

Bailiwick of Jersey Strategy for the International Maritime Organization Instruments Implementation Code

Contents

1. Introduction	3
1.1. Bailiwick of Jersey Maritime Administration	3
1.2. The Territorial Seas Co-ordination and Advisory Group.....	4
1.3. International Maritime Organization.....	4
2. Background	4
2.1. IMO Instruments Implementation Code	4
2.2. III Code Strategy Aim	7
3. Vision Statement.....	7
4. Mission Statement.....	7
5. III Code Strategy Purpose.....	7
5.1. Aims	8
5.2. Objectives	8
5.3. Activities.....	9
6. Category of British Shipping Registry	11
<i>Annex A to Bailiwick of Jersey III Code Strategy Document (Version 10)</i>	12
<i>Jersey Administration Organogram:</i>	12
<i>Annex B to Bailiwick of Jersey III Code Strategy Document (Version 10)</i>	12
<i>Terms of Reference of the Territorial Seas Coordination & Advisory Group (TSCAG)</i>	12

1. Introduction

1.1. Bailiwick of Jersey Maritime Administration

Jersey is one of three Crown Dependencies (CDs), which are self-governing possessions of the British Crown.

The Government of Jersey consists of a Chief Minister and 11 Ministers. Together, they form the Council of Ministers. The Minister for Economic Development, Tourism, Sports and Culture (EDTSC) is the member of the Council of Ministers with broad responsibility for Shipping and Maritime policy and legislation in Jersey, supported by the Jersey Maritime Administration. The Jersey Maritime Administration consists of officers from Department for the Economy (the Government department that serves the Minister for EDTSC directly), maritime professionals from Ports of Jersey Limited (PoJL) and officers from the Environment Department and other Government departments and agencies. The organogram showing the structure of the States of Jersey Maritime Administration can be found in Annex A.

The Jersey Maritime Administration manages Flag, Port, & Coastal State matters drawing on the expertise of PoJL, which is an incorporated body established in accordance with the Air and Sea Ports (Incorporation) (Jersey) Law 2015 and is wholly owned by the States of Jersey. PoJL is legally obliged to perform a number of public service obligations, including the provision of Coastguard services and counter pollution.

Anti-pollution measures are managed by the Department of Environment (except those within port limits), as are the provision of weather forecasting services (through the Jersey Meteorological Office).

Following recent changes, the departments for Infrastructure, Housing and Environment have been combined but the legislation surrounding their functions continues to refer to them separately. Political responsibility for the various relevant operational functions undertaken by the combined Department for Infrastructure, Housing and Environment (IHE) is shared between several Ministers.

External relations are managed by the Department of External Relations and Financial Services, which includes relations with the United Kingdom government.

Government departments are supported by the Law Officers' Department (LOD), which is a non-ministerial department headed by His Majesty's Attorney General and Solicitor General for Jersey. The Attorney General and Solicitor General are the principal legal advisers to the Crown, the States of Jersey and the Government of Jersey and, thereby, also to the Jersey Maritime Administration. Law Officer privilege applies such that, in addition to legal privilege in the advice itself, it is not revealed in which specific instances the Law Officers have been asked to advise. Prosecutions are in the name of the Attorney General.

The LOD has a documented role regarding legislative changes (in assisting policy officers instructing the Legislative Drafting Office, and in approving any new offences and the proposed penalties for

them) and for the purpose of statute in confirming to the Minister EDTSC that an Incident Investigation Report may be publicly released.

1.2. The Territorial Seas Co-ordination and Advisory Group

The co-ordinating body established to develop and oversee the Jersey Maritime Administration's compliance with the III Code is the Territorial Seas Co-ordination and Advisory Group (TSCAG). The TSCAG was established as a forum to bring all Government departments with an interest in the territorial seas together. Terms of Reference for the TSCAG can be found at Annex B.

The remit of TSCAG includes:

- Hydrography
- Counter Pollution
- Provision of Coastguard Service
- Port and Flag State matters
- Coastal State matters
- Traffic Management including routing
- Liaison with adjacent coastal states (AFTAG & 'Mancheplan')
- Review of adopted and new conventions
- Review of all Maritime Legislation
- Provision and review of aids to navigation

This is formally chaired by the Harbour Authority and the Harbour Master & Registrar or, in his absence, either the Head of External Maritime Compliance or the Maritime Standards Manager, PoJL.

A separate sub-group has been established to manage the hydrographic program on behalf of the Government of Jersey. This sub-group is chaired by the Harbour Master who has responsibility for all territorial seas of the island. In effect he is the Chief Hydrographer.

1.3. International Maritime Organization

The International Maritime Organization (IMO) is the United Nations specialised agency and the global standard-setting authority for the safety and environmental performance of international shipping. Its main role is to create a regulatory framework for the shipping industry that is fair, effective and universally adopted and implemented. Shipping is very much an international industry, and it can only operate effectively if the regulations and standards are themselves agreed, adopted and implemented on an international basis. IMO is the forum at which this process takes place.

2. Background

2.1. IMO Instruments Implementation Code

The IMO formally adopted the IMO Instruments Implementation (III) Code in 2013, to provide a global standard to enable states to meet their obligations as responsible flag, port and coastal states,

and to provide the criteria to determine how Member States give full and complete effect to the provisions of those international maritime conventions to which they are Contracting Parties. The IMO has since adopted amendments to several IMO instruments to make the use of the III Code mandatory for the purpose of auditing Member States, these amendments entered into force on 1st January 2016.

The IMO instruments included within the scope cover:

- 1. Safety of Life at Sea (SOLAS 1974 and its 1978 and 1988 Protocols, as amended);**
- 2. Prevention of Pollution from Ships (MARPOL 1973 and Protocols 1978 and 1997, as amended);**
- 3. Standards of Training, Certification and Watchkeeping for Seafarers (STCW 1978, as amended);**
- 4. Load Lines (LL 66 and its 1988 Protocol);**
- 5. Tonnage Measurement of Ships (Tonnage 1969); and**
- 6. Regulations for Preventing Collisions at Sea (COLREG 1972).**

Of these, the applicable conventions extended to the Bailiwick of Jersey are:

- 1. Safety of Life at Sea (SOLAS 1974 and its 1988 Protocol, as amended);**
- 2. Prevention of Pollution from Ships - Annex I and II (MARPOL 1973 and Protocols 1978, as amended);**
- 3. Load Lines (LL 66 and its 1988 Protocol);**
- 4. Tonnage Measurement of Ships (Tonnage 1969); and**
- 5. Regulations for Preventing Collisions at Sea (COLREG 1972).**

The UK maintains general superintendence of the CDs and Overseas Territories (OTs) and assists them in fulfilling their international obligations under these treaties.

The Government of Jersey (GoJ) retains all legal functions under current legislation, and also the ultimate responsibility to the UK for the safe, secure and compliant operation of the Jersey Ship Registry. The Minister for EDTSC retains responsibility for the Jersey Ships Registry in accordance with the Shipping (Jersey) Law 2002 and generally represents the Government of Jersey in carrying out the functions of the Maritime Administration for the Island.

Since December 2016, the Minister has empowered PoJL, its wholly owned entity and the appointed Harbour Authority, to manage the day-to-day operation of the register on behalf of the Minister. In furtherance of that empowerment, the Harbour Master was also appointed 'Registrar of Jersey Ships' by the Minister EDTSC in July 2021 replacing the shipping function of the 'Registrar of Jersey Aircraft and Shipping, who was a civil servant. At the same time various related ministerial delegations of authority were updated.

Ports of Jersey Limited

The Ports of Jersey Limited (PoJL) was created by the Air and Sea Ports (Incorporation) (Jersey) Law 2015 and the Air and Sea Ports Incorporation (Transfer) (Jersey) Regulations 2015. It is a Limited Company wholly owned by the Government of Jersey. The primary object of the entity is set in the 2015 Law-

(1) The primary object of POJL shall be to provide, or ensure the provision of, safe, secure and efficient port operations for Jersey, whether by itself or by any other person acting as its subsidiary, agent, employee or sub-contractor.

(2) Without derogation from the primary object stated in paragraph (1), in carrying out commercial port operations POJL shall act in the manner best calculated to secure sustainable growth in the economy of Jersey in the medium to long term.

A Memorandum of Understanding between PoJL and the Minister for Treasury and Resources (acting as shareholder on behalf of Government) serves as an accountability and governance framework for PoJL and Government regarding the operation of the former as an independent business that is nevertheless wholly owned by Government.

PoJL serves as both the Harbour Authority and the Airport Authority for Jersey. The Authorities, and separately the Harbour Master and Airport Director, can exercise government's legal powers in their respective areas. In the Maritime area, this includes provision of pollution response and control, provision of Coast Guard services, and monitoring of Jersey's territorial waters. It also maintains all aids to navigation in Jersey Territorial waters both within and outside port limits.

In its role as Harbour Authority, PoJL is also entrusted with enforcing the Harbours (Inshore Safety) (Jersey) Regulations 2012 on behalf of the Minister for EDTSC. Entrusted responsibilities include inspecting and certificating local fishing vessels up to 12m, and local coded passenger craft. It provides a fully declared Vessel Traffic Service for the port of St Helier and has a significant role in enforcing local maritime legislation. It also has an advisor role to government in respect of the discharge of state responsibilities in this area.

In addition, certain 'Public Service Obligations' are imposed on PoJL by the 2015 Law, which require it to discharge certain government functions for which PoJL has been deemed better placed and equipped to execute. In the maritime area these include -

- a) the co-ordination, or provision of resources for the co-ordination, of maritime search and rescue within the Jersey Search and Rescue Region,
- b) the maintenance of aids to navigation in territorial waters,
- c) the enforcement of shipping legislation in territorial waters, and
- d) the conduct of Port State Control.

Jersey Registry of Ships

Historically, the Registrar of British Ships in Jersey was an appointment within 'Jersey Harbours', which was part of the States of Jersey (now Government of Jersey). During 2007, this post was transferred to the Government Department that is now known as Department for the Economy.

In 2015 the Ports of Jersey Limited was incorporated and the staff, structure and facilities of both Jersey Harbours and Jersey Airport were transferred to that new entity. The staff of the Registry and responsibility for its day-to-day administrative operations were duly transferred 'back' into the new entity with their agreement, albeit that oversight of the Registry was maintained within Government by virtue of the statutory Registrar function being discharged by a civil servant. Following the retirement of the civil servant serving as Registrar in December 2016, a greater degree of administrative responsibility was transferred to the Harbour Master and his team of Marine Managers. This process culminated in July 2021 when, following a review of ministerial delegations, the Harbour Master was formally appointed Registrar of Jersey Ships.

With effect from August 2022, the Head of External Maritime Compliance, PoJL has particular responsibility for day-to-day Registry management, working closely with the Assistant Registrar and the designated civil servant within the Department for the Economy appointed as representative of the Minister for EDTSC.

2.2. III Code Strategy Aim

The aim of this III strategy is to support the Government of Jersey in meeting the aims and objectives herein to achieve full compliance with relevant maritime international conventions that have been extended to Jersey in accordance with the mandatory III Code and IMO audit scheme.

3. Vision Statement

To successfully contribute to continuous enhancement of global maritime safety and protection of the marine environment.

4. Mission Statement

The Government of Jersey will exercise its flag, port and coastal state responsibilities by performing its duties to give full and complete effect to applicable international maritime rules and regulations to ensure maritime safety and marine environmental protection.

5. III Code Strategy Purpose

5.1. Aims

1. Provide a consistent approach for the Government of Jersey to meet the requirements of the III Code.
2. Achieve and maintain the ability to effectively implement and enforce relevant international mandatory instruments.
3. Improve overall performance and capability as a flag, port and coastal State by continuous monitoring, review and evaluation.
4. Enhance awareness and co-operation between the respective departments within the Government of Jersey and supporting organisations to develop a collaborative approach to demonstrate compliance.

5.2. Objectives

1. Effectively demonstrate how compliance is achieved in accordance with the requirements of the III Code, as applicable.
2. In accordance with the III Code, identify areas of non-compliance, potential non-compliance and/or improvement.
3. Implement and enforce policies through issuing appropriate Jersey legislation, procedures and guidance and ensure they are kept current.
4. Implement and maintain an oversight regime across all stakeholders to continuously check the adequacy of the measures being taken to meet the requirements of the III Code.
5. Ensure that competent personnel and adequate resources and processes are in place to give full effect to the requirements of the III Code.
6. Promote the requirements of the III Code and collect feedback from relevant stakeholders on how international obligations are being achieved.
7. Create opportunities to maintain and develop relationships with responsible departments outside of the ship registry, and with other responsible stakeholders within the UK, CDs and OTs, through the Red Ensign Group, and with the adjacent French authorities with respect to Search and Rescue to continue and improve collaborative working.
8. Continuously review the strategy to achieve, maintain and improve the overall organisation performance and capability as a flag, port and coastal state.

5.3. Activities

This III strategy's aims and objectives are met through the following ongoing activities:

5.3.1. Development and implementation of policies and procedures

1. Explanation and intended delivery of the III Code and mandatory audit is incorporated into the Maritime Administration's overall objectives.
2. Implications and implementation of the III Code and mandatory audit are incorporated into the Maritime Administration's overall risk register / methodology for managing risks. These are held within the Ports of Jersey Risk Register as part of the Port Marine Safety Code.
3. Actions are identified and carried out by responsible stakeholders to demonstrate ongoing adherence to the III Code, where applicable.
4. Areas recognised where stakeholders are requiring support in fully meeting their obligations and responsibilities are referred to the TSCAG.
5. Policies are developed / amended by the Jersey Maritime Administration to implement the most recent legislation.
6. Policies are effectively circulated and publicised for giving complete effect to applicable IMO instruments.
7. Applicable records for tracking and compliance purposes, are stored and maintained effectively, and an up-to-date policy is in place to support achievement of this.
8. Responsibilities, authorities, qualifications and continuous training of personnel who manage and perform work relating to and affecting safety and pollution prevention are defined and documented.
9. Appropriate resources and processes capable of administering an effective system of safety and environmental protection are established and maintained.
10. The Jersey Shipping Administration is subject to periodic proxy audits by the United Kingdom on behalf of the International Maritime Organisation, audits by Trinity House with reference to Aids to Navigation, and peer review audits by the UK Maritime and Coastguard agency on Coastguard and Vessel Traffic Services.

5.3.2. Stakeholder Relationships

1. Liaison with responsible departments / stakeholders within the Jersey Government takes place to promote the requirements of the III Code and gather feedback on how international obligations are being achieved; through departmental representation in TSCAG meetings and links between individual representatives between meetings as necessary.

2. Problem areas are identified and advice for improvement given. In preparation for routine UK Maritime Administration monitoring visits, consultation with all relevant departments / stakeholders takes place to enable flag, port and coastal State compliance to be assessed, in accordance with the III Code.
3. The Jersey Maritime Administration participates in the REG conference annually, discussing and reviewing international maritime obligations and considering improvements for compliance.
4. The Jersey Maritime Administration participates in the REG Technical Forum and associated working groups at least annually, ensuring consistent application of technical policy throughout the UK and REG Maritime Administrations.
5. Collaborative relationships are built between the REG membership and assistance is given to the various administrations to support them in fulfilling their obligations, through development of appropriate instruments, guidelines and recommendations.

5.3.3. Monitoring

All Jersey government departments, public bodies, and POJL (as the statutory port & harbour authorities), with flag, port or coastal State responsibilities, have appropriate monitoring programmes in place, and to assess and give assurance of their performance in meeting their international obligations, including the identification of any improvements necessary. (Maritime Agreement between Government of Jersey and Ports of Jersey). The UK Maritime Administration assists with the process through statutory monitoring every four years

5.3.4. Review and Improvement

1. The content of this III Code strategy is periodically reviewed by the TSCAG, to maintain and improve Jersey's performance and capability as a flag, port and coastal state.
2. The adequacy of measures taken are continually reviewed and improved to ensure international requirements are being met. The MCA maintains a Quality Management System (QMS) and encourages all REG Administrations and their stakeholders to achieve or work towards the implementation of a QMS to ensure the effective management, delivery and improvement of maritime services. The QMS for the Jersey Administration and TSCAG is incorporated within that of POJL.
3. PoJL runs a safety management system which is fully equivalent to and based on the UKs Port Marine Safety Code. It is independently audited on a regular basis by an appointed organisation with relevant expertise. The Ships Registry is included in this audit process. This is considered as meeting the recommendation for a QMS in 2 above

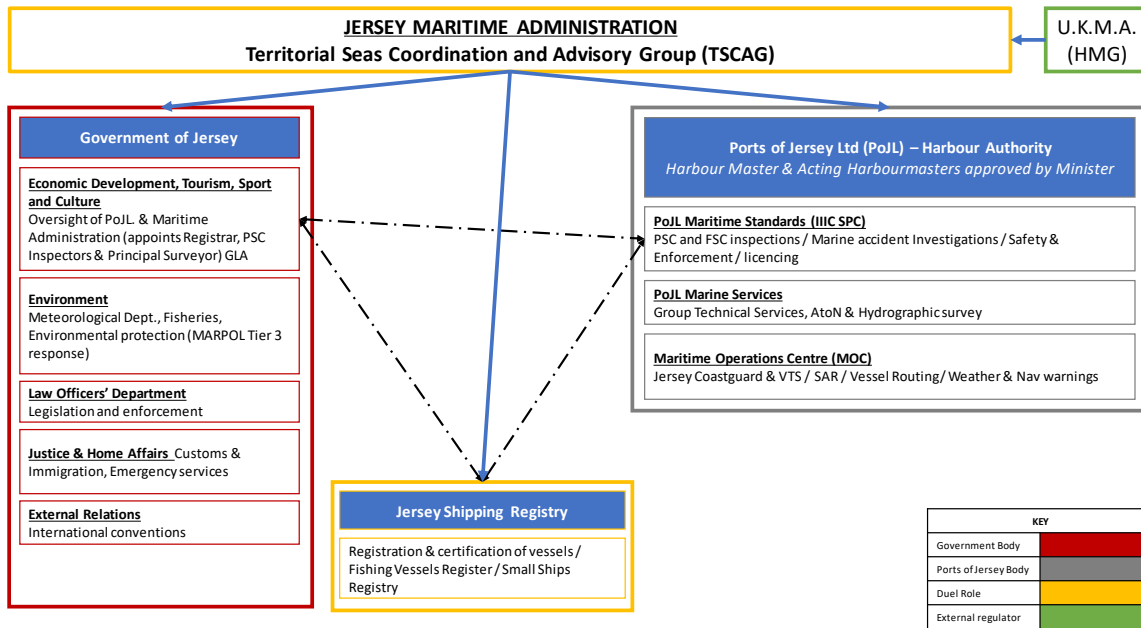
4. PoJL also runs Jersey Coastguard as a Public Service Obligation on behalf of the Government of Jersey. It maintains standards equivalent to those of the UK Maritime and Coastguard Agency and is regularly audited by them.
5. St Helier Vessel Traffic Service (VTS) is operated by PoJL to IALA standards. All staff are qualified to V103/1 & 3. These services are regularly subject to external audit. The Jersey Maritime Administration maintains ongoing effort to identify issues and make changes to improve its effectiveness in carrying out its services and processes, and to continue to fulfil its obligations and objectives under the III Code; by looking at external best practice and adapting this, as required, to suit the particular circumstances applicable to Jersey. Internally gathered data as to shipping movements and maritime incidents is used to assist in determining suitable service levels
6. Jersey Maritime Administration supports and provides to the maritime industry, opportunities for improvement of performance in maritime safety and environmental related activities. Marine accidents involving Jersey Vessels and vessels in Jersey waters are investigated and reports are published; with Safety Bulletins issued as necessary. External sources of information are also assessed and shared as deemed necessary.

6. Category of British Shipping Registry

The UK's Statutory Instrument No. 1248 of 2003, [the Merchant Shipping \(Categorisation of Registries of Relevant British Possessions\) Order 2003](#) (registered by the Royal Court of Jersey on 1 August 2003) as later amended by the UK's Statutory Instrument No. 1115 of 2013 [the Merchant Shipping \(Categorisation of registries of relevant British Possessions\) \(Amendment\) Order 2013](#), (registered by the Royal Court of Jersey on 8th May 2014) provides for the Jersey Registry of British Ships to be a **Category 2+ Registry** which permits Jersey to register vessels up to 400GT. A Memorandum of Understanding (MOU) between the UK's Department for Transport and the Bailiwick of Jersey on survey and certification of ships and related standards is in place to provide a framework of objectives in support of the Categorisation Order.

Annex A to Bailiwick of Jersey III Code Strategy Document (Version 10)

Jersey Administration Organogram:



IIIC Responsibility Organogram (A3) For

Annex B to Bailiwick of Jersey III Code Strategy Document (Version 10)

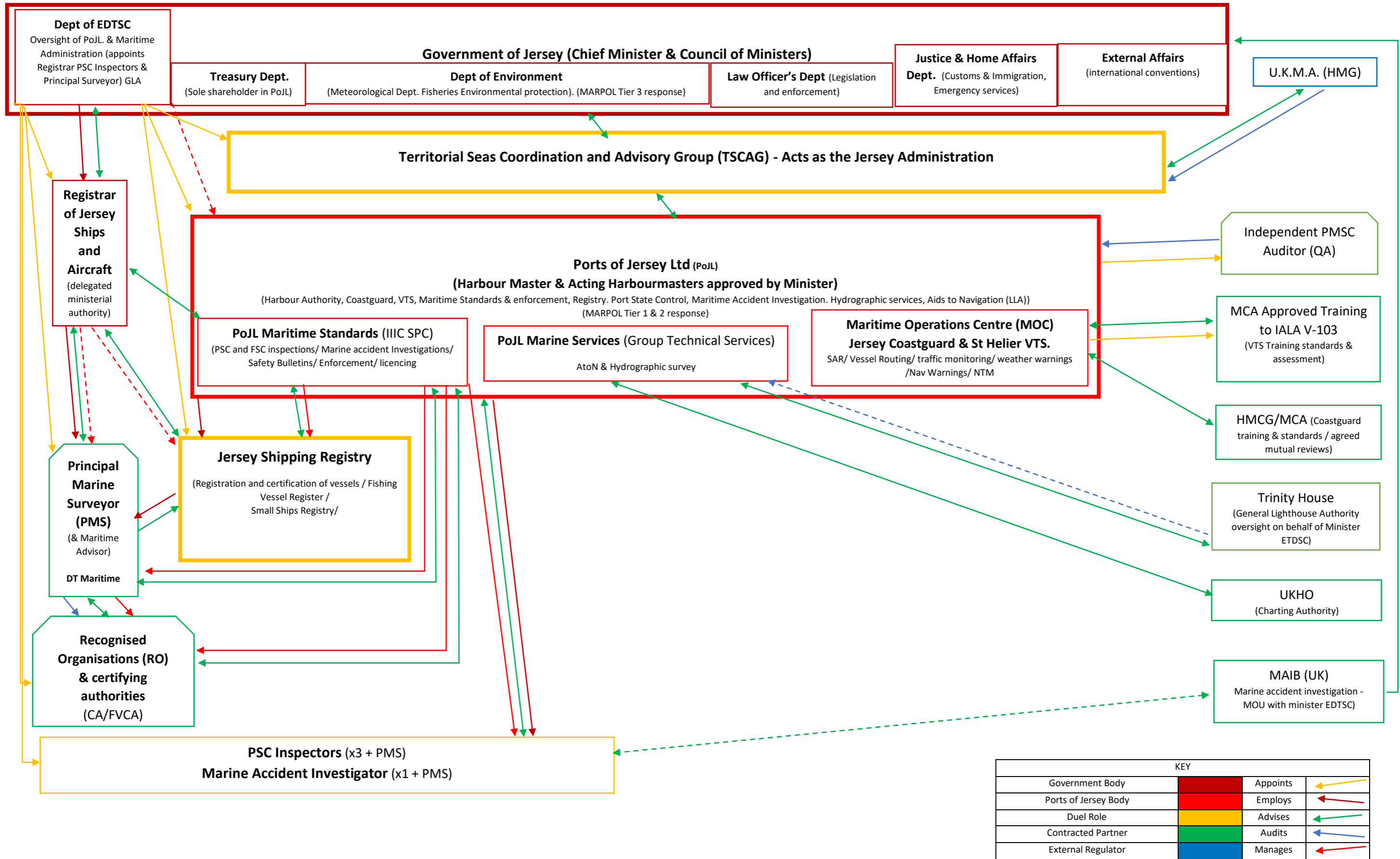
Terms of Reference of the Territorial Seas Coordination & Advisory Group (TSCAG)



TOR for TSCAG based on MCA template

Annex C to Bailiwick of Jersey III Code Strategy Document (Version 11)
Procedure for the investigation of Maritime Accidents

4. Jersey Shipping administration: Government and other bodies Organogram for III Code compliance



Bailiwick of Jersey***Territorial Seas Coordination and Advisory Group (TSCAG)*****Terms of Reference****1. Introduction**

- 1.1. The United Kingdom is one of the International Maritime Organization's (IMO) member States and a signatory to international conventions on behalf of the Red Ensign Group (REG) shipping registers¹). The Maritime and Coastguard Agency (MCA), on behalf of the UK Secretary of State is responsible for implementing those international conventions to which the United Kingdom is a party and for ensuring that all other REG jurisdictions accomplish the same in accordance with their obligations under the international conventions as extended to them.
- 1.2. The Government of the UK, on behalf of the Crown, is responsible for the obligations and liabilities in international law which it enters into on behalf of itself and other members of the REG.
- 1.3. The Bailiwick of Jersey recognises the need to comply with its international obligations, including responsibilities under conventions extended to it at its own request.
- 1.4. In recognition of the need to ensure that obligations arising out of international conventions and the IMO Instruments Implementation Code (III Code) are met, and that the responsibility for meeting those obligations lies with a number of different government departments and government owned entities, the Government of Jersey has formed a coordinating body, to be called the Territorial Seas Coordination and Advisory Group (TSCAG) to act on its behalf in maintaining oversight of the Bailiwick of Jersey IIIC implementation strategy.

2. Strategy, Aims and Objectives

- 2.1. The strategic aim of the Territorial Seas Coordination and Advisory Group (TSCAG) is to support and advise the Government of Jersey in achieving full compliance with relevant maritime international conventions in accordance with the III Code (mandatory from January 2016) and IMO audit scheme by providing recommendations to the relevant government departments and government owned entities.

¹ Comprises the UK, 3 Crown Dependencies (Bailiwick of Guernsey, Bailiwick of Jersey, and Isle of Man) and 9 Overseas Territories (Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, St Helena, Turks & Caicos Islands).

2.2. The aims of the Territorial Seas Coordination and Advisory Group shall be to:

- 2.2.1. Develop a III Code strategy, which aligns with REG guidance, for the Government of Jersey.
- 2.2.2. Establish a methodology to monitor international maritime standards and obligations and provide guidance and/or recommendations on their appropriateness to the Government of Jersey.
- 2.2.3. Ensure maritime compliance requirements and strategies are appropriately communicated within government and that appropriate domestic legislative arrangements are in place.
- 2.2.4. Enhance awareness and cooperation between the Government of Jersey and respective government departments and government owned entities to develop a collaborative approach to demonstrate compliance.
- 2.2.5. Assist relevant stakeholders in achieving and maintaining an effective ability to implement and enforce relevant international instruments.
- 2.2.6. Achieve, maintain, and improve overall performance and capability as a flag, port, and coastal State by continuous monitoring, review, and evaluation.
- 2.2.7. Seek to eliminate causes of actual and potential noncompliance by monitoring and providing recommendations to the relevant government departments and government owned entities.

2.3. The objectives of the Territorial Seas Coordination and Advisory Group shall be to:

- 2.3.1. Effectively demonstrate how compliance is achieved in accordance with the requirements of the III Code.
- 2.3.2. Recommend methods of implementation and enforcement of policies through issuing of legislation, procedures, and guidance, and ensure they are kept current.
- 2.3.3. Define and document responsibilities, authorities, qualifications, and continuous training of personnel who manage and perform work relating to and affecting safety and pollution prevention.
- 2.3.4. Recommend resources and processes capable of administering a system of safety and environmental protection to the relevant government departments and government owned entities.

- 2.3.5. Ensure the Jersey Registry of British Ships monitors the agreements with Recognized Organizations to act on behalf of the flag State administration.
- 2.3.6. Promote the requirements of the III Code and collect feedback from the relevant stakeholders on how international obligations are being achieved or otherwise.
- 2.3.7. Provide recommendations and support on methods of achievement/enforcement.
- 2.3.8. Implement and maintain a monitoring programme to continuously check the adequacy of the measures being taken to give effect to relevant international conventions.
- 2.3.9. Identify areas of noncompliance, potential noncompliance, and/or improvement.
- 2.3.10. Create and/or take part in opportunities to maintain and develop relationships with all relevant stakeholders within the United Kingdom, Overseas Territories (OTs) and Crown Dependencies (CDs), to continue a collaborative working approach.

3. Participants

- 3.1. Membership of the Territorial Seas Advisory and Coordination Group shall comprise of the following:

The Harbour Master (Ports of Jersey Limited),

(Representing the Harbour Authority and with statutory authority for implementation of maritime compliance within territorial waters, who will normally act as Chair)

The Registrar of Jersey Ships

(with Delegated Authority to act on behalf of the Minister of EDTSC Government of Jersey)

The Maritime Standards Manager (Ports of Jersey Limited) - REG single point of Contact

The Jersey Principal Marine Surveyor – (Maritime advisor to Government of Jersey)

Head of International Compliance, Government of Jersey

Legal Advisor, Civil Division. Law Officers' Department Government of Jersey

Representative from the Office of Her Majesty's Attorney General

Deputy Harbour Master Operations Manager, Marine Operations (Ports of Jersey Limited)

(responsible for matters relating to Aids to Navigation and Hydrography)

Coastguard and VTS Manager (Ports of Jersey Limited)

(responsible for SAR in territorial waters)

Assistant Director Marine Resources (Department of the Environment)

Principal Meteorological Officer (Jersey Meteorological Department)

Personal Assistant to the Harbour Master (Ports of Jersey Ltd) (Secretariat)

- 3.2. On occasion, representatives from other governmental and non-governmental organisations may participate as required.

4. Working arrangements of the [name of coordinating body]

- 4.1. The Territorial Seas Coordination and Advisory Group shall meet twice a year, or more frequently if required.
- 4.2. The Territorial Seas Coordination and Advisory Group shall be chaired by The Harbour Master (or in the absence of the Harbour Master by the Maritime Standards Manager)
- 4.3. Prior to a meeting of the Territorial Seas Coordination and Advisory Group, members will be invited by the Secretariat to highlight items they would like to be included within the agenda.
- 4.4. Papers for the Territorial Seas Coordination and Advisory Group should, where practicable, be circulated 1 week prior to the meeting. This is so that members have sufficient time to bring their comments/policy line to the meeting.
- 4.5. Before the close of the meeting, actions, responsibilities, and completion dates should be agreed by the members. Where the members agree that one or more members complete an action, it should, as far as practicable, be completed within the time specified.
- 4.6. The Secretariat should produce a set of draft minutes within 2 weeks from the end of the meeting and all members will be provided with an opportunity to comment on the contents before agreeing a final version in time for approval prior to the following meeting
- 4.7. Where recommendations/actions are required to be escalated to government departments and government owned entities to obtain approval or a decision, the

Secretariat should coordinate appropriate briefing papers and supporting documentation.

5. Working arrangements for ad hoc Groups

- 5.1. The Territorial Seas Coordination and Advisory Group may be supported by ad hoc groups established by the group to discuss specific issues.
- 5.2. Territorial Seas Coordination and Advisory Group members may participate in any such group relevant to their area of interest. The Chair of each group will be determined by its members.
- 5.3. The progress and/or outcome(s) of discussions of a group will be fed back by the Chair of the group for information / agreement at the Territorial Seas Coordination and Advisory Group.
- 5.4. Specific outcomes or targets will be provided to the group by the meeting of Territorial Seas Coordination and Advisory Group that establishes the group.

6. Relationship of the Territorial Seas Coordination and Advisory Group with the Government of Jersey

- 6.1. The work of the Territorial Seas Coordination and Advisory Group is carried out on behalf of the Government of Jersey and the Chair of the Territorial Seas Coordination and Advisory Group is responsible for ensuring that the Government of Jersey is kept informed of the Bailiwick of Jersey's compliance with its international obligations.

Jersey Maritime Administration: Procedure for the Investigation of Maritime Accidents

References:

Shipping (Jersey) Law 2002

Harbours (Inshore Safety) (Jersey) Regulations 2012

IMO Casualty Investigation Code.

Duty to Investigate:

Accident investigation is covered by **Part II of The Shipping (Jersey) Law 2002** Articles 165-172, in particular Articles 165 & 166.

In order to comply with the IMO Casualty Investigation Code. The current discretion on the part of the minister to order an investigation under Article 166 (1) where there has been a serious maritime accident (defined as an “accident” in Article 165(2)) involving a Jersey Registered vessel (other than a pleasure vessel) anywhere in the world or any vessel in Jersey or the territorial waters of the island will become a duty under amendments to the Law which should be enacted in 2020 to ensure compliance with the IMO Casualty Investigation Code. The same changes will alter the definition of ship throughout the law to that currently included in Article 49. Article 49 of the Shipping (Jersey) Law 2002 enabled the states to make regulations to ensure the Safety and Health of those aboard Jersey ships anywhere in the world and of all ships (except ships, which are not Jersey ships, conducting innocent passage) within Jersey’s Territorial waters.

The Harbours (Inshore Safety) (Jersey) Regulations 2012 were issued under Articles 4 and 4A of the Harbours (Administration) (Jersey) Law 1961, and Articles 49, 127 and 196 of the Shipping (Jersey) Law 2002. The Harbour Master allocates members of his maritime standards department to investigate “serious incidents” reported to him under Regulation 10 of **The Harbours (Inshore Safety) (Jersey) Regulations 2012** which are not subject to formal investigation under the Shipping Jersey Law 2002. The definition of “serious incidents” under Reg 10 aligns with “Accident” under Article 165. The regulations only apply if at the time of the serious incident the vessel as within Jersey Territorial Waters.

Duty to Report Accidents/ Serious Incidents:

Under Article 169 of the Shipping Jersey Law The Master (or in certain circumstances the owner or senior surviving officer is required to send a report to the Minister (EDTSC) as soon as practicable and by the quickest means available following the occurrence of a Accident (as defined in Article 165), The report must be sent, at the latest, within 24 hours of the vessel arriving in port. The Minister may require the owner or master of the ship involved to provide such information or additional information as he may require.

Under **Regulation 10 of the Harbours (Inshore Safety) (Jersey) Regulations 2012** where a ship is involved in a serious incident (unless the incident is required to be reported under the Shipping (Jersey) Law 2002) the owner of the ship involved must –

- (a) report the incident to the Harbour Master as soon as possible; and
- (b) if subsequently requested to do so by the Harbour Master, give the Harbour Master such details of the incident as the Harbour Master may reasonably require.