
WELSH STATUTORY INSTRUMENTS

2023 No. 897

The Holyhead Harbour Revision Order 2023

PART 3

POWER TO MAKE DIRECTIONS

General directions to vessels

16.—(1) The Company may, after consultation with the Chamber of Shipping and the Royal Yachting Association (except in cases of emergency) in each case of an exercise of the powers, give directions for the purpose of promoting or securing conditions conducive to the ease, convenience or safety of navigation in the harbour and the approaches to it and, without prejudice to the generality of what is stated above, for any of the following purposes—

- (a) for designating areas, routes or channels in the harbour and the approaches to the harbour 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 harbour master information relating to the vessel reasonably required by the harbour master to identify the vessel, its cargo and its likely time of arrival at and departure from the harbour.

(2) Directions given under paragraph (1) may apply—

- (a) to all vessels or to a class of vessels designated in the direction,
- (b) to the whole of the harbour and the approaches and channels leading to the harbour, or to a part designated in the direction, and
- (c) at all times or at times designated in the direction,

and every direction given under this article must specify the extent of its application in relation to the matters referred to in sub-paragraphs (a), (b) and (c).

(3) The Company may, after consultation with the Chamber of Shipping and the Royal Yachting Association, revoke or amend directions given under this article.

Publication of general directions

17.—(1) Notice of the giving of a general direction and of any amendment or revocation of a general direction must, except in case of emergency, be published by the Company as soon as practicable once in Lloyd's List or some other newspaper specialising in shipping news; and, if the notice relates to the giving or amendment of a direction, the notice must state a place at which copies of the direction or the amended direction (as the case may be) may be inspected and bought, and the price of the direction or amended direction (as the case may be).

(2) In an emergency, notice of the giving of a general direction or of any amendment or revocation of a general direction may be given in any manner the Company considers appropriate.

Special directions to vessels

18.—(1) The harbour master may give a direction under this article—

- (a) requiring any vessel anywhere within the harbour or the approaches to the harbour to comply with a requirement made in or under a general direction,
- (b) regulating the time at which and the manner in which any vessel is to enter into, go out of, or lie in or at the harbour,
- (c) for securing that a vessel moves only at certain times or during certain periods,
- (d) prohibiting the mooring of a vessel in any particular part or parts of the harbour,
- (e) regulating or requiring the movement, mooring or unmooring of a vessel,
- (f) regulating the manner in which a vessel takes in or discharges (from ship to shore or shore to ship) passengers, cargo, fuel, water, ship's stores or ballast in the harbour, and
- (g) removing an unseaworthy vessel from the harbour.

(2) A special direction may be given in any manner considered by the harbour master to be appropriate.

(3) The harbour master may revoke or amend a special direction.

Master's responsibility to be unaffected

19. The giving of a general direction or a special direction does 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 that vessel, persons on board, its cargo or any other person or property.

Failure to comply with directions

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

Enforcement of special directions

21.—(1) Without prejudice to any other remedy available to the Company, if a special direction is not complied with within a reasonable time the harbour master may, where practicable, put persons on board 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 harbour master may proceed as if the direction had been given and not complied with; but the harbour master must not do so unless, after reasonable inquiry has been made, the master of the vessel cannot be found.

(3) Expenses incurred in the exercise of the powers conferred by this article are recoverable by the Company from the owner of the vessel as if they were a charge of the Company in respect of the vessel.