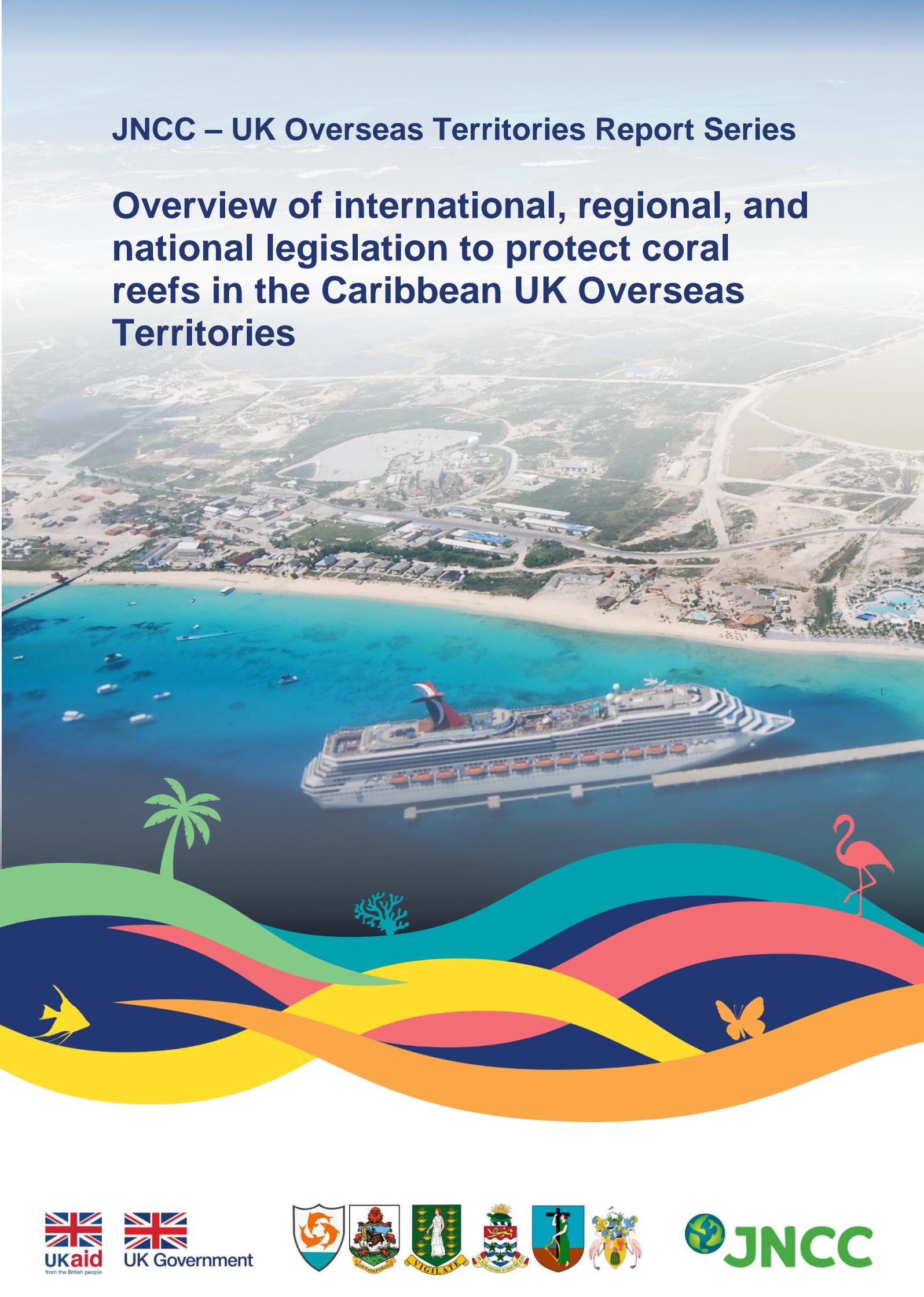


JNCC – UK Overseas Territories Report Series

Overview of international, regional, and national legislation to protect coral reefs in the Caribbean UK Overseas Territories



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Legislative Update

Since completing the report in 2021/22, the UK Government has acceded to the IMP Ballast Water Management Convention and is implementing the Convention's requirements through the Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022. This is good news for the marine environment and the current report should be read bearing this in mind. More information can be found on the [gov.uk website](https://www.gov.uk).

This report has been produced as part of the **JNCC – UK Overseas Territories Report Series** for the JNCC-led programme of work: [Building Environmental resilience and security in a changing climate through biodiversity conservation in the UK Overseas Territories](#).

JNCC is supporting the UK Overseas Territories to build the resilience of key ecosystems through a nature-based solutions' approach. Projects undertaken within the programme work with well-established partners in the UK Overseas Territories governments, and with local stakeholders, to build capacity in monitoring environmental change, integrating environmental evidence into economic policy, and building disaster resilience in the face of climate change. This work is funded with UK aid from the UK government through the Conflict, Stability and Security Fund (CSSF). This work builds upon the CSSF funded, JNCC-led, [Natural Capital in the Caribbean and South Atlantic Overseas Territories programme](#), undertaken from 2016 to 2020, and the Coral Reef Action Plans developed through the UK Overseas Territories Coral Reef Initiative since 2019.

Project details

This report was produced by JNCC in collaboration with the Governments of Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Montserrat, and Turks and Caicos Islands, and has been delivered by the [Implementing Coral Reef Action Plans for the UK Overseas Territories Coral Reef Initiative](#) project.

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Evidence Quality Assurance:

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Disclaimer:

The information presented in this paper is up to date and as complete as possible to the best of the author's knowledge as of March 2022. Information has been gathered in several ways including through liaising with the Governments of the respective territories, desk-based research and literature reviews. The paper reflects the author's opinion but does not claim to comprehend all existing marine environmental and maritime laws.

The views and recommendations presented in this report do not necessarily reflect the views and policies of JNCC.



Summary

As part of a CSSF funded project 'Implementing Coral Reef Action Plans for the UK Overseas Territories Coral Reef Initiative', this report provides an overview of legislation and legal frameworks to protect coral reefs and the wider marine environment in the six UK Overseas Territories in the Caribbean and Western Atlantic including Anguilla, Bermuda, British Virgin Islands (BVI), Cayman Islands, Montserrat and Turks and Caicos Islands (TCI).

Coral reefs are under serious threat in the Caribbean. Responding to known priorities and emerging threats facing coral reefs, the overall aim of the project is to work with each Overseas Territory (OT) to deliver priority areas of coral reef conservation guided by OT developed coral reef action plans, provide evidence and support to build a collaborative response for the UK OTs to protect and conserve reefs for the future. One of the key work themes of the project is to increase knowledge and resources to help combat Stony Coral Tissue Loss Disease (SCTLD) and support reef management via a comparison of legislation (Output 4, Action 4.4). To this end, JNCC has undertaken a review of the international, regional, and national legislation which aims to protect coral reefs and the wider marine environment in the territories in order to share opportunities to support coral reef management and enhance protection. The key findings from this review are listed below:

Key Messages

- A comprehensive **legislative framework** exists to protect coral reefs and the wider marine environment in the Caribbean OTs with international, regional, and national legislation covering most aspects of the marine environment including protected areas, land-based and maritime pollution, invasive species, and marine biodiversity conservation. However, not all relevant international or regional conventions are applicable in the OTs either because the UK has not ratified or acceded to them, or they have not been extended to the territories.
- The five most relevant international/regional agreements include the **Ballast Water Management Convention**, the **Anti-Fouling Systems Convention**, the **International Convention for the Prevention of Pollution from Ships (MARPOL Convention and its Annexes)**, the Convention for the Protection and Development of the marine environment in the Wider Caribbean Region (**Cartagena Convention and its Protocols**) and the **Ramsar Convention** on the protection of wetlands of international importance. Only the Ramsar Convention is fully applicable to the OTs. The other conventions are either not applicable or only partly, either because the UK has not ratified/acceded to them (in case of the Ballast Water Convention), or they have not been extended or only partially been extended to the territories (in case of Anti-fouling systems, MARPOL, and the Cartagena Conventions).
- Scientists have identified a potential **link between the spread of Stony Coral Tissue Loss Disease (SCTLD) and the exchange of ballast water**. There is currently no national legislation dealing directly with ballast water exchange in the territories. The UK has recently acceded to the international Ballast Water Convention but not yet extended it to the territories. Bermuda and Cayman Islands have indicated that they are likely to request extension of the Convention after accession by the UK.
- Any **new marine, maritime or biodiversity legislation** currently being drafted or in the pipeline in the territories should consider controls of ballast water in territorial waters while noting that special requirements for critical supply chain and trade vessels may be needed to ensure continued supply and trade in the region.

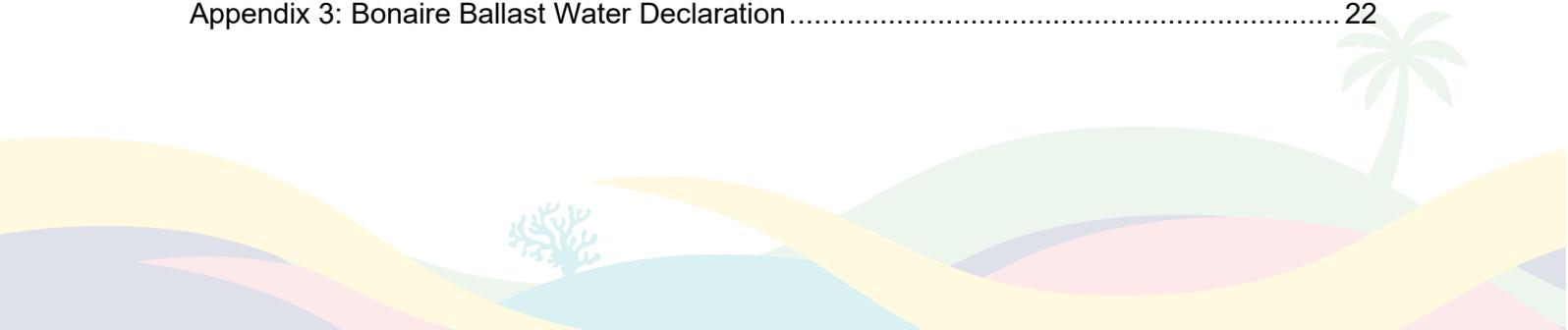


- In the absence of the Ballast Water Convention's applicability to the OTs, national legislation in conjunction with the precautionary principle should be used to control the exchange of ballast water within territorial waters (see **Bonaire case study**, Section 2).
- Given the current lack of ballast water controls and the uncertainties around the ethology and pathways of the disease, the management focus to limit the impacts of SCTLTD must be on the **overall good health of coral reefs and good water quality**. It is important to implement steps to mitigate environmental and anthropogenic stressors that increase the spread and severity of any disease (including SCTLTD). These steps should include improving sewage treatment, preventing soil erosion, preventing sedimentation caused by dredging, preventing of biofouling, eliminating destructive fishing practices, and reducing ballast and bilge water exchanges near coastlines and coral reefs.
- The designation of **proposed and new RAMSAR sites** in the territories (particularly marine sites) which have been identified in the 2004 UKOTCF review would increase the network of MPAs and thus provide further protection for coral reefs.
- **Enforcement of existing laws** is key in mitigating environmental and anthropogenic stressors as laws to protect the marine environment are already in place in many countries. Countries should make use of the full range of laws at their disposal to improve water quality and reef management.
- **Communication between relevant departments** including the maritime and port authorities in the territories is key in improving enforcement and protection of coral reefs as well as raising awareness of the problems caused by ballast water exchange.
- **Guidelines and voluntary approaches** to management of ballast water exchange and behavioural guidance for divers and yachts are helpful in reducing the potential spread of the disease. Many territories have implemented voluntary approaches to manage ballast water exchange while the international Ballast Water Convention is not yet in force.
- The use of the [biosecurity tool kit](#) which was produced by UK Government agencies as part of a previous CSSF-funded project (2016–2020) should be more widely promoted. The toolkit contains [guidelines](#) on the Ballast Water Management Convention for all UK OTs, a [marine biosecurity toolkit](#) and [a generic model Biosecurity Bill](#).
- Signing all territories up to [Blue Belt/Shield](#) as another way to access UK funds for marine conservation.



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1. Summary of legal instruments protecting coral reefs in the Caribbean UK Overseas Territories

As part of bigger project 'Implementing Coral Reef Action Plans for the UK Overseas Territories Coral Reef Initiative', this report provides an overview of international, regional and national legislation to protect coral reefs and the wider marine environment in the six UK Overseas Territories in the Caribbean and Western Atlantic – Anguilla, Bermuda, British Virgin Islands (BVI), Cayman Islands, Montserrat and Turks and Caicos Islands (TCI).

Coral reefs are under serious threat in the Caribbean. A new and deadly disease, the Stony Coral Tissue Loss Disease (SCTLD) first discovered in Florida in 2014, is now rapidly spreading around the region devastating stony corals. This report is looking at what legal instruments are in place and how they could be used to slow the spread of the disease and prevent further damage to coral reefs in the Caribbean and Western Atlantic. The focus has been on marine and maritime legislation as scientists have established that SCTLD is a waterborne disease.

1.1. International and regional law

A comprehensive legislative framework to protect coral reefs and the wider marine environment in the Caribbean OTs and Western Atlantic exists at international and regional levels covering most aspects of the marine environment including protected areas, land-based and maritime pollution, invasive aquatic species, and marine biodiversity conservation.

Five international/regional conventions have been identified because of their relevance to coral reef and wider marine environmental protection in the Caribbean.

These are:

- The Ballast Water Convention,
- the Anti-fouling Systems Convention
- the MARPOL Convention
- the Ramsar Convention and
- the Cartagena Convention.

However, not all Conventions and their protocols/annexes are applicable in the OTs because they have either not been ratified or acceded to by the UK or not been extended to the OTs. In fact, only the Ramsar Convention is fully applicable to the OTs.

Unless expressly authorised to do so by HMG in the UK, Crown Dependencies and Overseas Territories do not have the authority to become a party to treaties. The UK must extend the territorial scope of its ratification of treaties to include them. It is worth noting that the OT Government needs to request an extension and the scope of the extension is left to the discretion of the OT Governments (OTGs). OTGs will be mindful of what they can practically implement given resource (people and equipment) limitations.

1.1.1. Ballast Water Management Convention

The international [Ballast Water Management Convention](#) requires states to ensure ships flagged by them comply with the Convention's requirements which include the establishment of an approved ballast water management system on specific vessels. While the Convention came into force in 2017 the UK has not yet acceded to it (nor have the OTs). Ships subject to the Convention requirements will be obliged to conduct ballast water management. This includes: a ballast water management plan, ballast water record books, ballast water management standards, sediment management for ships.

The ballast water management standards of interest are: D1 – Ballast Water Exchange Standard; and D2 – Ballast Water Performance Standard (see below). Currently, any ballast water discharged from a ship shall be required to meet either the D1 or D2 standard until such time as the ship is required to implement the D2 standard (by 2024 at the latest). Ships currently meeting the D2 standard (usually with a ballast water treatment system), can opt to meet D1, but it is recommended that any fitted equipment is operated.

The Convention's implementation schedule means that the use of ballast water exchange, which meets the D1 standard, as a management method will be replaced by a requirement for ballast water to meet the D2 discharge performance standard (usually with a ballast water treatment system).

1.1.1.1. D1. Ballast water exchange (BWE)

The standard set by the Convention states that ships undertaking BWE shall do so with an efficiency of at least 95% volumetric exchange of ballast water. For ships exchanging the ballast water by the pumping-through method, pumping through three times the volume of each ballast tank will be considered equivalent to meeting the 95% standard. Ships undertaking ballast water exchange should conduct the operation at least 200 nautical miles from the nearest land and in water at least 200 metres deep; or in cases where the ship is unable to conduct ballast water exchange in accordance with the above, as far from the nearest land as possible, and in all cases at least 50 nautical miles from the nearest land and in water at least 200 metres deep. In sea areas where the minimum distance and depth criteria cannot be met, the Parties to the Convention have the ability, within their waters, to designate BWE areas. Areas designated by a Party should be used in compliance with the terms of use stipulated by the Administration(s) responsible for the designation. Vessels may be required to deviate or delay their voyage to use the designated BWE area. Owners are urged to contact relevant port State Administrations for confirmation of BWE requirements within local waters.

1.1.1.2. D2. Ballast water performance standard

D2 stipulates the acceptable level of organisms that may be found within discharged ballast water. The D2 Standard specifies that treated and discharged ballast water must have fewer than ten viable organisms greater than or equal to 50 micrometers in minimum dimension per cubic metre: fewer than ten viable organisms less than 50 micrometres in minimum dimension and greater than or equal to 10 micrometers in minimum dimension per millilitre. In addition, a ballast water discharge of indicator microbes, as a health standard, shall not exceed the following specified concentrations: Toxicogenic *Vibrio cholerae* (O1 and O139) with less than one colony-forming unit (cfu) per 100 millilitres or less than 1 cfu per 1 gram (wet weight) zooplankton samples; *Escherichia coli* less than 250 cfu per 100 millilitres; Intestinal Enterococci less than 100 cfu per 100 millilitres. Ballast water treatment equipment is developed, and type approved on the basis of the equipment's ability to treat the ballast water to the required standard. Although not the only way to meet the D2 standard, the installation of an appropriately type approved ballast water treatment system will be the most

common method used. Other methods of ballast water management may be accepted as alternatives to either D1 or D2 provided the methods ensure at least the same level of protection to the environment, human health, property, or resources and are approved in principle by the IMO. (For more information see [Ballast Water Convention Guidance](#)).

1.1.1.3. Application in the Overseas Territories

The UK has acceded to the Ballast Water Convention in 2022.. Bermuda and Cayman Islands have indicated that they are likely to request extension of the Convention after accession by the UK.

The **Wider Caribbean Region** agreed an Action Plan and Task Force in 2012: [Regional Strategic Action Plan](#) to Minimize the Transfer of Harmful Aquatic Organisms and Pathogens in Ships' Ballast Water and Sediments within the Wider Caribbean Region.

Regional Activity Centres were set up in 1995 including a centre on [Regional Marine Pollution Emergency Information and Training Centre](#) for the Wider Caribbean in Curacao. For more information see the Cartagena Convention section (1.1.5).

1.1.2. Anti-fouling Systems Convention

Related to the International Maritime Organization's (IMO's) Ballast Water Management Convention is the IMO's [Anti-fouling Systems Convention](#). Biofouling is considered one of the main vectors for bio-invasions and is described as the undesirable accumulation of microorganisms, plants, algae, and animals on submerged structures (especially ships' hulls). Studies have shown that biofouling can be a significant vector for the transfer of invasive aquatic species and may also be a vector in the spread of coral diseases including SCTLTD.

The IMO has compiled a list of high-profile invasive aquatic species that are capable of being translocated via biofouling. For more information, see [Common Hull Fouling Invasive Species](#).

In 2011, the IMO published [Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species](#).

The Anti-fouling Convention, which came into force in 2008, prohibits the use of harmful organotin compounds in anti-fouling paints used on ships to prevent biofouling and establishes a mechanism to prevent the potential future use of other harmful substances in anti-fouling systems. Under the terms of the Convention, Parties are required to prohibit and/or restrict the use of harmful anti-fouling systems on ships flying their flag, as well as ships not entitled to fly their flag, but which operate under their authority, and all ships that enter a port, shipyard or offshore terminal of a Party.

The UK acceded to the Convention in 2010.

1.1.2.1. Application in the Overseas Territories

The Convention has been extended to BVI and is implemented through their Merchant Shipping Order (2005). Bermuda has been working on Anti-fouling Regulations, but a formal extension is yet to be made. The Convention has not been extended to the other territories.

1.1.3. International Convention for the Prevention of Pollution from Ships (MARPOL)

[MARPOL](#) is the main international convention covering prevention of pollution of the marine environment by ships from operational or accidental causes. Six annexes of regulations aim at minimising and preventing pollution from ships, including:

- Annex I: Regulations for the Prevention of Pollution by Oil.
- Annex II: Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk.
- Annex III Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form.
- Annex IV Prevention of Pollution by Sewage from Ships.
- Annex V Prevention of Pollution by Garbage from Ships.
- Annex VI Prevention of Air Pollution from Ships.

MARPOL Annexes IV and V are relevant as they prevent the pollution by sewage and garbage from ships and yachts. While Annexes I and II are mandatory and any extension of MARPOL automatically brings with it extension of Annexes I and II, Annexes IV and V and the other Annexes are optional, so may not be included in any extension unless requested.

MARPOL Annex V seeks to eliminate and reduce the amount of garbage being discharged into the sea from ships. Unless expressly provided otherwise, Annex V applies to all ships, which means all ships of any type whatsoever operating in the marine environment, from merchant ships to fixed or floating platforms to non-commercial ships like pleasure crafts and yachts. Annex V generally prohibits the discharge of all garbage into the sea, which are related to food waste, cargo residues, cleaning agents and additives and animal carcasses. Cargo residues contained in wash water and food waste for example are only permitted outside 12 nm from the shore in the wider Caribbean special area. (For further detail, see IMP, [Overview of MARPOL Annex V](#), Simplified overview of the discharge provisions of the revised MARPOL Annex V which entered into force on 1 March 2018).

The Wider Caribbean Sea has a 'special areas' status under MARPOL: The Convention designates certain sea areas as "special areas" in which, for technical reasons relating to their oceanographical and ecological condition and to their sea traffic, the adoption of special mandatory methods for the prevention of sea pollution is required. Under the Convention, these special areas are provided with a higher level of protection than other areas of the sea which means the Caribbean Sea is recognised as an area which needs special protection. (For further detail see: [IMO, Special Areas under MARPOL](#)).

1.1.3.1. Application in the Overseas Territories

The UK has ratified the Convention and all six Annexes. It has partially been extended to the OTs as follows:

- **BVI:** MARPOL and all six annexes have been extended.
- **Bermuda:** Annexes I, III and V have been extended. Bermuda is progressing work towards implementing Annexes IV and VI.

- **Cayman:** MARPOL and Annexes I, II, III, V and VI have been extended.
- **Anguilla, Montserrat and TCI:** No part of MARPOL has yet been extended.

1.1.4. RAMSAR Convention on Wetlands

The mission of the [RAMSAR Convention on Wetlands of International Importance](#) is “*the conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world*”. The Convention applies to marine sites where waters do not exceed six meters in depth at low tide. According to Article 3 (1) the contracting parties “*shall promote the conservation of the wetlands included in the [List of wetlands of international importance](#) and as far as possible the wise use of wetlands in their territory*”.

In 2004 the UK Overseas Territories Conservation Forum (UKOTCF) undertook a [review](#) of existing and potential Ramsar Sites in UK OTs and identified a large number of potential new Ramsar Sites, including many marine sites.

1.1.4.1. Application in the Overseas Territories

The Ramsar Convention is applicable to all Caribbean OTs and Bermuda and 11 sites across the six territories have been included in the Ramsar List of Sites.

The following three sites are marine sites and relevant for coral reef protection:

- **Anguilla:** [Sombrero Island](#);
- **Bermuda:** [Hungry Bay Mangrove Swamp](#);
- **TCI:** [North Middle and East Caicos Islands](#).

1.1.5. Cartagena Convention

The Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (WCR) or [Cartagena Convention](#) is a regional legal agreement for the protection of the Caribbean Sea.

The Convention was adopted in Cartagena, Colombia in 1983 and entered into force in 1986.

The Convention is supported by three technical agreements or Protocols on Oil Spills, Specially Protected Areas, and Wildlife (SPAW) and Land Based Sources of Marine Pollution (LBS). The Convention covers several aspects of marine pollution for which the Contracting Parties must adopt specific measures. These measures include to prevent, reduce and control:

- pollution from ships
- pollution caused by dumping
- pollution from sea-bed activities
- airborne pollution
- pollution from land-based sources and activities

Countries who are Contracting Parties to the Convention are also required to:

- protect and preserve rare or fragile ecosystems and habitats of depleted, threatened, or endangered species; and
- develop technical and other guidelines for the planning and environmental impact assessments of important development projects

[The Regional Activity Centre/Regional Marine Pollution Emergency, Information and Training Centre for the Wider Caribbean Region](#) forms part of a regional strategy on ships' ballast water management and invasive species, developed within the Wider Caribbean Region Strategic Action Plan (SAP). The Guidelines provide guidance on ballast water exchange and management for ships entering or operating in the Wider Caribbean Region area as defined by the Cartagena Convention. More information is available via the [UNEP Caribbean Environment Programme](#).

1.1.5.1. Application in the Overseas Territories

The UK has ratified the Convention and Oil Spill Protocol only (not the other Protocols therefore they are not applicable in the OTs).

The Convention and Oil Spill Protocol have been extended to the following territories: **Cayman, TCI, BVI and Montserrat**, but not to **Anguilla and Bermuda**.

1.1.6. SPAW Protocol (Specifically Protected Areas and Wildlife)

The [SPAW Protocol](#) is a protocol under the Cartagena Convention (see above). It's a regional agreement for the protection and sustainable use of coastal and marine biodiversity in the wider Caribbean region.

Under the terms of the Protocol, the Contracting Parties must, in accordance with their own legislation, take all measures to protect, conserve and sustainably manage the zones and the animal or plant threatened species. The Protocol has two main goals:

- The protection, preservation and sustainable management of the zones that present particular ecological value.
- The protection, preservation and sustainable management of threatened or endangered wild species as well as their habitats.

Besides these two targets regarding species and spaces, the SPAW Protocol also includes various diagonal objectives:

- Establishing impact studies in the case of projects and/or activities that can have a strong effect on the environment.
- The possibility of exempting Parties to the obligations of the Protocol in the case of traditional or development-related activities.
- Developing scientific and technical research on the protected zones and species that are listed under the SPAW Protocol, promoting the exchange of information between Parties' monitoring / research programs, and strengthening the coordination of these programs.



- Finally, the Protocol establishes the principles for the elaboration of measures, criteria and guidelines answering to these different goals.

Measures to address SCTLTD were included in decisions of [10th Meeting of the Contracting Parties \(COP\) of the SPAW Protocol](#) and the [15th COP of the Cartagena Convention](#), both held in Honduras in 2019.

1.1.6.1. Application in the Overseas Territories

The SPAW Protocol is not applicable to the OTs. While the UK has ratified the Cartagena Convention it has not ratified or acceded to its SPAW Protocol. Therefore, the Protocol cannot be extended to the OTs. The Cayman Islands have previously expressed an interest in acceding to SPAW, which led to the creation of their National Conservation Act, 2013, but the Islands have not yet restarted the ratification process.

1.1.7. Caribbean Small Commercial Vessel Code

The aim of the [Caribbean Small Commercial Vessel Code](#) is to prescribe standards of construction, and emergency equipment for small commercial vessels operating in the Caribbean Region. Chapter VIII Section 5 includes provisions to prevent pollution from oil spills and garbage. It is worth noting that the Code is a voluntary guide and not legally binding or enforceable, however some countries have incorporated the code into national legislation such as Small Commercial Vessel Regulations in Anguilla, BVI and TCI.

1.1.7.1. Application in the Overseas Territories

Anguilla, BVI and TCI have incorporated it into national legislation as Small Commercial Vessel Regulations.

1.1.8. Caribbean Memorandum of Understanding on Port State Control

The [Caribbean Memorandum of Understanding on Port State Control](#) contains guidelines on ballast water management, a ballast water reporting form and enables the port control to carry out inspections on international vessels. A Concentrated Inspection Campaign (CIC) on the International Convention for the Control and Management of Ships' Ballast Water and Sediments was undertaken between September and December 2021. The MOU is not legally binding and enforceable; however, some countries have incorporated the MoU into national law via port state control legislation.

1.1.8.1. Application in the Overseas Territories

BVI, Bermuda, Cayman Islands are full members and have adopted port state control legislation.

1.1.9. Organisation of Eastern Caribbean States (OECS) (St Georges Declaration)

[St Georges Declaration](#) is a sub-regional environmental instrument under the [Organisation of Eastern Caribbean States \(OECS\)](#). Amongst its targets are:

- Biodiversity protection
- Protected area management

- Halt the loss of biological species

One of the supportive actions for these targets states: “adoption of measures to avoid or minimise the intentional or accidental introduction or escape of invasive alien or modified organisms that have the potential to impact negatively on the environment or human health, and to eradicate or control the pathways of those that have been introduced or have escaped”.

1.1.9.1. Application in the Overseas Territories

Montserrat, Anguilla and BVI are member states.

1.1.10. International Coral Reef Initiative (ICRI)

The [International Coral Reef Initiative \(ICRI\)](#) is an informal partnership between Nations and organizations which strives to preserve coral reefs and related ecosystems around the world.

Although the Initiative is an informal group whose decisions are not binding on its members, its actions have been pivotal in continuing to highlight globally the importance of coral reefs and related ecosystems to environmental sustainability, food security and social and cultural wellbeing. The work of ICRI is regularly acknowledged in United Nations documents, highlighting the Initiative’s important cooperation, collaboration, and advocacy role within the international arena.

The ICRI has produced an information leaflet on [Stony Coral Tissue Loss Disease](#) (SCTLD).

The UK is a founding member of ICRI, attending meetings through Defra and JNCC representatives.

1.1.11. Biosecurity toolkit

UK Government agencies have produced a [toolkit](#) and [guidelines](#) on the Ballast Water Management Convention for all UK OTs and a [ballast water risk assessment tool](#) for another CSSF funded project running from 2016-2020. The project outputs include a generic [model Biosecurity Bill](#) which was drafted for the OTs. For more information, please see the biosecurity project [here](#).

1.2. National Legislation

1.2.1. Anguilla

- **Biodiversity and Heritage Conservation Act (2010):** The purpose of this Act is:
 - To support and promote the conservation of wildlife species, their habitats, and the ecosystems of which they form a part, in Anguilla, the Caribbean and the world.
 - To prevent wildlife species from being extirpated or becoming extinct and to provide for the recovery of wildlife species that are extirpated, endangered, or threatened as a result of human activity.
 - To prevent vulnerable species from becoming endangered or threatened.



- To support and promote the conservation of heritage sites and listed buildings in Anguilla.
 - To protect heritage objects in Anguilla and to prevent heritage objects or types of heritage objects from being exported.
- **Marine Parks Ordinance 1982**
 - **Marine Parks (Amendment) Ordinance 1993**
 - **Marine Parks Act** (2000): Section 15 of this Act includes powers to arrest persons and seize vessels. Regulations include restrictions on (but not limited to): Fishing by non-residents; diving by unauthorised dive operators; camping; damaging flora and fauna; water skiing; discharging sewage; building fires; and installation of moorings. Provisions are also made so that the Governor in Council may designate any portions of the marine areas of Anguilla as a marine park where it is considered that special steps are necessary for: the protection of fish, the flora and fauna and wrecks found in such areas; preserving and enhancing the natural beauty of such areas; the promotion of the enjoyment by the public of such areas; the promotion of scientific study and research in respect of such areas.
 - **Anguilla Environment Charter** (2001): Section (2): Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.
 - **Native Plant and Animal Habitat Conservation (Biodiversity) Policy** (2001): Section (6): Take the necessary measures to control the intentional or accidental introduction or escape into or from the environment, of alien or modified organisms that are likely to impact adversely on other organisms or on the environment (see [RSPB Caribbean Overseas Territories and Bermuda review of legal frameworks in each territory](#)).
 - **Cruising Permits Act** (2000)
 - **Fisheries Protection Act**
 - **Caribbean Memorandum of Understanding on Port State Control**: The MoU contains guidelines on ballast water management, a ballast water reporting form and enables the port control to carry out inspections on international vessels.
 - **Small Commercial Vessels Regulation** (2016)

1.2.2. Bermuda

- **Coral Reefs Preserves Act** (1966): Section 3 stipulates the prohibition of removal or wilful damage to any fauna or flora attached to the coast, the seabed or any reef in a coral reef preserve.
- **Protected Species Act** (2003): The Protected Species Act provides delegated responsibility to the Director of the Department of Environment and Natural Resources to conserve, protect and recover plants and animals that are identified as threatened in Bermuda.
- **Protected Species Order** (2012)

- [Bermuda National Parks Act](#) (1986)
- [Bermuda National Parks Regulation](#) (1988)
- [Bermuda Fisheries Regulation](#) (2010)
 - [Fisheries \(Anti-Fouling Paints Prohibition\) Regulations](#) (1989)
 - [Fisheries \(Protected Areas\) Order](#) (2000)
 - [Fisheries \(Protected Species\) Order](#) (1978)
 - [Fisheries Amendment Regulations](#) (2022)
 - [Fisheries \(Use of Fishing Nets\) Order](#) (1990)
- [Water Resources Act](#) (1975)
- [The Water Resources \(Prevention of Pollution by Sewage from Boats\) Regulations](#) (2018): The Regulation applies to recreational boats, liveaboards, charter boats and all other boats that sail or motor in and around Bermuda. The Regulation provides for No-Discharge Zones for sewage discharge, require educational notices to be attached next to the toilet and require over-board discharge valves to be in the ‘Closed’ position when moored or anchored within the No-Discharge Zones.
- [Merchant Shipping Act](#) (2002)
- [Bermuda Merchant Shipping \(Prevention of Pollution by Sewage and Garbage from Ships\) Regulations](#) (2015): Boats and ships engaged in international voyages and registered to carry more than 15 persons, or 400 GT or greater, shall not discharge untreated sewage within 12 nautical miles of the nearest land.
- [Public Lands Act](#) (1984): Dredging and other operations on the bed of the sea are covered in Sections 22(1)(a,b) and Section 22(3)
- [Bermuda Environmental Charter](#)
- [Environmental Policy for Ships](#) (not legally binding): The policy stipulates that “A ship shall not discharge any ballast water within Bermuda’s territorial waters except to preserve the safety of the ship, environment and life”.
- [Bermuda Merchant Shipping Guidance Notice: CMOU-CIC on Ballast Water Management](#): This notice is to guide owners, managers, and masters of Bermuda registered ships on the Concentrated Inspection Campaign (CIC) on the International Convention for the Control and Management of Ships’ Ballast Water and Sediments which will be carried out by the member states of the Caribbean MoU on Port State Control. The CIC ran from September until Dec-2021.

1.2.3. British Virgin Islands

- [National Parks Act](#) (2006): Part IX and X contain provisions for environmental assessments, including the application of the precautionary principle (section 70) and measures to be applied if damage to critical habitat occurs. Schedule 2 lists the Marine Parks.



- **Fisheries Act** (1997): The Fisheries Act Section 28 (1): No person shall take, collect, have in his possession or damage any coral, sponge or marine algae from or in the fishery waters except with the written permission of the Chief Conservation and Fisheries Officer and in accordance with any such conditions as the Chief Conservation and Fisheries Officer may specify". Section 32 contains rules on preventing marine pollution.
 - **Merchant Shipping Regulations** (2004).
 - **Merchant Shipping Order** (2005).
 - **Oil Pollution Response Convention Regulations (UK)** (1998).
- **Ports Authority Act** (1990): Section 31 contains rules on Liability for pollution, damage to property, of Authority or Crown and to marine environment.
- **Marine Pollution Prevention leaflet**.
- **Caribbean Memorandum of Understanding on Port State Control**: The MoU contains guidelines on ballast water management, a ballast water reporting form and enables the port control to carry out inspections on international vessels.
- **SCTLD Information Leaflet**: recommends that boaters do not empty holding tanks within 1000m of land.

1.2.4. Cayman Islands

- **National Conservation Act** (2013): allows the Cayman Islands to protect and conserve endangered, threatened, and endemic species and their habitats as well as the variety of wildlife (including corals) and designated protected areas. Under section 26 (1) (b) a conservation officer has powers to 'stop, detain and search, in any public place, Crown lands or protected area, any vehicle, boat or other conveyance in or upon which he has reasonable cause to suspect that there is any specimen in respect of which any offence against this Law or any regulations has been committed or in or upon which he has reasonable cause to suspect that there is any specimen, noxious substance, spear gun, trap, net cage or other article or equipment used in the commission of any such offence'. According to Section 34 (g) it is an offence to 'directly or indirectly causes or permits any pathogens, dissolved or suspended minerals or solids, waste materials or other substances to flow or to be discharged or put into Cayman waters'.
- **National Conservation General Regulation** (rev 2022): The Regulation protects several listed species of conservation concern.
- **Merchant Shipping (Marine Pollution) Law** (2001).
- **Merchant Shipping (Prevention of Air Pollution from Ships) Regulation** (2012)
- **Water Authority Law** (2011): contains in Part V and VII regulations to control the discharge of effluent into the marine environment.
- **National Conservation (Marine Parks) Regulation** (2021): designates marine protected areas in Cayman and regulates activities permitted within these zones.

- **Caribbean Memorandum of Understanding on Port State Control**: The MoU contains guidelines on ballast water management, a ballast water reporting form and enables the port control to carry out inspections on international vessels.
- **Disinfecting guidelines for divers**: These protocols are based on USA NOAA recommendations and should be used by all persons diving or snorkelling anywhere in the Cayman Islands (voluntary not legally binding). The following locally produced guidelines are available:
 - Disinfecting guidelines for divers and snorkelers
 - Disinfecting guidelines for dive and snorkel gear
 - Guidelines for bilge disinfection (between islands) and disposal of disinfectant wastewater

1.2.5. Montserrat

- **Forestry, wildlife, national parks and protected areas Act** (2013): This Act makes provision for the management and conservation of forest and wildlife resources in Montserrat. It establishes the Forestry, Wildlife, National Parks and Protected Areas Board and the Environmental Fund.
- **Conservation and Environmental Management Act** (2019): This Act regulates *inter alia* pollution control (Part 9) and spills, accidental releases and environmental restoration (Part 10). It also establishes protected areas in Montserrat.
- **Endangered Animals and Plants Act** (1982).
- **Fisheries Ordinance (1982)** and **Fisheries Act and subsidiary legislation** (2013).
- **Caribbean Memorandum of Understanding on Port State Control**: The MoU contains guidelines on ballast water management, a ballast water reporting form and enables the port control to carry out inspections on international vessels.

1.2.6. Turks and Caicos Islands (TCI)

- **National Parks Ordinance** (2018): The National Parks Ordinance gives specific protection to flora and fauna within the protected areas, many of which are MPAs and include coral reef environments. It also restricts certain activities harmful to the ecology. Section 6 (1) states: If the Governor is satisfied that:
 - (a) it is, or is likely to become, necessary for the prevention of the pollution of or any other harmful or disturbing effect or influence on all, the natural ecology of any national park, nature reserve or sanctuary: or
 - (b) the preservation of any particular form of living organism (including vegetable or marine life) in any part of the Islands so requires, he may by order impose restrictions on any development or the depositing or discharge of any waste or harmful matter in any area which he considers would have direct or indirect harmful effect on such natural ecology or living organism.
- **Coast Protection Ordinance** (2014): This Ordinance contains in Section 5 and 6 restrictions on depositing litter and offensive substances on the coast.



- **Fisheries Protection Ordinance** (2018): The ordinance details protection of corals, reef framework and the seabed generally as well as marine fauna. It contains powers to restrict harmful fishing practices and manage invasive alien species such as the lionfish.
- **Marine Pollution Ordinance** (2014): The Ordinance prevents the pollution by oil, noxious liquid in bulk, packed harmful substances, garbage, and other discharges.
- **Small Commercial Vessels Regulation**.
- **Caribbean Memorandum of Understanding on Port State Control**: The MoU contains guidelines on ballast water management, a ballast water reporting form and enables the port control to carry out inspections on international vessels.
- **Cruising Guide to the Turks and Caicos Islands**: Although not a legal document, this is a useful guide outlining etiquette for cruise ships and yachts, including on waste handling and toxic waste (no disposal of waste within at least 12 nautical miles from shore, no use of toxic products to clean boats).

2. Case study: Successful control of ballast water exchange to protect coral reefs in Bonaire

As in many Caribbean islands anthropogenic pressures and coral diseases are a threat to Bonaire's coral reefs and wider marine environment. Ballast water exchange has been identified as one potential vector for the spread of disease and a threat to biosecurity. Bonaire – applying the precautionary principle – and after consulting with all relevant departments has taken decisive steps to protect its marine environment. While the IMO Ballast Water Convention has yet to be implemented in Bonaire, the Convention does not prevent parties to put in place more stringent legislation to prevent damage to their marine environment (Article 2 General Obligations). Thus, Bonaire individually took steps to reduce the pressures from ballast water by combining the powers of the Marine Parks Ordinance (to protect the marine parks from damage) with powers under the Harbour Ordinance according to which the Harbour Master can prevent ships from docking if he/she believes that there may be a problem even as a preventative measure. In 1994 the Bonaire Government approved the 'Ballast Water declaration' (see Appendix 3) which must be signed by the captain of all inbound vessels discharging ballast water in Bonaire: 'Ballast water must be taken on board at least 12 miles offshore and constitute clear oceanic water devoid of any obvious riverine or coastal influence'. Shipping agents were also informed of the change. Originally the Ballast Water Declaration was a standalone document presented to the inbound captain by the pilot vessel/Harbour Master. More recently it has been incorporated into the Pilot Service documents. It must be signed by the inbound captain, and this has been found to be a very effective means to ensure compliance.

The Ballast Water Declaration is an official document presented to the inbound captain of any vessel by the Bonaire Harbour Master/Assistant Harbour Master before they reach port as part of the Pilot Service documents. The Declaration must be signed by the captain. Without a signature the vessel will not be allowed to dock on Bonaire irrespective of whether they plan to discharge ballast water. In Bonaire's experience the inbound Captain will not sign a false declaration. If in doubt the Harbour Master can verify the status of the vessel's ballast water by reviewing the ships log. To date this has never been necessary.

Bonaire had a few cases where the vessel did not have 'clean clear oceanic ballast water free from any obvious terrestrial input'. In each case the inbound Captain has declined to sign the Ballast Water Declaration. The vessel was then required to move 12 miles offshore to exchange their ballast water. In one case the vessel was a tanker on timed charter. Exchanging the ballast water cost them nearly 24 hours. Bonaire's process and the legal basis for requiring the Declaration held up to legal scrutiny and no court case was brought against the island (Kalli de Meyer, Director at Nature2 based on Bonaire in the Dutch Caribbean, pers. comm.).

Bonaire's experience could be an exemplar and a way forward for the UK Caribbean territories to protect their marine waters while the Ballast Water Convention has not yet come into force.



3. Analysis

While there are several legal instruments (at international, regional, sub-regional and national level) in place to protect the marine environment not all relevant international and regional conventions are applicable as they have either not been ratified, acceded to by the UK (the Ballast Water Management Convention) or not extended or only partially extended to the territories (Anti-fouling systems, MARPOL and Cartagena Conventions). In fact, only the Ramsar Convention is fully applicable to all OTs and Bermuda.

With regards to controlling **pathogens, invasive aquatic species** and **improving biosecurity**, the international IMO Ballast Water Management and Anti-fouling systems Conventions are two key international legal instruments. While the UK has acceded to the Anti-fouling Convention, at the time of writing, the UK has yet to accede to the Ballast Water Management Convention; the Convention then must be extended to the OTs thereafter. Until that time the Convention cannot be applied to or enforced.

Regional initiatives in the Wider Caribbean have been set up to deal with ballast water problems including an agreed Action Plan in 2012 to [Minimize the Transfer of Harmful Aquatic Organisms and Pathogens in Ships' Ballast Water and Sediments Wider Caribbean Region](#).

A Regional Activity Centre (RAC) on [Marine Pollution Emergency Information and Training Centre for the Wider Caribbean](#) (mainly dealing with oil spills) was set up in 1995 in Curacao. The RAC has issued a [MoU which contains guidelines](#) on ballast water management, a ballast water reporting form and enables the port control to carry out inspections on international vessels.

Closer links with the work of the RAC and with port and maritime authorities would be beneficial and it is advisable that countries have national legislation in place to prevent contamination by ballast water to protect their marine environment. The case study from Bonaire highlights how ballast water legislation can be implemented at national level and with benefits for the local marine environment while the international Convention on Ballast Water is yet to come into force.

With regards to biofouling, the international Anti-fouling systems Convention came into force in 2008 and the IMO has published [Guidelines for the control and management of ships' biofouling to minimize the transfer of invasive aquatic species](#).

With regards to **marine and maritime pollution and water quality**, the MARPOL Convention and its Annexes IV and V are designed to prevent pollution from ships and yachts by sewage, wastewater and garbage and is a potentially powerful tool to improve water quality in the Caribbean OTs. The Convention prohibits the discharge of any waste, sewage, and garbage. Cargo residues contained in wash water and food waste can only be discharged at least 12 nm from the shore.

The UK has ratified the Convention and all its Annexes, but so far only one territory has implemented the Convention and its Annexes (BVI). Bermuda and Cayman Islands had MARPOL and its Annexes partially extended to them. Annexes IV and V are optional; however, it is recommended to include them in any extension to the OTs where possible noting that consultation and full consideration of the impacts (resource and equipment) may be required. Where the Convention is applicable, it should be enforced appropriately.

With regards to the protection of **marine biodiversity**, the Cartagena Convention and its SPAW Protocol are probably the most relevant international legal instruments which could

offer enhanced protection for coral reefs because of their specific remit to protect the marine environment in the wider Caribbean Region. The UK has ratified the Convention and its Oil Spill Protocol but not the SPAW Protocol. The Convention has only partially been extended to the OTs.

Another obstacle for applying the law to protect coral reefs from the SCTLD is the lack of knowledge on how the disease is being spread. If no clear pathways and vectors can be identified, it will be difficult to restrict specific activities or behaviour via the law. While efforts are underway through numerous research groups to understand the potential pathways by which SCTLD spreads geographically, no definitive connection between any transport mode and disease outbreaks has yet been verified. It is, however, reasonable to recognize ships as potential vectors for transmission of SCTLD, via ballast water and biofouling at a large geographic scale; however, their roles in the dynamics of this disease are still not clear (Rosenau *et al.* 2021).

While uncertainty around vectors and pathways remains, the precautionary principle needs to be applied. The case study of Bonaire has highlighted how existing legislation in conjunction with the precautionary principle can be used to protect the marine environment in territorial waters.

In the absence of ballast water control legislation and confirmed pathways for SCTLD it is furthermore paramount to focus on the overall good health of coral reefs and good water quality to improve the overall resilience of the reefs. It is important to implement steps to mitigate environmental and anthropogenic stressors that increase the spread and severity of any disease (including SCTLD). These steps should include improving sewage treatment, preventing soil erosion, sedimentation from dredging, eliminating destructive fishing practices, preventing biofouling, and reducing ballast and bilge water exchanges near coastlines and coral reefs.



4. Conclusions and Recommendations

While international and regional Conventions may only be partly applicable to the Overseas Territories (Ots), there is evidence that many pieces of good legislation with powers to protect the marine environment are in place at national level. For example, TCI's National Park Ordinance which in section 6 (1) (b) provides a legal basis for the Governor to impose restrictions outside protected areas on "any development or the depositing or discharge of any waste or harmful matter in any area which he considers would have direct or indirect harmful effect on such natural ecology or living organism". **Applying the precautionary principle** and assuming that there is a link between ballast water exchange and the transmission of SCTL, this law may be a powerful tool to restrict ballast water exchange activities and protect coral reefs in TCI. Again, the case study from Bonaire has highlighted how existing legislation can be used to protect the marine environment in territorial waters.

Furthermore, **enforcement of existing legislation** to protect the marine environment is the first step to prevent further damage to coral reefs. As pointed out above and in Appendix 2 (Overview of national legislation with relevance to the marine environment) many good pieces of legislation exist in the OT, but they need to be enforced rigorously.

To this end, **better communication between relevant departments, particularly between the environment departments and the maritime and port authorities** in the OTs is essential to improve enforcement and raise awareness of environmental problems such as SCTL.

Whilst many pieces of environmental and marine legislation exist, there are currently no laws controlling ballast water exchange in the territories. **Any future law** related to the marine or maritime environment should include ballast water controls in territorial waters while noting that special requirements for critical supply chain and trade vessels may be needed to ensure continued supply and trade in the region. The useful [biosecurity toolkit](#) which has been produced by UK agencies for the UK OTs should be used by countries to understand the risks posed by ballast water exchange.

And finally, whilst not legally binding, voluntary guidelines are a helpful tool to raise awareness and establish good etiquette for divers, yachts and cruises. Good examples are the [Disinfecting Diving Gear Guidelines](#) in Cayman or the [Cruising Guide](#) to the Turks and Caicos islands.

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Appendix 1: Schematic overview of legal frameworks to protect coral reefs and the wider marine environment in the Caribbean OTs

International law	Regional / sub-regional law	National law (available in all Territories)	Guidelines (non-legally binding) soft law
<ul style="list-style-type: none"> • Ballast Water Convention • Anti-fouling Convention • International Convention for the Prevention of Pollution from Ships (MARPOL Convention) and Annex (in particular Annexes IV and V) • Convention on the Protection of Wetlands of international importance (Ramsar Convention) • Cartagena Protocol for Biosafety to the Convention on Biological Diversity (CBD) 	<p>The Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (Cartagena Convention) and its Protocols:</p> <ul style="list-style-type: none"> - Oil Spills Protocol - Specifically Protected Areas and Wildlife Protocol (SPAW) - Land-based sources of marine pollution Protocol 	<ul style="list-style-type: none"> • National Parks legislation (including marine protected areas legislation) • Marine pollution prevention legislation • Conservation legislation • Fisheries legislation 	<ul style="list-style-type: none"> • Disinfecting Guidelines for divers • Caribbean Memorandum of Understanding on Port State Control (inspections took place between Sept-Dec 2021) • Cruising Guide • ICRI SCTLD Information leaflet • JNCC Marine Biosecurity Toolkit

Appendix 2: Overview of relevant coral reef management legislation at national level in the six Overseas Territories

Anguilla	Bermuda	British Virgin Islands	Cayman Islands	Turks and Caicos Islands	Montserrat
Biodiversity and Heritage Conservation Act (2010)	Coral Reefs Preserves Act (1966)	National Parks Act (2006)	National Conservation Act (2013)	National Parks Ordinance (2018)	Forestry, wildlife, national parks, and protected areas Act (2013)
Marine Parks Ordinance (1982)	Protected Species Act (2003)	Fisheries Act (1997)	National Conservation General Regulation (2016)	Coast Protection Ordinance (2014)	Conservation and Environmental Management Act (2019)
Marine Parks (Amendment) Ordinance (1993)	Protected Species Order (2012)	Merchant Shipping Act (2001)	National Conservation (Marine Parks) Regulation (2021)	Fisheries Protection Ordinance (2018)	Endangered Animals and Plants Act (1982)
Marine Parks Act (2000)	Bermuda National Parks Act (1986) and Regulation (1988)	Merchant Shipping Order (2005)	Merchant Shipping (Marine Pollution) Law (2001)	Marine Pollution Ordinance (2014)	Fisheries Ordinance (1982) and Fisheries Act (2000)
Anguilla Environment Charter (2001)	Bermuda Fisheries Act (1972) and Regulation (2010)	Ports Authority Act (1990)	Water Authority Law (2011)	Small Commercial Vessels Regulations	
Native Plant and Animal Habitat Conservation (Biodiversity) Policy (2001)	The Water Resources Act (1975) and Regulation (2018)	Oil Pollution Response Convention Regulations (UK) 1998	Port State Control Regulation	Cruising Guide to the Turks and Caicos Islands	

Anguilla	Bermuda	British Virgin Islands	Cayman Islands	Turks and Caicos Islands	Montserrat
Cruising Permits Act (2000)	Bermuda Merchant Shipping Act (2002) and Regulation (2015)	Port State Control Regulation	Disinfecting guidelines for divers		
Fisheries Protection Act	Public Lands Act (1984)	Small Commercial Vessels Regulations			
Small Commercial Vessels Regulations (2016)	Port State Control Regulation	Marine Pollution Prevention leaflet			
	Environmental Policy for Ships	SCTLD Information Leaflet			
	Bermuda Environmental Charter				

Legislation in the pipeline: BVI's Biodiversity and Climate Change Bill (not yet passed); Montserrat's marine and fisheries Bill (currently being drafted); TCI is planning to draft new ordinance to protect marine habitats.

Appendix 3: Bonaire Ballast Water Declaration

Title: Documentation	Revision Number: 11	Date Effective: 01/04/2018	Section: A
Pilot Service 2014 Procedure	Prepared by: MGA	Approved by: HM	Pilot Service



BONAIRE GOVERNMENT PILOT SERVICE

Pilot sheet for all kind of vessels

Agency / Person resp. for harbour fee: _____
 Date : ____ / ____ / ____ Port : _____
 Vessel : _____ Last Port : _____
 IMO # : _____ Next Port : _____
 Flag : _____ Draft : F _____ m/ft
 Type : _____ A _____ m/ft
 G.R.T : _____ S.D.W : _____
 L.O.A : _____ Wind : _____ Knts. _____ Dir. _____

Reason call Load : _____ / _____ mt. / bfrs. gen. cargo / oil
 Discharge : _____ / _____ mt. / bfrs. gen. cargo / Fuel
 Cruise : Passengers : _____
 Crew : _____

Pilot Time : (I) _____ Hrs Moored : _____ Hrs
 : (O) _____ Hrs Unmoored : _____ Hrs
 : (S) _____ Hrs Unmoored : _____ Hrs

Pilot Waiting on Board From: _____ Hrs to _____ Hrs Total _____ Hrs
 Remarks of Master : _____ Remarks of Pilot : _____

Explosives on board/class : Yes No _____
 Other dangerous cargo : Yes No _____
 Sickness on Board : Yes No _____
 Other : Yes No _____

Vessel shift : Yes No _____
 From _____ to _____

The undersigned, master of above mentioned vessel, declares to have been well piloted

From: _____ To: _____

Name Master : _____ Name Pilot: _____

Signature : _____ Signature : _____

Logf	_____
Logs	_____
L.jg	_____
Meg	_____
Wag	_____
Boh	_____
Wat	_____
Tot	_____

Title: Documentation	Revision Number: 11	Date Effective: 01/04/2018	Section: A
Pilot Service 2014 Procedure	Prepared by: MGA	Approved by: HM	Pilot Service

Tugs used : _____ _____
 Remarks : _____
 Dep Kralendijk : _____ Hrs Arr Bopec/Cargill : _____ Hrs
 Arr Kralendijk : _____ Hrs Dep Bopec/Cargill : _____ Hrs

Tugs Used : _____ _____
 Remarks : _____
 Dep Kralendijk : _____ Hrs Arr Bopec/Cargill : _____ Hrs
 Arr Kralendijk : _____ Hrs Dep Bopec/Cargill : _____ Hrs

Tugs Used : _____ _____
 Remarks : _____
 Dep Kralendijk : _____ Hrs Arr Bopec/Cargill : _____ Hrs
 Arr Kralendijk : _____ Hrs Dep Bopec/Cargill : _____ Hrs

Precariorechten : Yes No
 Container 20 voet : _____ x 45 = _____
 Container 40 voet : _____ x 67 = _____
 Auto/Mtr/Sctr : _____ x 10 = _____
 VW/LD/BH : _____ x 14 = _____
 Losse lading : _____ x 1 = _____
 Cement/Zand : _____ x 1 = _____
 Passengers : _____ x 2 = _____
 Total : _____

Waterdelivery : _____ m3
 Pilot boat from : _____ Hrs till _____ Hrs
 Pilot boat from : _____ Hrs till _____ Hrs

BALLAST WATER DECLARATION

Undersigned, master of the vessel _____ hereby certifies:
 1. this vessel will not be discharging ballast water in the waters of the Island Territory of Bonaire.
 2. this vessel will be discharging ballast water and all ballast waters to be discharged in the waters of the Island Territory of Bonaire were taken aboard at least 12,00 miles (19,31 kilometers) offshore and consistent clear, oceanic water, devoid of any obvious riverine or coastal influence.

The waters around Bonaire are protected by law. Should you contravene Marine Park regulations you can expect to be prosecuted and receive a heavy fine.
Catchings will not be dumped in the waters of Bonaire, particularly no waste of any kind.
Marine Life: nothing, living or dead, may be taken out of the Marine Park.
Fishing: Spear fishing is prohibited as is the taking of turtles and conch. Line fishing is allowed. Fishing practices are regulated – contact RMP for details.
Anchoring: is prohibited. With the authorization of the Harbor Master vessels may anchor between the Customs Pier and the Marina.
Mooring: Public moorings are available free of charge for vessels less than 20,00 feet (6,10 meters) overall length. Restrictions apply – contact RMP for details.
Diving: The Marine Park charges an admission fee to divers of \$ 18,00 per person. Diving practices are restricted - contact RMP for details.

BONAIRE MARINE PARK - TEL: 717 8444, or radio tel: 8055 standing by VHF 77

Name Master: _____ Date: ____ / ____ / ____

For further information please contact:
Joint Nature Conservation Committee
Quay House
2 East Station Road, Fletton Quays
Peterborough PE2 8YY
Communications@jncc.gov.uk

-  jncc.gov.uk
-  twitter.com/JNCC_UK
-  linkedin.com/company/jncc
-  facebook.com/JNCCUK
-  youtube.com/JNCC_UKvideo

