



## **INFORMATION BULLETIN No. 182**

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### **Application of MARPOL in Bahamian Waters – Archipelagic Baselines**

#### **Guidance for Bahamas Recognised Organisations, Bahamas Approved Nautical Inspectors, Ship Owners, Managers, Masters and Other Interested Parties**

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#### **1. Purpose**

- 1.1. This Bulletin provides guidance on the application of the International Convention for the Prevention of Pollution from Ships 1973, as amended by the Protocol of 1978 (MARPOL) and United Nations Conventions on the Law of the Sea 1982 (UNCLOS) in Bahamian waters.
- 1.2. Any references to Articles and Regulations in this Bulletin are references to MARPOL and UNCLOS unless stated otherwise.

#### **2. Application**

- 2.1. MARPOL applies to all ships engaged in international voyages and:
  - i. of 400 gross tonnage and above; **or**
  - ii. of less than 400 gross tonnage, which are certified to carry more than 15 persons, including private (non-commercial) yachts.

#### **3. Introduction**

- 3.1. The Bahamas is a Party to MARPOL and its six (6) Annexes.
- 3.2. Questions have arisen over the application of MARPOL in Bahamian waters, with respect to archipelagic baselines. This Bulletin is provided to set out The Bahamas' position.

#### **4. Archipelagic Base Lines**

- 4.1. The base lines for The Bahamas are set out in the Archipelagic Waters and Maritime Jurisdiction (Archipelagic Baselines) Order, 2008 *Ch.282* (S.I. 107/2008)<sup>1</sup>.
- 4.2. This Order sets out the geographical coordinates of points which define the archipelagic baselines of the Commonwealth of The Bahamas. These baselines constitute the outer limits of the archipelagic waters and the inner limits of the territorial sea. Article 48 of UNCLOS provides that '*the breadth of the territorial sea, ... shall be measured from archipelagic baselines.*'
- 4.3. The positions of the baselines are provided in Annex 1 of this Bulletin.
- 4.4. The positions of the baselines are shown graphically in Annex 2 of this Bulletin.

#### **5. Application of baselines to MARPOL**

- 5.1. In accordance with Article 46 of UNCLOS, The Bahamas is an archipelagic State, which means that it is a State constituted wholly by one or more archipelagos and may include other islands. Being an archipelago means that The Bahamas is made up of a group of islands, including interconnecting waters and other natural features which are so closely interrelated that such islands, waters and other natural features form an intrinsic geographical, economic and political entity, or which historically have been regarded as such.
- 5.2. A unique feature of The Bahamas being an archipelagic State is that it has archipelagic baselines drawn to enclose its archipelagic waters. It is the archipelagic baselines that all of the other maritime zones (i.e. the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf are measured from. As such, the term 'from the nearest land' used in MARPOL means 'from the archipelagic baselines' which encloses archipelagic waters.
- 5.3. Accordingly, any discharge that is permitted in MARPOL beyond a specified distance "from the nearest land" is the distance from the outside of the base line; i.e. outside the red line shown in Annex 2.

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<sup>1</sup> Available at: [http://laws.bahamas.gov.bs/cms/images/LEGISLATION/SUBORDINATE/2008/2008-0107/ArchipelagicWatersandMaritimeJurisdictionArchipelagicBaselinesOrder\\_1.pdf](http://laws.bahamas.gov.bs/cms/images/LEGISLATION/SUBORDINATE/2008/2008-0107/ArchipelagicWatersandMaritimeJurisdictionArchipelagicBaselinesOrder_1.pdf)

All Parties are requested to note the above, and comply with the same, when conducting any type of discharge within the waters of the Commonwealth of The Bahamas.

## **6. Revision history**

Rev.0 (10 July 2019) – First issue

## Annex 1

<b>Point</b>	<b>Name of Feature</b>	<b>Latitude North</b>	<b>Longitude West</b>
1	Walker's Cay	27-16-22.74138N	78-25-16.52046W
2	Walker's Cay	27-15-43.54019N	78-21-04.75053W
3	Cay/Rock off Abaco	27-14-19.49672N	78-16-01.47211W
4	Cay/Rock off Abaco	27-13-08.93732N	78-12-46,36072W
5	Carter's Cay	27-05-13.57268N	77-59-48.32446W
6	Moraine Cay	27-02-38.53659N	77-46-24.23077W
7	Moraine Cay	27-02-35.50331N	77-46-13.48603W
8	Cay/Rock off Abaco	26-57-25.21218N	77-33-06.75857W
9	Cay/Rock off Abaco	26-56-37.58084N	77-31-28.75417W
10	Cay/Rock off Abaco	26-56-35.32738N	77-31-23.70923W
11	Cay/Rock off Abaco	26-56-29.34224N	77-31-15.76183W
12	Powel Cay	26-54-39.68819N	77-28-29.94990W
13	Powel Cay	26-54-33.5811N	77-28-20.85446W
14	Nun Jack Cay	26-50-45.40917N	77-23-04.19562W
15	Great Guana Cay	26-42-19.66613N	77-09-32.23539W
16	Scotland Cay	26-39-05.59160N	77-04-32.25558W
17	Scotland Cay	26-38-12.11239N	77-03-10.11363W
18	Man of War Cay	26-37-00.03040N	77-01-20.27302W
19	Cay/Rock off Abaco	26-34-31.92437N	76-58-36.94314W
20	Elbow Cay	26-33-31.33490N	76-57-37.13959W
21	Elbow Cay	26-33-19.43260N	76-57-30.39684W
22	Elbow Cay	26-32-58.10648N	76-57-22.53029W
23	Elbow Cay	26-32-12.36026N	76-57-21.39033W
24	Eleuthera	25-09-41.40925N	76-07-52.91286W
25	Cat Island	24-41-01.47041N	75-40-28.86923W
26	Cat Island	24-39-08.47227N	75-38-23.86147W

27	Cat Island	24-38-16.99114N	75-37-30.02454W
28	White Cay, San Salvador	24-09-41.62705N	74-28-35.75392W
29	Man Head Cay, San Salvador	24-07-34.62143N	74-26-55.97085W
30	Man Head Cay, San Salvador	24-07-28.29211N	74-26-51.49185W
31	Samana Cays	23-04-51.37382N	73-36-06.71778W
32	Samana Cays	23-04-45.82356N	73-36-03.68596W
33	Mayaguana Island	22-19-12.25538N	72-40-10.99276W
34	Mayaguana Island	22-18-24.35151N	72-39-44.75746W
35	Little Inagua	21-29-18.61463N	72-54-59.92065W
36	Little Inagua	21-29-07.91511N	75-55-06.59873W
37	Great Inagua	21-11-43.71530N	73-01-04.09407W
38	Great Inagua	21-09-06.33332N	73-02-12.30585W
39	Great Inagua	21-09-00.35682N	73-02-15.50744W
40	Great Inagua	21-08-57.58091N	73-02-17.56099W
41	Great Inagua	21-08-42.98818N	73-02-27.70746W
42	Great Inagua	21-07-54.07989N	73-03-04.38029W
43	Great Inagua	20-56-26.50377N	73-10-31.15649W
44	Great Inagua	20-54-22.01102N	73-86-46.70054W
45	Great Inagua	20-55-02.34958N	73-39-39.85026W
46	Great Inagua	20-55-05.12227N	73-39-44.24033W
47	Great Inagua	20-55-58.87920N	73-40-27.56698W
48	Great Inagua	20-56-00.70975N	73-40-28.12483W
49	Great Inagua	20-56-08.59392N	73-40-31.73067W
50	Great Inagua	20-56-10.85737N	73-40-32.95148W
51	Great Inagua	20-56-27.52912N	73-40-38.42491W
52	Great Inagua	20-56-28.75195N	73-40-38.92617W
53	Great Inagua	20-56-29.18488N	73-40-38.99894W

54	Great Inagua	20-56-31.02291N	73-40-39.24957W
55	Great Inagua	20-56-34.08375N	73-40-39.17680W
56	Great Inagua	20-56-39.11930N	73-40-39.24957W
57	Great Inagua	20-56-41.99781N	73-40-39.61338W
58	Great Inagua	20-56-48.80290N	73-40-40.65633W
59	Great Inagua	20-57-45.50349N	73-40-51.55469W
60	Cay Santa Domingo	21-43-08.89816N	75-45-28.89755W
61	Cay Lobos	22-22-44.02868N	77-35-11.07912W
62	Guinchos Cays	22-44-54.78658N	78-06-58.43782W
63	South Anguilla Cay	23-29-21.26984N	79-30-52.88234W
64	Cay Sal	23-41-08.97774N	80-23-09.51634W
65	Cay Sal	23-41-09.00752N	80-23-11.40819W
66	Cay Sal	23-41-09.53616N	80-23-12.55624W
67	Cay Sal	23-41-33.63702N	80-23-33.43129W
68	Elbow Cays	23-54-23.18496N	80-28-54.84401W
69	Elbow Cays	23-55-12.67771N	80-28-31.35755W
70	Elbow Cays	23-55-14.5803N	80-28-30.23376W
71	Elbow Cays	23-55-22.62170N	80-28-24.88968W
72	Elbow Cays	23-55-33/73225N	80-28-18.55926W
73	Elbow Cays	23-55-38.08722N	80-28-16.14998W
74	Double-Headed Shot Cays	23-56-21.12188N	80-27-49.67213W
75	Double-Headed Shot Cays	23-56-39.72861N	80-27-33.29225W
76	Double-Headed Shot Cays	23-56-48.41496N	80-27-24.99721W
77	Water Cays	23-57-34.24407N	80-26-14.00425W
78	Dog Rocks	24-03-59.59047N	79-52-47.24246W
79	Orange Cay	24-56-19.16889N	79-08-89181W
80	South Riding Rock	25-14-06.41833N	79-09-05.20837W

81	Brown's Cay	25-23-57.01557N	79-12-03.64047W
82	Wedge Rock	25-30-29.38474N	79-16-04.21316W
83	South Cat Cay	25-35-09.14128N	79-18-17.30576W
84	Cay leading to Bimini	25-35-51.96540N	79-18-36.98425W
85	Cay leading to Bimini	25-36-56.69561N	79-18-49.49150W
86	South Picket Rock	23-37-40.95281N	79-18-52.12715W
87	North Picket Rock	25-37-48.63394N	79-18-53.92199W
88	Triangle Rocks	25-38-09.25799N	79-18-52.90330W
89	Bimini	25-41-54.40381N	79-18-20.40225W
90	Unnamed rock off N Bimini	25-43-26.35667N	79-18-19.22187W
91	Unnamed rock off N Bimini	25-45-40.70596N	79-17-07.44468W
92	North Rock	25-48-08.34665N	79-15-47.21075W
93	Great Isaacs Cay	26-01-40.20717N	79-05-35.22089W
94	Cay/Rock off North West Grand Bahama	26-57-05.20104N	79-06-19.18623W

