

	<p align="center"><b>The Merchant Shipping (Drug and Alcohol Abuse) Directive</b></p> <p align="center"><b>To All Ship owners, Ship Managers, Ship Operators, Filing Agents and Ships' Crewing Agents</b></p>	Directive	04-2002
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The Director of the Department of Marine Services and Merchant Shipping, in exercise of the powers conferred by Section 7, subsection (5) of the Merchant Shipping Act, 1998, and of all other powers enabling him in that behalf, hereby makes the following Directive:

### Citation and commencement

1. (1) This directive may be cited as the Merchant Shipping (Drug and Alcohol Abuse) Directive and shall come into force on 1st December 2002.

### Interpretation

2. (1) In this Directive:

"Alcohol" means any drink that has been distilled into a spirit of whatever kind, any designer drink that may contain alcohol and any beer of whatever kind that contains alcohol;

"Antigua and Barbuda ship" means a ship which is registered or licensed under the Merchant Shipping Act;

"company" means the owner of a ship to which this Directive applies or any other organization or person such as the manager, or the charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over all duties and responsibilities imposed on the company by these regulations;

"Drugs" include all stimulants used for enhancing pleasure, activities, thought processes and like activities;

"International voyage" means voyages worldwide;

"ship" means a vessel of any type whatsoever operating in the marine environment and includes hydrofoil boats, floating craft, fixed or floating platforms, floating storage units (FSUs) and floating production storage and offloading units (FPSOs)

"yacht" includes all yachts, whether engaged in trade or not.

### Application

3. (1) This Directive applies to :
  - (a) all Antigua and Barbuda ships and their crews operating on international voyages

- (b) all other ships and their crews operating in Antigua and Barbuda waters whilst on international voyages.
  - (c) yachts and their crews engaged in trade
  - (d) pleasure yachts and their crews
- (2) Ships of non-Parties to the STCW 78 Convention, as amended, shall be required to comply with the requirements of this Directive whilst in Antigua and Barbuda waters.

### **Permitted Levels**

4. (1) The maximum permitted blood alcohol level (BAL) is 0.08%. This maximum level applies to all seafarers on watchkeeping duty or during any working period.
- (2) All alcohol consumption is prohibited within a four hour period prior to taking up duty, whether watch or other duties.
- (3) The taking or ingestion of any drug or stimulant is strictly prohibited for any person on board ship.
- (4) It is an offence for any crew member or any other person on board to possess, sell or offer drugs or stimulants to others on board. It is also an offence to induce any person on board to use drugs or stimulants in any way or form.

### **Penalties**

#### **5. Alcohol**

- (1) The penalty where an offence has been committed in the use of alcohol is as described in the Merchant Shipping Act.
- (2) If the same offence in the use of alcohol is committed by the same person, dismissal from the ship may be used by the Master as an additional penalty.

#### **Drugs**

- (1) Where an offence has been committed in relation to the possession, sale or offering of drugs or stimulants, the penalty is instant dismissal and the possible levying of fines up to the levels as described in the Merchant Shipping Act.

Signed by authority of the Director of the Department of Marine Services and Merchant Shipping