



ELGIN AND LOSSIEMOUTH HARBOUR COMPANY

PORT MARINE SAFETY CODE DUTY HOLDER – TERMS OF REFERENCE

The Board of Elgin and Lossiemouth Harbour Company recognises that is the '**Duty Holder**' for Lossiemouth Marina in terms of accountability under the **Port Marine Safety Code**.

The Duty Holder is accountable for compliance with the Port Marine Safety Code (PMSC).

The Duty Holder is accountable for compliance with safe marine policies and procedures within the jurisdiction of Lossiemouth Marina.

Duty Holder acknowledges accountability for Marine Safety as follows:

- Accountable for legislative and regulatory compliance regarding the PMSC and other associated legislation.
- Acknowledges it cannot assign nor delegate its accountability for compliance with the PMSC or other associated legislation.
- Acknowledges it is to familiarise itself with the PMSC and review any implication regarding Lossiemouth Marina operations. This includes PMSC awareness training and to liaise with the Harbour Master, Assistant Harbour Master and Operatives to gain a true insight and understanding of the Marina activities, Safety Management System and marina policies and procedures.
- Awareness of legal and regulatory powers and duties related to marine safety to undertake its responsible role.
- Ensure appropriate resources are available to ensure safety and compliance with the PMSC.
- Ensure direct access for the **Designated Person**.
- Ensure direct reporting access for the Designated Person and act upon recommendations made and ensure adherence to audit actions and said recommendations.
- The Duty Holder must report compliance with the PMSC to the MCA every three years

Chairman
Elgin and Lossiemouth Harbour Board