



**St Helena
Government**

**SAFETY SECURITY & HOME AFFAIRS
MARITIME AUTHORITY**

**Policy for the
Safety Of Large St Helena Registered
Fishing Vessels
and
Foreign Registered Fishing Vessels
2026**

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VERSION CONTROL

VERSION	DATE	CHANGES MADE	STATUS
V1.0	Feb '26	Approved at Executive Council 24 Feb '26	Final

DEFINITIONS

Code of Practice, in relation to a fishing vessel, means the applicable United Kingdom Code of Practice for that vessel.

Fishing vessel means a vessel for the time being used (or, in the context of an application for registration, intended to be used) for, or in connection with fishing sea fish other than a vessel used (or intended to be used) for fishing otherwise than for profit; and for the purpose of this definition “sea fish” includes shellfish, salmon and migratory trout.

Flag State in relation to a ship which is not a St Helena ship means the State whose flag the vessel is entitled to fly.

Foreign registered fishing vessel means a fishing vessel. which is registered in a territory other than St Helena.

Inspector means a person appointed as an inspector under section 103C of the Merchant Shipping Ordinance 2021.

Large fishing vessel is a fishing vessel of 24m or more in length.

Maritime and Coastguard Agency means the Maritime and Coastguard Agency, an executive agency of the United Kingdom Department for Transport.

Owner means the registered owner of a vessel, unless that vessel—

- a) has been chartered by demise, or
- b) is managed, either wholly or in part, by a person other than the registered owner under the terms of a management agreement, in which case the owner means the demise charterer or other person managing the vessel as the case may be.

Relevant inspector means a person appointed in accordance with the provisions of s103C of the Merchant Shipping Ordinance 2021.

Statement of Compliance means a statement issued under the relevant safety legislation.

Surveyor means a person appointed or authorised as a surveyor under section 103A of the Merchant Shipping Ordinance 2021.

St Helena registered fishing vessel means a fishing vessel registered in St Helena.

St Helena waters means the sea within the seaward limits of the territorial sea of St Helena as defined in The St. Helena and Dependencies (Territorial Sea) Order 1989.

Torremolinos Protocol means the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels 1977.

1.0 BACKGROUND

The St Helena British Ship Registry allows for the registry of fishing vessels upon demonstration of acceptable safety compliance. This policy outlines the required safety compliance and should be considered a subsidiary policy within the ship registry scope.

The St Helena Government expects to implement an over 24m fishing vessel safety policy, and associated regulations to give effect to the standards for the survey and inspection of vessels detailed in St Helena's Ship Registry Policy 2024. St Helena aims to implement safety standards for fishing vessels which meet or exceed the requirements of the Torremolinos Protocol. In addition, the implementation of this policy forms part of St Helena's flag state responsibilities as a recognised ship registry.

The St Helena fleet currently comprises two large fishing ships and a small ship. The two large fishing vessels, Argos Helena and the Nordic Prince are chartered and managed by Argos Froyanes Ltd, a company registered in Gibraltar. Argos Froyanes Ltd is a partnership between Ervik Havfiske AS, a Norwegian fishing company (and Norway's largest longline company), and British operation Argos.

The Argos Froyanes fleet comprises large, long-line fishing vessels with harsh weather capability, mainly based in the South Atlantic, outside of St Helena's EEZ; the catch is Antarctic and Patagonian toothfish.

Both vessels have been registered on the St Helena ship register since being commissioned as new builds. Since they were first registered, the vessels have been surveyed by DNV (Det Norske Veritas), a class society surveyor listed in the MoU between St Helena and the UK. The vessels have been surveyed in accordance with the Code of Practice for the Construction and Use of Fishing Vessels of 24m Registered Length and Over.

1.1 The St Helena Ship Register

St Helena has been permitted to operate a ship register by the United Kingdom (UK), the St Helena register is a member of the Red Ensign Group (REG), a family of British ship registers around the world. The UK is accountable for compliance with the international law applicable to the operation of a ship register, and REG registries must meet the international obligations that they are signatories to. St Helena's obligations as an REG registry are set out in an MOU between the Maritime and Coastguard Agency (MCA) UK and St Helena.

In 2021, St Helena enacted the Merchant Shipping Ordinance (MSO). Sections of the MSO 2021 require regulations to provide the practical measures to fully implement the legislation, and ship registration is one such area. A new Ship Registry policy was approved by Executive Council in 2024 which will guide the operation of the St Helena Ship Register and inform the drafting of ship registration regulations in due course.

The MCA provides support with various aspects of ship registration and survey, and therefore local practices have been informed by practice from the wider UK flag state.

Notwithstanding that the Merchant Shipping (Categorisation of Relevant British Possessions) Order 2003 (the Categorisation Order) does not apply to fishing vessels, the proposed regulations will formalise a principle of the Categorisation Order which requires that a vessel which exceeds the limits applied to category 2 register '...will be surveyed and inspected to the standards of regulations, relating to the safety of ships and persons on them and to the

protection of health of persons on them and to the prevention of pollution, that would apply to the ship if it were registered in the United Kingdom.’

In applying the United Kingdom Fishing Vessel Safety Codes to fishing vessels registered in St Helena, St Helena will have enacted regulations which are equivalent to those which would apply to a vessel, were it registered on the UK Ship Register. Accordingly, the policy and regulations will modernise/clarify the legal framework for the survey and inspection of St Helena’s international fishing vessels.

1.2 Fishing Vessel Registry Requirements (Safety and Survey)

The table below details survey and inspection requirements for fishing vessels registered in St Helena, including the safety Codes of Practice (the safety codes) applicable to fishing vessels.

The safety codes, developed by the MCA, have been informed by the requirements of the Torremolinos Protocol and investigation reports by the Marine Accident Investigation Branch (MAIB).

Table 1: Survey requirements for Fishing Vessels flagged in St Helena

REQUIREMENTS FOR REGISTRATION OF A FISHING VESSEL		
Measurement of the vessel by a surveyor		The vessel must be carved and marked and measured by a surveyor
A Fishing vessel registration certificate can be issued following completion of measuring		Vessels of >15 metres in length will require a certificate of measurement and an International Tonnage Certificate
Safety certificate (the requirements of the survey will depend on the length of the vessel)	Small fishing vessels < 15m	Code of Practice for the Safety of Fishing Vessels of less than 15m Length Overall
	Medium fishing vessels 15m < 24m	The Code of Safe Working Practice for the Construction and Use of Fishing Vessels of 15m Length Overall to less than 24m Registered Length
	Large fishing vessels > 24m	Code of Practice for the Construction and Use of Fishing Vessels of 24m Registered Length and Over

Please refer to annex A for an overview of the survey regime applicable to large, fishing vessels.

2.0 POLICY AIMS

The aims of the proposed policy, and regulations in respect of fishing vessel safety are to (i) demonstrate St Helena’s commitment to fishing vessel safety (ii) to modernise the legal framework which underpins the survey regime for the international fishing vessels.

2.1 Policy framework

This policy aims to support compliance with international maritime law requirements for safety and environmental protection and supports the Altogether Safer National Goal. The policy also supports national Strategic Objective 33: Ensure compliance with local and international obligations.

The policy and proposed regulations will contribute to the delivery of the objectives of the St Helena Maritime Strategy, by articulating modern standards for the survey and inspection of St Helena's international fishing vessels, commensurate with international requirements. This will assist in ensuring continuous improvement in the development, effective implementation and enforcement of legislation, policies, procedures and guidance.

2.2 Policy scope

The Policy for the Safety of Large Registered Fishing Vessels and Foreign Registered Fishing Vessels, (the policy) will apply to large fishing vessels which are registered in St Helena and details the standard for vessels whose owners intend to register on the St Helena Ship Register (SHSR).

For the avoidance of doubt, this policy does not apply to FV's of less than 24m (small or medium sized fishing vessels), which are registered or wish to register in St Helena; or to a domestic vessel as defined in s20 of the Merchant Shipping Ordinance, 2021 (i.e. which (a) is under 24 metres in length; (b) is not engaged on international voyages; and (c) is not operated outside the Exclusive Economic Zone).

Policy in respect of the survey of small and medium fishing vessels will be developed separately.

2.3 Responsibility for management of this policy

This policy will be owned and managed by the Maritime Authority, who is responsible for maritime safety and protection of the marine environment.

3.0 OPTIONS FOR POLICY

Legal advice has been sought on options for addressing these challenges and broadly speaking, the available options are to (i) adopt the UK's Fishing Vessels (Code of Practice) Regulations 2017, and (ii) to enact local regulations under the MSO 2021. Earlier work on exploring these options indicated that the Fishing Vessels (Code of Practice) Regulations 2017 could not be adopted in St Helena without modification, and therefore the proposed approach is to adopt a modified version of the Fishing Vessels (Code of Practice) Regulations 2017.

4.0 OVERVIEW OF PROPOSED POLICY

The purpose of the proposed policy is to inform regulations which will (i) modernise St Helena's legal framework for the issue and management of fishing vessel safety certification; (ii) modernise the legal framework which underpins the survey regime for the international fishing vessels, and (iii) improve the range of enforcement mechanisms available to St Helena's Maritime Authority.

4.1 The authority for the issue and management of a statement of compliance

This policy will inform regulations under which the St Helena Maritime Authority may issue a statement of compliance on receipt of a satisfactory report from a surveyor that a vessel has been duly surveyed or inspected and has been found to be compliant with the relevant Code of Practice in respect of fishing vessel construction and operation (please refer to table 1 above).

A statement of compliance may be issued by the Maritime Authority, where a vessel has been granted an exemption from relevant Code of Practice; or a vessel has been granted an exemption from a provision from a relevant Code of Practice. Under the policy, the statement of compliance will be issued if the vessel has been duly surveyed or inspected and has been found to be compliant with all applicable safety provisions.

4.1.1 Period of validity of statement of compliance

A statement of compliance shall be valid for a period of not more than four years and shall not be extended for more than one year subject to the necessary surveys required.

In the case of an exemption, any certificate shall not be valid for longer than the period of the statement of compliance.

4.2 A prohibition of a fishing vessel proceeding on a voyage without a statement of compliance

The policy will inform regulations under which a fishing vessel registered on part 2 or part 4 of the St Helena Ship Register, will be prohibited from proceeding to sea without a valid statement of compliance.

A failure to comply with this requirement will constitute an offence on the part of the vessel owner and the master (where these roles are not held by the same person).

4.3 Accidents and defects

The owner and master of a fishing vessel registered in St Helena must ensure that whenever an accident occurs to a fishing vessel or a defect is discovered, either of which affects the safety of the vessel or the efficiency or completeness of its life-saving appliances or other equipment—

- a) it is reported at the earliest opportunity to the Maritime Authority, and
- b) if the fishing vessel is in a port outside St Helena, it is also reported to the appropriate authorities of the country in which the port is situated.

On receipt of a report of an accident or defect in respect of a fishing vessel registered in St Helena, the Maritime Authority or St Helena must determine whether an inspection or survey is necessary to ensure that standards on board the vessel are satisfactory, and if so, require one to be carried out.

If the inspection or survey identifies that repairs are required, or if any important repairs or renewals are otherwise made to the ship or its equipment, a further inspection or survey must be carried out on the completion of those repairs or renewals.

4.4 Obligation to notify of proposed changes to a fishing vessel

Modifications to a fishing vessel could impact on the safety and stability of the vessel. Under the policy, the owner of a fishing vessel registered on the St Helena Ship Register is required

to notify the Maritime Authority of proposals to modify the structure or machinery of a fishing vessel, or the method of fishing.

On receipt of a proposal to modify a fishing vessel registered in St Helena, or the vessel's mode of operation, the Maritime Authority or St Helena must determine whether an inspection or survey is necessary to ensure that standards on board the vessel are satisfactory, and if so, require one to be carried out.

If the inspection or survey identifies that repairs are required, or if any important repairs or renewals are otherwise made to the ship or its equipment, a further inspection or survey must be carried out on the completion of those repairs or renewals to ensure that the repairs are satisfactory.

4.5 Suspension of statement of compliance

This policy will inform regulations under which the Maritime Authority may suspend a statement of compliance while a safety inspection or survey commissioned under 4.3 (accident of defect) or 4.4 (modifications to the vessel or method of fishing) above is completed.

If following the survey or inspection, a surveyor or inspector determines that the vessel has met the required standard, the suspension must be lifted.

4.6 Cancellation and surrender of statement of compliance

This policy will inform regulations under which the Maritime Authority may cancel a statement of compliance and require the surrender of a statement of compliance which is no longer valid.

4.6.1 Power to cancel a statement of compliance

The proposed regulations will enable the Maritime Authority to cancel a statement of compliance in the following circumstances:

- where it was issued based on false or erroneous information,
- where it has been intentionally altered; or
- has been used inappropriately.

4.6.2 Power to require that a statement of compliance which is no longer valid is surrendered

The proposed regulations will enable the Maritime Authority to require that a statement of compliance which— (a) has expired, (b) has ceased to be valid because the vessel no longer complies with the applicable Code of Practice, or (c) has been cancelled, be surrendered. The Maritime Authority must give written notice of this to the owner of the vessel.

4.6.3 Failure to surrender a statement of compliance in accordance with notice given to constitute an offence

This policy will inform regulations under which a failure to surrender the statement of compliance pursuant to a notice issued by the Maritime Authority under paragraph 4.6.2 without reasonable cause will constitute a criminal offence on the part of the owner or the master of the vessel.

4.7 Requirement to produce a statement of compliance

This policy requires that the master of a large fishing vessel produce the vessel's statement of compliance to an enforcement officer, i.e a Customs Officer, an inspector appointed by the Governor of St Helena, or a Fisheries Protection Officer if requested to.

This policy will inform regulations which will cause the fishing vessel to become liable to be detained until the statement of compliance is produced.

4.8 Power to request that fishing vessels report for inspection

4.8.1 Power to give notice of an inspection

The Maritime Authority may require that the owner of a fishing vessel present the vessel at a specified time and place for the purpose of an inspection to ascertain whether the vessel complies with the applicable Code of Practice, by giving not less than 28 days' notice.

4.8.2 Failure to present the vessel for inspection to constitute an offence

This policy will inform regulations which will cause an owner of a fishing vessel who fails without reasonable excuse to present that vessel for inspection on the date and at the time and place specified in a notice given under paragraph 4.8.1 to be guilty of a criminal offence.

4.9 The power to detain a fishing vessel.

This policy will inform regulations which will provide for the detention of a fishing vessel which in the view of a surveyor or inspector appointed under the Merchant Shipping Ordinance 2021, has failed to comply with any of the requirements of this policy, and supporting regulations, until an inspector is satisfied that the requirements have been met.

4.9.1 The inspector must provide a detention notice

The inspector detaining the ship must serve on the owner and master of the ship a detention notice giving details of the requirements of this policy and supporting regulations, which, in the inspector's opinion have not been met.

4.9.2 The vessel may be permitted to sail to the nearest appropriate repair facility

A surveyor or inspector may permit a fishing vessel which is liable to be detained to sail to the nearest appropriate repair facility, provided the surveyor or inspector deems the vessel seaworthy to do so.

4.9.3 A fishing vessel must not be unreasonably delayed or detained

A fishing vessel must not be unreasonably delayed or detained.

4.9.4 A dissatisfied owner may refer the matter to arbitration

In accordance with section 116A of the MSO 2021, an owner who is dissatisfied with the outcome of a survey carried out in respect of a St Helena ship may request that the dispute be referred for arbitration, by giving notice to the responsible person.

4.10 The power to inspect documentation pertaining to a foreign fishing vessel in St Helena waters

4.10.1 Requirement for a foreign fishing vessel to produce documentation

In respect of a foreign fishing vessel, the master may be required to produce documentation confirming compliance with safety standards, or substantial equivalence to the requirements of the Torremolinos protocol.

When a foreign fishing vessel is in St Helena waters, a surveyor, inspector or an enforcement officer may inspect that vessel's documentation to ascertain

- a) if its registered length is 24 metres or over
 - i) it has been certified by its flag State as complying with the requirements of the Torremolinos Protocol, or
 - ii) It has been certified by its flag state as meeting fishing vessels safety standards which are substantially equivalent to the requirements of the Torremolinos Protocol.
- b) if its registered length is less than 24 metres, it has been certified by its flag State as complying with the requirements of that State applying to vessels of that length.

4.10.2 Detention of a foreign fishing vessel

This policy will inform regulations which will cause a foreign fishing vessel to become liable to be detained until documentation evidencing a valid safety survey is produced.

4.11 Equivalent provisions

It is intended that this policy will inform regulations under which the Maritime Authority may permit the use of an alternative fitting, material, appliance, apparatus or standard to that specified in an applicable code of practice; provided such alternative fitting, material, appliance, apparatus or standard is substantially equivalent to that specified in the code of practice.

4.12 Exemptions

It is intended that this policy will inform regulations under which the Maritime Authority may grant an exemption from compliance with an applicable Code of Practice or any provision of such a Code to a particular fishing vessel or to any class of such vessel.

An exemption may be granted if

- a) the Maritime Authority, in consultation with the Surveyor is satisfied that compliance with the applicable Code of Practice or provision is impractical or unreasonable as regards that vessel or class of vessel, and
- b) the exemption is subject to such conditions and limitations as will provide a level of safety which is at least equal to that provided by the applicable Code of Practice or provision in question.

ANNEX A – SURVEY REGIME FOR LARGE FISHING VESSELS

DEFINITION

A large fishing vessel is a fishing vessel of 24m or more in length.

DURATION OF STATEMENT OF COMPLIANCE

A Statement of Compliance may be issued to a large fishing vessel for up to four years.

SURVEY

Large fishing vessels are required to undergo the following surveys:

- An Initial Survey, of all surveyable items including:
 - Construction, watertight integrity, and equipment
 - Stability and associated seaworthiness
 - Mechanical and electrical installations
 - Fire protection, fire detection, fire extinction and fire fighting
 - Protection of the crew
 - Lifesaving appliances and arrangements
 - Shipboard and fishing operations
 - Shipborne navigational equipment and arrangements
- An Annual Survey, of radio equipment
- An Intermediate Survey in accordance with the code
- A Renewal Survey, of all surveyable items
- An Additional Survey, if required

The survey standards for large fishing vessels registered in St Helena are set out in the UKs Code of Practice for the Construction and Use of Fishing Vessels of 24m Registered Length and Over.

Timescales for surveys for large fishing vessels:

The timescales in which surveys for large fishing vessels may be undertaken are as follows:

- Renewal surveys will take place every four years, within three months before the expiry of the statement of compliance. In such cases the new statement of compliance may be issued for a period of four years from the expiry date of the previous statement of compliance.
- Intermediate survey will take place every two years, within three months before or after the anniversary date of the initial or renewal survey.
- Annual surveys will take place within three months before or after each anniversary date of the initial or renewal survey.

SURVEYORS

Surveyors will be appointed by the Governor of St Helena; appointments will be made with due regard to the Memorandum of Understanding between St Helena and the United Kingdom Government

Authorised surveyors include:

- The UKs Maritime and Coastguard Agency (MCA)

- Red Ensign Group (REG) Category 1 Surveyors
- UK Recognised Organisations

FEES

Fees will be determined in accordance with the charging policy of the organisation appointed to conduct the survey. The MCA will charge and recover survey fees directly from the customers at MCA's specified hourly rate in accordance with MCA policy and agreements with HM Treasury. Fees for surveys undertaken by appointed surveyors of UK Recognised Organisations or REG Category 1 Surveyors, will be charged and recovered directly from customers by those organisations.

ANNEX B – STATEMENT OF COMPLIANCE

FISHING VESSEL STATEMENT OF COMPLIANCE

This Statement of Compliance shall be supplemented by a Record of Equipment

Issued under the authority of the Government as evidence that the vessel has been assessed against the standards detailed in the United Kingdom's Code of Practice for the Construction and Safe Operation of Fishing Vessels of 24m registered length and over, in accordance with section 103C(1)(b)(iii) of the Merchant Shipping Ordinance, 2021, and regulation 4 of the Merchant Shipping (Fishing Vessel Safety - Registered and Foreign Vessels) Regulations 20XX.

Government of St. Helena

By

The Maritime and Coastguard Agency, an Executive Agency of the Department of Transport

PARTICULARS OF VESSEL

Name of vessel			
Name of owner		Port of Registry	
IMO number		Distinctive number and letters	
Official number		Fishing number (port and letters number)	
Registered length (m)		Gross tonnage	
Date on which keel was laid or ship was at a similar stage of construction			
Date of building or major conversion contract			
Date of delivery or completion of major conversion			

THIS IS TO CERTIFY:

1. That the vessel has been surveyed in accordance with Regulation I/6(1) of the Annex to the Torremolinos Protocol 1993 and Regulation 4 of the Merchant Shipping (Safety of Large St Helena Registered Fishing Vessels and Foreign Registered Fishing Vessels) Regulations 2026.
2. That the survey showed that the condition of the structure, machinery and equipment complied with the relevant requirements of the Code of Practice for the Construction and Safe Operation of Fishing Vessels of 24m Registered Length and Over.

3. That the survey showed that the maximum permissible operating draft associated with each operating condition for the vessel is contained in the approved stability book dated XX [insert month] 20XX.
4. That an Exemption Certificate has/has not been granted.
5. That this statement of compliance indicates that the condition of the items examined on the day of the survey met the necessary requirements. It does not confirm that these requirements were met after this date.

ISSUE OF STATEMENT OF COMPLIANCE

This statement of compliance is valid until XX [insert month] 20XX, subject to:

- i) The vessel being maintained and operated with a valid full Classification certificate.
- ii) The vessel being surveyed and inspected in accordance with Regulations I/6(1)(b)(ii) and (iii) of the Annex to the Torremolinos Protocol 1993 and Regulation 4 of the Merchant Shipping (Safety of Large St Helena Registered Fishing Vessels and Foreign Registered Fishing Vessels) Regulations 2026.
- iii) That no substantial repairs, modifications or other alterations are carried out to the structure or machinery of the vessel without consultation with the flag, to ensure that the proposed repairs, modifications or alteration comply with the requirements of the Code of Practice, as applicable to the vessel, to the satisfaction of the Maritime Authority.

Surveyor's Notes

Issued at (Place of issue of the Record)

..... (Date) (Signature of duly authorised official issuing the Record)
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(Seal or stamp of the issuing authority, as appropriate)

NAME OF VESSEL

PERIODICAL EQUIPMENT SURVEY

This is to certify that, at a survey as required by Regulation I/6(1)(b)(ii) of the Annex to the Torremolinos Protocol 1993, the vessel was found to comply with the relevant requirements

Place Signed
Signature of authorised official
Date Name

INTERMEDIATE SURVEY

This is to certify that, at a survey as required by Regulation I/6(1)(c) of the Annex to the Torremolinos Protocol 1993, the vessel was found to comply with the relevant requirements.

Place Signed
Signature of authorised official
Date Name

FIRST PERIODICAL RADIO SURVEY

This is to certify that, as a survey required by Regulation I/6 (1) (b) (iii) of the Annex to the Torremolinos Protocol 1993, the vessel was found to comply with the relevant requirements.

Place Signed
Signature of authorised official
Date Name

SECOND PERIODICAL RADIO SURVEY

This is to certify that, as a survey required by Regulation I/6 (1) (b) (iii) of the Annex to the Torremolinos Protocol 1993, the vessel was found to comply with the relevant requirements.

Place Signed
Signature of authorised official
Date Name

THIRD PERIODICAL RADIO SURVEY

This is to certify that, as a survey required by Regulation I/6 (1) (b) (iii) of the Annex to the Torremolinos Protocol 1993, the vessel was found to comply with the relevant requirements.

Place Signed
Signature of authorised official
Date Name

EXTENSION OF STATEMENT OF COMPLIANCE

Endorsement to extend the validity of the statement of compliance for a period of grace where Regulation I/11(2) or Regulation I/11(4), of the Annex to the Torremolinos Protocol 1993 applies.

This statement of compliance shall, in accordance with Regulation I/11(2) or Regulation I/11(4) of the Annex to the Torremolinos Protocol 1993, be accepted as valid until [DD Month 20XX].

Place	<input type="text"/>	Signed	<input type="text"/>
			Signature of authorised official
Date	<input type="text"/>	Name	<input type="text"/>

EXTENSION OF STATEMENT OF COMPLIANCE

Endorsement to extend the validity of the statement of compliance for a period of grace where Regulation I/11(2) or Regulation I/11(4), of the Annex to the Torremolinos Protocol 1993 applies.

This statement of compliance shall, in accordance with Regulation I/11(2) or Regulation I/11(4) of the Annex to the Torremolinos Protocol 1993, be accepted as valid until [DD Month 20XX].

Place	<input type="text"/>	Signed	<input type="text"/>
			Signature of authorised official
Date	<input type="text"/>	Name	<input type="text"/>