

SCHEDULES

SCHEDULE 2

REGULATION OF THE ESTUARY

PART 2

NAVIGATION

Vessel movements

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

4. The master of a vessel, other than a small vessel, arriving at the estuary must, if required by the harbour master, provide to the harbour master a declaration in the form to be obtained from the harbour master 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.—(1) Subject to sub-paragraph (2), the master of a vessel navigating in the estuary must navigate the vessel with such care and caution and at such speed and in such manner as not to—

- (a) endanger the lives of, or cause injury to, persons or damage to property,
- (b) obstruct or prejudice the navigation, manoeuvring, loading or discharging of vessels, or
- (c) cause unnecessary damage to moorings, the banks of the estuary or other property.

(2) Sub-paragraph (1) is without prejudice to the Collision Regulations. Vessels not to make fast to aids to navigation

6.—(1) Subject to sub-paragraph (2), the master of a vessel must not—

- (a) make fast the vessel to, or
- (b) knowingly cause or permit the vessel to lie against,

any buoy, beacon or mark used for navigational purposes.

(2) Sub-paragraph (1) does not apply to vessels used for the purposes of—

- (a) erecting or placing,
- (b) altering,
- (c) discontinuing, or
- (d) removing,

aids to navigation in, or in any place immediately adjacent to, the estuary in accordance with the authority given by the harbour master.

Notification of accidents and deficiencies, etc.

7.—(1) The master of a vessel which—

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- (a) has been involved in a collision with any vessel or property, or has been sunk or grounded or become stranded, in the estuary,
- (b) is within, or about to enter, the estuary 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 channel,

must give immediate notice of that fact to the harbour master and, as soon as practicable following the giving of such notice, 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 must not move the vessel—

- (a) except to clear the channel, or
- (b) except to moor or anchor it in safety,

unless the master moves it 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 under sub-paragraph (1) in any manner that the harbour master considers appropriate.

(4) In sub-paragraph (2), “seaworthy” in relation to a vessel means that the vessel with its master and crew is capable, having regard to any intended movement of the vessel within or through the estuary, of being navigated or manoeuvred safely.

Vessels to have competent helmsman

8.—(1) Subject to sub-paragraph (2), the master of a vessel must ensure that—

- (a) it is steered at all times by a person competent to do so, and
- (b) no automatic devices or equipment are used for steering purposes unless attended by a competent helmsman.

(2) The requirement of sub-paragraph (1) to ensure that a vessel is steered at all times by a person competent to do so does 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 estuary as may be designated by the harbour master as suitable for training purposes.

(3) A person under the age of 16 years must not steer or navigate within the estuary 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 who is competent to steer or navigate such a vessel.

Master to remain on bridge

9. The master of a power-driven vessel under way must 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.

Use of whistles

10. A person must not use a whistle within the estuary except—

- (a) as a signal of distress,
- (b) to prevent collision in compliance with the Collision Regulations, or

- (c) 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

11.—(1) Subject to sub-paragraph (3), except with the permission of the harbour master, a vessel must not anchor—

- (a) within 100 metres of the line of any cable or pipe laid down in the estuary, when such line is indicated—
 - (i) by posts or other discernible marks on shore,
 - (ii) in a general direction,
 - (iii) or on the Admiralty Charts; or
 - (b) within 150 metres of any breakwater or training wall.
- (2) Without prejudice to sub-paragraph (1), if at any time the anchor of any vessel hooks any—
- (a) moorings,
 - (b) electric cable,
 - (c) moorings of buoys, or
 - (d) pipe,

the master of the vessel must immediately give notice of it to the harbour master and must, if it is safe and practicable to do so, await the harbour master’s instruction before proceeding to clear the same.

- (3) Sub-paragraph (1)(b) does not apply to small vessels.

Obstruction of the channels

- 12.** Except with the permission of the harbour master, a vessel must not lie or be—
- (a) moored,
 - (b) anchored,
 - (c) grounded,
 - (d) deposited, or
 - (e) run ashore,

in the channels.

Shipkeepers

13.—(1) A vessel that is compelled or allowed to anchor in or near the channels must not be left at any time without a shipkeeper.

(2) For the purposes of sub-paragraph (1), a vessel is anchored near the channels if that vessel could at the extent of its swing and having regard to—

- (a) prevailing or anticipated weather conditions, and
- (b) the potential to drag the vessel’s anchor,

infringe on the channels.

(3) In this paragraph, “shipkeeper” means a person charged with the care and safety of a vessel, in the absence of its master, which is compelled or allowed to anchor in or near the channels in accordance with sub-paragraph (1).