legislation made under the Shipping and River Navigation Acts :

- ▶ Guyana Shipping (Small Commercial Safety) Regulations
- ▶ Guyana Shipping (Ship and Port Security) Regulations
- ▶ Guyana Shipping (Registration of Ships) Regulations
- ▶ Guyana Shipping (Cargo Ship Survey) Regulations
- ▶ North Western District Oil Launches Regulations
- ▶ Demerara River Oil Launches Regulations
- ▶ River Oil launches Regulations
- ▶ River Navigation Regulations

- ▶ River Navigation Regulations (Exemption) Order
- ▶ Declaration of Government Station Notice

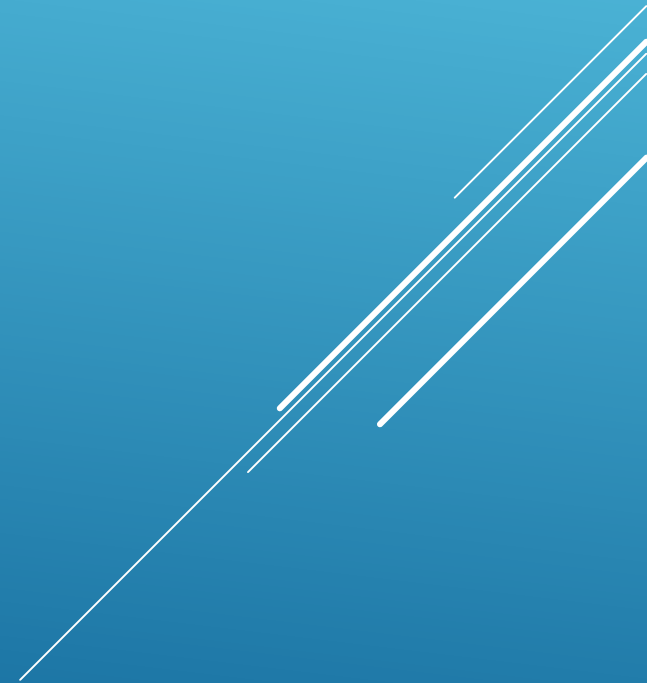




# IMO Conventions Ratified by Guyana

- ▶ IMO Convention 1948
- ▶ SOLAS Convention 1974
- ▶ SOLAS Protocol 1978
- ▶ LOAD LINES Convention 1966
- ▶ TONNAGE Convention 1969
- ▶ COLREG Convention 1972
- ▶ CSC Convention 1972
- ▶ STCW Convention 1978
- ▶ FACILITATION Convention 1965
- ▶ MARPOL 1973/1978 (Annex 1-VI)

- ▶ INTERVENTION Convention 1969
- ▶ CLC Convention 1969
- ▶ FUND Convention 1971
- ▶ PAL Convention 1974
- ▶ LLMC Convention 1976
- ▶ SUA Convention 1988
- ▶ SUA Protocol 1988
- ▶ SALVAGE Convention 1989
- ▶ OPRC Convention 1990





Guyana's High Commissioner to the United Kingdom, His Excellency Frederick Hamley Case, recently deposited 11 international instruments of accession at the International Maritime Organization (IMO).

This exercise comes on the heels of Guyana's recent ratification of 12 international instruments pertaining to the development of the maritime sector and the oil and gas industries.

The treaties, which were ratified in November 2018, range from the prevention of pollution from ships and dumping waste at sea to a maritime labour convention that establishes seafarers right to decent work conditions.

<b>COUNTRY</b>	<b>TREATY</b>	<b>METHOD OF DEPOSIT/DATE OF DEPOSIT/DATE OF ENTRY INTO FORCE</b>		
<b>Guyana</b>	<b>CLC PROT 1992</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>20-Feb-20</b>
<b>Guyana</b>	<b>FUND PROT 1992</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>20-Feb-20</b>
<b>Guyana</b>	<b>LLMC Protocol 1996</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>21-May-19</b>
<b>Guyana</b>	<b>LC PROT 1996</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>22-Mar-19</b>
<b>Guyana</b>	<b>MARPOL PROT 1997 (Annex VI)</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>20-May-19</b>
<b>Guyana</b>	<b>OPRC/HNS 2000</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>20-May-19</b>
<b>Guyana</b>	<b>BUNKERS 2001</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>20-May-19</b>
<b>Guyana</b>	<b>AFS 2001</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>20-May-19</b>
<b>Guyana</b>	<b>BWM 2004</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>20-May-19</b>
<b>Guyana</b>	<b>SUA 2005</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>21-May-19</b>
<b>Guyana</b>	<b>NAIROBI WRC 2007</b>	<b>Accession</b>	<b>20-Feb-19</b>	<b>20-May-19</b>

# INSTITUTIONAL

Institutions:

- ▶ Maritime Administration Department
  - ▶ Port State Control
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# RESOURCES

## Human Resources:

We lack skilled and trained personnel to implement and administer MARPOL Annex VI.

## Financial :

Financial constraints are prevalent in an ever expanding and technologically advanced MARPOL implementation process.

## Technological:

Based on our financial constraints we lack equipment that would assist in monitoring and measuring the pollutants and retrieving data.

# LEGISLATIVE

Guyana has ratified MARPOL Annex VI.

# BARRIERS AND LIMITATIONS

Apart from the need to prioritize which instruments are more suitable to be ratified, as well as limited financial, human and infrastructure resources available to us, perhaps the single most significant challenge in terms of incorporation of instruments (generally speaking) is the availability, or lack thereof, of qualified and skilled draftspersons in Government legal departments. Even though there are other Government lawyers, they probably have a limited grasp of legislative and/or parliament procedures

This challenge is compounded by the difficulty of keeping up with development in the law. Few ministerial/departmental budgets extend to any relevant magazines subscriptions, let alone textbooks and websites where legal texts can be found.

Another challenge is finding the people (Government officials) with whom one should consult on a piece of legislation since they are often too few and too busy trying to meet the country's domestic and international obligations.

In addition to the organizational challenges, assuming that a bill is produced, it is difficult to get much critical input from Cabinet or the legislature. Knowing that there will be little scrutiny of the bill puts a lot of pressure on the drafter to get it right the first time.




# **MONITORING AND ENFORCEMENT (MARPOL ANNEX VI )**

## **Role as Flag state and Port State**

Generally, Guyana exercises flag state control. Shipping Inspectors are assigned to inspect ships flying the Guyana flag so as to ensure compliance with regulations. Additionally, the Government of Guyana surveyors operate to ensure ships and ship owners are in compliance with applicable laws and regulations.

Port state control Inspectors are also tasked with ensuring that foreign vessels entering domestic ports comply with international standards and best practices. Vessels which are found to be in very poor condition and, thus, considered unseaworthy are hereby detained and prohibited from operating.

But, with the ratification of MARPOL Annex VI, personnel who are assigned to monitor and enforce the laws will have to be trained and equipped with the necessary skills and information regarding MARPOL Annex VI so as to comply with such laws.



# TECHNOLOGICAL

## Technological Uptakes:

We have now started data collection from ships with the return of a few forms. We have provided all Ship's Agents with the forms and they forward it to ship's captain prior to arrival. This is in its early stages and we are monitoring how effective our mode of distribution and return works.

## Barriers:

Adequate personnel to monitor and have an effective reporting system from ships and an independent database to process such data collected.

<b>DEMERARA 2017</b>	<b>CARGO SHIPS</b>	<b>CONTAINER SHIPS</b>	<b>OTHER VESSELS</b>	<b>TANKERS</b>	<b>TOTAL</b>
JANUARY	25	24	29	18	96
FEBRUARY	20	19	30	18	87
MARCH	25	30	31	19	105
APRIL	20	30	26	20	96
MAY	20	28	30	20	98
JUNE	22	26	21	19	88
JULY	29	24	30	21	104
AUGUST	22	23	36	23	104
SEPTEMBER	22	25	31	20	98
OCTOBER	31	25	25	18	99
NOVEMBER	33	27	30	23	113
DECEMBER	35	23	24	21	103
					1191

DEMERARA 2018	TANKER	CARGO	OTHER	CONTAINER	SUPPLY	TOTAL
JANUARY	20	22	3	23	11	79
FEBRUARY	20	26	6	21	8	81
MARCH	16	30	11	26	17	100
APRIL	23	35	6	20	33	117
MAY	19	37	8	21	31	116
JUNE	23	37	3	24	26	113
JULY	14	26	10	22	31	103
AUGUST	17	37	10	27	34	125
SEPTEMBER	23	26	13	22	31	115
OCTOBER	20	36	8	22	44	130
NOVEMBER	18	34	5	27	39	123
DECEMBER	23	33	4	24	54	139
						1341

# **OPPORTUNITIES FOR PARTNERSHIP**

Guyana has made progress with the ratification of MARPOL Annex VI and wishes to have the continued support from MTCC through capacity building workshops and consultation to have the successful implementation of MARPOL Annex VI.

We have been duly guided by the MTCC and have built a cohesive relationship that we look forward to as we takes steps to make the shipping industry safe, secure, environmentally sound, efficient and sustainable .