

**Watersports Operators Soliciting Business on the Port Policy/Procedure**

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**Aim**

The aim of this policy is to ensure that the cruise passengers receive a premier, courteous, safe and efficient service. The majority if not all of this type of business currently involves trips to stingray city and other North Sound locations.

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**Objective**

The objective is to set out the methods and procedures for the delivery of that service so that there is as smooth an operation as possible for the operators and the customers they serve, as well as the Port Authority.

**Applying to the Port Authority to Solicit Customers for a Watersports Business**

- Only persons, businesses, or entities that are legally permitted to operate in the Cayman Islands may apply to operate at the Port.
- All operators who wish to operate at the Port's facilities must submit applications to the Port Authority detailing their business's plan of operation in conjunction with copies of the relevant licences (trade & business, vessel annual licence, Wildlife Interaction Zone licence) and insurance. Details of ownership, employees, vehicles etc must also be supplied on the form obtainable from the Port Authority.

**Quantity of Watersports Operators Allowed To Conduct Business At the Port**

- The quantity will be decided by the Port Director based on the current supply and demand for service.
- If it is an existing type of operation, such as sandbar excursions, the Port Director may either accept or refuse the application based on the quota that will have been set below.
- Applications accepted will be granted in order of date received in such cases;
- Where the applicant is offering a new product, the Port Director may approve the application on the basis that that product will add to and enhance the offerings available to the cruise passengers.

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**Permission To Operate At the Port**

- Permission to solicit on the Port's Facilities is granted by the Port Director under section 72 of the Port Regulations (2003 Revision) and may be revoked at any time by the Port Director.
- If an Operator, Company, or Entity has ceased to operate at the Port for a period of six months in any calendar year, fails to renew his Port ID within six months of its expiry, or for some reason no longer possesses the equipment, or capacity to operate the business for which he was given approval to operate at the Port's facilities, that Operator, Company or Entity will lose its permission to operate at the Port's facilities, unless they have written to and obtained an exemption from the Port Director for a further period of time. Once an Operator, Company, or Entity has lost its privilege to operate at the Port, they will have to make a new application for permission to operate at the Port and be subject to all conditions applicable at that time.
- Permissions granted to operate at the Port's facilities are not transferrable, nor can they be sold or traded. If a Company, or Entity is sold, the previous owner must inform the Port Authority that he has sold the company. The new owner, if not already an Operator approved to solicit business at the Port, will have to apply for permission to operate/solicit business at the Port's facilities like any new applicant. This is to enable the Port Authority to know who is in charge of any company/entity operating on its facilities and remain in compliance with the ISPS code.
- If the new owner already has permission to operate/solicit business at the Port, by virtue of another company/ entity, they will not be entitled to any additional benefits such as an additional Booking Agent, as they will be considered one company/ entity.

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**General Operation**

- There will be no transfer of bookings to an operator/company not authorized to work at the Port. Owners/Managers of an entity authorized to work at the Port may pool their customers with other entities approved to work at the Port if they have less than an economically feasible number, but they must ensure that the Port's policy requirements in terms of customer service and care is provided as if they had carried out the tour.
- It is the responsibility of the entity/operator to ensure they have adequate and properly licenced transportation available to transport their passengers;
- The Manager or Supervisor will keep accurate daily records of the number of passengers and their names and the vessel they are assigned to for their tour, the time they depart and the time they return;
- A representative of the Operator will remain on the Port Facility until all tours have returned to the Port in the event that something goes wrong that there will always someone available to provide information and updates to Port Security, Ship Security, 911 and the Police;
- There will be one Booking Agent per entity/operator, with a maximum of three booking agents allowed if three or more entity's team up to form a group. However, there can only be one Booking Agent on each terminal at any one time;
- Booking agents will accurately inform passengers of what product/service is available to them in a manner that is courteous and friendly, but not overbearing.
- Booking Agents are only permitted to sell for the entity they represent.
- There will be one manager, or supervisor present at the dock to assist in the coordination and overseeing of the operation;
- All persons who will be working at the Port will have to be granted an ID issued by the Port Authority, which must be worn and clearly displayed whilst on the Port's facilities. Persons with a criminal history may be refused an ID. When a company/entity requests a Port ID for an employee, by virtue of that request they warrant that the employee is either a Caymanian, or possess the appropriate permits authorizing them to be legally employed.

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**Vessel Certification**

- All vessels must meet all applicable laws and regulations relative to safety equipment and in addition, may be required to have its hull integrity, stability and load capacity agreed and certified by a registered Vessel Surveyor if the vessel does not have its US Coast Guard Certification label attached, or if the vessel has been modified in any way;
- Vessels should carry third party liability insurance.
- The Port Authority may request an inspection at anytime to ensure compliance with local laws and regulations, and watersports operators must provide, copies of all the relevant licences, documentation and certificates.

**Vessel Inspection**

- Each morning prior to use every vessel should be inspected as follows:
  - The passenger compartment, engine compartment;
  - Fuel tank input;
  - Storage compartment, top and undersides of the vessel for unusual items, or indications that anything forming part of the vessel has been tampered, or interfered with;
  - After each trip, the passenger compartment should be checked for unusual items, or indications that anything forming part of the passenger compartment has been tampered, or interfered with.
- A **Declaration of Security Check** must be kept in the Vessel at all times for review by Port Authority or Police on demand. Vessel should not be used if found to have been tampered with, or if an unusual/suspicious item is found on, or in it. Police and Port Security to be notified immediately in such instances.
- Vessels must be clean inside and out, free from oil and impediments that would cause a hazard and be in proper working condition (no leaks in hull, tanks etc, or leaking valves or seals; working bilge pumps; working radio; working public address system; well maintained engine, propulsion and steering system.

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- A log must be maintained for all lost and found passenger property. The Port Authority and Bodden Shipping should be notified as soon as items are found in an effort to return items to their owners.

**Safety Checks, and Briefings**

- At the vessel loading areas, there will be a representative of the respective company/entity present to meet the passengers booked for the tour and brief them as to the name of the vessel they will be transported on; what to expect along the way and on arrival to their intended destination; introduce them to the crew and; advise them on the safety equipment onboard the vessel, where it is located, how to use it and what they can expect to be informed to do in the event of an emergency.

**Weather Conditions**

- No operation will occur if the Royal Cayman Islands Police has issued an advisory that a specified area is closed to vessels due to adverse weather conditions or, if the captain determines that all factors considered, it is unsafe to operate his vessel. In such a case, the passengers should be refunded

**Vehicle Certification**

- All vehicles used will be registered in the appropriate category with the Public Transport Board, hold a current licence and insurance certificates and be maintained in a good and clean condition. Drivers of all Public Transport vehicles must hold a valid licence issued by the PTB.

**Vehicle Inspection**

- Each morning prior to use the vehicle should be checked as follows: the passenger compartment, engine compartment, fuel tank input, storage compartment, top and undersides of the vehicle for unusual items, or indications that anything forming part of the vehicle has been tampered, or interfered with. After each trip, the passenger compartment should be checked for unusual items, or indications that

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anything forming part of the passenger compartment has been tampered, or interfered with. A **Declaration of Security Check must be kept in the Vehicle at all times for review by Port Authority, or Police on demand. Vehicle should not be used if found to have been tampered with, or if an unusual/suspicious item is found on, or in it. Police and Port Security to be notified immediately in such instances.**

- Vehicles must be clean inside and out and in proper working condition.
- A log must be maintained for all lost and found passenger property. The Port Authority and Bodden Shipping should be notified as soon as items are found in an effort to return items to their owners

#### **Dress**

- Operators must be neat and tidy and properly dressed (includes uniform if mandated by PTB) for work.

#### **Qualification and Conduct of Captain & Crew**

- Captain must be qualified to handle the size vessel he is in command of, either by recognized formal training, or by years of experience gathered under apprenticeship or as may be specified by legislation;
- The Captain is at all times responsible for the safety of the crew and passengers and should exercise care and caution in all circumstances to prevent harm & injury;
- In the event of an incident, the crew is to ensure that everyone has a safety vest on and that all persons are accounted for.
- The crew will do its best to obtain assistance for the rescuing of all persons.
- The crew is to be trained in First Aid and CPR and maintain a current certification.
- The crew will be trained in safety drills and keep the passengers informed as directed by the Captain in all situations.

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- The Captain and the Manager of the Operation concerned will be responsible for immediately informing the Port Authority and Police should there be any situations that would pose a danger to the vessel or its occupants.

**Dress & Conduct of Dispatchers/ Booking Agents**

- Dispatchers/ Booking Agents will be neat and tidy and properly dressed in their uniforms (if applicable).
- Dispatchers/ Booking Agents will be pleasant and courteous to passengers, each other and transportation operators at all times.

**Training**

- Booking agents, Dispatchers and vessel crew should receive customer service training in addition to any other training requirements offered by their employers;
- Records should be maintained for all training given.

**Complaints Procedures**

- Complaints made by passengers concerning watersports operators should be recorded by a customer service representative of the Operator concerned on the designated complaint form along with a report recorded from the complainant and any witnesses detailing the nature of the complaint;
- All complaints will then be investigated by the Owner/Manager of the entity who will ensure that complaints are addressed appropriately and a reply sent to all complainants informing them of their findings and any resulting action;



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**Penalties**

- Penalties can range from written warnings to suspensions for breaches of rules and procedures to prosecutions for offences where such are provided for in the law and regulations;
- A letter will be written to the operator advising of the nature of the problem, suggestions to correct it and advising that any further occurrences will lead to a suspension of their privilege to operate at the Port Authority.

**Fees**

- The Port Authority reserves the right to impose fees for persons/entities operating/utilizing port facilities.

**Amendments**

These policies and procedures may be amended or revised from time to time at the sole discretion of the Port Authority Board.

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**Application Form**

**Date of Application:** \_\_\_\_\_

Watersports Operators Requesting to Solicit Business On Port Facilities  
Grand Cayman  
Cayman Islands

Please complete the form below providing the following details:

Name of Company/Entity: \_\_\_\_\_

Date of expiry of trade & business licence: \_\_\_\_\_

Date of expiry of your Wild Life Interaction Zone Permit: \_\_\_\_\_

Name of Operational Manager that will be based at Port: \_\_\_\_\_

Contact number for Operational Manager: \_\_\_\_\_

Name of Booking Agent that will be based at the Port: \_\_\_\_\_

Contact number of the Booking Agent: \_\_\_\_\_

Names of Personnel operating on Port Facilities (transportation drivers, vessel crew, etc)	Port ID #	Phone Number	Job Title of Employee

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List all Vehicles used in the transportation of passengers in the table below.

Make & Model of Vehicle	Registration Number	Date last inspected by the Port	Registered Owner

Note that vehicles and drivers must be licensed by the Public Transport Board and insured accordingly.

List Vessel(s) used in the transportation of passengers in the table below.

Name, Make & Length of Vessel	Capacity of the vessel (# persons)	Date Last Inspected by the Port	Legal Owner of the Vessel

Are your vessels /company covered by third party liability insurance? \_\_\_\_\_

Name of insurance company: \_\_\_\_\_

