CIRCULAR	Number 038
SUBJECT	**Cape Town Agreement 2012** **Accession and fishing vessel compliance**
FROM	Office of the Maritime Administrator Vanuatu International Shipping Registry
TO	Owners, operators, managers and masters of Vanuatu-flagged fishing vessels; Special Agents and Recognized Organizations
DRAFT DATE	5 November 2026
ADMINISTRATIVE EFFECT	Upon publication
TREATY ENTRY INTO FORCE	24 February 2027
STATUS	Approved

Authority and application. Issued by the Maritime Administrator in the exercise of applicable functions under the Maritime Act [CAP 131], as amended in 2025. This circular sets out VISR preparation instructions and explains the Agreement. Treaty obligations apply according to their scope, entry into force, applicable Vanuatu law and any duly adopted implementation measures.

1. Purpose and meaning of Vanuatu accession

Vanuatu deposited its instrument of accession on 16 October 2025 to the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 (CTA). The Agreement will enter into force internationally, including for Vanuatu, on 24 February 2027. Owners and operators must prepare now so that each affected vessel meets the requirements applicable to it when they take effect. (IMO accession notice of 21 October 2025) (IMO entry into force announcement of 24 February 2026)

Accession commits Vanuatu to implement and enforce the Agreement as flag State. For owners, this means demonstrating compliance with the applicable fishing vessel safety standards, maintaining that compliance in service and making the vessel and its records available for verification. Registration, a fishing licence or class status alone does not establish compliance with the Agreement.

The preparation instructions below take effect when this circular is published. They do not bring the treaty into force early or suspend any safety, survey or certification requirement that already applies to the vessel.

2. Vessels concerned and the applicable standard

This circular concerns Vanuatu-flagged commercial seagoing fishing vessels of 24 metres in length (L) and over, including vessels that also process their own catch. Length (L) is the treaty measurement, not necessarily length overall. Owners must provide the verified length and gross tonnage for assessment. (1993 Protocol articles 2(b) and 3, as applied by CTA article 2; annex regulation I/2(5))

Vessels used exclusively for fish carriage, processing, research and training, or sport and recreation fall outside the annex under article 3(2). A description such as “fish carrier” is insufficient if the vessel also catches fish. Ask VISR to confirm any uncertainty about the vessel’s actual activities or classification.

The Agreement permits a flag State to adopt specified gross tonnage equivalents instead of length, including 300 GT for 24 metres and 950 GT for 45 metres (regulations I/1(2)-(3)). This circular does not make that election. A vessel below 24 metres but at or above 300 GT must also submit its particulars for VISR review; owners must not select whichever measurement produces the less demanding result.

2. Vessels concerned and the applicable standard continued

The applicable requirements depend on whether the vessel is “new” or “existing”, its size, operating area and any lawful flag requirements. New-vessel status is determined by building or major conversion contract dates, construction milestones and delivery dates under regulation I/2(1). It is not determined by the date of registration with VISR. A pre-entry-into-force contract can still result in a new vessel where delivery occurs three years or more after entry into force. (CTA consolidated regulations I/2(1)-(2) and I/5)

3. What owners must assess

The following is a guide to the treaty baseline. The RO and VISR must confirm the precise requirements for each vessel, including any additional flag or regional requirements. All references below are to the consolidated regulations as modified by the CTA.

Vessel category	CTA baseline to be checked
New vessels of 24 m and over	Construction and watertight integrity; stability; crew protection; emergency procedures and drills; navigation equipment and arrangements (chapters II, III, VI, VIII and X).
New vessels of 45 m and over	The above, plus machinery and electrical installations, fire protection, lifesaving arrangements and radiocommunications (chapters IV, V, VII and IX).
Existing vessels of 24 m and over	Emergency procedures, musters and drills, and the applicable navigation equipment and arrangements (chapters VIII and X). Individual equipment provisions have additional size thresholds.
Existing vessels of 45 m and over	The above, plus survival craft portable VHF radios and radar transponders under VII/13-14, and radiocommunications under chapter IX. Bridge visibility provisions also apply to the extent specified in X/6(2).

For vessels between 24 and 45 metres, article 3(4) requires the Administration to determine the appropriate application of chapters whose general threshold exceeds 24 metres. The table is therefore not an exemption from machinery, fire, lifesaving or radio standards already applicable under Vanuatu requirements. Nor does existing-vessel status permit deterioration or disregard of existing safety obligations. (IMO resolution MSC.571(109), part A sections 3-5)

4. Transitional arrangements and exemptions

The Agreement allows a State, where immediate implementation on existing vessels is not possible, to adopt a documented plan for progressive implementation: up to five years for the relevant provisions of chapters VII, VIII and X, and up to ten years for chapter IX. This requires a State decision and the prescribed communication to IMO. These periods are not automatic grace periods for individual owners. (CTA regulations I/1(4)-(5))

Owners must plan for compliance by 24 February 2027 unless VISR confirms in writing that a duly adopted arrangement applies to their vessel, identifies the affected provisions and specifies the conditions and deadline. This circular grants no blanket extension, exemption or equivalence. A pending request does not authorize departure from an applicable requirement.

Any request for an exemption, equivalent arrangement or different survey arrangement must identify the exact regulation, operating area, technical justification, compensating safety measures and supporting RO assessment. Approval is subject to the relevant treaty conditions and applicable flag procedures. Operation solely within an exclusive economic zone does not, by itself, create an exemption. (Regulations I/1(6), I/3-4, IX/3 and X/2.)

5. Continuing responsibilities of owners and operators

5.1. Maintain a safe vessel. Provide the resources, maintenance, servicing and repairs needed to keep the hull, machinery, electrical installations, watertight arrangements, fire equipment, lifesaving appliances, radio and navigation equipment fit for the vessel's service. Observe approved stability information, loading limits and operating restrictions; keep lifesaving capacity adequate for everyone on board.

5.2. Keep the crew prepared. Ensure that the master and crew understand emergency duties, muster arrangements and the use of safety equipment. Conduct and record the drills, onboard training and equipment checks required for the vessel. Maintain the applicable radio watch and arrangements for sending and receiving distress communications. (Chapters VII-X, as applicable.)

5.3. Control changes and report defects. Seek the necessary approval before alterations affecting surveyed arrangements, safety equipment, stability, operating limits or persons carried. Report accidents and safety-critical defects promptly to VISR and the authorized RO. Arrange any additional survey required after damage or major repairs. Do not send an unsafe vessel to sea; comply with any written conditions for movement to a repair facility.

These instructions support continuing compliance. For vessels subject to them, regulations I/5, I/6 and I/10 address alterations, corrective action, maintenance after survey and reporting. Owners remain responsible for operational compliance even where work is arranged through a manager, agent or RO. The Administration retains its flag State responsibilities. (CTA consolidated regulations I/5, I/6 and I/10)

6. Surveys and evidence of compliance

Arrange assessment and any required survey with VISR or a Recognized Organization specifically authorized by VISR for the work. A society's class recognition does not, by itself, authorize it to issue CTA documents for Vanuatu. The scope, survey schedule, necessary endorsements and form of certification must be agreed with the Technical Department.

Where the treaty certification provisions apply, the International Fishing Vessel Safety Certificate must be supported by its Record of Equipment and the applicable surveys. Existing vessels must carry the compliance documentation specified by VISR. The form and scope of that documentation will reflect the requirements applicable to each vessel, as confirmed by the Technical Department. (CTA regulations I/6-17; MSC.571(109), paragraphs 3.2.1 and 3.2.9)

An existing Statement of Compliance must be submitted for review with its equipment record, survey reports and outstanding items. It is useful evidence, but does not automatically become a statutory certificate when the Agreement enters into force. Keep current documents valid and meet all existing survey dates while VISR confirms any additional survey, endorsement or replacement needed.

Owners must retain the applicable certificates or compliance documents, approved plans and information, survey reports, servicing records, drill records and written exemptions on board and make them available to the master, surveyors and inspecting authorities. Report any detention or significant inspection finding to VISR without delay.

Following entry into force, affected vessels may be inspected in ports of other Parties. Invalid documents or material safety deficiencies can result in intervention and prevent a vessel from sailing until it can proceed safely. Owners should expect compliance to be verified against the vessel's actual condition and operations. (1993 Protocol article 4, as applied by CTA article 2)

7. Required submissions and preparation deadlines

The deadlines in this section are VISR administrative preparation requirements introduced by this circular. They are separate from the treaty's entry into force and any duly adopted transitional arrangement.

7.1. Within 30 calendar days of publication, submit one assessment file for each vessel and nominate the person responsible for implementation. Include:

Vessel and ownership details. Name, IMO or official number, owner, operator, master's contact, verified length (L), gross tonnage, fishing activity, operating areas, intended voyages and maximum persons on board.

Construction and survey history. Building or major conversion contract, keel/construction and delivery dates; RO details; class and safety documents; current Statement of Compliance, if any; latest survey reports and outstanding deficiencies.

Compliance assessment and action plan. The applicable chapters and regulations, current evidence of compliance, each gap, proposed corrective work, responsible person, completion date and planned survey attendance. Identify any matter requiring VISR's decision.

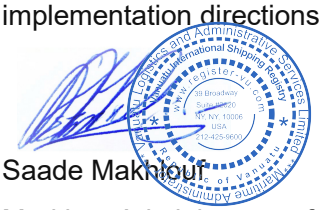
7.2. By 31 January 2027, provide a readiness update for vessels intended to operate when the Agreement enters into force. Submit available evidence of completed work and surveys, identify remaining items and confirm their completion arrangements. Notify VISR immediately if compliance by the applicable date is at risk; do not wait for this reporting deadline.

7.3. By 24 February 2027, ensure that vessels operating on that date meet the requirements then applicable to them, subject only to a written, lawful arrangement confirmed by VISR. For newbuildings or later entries into service, obtain the applicable approvals and documentation before operation. Current safety obligations remain in force throughout.

8. Submission channel and final instructions

Send submissions and technical questions to technical@register-vu.com, copying compliance@register-vu.com. Use the subject "CTA 2012 readiness - [vessel name] - [IMO/official number]". Coordinate with the appointed Special Agent where applicable. Urgent safety reports must not be delayed by administrative routing.

Owners and operators must circulate this notice to the master, responsible shore personnel and authorized RO, retain it on board, and ensure the required action is taken. Other applicable safety, pollution prevention, crew certification and fisheries requirements continue to apply. VISR will communicate any further implementation directions separately.



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