



**Virgin Islands Shipping Registry**

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Marine Guidance Note No.02/2009

## **MARINE GUIDANCE NOTE**

### **Counting and Recording of Persons on Board Passenger Vessels**

**To: Owners, Charterers, Managers, Operators, Masters, Officers & Crew Members of Passenger Ships operating to and from any port in the BVI, Harbour/Dock Masters, HM Customs, RVIPF-Marine Police Unit and Immigration Officials**

The Merchant Shipping Act, 2001  
Merchant Shipping (Caribbean Small Commercial Vessels) Regulations, 2004  
Code of Safety for Small Commercial Vessels Operating in the Caribbean (SCV Code)  
Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations, 1999 (U.K. S.I. 1999 No.1869)  
Merchant Shipping Notice No.1794 (MSN 1794 (M + F))

The above merchant shipping legislation is concerned with the operational safety of small commercial passenger vessels engaged in both Domestic and International voyages and describes the legal requirements and procedures for maintaining an accurate record of all persons, which embark on or disembark from a vessel.

This legislation is applicable to Virgin Islands vessels wherever they are, and to other vessels whilst they are in the Virgin Islands waters.

The Code of Safety for Small Commercial Vessels Operating in the Caribbean (SCV Code) is in particular, applicable to small passenger vessels that are operating on domestic and international voyages, to and from any British Virgin Islands (BVI) port.

The Merchant Shipping (Counting and Registration of Persons on Board Passenger ships) Regulations 1999, and the associated Merchant Shipping Notice 1794 (MSN 1794 (M + F)), describes the importance and procedure for counting and registering of passengers carried on board UK passenger ship wherever they are, and other passenger ships when operating in the UK waters. These regulations have been adopted in the BVI and are applied to large passenger ships visiting the BVI.

In regards to implementing a system for 'Counting and Recording of Persons' on board vessels operating on both domestic and international voyages, the provisions of the SCV code should be applied. The exact requirements relating to counting of persons and record keeping is given in Chapter VIII, Part B, Regulation 5 of the Code. It must be noted the records are concerned not only of the passengers but of all persons embarking and disembarking a vessel on any voyage. The keeping of an accurate record of persons on board is for the purpose of accounting for each person who had embarked and disembarked a vessel during the voyage and can be used in emergency situations involving accidents and disaster to account for casualties and missing persons.

The Guidance Note provides guidance for the implementation of a passenger counting and recording system for both Domestic and International ferries operating in coastal and exposed waters of the Caribbean.

**The procedure for implementation of a 'Counting & Recording of Persons' system on passenger vessels engaged in both Domestic and International voyages in coastal or exposed waters**

A system should be devised whereby, vessel's crew and passengers travelling on board a small passenger vessel are accounted for and recorded, prior to departure of the vessel from a BVI port to another BVI port, or from a BVI port to a foreign port or visa versa, and a copy of the record is deposited ashore and kept available in an emergency.

The record should show all persons who embarked and disembarked from the vessel including the names and gender, distinguishing between adults, children and infants. (See Chapter VIII, Part B, Regulation 5 SCV Code).

Additional information should include vessel name, departure point, date and time of departure, destination, contact particulars for the owner/operator, and a voyage reference number if one is available.

The regulations require, prior to departing on a voyage, a copy of the record to be deposited ashore in a well marked location or with the representative of the owner or managing operator of the vessel. When designing the recording system, the owner must carefully consider what arrangements will be made for safe keeping of the 'record of persons' for the vessel and making it available to interested parties for safety, search and rescue purpose at short notice.

In the case of vessels operating on international voyages to USVI ports, a more comprehensive crew list and passenger manifest is required to be submitted to port authorities at each destination, in accordance with procedures already established in that regards. For such vessels, maintaining a copy of these documents ashore in the company's office, or depositing a copy at the dock-master's office shall fulfil the requirements relating to 'recording of persons' under Regulation 5, Chapter VIII of the SCV Code.

A specimen of 'Record of Persons on Board a Passenger Ship' is attached herewith as Annex 1, which may be used by the Owners/Operators for developing their own document. In order for the system to function efficiently without causing any delays to a vessel's departure from a port, the owner should design an efficient system, provide necessary resources, develop procedures and instructions to the master and crew.

In order to ensure that the system designed for 'counting and recording of persons on board passenger ships' meets the requirements of the above regulations, the system must be reviewed and approved by the VISR. Accordingly, ship owners should develop the system and documentation and submit to VISR for approval as early as practicable.

All methods proposed by the owner for achieving compliance with the Regulations will be considered and discussed prior to approval.

**Virgin Islands Shipping Registry  
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