



BY AUTHORITY

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# SOLOMON ISLANDS GAZETTE

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## EXTRA-ORDINARY GAZETTE

### LEGAL NOTICE

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**SOLOMON ISLANDS MARITIME AUTHORITY (CARRIAGE AND  
REGISTRATION OF PASSENGER) MARITIME ORDER 2025**

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**SOLOMON ISLANDS MARITIME AUTHORITY ACT 2018**

(No. 9 of 2018)

**SOLOMON ISLANDS MARITIME AUTHORITY (CARRIAGE AND  
REGISTRATION OF PASSENGER) MARITIME ORDER 2025**

The Solomon Islands Maritime Authority, under section 66 of the *Solomon Islands Maritime Act 2018*, makes the following maritime order:

**Part 1 Preliminary matters****1 Citation**

This maritime order may be cited as the Solomon Islands Maritime Authority (Carriage and Registration of Passenger) Maritime Order 2025.

**2 Commencement**

This maritime order commences on 1 November 2025.

**3 Definitions**

In this maritime order:

“*Act*” means the Solomon Islands Maritime Authority Act 2018;

“*surveyor*” means an approved surveyor designated by the Director under order 8(6);

“*berthed passenger*” means a passenger on board a vessel who is provided with a designated enclosed sleeping berth or cabin during the voyage;

“*unberthed passenger*” means a passenger on a vessel who is not provided with a designated enclosed sleeping berth or cabin during the voyage;

“*carriage of passengers*” means the period commencing when a passenger boards a vessel, and ending when the passenger disembarks from the vessel;

“*clear deck space*” means a space on or above the weather deck of a vessel, being a space:

- (a) that is not enclosed and on which no cargo, stores and equipment are permitted to be carried;
- (b) that, unless the appropriate state authority gives special permission, does not include hatchways;
- (c) that is not used in the navigation of the vessel and the use of which would not:
  - (i) obscure vision in the navigation of the vessel; and
  - (ii) obstruct crew in their duty; and
  - (iii) obstruct emergency exits;

(d) that does not include the area required to provide a fore and aft gangway having a width of 1 metre;

“**dangerous drug**” means any of the substances which may be, from time to time subject to the provisions of the Dangerous Drugs Act (Cap. 98);

“**dangerous goods**” means goods classified and handled as dangerous goods in accordance with the International Maritime Dangerous Goods Code;

“**enclosed space**” means an area on board a vessel that has limited entry and exit points and is not intended for continuous human occupancy;

“**liquor**” means wine, spirits, beer, or any liquid containing alcohol that is ordinarily used or fit for use as a beverage, or any other liquid declared as liquor under the Liquor Act (Cap. 144);

“**passenger**” means a person carried on board a vessel with the knowledge of the master or the owner of the vessel but does not include:

- (a) a crew; or
- (b) a person employed or engaged in any capacity on board a vessel; or
- (c) a person rescued from a wrecked or distressed vessel; or
- (d) a person who is rescued at sea;

“**passenger manifest**” means the official list compiled and signed by the master containing relevant details of passengers who board a vessel at the original port of departure, or at each subsequent port to travel to another port;

“**responsible adult**” means a person who is 18 years of age or above and has been authorised by a child’s parent or guardian to accompany and care for the child while travelling on a vessel;

“**shore personnel**” means an employee of the owner of a vessel who is responsible for the registration of passengers;

“**special inspection**” means the examinations before a vessel departs from a port, of the condition of the vessel, the manning, essential equipment and systems to verify compliance with the requirements of applicable laws, including those related to carriage, registration and counting of passengers;

“**subsequent port**” means any port or place of loading or discharging other than the port of initial departure where passengers either disembark or board a vessel to travel to another port;

“**supplier**” means a person or entity that provides goods or passengers for transport on board a vessel, including cargo, equipment, vehicles or items, whether on their own behalf or on behalf of another person or entity;

“**vessel operator**” means the owner or a person or entity responsible for the operation of a passenger carrying vessel excluding suppliers;

“*weather deck*” means the lowest deck in the vessel, all or part of which is exposed to weather and sea.

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**Note to order 3.**

*In accordance with section 63 (2) of the Interpretation and General Provisions Act (Cap. 85), subject to a contrary intention, words and expressions used in this maritime order have the same meaning in the Shipping Act 1998 and the Solomon Islands Maritime Authority Act 2018.*

## **4 Application**

This maritime order applies to vessels registered under the Shipping Act 1998.

## **Part 2 Registration of passengers**

### **5 Registration of passenger details**

- (1) An owner of a vessel must establish a manual, electronic or other suitable registration system to record the details of passengers for each voyage.
- (2) The registration system must provide records of the following information for each passenger:
  - (a) full name;
  - (b) date of birth;
  - (c) gender;
  - (d) contact details;
  - (e) ports of embarkation and disembarkation;
  - (f) any information voluntarily provided by the passenger, relating to special care or assistance that may be required in an emergency;
  - (g) any other relevant information.
- (3) SIMA must approve any registration system developed by an owner of a vessel.
- (4) A staff member at a shipping company office or a master, must ensure that all relevant details of a passenger is recorded in the registration system.
- (5) All personal information provided under this order for registration, must be:
  - (a) kept confidential; and
  - (b) used only for emergency preparedness and purposes response.

### **6 Shipboard procedure**

- (1) An owner and master of a vessel must develop and implement a shipboard procedure approved by SIMA.
- (2) The shipboard procedure must specify a process for the recording of passenger information in the registration system.
- (3) The process under suborder (2) must include:
  - (a) signing of the passenger manifest by the master 30 minutes before each

voyage; and

- (b) a head count of all the passengers to determine the following:
  - (i) identity of each passenger on board a vessel;
  - (ii) identity of each passenger disembarking and embarking on a subsequent port;
  - (iii) the number of persons remaining on board after passengers disembark at each port;
  - (iv) total number of passengers due to sail to the next port;
  - (v) the gender of each passenger;
  - (vi) the composition of passengers, including the breakdown by adults, children and infants;
  - (vii) identity of passengers with limited mobility who may require assistance;
  - (viii) placement of passengers with limited mobility.

## **7 Passenger manifest**

- (1) The passenger manifest must include the full name and ticket number of each passenger.
- (2) A person must not board a vessel after the master has signed the passenger manifest in accordance with shipboard procedures.
- (3) The owner or master of a vessel must ensure that:
  - (a) the passenger manifest is prepared and signed by the master of a vessel before each voyage;
  - (b) no person boards the vessel unless the person's name is in the passenger manifest;
  - (c) the passenger manifest is updated at each subsequent port by marking off the names of passengers who disembark and adding the required details of any new passenger boarding a vessel to travel to the next port;
  - (d) a copy of the passenger manifest is kept on board the vessel at the time of departure and arrival;
  - (e) the passenger manifest is made available for special inspection, or upon request by SIMA;
  - (f) the owner of the vessel is notified of any updates to the passenger manifest not later than one hour after departure from each subsequent port.
- (4) The owner must submit the updated passenger manifest to SIMA not later than 6 hours after receiving the notification.
- (5) The master and owner of a vessel are not responsible and liable for:
  - (a) any inaccuracy of personal information provided by a passenger or a supplier for the purposes of registration; and

- (b) any damage arising from any error relating to the information provided.

## **8 Special inspection by authorised officer and surveyors**

- (1) An authorised officer may conduct a special inspection of a vessel not later than 30 minutes before the vessel's scheduled departure time.
- (2) The authorised officer may request the master of a vessel to provide the passenger manifest for special inspection, if:
  - (a) the authorised officer intends to verify the number of persons on board the vessel against the Vessel Safety Certificate; or
  - (b) the authorised officer has any doubt regarding the accuracy of the information provided.
- (3) If suborder (2) (b) applies, the authorised officer may also require the master to conduct a headcount of the passengers.
- (4) The authorised officer must avoid causing undue delay to the vessel.
- (5) The authorised officer may delay the departure of a vessel, if:
  - (a) the authorised officer reasonably suspects that the vessel is overloaded; or
  - (b) the information provided and the standard verifications raise any of the following concerns:
    - (i) inconsistency or inaccuracy of information regarding the number of berthed and unberthed passengers; or
    - (ii) inaccurate and misleading information on the total number of passengers on board the vessel.
- (6) The Director may in writing, designate a surveyor appointed under section 55 (2) of the Shipping Act 1998 to perform special inspection under this order, if no authorised officer is available to carry out special inspection at a port.
- (7) A surveyor must disclose to the Director any personal, professional, commercial or other relationship with a shipping company or a master of the vessel.
- (8) Before carrying out a special inspection, a surveyor must provide his or her appointment and designation to a master or an owner of a vessel.
- (9) A surveyor must:
  - (a) carry out special inspection when requested by an authorised officer or the Director; and
  - (b) immediately report to the authorised officer or Director, if:
    - (i) information gathered during the special inspection is false or misleading; or
    - (ii) there is reasonable suspicion that the vessel is overloaded; and
  - (c) inform the master and owner of the vessel if the authorised officer or Director has requested a delay in departure; and



- (d) count the passengers on board with the assistance of the master and crew; and
- (e) verify the passenger count and report the result to the authorised officer or Director; and
- (f) obtain confirmation from the authorised officer or Director before allowing a vessel to depart.

## **9 Safety briefings and instructions on board**

- (1) The master must ensure that passengers receive a safety briefing before departure, or as soon as practicable after departure.
- (2) The master must make an entry, recording the safety briefing in the Official Log Book.
- (3) The master and crew or shore personnel must ensure that passengers are informed about:
  - (a) their safety on board; and
  - (b) storage of cargo; and
  - (c) restriction of access to designated areas of the vessel; and
  - (d) emergency drills, including informing berthed passengers of emergency procedures.

## **10 Refusal and admission of passengers**

The master or crew may, refuse passage to any person during the counting and admission of boarding passengers, if the person:

- (a) is likely to disturb or endanger other passengers, themselves or the safety of the vessel; or
- (b) is under the influence of liquor or dangerous drugs; or
- (c) displays disturbing, aggressive or threatening behaviour; or
- (d) fails to comply with any requirements relating to age or security.

## **11 Identification of crew on vessel carrying passengers**

- (1) The owner of a vessel must provide uniforms and identity cards for the master and crew members of a vessel.
- (2) The master and crew members must wear their official uniforms and visibly display their identity cards while on duty.

## **12 Offences**

- (1) An owner of a vessel commits an offence, if he or she:
  - (a) fails to establish and maintain a registration system to record the required details of passengers; or
  - (b) discloses personal information provided for the purposes of registration to an unauthorised person; or

- (c) uses personal information for a purpose other than emergency preparedness and response purposes; or
- (d) allow or cause personal information to be used or accessed for any unauthorised purpose; or
- (e) fails to protect the confidentiality of personal information in his or her possession or control.

Maximum penalty: 5,000 penalty units or imprisonment for 6 months, or both.

- (2) Suborder (1) does not apply, if the owner of the vessel discloses information:
  - (a) in performing his or her duty to inform SIMA; or
  - (b) for legal proceedings arising out of the operation of this maritime order; or
  - (c) with the consent of the person to whom the information relates.
- (3) The master commits an offence, if the master:
  - (a) fails to comply with the requirements of pre-departure safety briefing under order 9; or
  - (b) fails to conduct a physical count of passengers on board to ascertain the required details; or
  - (c) fails to prepare and maintain the passenger manifest; or
  - (d) fails to make a required entry in the passenger manifest; or
  - (e) knowingly makes a false or misleading entry in the passenger manifest; or
  - (f) causes false or misleading information to be provided, regarding the number of passengers to an authorised officer or surveyor.

Maximum penalty: 5,000 penalty units, or imprisonment for 6 months, or both.

- (4) A passenger or a supplier commits an offence, if the passenger or supplier:
  - (a) knowingly provides false or misleading information about his or her personal or cargo details for registration purposes; or
  - (b) attempts to board a vessel after being lawfully denied entry for good cause; or
  - (c) fails to leave the vessel after being lawfully requested to do so, at any port or place where it is convenient for the passenger to disembark; or
  - (d) obstructs, threatens or evades an authorised officer or surveyor conducting special inspection.

Maximum penalty: 2,500 penalty units, or imprisonment for 3 months, or both.

**Part 3 Carriage of passenger and livestock****13 Carriage of berthed passengers**

- (1) An owner and a master of a vessel must provide adequate accommodation for berthed passengers throughout the voyage.
- (2) The owner must provide adequate passenger quarters or cabins for berthed passengers that meet the following requirements:
  - (a) provide each passenger with adequate space to prevent overcrowding and allow free movement;
  - (b) efficient ventilation in the passenger quarters or cabins;
  - (c) provide sanitary facilities that are easy to access and maintain.
- (3) The master must ensure that the number of berthed passengers on board a vessel is within the limit specified in the vessel's Safety Certificate at any time during a voyage.

**14 Carriage of unberthed passengers**

- (1) An owner and master of a vessel must ensure that unberthed passengers are protected by adequate safety measures during embarkation, the voyage and disembarkation.
- (2) The owner and master of a vessel must provide a safe, secure and weather-protected area for unberthed passengers, which includes:
  - (a) a sunshade cover with a minimum height of 2 metres;
  - (b) side screens to protect passengers from the wind;
  - (c) adequate lighting for passengers during the night;
  - (d) sufficient space to prevent overcrowding;
  - (e) clear and accessible walkways and emergency exits;
  - (f) accessible and adequate sanitary facilities for the passengers on board the vessel.
- (3) The master and crew must ensure the following safety measures for unberthed passengers:
  - (a) install safety rails or barriers to protect unberthed passengers from falling, specifically in open areas above the weather deck;
  - (b) provide enough life-saving equipment such as life jackets, life buoys and emergency flotation devices for unberthed passengers, and ensure the life-saving equipment is easy to access;
  - (c) provide clear emergency signs and escape routes that are easy for all unberthed passengers to see and understand.
- (4) The master and crew must ensure that:
  - (a) the cargo, including livestock, is securely stowed so that it does not pose danger to the passengers; and

- (b) all scuppers and freeing ports remain clear for proper drainage.
- (5) The master of the vessel must ensure that the number of unberthed passengers does not exceed the maximum capacity as specified in the vessel's Safety Certificate at any time during the voyage.
- (6) The master and owner of a vessel must regularly carry out safety checks and maintenance to ensure that areas designated for unberthed passengers remain suitable and safe.

## **15 Carriage of pregnant woman and children**

- (1) A pregnant woman with high-risk pregnancy, or who is more than 6 months pregnant, may only travel if she provides the following documents to the master 48 hours before departure:
  - (a) a medical certificate confirming her fitness to travel; or
  - (b) a written notice from a registered nurse confirming her fitness to travel.
- (2) The master may consider alternative verification of fitness to travel in emergency situations.
- (3) The master must record the information provided under suborder (1) or suborder (2) in the Official Log Book and retain a copy on board the vessel for 12 months.
- (4) A child under the age of 12 years must not travel on a vessel unless the child is accompanied by his or her parent, guardian, or a responsible adult.
- (5) An unaccompanied child between the ages 12 and 17 years must provide to the master of the vessel, the name and contact details of their parent or guardian.
- (6) The master must refuse passage to a passenger who fails to provide the information required in suborders (4) and (5).

## **16 Carriage of passengers with special needs and other passengers**

- (1) An owner of a vessel must ensure the vessel has the following features to support passengers with disabilities:
  - (a) clear signs and information about the vessel;
  - (b) accessible, clear marked walkways with level surfaces;
  - (c) enough lighting to ensure safe movement;
  - (d) ramps and accessible paths for easy access.
- (2) A master of a vessel must ensure that:
  - (a) there is an evacuation plan designed specifically for people with disabilities;
  - (b) a properly trained crew member is assigned to assist people with disabilities.
- (3) The master may request a person to accompany a passenger with disability on

board a vessel to provide guidance and care.

- (4) A sick passenger may only travel if a doctor or registered nurse provides a certificate or written letter confirming the passenger is fit to travel.
- (5) The owner of a vessel may allow a prisoner or person in custody to board the vessel, only if the following conditions are met:
  - (a) a request to board the vessel is submitted to the master and owner at least 24 hours before the vessel's scheduled departure time;
  - (b) the prisoner or person in custody is accompanied by a law enforcement officer;
  - (c) arrangements are in place to ensure they do not pose any risk to other passengers.
- (6) If the conditions in suborder (5) are satisfied, the owner of the vessel has the authority to approve or refuse the request.
- (7) The master may refuse passage to a person with disabilities or a sick person who fails to comply with the requirements in suborders (3) and (4).

## **17 Carriage of livestock**

- (1) A passenger must seek and obtain prior written approval from the master, owner of the vessel or shore personnel before bringing any livestock on board a vessel.
- (2) The owner of a vessel must make proper arrangements to separate passengers from livestock before permitting livestock on board.

## **18 Offences**

- (1) An owner of a vessel commits an offence, if the owner:
  - (a) fails to provide a safe, secure and weather-protected area for unberthed passengers as required under order 14 (2); or
  - (b) fails to ensure that life-saving equipment is provided and are clearly visible and accessible; or
  - (c) fails to provide clear marked evacuation routes and safety signs that are easy to understand and follow during an emergency; or
  - (d) fails to ensure that the vessel is equipped with the appropriate features to accommodate persons with disabilities under order 16 (1), (2) and (3).

Maximum penalty: 5,000 penalty units or imprisonment for 6 months, or both.

- (2) A master of a vessel commits an offence, if the master:
  - (a) allows a pregnant woman with high-risk pregnancy, or who is more than 6 months pregnant, to travel without having received the documents required under order 15 (1), except in accordance with order 15 (2); or
  - (b) fails to record in the Official Log Book the information provided under

orders 15 (1) or (2); or

- (c) fails to retain a copy of the information on board the vessel for a period of 12 months as required under order 15 (3); or
- (d) fails to refuse passage to a passenger who has not provided the required information under order 15 (4) or (5) as required under order 15 (6).

Maximum penalty: 5,000 penalty units or imprisonment for 6 months, or both.

- (3) A passenger commits an offence, if the passenger:
  - (a) occupies a space over a hatchway or in an enclosed space, without the permission of the master; or
  - (b) brings and stores cargo or other baggage in the clear deck space designated for unberthed passengers, without prior written approval from the master or shore personnel; or
  - (c) takes on board any livestock, without the prior written approval of the master, the owner or the shore personnel; or
  - (d) fails to comply with the lawful direction of the master of the vessel under this part.

Maximum penalty: 5,000 penalty units or imprisonment for 6 months, or both.

## **Part 4 Training and safety of passengers**

### **19 Training of crew on vessels carrying passengers**

- (1) The owner and master of a vessel must ensure crew members are trained in accordance with the STCW Convention.
- (2) In addition to suborder (1), the master and the owner of a vessel must ensure crew members:
  - (a) receive training in emergency response procedures; and
  - (b) are able to perform regular drills and exercises, including fire drills, abandon-ship drills and other emergency response drills; and
  - (b) carry out their duty in providing safety for the passengers in accordance with this maritime order.

### **20 Provision of essentials**

The owner and master of a vessel must ensure that the vessel:

- (a) is equipped with first aid kit and medical supply;
- (b) is equipped with adequate and accessible supply of drinking water;
- (c) has adequate and operational toilets and washing facilities, including regular cleaning, sufficient supplies for the proper functioning of toilets and washing facilities;

- (d) has proper locking mechanisms, where necessary.

## 21 **Determining the passenger carrying capacity of vessels**

- (1) An authorised officer must, apply the following criteria in determining the passenger carrying capacity of a vessel:
  - (a) for a cargo vessel, not more than 12 passengers;
  - (b) for a cargo-passenger vessel or a passenger vessel, the authorised officer must apply the criteria related to the space available for each passenger:
    - (i) for the calculation of berthed passengers:
      - (A) fixed bench or chair seating; and
      - (B) passenger cabins;
    - (ii) for the calculation of unberthed passengers:
      - (A) length of rail at the periphery of the deck, not including rail space in congested areas, on stairways, in corridors and where persons standing in the space would block the vision of the vessel's operators; and
      - (B) free deck area available for the passengers' use of not less than 0.6 metres x 0.6 metres of clear deck space for day voyages and 1.8 metres x 0.6 metres for night voyages;
  - (c) for any vessel, the total number of passengers:
    - (i) accommodated by lifesaving appliances less the number of crew including the master in the approved crew list;
    - (ii) in the stability calculations or at the satisfaction of an authorised officer after review and approval of the stability calculations.
- (2) If seats are provided on part of a deck, the total number of passengers allowed on the vessel may be calculated by adding the number allowed in the:
  - (a) seated area based on the seating capacity; and
  - (b) unseated area based on the available deck space.
- (3) The rail length criterion is to be used separately from the deck area criterion and the fixed seating criterion when calculating the maximum number of passengers allowed on a single deck.

## 22 **Right to search**

- (1) A master or a crew member may carry out a search only with the consent of a passenger or a supplier.
- (2) If the master or crew member reasonably suspects the presence of unauthorised, dangerous, or prohibited items and consent is refused, the master must immediately notify law enforcement authorities.
- (3) Where it is necessary for safety or security reasons, the master or crew member must seek the passenger's or supplier's consent before searching any

vehicle, goods, or baggage on board the vessel.

- (4) Where the passenger or supplier consents to the search, the master or crew member may carry out the search:
  - (a) in the presence of the passenger or supplier; and
  - (b) in the presence of at least one other crew member.
- (5) If a passenger or supplier refuse to permit the search under suborder (2) and (3), the master may:
  - (a) refuse passage to the passenger or supplier; and
  - (b) refuse to carry the passenger's or supplier's vehicle, goods or baggage on the intended voyage.
- (6) If a search under suborder (4) identifies unauthorised dangerous goods, prohibited drugs, prohibited substances, or any protected wildlife or species, the master must:
  - (a) refuse passage to the passenger or the supplier; and
  - (b) refuse to carry the passenger's or supplier's vehicle, goods or baggage on the intended voyage; and
  - (c) report the matter to the law enforcement authorities.

## **23 Prohibition of liquor**

- (1) A passenger must not carry liquor on board a vessel for consumption during a voyage unless the master or vessel operator expressly permits it, subject to such terms and conditions as the master or vessel operator consider appropriate.
- (2) The master or vessel operator may grant permission for a person to carry liquor on board, provided that the person complies with the terms and conditions set by the master or vessel operator.
- (3) The master or vessel operator may confiscate and remove any liquor carried on board a vessel if a passenger fails to comply with the terms and conditions mentioned in suborders (1) and (2).
- (4) The master or vessel operator may remove from the vessel, or report to the responsible authorities, any person who fails to comply with this order.

## **24 Smoking**

- (1) A passenger must not smoke on board a vessel except in designated outdoor smoking areas.
- (2) The owner and master of a vessel must ensure that "NO SMOKING" signs are clearly displayed in non-smoking areas and "SMOKING ZONE" signs are displayed in designated smoking areas.
- (3) A person on board a vessel must comply with the vessel's nosmoking rules.



**25 Dangerous drugs and other illicit substances**

A passenger must not, have in his or her possession, or carry on board a vessel, any dangerous drug or other illicit substances.

**26 Offences**

- (1) An owner of a vessel commits an offence, if the owner:
- (a) knowingly employs a crew member who has not undergone any training as required under this maritime order; or
  - (b) fails to provide first aid kit and medical supply on board the vessel, as required under order 20 (a); or
  - (c) fails to comply with the requirement to display “NO SMOKING” signs in non-smoking areas including places where flammable liquids are stored;

Maximum Penalty: 5,000 penalty units or imprisonment for 6 months, or both.

- (2) A master or crew member commits an offence, if the master or crew member:
- (a) conducts a search on a passenger, supplier, or their vehicle, goods or baggage without first obtaining the consent of the passenger or supplier in accordance with order 22 (1) or (3); or
  - (b) fails to comply with the requirements under order 22 (2), (4) or

Maximum penalty: 5,000 penalty units or imprisonment for 6 months, or both.

- (3) A passenger, supplier or vessel operator commits an offence, if the passenger or supplier or vessel operator:
- (a) knowingly brings unauthorised dangerous goods, prohibited drugs or substances, or protected wildlife or species on board a vessel; or
  - (b) wilfully obstructs or hinders a lawful search conducted under order 22 (4); or
  - (c) fails to comply with the lawful instructions of the master or a crew member regarding safety measures, cargo storage or access restrictions to designated areas of the vessel; or
  - (d) molests or assaults another person on the vessel; or
  - (e) carries liquor on board a commercial or passenger vessel for consumption during a voyage; or
  - (f) consumes liquor during a voyage, without the express permission of the master or vessel operator in accordance with order 23; or
  - (g) knowingly smokes in any area of the vessel other than an area designated for smoking; or
  - (h) wilfully carries, or uses dangerous drugs or narcotics, on board the

vessel.

Maximum penalty: 5,000 penalty units or imprisonment for 6 months, or both.

- (4) If the master or a crew member commits an offence under suborder (4):
- (a) the offence is considered a disciplinary offence; and
  - (b) SIMA must investigate the matter and take appropriate disciplinary action against the master or the crew member.

## **Part 5 Miscellaneous**

### **27 Case of force majeure and rescue of distressed persons**

- (1) A person on board a vessel is not to be counted for the purposes of this order if he or she is on board due to:
  - (a) a circumstance of force majeure; or
  - (b) a distress situation at sea.
- (2) The master or the vessel must notify the relevant authority of the presence of the person specified in suborder (1) as soon as practicable.
- (3) The relevant authority may issue directions about such person to ensure safety, protect public health or maintain border control.

### **28 Liability**

- (1) An owner, master or crew of a vessel is not liable for any injury sustained by a passenger during the voyage unless a court finds the injury was caused by their fault or negligence.
- (2) An owner, master or crew is not liable for loss of, or damage to a passenger's property on the vessel caused by theft, robbery or dishonesty, unless a court finds it was caused by their fault or negligence.
- (3) The owner, master or crew is not liable if the injury, loss or damage was caused by the passenger's own fault or negligence.

Made this ninth-day of October 2025.

**THIERRY NERVALE**  
DIRECTOR  
SOLOMON ISLANDS MARITIME AUTHORITY

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