

THE MERCHANT SHIPPING ACT, 2013

THE MERCHANT SHIPPING (LOCAL TRADE) REGULATIONS 2014

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REPUBLIC OF THE GAMBIA

THE MERCHANT SHIPPING ACT, 2013

THE MERCHANT SHIPPING (LOCAL TRADE) REGULATIONS 2014

IN EXERCISE of the powers conferred on the Minister under section 2 of the Merchant Shipping Act, 2013, these Regulations are made.

1. Citation

These Regulations may be cited as the Merchant Shipping (Local Trade) Regulations 2014.

2. Interpretation

In these Regulations-

"Act" means the Merchant Shipping Act 2013;

"Administration" means the Gambia Maritime Administration;

"Gambian waters" has the meaning assigned to it by section 3 of the Act;

"Director-General" means the Director General of the Authority;

"foreign ship" means a ship that is not registered or licensed in Gambia;

"local trade" means trading in Gambia waters;

"Registrar" means the Registrar of Shipping and Seafarers appointed under section 124 of the Act; and

"seafarer" has the same meaning as in section 3 of the Act.

3. Application of Regulations

Subject to the provisions of these Regulations, a ship which is not a Gambian ship shall not engage in local trade unless it has a valid Local trade certificate issued under these Regulations by the Registrar.

4. Registration of non-Gambian Ships engaged in local trade

The Registrar shall maintain a register known as the Register of non-Gambian Ships engaged in Local Trade.

5. Application for Local Trade Certificate

(1) The owner or agent of a ship which is not a Gambian ship shall, before engaging in local trade submit to the Registrar-

- (a) an application in the form prescribed in the First Schedule of these Regulations, signed by the owner or agent; and
- (b) valid statutory certificates and documentation, appropriate to the ship;

(2) The Registrar may cause a ship to be entered in the register of non-Gambian ships engaged in local trade after an appropriate condition survey of the ship by surveyors of the Administration shows that the ship complies with the relevant requirements of Gambian law with respect to maritime safety, security and marine pollution.

6. Local Trade Certificate

On the ship being entered in the register, the Registrar shall issue a Local Trade Certificate in the form prescribed in the Second Schedule of these Regulations.

7. Validity of Certificates

The Local Trade Certificate shall be valid for a period not exceeding twelve months from the date of issue.

8. Operating without a valid certificate

The owner, agent or master of a non- Gambian ship which engages in local trade without a valid Local Trade Certificate commits an offence and is liable on conviction to a fine not exceeding two million Dalasis.

9. Cancellation of Certificate

The Administration may for a just cause, cancel a local trade certificate in circumstances where it is satisfied it would be detrimental to the interests of The Gambia.

10. Gambian Seafarer

(1) Only Seafarers of Gambian nationality shall serve on board a ship engaged in Local Trade.

(2) A person seeking to employ a non Gambian seafarer or non-Gambian seafarer seeking employment on a ship engaged in Local

Trade, shall apply in writing to the Administration for an exemption, and the Administration may grant exemptions subject to such conditions as it may think fit for a period not exceeding twelve months.

11. Employment of a non Gambian seafarers

A person who employs a seafarer on a ship in breach of regulation 10 commits an offence and is liable on conviction to a fine not exceeding two million Dalasis.

12. Fees

(1) The fees prescribed in the Third Schedule shall be payable in respect of services provided in the said Schedule.

(2) Where the Administration is satisfied that a Local Trade Certificate is required for a single voyage only, it may reduce the fees payable by one half.

FIRST SCHEDULE

APPLICATION TO OPERATE ON LOCAL TRADE

Name of Ship	IMO No./Official No.	Port and Country of Registry	Gross Tonnage

I.....

Of

.....

(Name & Address of Owner/Agent)

hereby apply to operate the above described ship on Local Trade in the waters of *The Gambia* and have attached hereto the documents identified below.

Owner/Agent

ATTACHMENTS

- (1) Certificate of Registry
- (2) Tonnage Certificate (1969)
- (3) Load Line Certificate
- (4) Safety Certificates
- (5) IOPP
- (6) Crew List and appropriate Certificate of Competency
- (7) Evidence of Financial Responsibility Against Risk of Damage to Third Parties. (P & I Insurance).
- (8) others

SECOND SCHEDULE

FORM OF LOCAL TRADE CERTIFICATE

COAT OF ARMS



LOCAL TRADE CERTIFICATE

Name of Ship	Official No./IMO No	Port and Country of Registry	Gross Tonnage

THIS IS TO CERTIFY that the ship is authorised to operate on Local Trade in the waters of The Gambia in accordance with the provisions of the Merchant Shipping (Local Trade) Regulations, 2014.

This Certificate is valid until -----

Issued at -----

Place of Issue

Date of Issue -----

Official Stamp

Authorised Officer/Registrar

THIRD SCHEDULE

(regulation 12)

SERVICE	FEE
For the first 100 gross tonnage	[D15,000]
For each additional 100 gross tonnage to a	[D5,000]
2. For the replacement of a Local Trade Certificate which has been lost.	[D500]
3. For inspection of the Register of Ships on Local Trade.	[D300]
4. For the Issue of each Exemption required under regulation 10(2).	[D3,000]

MADE THIS 16TH DAY OF JULY 2014

**HON. BALLA GARBA JAHUMPA
MINISTER OF TRANSPORT, WORKS AND
INFRASTRUCTURE**