

NOVEMBER 2016 – JANUARY 2017

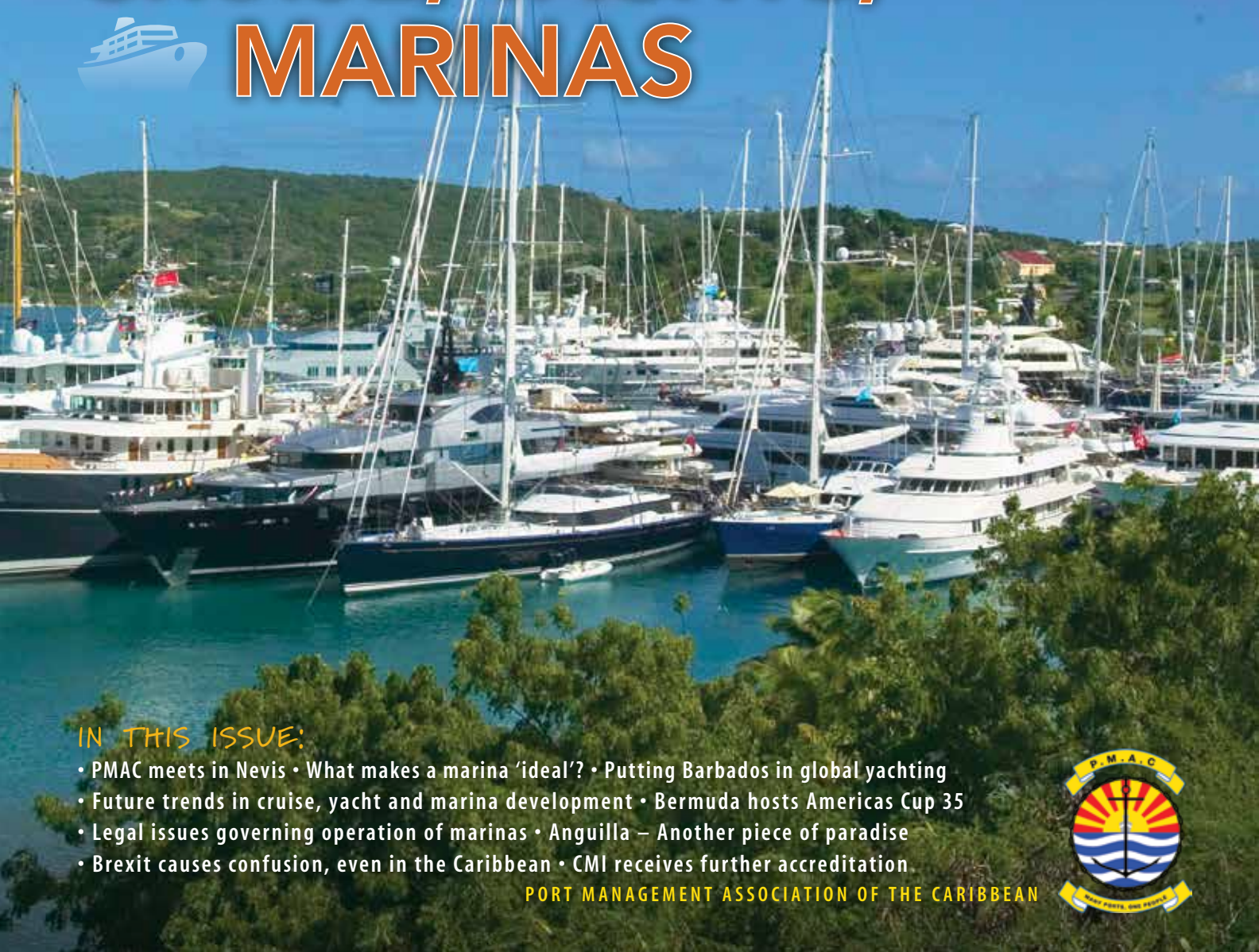


portside

CARIBBEAN

SPOTLIGHT

CRUISE, YACHTS, MARINAS



IN THIS ISSUE:

- PMAC meets in Nevis • What makes a marina 'ideal'? • Putting Barbados in global yachting
- Future trends in cruise, yacht and marina development • Bermuda hosts Americas Cup 35
- Legal issues governing operation of marinas • Anguilla – Another piece of paradise
- Brexit causes confusion, even in the Caribbean • CMI receives further accreditation

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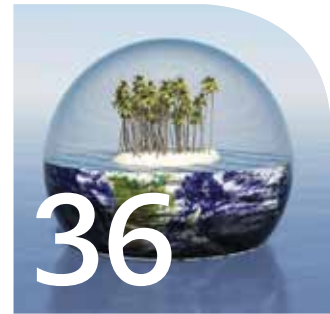
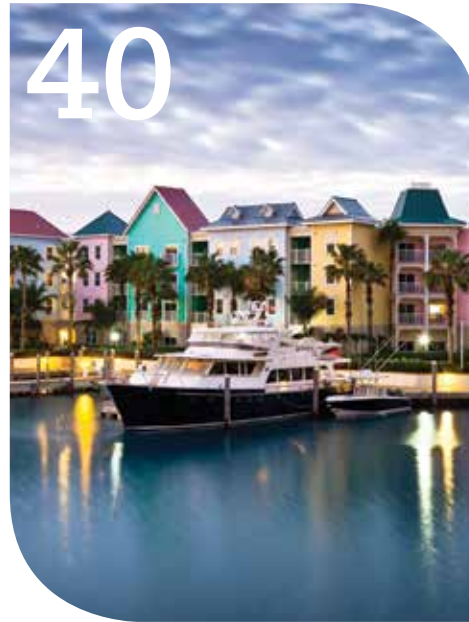
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Ports united, dialogue and cooperation



The presence of the top leadership of both the American Association of Port Authorities (AAPA) and the Gulf Ports Association of the Americas (GPAA) at the recent annual general meeting of the Port Management Association of the Caribbean (PMAC) in Nevis was historically significant for more than the fact that this never happened before.

The presence of both the Chair and the President of the AAPA as well as the Chair of the GPAA, seated with the members and associate members of PMAC, as well as representatives of the International Maritime Organization (IMO), the Caribbean Development Bank (CDB) and the Organization of Eastern Caribbean States (OECS) was indicative of a new era of dialogue and cooperation. The fact that they all travelled to remote Nevis to discuss Ports United for the Future among other topics did suggest that this was the start of a new era of cooperation.

A capable and efficient seaport with an attitude for sustainability can drive national development. By contrast, under-developed, sub-standard and inefficient sea ports, especially in island-states, will retard and even reverse development. And an unsecured and poorly managed seaport can be a source of problems for other port operations linked to it in the supply chain. It is therefore in everyone's interest that sea ports identify, share, adopt and implement best practices. This process of transfer is readily facilitated through dialogue and cooperation.

The formal Memorandum of Understanding between the PMAC and the AAPA; and that between the PMAC and the GPAA, provide frameworks for meaningful cooperation. And the dialogue which gave rise to the signing of both documents was taken to a new level in Nevis this past June, as documented in this edition (*page 6*). This is significant.

Caribbean seaports, because their cargo operations support directly the industrial and

agricultural sectors, are vitally important for national economic survival let alone growth. However, in addition to cargo ships, many ports or port authorities also have portfolio responsibilities for receiving, facilitating or providing services for yachts and pleasure craft. Significant capital investments across the Caribbean region have been made in developing and maintaining facilities to accommodate cruise ships, yachts and smaller pleasure craft. The Caribbean is often described as 'the cruise capital of the world' and is acknowledged globally as having the most robust cruise ship business on the planet. But, the Caribbean is also a leading yacht charter destination and is one of the top jurisdictions for the registration of superyachts and megayachts in the world.

This 7th edition of *PORTSIDE CARIBBEAN* brings into focus the pleasure side of Caribbean shipping. The articles and essays cover a range: cruise ships and yachts; cruise ports and marinas; registration


opportunities and legal obligations; and, recent developments, activity and initiatives in this maritime sub-sector.

Revenues from the yachting sub-sector are not inconsequential and Caribbean destinations are waking to this reality. New marinas are being constructed across the region. Existing marinas are expanding or upgrading their services and facilities. Cruise ports are in upgrade mode or have recently completed expansion work.

Many Caribbean territories have the natural setting to accommodate, in protected seclusion, some of the world's finest yachts. We hope this edition of *PORTSIDE CARIBBEAN* stimulates interest and further investment in a sub-sector that offers new and exciting opportunities for growth and expansion. •

Mike Jarrett

Editor



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Ports united for the future

Port Management Association of the Caribbean meets in Nevis

The Caribbean's association of port and terminal managers' 19th annual general meeting was special for the expert presentations on a range of topics, all supporting effective and sustainable management of seaports and marine terminals across the Caribbean.

One significant highlight of that AGM at the Four Seasons Resort, on Nevis, June 22 to 24, 2016, was the signing of a Memorandum of Understanding with the Organization of Eastern Caribbean States (OECS). The memorandum addresses matters related to efficiency of port management and operations in the Caribbean, including port infrastructural capabilities, safety and security, transportation logistics, skills and competencies of port personnel; and, trade facilitation within the OECS Economic Union.

In addition to PMAC's 12 member-ports and 12 associate-member companies, the 58 delegates attending the PMAC meeting included the top leadership of the American Association of Port Authorities (AAPA) and the Gulf Ports Association of the Americas (GPAA). Other organizations whose representatives sat in on this 3-day PMAC event included the Caribbean Development Bank, the IMO, Liebherr USA Co., Transocean Shipping, CSS Pulse and Lamar University, Texas.

The event billed as Strategic Session on the first day featured panel discussions on the topics **Ports United for the Future** and **Competency Based Training, Assessment and Certification**, with panelists from the AAPA, the GPAA, the OECS, Barbados Port Inc., the Caribbean Maritime Institute and the Technical and Vocational Education and Training Council of Barbados.

Presentations by the chairmen of two of the largest port membership organizations in the Americas, Jim Quinn (AAPA) and Mark McAndrews (GPAA) on the topic **Ports United for the Future** were noteworthy as they addressed possibilities, opportunities and a



Antigua and Barbuda Port Authority Chair, Senator Mary-Claire Hurst receives the Novaport Cup from PMAC Chairman, Bishen John.

Antigua wins PMAC 2016 Top Port Award

Antigua and Barbuda Port Authority was awarded the Novaport Cup for most improved performance at the Port Management Association of the Caribbean's Awards Dinner of the 19th Annual General Meeting in Nevis, on June 24.

The Cup was presented to the Authority's Board Chairman Senator Mary-Claire Hurst by PMAC Chairman, Bishen John.

In receiving the impressive trophy and plaque, she spoke about Antigua's commitment to development of her country's maritime sector. She rued the fact that the Port's General Manager, Darwin Telemaque had to leave Nevis on business earlier that day and therefore could not share with her the moment. She said that, through his hard work, he had done so much to make the award Antigua's.

Antigua was cited for "most improved port performance in 2015."

need for broad collaboration in sustainable marine port development.

The presentation by the delegation of the Caribbean Development Bank regarding potential areas for collaboration and funding was particularly interesting; as was a joint presentation by Tysers and International General Insurers on the topic: **A PMAC Insurance Solution with Global Reach**.

The deliberations of the second day focused on administration and reporting and included presentation and review of the financial statement and budget. The state and climate of the

marine port sector of PMAC member-countries were also reviewed.

The final day had presentations on issues pertaining to:

- remaining competitive and relevant in the Caribbean port environment;
- measures to prevent the loss of containers;
- strategic asset management and corporate indicators for port managers;
- the propriety of shore power for ports;
- implementation of a port community system at the Port Authority of Jamaica; and,
- climate change and sustainable port development and management. ●



AWARDS



PMAC's Executive Secretary, Glenn Roach, master of ceremonies.



Jim Quinn, Chair of the American Association of Port Authorities (left) presents a memento symbolising the start of an era of cooperation between the AAPA and the PMAC.



Warren W. Jones, Chief Executive Officer, Stevedoring Services Limited (Bermuda) receives the Associate Membership plaque from Mrs. Verni Amory, wife of the Premier of Nevis.



Sandra Casanova, President, Cluster GAT Caraibe (Martinique) receives the Associate Membership plaque from Dr. Fritz Pinnock, Chairman of PMAC's Associate Members Committee.



Mr. Glenn Roach, Executive Secretary, PMAC presenting token of appreciation to Ms. Loretta France, Coordinator of the NASPA AGM Organising Committee.



Fernando Rivera brought fraternal greetings from the Caribbean Shipping Association.



GPAAs chair, Mark McAndrews (L) reaffirms commitment for both organizations – PMAC and GPAAS – to collaborate.



Oral Brandy, General Manager of Nevis Air and Sea Ports Authority (NASPA) (L), receives a PMAC memento.



PMAC's Executive Assistant, Mrs. Linda Profit-del Prado and Mike Jarrett, Founder/Editor of PORTSIDE CARIBBEAN.



CONFERENCE



Chairman of the NASPA, Colin Dore welcomes delegates.



Darwin Telemague, Chairman, OECS Port Management Committee, General Manager, Antigua and Barbuda Port Authority.



Hon. Vance W. Amory, Premier of Nevis, ceremonial opening of PMAC's 19th AGM.



(L – R) Fritz Pinnock, Everton Walters, Darwin Telemague, Linda Profit-del Prado.



MEMORANDUM OF UNDERSTANDING between PMAC and the Organization of Eastern Caribbean States (OECS) Commission was signed in Nevis. Seated (L-R) are: Darwin Telemague, Chairman, OECS Port Management Committee, Dr. Fritz Pinnock, Chair of PMAC's Associate Members group; Mr. Bishen John, Chairman, PMAC. Standing (left to right) are: Colin Dore, Chairman, NASPA; Cosbert Woods, Programme Officer – Trade Policy Unit, Organisation of Eastern Caribbean States Commission; Everton Walters CBE., PMAC Consultant; Hon. Vance W. Amory, Premier of Nevis and Minister responsible for ports.



Cosbert Woods, Programme Officer – Trade Policy Unit, Organisation of Eastern Caribbean States Commission delivering a statement from Dr. Didacus Jules, OECS Director General.



Going home: Fritz Pinnock, Executive Director of the Caribbean Maritime Institute and Jim Quinn, chair of American Association of Port Authorities (AAPA) leave Nevis at the end the conference.



(L – R) Ms. Sabine Bajazet, Manager, Communication and Foreign Affairs, CEI.BA (Guadeloupe); Linda Profit-del Prado, Consultant Public Relations and Information, Suriname Port Management Company; Sandra Casanova, President, Cluster GAT Caraïbe (Martinique); Dr. Karen Adair, Senior Lecturer, Caribbean Maritime Institute; and, Alden Durham, Board Member, Ports Authority of the Turks and Caicos Islands.



PMAC signs a memorandum of understanding with CEI.BA Guadeloupe French West Indies. This MOU provides to all PMAC members and Associate Members privileged access to BECCA with a special discount. Becca is a web platform for freight and transport exchange in the Caribbean and Latin America. It (www.becca-exchange.com) has two modules: a freight module, allowing importers, exporters and freight forwarders to post a freight announcement; and, a transport module, dedicated to maritime operators, freight forwarders, barges owners, shipping agents and shipping companies (to announce their transport or containers and to find additional freight to optimize their transport). PMAC Chairman, Bishen John and Mrs. Sabine Bajazet, CEI.BA's Chargée de Communication et des Actions Extérieures signed the document. At right is PMAC's Executive Secretary, Glenn Roach.



(L – R) Oral Brandy, Kimalla Cambridge, Glenn Roach, Bishen John.



WORKSHOP



Conflict Management Skills and Labour Utilisation Techniques workshop.



Ms. De-Aon Sayers, Administrative Personnel Officer, St. Vincent and the Grenadines Port Authority, participant in the Conflict Management Skills and Labour Utilisation Techniques workshop.



Osric Forrest, Caribbean Maritime Institute's Director of School of Advanced Skills.



Ms. Jacott Sybiel, Human Resources Manager, Suriname Ports Management Company, participant in the Conflict Management Skills and Labour Utilisation Techniques workshop.





PortMiami and Port Everglades: Cruise industry stronger than ever



By Rick Eyerdam*

Things are very good at PortMiami. With the completion of the \$1,113 million tunnel; the deepening (to 52 feet) and widening of its channel; and, the beginning of cruise traffic to Cuba, there is perhaps only one thing that could make it better. And that would be to become the permanent home berth for the world's largest cruise ship. But, that is not just a wish. It will finally happen.

The tunnel speeds an estimated 4.9 million passengers to PortMiami cruise terminals. And the channel widening, accomplished at a cost of \$205.6 million, will permit any size vessel to maneuver with ease. The dénouement, scheduled for 2018, will be the penultimate addition of the lavish new 170,000 sq.ft. terminal and berth for Royal Caribbean's 5,400 passenger Oasis Class cruise ship, the largest in the world, at this time.

Royal Caribbean Cruises recently announced that it will build and operate the new cruise terminal at PortMiami, which will serve as a homeport for Royal Caribbean International ships. The partnership, which included a \$200 million investment by RCL, will once again, make PortMiami Royal Caribbean's largest cruise port in the world. The partnership will also generate an estimated economic impact to Miami-Dade of \$500 million and approximately 4,000 jobs. The terminal will be constructed on land leased from PortMiami to be called Terminal A.

Royal Caribbean Cruises Ltd. is the world's second-largest cruise brand. Like the larger Carnival Corp., Royal Caribbean is headquartered in Miami. But, it has berthed its largest ships at Port Everglades, not PortMiami. Miami's seaport could not accommodate their size. The construction by the line of its own terminal, Terminal A, would bring those ships to Miami and complete the long awaited deal.

Royal Caribbean Cruises would guarantee Miami-Dade County more than \$140 million in dockage fees for its present cruise terminal at PortMiami for the next ten years – more than \$100 million above the present guarantee for that period. The existing agreement for the present terminal space dedicated to Royal Caribbean, Terminal G, was to expire Sept. 30, 2021. The amendment to the

"The cruise industry is stronger than ever, as evidenced by the fact that it generated nearly \$120 billion for the global economy in 2015."

agreement, approved by county commissioners who operate the port, extended it to September 30, 2026. During that period, the cruise line would pay the county from \$10.5 million in fiscal 2016 to \$14.8 million in fiscal 2026. The amendment would also provide for one five-year renewal period starting in 2026, based on mutual agreement. The county would be guaranteed \$100 million from Royal Caribbean over that five-year renewal period, based on an annual guarantee of 750,000 passenger moves.

According to the amendment, the cruise line would be paid two separate incentives:

- A parking incentive, unchanged from the current deal between the county and the cruise line. That payment is based on the cruise line's share of paid parking at the seaport and would amount to about \$1.6 million a year payment to the line now and about \$2 million a year if the option of a renewal after 2026 is exercised.
- A marketing incentive based on passenger thresholds. Carnival Corp., the port's largest tenant, already receives such an incentive but Royal Caribbean has not gotten one.

Under the amendment, incentives would start October 1, 2017, ranging between \$292,000 and \$370,000 per year, based on passenger moves. Marketing incentives would rise markedly to \$622,000 to \$700,000 per year in a renewed contract in 2026 based on a 750,000-moves guarantee.

The two incentives mean that the county would pay Royal Caribbean almost \$2 million a year while the line is paying the county \$10.5 million to use the terminal.

The marketing incentives are to be used by Royal Caribbean to offset its commitment of \$1 million

annually toward a marketing campaign to increase tourism for ships berthed at the port.

And this agreement is distinct from a separate agreement for the cruise line to build and operate a 10-acre cruise ship terminal elsewhere on the port, at a later date.

"Our passengers are of the utmost importance," says PortMiami Director and CEO Juan M. Kuryla. "PortMiami offers its cruise partners and passengers top customer service. We want every cruise passenger to begin their vacation experience the minute they arrive at our port."

STRONGER

The cruise industry is stronger than ever, as evidenced by the fact that it generated nearly \$120 billion for the global economy in 2015. And with emerging markets bringing in more travelers, one might expect competition within the industry to be on the rise. However, insiders say that's just not the case. They whisper a prayer of thanks every day that Zika has not spread to cruise destinations beyond Puerto Rico and that terrorism is not an issue at Caribbean cruise destinations.

"I think you'll hear this from every single one of us cruise line executives, but there really is a cruise line for everyone and we shouldn't compete against each other," Holland America Line vice president of North American sales, Eva Jenner, recently told an industry gathering. "We're really competing against land based vacations."

Carnival Corporation president and CEO, Arnold Donald, agreed. "Our goal is to introduce more people to the great value and great experience of a cruise vacation. We see our competition as land-based vacations, not other cruise lines."



Norwegian Escape.

Last year PortMiami set another world record in cruise passengers, nearly 4.9 million cruise vacationers sailed through the port and the cruise capital is poised for yet another exceptionally strong cruise season, according to Andria Muniz-Amador, Director, Public Affairs and Communications at PortMiami. New for the 2015-16 season, she said, is a host of new cruise brands and new build ships that rank among the most innovative vessels on the seas today. The cruise season kicked-off with the arrival of Norwegian Cruise Line's new build ship, the Norwegian Escape.

EXPANDING

Many current cruise partners are expanding their Miami fleets. Aida Cruise Line added two cruise ships to its PortMiami line-up, Aida Mar and Aida Vita. PortMiami is also the homeport for Royal Caribbean's Empress of the Seas; and, Resorts World Bimini continues to sail from PortMiami to Bimini.

Carnival Cruise Lines' Carnival Splendor recently started sailing from Miami, and its largest ship to date, the Carnival

Vista, is scheduled to start in Fall 2016. Additionally, Carnival Corporation named PortMiami as the homeport for its new social impact travel brand, the Fathom, which offers seven-day voyages aboard the MV Adonia and started to sail from PortMiami in Spring 2016.

Miami also recently began hosting the MSC Divina with sailings to Cayman Islands, St. Thomas, Mexico, Bahamas, Turks and Caicos and will also be home for the first MSC Cruises' MSC Seaside class vessel, which will sail from Miami in November 2017.



PORT EVERGLADES – Total cruise passengers*

YEAR	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
PASSENGERS	2,688,363	2,459,684	2,690,058	2,636,711	2,836,954	3,314,208	3,364,103	3,689,022	3,509,727	3,880,033	3,622,229

* Multi-day passenger departures.



PortMiami: The new PortMiami terminal will allow Royal Caribbean to operate its flagship vessels out of its home port. The terminal is expected to be opened in late 2018.

Another exciting development is the announcement from Sir Richard Branson, founder of Virgin Cruises, that PortMiami will be the homeport for the first of the new cruise line's ships starting in 2020.

With 18 cruise brands berthing 42 ships, PortMiami is clearly the departure destination of choice for cruises to The Bahamas, the Caribbean, Mexico and beyond, offering travelers vacations for every budget, taste, and style – from family fun to luxury cruising, Muniz-Amador said.

PORT EVERGLADES

Meanwhile, Carnival Corporation and Port Everglades recently extended their agreement to 2030. It includes preferential use of five terminals, including recently renovated terminals and berths to better serve passengers sailing on seven of the company's global cruise line brands. The addendum builds on the landmark 15-year agreement reached in 2010 with the Broward County Board of County Commissioners and furthers Carnival Corporation's commitment to Port Everglades, which overall has more than 3.6 million multi-day cruise passengers a year.

As part of the addendum, Carnival Corporation will have preferential use of Cruise Terminal 4, which reopened last year after \$24 million worth of renovations and upgrades, designed for greater efficiency and guest convenience. Additionally, the port is currently undertaking an estimated \$13.6 million slip extension project on Terminal 4. This will

lengthen the slip to accommodate larger cruise ships. Completion is expected by the middle of 2017.

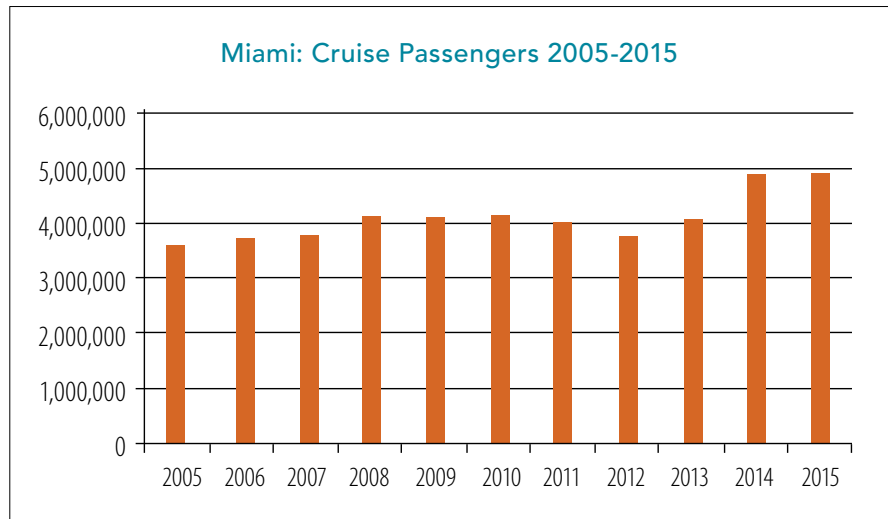
As part of the long-term agreement, the company also has preferential use of three additional terminals, Cruise Terminals 2, 21 and 26, along with one additional terminal. This provides five terminals in total for Carnival Corporation to serve its guests who visit Fort Lauderdale as part of their cruise vacation.

"Carnival Corporation is a critical Port Everglades partner, and its many unique cruise line brands offer guests sailing into and out of our port with a wide variety of cruise experiences and itineraries," said

Steve Cernak, chief executive and port director of Port Everglades. "Carnival Corporation has a strong, long-standing presence in the Broward County community and the additional five years included in the agreement reinforces that commitment.

"We also look forward to welcoming the newest member of Holland America Line's fleet, ms Koningsdam, to our sunny shores in November," Cernak added.

The company will add a second ship from its Carnival Cruise Line brand, Carnival Splendor, to sail from Port Everglades during the 2017 summer



MIAMI – Total Cruise Passengers											
YEAR	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
PASSENGERS	3,605,000	3,731,000	3,787,000	4,137,000	4,110,000	4,145,000	4,018,000	3,774,000	4,079,000	4,900,000	4,915,000

season. In addition to Carnival Cruise Line, six more of Carnival Corporation's 10 global cruise line brands currently carry nearly a million and a half passengers to and from Port Everglades each year. These brands include Holland America Line, Costa Cruises, Cunard Line, P&O Cruises UK, Princess Cruises and Seabourn. The seven Carnival Corporation brands and 28 different ships account for a combined average of more than 300 calls at Port Everglades each year.

As part of the original agreement, the port undertook a \$54 million cruise terminal renovation project to make significant improvements to four existing cruise terminals to accommodate ships from Carnival Corporation's fleet of global cruise line brands. Enhancements made as part of the project included features to enable simultaneous embarkation and debarkation processes, including two passenger loading bridges, separate and larger baggage halls and improved ground transportation areas.

As part of the extension, Carnival Corporation and Port Everglades will engage in discussions to examine the opportunity for possible further improvements to Cruise Terminal 21 to accommodate Carnival Corporation's newest class of ships.

Port Everglades will also welcome the return of Crystal Cruises' luxury ships beginning in October 2017.

"Fort Lauderdale is an ideal fit for our ships, itineraries and discerning guests, with its close



PortMiami: The new port will also allow PortMiami to host Royal Caribbean's Oasis class cruise ships.

proximity to an international airport and reputation for outstanding service that mirrors Crystal's own," said Crystal President and CEO Edie Rodriguez. "With these things in mind, we are relocating select fall sailings and look forward to working with Port Everglades to expand our itineraries in this market."

Crystal Serenity and Crystal Symphony will sail a total of eight sailings to and from Port Everglades beginning October 27, 2017. ●

* **Rick Eyerdam** is an award-winning journalist and editor and former Executive Director of the Miami River Marine Group.



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Marinas and Luxury Yachts

What makes a marina 'ideal'?



By Rupert Connor*



The Monaco Yacht Show.

Luxury yachts have increased in length and opulence during the last decade. The differentiation between the mega/superyacht (larger than 100 feet and as large as 400 feet in length) and the pleasure yacht (under 80 feet) has become more distinctive. The marina requirements — both in physical demands and atmosphere (read ambiance) for each category are also distinctly different.

The largest motor and sailing yachts are self-contained. Features that hold appeal for the pleasure yacht/sailor are completely unnecessary for the grand vessels. While underway, the service on board a super yacht is white glove; the accommodations

are five-star; and, the menu is prepared by classically trained chefs. Mega and superyachts will not be selecting a marina based on the availability of laundry facilities, showers, Wi-Fi, or ice. Or free water for that matter. All of that is aboard and at a style and comfort level unlikely to be equalled by most anything available ashore.

MARINA DESIGN *What do the largest yachts want from a marina?*

Owners and crew of the largest yachts seek a rare combination of seclusion and access. Many owners of the largest yachts depend on the vessel for seclusion,

privacy and security. A setting that is both tranquil and beautiful with access to a private airport is exactly the kind of juxtaposition that holds appeal for the largest yachts.

Adequate docking for walk-on access and a design that addresses concerns for safety, privacy and security are key components. An effective checklist for marina design includes the following considerations:

- Space between vessels to assure privacy
- Walk on access at dock. No necessity for tender
- Lack of accessibility for others: gated, keyed entries, minimal road access privacy
- Safe for crew, owner, and guests



The docks of Falmouth Harbor, Antigua during a charter show.



The "Beach club" on a large luxury yacht.



The docks of Falmouth Harbor, Antigua during a charter show.



Fine dining/high end service is an essential component of delivering the yachting experience.



The stern of a Westport 130' at night. (Puerto Vallarta Mexico)



Yachts at Antigua Yacht Club Marina during a charter show.

- Security for the vessel – particularly during periods of watch
- ISPS in place

There are practical considerations for navigating and managing a yacht. The size of the largest vessels creates a list of requirements for safe navigation. Accessibility for the yacht to a sheltered mooring that provides weather protection contributes to the appeal; as do characteristics like:

- A deep draft (minimum of 15 feet)
- Well marked channels
- Accessibility at tides, minimal currents
- No arrival hour limitations
- Custom official services at port of entry

“What are the nuances that make a marina a preferred destination?”

NUANCES THAT MAKE A MARINA ‘PREFERRED’

Practical considerations aside, what are the nuances that make a marina a preferred destination?

The answer to that is as varied as the designs of megayachts and the personality and moods of their owners.

There are three distinct categories of destination inclinations. The owners that pursue berths in areas known as places to “be seen” enjoy the play, party, shopping destinations. The owners who want isolation and a sport-filled experience select marinas in places renowned for diving, surfing and fishing. Some owners seek to avoid overcrowded harbours



An elaborate dining setting inside a large motor yacht.



A guest cabin in a 70m motor yacht.



An engineer checks the oil inside the engine room of a luxury motor yacht.



A 75' Viking motor yacht in Atlantis Marina, Paradise Island, Bahamas.



The docks of Falmouth Harbor, Antigua during a charter show.

ELEVEN OF THE BEST MARINAS IN THE REGION

1. Christophe Harbor Marina, **St. Kitts**
2. Yacht Haven, **St. Thomas**
3. Yacht Club at Isle de Sol, **Sint Maarten**
4. Bitter End, **Virgin Gorda, BVI**
5. Atlantis, **Bahamas**
6. Rodney Bay Marina, **St. Lucia**
7. Albany, **Bahamas**
8. Port Of Gustavia, **St. Barts**
9. YCCS Marina, **Virgin Gorda, BVI**
10. Compass Key, **Exumas**
11. Islands Gardens Deep Harbour, **Miami**



Sailing yachts at sunrise. (Puerto Vallarta)

and head to the unknown. Those looking for a sense of adventure and exploration to supplement luxury include the yachts on their arctic quest.

Beyond the checklists, every yacht owner is seeking a unique experience. The marina that: understands the luxury market; provides extraordinary service; and, personalizes each experience, is the model for future marina development.

REQUIRED SERVICES

While owners and guests may find the luxury they seek aboard, the vessel still requires parts,

fuel and chandlery services. The crew, accustomed to providing quality luxury service, look for an equivalent level of attention to detail and service from marina staff. They expect:

- At berth fueling – required fuel; high speed pumps
- Shore power – without spikes; variety of voltages
- Waste removal – black and graywater pump-outs on arrival or at every berth
- Fresh food provisioning – delivery or transportation availability; ability to pre-order with delivery on arrival

- Transportation – to private or public airports; airports within the range of the helicopter aboard; courtesy vehicles for crew
- Banking – Wi-Fi on shore free

Between owner visits or charters, the vessel requires maintenance. In some cases, emergency repairs are critical while the owner is enjoying the destination. The best marinas have the competencies necessary to address repair needs without looking like a shipyard or industrial port. Design and setting work to camouflage the service delivery.

Services are required seven days a week and include:

- Travel lift
- Bottom cleaning, prop work, general repairs, painting
- Engine mechanics
- Electricians and air systems servicemen
- Craftsman (wood and bronze) available
- Electronic and IT services
- Vehicle rental and parking
- Accommodations for crew

In many locations, the largest of the megayachts were relegated to a commercial dock or anchored out. That was until the recent move towards establishment of destination marinas. The destination marina trend is an effective way to provide more than just a 'parking space' for megayachts. They were intended to offer a full range of high calibre services while preserving the experience of an exclusive destination. The best of the marinas meet these challenges. ●

* **Rupert Connor** is President of Vectra Holdings, a marine venture capital company with interests in professional yacht crewing (Luxury Yacht Group LLC), high quality uniforms (iDwear LLC) and marine logistics and supply (Vectra Marine Supply LLC). Offices in the USA, France, New Zealand and the UK.



The bridge of a 240' Yacht at sunset.



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The Caribbean – Ideal for registration of megayachts



By Bertrand Smith*

The economic potential of the yacht industry has largely gone unrecognized by governments in the Caribbean region. The focus has been on cruise tourism.

The Caribbean plays a major role in the global yacht industry. Not only is the region a leading yacht charter destination, it also claims the top jurisdictions for the registration of super yachts and mega yachts in the world. This has been borne out in a recent study commissioned to determine the economic impact of mega yacht related activities in Florida.

The study revealed that a visiting mega yacht contributed \$488,000 in revenue to South Florida with annual revenues of \$370 million associated with maintenance and repair services and brokerage and charter commissions. Yet, only few Caribbean countries are capitalizing on this trend by investing in the mega yacht marina and repair segment of the industry with the prospects of huge rewards in the near future.

The yacht industry can be loosely classified into three inter-connected sectors:

1. **technical (involving construction, repairs and maintenance activities);**
2. **private law (including registration, chartering, insurance and finance); and,**
3. **destinations (incorporating marina development, attractions and support services).**

The terms ‘superyacht’ and ‘megayacht’ have been used interchangeably and the definitions attributed to each category continue to evolve for these increasingly large yachts, some carrying multiple helicopter pads and submarines in addition to spacious and on-board exquisite facilities. The Superyacht Intelligence agency defines a superyacht as having a length over all (LOA) of at least 30 metres (98 feet) although the International Superyacht Society categorizes superyachts as those yachts whose lengths exceed 24 metres (80 feet).

The term megayacht was introduced in the last 15 years and had been described by some in the industry as a yacht, which has a LOA of 90 metres (200) feet or more. It is said that the next fashionable term for



very large yachts will be gigayacht, which would apply to vessels larger than 100 metres (328 feet).

COMPLIANCE

The United Nations Convention on the Law of the Sea requires that all vessels (including yachts) have a nationality when operating on the high seas and that states should grant nationality to vessels entitled to fly their flags. These ‘flag states’ have the authority and responsibility to ensure that yachts comply with local and international regulations governing construction and safe operation of yachts; the competence of the crew; compliance with environment protection standards; and, latterly, adherence to international security and anti-terrorism measures.

Most flag states have adopted safety codes to govern the operation of yachts flying their flag. However, a yacht will also be required to comply with international conventions adopted by the IMO, depending on length (usually 24m and over), size (which is usually measured by determining the gross tonnage), or capacity (whether it is carrying 12 or more passengers).

ENVIRONMENT PROTECTION

The applicable international conventions include the International Convention on the Safety of Life at Sea and the Load Lines Convention, which regulate the safety and security of the yacht. The International Convention on the Prevention of Pollution from Ships (MARPOL) regulates the discharge of oil, sewage, garbage; and, air pollution from yachts.

The Wider Caribbean Region was in 1991 declared a Special Area under Annex V of the MARPOL Convention. The convention regulates the discharge of garbage in the sea and yachts are prohibited from discharging any form of garbage, except food waste, when closer than 12 nautical miles from nearest land.

Yachts are also required to comply with the North American Emission Control Area (ECA) which came into operation in January 2015. The ECA requires vessels operating in U.S. waters or within 200 nautical miles from the US coastline and that of its territories in the Caribbean to burn fuel with low sulphur levels.

CHOOSING A FLAG

Yacht owners when choosing a flag will not only be influenced by the ability of the flag state to ensure compliance with the international regulatory framework but also the confidentiality laws and tax related advantages provided by the jurisdiction. Customs duty and value-added tax (VAT) rules will also affect the charter prospects for the yacht.

Many yacht owners use bank loans to finance the acquisition of their yachts and the acceptability of the mortgage registration and enforcement laws of the jurisdiction to banks, will also play an important role in the decision to register the yacht under a particular flag.

The Caribbean is the ideal choice for the registration of megayachts. The leading jurisdictions are: the Cayman Islands, Jamaica, the British Virgin Islands, Antigua and Barbuda, Bahamas and Saint Vincent and the Grenadines.

The Jamaica Yacht Registry is averaging over 100% growth in the last three years. This has been due to competitive fees, a cadre of technical staff capable of addressing the safety, crewing and other needs of the yacht owner; and, adherence to International Maritime Organization (IMO) and International Labour Organization (ILO) treaty obligations. The registry

is also attractive to owners having regard to the reciprocal arrangements with the United States which allow Jamaican yachts to remain in the USA for up to one year without being liable to pay customs duty.

REGISTRATION

Yacht registration entails two main activities namely proof of ownership and proof of seaworthiness. Most megayachts are beneficially owned by high net worth individuals who attempt to limit the liabilities associated with the ownership and operation of the yacht by registering a company off shore as the registered owner of the vessel. Establishing proof of ownership involves the review of the incorporation documents of the company as well as the bill of sale (which is the title for the yacht).

Seaworthiness is established by inspecting the yacht and the issuance of safety documentation and a radio licence as well as the certificates required to be issued according to IMO Conventions mentioned previously.

Since the entry into force of the Maritime Labour Convention of 2006, yacht registries also pay keen attention to the living and working conditions of the crew and the seafarer employment agreements and rules (related to hours of work and rest, leave entitlements, medical care and repatriation).

In the case of the Jamaica Yacht Registry on completion of registration, the yacht will be issued a registration certificate which is associated with the nature of its intended operation. A yacht may be issued with a registration certificate to enable it to operate as a private, commercial or private charter. In the case of the private charter registration, the yacht owner will be entitled to charter the vessel for up to 84 days in each year without being classified as a commercial yacht. This allows the owner the freedom to earn revenue from the vessel when it is not required for his own use.

Megayacht registries are a source of revenue for countries, by way of initial and annual registration fees; fees for technical services provided to the yachts/ships; and, company incorporation.

The Caribbean has not fully exploited the very lucrative megayacht marina and maintenance-repair services. These can have a significant economic impact but with a relatively small environmental footprint as compared to the cruise industry. ●

*** Bertrand Smith** is Director of Legal Affairs at the Maritime Authority of Jamaica, the focal point for the IMO, administering that country's international obligations for safety of shipping and marine pollution.

*50 years ago...
We had a dream...
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Starting with nothing but a vision.*

The Point Lisas Industrial Port Development Corporation Limited (PLIPDECO) was incorporated on September 16th, 1966 as an initiative of the South Chamber of Industry and Commerce, when a group of businessmen had a vision for an energy based Estate, linked to a deep-water harbour in Central Trinidad. Fifty years later, PLIPDECO has become a regional player in the Port and Industrial Estate Management Industry.

The Port of Point Lisas is now one of the main containers and general cargo ports in Trinidad and Tobago and handles over 55% of the country's domestic (import and export) container trade and approximately 90% of the country's break bulk cargo. In its thrust to diversify itself, the Port offers the following: Warehouse Services for both Import and Export Cargo that are Less Than Container Loads (LCL) and will soon launch a Full

Container Load (FCL) Service for customers who are in need of a warehouse facility for the unstuffing and short term storage of cargo. Other services include Direct Delivery of Cargo, a Demurrage and Detention Collection Service, an Express Processing Service and Bunkering of Vessels alongside berth.

The 860 hectare Industrial Estate is the most mature downstream natural gas complex in the Western Hemisphere and is a core driver of the economy contributing significantly to the GDP of Trinidad and Tobago. Home to over 100 companies, the Estate houses major players in the downstream energy sector that manufacture products in global volumes ranging from

ammonia, methanol, urea and steel. Other players on the Estate include light manufacturing and support service type industries.

The Corporation actively seeks to further position itself on a path of growth and sustainability, through planned expansion of the Port and Industrial Estate. In keeping with its Vision to be "A global leader in Port and Estate Management ..."
PLIPDECO will continue to seek

ways to increase shareholder value and meet and exceed customer expectations by providing a range of valued added, innovative services.

In commemoration of this significant milestone, the Corporation would like to thank all its stakeholders for their contribution to its success and look forward to an even brighter and exciting future.

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Barbados 50

Putting Barbados in global yachting

By Kenneth Atherley*

As part of the suite of events marking the 50th Anniversary of that country's Independence, the Barbados Tourism Marketing Inc. and Barbados Port Inc. have partnered with the international boating sector for the Barbados 50 yacht race.

Starting in London on July 31, 2016, the route touches a total of 18 ports: in Spain, the Canary Islands, and eastern Africa including Senegal and The Gambia, the Cape Verde Islands; and, after challenging the mighty Atlantic Ocean, the competitors sail into Barbados near the end of November to celebrate the 50th Anniversary of Barbados Independence. Those who complete this odyssey would have sailed about 7000 nautical miles of the Atlantic Ocean (see Figures 1 and 2).

Barbados 50 is being organised by Cornell Sailing Events, a British company owned by Jimmy Cornell. The company specializes in round-the-world and ocean-crossing rallies for sailing yachts. Local support is spearheaded by Senator Peter Gilkes. He has been charged by the Government to expand the country's market space in international yachting.

Barbados is expecting legacy benefits which will further increase the country's profile in international yachting and place it firmly on the global yachting calendar. Berthing facilities in the Bridgetown port have been upgraded and the inner



The Shallow Draft.



Figure 1

Leg	ETA	Distance N. Miles
London – Falmouth (Pursuit1)	Sunday 31 July	350
Falmouth – La Coruña	Sunday 7 August	430
La Coruña – Porto	Sunday 14 August	145
Porto – Lisbon	Saturday 20 August	150
Lisbon – Arrecife (Lanzarote)	Thursday 25 August	630
Option 1: Lanzarote layover*	1 – 26 September	
Option 2: Canaries Odyssey	4 – 25 September	
Lanzarote – Morro Jable (Fuerteventura)	Sunday 4 September	70
Morro Jable – Las Palmas (Gran Canaria)	Wednesday 7 September	60
Las Palmas – Santa Cruz de Tenerife	Sunday 11 September	55
Tenerife – San Sebastian (La Gomera)	Thursday 15 September	75
La Gomera – Santa Cruz de La Palma	Monday 19 September	55
La Palma – Puerto de la Estaca (El Hierro)	Saturday 25 September	50
El Hierro – Dakar (Senegal)	Wednesday 28 September	790
Lanzarote – Dakar	Tuesday 27 September	880
[Cruise2 Senegal/Saloum River Delta**]		
Dakar – Banjul (Gambia) (Pursuit)	8-12 October	100
[Cruise Gambia River**]		
Banjul – Palmera (Sal – Cape Verde)	Saturday 22 October	430
[Cruise Cape Verde Islands]		
Mindelo (São Vicente – Cape Verde) – Bridgetown (Barbados)	Thursday 10 November	2020
Total Sailing		6290

* Lanzarote layover: Participants who prefer to either spend longer in Lanzarote to prepare the boat for the continuation of the voyage, or leave their boat and return home, may forego the three week cruise among the Canary Islands and join the African leg starting from Lanzarote on 27 September.

** Subject to safety considerations

¹ Pursuit: boats start on their own and not in a group.

² Cruise: Participants explore the area on their own.

SOURCE: Cornell Sailing Events 2016

Figure 2



The Careenage.

Careenage can accommodate 20 to 30 vessels in that city-centre location. Indeed, some of the participating yachters have signalled an intention to stay in Barbados through December and into the new year, a benefit for local tourism.

In addition, Barbados Port Inc. has invested over US\$1 million to expand the berthing facilities in the Shallow Draught, giving yachtsmen direct access to the west coast of the island. This Shallow Draught facility is capable of handling 30 vessels (local residential and commercial vessels) and will house the regulatory agencies, including Customs and Immigration, to facilitate the clearing of yachts into the country. The facility is also equipped with water, electricity and access to services for pumping out sewage and liquid wastes. Of course, Wi-Fi will be available to facilitate global communications.

Barbados will be working with the Port of Tenerife in a Sister Port Agreement to improve and expand cruise and yachting business.



The Port of Tenerife is one of the ports of call in Barbados 50. The agreement promotes collaboration in development of itineraries for future Atlantic yacht crossings; the sharing of information on cruise tourism and marina/port

development; and, addresses security issues common to tourist-centred ports. ●

* **Kenneth Atherley** is Divisional Manager, Corporate Development and Strategy, Barbados Port Inc.





Anguilla Another piece of paradise



Across a narrow channel on the north side of St. Martin is another piece of paradise, the island of Anguilla.

A British Overseas Territory in the Eastern Caribbean, Anguilla comprises a small main island and several offshore islets. It is a perfect haven for yachtsmen seeking nature's perfection and serenity. Anguilla has some of the best beaches on planet Earth and its tropical vistas are extraordinary.

In the past, tourism planners in Anguilla resisted integrating cruise tourism in the general tourism product, primarily to allow upscale

tourism to develop and flourish. This strategy has evidently been successful as indicated by the quality standards of hotels and resort properties; restaurants; and, generally, the level of service offered by the tourism sector. And, over time, Tourism writers have fallen in love with this destination, writing in superlatives about the tranquility and laid back pace of this gem of an island. Having achieved the objectives of high quality standards, successive governments have ensured that policies for development preserve the positive attributes of Anguilla.

The Anguilla Air and Sea Ports Authority (AASPA) has, in recent times, redefined targets and has reconsidered the approach of exclusion. Whilst large cruise lines are not suited for or are a reflection of the tourism product offered by Anguilla; there are various small luxury cruise lines that are a good fit for the Anguillian product. The AASPA has decided to partner with the Anguilla Tourist Board to promote renewed interest to inform small luxury cruise lines that Anguilla is an ideal destination for their itineraries.

"Anguilla provides a unique market appeal that attracts visitors with high expectations, which is

suited for cruise lines that have models of low volume-high yield per passenger. Various features in Anguilla undoubtedly will continue to cause Anguilla to be selected by market appropriate cruise lines," stated chief executive officer of AASPA, Van Hodge.

He said that, ideally, the quality of service onboard ship should be consistent with what is offered onshore. Noting that effective itinerary planning can create a competitive advantage for cruise lines, he said: "It is for this reason that it may be important for Itinerary Planners to experience the exceptional standards of service that is offered in Anguilla."

Anguilla, in many ways, can be considered a new destination because it provides new experiences for cruise passengers. "For the Caribbean to remain competitive, he said, "cruisers must continue to experience new experiences . . . which are attributes of Anguilla."

Congestion and high volume will continue to be mitigated in the development of Anguilla's cruise and tourism product. The AASPA will continue its policy of collaboration, to identify challenges so as to ensure that the Anguilla experience is developed in a manner that is sustainable, progressing with gradual and consistent growth.

"For the Caribbean to remain competitive, cruisers must continue to experience new experiences ... which are attributes of Anguilla."

"Presently, Anguilla is open to Public Private Sector Partnership (PPP) arrangements that are mutually beneficial, which can be best achieved foremost by both the public and private sectors developing a clear understanding of each other's expectations and objectives," he said.

Anguilla has a rich history. The Anguilla Heritage Museum, the Old Valley Well, the Old Court House, the Wallblake House, the Old Factory and the Pump House collectively preserve an enchanting past and unique stories. There are various opportunities for further excursion development, which include salt picking reenactments. There is also bird-watching of migratory species, from small vessels, at the preserved habitat around the salt ponds of Anguilla.

The service levels for transportation and excursions are already consistent with the upscale services that exist in Anguilla.

The expectation is that Anguilla will establish itself in the cruise sector as a premium niche destination. This will give cruisers the opportunity to immerse in the natural luxuries that it offers.

Meanwhile, luxury yachts continue to enter Anguilla waters, bringing an appreciative upscale clientele to moor in any of its safe and protected coves, islands and marinas like Big Spring Cave, famous for its prehistoric petroglyphs, Little Bay, Dog Island, Prickly Pear Cays, Island Harbour, Lower Shoal Bay, Sandy Island, Barnes Bay and Meads Bay. ●



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Future trends in cruise, yacht and marina development

Yachting providing new opportunities



Fritz Pinnock*



Ibrahim Ajagunna**

By Fritz Pinnock* and Ibrahim Ajagunna**

The popularity of the Caribbean as a cruising and yachting destination is global. Experts point out that the Caribbean is an essential part of the global cruise product, accounting for more than 45% of the world cruise tourism market.

From all indications, the popularity of the Caribbean as cruise and yacht destination will continue to increase. In the period 2008–2014, anticipated growth in the cruise and yacht industry resulted in an exponential demand for mega-size cruise ships and megayachts. This has created a significant demand for facilities ranging from relatively modest upgrading to massive projects creating vast new tourist facilities and marinas.

The design of the mega cruise ships vessels, with all the amenities of an all-inclusive floating hotel, essentially demanded marketing of the shipboard experience as the main selling point for travelers. So, in marketing cruises, ships replaced ports as the cruise destination.

At a recently concluded Seatrade cruise global conference in Fort Lauderdale, experts pointed out that there has never been a better time than now to take a cruise. The claim of the experts is that, in 2016–2017, there will be a record-setting 24 million people taking a vacation by ship. This has led some of the cruise lines to keep launching new ships, itineraries and amenities to lure first-timers as well as repeat guests.

HOT TRENDS

This investment on the part of the cruise lines suggests that new cruise terminals will have to be built. Many of the small countries who are yet to expand their terminals to accommodate mega ships will therefore need to make plans. Six hot trends that are shaping cruising and yachting now and will continue to shape the future are discussed below.

1. Cuba, considered the 'new girl at the dance party' will attract many more cruise lines, including those that are already serving the country. The experts believe that Cuba will enhance the itineraries in the

“The Caribbean is an essential part of the global cruise product, accounting for more than 45% of the world cruise tourism market.”

Caribbean when fully developed but it will take a while for this potential to be realised.

2. River cruising is bouncing back in some parts of Europe. This is a new trend as some cruise lines are taking interest in river cruising. This will see many cruise lines investing in smaller vessels of less than 200 passengers. CroisiEurope, Viking Cruises and Ama Waterways are already in the business of river cruising.
3. Crystal Cruises will expand its product offerings. At the 2016 Seatrade in Fort Lauderdale, Crystal Cruises announced a new megayacht, Crystal Endeavour which will start sailing Antarctica by 2018. The company also announced its Crystal-branded Bombardier Global Express XRS jet, a 12-passenger plane that will be available for charters to and from cruises. The company also announced its plans to add a Boeing 777 and 787 to its fleet of jets in 2017 and 2018, respectively. These initiatives will see the company expanding its market coverage.
4. This is the age of Grail for megayachts: Since the beginning of the 1990s, the number of ultra large yachts has risen rapidly and, increasingly, only yachts above 65 metres (213ft.) stand out among other luxury yachts. Yachts of this size are in most cases built for individual commissions and they cost tens of millions of dollars. This is now changing. Cruise lines operators pointed out at Fort Lauderdale Seatrade that a number of operators are now creating a new category

of small-ship vacations that blend elements of expedition ships and luxury vessels. According to experts, this new development signals an industry-wide shift to attract younger, more active and wealthier travelers. Experts further pointed out that the size of these vessels will make them globetrotters, literally able to travel from pole to pole and all points in between. Their size will allow them to go to ports where there won't be a 3,000-passenger vessel in sight.

5. More and more ships are becoming the destinations. Cruise ships were once considered a mode of transportation to get to a desired destination. Today, a cruise ship offers the experience of a hotel and destination in one. The newest ships are offering unprecedented onboard experiences and amenities. The experience includes Broadway productions, designer shops; zip lining, bumper cars, Wi-Fi, Internet services, surfing, rock-climbing . . . and more.
6. Cruise Volunteerism is getting popular. According to industry analysts, more “volunteerism” cruises are available in 2016 with several ships including excursions to help areas of need around the world. These service-oriented cruises offer a wonderful opportunity to make a meaningful difference in the communities where cruise ships visit and a rare chance to embrace and experience local culture.

Responding to these new trends in cruising and yachting, growth in both markets in the Caribbean has been substantial, for both charter cruises and



bare boating. We (Ajagunna and Pinnock) have previously pointed out that popular cruising grounds are centered in the northern Caribbean and the Grenadines, where a variety of ports of call are within easy cruising distance of each other. For the future, continued growth in both cruising and yachting is expected, paralleling a rising interest in recreational boating in most developed countries.

An important element of the yachting market is the creation of events which help to position a destination. Antigua's Sailing Week, for example, is perhaps the premiere event in yachting in the Caribbean, attracting up to 500 yachts in the month of April each year. Successful attraction of yachting markets provides not only direct benefits to a destination but increases its overall attractiveness as a destination. It also adds to the diversity of a destination's tourism product and, in many cases, becomes an attraction in its own right for land vacationers.

Like the cruise market, the yachting market provides direct and indirect benefits to the Caribbean. It also adds to the diversity and excitement of a

destination's tourism product and creates local business opportunities in a variety of areas ranging from provisioning to yacht repair services. Experts have previously pointed out that, in many islands of the Caribbean, the contribution of the yachting sector may very well surpass that of the cruise ship sector. However, the magnitude of such a contribution appears to be largely unknown or not recognized by government and the public at large.

It is time that governments and the local population recognize the importance of the yachting and earmark more investment funds and resources so as to exploit the opportunities offered by this specialized market. For example British Virgin Islands has a fleet of over 10,000 charter vessels which, cumulatively, has a greater economic impact than that of the seasonal cruise tourism industry.

According to experts, the economic impact of the yacht industry is huge. For example, one yacht supports hundreds, if not thousands, of jobs throughout its lifetime. Industry analysts also pointed out that the overall economic impact of the yacht industry is

only going to continue to grow as analysis indicates a fairly stable industry. Also the order numbers far outdistance the numbers of yachts going out of service. The superyacht industry is set to continue in its path of growth for years to come.

As part of this growth, the super yacht industry will increasingly attract new clients from areas of growing interest. Every Caribbean country has its own unique character – not only its colourful history and culture but also its topography. From the un-spoilt rainforest and black sandy beaches of Dominica; to European-influenced St Kitts, with its old plantation houses and glamorous hotels, all countries have something unique to offer. Exploring the Caribbean by yacht is a wonderful way to appreciate the region and its unique qualities; to again experience a country as the destination. ●

* **Dr. Pinnock** is Executive Director of the Caribbean Maritime Institute

** **Dr. Ajagunna** is Director of Academic Studies, Caribbean Maritime Institute.



Sint Maarten ‘most pleasant and enjoyable’ yachting

We’re boat country!

Sint Maarten has developed into a highly successful multi-purpose destination mainly because it listens to its stakeholders and thoroughly understands their business. Port St. Maarten understands their need for an exceptionally high quality land experience; their need for shore and land excursion revenue; and, their fuel requirements. Indeed, the country aims to become one of the best, most pleasant and enjoyable yachting destinations in the eastern Caribbean.

Sint Maarten is the Dutch half of an island shared with the French Collectivity of St. Martin. This is said to be the smallest island in the world with dual nationality. Covering just 37 square miles, the Dutch side forms the southern half. In the west lies the Simpson Bay Lagoon, a haven for yachting and home to a large number of mega yachts.

The four economic pillars that support Port St. Maarten are cruise, cargo, yachting and real estate.

Sint Maarten has developed into one of the Caribbean’s premier yachting destinations. Its gorgeous waters offer safe anchorage for some of the most exclusive and luxurious vessels in the world and yachting is regarded as a major growth area for this port.

The marine sector of Sint Maarten accounts for more than one third of employment and Gross Domestic Product (GDP). The total direct revenues from the marine sector in 2011 were US\$517 million. This figure includes the impact of the French side on the Dutch side of the island. The 2011 turnover had a direct impact of US\$125 million in added value, equalling 16% of (national) GDP and resulted in more than 3,500 direct jobs.

When the indirect and induced impacts are included, the added value and number of jobs increase by more than 100 per cent, thus creating an added value that is 37 per cent of the GDP and a total number of almost 7,500 jobs, which is 36 per cent of the workforce of Sint Maarten.

According to an Economic Impact Study for the marine sector of Dutch Sint Maarten, the impact of the marine sector on the economy is divided into the subsectors: cruise, yachting, cargo and



Dr. A.C. Wathey Cruise and Cargo Facility, Point Blanche, Sint Maarten.

ferry. Together, these create a total added value of US\$291 million.

Port St. Maarten has various marine related subsidiaries that together have the objective of safeguarding its competitive position as a top marine tourism/transshipment destination.

SIMPSON BAY LAGOON

The Simpson Bay Lagoon is a vast enclosed area of relatively shallow water on the western side of the island with a narrow strip of land separating it from the sea on three sides. It straddles the border between Dutch Sint Maarten and French St. Martin and is a haven for yachts and mega yachts. On the Dutch side, there is one lifting bridge to allow vessels out into Simpson Bay and the open sea.

The responsibility for managing this stretch of water, as well as operations of the bridge, lies with the Simpson Bay Lagoon Authority. A subsidiary of Port St. Maarten, its main focus is to enhance and improve the environment of Simpson Bay and the lagoon.

The Simpson Bay Lagoon houses the main facilities for yachts. The Dutch side of the island has most of the major marinas as well as a wide range of service companies and suppliers. Anything a captain or a ship needs can be found in Sint Maarten. As one source stated: “we’re boat country!” More than ten marinas can provide provisioning stores, sail makers, boat builders and chandlery. Haul-out services are available at various locations with three travel lifts with 75 to 150 ton capacity.

Giga yachts and vessels too large to enter the Simpson Bay Lagoon can be catered to elsewhere, including at the designated windjammer berths next to the Dr. A. C. Wathey Cruise and Cargo Facility in Great Bay. Depending on the cruise ship schedule, large yachts can berth alongside cruise pier one or two.

Fuelling services are available to giga yachts in Great Bay. A fuel station has been built at the windjammer berth. In 2011, Port St. Maarten



Cruise vessels moored at Cruise Pier 1 and 2 at the Dr. A.C. Wathey Cruise and Cargo Facility, Point Blanche, Sint Maarten.

established a subsidiary, St. Maarten Harbor Fuelling Company NV, to operate this facility and to handle all refuelling operations. The fuel station was established solely to handle mega yachts that are unable, due to depth restrictions, to enter the Simpson Bay Lagoon. Three 20,000-litre tanks allow for delivery at the berths. Larger volumes can be delivered by road tanker.

The fuel station is already proving so successful in delivering millions of litres of fuel to mega and giga yachts of the rich and famous that an upgrade is planned in the near future. The fuel station also supplies cruise vessels and all cargo vessels.

The objective of the Simpson Bay Lagoon Authority is to ensure that Sint Maarten is one of the best, most pleasant and enjoyable yachting destinations in the eastern Caribbean. The Authority is also the driving force in the development of economically and environmentally sustainable and durable yachting tourism in Sint Maarten. ●



One of many mega yachts that enter the Simpson Bay Lagoon every season.



Bermuda hosts Americas Cup 35

By Mike Jarrett

It was great news for Bermuda in December last when it was officially announced that the country had won its bid to host Americas Cup 35. In so doing, Bermuda has become only the sixth country in history to host the world's oldest international sport event. The other five are the USA, Great Britain, Australia, New Zealand and Spain. Indeed, the Americas Cup is older than the modern Olympic Games.

Bermuda came out ahead of three other venues that had put in bids. Newport, San Diego and Chicago would have been caught by surprise at the announcement not only because Bermuda seemed to offer so much less for this global event; the defending champion is the USA team.

So, why Bermuda? It is small in size; has relatively little by way of visitor accommodation; and, located a remote 600miles from everywhere.

Well, to begin with, Bermuda is steeped in sailing tradition. And, for more than a century has been involved in international yacht races. The biennial Newport Bermuda Race has been going since 1906. According to one account, in 1906 there was consensus around the idea that insanity best described any venture that had amateur sailors racing offshore in boats smaller than 80 feet. Thomas Fleming Day, editor of *The Rudder* magazine, apparently disagreed that sailing was inherently dangerous and initiated an ocean race from The Brooklyn Yacht Club in New York Bay down to the Royal Bermuda Yacht Club.

Andy Rice, writing in *BOAT International* (January 8, 2015) proffers six reasons:

- Bermuda has space for teams to be based side-by-side, thereby creating a Cup Village buzz.



Pomp, circumstance and glee marked the launch of the event and the arrival of the America's Cup in Bermuda.



(He noted the risk in larger cities where teams are distant from each other the local population does not even know that the event is taking place.)

- Bermuda can be developed to accommodate America's Cup tourists

- Bermuda offers a more exciting America's Cup race course
- Bermuda offers great sailing conditions
- Bermuda's time zone is well-suited to international media coverage
- Bermuda is an offshore tax haven





The Americas Cup arrives.



A civic welcome in Hamilton for participants in the ceremonial launch of the event.



Regardless, the people of Bermuda are celebrating and the organizers of the event appear happy with their choice. And the Premier of Bermuda, Michael Dunkley, has laid out the welcome mat for visitors and diehards travelling the world over to see some skillfull sailing inside Bermuda's Great Sound and to cheer on Artemis Racing (Sweden), Emirates Team (New Zealand), Oracle Team (USA), Land Rover BAR (UK), SoftBank (Japan), Groupama (France).



2017 EVENTS IN 35TH AMERICAS CUP – BERMUDA

- May 26-June 12: Louis Vuitton America's Cup Qualifiers & Challenger Playoffs [Provisional], Bermuda.
- June 17-18: America's Cup Match presented by Louis Vuitton [Provisional], Bermuda.
- June 21-22: Red Bull Youth America's Cup Finals [Provisional], Bermuda.
- June 24-27: America's Cup Match presented by Louis Vuitton [Provisional], Bermuda. ●



WHAT IS THE AMERICAS CUP? An old story

As the story goes, in 1851 a schooner came out of the afternoon mist and swiftly sailed past the Royal Yacht stationed in the Solent, between the Isle of Wight and the south coast of England. Queen Victoria was watching the sailing race. As the schooner, named *America*, passed the Royal Yacht in first position and saluted by dipping its ensign three times, Queen Victoria asked one of her attendants about who took second place.

"Your Majesty, there is no second," was the respectful reply.

That phrase, 'there is no second', has come to be regarded as the best description of the America's Cup and its rigorous and unrelenting pursuit of excellence.

The yacht *America*, representing the young New York Yacht Club, went on to outclass the best the British could offer and won the Royal Yacht Squadron's 100 Pound Cup. This victory symbolised a historic triumph for the new world over the old. It is said that the victory did much to reduce Great Britain's claim to being the world's undisputed maritime power, much in the way of West Indies first Test cricket victory against England.

The trophy went to the still youthful democracy of the United States of America and remained there for more than a century.

After the *America* won in 1851, the New York Yacht Club ownership syndicate sold the celebrated schooner and returned home to New York as heroes. They donated the trophy to the New York Yacht Club under a Deed of Gift, which stated that the trophy was to be "a perpetual challenge cup for friendly competition between nations." The trophy was named after the schooner and was called the Americas Cup.

The America's Cup is regarded as the most difficult trophy in sport to win. In more than 160 years only six nations have won it.

— Mike Jarrett

A 'RARE AND SPECIAL' CRUISE EVENT

A neat event for Caribbean cruise business happens in St. Maarten two days after Christmas this year. Celebrity Cruises has announced that four Celebrity ships will converge at the main cruise pier on December 28 for a spectacular Demi Lovato concert. The award-winning singer and songwriter Demi Lovato will be performing in what Celebrity Cruises promises to be "a lavish and festive event" which will give Celebrity Cruises guests the chance to dance the night away against an unforgettable Caribbean backdrop.

For the one-time Celebrity Cruises event, the four ships will come together and dock at St. Maarten, a very rare and special occasion in the cruise industry, the company stated. The ships offering the Demi Lovato concert are *Celebrity Equinox*, *Celebrity Eclipse*, *Celebrity Summit* and *Celebrity Reflection*.

"We're also offering a special meet-and-greet with Demi, a truly unique and unforgettable experience that only Celebrity can provide. We can't think of a better way for families to celebrate the holidays and prepare for the New Year than enjoying



Demi Lovato concert in St. Maarten ... four cruise ships to converge for the event.

a one-of-a-kind concert in St. Maarten combined with a modern luxury cruise. This is what makes us so distinct," said Lisa Lutoff-Perlo, President and CEO of Celebrity Cruises.

For guests booking the specific sailing on any of the four cruise ships can buy the different type of tickets including VIP. Regular tickets cost \$100 and VIP tickets cost \$300 and they are sold on a first come, first serve basis. •

MONTEGO BAY EXPANDING CRUISE FACILITIES

A project US\$100 million to upgrade Montego Bay's cruise port's Terminal 1 will add 30,000 sq. ft. of space at berths 5 and 6 as the cruise port moves to re-position itself as a cruise ship destination. William Tatham, vice president of cruise and marina operations at the Port Authority of Jamaica, revealed in an interview with Sean Dudley,

published in *Cruise and Ferry*, (September 13, 2016) that the upgrade will include central air conditioning and emergency electrical generators; addition of a mezzanine floor to expand seating; installation of 20 check-in desks and expanded seating accommodation for 160; new lighting and new flooring; and a new shopping arcade with souvenir stores and restaurants.

About 40% of Montego Bay's cargo terminal will reportedly be converted to cruise operations to form the new Terminal 2. This will create capacity for some 14,000 sq. ft. of additional space and two check-in desks. By next year the entire terminal is expected to be dedicated to cruise, with high-end shops, fine-dining restaurants and entertainment. •

GAYMAN ISLANDS SPONSORS DESIGN AWARD



Cayman Islands Shipping Registry and Wright Maritime Group have joined to co-sponsor a new and prestigious award being inaugurated by the International Superyacht Society (ISS). The ISS has developed the PYC Design Award. This award recognizes the extraordinary achievement of designers and builders in complying with challenging restrictions under the Passenger Yacht Code (PYC) while also creating incredible lifestyle designs using exotic materials and unique construction techniques. The PYC Design Award, with judging criteria provided by

one of the authors of the Code, joins ISS's other seven prestigious design awards, including: 24-40m power, 40-65m power, 65m+ power, 24-40m sail, 40m+ sail, best interior and best refit. Nomination timeline eligibility for the PYC award will be based on that of all ISS design awards, currently May 1 through April 30 of the following year. However, the ISS's Board of Directors decided that, because 2016 is the first year for this award and only a small number of yachts have been built to PYC specifications, it will include all PYC yachts delivered up to and including 2016. •

LEGEND DEPARTS

Royal Caribbean announced at the end of May that the *Legend of the Seas* will leave its fleet in 2017. After a final sailing in March next, the 1,832-passenger vessel will go to Britain's Thompson Cruise. It joined the Royal Caribbean fleet in 1995 and was then one of the biggest ships in the cruise ship business. It has since been overtaken and surpassed in size, capacity, efficiency and amenities by the megavessels of the 21st century. At 226,983 tons, Royal Caribbean's new *Harmony of the Seas* is more than three times larger. *Splendour of the Seas*, another Vision-class cruise ship, departed the Royal Caribbean fleet just weeks before. That 20-year-old ship is also moving to Thompson Cruises. With these two departures, Royal Caribbean currently has 24 vessels. •



SHIPPING IN CRISIS?

The Economist (Sept. 10, 2016) finds a storm of crises in cargo shipping, revealed by this summer's collapse of South Korea's Hanjin Shipping on August 31.

- Hanjin's bankruptcy action left 66 ships with \$14.5 billion of cargo, stranded, with ports around the world, including Tokyo, refusing berthing or fear of not getting paid.
- Of the 12 largest shipping companies that published results for the 2nd quarter, 11 announced huge losses; several teetering on the edge of bankruptcy; three Japanese firms – Mitsui OSK Lines, NYK Line and Kawasaki Kisen Kaisha – look vulnerable, with co-called 'activist investors' now pressing for them to merge so as to avoid the same fate as Hanjin.
- France's CMA CGM, the world's third-largest carrier, announced a substantial first-half loss on September 2.
- Maersk Line, the industry leader, and the largest firm within A.P. Moller-Maersk, a family-controlled Danish conglomerate, will be in the red this year, having lost \$107m in the six months to June.
- The industry could lose as much as \$10 billion this year on revenues projected at \$170 billion. •

PORT EXPANSION STALLED IN TRINIDAD

Trinidad and Tobago's Trade Minister has gone public in stating that the planned expansion of the Port of Port-of-Spain will not be completed in time for

the opening of the new Panama Canal locks. Minister Paula Gopee-Scoon told the country's journalists (reported Guardian news business section, June 11, 2016): "We are not quite

ready for the new Panamax-sized vessels. The draft and capacity of these vessels are enormous and some of the ships will definitely not be a fit for our berths." •

ST. KITTS FUELS SUPERYACHTS

There have been moves afoot to establish Christophe Harbour in St. Kitts as a superyacht hub and further steps were taken towards this objective with the announcement this year of plans to establish a fuel farm. The capacity of the tank is 48,000 US gallons. The facility will allow vessels of up to 85 metres in length to conveniently

refuel and at a cost of approximately ten cents less per US gallon than the local average. Significant steps towards this national goal were taken recently with the development and opening in February 2015 of the marina at Christophe Harbour. That US\$100 million infrastructure development established St. Kitts as a significant Caribbean superyacht home port.

Listed among the fuel farms facilities are: high-end hydrant connection and nozzle dispensing options; a state-of-the-art leak detection system with remote monitoring technology; automatic in-tank water intrusion detection system; and, a unique online dual-filtration system at the pump manifold for diesel vessel deliveries. •

GMI RECEIVES FURTHER ACCREDITATION



The Caribbean Maritime Institute (CMI) now has universal accreditation for all its programmes by way of the Accreditation Service for International Colleges (ASIC).

Accreditation from ASIC is at the institutional level and extends to all programmes, including logistics, engineering, customs processes, freight forwarding and immigration, marine transportation and engineering, security administration and management and other customized industry programmes.

ASIC is an “independent, government approved accreditation body specialising in the accreditation of schools, colleges, universities, training organisations and online and distance education providers, both in the UK and overseas. Our process examines the institution as a whole, including administration systems, teaching and delivery of courses, to ensure that the required standards are being met.” [asic.org.uk]. It provides accreditation for universities, colleges, schools, training organizations and online distance education providers.

MULTIPLE ACCREDITATION

The CMI prides itself on producing competent graduates who are trained to be leaders in the shipping, maritime and related industries.

As such professional certification is afforded to all students to assist them to transition seamlessly to the world of work. Dr. Fritz Pinnock, Executive Director said: “... all of our degree programmes are underpinned by professional bodies worldwide, and that we will continue to do. We cannot have a single-type tertiary-education system, as it is about niche markets, collaborating with other institutions, greater integration and people moving across the tertiary-education sector and developing skills and competence along the way that they can utilise.”

In addition to ASIC, the CMI has accreditation from the Chartered Institute of Logistics and Transport (CILT) for all logistics programmes and accreditation from the University Council of Jamaica (UCJ) for Associate degree programmes in engineering and logistics.

ACCREDITATION PROCESS

ASIC accreditation takes a detailed look at the whole institution and considered many different factors including the health and safety of the premises, the resources available to staff and management, the delivery of the course material, the welfare of the students, the qualifications and awards offered by the institution and the marketing and student recruitment procedures. Each of these areas are graded and considered when deciding whether or not to award accreditation.

In its report to the Institute, the accreditation body highlights that CMI is deemed a premiere ASIC institution with commendable operational practices. The process continues after initial approval and assists the organization to grow its programme and develop its capacity to produce on a sustainable basis. According to ASIC’s online corporate message they “... understand that quality assurance is a continuous activity, and we are here to help our school, college and university partners in their constant pursuit of excellence.” •

STROMBERG FIRST HEAD OF LAMAR'S CENTER FOR ADVANCES IN PORT MANAGEMENT

Lamar University in Texas has appointed industry expert Erik Stromberg the inaugural executive director of its Center for Advances in Port Management. No stranger to PMAC, Stromberg took up his appointment in the Spring of 2016, shortly before attending the PMAC annual general meeting in Nevis.

Erik Stromberg brings decades of experience in public ports to the new position. A consultant in port management, he served as CEO of the American Association of Port Authorities (AAPA) for nearly a decade and as head of the North Carolina State Ports Authority for 10 years.

Commenting on the role to be played by the Lamar Center for Advances in Port Management, Stromberg said: "There are simply too few academic institutions in the U.S. that address port management. The effort to successfully marry

Lamar University's resources with industry experts to educate and place students in the port and terminal industry is profoundly important."

It offers a comprehensive on-line programme focused on the needs of the port and marine terminal industry in filling next generation leadership and cutting-edge research needs. The goal is to fulfill the human resource training and research needs of ports and marine terminals, large and small, across all functionalities and geographies. Kurt Nagle, AAPA CEO, is of the opinion that "... the Center will fulfill our industry's long-standing dream of having an academic venue to gain both the theoretical and practical knowledge that will well prepare the next generation of port managers."

Courses are offered through a partnership between Lamar's colleges of Business and

Engineering. The online, digital learning platform provides a flexible, tech-savvy education for working professionals who can take classes from where they work and live. The Centre will offer masters degrees as well as more specific certifications in port and marine terminal management; and, port management concentrations in conjunction with a Masters of Business Administration or a Masters in Engineering Management.

Lamar University has a total student population of over 15,000. •



Erik Stromberg

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Brexit causes confusion, even in the Caribbean

BY CANUTE JAMES*



The decision by the majority of British voters to support the country's divorce from the European Union has caused significant confusion in the UK and in the Caribbean. Former UK prime minister David Cameron's political career was ended by a result he clearly did not expect. But, there was confusion also among the leaders of the "Leave" movement. Boris Johnson and Nigel Farage could not deliver any coherent policy to address a result that they, too, appeared not to expect.

The first reactions in the Caribbean to the historic 2016 Brexit vote concerned the economic ties with the European Union and with the UK. These links

have developed as a consequence of the region's colonial history and have been structured and formalised in a series of trade treaties such as the Yaoundé Agreement, the Lomé Convention, the Cotonou Agreement and the Economic Partnership Agreement (EPA).

The result of the UK's June 23 referendum has also allowed the appearance of ghosts of the Caribbean past. Latent and doubtful sentiments about regional cooperation have been given voices that have suggested that perceived difficulties can be resolved only by abandoning struggling efforts at regional economic cooperation. They suggest that,

like the UK's decision to leave the EU, members of the Caribbean Community (Caricom) should seek to become independent of the group.

A former foreign minister of Jamaica, Oswald Harding, argued that his country's links with Caricom should be decided by a referendum, rather than by politicians. He referred to the debate about Jamaicans having difficulty entering some Caricom countries as a violation of the free movement of people agreement which, he said, is a fundamental part of Caricom.

Another former Jamaican foreign minister, K.D. Knight, said a referendum is not the method that should be used to determine continuing

membership of Caricom. These issues, he said, should be determined through diplomacy.

Considerations and re-considerations across the region are, perhaps, inevitable, given its history of efforts at cooperation and collaboration: from the attempt at a political federation, through the continuing debate about the Caribbean Court of Justice, to the apparent abandoning of the move towards a single economy with the concentration instead on achieving a single market.

Rather than creating doubts over the prospects for regional economic and functional cooperation, the Brexit vote can be to the Caribbean's advantage, argued University of the West Indies vice chancellor Sir Hilary Beckles.

"Every aspect of Caribbean life will be adversely affected by this development: from trade relations to immigration; tourism to financial relations; and, cultural engagements to foreign policy," he said.

"Caricom should use this development in order to deepen and strengthen its internal operations and external relations to the wider world. It is a moment for Caricom to come closer together rather than drift apart. The region should not be seen as mirroring this mentality of cultural and political insularity but should reaffirm the importance of regionalism within the global context for the future."

Given the history of trade and other economic relations between the Caribbean and the EU, it is inevitable that the more immediate assessment of the Brexit vote has been focused on these aspects. But the uncertainty about the likely impact is compounded by the absence of a known schedule for the UK and the EU to negotiate the disengagement.

"The master agreement with the EU will remain in place, including with the UK, until the divorce terms have been settled and, who knows, they may fall in love again," said the Inter-American Development

"Caricom should use this development in order to deepen and strengthen its internal operations and external relations to the wider world. It is a moment for Caricom to come closer together rather than drift apart."

Bank's regional economic advisor for the Caribbean, Inder Ruprah. "Uncertainty always has a negative impact on economic growth and economics in general but we are talking about two years, three years, four years before any kind of negotiation could go ahead."

The EU is not the region's major trading partner, although the UK market is important to the Caribbean, said the University of the West Indies' pro vice chancellor for global affairs, Richard Bernal. "The negotiations for the exit are likely to take several years which means the EPA remains in place. Built into that agreement are various institutional arrangements to review and recalibrate the agreement. When the UK does in fact leave that agreement, I see no reason why the agreement has to be renegotiated. Britain has dropped out and will not be applying it."

Former prime minister of Jamaica, Bruce Golding, is also downplaying an immediately negative economic impact on the Caribbean from the Brexit decision. The region's trade with Europe has been "anemic," he said. "In any event, most of the agreements we have signed are with the EU and not Britain. And these should not be

adversely affected." New agreements may have to be negotiated with the UK, he said. "Even with Haiti and the Dominican Republic included in Caricom, we are a small economic space and so we have to look beyond to Latin America to get the critical mass needed to be a real force."

But the real impact of the Brexit vote on the Caribbean will also be determined by the performance of the British economy. Already pensions and private remittances from the UK to the Caribbean have been depressed because of the devaluation of the British pound. A weaker pound will also deter UK tourists holidaying in a region in which hotel rates are denominated in US dollars.

And inevitably some sectors will fare better than others. Guyana's gold industry is reaping benefits of higher global prices as uncertainty is driving investors to the safe haven provided by the metal. •

*** Canute James**, PhD, Adjunct Senior Lecturer and former Director of the Caribbean Institute of Media and Communication (CARIMAC), Mona Campus, University of the West Indies, was a reporter for the *Financial Times of London* and radio reporter, presenter and producer in London, England for the *BBC*.

The challenges we face

BY RAMON HUSEIN*



Climate change has become one of the buzzwords in the Caribbean development sector however, while there is certainly a lot to be said about this global phenomenon, there is little translation of the rhetoric into action to support sustainable infrastructural development in the region. Unfortunately, this lack of critical guidance reflects the status quo not just in the area of port development but also in drainage, highways and transport, housing, utilities and more.

It is against this backdrop of the growing threat of climate change and a lack of clear guidance on how to adapt that PORTSIDE CARIBBEAN, HE&W Consulting and PMAC have teamed up to continue to plug information gaps on this subject. Through this series of articles, we hope to help Caribbean port managers to better understand, pre-empt and adapt to the anticipated effects of climate variability and change, including sea level rise, increased storm intensity and more extreme urban and coastal flooding. Our aim is to show that there is a path towards climate-resilient port infrastructure in the Caribbean, which makes sense for our development goals and the unique challenges we face.

Ports play a vitally important role in any economy but perhaps more so in small-island states where national economies are disproportionately reliant on foreign trade and tourism. It is no secret that our ports are our primary means of integration into the global economy; or that their expansion and development generally lead to greater trade activity, increased foreign revenue inflows and job growth across a range of sectors. What is far less well-known is what steps we can and should take to ensure that our port infrastructure will have the best chance of withstanding the effects of changing climate.

In addition to being disproportionately reliant on foreign trade and tourism for economic growth, the Caribbean is also uniquely vulnerable to the effects of climate variability and change. This is reality requires the right mix of situational awareness, relevant data, and technical and non-technical solutions.

Most projections from the Intergovernmental Panel on Climate Change and other research groups predict permanent changes in climate for our region of the planet, the most significant of which include: sea level rise; increased land, air and sea temperatures; increase frequency of extreme storm events; El Niño Southern Oscillation-induced drought conditions; and, a general change in the seasonal distribution of rainfall. More specifically,

modelling of projected precipitation changes for the region has consistently pointed to an overall trend of less annual rainfall totals; longer dry spells; and, a more concentrated seasonal onslaught of increasingly severe weather systems.

Of course, any one of these systems, in any given hurricane season, may have the potential to wreak serious havoc on our life-sustaining port infrastructure and, in so doing, curtail hard-won advances in economic, physical and social development. What's more, this issue of port resilience in the face of natural hazards becomes further compounded when we consider that these gateways are our principal recourse to relief after the impact of a disaster.

Therefore, as we seek to update our infrastructure to take advantage of a more globalised world and the recently expanded Panama Canal, there is a crucial need to incorporate climate-sensitive adaptation strategies along the way.

SOLUTIONS

Against the backdrop of these challenges, there are a few tested solutions which regional Governments and port managers should implement with urgency. In fact, we should be shifting towards these kinds of data-driven approaches to development as if the very economic survival of our country depends on it. These include the following three steps:

1. Systematic collection of hydrometeorological and climatological data

Reliable information on rainfall, sea levels, wave action and catchment flow are prerequisites for the development of sound climate change adaptation and disaster risk reduction strategies. Without data to confirm and back-up what we know anecdotally, we are left to hope for the best when it comes to long-term plans and designs. While 'better' data may not remove all of this uncertainty, it certainly helps us to more accurately predict changes in the environment over the short, medium and long term.

2. The use of hydrodynamic modelling tools

Technology has empowered today's hydrologists and hydraulic engineers with the capability to model complex hydrological systems before technical designs are finalised and construction begins. In the context of our regional ports, hydrodynamic modelling allows us to assess the combined effects of sea level rise, wave action, urban flooding and storm surge on port infrastructure and operations; and to pre-empt the impact of these phenomena for a range of design options and climate scenarios. In the end, these tools help us to test and lend credence to our plans and technical designs – whether for upkeep and maintenance, port expansion, or the location and construction of new facilities.



3. The use of data and modelling outputs to inform port planning, design and management

Given the right data and the application of robust hydrodynamic models, we can translate the outputs into conscientious, climate-sensitive solutions for sustainable port development and management. This is the crucial third step in a process that, when implemented correctly, can lead to: better asset life-cycle management; the development of multi-hazard resilient designs; tailored hazard mitigation procedures; and Early Warning Systems for a range of hydrometeorological hazards.

These are the basic first steps towards climate-resilient port infrastructure in the Caribbean. I will be taking a much closer look at each of them in subsequent articles in *PORTSIDE CARIBBEAN*.

IMMEDIATELY

Climate change promises to bring with it a potentially disastrous mix of hydrometeorological impacts, including sea level rise, increased storm intensity

“Climate change promises to bring with it a potentially disastrous mix of hydrometeorological impacts, including sea level rise, increased storm intensity and more extreme urban and coastal flooding.”

and more extreme urban and coastal flooding. These spell trouble for Caribbean ports. However, thankfully, there exists a set of industry-tested adaptation measures which we can and should begin implementing immediately.

The way forward includes the use of data-driven approaches to port planning, design and development which take into account the various anticipated impacts of climate change on hydrometeorological hazards and, in turn, the impact of these hazards on port

infrastructure and operations across the region. Over this series of articles, I will be working with the PMAC and *PORTSIDE CARIBBEAN* to share important information on those technical solutions which will help the region and, in so doing, help to create a roadmap towards a new paradigm of climate-resilient port planning. ●

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LEADERSHIP

Transformational leadership

BY FRITZ PINNOCK*



A transformational leader enhances the performance of his followers through a variety of mechanisms. These include connecting the follower's sense of identity and self to the project as well as the organization.

The transformational leader is a role model for followers, inspiring them and keeping them interested. He challenges his followers to take greater ownership for their work and he understands their strengths and weaknesses. He aligns his followers with tasks that enhance their performance.

Her role includes motivating and having his followers share the successes of the organization. Followers need to see the bigger picture and how they can help the organization realize that vision. Therefore, the transformational leader is genuinely committed to the growth of people and includes the role of mentor in her leadership style.

Transformational leadership seeks to change the *status quo* by articulating the problems in the current system and presenting a compelling vision of a new organization. Warren Bennis states that transformational leadership is like beauty. It is hard to define but you know it when you see it. I invite you to follow me on a journey as we reflect on some lessons on transformational leadership from the "inside out" from my own experience.

My first reflection on the struggle of leadership began with a fridge magnet given to me by a friend, which read:

Around here there are three ways of doing things:

1. *The right way*
2. *The wrong way*
3. *Fritz's way.*

The first two are unimportant. Confirmation came sometime after by way of other magnets: "I am not bossy: I just have better ideas" "Boss is always seen as a four letter word because it is always about my ideas".

What became harder is when I asked myself: If it is not my idea then whose idea was it?

A lot of movies portray ideas about leadership through a heroic character. It's usually a leader who is this big hero. He has all the ideas and the big story.

This is not the best way to lead.

In modern society, a transformational leader shares power; puts the needs of others first; and, helps people develop and perform at their highest potential. Transformational leadership is a lifelong journey that includes discovery of one's self; a desire to serve others; and, a commitment to lead. Transformational leaders continually strive to be trustworthy, self-aware, humble, caring, visionary, empowering, relational, competent, good stewards, and community builders. When we look at the characteristics of a transformational leader we

see a lot of what we look for in an effective mentor. We see strong communication and listening skills; and, a realisation that communication is two-way. We see empathy in their understanding of feelings and perspectives. This plays a large role in the understanding of cultural differences. Understanding who you are as a person is a characteristic that effective mentors need to possess and this is a similar characteristic for a transformational leader.

I AM NOT LEADING YOU BUT I AM LEADING MYSELF, LEADING ME

- To go from an entrepreneur to a leader – I used to be a Mr Know it all.
- It is from: I can do it to we can do it too and you can do it.
- It is yours: I am here to uphold you to do the right things.
- If I am going to lead what does that look like?
- If I am not the one doing things for you, often it is just you need to do things my way.
- How am I going to get trust and respect?

I AM GOING TO GET TRUST AND RESPECT BY NOT DOING BUT BY BEING

- Being trusting and trustworthy – that is how people are going to trust me.
- The job of the leader is to hold the WHYS.
- The leader brings and holds the group together. I have to make an agreement – I am not going to get into your way. I need to get my ego out of the way and do the work for the team and not ask the team to work for me. This is a huge flip.

IF I AM LEADING MYSELF I CAN INVITE OTHERS TO FOLLOW

Here is what leading myself sounds like in my head:

- I pass by someone's desk and I hear something
- I go – "Oh no – tell me they are not talking to the customer."
- I can't wait for him to get off the phone.
- I said: "Hey, that's not the way you talk to a customer. This is how you talk to a customer. – showing how I would do it?"

- What I need to think is: How can we build a culture of customer service? That is what I can do.

A JOURNEY FROM HERO TO HUMAN

Leadership is about two half circles – inner and outer. The circle divided in two – the outer you can see and the inner represents the inside portion. The inner journey is what you think and what you feel. Transformational leaders connect the Emotional with the intellectual – the right brain and the left brain.

KNOWING WHEN TO STAND TALL AND WHEN TO SIT DOWN

I need to stand tall when things are not going well. I need to support my team. Like ancient Kings I lead from the front. Transformational leadership identifies your core competency and let the person with the strongest competencies lead. •

* **Dr. Pinnock** is Executive Director of the Caribbean Maritime Institute, Kingston, Jamaica.



Our concern for the environment is more than just talk

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So enjoy this magazine...and KEEP THINKING GREEN.

THE LAW

Maritime Authority of Jamaica explains Legal issues governing operation of marinas

“The onshore services of a marina include the storage of vessels and repairs and liabilities may arise from theft, fire, improper storage as well as damage which might occur during the launch or “haul out” of a yacht by a forklift or crane.”

Marinas are an important component of the Caribbean’s tourism product, in particular the leisure boating segment. They provide services to yachts either as homeport; or as a transient base; or, as a repair facility. In this regard, marinas serve as a hub for employment and economic development.

There are over 800 marinas in the Caribbean. Evenly distributed geographically, marinas of various characteristics and with differing facilities can be found throughout – from Cuba and Jamaica in the north, southwards through the Eastern Caribbean to Trinidad and Tobago and Aruba in the south. The majority of these marinas accommodate small yachts primarily 40-foot monohull sailing yachts, 46-foot catamarans, and 65-foot monohull motor yachts. However, there are only 70 marinas in the region that can cater to the berthing, maintenance and repair needs of the larger and more sophisticated mega yachts currently in operation and on the order books.

Mega yachts will cost in maintenance on average 10% of their purchase price. And, with price tags ranging from US\$10 million to US\$100 million or even higher, the establishment of marinas to serve these luxurious vessels can provide significant economic benefits for a country. It is therefore in the interest of the governments and private sector interests to capitalise on this lucrative segment of the yachting industry.

Puerto Rico has been a ‘first mover’ with the announcement of the new US\$73 million investment in a mega yacht marina and service yard to be built in San Juan, the first phase of which will be completed in 2019. The investment is expected to generate revenues of between US\$200,000 and US\$500,000 per vessel and create approximately about 1,300 jobs.

Although there is no standard categorization, marinas fall into three main groups namely traditional marinas, club marinas and service repair marinas, the latter two linked to yacht clubs and boatyard related services.

Caribbean marinas offer five primary services: (i) wet storage and anchorage; (ii) charter services; (iii) boat servicing, repairs, and chandlery; (iv) accommodation and recreational amenities; and (v) hurricane shelter. [*Economic Commission for Latin America and the Caribbean (ECLAC)*]

Like ports, marinas straddle the interface between the sea and land and are therefore exposed to maritime and non maritime liabilities, dependent on the services each provides and the associated duties and obligations to be discharged.

On the water side, marina operators have a duty to provide adequate moorings and safe berth. This includes maintenance of adequate depth of the water alongside and the management of those aids to navigation over which it has control. Operators may also be held liable for environmental damage arising from discharges from the vessels moored or stored at its facility or from the shore-side tanks and receptacles which collect or hold waste oil, sewage and garbage.

Some marinas in the Caribbean engage in boat rentals and charters. This activity exposes them to personal injury and property damage claims where vessels are negligently operated by its employees or customers.

The onshore services of a marina include the storage of vessels and repairs and liabilities may arise from theft, fire, improper storage as well as damage which might occur during the launch or “haul out” of a yacht by a forklift or crane. On shore liabilities of marinas generally fall under three broad headings: claims in Contract, Tort (negligence) and Bailment.

Marina operators generally enter into contracts for the mooring of the yachts, use of berth slips and for the storage of the yachts. A typical agreement would contain clauses relating to the storage period, mooring location, fees or rent and the standard rules of the marina. A court will look at the terms

of the agreement to determine the obligations and therefore liability of the marina operator and/or its agents or employees.

In addition to setting out its obligations to the yacht owner, marina operators generally protect themselves by incorporating clauses which limit or excluding liability for any losses as well as requiring the yachts to have liability insurance. Indemnification clauses which require the yacht owner to indemnify the marina for any damage to property, injury to third parties resulting or arising from the yacht owner's use of the yacht are also not uncommon.

At common law, only a small category of contracts are required to be signed to be enforceable and some marinas will usually install visible signage which make reference to a standard moorage agreement. The agreement should normally be posted in a conspicuous place in the marina or is otherwise readily available.

Slip rental agreements, which contain exculpatory clauses excluding the marina and its employees from all liability for damage, may also be used. The courts have however held that, to be enforceable, such clauses must be clear and unequivocal; and, will interpret such clauses strictly against the party seeking to benefit from the clause or otherwise limit its own liability, namely the marina operator. The courts have also held that where such clauses are found on the back of contracts and in fine print there must be clear evidence that the clauses excluding or limiting its liability were pointed out to the yacht owner prior to entering into the arrangement.

Marina operators, like warehousemen, are deemed in law to be bailees as they are given temporary possession of personal property for a determinable time without the transfer of ownership. Bailment is an ancient legal concept and as a bailee for reward, the marina operator has a duty to exercise due care and diligence towards the yacht as a prudent owner and to return the yacht in the same condition as when it was received.

A claim in bailment is normally established when the yacht owner proves that he delivered the yacht to the marina in good condition and it was damaged during the time it was in its possession. The liability of the marina operator as a bailee is however not absolute and where it is shown that the owner and his guests have free and unimpeded access to the vessel, the operator would be held not to have exclusive right to possession of the yacht and the claim for bailment would therefore fail.

An operator of a marina has a general duty of care to yachts of its customers and, where this duty



is breached and damage results, will be held liable in negligence. Where clients of the marina suffer personal injury or loss while lawfully using the facilities, the operator may be held liable under the tort of occupier's liability. The marina operator, as the owner or lessee of the marina, would be deemed in law to be an occupier with the resultant obligation to ensure that the premises are safe for the lawful use of its visitors. This duty may also be grounded in statute in the form of the Occupiers Liability Act which has been passed in most jurisdictions in the Caribbean.

Certain claims made against a marina may be treated as a maritime claim based on the nature of the service provided and the marina may be able to take advantage of the provisions of the International Convention on the Limitation of Liability for Maritime Claims – 1976, as amended, provided the treaty can be applied in the jurisdiction where the marina is located. This unique feature of maritime law will allow the marina to limit its liability according to the tonnage of the largest yacht, which called at the marina within a period of five years prior to the occurrence of the damage.

In the 'post 9/11 era', marina operators can be held liable for losses due to security incidents, where it is found that the marina did not comply with the International Ship and Port Facility Security Code (ISPS Code) and the applicable local legislation which implements that Code.

The Code applies to commercial yachts over 500GT. And a yacht is carrying more than 12 passengers would be deemed to be a passenger ship and obliged to comply with the Code. A marina which receives such yachts that arrived after an international voyage would be bound by the provisions of Code and are required to have a port facility security plan and trained port facility security officers.

In addition to having contracts and systems in place to ensure the safety of marina and its facilities most operators protect themselves with marina Operators Liability insurance which provides coverage for loss or damage to the vessels in the care of the marina.

As with any insurance contract, there are activities, which are excluded from the cover and actions of the insured that can void the policy. It is important for the marine operator to carefully examine the policy document to ensure that it is properly covered for claims that could be made against it.

There are substantial economic benefits to be derived from the operations of well-managed marinas, especially those catering to mega yachts. However, operators have to ensure that their employees are properly trained and that there are watertight contracts supported by adequate signage and insurance to reduce the risk of exposure to claims for breach of contract, negligence or bailment. •

THE LAW

Bark but no bite?

States carry the responsibility to implement international conventions

BY DENIECE M. AIKEN*



The Caribbean Sea is important for its aesthetic appeal but also its social, economic and historical significance for the countries which it borders. For these reasons, coupled with the tropical weather and strategic location the Caribbean has more than 45% of the world cruise tourism market. Indications are that this share is expected to continually increase. [Mintel, 2004].

The proliferation of cruise vessels in Caribbean waters demands a high level protection of the Caribbean marine environment to maintain the natural aesthetic of region but also to protect the living organisms and other natural resources. This is responsibility of the Caribbean states.

As member states of the International Maritime Organization (IMO) and state parties to the various international conventions, Caribbean countries have a duty to implement the conventions which they have ratified or to which they have acceded. The legal effect is that the states become bound by the conventions and are therefore obligated to implement them through incorporation of the conventions into the national body of law.

If a state fails to implement a convention it is, nevertheless, subject to it *vis a vis* other state parties. However, it cannot enforce the convention unless the convention becomes part of the law of the land by whatever legal process applicable in that state. [Mukherjee, 2002.] Implementation can take various forms and is highly dependent on the provisions in the state's constitutional law.

One form of implementation is the monistic method whereby an international convention becomes part of domestic law simply as a consequence of the state's ratification or accession to the convention and virtually no legislative action is required. [Jacobs and Roberts, *n.d.*] The monistic method is generally employed by states with a civil law system. For example, the Constitution of the United States provides that a treaty, once ratified, becomes a part of the "...supreme law of the land, and all judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

In states that employ a common law system however, some form of legislative action is required for the implementation of an international convention following its ratification or accession. This legislative action can take the form of the enactment of a new Act of Parliament,

the amendment of an existing Act of Parliament or the introduction of enabling provisions or an enabling legislation. Mukherjee notes that, while the dualistic system prevails predominantly in the United Kingdom and other countries of the Commonwealth, particularly those that follow the common law system, there are several civil law jurisdictions which embrace this method.

IMPLEMENTATION OF MARPOL ANNEX V IN THE CARIBBEAN

According to the IMO, garbage from ships can be just as deadly to marine life as oil or chemicals. The greatest danger comes from plastic. Sometimes mistaken for food by fish and other marine animals, plastics can create other major hazards.

Due to increased dumping waste and other foreign materials into the seas, the IMO introduced a set of vigorous enforcement regulations as an annex to the International Convention on the Prevention of Pollution from Ships (MARPOL). This Annex sought to eliminate the amount of garbage being discharged into the sea from ships.

The Caribbean marine environment generates annual tourism revenues of about US\$105 billion and is said to provide employment for some 300,000 within the fishing industry, hence regulation of the environment should be a top priority for the Caribbean [Young, 2016]. Interestingly, of the 12 Caribbean states that have ratified MARPOL Annex V, only four have completed the implementation process. This is cause for concern. It ultimately means that, should there be dumping from vessels within Caribbean waters outside of the areas of jurisdiction of the four implementing states, the remaining states will be unable to take enforcement actions under the convention.

Lack of implementation comes as a result of a number of factors that vary from state to state. And some have hinted that a unified approach to implementation and enforcement between Caribbean states would quickly and effectively fill the implementation gap. However, the reality of the matter is that Caribbean states view themselves as competitors. Hence, these states aim to ensure that their regulations are not too onerous and that their fees remain attractive to benefit as much as possible from cruise ship arrivals. A case in point occurred in 1999 when a popular cruise line withdrew from Grenada due to disputes over a newly introduced US\$1.50 per passenger tax to finance a new landfill.

Whilst Caribbean states ponder the implementation of MARPOL Annex V, they must be mindful of the responsibility to adopt laws and regulations to prevent, reduce and control dumping and pollution of the marine environment – as outlined in Article 210 of the United Nations Convention on the Law of the Sea (UNCLOS) and repeated in Article 211.

Sustainability of economic growth should remain a top priority for Caribbean states. The increase in cruise vessel visits to Caribbean ports will be a major challenge. But, if the marine environment remains only partially regulated, this could lead to major extirpation and economic losses in years to come. ●

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