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STATUTORY INSTRUMENTS

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1967 No. 1141

**HARBOURS, DOCKS, PIERS AND FERRIES**

**The Clyde Dockyard Port of Gareloch and Loch Long Order 1967**

<i>Made</i>	- - -	28th July 1967
<i>Laid before Parliament</i>		3rd August 1967
<i>Coming into Operation</i>		15th September 1967

At the Court at Buckingham Palace, the 28th day of July 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of sections 3, 5 and 6 of the Dockyard Ports Regulation Act 1865(a), of section 7 of that Act as amended by section 3 of the Defence (Transfer of Functions) Act 1964(b) and of all other powers enabling Her in that behalf and, in so far as section 7 of the Act is concerned, on the joint recommendation of the Secretary of State and the Board of Trade, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

*Commencement and citation*

1. This Order shall come into operation on 15th September 1967, and may be cited as the Clyde Dockyard Port of Gareloch and Loch Long Order 1967.

*Interpretation*

2.—(1) The Interpretation Act 1889(c) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) In this Order the following expressions shall, unless the context otherwise requires, have the meanings respectively assigned to them, namely:—

“the Act” means the Dockyard Ports Regulation Act 1865;

“the Dockyard Port” means the Clyde Dockyard Port of Gareloch and Loch Long as it is described in Article 3 hereof;

“the Harbour Master of the Port Authority” means the Harbour Master of the Clyde Port Authority and includes his authorised deputies and assistants;

“master” means the person having command or charge of a vessel for the time being;

“the Port Authority” means the Clyde Port Authority incorporated by section 6 of the Clyde Port Authority Order 1965;

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(a) 28 & 29 Vict. c. 125.  
(c) 52 & 53 Vict. c. 63.

(b) 1964 c. 15.

“ power driven vessel ” includes any vessel propelled by machinery;  
“ Queen’s Harbour Master ” means the person for the time being appointed under the Act to be Queen’s Harbour Master for the Dockyard Port and any person having authority to act as Queen’s Harbour Master;  
“ under way ”—a vessel is “ under way ” when she is not at anchor or made fast to the shore or aground;  
“ vessel ” includes every description of water craft used or capable of being used as a means of transportation on water; battle-practice targets and other floating naval targets; and any of Her Majesty’s ships and vessels in charge of Her Majesty’s Officers except where otherwise provided;  
“ whistle ” means any vessel’s whistle or siren, and a “ prolonged blast ” means a blast of from four to six seconds’ duration; a “ short blast ” means a blast of about one second’s duration.

*Description of limits*

3. For the purposes of the Act and of this Order the limits of the Dockyard Port shall be all the waters of the Firth of Clyde, as far as the tide flows, in the following areas:—

- (a) the GARELOCH and adjoining waters lying north of a line drawn 090° from Rosneath Point; and
- (b) LOCH LONG and LOCH GOIL north of latitude 56° 00’ North.

*Delineation of limits*

4. The limits of the Dockyard Port are drawn on the Chart annexed to this Order.

*Savings*

5. The provisions contained in this Order shall, except as provided in Rule 1(1) of Schedule 2, operate without prejudice to any powers exercisable within the waters of the Dockyard Port by the Port Authority by virtue of the jurisdiction conferred on them by statute in respect of those waters.

6. Nothing in this Order shall operate to prohibit, defeat, alter or derogate from any power, authority or jurisdiction of the Clyde Pilotage Authority as the Pilotage Authority for the Clyde Pilotage District under the provisions of the Clyde Pilotage Order 1920, as confirmed by the Pilotage Orders Confirmation (No. 3) Act 1920(a) and as amended by the Clyde Port Authority Order 1965.

*Regulations and rules*

7. The Regulations contained in Schedule 1 hereto and the Rules contained in Schedule 2 hereto shall have effect within the limits (as described in Article 3 hereof) of the Dockyard Port, and if any inconsistency shall arise between the said Rules and any regulations at any time in force for preventing collisions at sea, the said Rules shall prevail.

8. The master of every merchant or other private vessel shall observe and cause to be observed the Regulations contained in Schedule 1 hereto, so far as they relate to his vessel, and any master or other person who infringes any provision of the said Regulations or who fails to cause the same to be observed or who fails to observe any direction given thereunder or who fails to comply

with any condition attached to a licence granted thereunder, shall commit an offence against this Order.

9. A person who contravenes a Regulation of Schedule 1 to this Order shall on summary conviction be liable to a fine not exceeding £5, except for a contravention of Regulations 4, 9 or 10, in which case the fine shall not exceed £10.

W. G. Agnew.

## SCHEDULE 1

### REGULATIONS

#### *Moorings for Her Majesty's ships, etc.*

1. Moorings for Her Majesty's vessels, buoys, lights, marks, mark buoys and other aids to navigation, and such other buoys as may be required for any purpose in connection with naval, military or air force operations, may, subject to consultation with the Harbour Master of the Port Authority, be placed by the Queen's Harbour Master in such positions as may be considered necessary for the requirements of Her Majesty's service.

#### *Private moorings*

2. No persons shall lay moorings for private vessels, hulks, rafts, pontoons, bathing stages, house boats, timber or any floating structures in the Rhu Narrows Restricted Channel or in the Faslane or Coulport Restricted Areas as defined in Rules 5, 7 and 9 of Schedule 2, except with the licence in writing of the Queen's Harbour Master and in accordance with any conditions attached thereto, and all such moorings shall be in such positions as the Queen's Harbour Master, with the consent of the Harbour Master of the Port Authority, shall direct; and shall be removed forthwith on the order of the Queen's Harbour Master.

#### *Clearing anchors and moorings*

3. If at any time the anchor of any merchant or other private vessel hooks any Crown moorings, or any electric cable, or moorings of buoys, or any pipe, the master of such vessel shall forthwith give notice thereof to the Queen's Harbour Master, and shall, if it is safe and practicable, await his instructions or those of the Harbour Master of the Port Authority, before proceeding to clear the same.

#### *Fishing*

4.—(1) Any person fishing in the Dockyard Port shall comply with any directions which may be given to him by the Queen's Harbour Master.

(2) No fishing from boats or fishing by persons swimming under the water shall be carried on within 500 feet from the walls, slipways, roadways or boundaries of Her Majesty's naval establishments, or from any naval moorings, floating docks, or dolphins, save with the licence in writing of the Queen's Harbour Master and in accordance with any conditions attached thereto.

(3) Save with the permission in writing of the Queen's Harbour Master and in accordance with any conditions attached thereto, no trawling or fishing by nets, whether drift or set nets, or the laying of lobster and/or crab pots, shall be carried on

(a) in the Rhu Narrows Restricted Channel or in the Faslane or Coulport Restricted Areas as defined in Rules 5, 7 and 9 of Schedule 2; or

- (b) within the degaussing ranges, so far as they fall within the limits of the Dockyard Port, their positions being shown on current Admiralty Charts, copies of which may be inspected at the office of the Queen's Harbour Master; or
- (c) in any part of the Dockyard Port where it would obstruct any vessel exhibiting the International Code Flag "Second Substitute" at the yardarm or any submarine when making degaussing range runs over the ranges in (b) above.

#### *Swimming and diving*

5. No person shall swim or dive within 500 feet from the walls, slipways, roadways or boundaries of any of Her Majesty's naval establishments, or from any naval moorings, floating docks, dolphins or ships of Her Majesty, save with the licence in writing of the Queen's Harbour Master and in accordance with any conditions attached thereto.

#### *Shipkeepers*

6. If in an emergency it is necessary for any merchant or other private vessel, barge, hulk, raft, pontoon or other floating structure temporarily to lie anchored or secured to moorings in a Restricted Area as defined in Rules 7 and 9 of Schedule 2, or in or near a main channel anywhere within the Dockyard Port, the master or owner thereof shall not leave such vessel or structure without a shipkeeper on board.

#### *Use of whistles*

7. A whistle shall not be used within the limits of the Dockyard Port except:
- (a) as a signal of distress; or
  - (b) to prevent collisions; or
  - (c) in fog, mist, falling snow, heavy rainstorms or any other condition similarly affecting visibility; or
  - (d) in accordance with the Rules contained in Schedule 2 to this Order and for the control of tugs; or
  - (e) to test the whistle.

#### *Use of guns*

8. No gun on board any merchant or other private vessel lying in or passing through the Dockyard Port shall be kept loaded, nor shall any gun be discharged from any such vessel over the waters of the said Port except:

- (a) as a signal of distress; or
- (b) as a signal in connection with the conduct of sailing races.

#### *Anchoring and mooring*

9. No merchant or other private vessel shall anchor or fish
- (a) on the line of any electric cable or pipe laid down in the Dockyard Port when such line is indicated by posts or other discernible marks on shore; or
  - (b) within any area shown on the Admiralty Charts as an area in which anchorage is prohibited and in respect of which a warning has been conveyed to mariners by notice issued by the Ministry of Defence.

10. No merchant or other private vessel, or barge, hulk, raft, pontoon or other floating structure shall:—
- (a) make fast to, or lie at, any of the buoys or beacons placed by the Queen's Harbour Master to mark channels or shoals in the Dockyard Port; or
  - (b) be moored or fastened to any of Her Majesty's naval moorings, buoys, breakwaters, boom defences, dolphins, jetties, piles or vessels in the Dockyard Port, save with the licence in writing of the Queen's Harbour Master and in accordance with any conditions attached thereto; or
  - (c) be moored or anchored within 500 feet of any of Her Majesty's naval moorings, jetties, floating docks, dolphins, vessels, hulks, installations or armaments depots, save with the licence in writing of the Queen's Harbour Master and in accordance with any conditions attached thereto; or
  - (d) be moored, anchored or placed in the Dockyard Port so as to give a foul berth to any vessels already at anchor or at moorings, or to obstruct passage within or entrance into any part of the Dockyard Port.

*Navigational marks*

11. No person shall trespass on, damage or without authority interfere with any light, beacon, sea-mark, tideboard, or buoy of any description in the Dockyard Port.

12. No person shall display any mark, light or beacon which, being visible from the waters of the Dockyard Port, is in the opinion of the Queen's Harbour Master or of the Harbour Master of the Port Authority liable to be confused with a navigational aid.

## SCHEDULE 2

### RULES

*General*

1.—(1) The Queen's Harbour Master shall in the discharge of his functions under Rules 2, 3 and 11 of this Schedule in relation to commercial shipping traffic, and subject to any operational requirement connected with national defence, act in agreement with the Harbour Master of the Port Authority and, so far as concerns vessels proceeding to or from the deep-water terminal at Finnart owned by the BP Refinery (Grangemouth) Limited, with that Company's local representative, particularly in respect of any step affecting the movements and sailing schedules of vessels into and out of the Dockyard Port.

(2) The Queen's Harbour Master may, as necessary, require the owner or agent of any vessel of and above 80 tons net registered to notify him of the times of prospective arrivals and departures of such vessels within the Dockyard Port over a specified period, including any unforeseen changes of those times.

2.—(1) This Rule shall apply when it is necessary to carry out the movement of a Fleet ballistic missile submarine or a nuclear-powered Fleet submarine to or from a naval establishment within the Dockyard Port.

(2) The owner, agent or master of any vessel shall comply with any special directions of the Queen's Harbour Master as to any variation of the time of arriving or sailing or as to the navigation of the vessel within the Dockyard Port.

*Temporary restrictions during movements of Her Majesty's ships*

3.—(1) This Rule shall apply when it is necessary for a Fleet ballistic missile submarine or a nuclear-powered Fleet submarine to proceed to or from a

naval establishment in the Dockyard Port with or without attendant craft, or to be turned, berthed or otherwise moved at or near any of Her Majesty's naval establishments, jetties, moorings, floating docks or dolphins; and it shall apply within the areas of the Dockyard Port defined in Rules 5, 7 and 9 of this Schedule.

(2) When the Queen's Harbour Master considers it necessary, for the safety of navigation, to apply this Rule to any of the said areas, he shall give such warning as may be practicable to persons affected and shall thereupon direct that the signals or lights mentioned in Rules 6, 8 or 10 be hoisted.

(3) For the period during which such signals or lights are displayed, no vessel shall enter the waters of the Restricted Channel or Restricted Area to which they apply, or anchor or moor in those waters, and any vessel within the said Restricted Channel or Restricted Area shall forthwith leave and keep clear of it, except that submarine for which the Channel or Area is to be cleared and any tug or other craft attending it.

4. Paragraphs (2) and (3) of Rule 3 may be applied, within the areas of the Dockyard Port defined in Rules 5, 7 and 9 of this Schedule, after prior consultation and agreement with the Harbour Master of the Port Authority—and, if applied to the area in Rule 9, with the Company's representative named in Rule 1(1)—in respect of the movements of a large naval vessel other than a submarine described in Rule 3(1), proceeding to or from a naval establishment in the Dockyard Port, with or without attendant craft, or to be turned, berthed or otherwise moved at or near any of Her Majesty's naval establishments, jetties, moorings, floating docks or dolphins.

#### *The Rhu Narrows Restricted Channel*

5. For the purpose of the Schedules to this Order the Rhu Narrows Restricted Channel comprises

(a) The area of water bounded by lines joining the following points as measured from Ardencaple Tower:—

- (i) 180° 7,250 feet;
- (ii) 163° 7,600 feet;
- (iii) 176° 4,200 feet;
- (iv) 182° 4,500 feet; and

(b) continuing from the area described in (a), the area of water extending 250 feet on either side of a line joining the following positions:—

- 178° Ardencaple Tower 4,350 feet
- 059° Castle Light Point 1,350 feet
- 208° Rhu Church Tower 3,900 feet
- 305° Rhu Church Tower 4,400 feet.

6. When by day, a red rectangular flag with a white diagonal bar, or by night, a red light above two green lights vertically displayed, is exhibited

- (a) at Faslane, on the Floating Dock or otherwise in a conspicuous position, and
- (b) at Rosneath Pier,
- (c) at Helensburgh Pier,
- (d) at Navy Buildings, Greenock, and
- (e) by tugs or patrol craft in the Rhu Narrows,

[illegible]

Rule 3(3) of this Schedule shall apply in respect of the Rhu Narrows Restricted Channel.

*The Faslane Restricted Area*

7. For the purpose of the Schedules to this Order the Faslane Restricted Area comprises the area within the Gareloch bounded:—

- (a) on the northern side by a line drawn along the parallel of latitude of  $56^{\circ} 04' 00''$  N; and
- (b) on the southern side by a line drawn along the parallel of latitude of  $56^{\circ} 03' 00''$  N; and
- (c) on the western side by a line joining
  - (i)  $56^{\circ} 04' 00''$  N,  $4^{\circ} 50' 08''.5$  W;
  - (ii)  $56^{\circ} 03' 21''.3$  N,  $4^{\circ} 50' 08''.5$  W;
  - (iii)  $56^{\circ} 03' 00''$  N,  $4^{\circ} 49' 46''.8$  W.

8. When International Code Pennant Nine is hoisted by day or three green lights are exhibited vertically by night

- (a) at Faslane, on the Floating Dock or otherwise in a conspicuous position, and
- (b) by tugs or patrol craft in the vicinity of the Faslane Restricted Area,

Rule 3(3) of this Schedule shall apply in respect of the Faslane Restricted Area, and shall be observed by any vessel engaged in speed trials over the Measured Distance in the Area.

*The Coulport Restricted Area*

9. For the purpose of the Schedules to this Order the Coulport Restricted Area comprises the area within Loch Long bounded—

- (a) on the northern side by a line drawn along the parallel  $56^{\circ} 04' 00''$  N; and
- (b) on the southern side by a line drawn along the parallel  $56^{\circ} 02' 54''$  N; and
- (c) on the western side by a line joining
  - (i)  $56^{\circ} 04' 00''$  N,  $4^{\circ} 53' 04''$  W;
  - (ii)  $56^{\circ} 03' 06''$  N,  $4^{\circ} 54' 00''$  W;
  - (iii)  $56^{\circ} 02' 54''$  N,  $4^{\circ} 54' 00''$  W.

10. When International Code Pennant Nine is hoisted by day, or three green lights vertically by night,

- (a) at Coulport jetty; and
- (b) by tugs or patrol craft at the northern and southern limits of the Coulport Restricted Area,

Rule 3(3) of this Schedule shall apply in respect of the Coulport Restricted Area.

*Temporary restriction off Glen Mallan Jetty*

11. The Queen's Harbour Master may direct that International Code Pennant Nine be exhibited by day, or three green lights vertically by night, in a conspicuous position at Glen Mallan to indicate that an ammunition ship is to be berthed or otherwise moved to, from or near the jetty. While the said signal or lights are displayed, every merchant or other private vessel under way in the vicinity shall,



while observing the prohibited area described in paragraph (b) of Rule 12, give a wide berth outside that area to the ship that is being so berthed or moved and to any tug or other craft attendant upon her.

*Prohibited areas*

12. Every merchant or other private vessel shall, while under way in Loch Long, keep clear of the following areas:—

- (a) in the vicinity of Coulpport—the area of water on the eastern shore of the Loch to a distance of 500 feet from the high-water mark between the points lying (i)  $019\frac{1}{2}^{\circ}$ , 1.15 miles and (ii)  $152^{\circ}$ , 0.53 miles from Lattice Tower (Lat.  $56^{\circ} 03' 09''$  N, Long.  $4^{\circ} 52' 45''$  W approximately); and
- (b) in the vicinity of the jetty at Glen Mallan—the area of water bounded by a line commencing and terminating on the high-water mark and drawn in such a manner that every point on it is situated 500 feet distance from the nearest point of the jetty, provided that the Queen's Harbour Master may, without prejudice to Rule 11, allow a vessel to enter this area, if it is safe to do so.

*Speed of vessels navigating the Dockyard Port*

13. Within the limits of the Rhu Narrows Restricted Channel, the Faslane Restricted Area and the Coulpport Restricted Area as set out in paragraphs 5, 7 and 9 of this Schedule respectively, the speed of any merchant or other private vessel shall not exceed seven knots through the water, or if, to ensure safety of navigation, it is necessary to exceed seven knots, shall be no greater than the speed necessary for this purpose.

14. Without prejudice to any other obligation to navigate with due care and at a moderate speed, no merchant or other private power driven vessel when navigating the waters of the Dockyard Port other than the areas described in Rule 13 shall exceed 12 knots through the water, except for such purpose and subject to such conditions as may be specified in a licence in writing given by the Queen's Harbour Master.

*Vessels turning round*

15. When a power driven vessel under way (including a tug while towing) is about to turn around by day or by night, she shall signify her intentions by four short blasts of the whistle in rapid succession, followed after a short interval, if turning with her head to starboard, by one short blast, and if with her head to port, by two short blasts, and whilst turning shall repeat such signal to any approaching vessel. These sound signals are only to be used by vessels in sight of one another.

*Narrow channels*

16. For the purposes of interpreting Rules 20(b) and 25(c) of the Collision Regulations (Ships and Seaplanes on the Water) and Signals of Distress (Ships) Order 1965(a), the whole of the Dockyard Port shall be deemed to be a "narrow channel".

*Lights, shapes and signals for dredgers*

17. A dredger when at work or in position for working shall carry the following lights and signals, viz:—

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(a) S.I. 1965/1525 (1965 II, p. 4411).

Lights between Sunset and Sunrise:

- (a) Forward—In the forward part of the dredger at a height of not less than 20 feet and not more than 40 feet above the hull, a white light in a lantern so constructed as to show a clear, uniform and unbroken light visible all round the horizon at a distance of at least one mile.
- (b) Amidships—Three white lights of the said description placed in a triangular form at least 8 feet apart, at right angles to the keel and with the apex uppermost, the base of triangle to be at least 10 feet higher than the forward light and to be also higher than and clear of the framework, funnels, or other erections upon the dredger. If a dredger is so moored or working as to make it necessary to prohibit the passage of vessels on one or both sides, a red light (visible as aforesaid) shall be substituted for the white light at the base of the triangle on the side, or sides, on which passage is prohibited.
- (c) Aft—One white light of the said description at or near the stern of the dredger and at such a height that it shall not be less than 15 feet lower than the forward light.

Signals between Sunrise and Sunset:

Amidships—Three black balls of not less than 2 feet in diameter placed in a triangular form at least 8 feet apart, at right angles to the keel with the apex uppermost, the base of the triangle to be higher than and clear of the framework, funnels, or any other erection upon the dredger. If so moored or working as to make it necessary to prohibit passage on one or both sides, a red flag or flags at least 5 feet in the hoist is to be substituted for the lower ball at the base of the triangle on the side or sides on which passage is prohibited.

Signal in Fog:

In fog, mist, falling snow, or heavy rain storms or any other condition similarly restricting visibility, a dredger at work or in a position for working shall at intervals of not more than one minute sound a gong rapidly for about 5 seconds.

*Wrecks and submerged obstructions*

18. Should a vessel sink, be stranded or become a wreck in any part of the Dockyard Port so that an obstruction is caused, or is likely to be caused, the master or owner of such vessel shall immediately notify the Queen's Harbour Master, who shall inform the Harbour Master of the Port Authority of the occurrence.

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EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order is made under the Dockyard Ports Regulation Act 1865, which provides for the defining of the limits of a dockyard port, the appointment of a Queen's Harbour Master, the making of regulations to govern the mooring or anchoring of vessels and the making of rules concerning the lights or signals to be carried or used and the steps for avoiding collisions by vessels navigating the waters of the port.

2. The Order defines a new dockyard port comprising parts of the River Clyde, namely the Gareloch, Loch Long and Loch Goil. Provision is made:—

- (a) by regulations as to mooring, anchoring, fishing and swimming—for the protection of Her Majesty's ships and of the naval base at Faslane and associated installations, jetties, moorings and facilities within the Lochs;
- (b) by special rules as to navigation and the display of signals—for safeguarding the passage and berthing of Her Majesty's submarines and other ships at the naval base and installations and, in that connection, for the temporary restriction of movements by other vessels in designated areas or elsewhere within the Dockyard Port, subject to consultation on each occasion with the Clyde Port Authority (and, when concerned, the BP Refinery representative); and
- (c) by general rules as to speed limits, the use of signals and other steps to be taken for the avoidance of collisions and of passage through limited areas—for the safety of navigation of all vessels within the Dockyard Port.





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STATUTORY INSTRUMENTS

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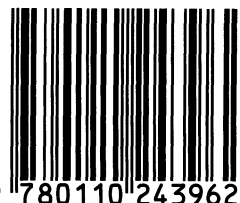
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