



Milford Haven Port Authority Act 2002

2002 CHAPTER v

PART 3

DIRECTIONS TO VESSELS

15 General directions to vessels

- (1) The Authority may give directions (“general directions”) for the purpose of promoting or securing conditions conducive to the ease, convenience or safety of navigation in the haven, and the approaches to it.
- (2) Without prejudice to the generality of subsection (1) above, general directions may be given for any of the following purposes:—
 - (a) for designating areas, routes or channels in the haven and the approaches to it which vessels are to use, or refrain from using, for movement or mooring;
 - (b) for securing that vessels move only at certain times or during certain periods;
 - (c) for requiring the master of a vessel to give to the harbourmaster information relating to the vessel reasonably required by the harbour-master for the purposes of this section.
- (3) General directions may apply—
 - (a) to all vessels or to a class of vessels designated, or the designation of which is provided for, in the direction;
 - (b) to the whole of the haven and the approaches to it or to a part designated, or the designation of which is provided for, in the direction;
 - (c) at all times or at times designated, or the designation of which is provided for, in the direction;and every direction given under this section shall specify the extent of its application in relation to the matters referred to in paragraphs (a), (b) and (c) of this subsection.
- (4) The Authority may revoke or amend general directions.
- (5) The Authority shall not exercise any power conferred by subsection (1) or (4) above except after consultation with—

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- (a) the Chamber of Shipping;
- (b) the Royal Yachting Association; and
- (c) the advisory committee established under section 15 (Advisory committee) of the Act of 1983.

16 Publication of general directions

- (1) This section applies to the giving of notice of a general direction and of any amendment or revocation of such a direction.
- (2) The notice shall, except in case of emergency, be published by the Authority as soon as practicable in Lloyd's List or some other newspaper specialising in shipping news.
- (3) If the notice relates to the giving or amendment of a direction, it shall state a place at which copies of the direction may be inspected and bought, and the price of such copies.
- (4) In an emergency, the notice may be given in any manner the Authority consider appropriate.

17 Special directions to vessels

- (1) In addition to the directions which he may give under section 52 of the Harbours, Docks, and Piers Clauses Act 1847 (c. 27) the harbourmaster may give a direction (“a special direction”) under this section—
 - (a) requiring any vessel anywhere within the haven or the approaches to it to comply with a requirement made in or under a general direction;
 - (b) prohibiting the mooring of vessels in any particular part or parts of the haven;
 - (c) regulating or requiring the movement, mooring or unmooring of a vessel, regulating the manner in which a vessel takes in or discharges cargo, fuel, water or ship's stores otherwise than at a dock or pier.
- (2) A special direction may be given in any manner considered by the harbourmaster to be appropriate.
- (3) The harbourmaster may revoke or amend a special direction.

18 Master's responsibility to be unaffected

The giving of a general direction or a special direction shall not diminish or in any other way affect the responsibility of the master of the vessel to which the direction is given in relation to his vessel, persons on board, its cargo or any other person or property.

19 Failure to comply with directions

The master of a vessel who fails without reasonable excuse to comply with a general direction or a special direction shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

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20 Enforcement of directions

- (1) Without prejudice to any other remedy available to the Authority, if a special direction is not complied with within a reasonable time, the harbourmaster may put persons aboard the vessel to carry out the direction or may otherwise cause the vessel to be handled in accordance with the direction.
- (2) If there is no one on board the vessel to comply with a special direction, the harbourmaster may proceed as if the direction had been given and not complied with, but he shall not do so unless after reasonable inquiry has been made, the master cannot be found.
- (3) Expenses incurred by the Authority in the exercise of the powers conferred by this section shall be recoverable by the Authority as if they were a charge of the Authority in respect of the vessel.