

BELIZE:

**HARBOURS AND MERCHANT SHIPPING (AMENDMENT) BILL,
2023**

ARRANGEMENT OF CLAUSES

1. Short title.
2. Insertion of new section 13A.
3. Amendment of section 18.
4. Insertion of new section 18A.

BELIZE:

BILL

for

AN ACT to amend the Harbours and Merchant Shipping Act, Chapter 234 of the Substantive Laws of Belize, Revised Edition 2020; to provide for the regulation of marinas; to provide for the requirement to show financial capabilities of foreign vessels to sustain lawsuits and other liabilities; and to provide for matters connected therewith or incidental thereto.

(Gazetted2023).

BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize and by the authority of the same, as follows:

1. This Act may be cited as the

Short title.

**HARBOURS AND MERCHANT SHIPPING (AMENDMENT) ACT,
2023,**

CAP. 234.

and shall be read and construed as one with the Harbours and Merchant Shipping Act, which is hereinafter referred to as the principal Act.

2. The principal Act is amended by inserting immediately after section 13, the following new section 13A—

Insertion of new section 13A.

“Commercial vessel to be financial viable to meet expenditure.

13A.—(1) The Commissioner shall require a commercial vessel to submit, on an annual basis, evidence of financial viability to meet expenditure of up to a maximum of one million dollars for any maritime accident, marine spill, the salvage of the vessel or any similar occurrence.

(2) For the purposes of sub-section (1), financial viability may be in the form of an insurance policy issued by a insurance company registered in Belize.

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(3) A copy of the evidence of financial viability referred to in this section shall be carried at all times onboard the commercial vessel.”.

3. Section 18 of the principal Act is amended—

Amendment of section 18.

(a) in subsection (1)—

(i) at paragraph (k), by deleting the full stop and replacing it with a semi colon;

(ii) by inserting immediately after paragraph (k), the following new paragraphs—

“(l) the regulation of marinas generally including but not limited to the construction, manufacture, design, registration and licensing and maintenance of marinas;

(m) prescribing administrative fines up to a maximum of \$50,000 for breaches of regulations relating to marinas;

(n) prescribing fees for the registration and licensing of marinas.”;

(b) by inserting immediately after sub-section (1), the following new sub-sections—

“(2) Notwithstanding the power of the Minister to make regulations under sub-section (1), for the purposes of regulations made under paragraph (l), the regulations shall require proof of compliance with the requirement of an environmental impact assessment under the Environmental Protection Act and any guidelines issued by the Department of Environment for the regulation of environmental impacts of marinas.

(3) Regulations made under sub-section (1)(l) shall confirm to the requirements of regulations made for that purpose under the Environmental Protection Act and any guidelines issued by the Department of the Environment for the regulation of marinas.”.

4. The principal Act is amended by inserting immediately after section 18, the following new section 18A—

Insertion of new section 18A.

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“Coordinated approach to regulation of marinas.

18A. The regulation of marinas under this Act shall be done in a coordinated and concerted manner with the Department of the Environment to mitigate the environmental impact as a result of construction, manufacture, design, licensing, registration or maintenance of marinas.”.