

SCHEDULE 1

REGULATION OF THE HARBOUR AND THE HARBOUR PREMISES

PART II: NAVIGATION

Vessel movements

3. The master of a vessel other than a small vessel shall give prior notice to the harbour master or his agent of the vessel's arrival at, departure from or movement within, the harbour.

Declaration of particulars of vessel

4. The master of a vessel arriving at the harbour shall, if required by the harbour master, furnish to him a declaration in the form to be obtained from him containing a correct statement of the tonnage and draught of the vessel, its last port of call, name and address of owner, destination, and particulars of any cargo and passengers.

Vessels to be navigated with care and caution

5. The master of a vessel navigating in the harbour shall navigate the vessel with such care and caution and at such speed and in such manner as not to endanger the lives of, or cause injury to, persons or damage to property and as not to obstruct or prejudice the navigation, manoeuvring, loading or discharging of vessels or cause unnecessary damage to moorings, the banks of the harbour or other property.

Speed of vessels

6.—(1) Subject to sub-paragraph (2) below, the master of a power-driven vessel other than a power boat shall not, except and in accordance with the prior permission in writing of the harbour master, cause or permit the vessel to proceed at a speed greater than 12 knots through the water when navigating—

- (a) within the inner harbour; and
- (b) in the approaches thereto north of a line drawn 048° (true) from "D" Head.

(2) The master of a power-driven vessel shall not, except and in accordance with the prior permission in writing of the harbour master, cause or permit the vessel to proceed at a speed greater than 6 knots through the water in the following areas—

- (a) in Newton's Cove, west of a line drawn 026° (true) from Torpedo Pier Light to the northern limit of the harbour;
- (b) within 150 metres of the breakwaters, except as required to pass through the main fairways;
- (c) in the inner harbour—
 - (i) west of a line drawn 026° (true) from the light structure (New Channel Beacon) situated at Latitude 50° 34.87' N, Longitude 002° 27.61' W to Torpedo Pier Light;
 - (ii) south of a line drawn 119° (true) from New Channel Beacon to the light on the northern corner of Queen's Pier; and
 - (iii) south of a line drawn 251° (true) from Beacon E on the Outer Breakwater.

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(3) For the purposes of sub-paragraph (1) above “power boat” means a power-driven vessel of less than 10 metres in length.

(4) This paragraph is without prejudice to paragraph 5 above and the Collision Regulations.

Small vessels

7.—(1) The master of a small vessel which is not confined to a fairway shall not make use of the fairway so as to cause obstruction to other vessels which can navigate only within the fairway; and when navigating across a fairway or through an entrance to the inner harbour, he shall do so by the shortest possible route that will avoid such obstruction.

(2) The master of a small vessel shall not hamper the safe passage of any vessel greater than 20 metres in length which is in, entering or leaving a fairway or which is under way within the inner harbour.

Outgoing vessels to have priority

8. Subject to paragraph 7(2) above, outgoing vessels shall have priority of passage in the main fairways over incoming vessels, and no vessel proceeding inward shall enter either of the main fairways until any vessel proceeding outwards through that fairway has passed out.

Vessels not to make fast to aids to navigation

9. The master of a vessel shall not make fast the vessel to or knowingly cause or permit the vessel to lie against any buoy, beacon or mark used for navigational purposes.

Notification of accidents and deficiencies, etc.

10.—(1) The master of a vessel which—

- (a) has been involved in a collision with any vessel or property, or has been sunk or grounded or become stranded, in the harbour;
- (b) is within or about to enter the harbour and by reason of accident, fire, defect or otherwise is in such a condition as to affect its safe navigation or to give rise to danger to other vessels or property; or
- (c) in any manner gives rise to an obstruction to a fairway,

shall give immediate notice of that fact to the harbour master and (as soon as practicable thereafter) provide the harbour master with full details in writing.

(2) Where the condition of a vessel is such that it is not or may not be seaworthy, the master shall not move the vessel except to clear the fairway or to moor or anchor in safety, otherwise than with the permission and in accordance with the directions of the harbour master.

(3) The harbour master may mark any vessel the subject of a notice given to him under sub-paragraph (1) above in any manner he considers appropriate.

Vessels to have competent helmsman

11.—(1) Subject to sub-paragraph (2) below, the master of a vessel shall ensure that it is steered at all times by a person competent to do so; and no automatic devices or equipment shall be used for steering purposes unless attended by a competent helmsman.

(2) The requirement of sub-paragraph (1) above to ensure that a vessel is steered at all times by a person competent to do so shall not apply if a person steering a vessel is undergoing training, so long as—

- (a) that person is being supervised on board the vessel by such a competent person; or
- (b) that person is steering the vessel in such part of the harbour as may be designated by the harbour master as suitable for training purposes.

(3) No person under the age of 16 years shall steer or navigate within the harbour any power-driven vessel of over 10 horsepower unless that person is—

- (a) in possession of an appropriate Royal Yachting Association or equivalent qualification; or
- (b) accompanied by a person aged 18 years or over.

Master to remain on bridge

12. The master of a power-driven vessel under way shall either—

- (a) be on the bridge or at the control position of the vessel; or
- (b) ensure that there is on the bridge or at the control position a member of the crew who is capable of taking charge of the vessel and, when a pilot is on board, is capable of carrying out the pilot's directions for the conduct of the vessel.

Prohibition on navigation

13. Except with the prior permission of the harbour master, no vessel shall enter, or navigate within, the controlled area.

Use of whistles

14. No person shall use a whistle within the harbour except—

- (a) as a signal of distress;
- (b) to prevent collision;
- (c) in the case of fog; or
- (d) with the prior permission of the harbour master, for the purpose of—
 - (i) the management of a race or any similar event;
 - (ii) the training of a person in the use of a small vessel; or
 - (iii) testing the whistle.

Anchorage

15.—(1) No vessel shall anchor—

- (a) within 100 metres of the line of any cable or pipe laid down in the harbour, when such line is indicated by posts or other discernible marks on shore, in a general direction or on the Admiralty Charts; or
- (b) within 150 metres of any breakwater.

(2) Without prejudice to sub-paragraph (1) above, if at any time the anchor of any vessel hooks any moorings, electric cable, moorings of buoys, or any pipe, the master of the vessel shall forthwith give notice thereof to the harbour master and shall, if it is safe and practicable, await his instruction before proceeding to clear the same.

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Obstruction of main fairways

16. Except with the permission of the harbour master, no vessel shall lie or be moored, anchored, grounded, deposited or run ashore in the main fairways.

Shipkeepers

17.—(1) No vessel compelled or allowed to anchor in or near the main fairways, any other fairway or approaches to the controlled area, shall be left at any time without a shipkeeper.

(2) For the purposes of sub-paragraph (1) above, a vessel is anchored near the main fairways, any other fairway or approaches to the controlled area if she could, at the extent of her swing, and having regard to prevailing or anticipated weather conditions, and the potential to drag her anchor, infringe on the fairway or approaches to the controlled area, as the case may be.