



BERMUDA

WATER RESOURCES (PREVENTION OF POLLUTION BY SEWAGE FROM BOATS) REGULATIONS 2018

BR 83 / 2018

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The Minister responsible for the environment, in exercise of the power conferred by section 39 of the Water Resources Act 1975, makes the following Regulations:

Citation

1 These Regulations may be cited as the Water Resources (Prevention of Pollution by Sewage from Boats) Regulations 2018.

Interpretation

2 In these Regulations, unless the context otherwise requires—

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“Act” means the Water Resources Act 1975;

“authorized officer” has the meaning given in section 33A(2) of the Water Resources Act 1975;

“Bermuda Maritime Operations Centre” has the meaning given in section 2 of the Marine and Ports Services Act 2021;

“boat” means any vessel other than any vessel to which the Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2015 applies;

“discharge”, in relation to sewage, means any release howsoever caused from a boat, and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying, and cognate expressions are to be construed accordingly;

“instruction card” means the instruction card, issued by the Department of Environment and Natural Resources, contained in the Schedule;

“no-discharge zone” means any area, specified in regulation 3(1), in which the discharge of sewage from a boat is prohibited;

“owner”, in relation to a boat that is being used by others when the owner is not on board, includes the person in charge of the boat or, if no person is in charge thereof, all persons using it;

“seacock valve” means a valve that controls the discharge of sewage from an outlet in the boat’s hull and, when the valve is closed, prevents such discharge;

“sewage” means—

- (a) faeces or urine of humans or animals;
- (b) drainage and other waste from a toilet;
- (c) drainage or other waste from any form of sewage treatment system or sewerage holding tank;
- (d) drainage and other waste from spaces containing living animals; or
- (e) other waste waters when mixed with faeces or urine, or when mixed with any drainage referred to in paragraph (b), (c) or (d).

“toilet” includes any form of toilet or urinal;

“Y-valve” means a two-position valve that can switch the flow of sewage from a boat’s toilet either—

- (a) to the holding tank or sewage treatment plant, as the case may be; or
- (b) to the seacock valve or to a deck pump-out fitting.

[Regulation 2 definitions "Act", "authorized officer" and "Bermuda Maritime Operations Centre" inserted by BR 58 / 2025 reg. 2 effective 10 July 2025]

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No-discharge zones

3 (1) The discharge of sewage from a boat into the sea is prohibited in the following areas—

- (a) within 500 metres of the high water mark of the nearest land;
- (b) in the Great Sound, Little Sound, Granaway Deep, Hamilton Harbour, Harrington Sound, Castle Harbour, and St George's Harbour; and
- (c) in any area declared to be a protected area by paragraph 2 of the Fisheries (Protected Areas) Order 2000,

which areas are in these Regulations referred to as “no-discharge zones”.

(2) The no-discharge zones specified in paragraphs (1)(a) and (1)(b) are shown in the Schedule.

(3) Any person who discharges sewage from a boat into the sea in a no-discharge zone, shall be guilty of an offence.

Requirements on boat owners when located in no-discharge zone

4 The owner of a boat shall ensure that, while the boat is located within a no-discharge zone—

- (a) any Y-valve is configured to divert sewage to the holding tank or sewage treatment plant, as the case may be; and
- (b) any seacock valve is closed,

and that there is no discharge of sewage into the sea while the boat is so located.

Owner to ensure instruction card clearly visible in vicinity of toilet

5 The owner of a boat registered, or required to be registered, under the Marine and Ports Services Act 2021 (or the Fisheries Act 1972) shall ensure that an instruction card is located, and its contents are clearly visible, in the vicinity of any toilet on the boat.

[Regulation 5 amended by 2021 : 8 s.98(1) effective 23 January 2023]

Discharge reporting requirements for certain boats

5A (1) This section applies only in relation to live-aboard boats moored in a no-discharge zone.

(2) The owner of a boat to which this section applies shall—

- (a) upon or immediately after discharging sewage into the sea, notify the Bermuda Maritime Operations Centre of such discharge, the time and location of the discharge, and the registration number of the boat so discharging and shall make a written record of such notification;
- (b) in respect of every boat sewage pump-out, obtain a written record from the pump-out facility performing the service of: the date, time and location of the pump-out services so received;

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- (c) keep records referred to in paragraphs (a) and (b), for a period of not less than three years; and
- (d) where so required, provide to an authorized officer, written records referred to in paragraphs (a) and (b).

(3) In this regulation, a “live-aboard boat” means a boat which is for the time being used as a dwelling.

[Regulation 5A inserted by BR 58 / 2025 reg. 3 effective 10 July 2025]

Inspections

5B (1) An authorized officer may, in accordance with the Act, inspect any boat for the purposes of these Regulations and such inspection may include, but shall not be limited to, the following—

- (a) the sewerage holding tank or sewage treatment system;
- (b) any Y-valve or seacock valve;
- (c) any portable toilet or other temporary on-board sanitary facilities;
- (d) information required to be kept under regulation 5A; and
- (e) the instruction card.

(2) An authorized officer, in carrying out an inspection, may insert into the boat’s sewerage holding tank a dye-tablet for the purposes of detecting any unlawful discharge in any case including, but not limited to—

- (a) where a live-aboard boat is continually moored in a no-discharge zone;
- (b) where the owner of the boat has committed prior offences against these Regulations; or
- (c) where the authorized officer otherwise thinks it reasonable to do so.

[Regulation 5B inserted by BR 58 / 2025 reg. 3 effective 10 July 2025]

Owner to provide information

5C Without prejudice to regulation 5A, the owner of a boat to whom Regulation 5B applies shall inform an authorized officer of—

- (a) the means by which sewage is collected on the boat;
- (b) the means by which sewage is discharged from the boat;
- (c) as far as reasonably practicable, the time and location of all discharges of sewage into the sea occurring within the last 24 hours.

[Regulation 5C inserted by BR 58 / 2025 reg. 3 effective 10 July 2025]

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Owner's responsibility for compliance with these Regulations

6 The owner of the boat is responsible for compliance with regulations 4 to 5C and, if any provision of those regulations is not complied with, the owner shall be guilty of an offence, unless he can show that he did everything that he reasonably could to ensure compliance, and that such non-compliance was without his knowledge or consent.

[Regulation 6 amended by BR 58 / 2025 reg. 4 effective 10 July 2025]

Bermuda Maritime Operations Centre to log discharge notifications

6A (1) The Bermuda Maritime Operations Centre shall record all information received under regulation 5A(2)(a) and the time such information is received and shall provide a copy of the same, where requested, to an authorized officer carrying out an inspection under these Regulations.

(2) In any case where the Bermuda Maritime Operations Centre is notified of the discharge of sewage from a boat other than a boat to which regulation 5A applies, the Bermuda Maritime Operations Centre shall record all information received and the time such information is received and shall provide the same, if requested, to an authorized officer carrying out an inspection under these Regulations.

(3) The Bermuda Maritime Operations Centre shall keep all information recorded under this regulation for a period of not less than three years.

[Regulation 6A inserted by BR 58 / 2025 reg. 5 effective 10 July 2025]

False Information an offence

6B Any person who knowingly provides false information for the purposes of these Regulations commits an offence.

[Regulation 6B inserted by BR 58 / 2025 reg. 5 effective 10 July 2025]

Penalties

7 A person guilty of an offence under these Regulations shall be liable on summary conviction to a fine of \$20,000 or imprisonment for a period of three months.

[Regulation 7 amended by BR 58 / 2025 reg. 6 effective 10 July 2025]

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BOATS) REGULATIONS 2018**

SCHEDULE

(regulations 2 and 3(2))

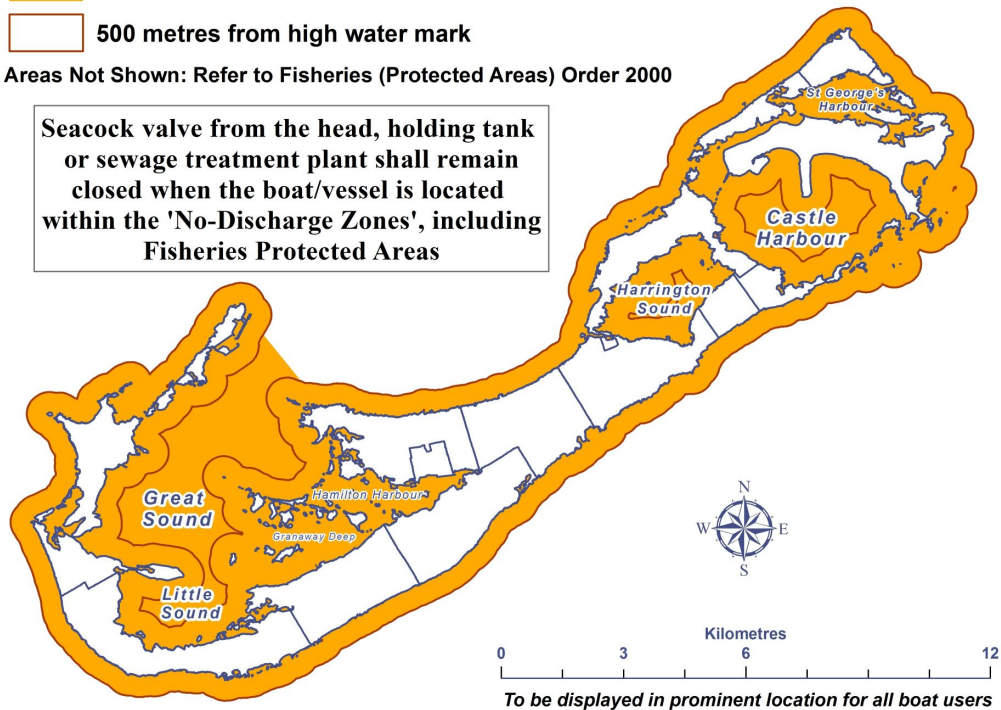
INSTRUCTION CARD FOR BOAT USERS

 **No-Discharge Zones for sewage**

 **500 metres from high water mark**

Areas Not Shown: Refer to Fisheries (Protected Areas) Order 2000

Seacock valve from the head, holding tank
or sewage treatment plant shall remain
closed when the boat/vessel is located
within the 'No-Discharge Zones', including
Fisheries Protected Areas



Made this 6th day of August 2018

Minister of Home Affairs

[Operative Date: 09 August 2018]

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BOATS) REGULATIONS 2018**

[Amended by:

2021 : 8

BR 58 / 2025]