

BELIZE:

INTERNATIONAL MERCHANT MARINE REGISTRY ACT, 2025

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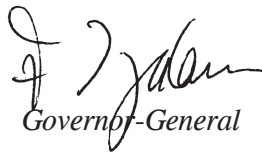
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No. 10 of 2025



I assent,



Governor-General

11th February, 2025.

AN ACT to establish the International Merchant Marine Registry of Belize as a statutory body; and to provide for matters connected therewith or incidental thereto.

(Gazetted 11th February, 2025)

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:

PART I

Preliminary

1. This Act may be cited as the

Short title.

**INTERNATIONAL MERCHANT MARINE
REGISTRY ACT, 2025.**

Interpretation.

2. In this Act–

Act No. 8 of
2023.

“Commission” means the Financial Services Commission established under section 3 of the Financial Services Commission Act;

“IMMARBE” means the International Merchant Marine Registry of Belize established under section 3;

“investment grade credit rating” means a rating that falls within the range of investment grade credit rating as defined by a credit rating agency, namely Moody’s Investors Service, Standard and Poor’s (S&P), Fitch Ratings, and the Caribbean Information & Credit Rating Services Limited (CariCRIS); or any other credit rating agency approved by the Commission from time to time.

“Minister” means the Minister responsible for finance

“Recognized Organization” or “R.O.” means any technical organization authorized by IMMARBE, pursuant to the International Maritime Organization Resolution A739(18) of 4 November, 1993, 1/8, to act on its behalf in the surveys, certification and determination of tonnages and other particulars of vessels registered under the flag of Belize, as required by international conventions;

CAP. 210:01.

“Sanction Regulations” means the regulations made under the High Seas Fishing Act, prescribing penalties for violation of the provisions of that Act;

PART II

Establishment of IMMARBE

Establishment
of the
International
Merchant
Marine
Registry of
Belize.

3.–(1) There is established a body to be known as the International Merchant Marine Registry of Belize for the purpose of exercising the powers conferred on, and to perform the functions assigned to it under this Act.

(2) IMMARBE shall be a body corporate having perpetual succession and a common seal and, subject to the provisions of this Act, shall have power to acquire, hold and dispose of movable and immovable property of whatever kind and to enter into contracts and do all things necessary for the attainment of its objectives.

(3) IMMARBE may sue and be sued in its corporate name and shall for all purposes be described by that name.

(4) The seal of IMMARBE shall be kept in the custody of the Registrar.

(5) All documents, other than those required by law to be under seal, made by, and all decisions of, IMMARBE may be signified under the hand of the Registrar.

4.-(1)IMMARBE shall be responsible-

- (a) to promote, facilitate and encourage the development of ship registration and maritime administration;
- (b) to regulate, control and administer all matters related to merchant shipping as provided under the Merchant Ships (Registration) Act;
- (c) to participate in international organizations and other meetings dealing with maritime related matters;
- (d) to carry out, operate and participate in any maritime project;
- (e) to assist in the development of the maritime industry;

Functions of
IMMARBE.

CAP. 236.

CAP. 210:01.

- (f) to advise Government on any matter relating to merchant shipping and on any matter relating to its functions and duties;
- (g) to provide seafarer services in respect of training, certification and safety of seafarers in accordance with the Standards of Training Certification and Watchkeeping Convention as amended;
- (h) to establish maritime training centres within or outside Belize;
- (i) conserve, manage and sustainably develop all resources in accordance with the principles and provisions of this Act and in sub-regional, regional and international instruments to which Belize is a party, for vessels fishing on the high seas;
- (j) establish management plans and programs to manage the resources;
- (k) to collect all registration fees, annual fees and other moneys payable under this the Merchant Ships (Registration) Act and the High Seas Fishing Act;
- (l) to regulate, control and administer all matters related to high seas fishing under the High Seas Fishing Act;
- (m) implement conservation and management measures taken from relevant resolutions and recommendations of those Regional Fisheries Management Organization (RFMOs) and international treaties to which Belize subscribes for Belize flagged vessels which operate on the high seas;

CAP. 236.
CAP. 210:01.

CAP. 210:01.

- (n) coordinate and manage fisheries monitoring, control and surveillance for Belize flagged vessels operating on the high seas;
- (o) appoint authorized officers and inspectors in accordance with the High Seas Fishing Act;
- (p) conduct summary administrative proceedings in accordance with the Sanctions Regulations to sanction any infringements made against this High Seas Fishing Act;
- (q) cooperate in the conservation and management of highly migratory fish stocks as appropriate with other States and high seas areas and participate in appropriate sub- regional, regional and international organizations or arrangement relating to fisheries;
- (r) participate in the planning and execution of projects, programs or other activities related to fisheries or fishing, or the exploration of the non-living resources of the high seas;
- (s) perform such other duties and functions as may be necessary to carry out the purposes of the high seas fisheries; and
- (t) perform such other duties and functions as may be necessary to carry out the purposes and provisions of the High Seas Fishing Act or the Merchant Marine (Registration) Act.

CAP. 210:01.

CAP. 210:01.
CAP. 236.

Powers of
IMMARBE.

5. For the purpose of discharging its functions, IMMARBE shall have the power to do all things, and take all actions, which may be necessary or expedient or are incidental to the discharge of any function or power given to it.

Relations
between the
Minister and
IMMARBE.

6. In the exercise of the functions of IMMARBÉ, the Commission shall—

- (a) give effect to any direction which the Minister may, after consultation with the Commission, give to IMMARBÉ under his hand in relation to any matter that appears to him to affect the public interest on the policy to be followed by IMMARBÉ or any action to be taken in the discharge of its functions;
- (b) afford to the Minister facilities for obtaining information with respect to the property and activity of IMMARBÉ and shall furnish him with returns, accounts and other information with respect thereto and afford him facilities for the verification of any information furnished, in such manner and at such times as the Minister may require.

PART III

Appointment of Registrar, Managing Director, etc.

Registrar.

7.—(1) The Director General of the Financial Services Commission shall be the Registrar of IMMARBÉ.

(2) The Registrar shall have general managing superintendence of ships registered under this Act, and responsibility for the enforcement and administration of the provisions of this Act.

Offices of
IMMARBE

8.—(1) The Registrar shall designate the Head Office of IMMARBÉ in Belize to house the main operations of IMMARBÉ.

(2) Notwithstanding sub-section (1), the Registrar may designate other offices of IMMARBÉ in other jurisdictions.

9.-(1)The Registrar, with the approval of the Commission, may appoint and employ at such remuneration and subject to such terms and conditions as it thinks fit, a Managing Director of IMMARBE and a Deputy Managing Director of IMMARBE.

Appointment of Managing Director and Deputy Managing Director.

(2) The Managing Director shall be responsible for the operations of the Head Office and any other offices of IMMARBE and shall be assisted by Deputy Registrars and other officers appointed under this Act and the High Seas Fishing Act.

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(3) The Managing Director shall have all the powers of the Registrar, except those under section 10(1).

(4) The Deputy Managing Director shall assist the Managing Director in the operations of the Head Office and have the responsibilities assigned by the Managing Director.

10.-(1) The Registrar may appoint subject to such terms and conditions, Deputy Registrars of IMMARBE to facilitate the operations and act on behalf of IMMARBE within or outside Belize.

Appointment of Deputy Registrars.

(2) The Managing Director shall advise the Registrar on the appointment of Deputy Registrars of IMMARBE.

(3) A Deputy Registrar shall have such powers and responsibilities as be as may be assigned in the instrument of appointment.

(4) A Deputy Registrar appointed to facilitate the operations and act on behalf of IMMARBE outside Belize shall not be deemed an officer or employee of IMMARBE

11.-(1) The day-to-day operations of IMMARBE shall be conducted by the Managing Director, who shall have authority to pass resolutions and issue circulars, letters, notices or

Operations of IMMARBE.

notes to facilitate the implementation of the provisions of this Act or the High Seas Fishing Act or any regulations made thereunder or any formalities and requirements to be complied with by vessels or users of IMMARBE on the basis of vessel type, and size, technical conditions, service provided, country of origin, navigational area and any imposition of administrative fees, licences or penalties as may be authorized under this Act

(2) The Managing Director may authorize one or more Recognized Organizations in compliance with international conventions to facilitate the technical operation of IMMARBE.

(3) Every Deputy Registrar and Recognized Organizations of IMMARBE shall comply with and assist in the implementation of the resolutions and circular letters referred to in subsection (1) and follow all instructions and directives given to them by the Registrar or the Managing Director.

Appointment of staff.

12. The Managing Director may, at such remuneration, and general terms and conditions as set by the Commission, appoint employ other suitably qualified persons as employees of IMMARBE for the purpose of ensuring the proper performance of the functions and the attainment of the objectives of IMMARBE.

Immunity from suit.

13. Every officer and employee appointed under this Act and every person appointed or authorised under this Act for any purpose of this Act, shall have immunity from suit in respect of anything done by him in good faith or omitted to be done in good faith in exercise or performance, or in the purported exercise or performance, or any power, authority or duty conferred or imposed on him under this Act.

PART IV

Financial Provisions

14.-(1) The revenues of IMMARBE shall consist of-

Revenues of
IMMARBE.

- (a) all sums that may be provided from time to time by the National Assembly;
- (b) all fees, fines and other sums from time to time paid to or received by IMMARBE from its operations under the High Seas Fishing Act and the Merchant Ships (Registration) Act; and
- (c) all other sums or other property as from time to time may in any manner be lawfully paid to or vested in IMMARBE in respect of any matter incidental to its powers, functions or duties under this Act.

CAP. 210:01.
CAP. 236.

15.-(1) The revenues of IMMARBE referred to in section 14 shall not form part of the Consolidated Revenue Fund and shall-

Establishment
of General
Fund.

- (a) be placed into and credited to a General Fund to be established at a bank approved by the Commission and maintained in the name of IMMARBE; and
- (b) be applied to carrying out the powers conferred, and functions imposed on IMMARBE.

(2) IMMARBE may, with the approval of the Commission, establish and hold an account in a foreign bank or financial institution to facilitate its international operations and the funds in a foreign bank or financial institution shall constitute part of the General Fund.

(3) The Commission shall only approve a foreign bank or financial institution under sub-section (2) if that foreign bank or financial institution is supervised and regulated by a Central Bank or other supervisory authority located in a G7 country or in a European Union member country,

Provided that a foreign bank or financial institution located in a European Union member country is subject to the supervision of the European Central Bank.

CAP. 236.
CAP. 210:01.

(4) All expenses incurred or payable by IMMARBE pursuant to the Merchant Ships (Registration) Act or the High Seas Fishing Act shall be paid out of the General Fund and all disbursements from the General Fund shall be in accordance with accounting procedures that may be made by the Commission from time to time.

CAP. 236.
CAP. 210:01.

(5) IMMARBE may from time to time invest any of its funds not immediately required to be expended in meeting its obligations or discharging its functions under the Merchant Ships (Registration) Act or the High Seas Fishing Act, in securities issued by the Government of Belize or by any company in which the Government of Belize has a direct ownership interest of thirty per centum or more, other securities issued by the Central Bank of Belize, other bank deposits locally or short-term marketable local securities, and short-term marketable foreign securities having an investment grade credit rating.

(6) All interest from such investments shall be paid to the credit of the General Fund.

(7) At the end of any financial year, IMMARBE may, after making such deductions necessary to cover the operations of IMMARBE and allowances for reserves and contingencies, pay over to the Consolidated Revenue Fund any excess amounts remaining in the General Fund, unless the Minister otherwise determines.

16. IMMARBE may, with the approval in writing of the Minister, borrow or raise money, in such manner, from such person, body or authority, under such terms and conditions and against such security as it may deem appropriate, for meeting any of its obligations or discharging any of its functions under the Merchant Ships (Registration) Act or the High Seas Fishing Act.

Power to
borrow capital.

CAP. 236.
CAP. 210:01.

17.–(1) IMMARBE shall keep proper books of account of its income and other receipts and expenditures of the offices of IMMARBE during each financial year and shall also cause a statement of its accounts for each financial year to be prepared within three months after the end of that year in a form which conforms to the best commercial and accounting standards.

Audit of
accounts.

(2) Within three months of the end of each financial year, IMMARBE shall cause its accounts to be examined, audited and certified by an external auditor to be appointed every two years by the Commission.

(3) The external auditor of IMMARBE shall be a person entitled to practice in Belize under the provisions of the Accountancy Profession Act and recognized as an approved auditor by the Commission pursuant to the Securities Industry Act.

CAP. 305.
Act No. 46 of
2021.

(4) Within thirty days of the completion of the audit of the accounts of IMMARBE for each financial year, the Managing Director shall have an annual report of IMMARBE's operations for that year prepared, together with a copy of the audited accounts for that year and submit to the Commission.

(5) The report shall include a summary on the economic outlook for the global shipping industry.

(6) Four months after the end of each financial year, the Commission shall submit a copy of the annual report to the Minister together with a copy of any report made by the external auditor.

(7) The Minister shall lay a copy of such annual report before the National Assembly, together with a copy of any report made by the external auditor on the accounts, at the earliest opportunity.

Preparation
and submission
of budget
estimates.

18.—(1) IMMARBE shall prepare and submit to the Commission, estimates of income receivable and the expenditure to be incurred during each financial year, including capital expenditure and such additional information and explanations as may be considered necessary, and the Commission shall approve the said estimates with such amendments and modifications, if any, as the Commission may consider necessary.

(2) The budget estimates referred to in this section shall be prepared not later than three months before the commencement of each financial year.

(3) The financial year of IMMABRE shall commence on the 1st day of January and end on 31st day of December,

Provided that the first financial year of IMMARBE shall commence on the date of the establishment and constitution of IMMARBE and end on the 31st day of December next ensuing thereafter.

PART V

Miscellaneous

Maritime
training
centres.

19. The establishment, operation or management of any maritime training centre within Belize shall be solely vested in IMMARBE.

20.-(1) On the commencement of this Act, every person who currently holds an office in IMMARBE under the Merchant Ships (Registration) Act or an office in the BHSFU under the High Seas Fishing Act, whether on contract a contractual basis or permanent employment, shall be deemed to be transferred from the service of the Government to the service of IMMARBE as a statutory body established under the this Act, for-

Transitional.
CAP. 236.
CAP. 210:01

- (a) a period of one year from the date of commencement of this Act, in relation to persons permanently employed; or
- (b) the remainder of the contract for persons employed on a contractual basis

(2) During the period specified under sub-section (1), every person transferred to the service of IMMARBE as a statutory body established under this Act shall be employed on terms and conditions no less favourable than those that applied to that person's office under the Government, or which would have become attached to such office had that person continued in the service of the Government,

Provided that for the purposes of pension and gratuity, such period of service with IMMARBE as a statutory body established under this Act shall be deemed to be service with the Government, and IMMARBE shall pay to the Government such contributions in respect of the cost of pensions earned by such person during the period of transfer as may be determined by the Government in accordance with the Pensions Act.

CAP. 30.

(3) Within the period specified under sub-section (1), IMMARBE may offer to any person transferred from the service of the Government to the service of IMMARBE as a statutory body under this Act, permanent employment with

IMMARBE at a remuneration and on terms and conditions not less favourable than those were attached to his employment during his employment by the Government;

(4) Every person who accepts permanent employment with IMMARBE as a statutory body shall, for all purposes be deemed to have ceased to be employed by the Government and to have entered in service with IMMARBE on the date of his acceptance.

(5) Nothing in this section shall be deemed to preclude a person deemed to be transferred under sub-section (1) from applying during the period specified under sub-section (1) for a transfer to a Government Department, and on such application being made, the person shall be treated as if that person had continued to be in the service of the Government.

(6) The movable properties and undertakings owned by the Government and used by it for the operation of the offices of IMMARBE and the BHSFU immediately before the date of the coming into force of this Act shall, on the coming into force of this Act, be transferred to and vested in IMMARBE as a statutory body established under this Act, for the same purpose as they were held by the Government immediately before the said date.

(7) The transfer and vesting under sub-section (6) shall extend to the whole of such movable property and undertakings and shall include assets, powers, rights, and privileges and all things necessary or ancillary thereto which are held or enjoyed in connection therewith or appertaining thereto, as well as all obligations affecting or relating to any of the aforesaid movable property or undertakings or other things included therein as aforesaid.

(8) Where anything has been commenced by or under the authority of the Government prior to the date of the coming into force of this Act and such thing relates to any of the

movable properties or undertakings or any right or liability transferred to IMMARBE as a statutory body established under this Act, such thing may be carried on and completed by or as authorized, by IMMARBE.

(9) Where immediately before the coming into force of this Act, any legal proceedings are pending to which the Government is or is entitled to be a party, and such proceedings are related to any of the movable properties or undertakings, or any right or liability transferred by or under this Act, IMMARBE shall, as from the date aforesaid, be substituted in such proceedings for the Government or shall be made a party thereto in like manner as the Government could have become, and such proceedings shall not abate by reason of the substitution.

21. The enactments specified in the first column of the Schedule are amended to the extent specified in the second column of that Schedule.

**Consequential
amendments.**

CONSEQUENTIAL AMENDMENTS

SHORT TITLE	AMENDMENT
Merchant Ships (Registration) Act, CAP 236	<p>1. The principal Act is amended in section 2—</p> <p>(a) in the definition of “Deputy Registrar” by deleting the words under section 6 of the Act” and substituting the words “under section 10 of the International Merchant Marine Registry Act;”;</p> <p>(b) in the definition of “Head Office” by deleting the words “under section 3” and substituting the words “under section 8 of the International Merchant Marine Registry Act”;</p> <p>(c) by deleting the definition of “IMMARBE” and substituting the following—</p> <p>““International Merchant Marine Registry of Belize” or “IMMARBE” means the International Merchant Marine Registry established under section 3 of the International Merchant Marine Registry Act;”;</p> <p>(d) in the definition of “Merchant Marine notices” or “notes”, by deleting the words “Senior Deputy Registrar” and substituting the word “Managing Director”;</p> <p>(e) by deleting the definition of “Minister” and substituting the following—</p> <p>““Minister” means the Minister responsible for finance;”;</p> <p>(f) by deleting the definition of “Registrar” and substituting the following—</p>

““Registrar” means the Director General of the Financial Services Commission appointed under section 7 of the Financial Services Commission Act;”;

(g) by deleting the term and definition of “Senior Deputy Registrar”; and

(h) by inserting the following new terms and definitions in the proper alphabetical order—

““Commission means the Financial Services Commission established under section 3 of the Financial Services Commission Act;

“Managing Director” means the Managing Director appointed under section 9 of the International Merchant Marine Registry Act ;”.

2. The principal Act is amended by repealing section 3.

3. The principal Act is amended in section 4(2) by inserting after the word “circumstances”, the words “and on the recommendation of the Registrar,”.

4. The principal Act is amended by repealing section 5.

5. The principal Act is amended by repealing section 6.

6. The principal Act is amended in section 12(3), by inserting after the words “The Minister may”, the words “, on the recommendation of the IMMARBE,”.

High Seas
Fishing Act, CAP
210:01

1. The principal Act is amended in section 4 by—

- (a) deleting the definition of “Belize High Seas Fisheries Unit” or “BHSFU” and substituting the following—

““Belize High Seas Fisheries Unit” or “BHSFU” means the Belize High Seas Fisheries Unit established under section 5;”;

- (b) deleting the definition of “Registrar” and substituting the following—

““Registrar” means the Director General of the Financial Services Commission appointed under section 7 of the Financial Services Commission Act;”; and

- (c) inserting the following new terms and definitions in the proper alphabetical order—

““IMMARBE” means the International Merchant Marine Registry of Belize established under section 3 of the International Merchant Marine Registry Act;

““Managing Director” means the Managing Director of IMMARBE appointed under section 9 of the International Merchant Marine Registry Act;”.

2. The principal Act is amended in section 5—

- (a) in sub-section (1) by deleting the words “Ministry of Finance” and substituting the words “jurisdiction and control of IMMARBE”;
- (b) in sub-section (2), by deleting the word “Registrar” and substituting the words “Managing Director”;
- (c) by inserting after sub-section (2), the following new sub-section—
- “(2A) The Director shall report to the Managing Director.”; and
- (d) by inserting after sub-section (3), the following new sub-sections—
- “(4) The Registrar may appoint a suitably qualified person as the Deputy Director of the BHSFU and such person shall exercise such functions and duties as are delegated to him by the Managing Director.
- (5) The Managing Director may, with the approval of the Registrar, at such remuneration, and general terms and conditions, as set by the Commission, employ other suitably qualified persons as employees of the BHSFU for the purpose of ensuring the proper performance of the functions and the attainment of the objectives of the BHSFU.
- (6) The Managing Director, Director, Deputy Director and staff shall be employees of IMMARBE.”.

3. The principal Act is amended by inserting after section 5, the following new section—

“Immunity from suit.

5A. Every officer and employee appointed under this Act, shall have immunity

	<p>from suit in respect of anything done by him in good faith or omitted to be done in good faith in exercise or performance, or in the purported exercise or performance, or any power, authority or duty conferred or imposed on him under this Act.”.</p> <p>4. The principal Act is amended in section 6 by deleting the words “the Government of Belize” and substituting the word “IMMARBE”.</p> <p>5. The principal Act is amended in section 24(6)(b) by deleting the words “Senior Deputy Registrar” and substituting the words “Managing Director”.</p>
<p>International Maritime Organisation Conventions Act, CAP. 24 :04</p>	<p>1. The principal Act is amended in section 2 by–</p> <p>(a) deleting the term and definition of “Senior Deputy Registrar”; and</p> <p>(b) by inserting the following new term and definition in the proper alphabetical order–</p> <p>“Managing Director” means the Managing Director of IMMARBE appointed under section 9 of the International Merchant Marine Registry Act;”.</p> <p>2. The principal Act is amended in section 6 by deleting the words “Senior Deputy Registrar” and substituting the words “Managing Director”.</p>
<p>Financial Services Commission Act, Act No. 8 of 2023</p>	<p>The principal Act is amended in section 11(2)(a) by–</p> <p>(a) inserting after the word “investment,” the word “maritime,”; and</p> <p>(b) deleting the word “two” and substituting the word “one”.</p>

<p>Registration of Merchants Ships (Disciplinary) Regulations, Subsidiary Legislation 2020 Edn. CAP 236. p 89.</p>	<p>1. The principal Regulations is amended in regulation 5 by deleting the words “Senior Deputy Registrar” and substituting the words “Managing Director”.</p> <p>2. The principal Regulations is amended in regulation 12(3) by deleting the words “Senior Deputy Registrar” and substituting the words “Managing Director”.</p>
<p>Merchant Ships (Registration) (Appointment of Senior Deputy Registrar Order), Subsidiary Legislation 2020 Edn. CAP 236. p 6.</p>	<p>The Merchant Ships (Registration) (Appointment of Senior Deputy Registrar) Order is revoked.</p>
<p>High Seas Fishing (Appointment of Director of High Seas Fisheries) Order, Subsidiary Legislation 2020 Edn. CAP 210:01. p 6.</p>	<p>The High Seas Fishing (Appointment of Director of High Seas Fisheries) Order is revoked.</p>