

Commonwealth of Dominica



Office of the Maritime Administrator

TO: All Vessel Owners, Operators, Crew Managers, Mariners and Regional Offices

SUBJECT: Enforcement Action, Penalties and Fines

APPLICABILITY: All Commonwealth of Dominica registered vessels

Enforcement of International Rules and Standards

The purpose of this Marine Safety Circular is to inform Commonwealth of Dominica vessel owners and operators regarding the Administration's policy towards enforcement actions and the issuance of fines and penalties.

International maritime instruments promulgated by the International Maritime Organization ("IMO"), such as the International Convention for the Safety of Life at Sea ("SOLAS"), International Convention for the Prevention of Pollution from Ships ("MARPOL") and the Implementation of IMO Instruments Code ("IIC Code"), requires the Administration to take appropriate enforcement actions to ensure observance of international rules and standards by Commonwealth of Dominica registered vessels. Such enforcement measures generally include:

- .1 Prohibiting ships entitled to fly the flag of the Commonwealth of Dominica from sailing until such ship can proceed to sea in compliance with the requirements of international rules and standards (i.e. issuance of a Prohibition to Sail);
- .2 Periodic inspection of ships entitled to fly the flag of the Commonwealth of Dominica to verify that the actual condition of the ship and its crew is in conformity with international rules and standards as well as the certificates the vessel carries;

- .3 ensuring that the ship's complement, as a whole, can effectively coordinate activities in an emergency situation and in the performance of functions vital to safety or to the prevention or mitigation of pollution;
- .4 providing, in national laws and regulations, for penalties of adequate severity to discourage violation of international rules and standards by vessels entitled to fly the flag of the Commonwealth of Dominica;
- .5 instituting proceedings, after an investigation has been conducted, against ships entitled to fly its flag, which have violated international rules and standards, irrespective of where the violation has occurred;
- .6 providing, in national laws and regulations, for penalties of adequate severity to discourage violations of international rules and standards by individuals issued with certificates or endorsements under the Administration's authority;
- .7 instituting proceedings, after an investigation has been conducted, against individuals holding certificates or endorsements who have violated international rules and standards, irrespective of where the violation has occurred.

Penalties and Fines for Violation of International Rules and Standards

The following are general penalty assessment amounts for violation of international instruments and the laws of the Commonwealth of Dominica in non-egregious cases. Please note, vessels receiving a Port State Control detention will not be assessed a monetary penalty for receiving a detention.

Failure of an owner to ensure a seafarer holds valid endorsement of license	\$750 USD
COLREG or navigational violation by a vessel	\$10,000 USD
Failure to file required report relating to officers and other ship's personnel employed on a Dominica-flagged vessel	\$5,500 USD
Failure to comply with Flag State requirements and/or instructions	\$5,000 USD
Pollution in the marine environment by the discharge of harmful substances or effluents containing such substances in contravention of MARPOL 73/78 Convention	\$150,000 USD
Egregious cases and other illegal activities	At the discretion of the Administration

Any questions can be directed to:

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