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FALKLAND ISLANDS

Maritime (Reporting Requirements) Regulations 2026

(No. 17 OF 2026)

ARRANGEMENT OF PROVISIONS

Regulation

1. Title
2. Commencement
3. Interpretation
4. Application
5. Notification prior to entry into designated harbour
6. Notification by ships carrying dangerous or polluting goods
7. Exemptions from notification requirements
8. Reporting requirements in other enactments
9. Falkland Islands ships' compliance with vessel traffic services
10. Installation of automatic identification systems on fishing vessels
11. Operation of automatic identification systems on fishing vessels
12. Offences
13. Defences
14. Offences due to fault of another person
15. Detention of ships

FALKLAND ISLANDS

Maritime (Reporting Requirements) Regulations 2026

(made: 5 November 2026)
(commencement: on publication)
(published: 6 November 2026)

I make these Regulations under sections 84(1), 131(2) and 308 of the Maritime Ordinance 2017 and section 42 of the Harbours and Ports Ordinance 2017 on the advice of the Executive Council —

1. Title

These Regulations are the Maritime (Reporting Requirements) Regulations 2026.

2. Commencement

These Regulations come into force on publication in the *Gazette*.

3. Interpretation

(1) In these Regulations, unless the context otherwise requires —

"**agent**" means a person mandated or authorised to supply information on behalf of the owner of a ship;

"**automatic identification system**" means a system that —

(a) provides information automatically to appropriately equipped shore stations, other ships and aircraft, including the ship's identity, type, position, course, speed, navigational status and other safety-related information;

(b) receives automatically such information from similarly fitted ships;

(c) monitors and tracks ships; and

(d) exchanges data with shore-based facilities;

"**Authority**" means the Falkland Islands Maritime Authority established by the Governor under the Harbours and Ports Ordinance 2017;

"**designated harbour**" means the following harbours as designated under the Harbours and Ports Ordinance 2017 —

(a) Port William (which includes Stanley Harbour within its limits);

(b) Berkeley Sound;

(c) Fox Bay;

"**Falkland Islands ship**" has the meaning given in section 2(1) of the Maritime Ordinance;

"**Falkland Islands waters**" has the meaning given in section 2(1) of the Maritime Ordinance;

"**fishing vessel**" has the meaning given in section 2(1) of the Maritime Ordinance;

"**IBC Code**" means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk adopted by the Maritime Safety Committee of the IMO by resolution MSC.4(48);

"**IGC Code**" means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk as adopted by the Maritime Safety Committee of the IMO by resolution MSC.5(48);

"**IMDG Code**" means the International Maritime Dangerous Goods Code adopted by the Maritime Safety Committee of the IMO by resolution MSC.122(75);

"**IMO**" means the International Maritime Organization;

"**IMO guidelines**" means the Guidelines for Vessel Traffic Services contained in IMO Resolution A.1158(32) adopted on 15 December 2021;

"**IMSBC Code**" means the International Maritime Solid Bulk Cargoes Code adopted by the Maritime Safety Committee of the IMO by resolution MSC.268(85);

"**INF Code**" means the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships adopted by the Maritime Safety Committee of the IMO by resolution MSC.88(71);

"**ISM Code**" means the International Management Code for the Safe Operation of Ships and for Pollution Prevention adopted by the IMO by Assembly Resolution A.741(18), as amended by the Maritime Safety Committee of the IMO by resolution MSC.104(73);

"**MARPOL Convention**" means the International Convention for the Prevention of Pollution from Ships, 1973 as amended by the Protocols of 1978 and 1997;

"**Maritime Ordinance**" means the Maritime Ordinance 2017;

"**non-Falkland Islands ship**" means a ship which is not a Falkland Islands ship;

"**owner**", as regards a ship, includes any organisation or person such as the manager or the bareboat charterer, who has assumed responsibility for the operation of the ship from the owner of the ship;

"**reporting line**" means the line joining 51˚ 31' S, 057 ˚ 44' W (Volunteer Point) and 51˚ 41' S 057˚ 43' W (Cape Pembroke);

"**ship**" means a sea-going vessel or craft;

"**skipper**" has the meaning given by section 2(1) of the Maritime Ordinance; and

"**SOLAS Convention**" means the International Convention for the Safety of Life at Sea, 1974 as amended by the Protocol of 1988.

(2) For the purposes of these Regulations, "**dangerous goods**" means —

(a) goods classified as dangerous in the IMDG Code;

(b) dangerous liquid substances listed in Chapter 17 of the IBC Code;

(c) liquefied gases listed in Chapter 19 of the IGC Code;

(d) solids referred to in Appendix B of the IMSBC Code;

(e) goods in respect of whose carriage appropriate preconditions have been imposed in accordance with paragraph 1.1.3 of the IBC Code or paragraph 1.1.6 of the IGC Code; and

(f) irradiated nuclear fuel, plutonium or high-level radioactive wastes as defined in the INF Code.

(3) For the purposes of these Regulations, "**polluting goods**" means —

(a) any oil, oily mixture, oil fuel or crude oil, as defined in Annex I to the MARPOL Convention;

(b) any noxious liquid substance, as defined in Annex II to the MARPOL Convention; and

(c) any marine pollutant identified in the IMDG Code.

(4) A reference in these Regulations to a master is to be read, in relation to a fishing vessel, as a reference to the skipper of the fishing vessel.

(5) A reference in these Regulations to any of the instruments listed in subregulation (6) is to be construed as a reference to the instrument as modified from time to time or, if the instrument is replaced, a reference to the replacement instrument.

(6) The instruments are —

(a) the MARPOL Convention;

(b) the SOLAS Convention;

(c) the IBC Code;

(d) the IGC Code;

(e) the IMSBC Code;

(f) the IMDG Code;

(g) the INF Code;

(h) the ISM Code; or

(i) the IMO guidelines.

4. Application

(1) Subject to paragraph (2), and unless otherwise stated, these Regulations, apply to —

(a) a Falkland Islands ship wherever it may be; and

(b) a non-Falkland Islands ship whilst it is in Falkland Islands waters.

(2) These Regulations do not apply to —

(a) ships of less than 300 gross tonnage, unless otherwise stated;

(b) warships, naval auxiliaries and other ships owned or operated by a Government of a State which are used for non-commercial public service;

(c) fishing vessels having a length of less than 24 metres;

(d) traditional ships; or

(e) recreational craft having a length of less than 45 metres.

(3) In relation to a ship, these Regulations do not apply to —

(a) bunkers on ships of less than 1000 gross tonnage; or

(b) ships' stores and equipment for use on board any ship.

(4) For the purposes of regulation 6, in relation to a ship, bunkers for use on board that ship are not regarded as dangerous or polluting goods.

(5) In this regulation —

"**length**" means either—

(a) 96% of the total length of the ship on a waterline at 85% of the least moulded depth measured from the keel line; or

(b) the length from the foreside of the stem to the axis of the rudder stock on that waterline,

whichever is the greater, and where the ship in question is designed with rake of keel, the waterline on which the lengths referred to in (a) and (b) are measured shall be parallel to the designed waterline;

"**traditional ship**" means an historical ship or a replica of an historical ship operated according to traditional principles of seamanship and technique, and for the purposes of this definition, a replica of an historical ship includes such replica designed to encourage and promote traditional skills and seamanship.

5. Notification prior to entry into designated harbour

(1) This regulation applies to a ship bound for a designated harbour.

(2) The owner, agent or master of the ship must notify the Authority of the information specified in subregulation (3) in accordance with subregulation (4) or (5).

(3) The information referred to in subregulation (2) is —

(a) the name, the call sign, the vessel type, the IMO identification number or the maritime mobile service identity number of the ship;

(b) the total number of crew on board the ship;

(c) the total number of passengers on board the ship;

(d) the ship's agent;

(e) the estimated time of arrival at the designated harbour;

(f) the ship's last port of call;

(g) the designated harbour at which the ship intends to call and the ship's intended berth;

(h) the type of operations intended to be carried out by the ship in the designated harbour;

(i) the fuel used by the ship; and

(j) the estimated time of departure from the designated harbour.

(4) Subject to subregulation (5), the information specified in subregulation (3) must be notified to the Authority —

(a) by electronic communication at least 24 hours before the intended time of arrival of the ship at the designated harbour; and

(b) in respect of a ship bound for Port William or Berkeley Sound, by VHF radio on the ship crossing the reporting line.

(5) If it is not known to which designated harbour the ship is bound until less than 24 hours before the arrival of the ship at the harbour in question, the information specified in subregulation (3) must be notified by the owner, agent or master of the ship to the Authority —

(a) by electronic communication as soon as possible after it becomes known that the ship is bound for that designated harbour; and

(b) in respect of a ship bound for Port William or Berkeley Sound, by VHF radio on the ship crossing the reporting line.

(6) Where information has been notified in accordance with subregulation (2) or (5), the master of the ship must notify the Authority immediately of any changes to that information.

6. Notification by ships carrying dangerous or polluting goods

(1) This regulation applies to a ship, regardless of its size, carrying —

(a) dangerous goods; or

(b) polluting goods.

(2) The owner, master or agent of a ship bound for a designated harbour must notify the Authority of the information specified in subregulation (3) in accordance with subregulation (4) or (5).

(3) The information is —

(a) the name, the call sign, the vessel type, the IMO identification number or the maritime mobile service identity number of the ship;

(b) the total number of crew on board the ship;

(c) the total number of passengers on board the ship;

(d) the ship's agent;

(e) the estimated time of arrival at the designated harbour;

(f) the ship's last port of call;

(g) the designated harbour at which the ship intends to call and the ship's intended berth;

(h) the type of operations intended to be carried out by the ship in the designated harbour;

(i) the fuel used by the ship;

(j) the estimated time of departure from the designated harbour;

(k) the correct technical names of the dangerous or polluting goods, the United Nations (UN) numbers where they exist, the IMO hazard classes in accordance with the IMDG, IBC and IGC Codes and, where appropriate, the class of the ship as defined by the INF Code, the quantities of such goods and their location on board and, if they are being carried in cargo transport units other than tanks, the identification number of the goods;

(l) confirmation that a list or manifest or appropriate loading plan giving details of the dangerous or polluting goods carried and of their location on the ship is on board; and

(m) the address from which detailed information on the cargo may be obtained.

(4) Subject to subregulations (5) and (6), the information specified in subregulation (3) must be notified —

(a) by electronic communication at least 24 hours before the intended time of arrival of the ship at the designated harbour; and

(b) in respect of a ship bound for Port William or Berkeley Sound, by VHF radio on the ship crossing the reporting line.

(5) If it is not known to which designated harbour the ship is bound until less than 24 hours before the arrival of the ship at the harbour in question, the information specified in subregulation (3) must be notified by the owner, agent or master of the ship to the Authority —

(a) by electronic communication as soon as possible after it becomes known that the ship is bound for that designated harbour; and

(b) in respect of a ship bound for Port William or Berkeley Sound, by VHF radio on the ship crossing the reporting line.

(6) The information specified in subregulation (3) paragraphs (k), (l) and (m) is not required to be notified by VHF radio on the ship crossing the reporting line.

(7) The Authority must retain the information provided to it under this regulation for as long as the information may be required for use in the event of an incident or accident at sea.

(8) Where information has been notified in accordance with this regulation, the master of the ship must notify immediately the Authority of any changes to that information.

7. Exemptions from notification requirements

(1) Subject to subregulation (2), the Authority may exempt the owner, agent and master of a ship from the requirements of regulation 5(2) or 6(2) in circumstances where the Authority is satisfied that —

(a) information equivalent to the information required by regulations 5(2) or 6(2) has been provided; or

(b) the circumstances of the ship or its voyage are such as to make it unreasonable to require the owner, agent or master to provide that information.

(2) An exemption must not be granted in relation to a ship if granting the exemption would mean that the ship was no longer compliant with requirements imposed by the SOLAS Convention or the MARPOL Convention.

(3) An exemption granted under this regulation —

(a) must be in writing or, where it is not reasonably practicable to give it in writing, must be confirmed in writing as soon as is reasonably practicable; and

(b) may be given on such terms (if any) as the Authority may specify.

(4) The Authority may, subject to giving reasonable notice, alter or cancel an exemption.

8. Reporting requirements in other enactments

The requirement to notify the Authority of information under regulation 5(2) or 6(2) is in addition to any requirement under any other enactment to notify any other person of —

(a) the arrival of the ship in the Falkland Islands; or

(b) the transportation or importation of dangerous goods or polluting goods.

9. Falkland Islands ships' compliance with vessel traffic services

(1) The master of a Falkland Islands ship must ensure that, when the ship enters an area in respect of which a vessel traffic service is operated in accordance with the IMO guidelines by any State or territory, the ship must participate in, and comply with, the rules of that vessel traffic service in so far as it is reasonable for it to do so.

(2) In this regulation —

"**nautical chart**" or "**nautical publication**" mean a special-purpose map or book, or a specially compiled database from which such a map or book is derived, that is issued officially by or on the authority of a government, authorised hydrographic office or other relevant institution and is designed to meet the requirements of marine navigation;

"**rules**", in relation to a vessel traffic service, means the most recent rules which have been —

(a) published in a nautical chart or a nautical publication, or

(b) promulgated so that masters of ships ought reasonably to be aware of them;

"**vessel traffic service**" means a service which is designed to improve the safety and efficiency of vessel traffic and to protect the environment and which is capable of interacting with that traffic and responding to traffic situations developing in the vessel traffic service area.

10. Installation of automatic identification systems on fishing vessels

(1) This regulation applies to a fishing vessel having an overall length of more than 24 metres which —

(a) is operating in Falkland Islands waters;

(b) is landing its catch at a port situated in the Falkland Islands; or

(c) is registered in the Falkland Islands.

(2) A fishing vessel to which this regulation applies must be fitted with an automatic identification system which meets —

(a) the requirements of paragraph 2.4.5 of regulation 19 in Chapter V of the Annex to the SOLAS Convention; and

(b) such other performance standards as may be drawn up by the IMO for such a system on such a vessel.

11. Operation of automatic identification systems on fishing vessels

Where a fishing vessel is fitted with an automatic identification system pursuant to regulation 10, the skipper must ensure that the system is maintained in operation at all times except where in the interests of the safety or security of the vessel —

(a) the skipper considers it necessary for the automatic identification system not to be so maintained; or

(b) international agreements, rules or standards provide for the protection or non-transmission of navigational information.

12. Offences

(1) The owner, agent or master of a ship who fails to comply with regulations 5(2) or 6(2) commits an offence.

Penalty: A fine of up to level 5 on the scale set out in Schedule 7 to the Maritime Ordinance.

(2) The owner, agent or skipper of a fishing vessel who fails to comply with regulation 10(2) commits an offence.

Penalty: A fine of up to level 5 on the scale set out in Schedule 7 to the Maritime Ordinance, or imprisonment for a term not exceeding two years, or both.

(3) The master of a ship who fails to comply with regulation 5(6), 6(8) or 9(1) commits an offence.

Penalty: A fine of up to level 5 on the scale set out in Schedule 7 to the Maritime Ordinance.

(4) The skipper of a fishing vessel who fails to comply with regulation 11 commits an offence.

Penalty: A fine of up to level 5 on the scale set out in Schedule 7 to the Maritime Ordinance, or imprisonment for a term not exceeding two years, or both.

(5) A person who, in purported compliance with regulation 5(2) or (6) or 6(2) or (8) makes a notification which that person knows to be false in any material particular, commits an offence.

Penalty: A fine of up to level 5 on the scale set out in Schedule 7 to the Maritime Ordinance.

13. Defences

In any proceedings for an offence under regulation 12, other than an offence under regulation 12(5), it is a defence for a person charged to prove that they took all reasonable steps to avoid the commission of the offence.

14. Offences due to fault of another person

Where an offence under regulation 12 is committed, or would have been committed but for the operation of regulation 13, by any person due to the act or default of some other person, that other person is guilty of the offence, and a person may be charged with and convicted of the offence by virtue of this regulation whether or not proceedings are taken against the first mentioned person.

15. Detention of ships

In any case where a ship does not comply with the requirements of these Regulations, the ship is liable to be detained and section 268 of the Maritime Ordinance (enforcing detention of ship) has effect in relation to the ship as if for the words "this Ordinance", wherever they appear in that section, there were substituted the words "the Maritime (Reporting Requirements) Regulations 2026".

Made 5 November 2026

COLIN MARTIN-REYNOLDS C.M.G.,
Governor.

EXPLANATORY NOTE
(*not forming part of the regulations*)

The Regulations make provision for:-

(a) the reporting of certain information by ships arriving in the Falkland Islands to the Falkland Islands Maritime Authority ("the Authority");

(b) Falkland Islands ships sailing on international voyages to comply with vessel traffic systems operated by other States; and

(c) fishing vessels having an overall length of more than 24 metres, which operate in Falkland Islands waters, land catches at ports in the Falkland Islands or are registered in the Falkland Islands, to carry and operate automatic identification systems.

Regulations 1 to 5 provide for general matters. In accordance with *regulation 2*, the Regulations will come into force on the date of their publication in the Gazette.

Various terms used in the regulations are defined in *regulation 3*, including the harbours in the Falkland Islands that are designated for the purposes of the Regulations. The harbours designated under these regulations are as designated under the Harbours and Ports Ordinance 2017; Port William, Berkeley Sound and Fox Bay. Stanley Harbour is included within the limits of Port William.

Regulation 4 provides that the Regulations apply to Falkland Islands ships and to non-Falkland Islands registered ships whilst in Falkland Islands waters. The Regulations do not apply to (a) ships of less than 300 gross tonnage, except where expressly stated; (b) warships, naval auxiliaries or ships owned or operated by a State and used only on government non-commercial service; (c) fishing vessels having a length of less than 24 metres or (d) recreational craft having a length of less than 45 metres.

Regulation 5 requires the owner, agent or master of a ship to which the Regulations apply bound for a designated harbour to notify the Authority in advance of its intended arrival and to provide the information specified in subregulation (3). Notification should be given by email at least 24 hours before the ship's intended time of arrival, unless the designated harbour is not known at that point, in which case notification must be given as soon as possible after the designated harbour of arrival is known. In respect of a ship bound for Port William or Berkeley Sound notification of the information must be given by VHF radio on the ship crossing the reporting line, which is the line between Volunteer Point and Cape Pembroke.

Regulation 6 requires the owner, master or agent of a ship of any size bound for a designated harbour which is carrying dangerous or polluting goods to notify the Authority in advance and provide the information specified in subregulation (3), including details of the dangerous or polluting good which are being carried. The times and methods of notification are the same as under regulation 5 (although not all the information is required to be provided by radio).

Regulation 7 enables the Authority to exempt the owner, master or agent of a ship from the notification requirements if (a) the equivalent information has been provided or (b) it is unreasonable in the circumstances for the owner, master or agent to provide that information.

Regulation 8 provides that the reporting requirements under these Regulations are in addition to any other reporting requirements imposed under any other piece of legislation. But these Regulations build on the existing requirement of section 32 of the Harbours and Ports Ordinance 2017 for the master of a vessel to report the arrival of a vessel to the Harbour Master, and meeting the requirements of regulations 5(2) or 6(2) should also meet the requirements of section 32 in respect of arrival in a designated harbour.

Regulation 9 applies where a Falkland Islands ship on an international voyage enters an area where a vessel traffic service is operated. A vessel traffic service is (*regulation 3)* a service which is designed to improve the safety and efficiency of vessel traffic and to protect the environment. The master of such a ship must participate in and comply with the rules of the vessel traffic service in so far as it is reasonable to do so.

Regulations 10 and *11* apply to fishing vessels of more than 24 metres in length which are either operating in Falkland Islands waters, landing their catch at a port in the Falkland Islands or are registered in the Falkland Islands. Such fishing vessels must be fitted with, and operate, an automatic identification system.

Regulation 12 sets out the offences that are committed where an owner, master (or skipper of a fishing vessel) or agent does not comply with the Regulations. Conviction for an offence under sections 5, 6 or 9 of the Regulations is punishable by a fine not exceeding level 5 on the scale set out in Schedule 7 to the Maritime Ordinance. Conviction for an offence under sections 10 or 11 is punishable by a fine not exceeding level 5 on the scale or by imprisonment for a term not exceeding two years, or both.

Regulation 13 provides a person with a defence if charged with certain offences under the Regulations if the person can prove that they took all reasonable steps to avoid the commission of the offence.

Regulation 14 provides that where an offence is committed by a person due to the act or default of another person, that other person is guilty of the offence.

Regulation 15 enables a ship to be detained if there has been non-compliance with the Regulations.

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