

Island of  Guernsey

Ordinance of the States

**XIV**  
**1970**

---

Made ... .. 25th March, 1970.  
Coming into Operation ... .. 1st April, 1970.

---

**The Boats and Vessels (Registration,  
Speed Limits and Abatement of Noise)  
Ordinance, 1970**

ARRANGEMENT OF SECTIONS

Section

PART I

*Registration of boats*

1. Obligation to register local boats.
2. Application for registration.
3. Registration of boats.
4. Board may require policy of insurance in case of speedboats.
5. Display of numbers on boats.
6. Prohibition on use of unregistered boats.
7. Boats to which this Part applies.

## PART II

*Restrictions on speed, navigating, noise and use of Harbours*

8. Speed limit in coastal restricted zones.
9. Speed limit in St. Peter Port and St. Sampson's restricted zones.
10. Savings for emergencies.
11. Navigating dangerously or without due care and attention.
12. Abatement of noise.
13. Examination of power-driven boats.
14. Restriction on stay.

## PART III

*Service of notices, offences, interpretation, repeals, extent, citation and commencement*

15. Service of notices.
16. Offences.
17. Offences by bodies corporate.
18. Interpretation.
19. Repeals.
20. Extent.
21. Citation.
22. Commencement.

FIRST SCHEDULE Requirements as to numbers on boats other than speedboats registered under Part I of this Ordinance.

SECOND SCHEDULE Requirements as to numbers on speedboats registered under Part I of this Ordinance.

## **The Boats and Vessels (Registration, Speed Limits and Abatement of Noise) Ordinance, 1970**

THE STATES, in pursuance of their Resolution of the twenty-eighth day of April, nineteen hundred and sixty-five, hereby order:—

### PART I

#### *Registration of boats*

1. Every boat to which this Part of this Ordinance applies shall be registered— Obligation to register local boats.

(a) by the owner thereof, or

(b) if the boat is owned by more than one person, by one of those persons who is ordinarily resident in the Islands of Guernsey, Herm or Jethou and who is authorised in writing in that behalf by the remainder of those persons (hereinafter referred to as "the designated owner"),

in accordance with the succeeding provisions of this Part of this Ordinance.

2. An application for the registration of a boat to which this Part of this Ordinance applies shall be made in writing to the Board and shall be accompanied by such information, including evidence of ownership, as the Board may, from time to time, require. Application for registration.

3. (1) Upon the receipt of an application in accordance with the provisions of the last preceding section, the Board shall, upon being satisfied— Registration of boats.

- (a) that the person making the application is either the owner or the designated owner, as the case may be, of the boat concerned, and
- (b) if the boat concerned is a speedboat, that there is in force in relation to the user of the speedboat a policy of insurance in accordance with the provisions of the Vessels and Speedboats (Compulsory Third-party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1968(a),

assign a number to the boat and register it by entering or causing to be entered in a book which may be a loose-leaf book (hereinafter referred to as "the register of boats") the number assigned to the boat as aforesaid and such other particulars relating to it as the Board may, from time to time, determine.

(2) As soon as may be after the registration of a boat in pursuance of the provisions of the last preceding subsection, the Board shall issue or cause to be issued to the owner or the designated owner thereof, as the case may be, a certificate of registration relating to the boat in such form and containing such particulars as the Board may, from time to time, determine.

(3) If, in the case of a boat which is registered in pursuance of the provisions of this section:—

- (a) the owner or the designated owner thereof changes his address or the name of the boat is changed, the owner or the designated owner, as the case may be, shall, prior to the expiration of the twenty-eight days next following the date of such change, inform the Board in writing of the fact and

return the certificate of registration relating to the boat to the Board and the Board shall amend the register of boats and the certificate of registration accordingly and return the latter to the owner or the designated owner, as the case may be;

- (b) the owner thereof transfers his ownership of the boat, or, in the case where the boat is owned by more than one person, one of those persons transfers any share of his in the boat to another by way of sale or otherwise, the said owner or the designated owner thereof, as the case may be, shall, prior to the expiration of the twenty-eight days next following the date of such transfer, inform the Board in writing of the fact and shall return the certificate of registration relating to the boat to the Board and the Board shall delete the entry relating to the boat from the register of boats and cancel the said certificate;
- (c) the owner or the designated owner thereof, as the case may be, dies, his legal personal representative shall, prior to the expiration of the twenty-eight days next following the date of such death, inform the Board in writing of the fact and shall return the certificate of registration relating to the boat to the Board and the Board shall delete the entry relating to the boat from the register of boats and cancel the said certificate;
- (d) any material change is made to the hull, superstructure or method of propulsion of the boat, the owner or the designated owner thereof, as the case may be, shall, prior to

the expiration of the twenty-eight days next following the date of the completion of such change, inform the Board in writing of the fact and shall return the certificate of registration relating to the boat to the Board and the Board shall amend the register of boats and the certificate of registration accordingly and return the latter to the owner or the designated owner, as the case may be;

- (e) the boat is wrecked, broken up or removed permanently from the Islands of Guernsey, Herm and Jethou, the owner or the designated owner thereof, as the case may be, shall, prior to the expiration of the twenty-eight days next following the date of such wreck, the completion of such breaking up or such removal, inform the Board in writing of the fact and shall return the certificate of registration relating to the boat to the Board and the Board shall delete the entry relating to the boat from the register of boats and cancel the said certificate.

**Board may  
require  
policy of  
insurance  
in case of  
speedboats.**

4. (1) The Board may at any time by notice in writing served on the owner or the designated owner, as the case may be, of a speedboat which is for the time being registered in pursuance of the provisions of this Part of this Ordinance require the said owner or designated owner to produce to the Board, within such period as may be specified in the notice, the policy of insurance for the time being in force in relation to the user of the speedboat in accordance with the provisions of the Vessels and Speedboats (Third-party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1968.

(2) If an owner or a designated owner, as the case may be, upon whom has been served a notice in pursuance of the provisions of the last preceding subsection refuses or fails to comply with the requirements of that notice, the Board shall delete the entry relating to the speedboat concerned from the register of boats and thereupon the certificate of registration relating to the speedboat shall cease to be valid.

5. The owner or the designated owner, as the case may be, of a boat registered in pursuance of the provisions of this Part of this Ordinance, other than a registered fishing boat, shall cause the number assigned to the boat by the Board in pursuance of the provisions of subsection (1) of section three of this Ordinance to be painted or marked on the exterior of the hull at the transom or the extreme after end of the boat—

Display of numbers on boats.

- (a) in the case of such a boat as aforesaid which is not a speedboat, in accordance with the requirements specified in the First Schedule to this Ordinance,
- (b) in the case of such a boat as aforesaid which is a speedboat, in accordance with the requirements specified in the Second Schedule to this Ordinance,

and the person for the time being having the command or charge of such a boat shall cause the number as aforesaid to be kept plainly and distinctly visible at all times.

6. A person for the time being having the command or charge of a boat to which this Part of this Ordinance applies shall not use or attempt to use that boat within the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou unless it

Prohibition on use of unregistered boats.

is for the time being registered in accordance with the provisions of this Part of this Ordinance.

Boats to which this Part applies.

7. This Part of this Ordinance applies to any boat:—

- (a) which is owned by a person who is ordinarily resident in the Islands of Guernsey, Herm or Jethou; or
- (b) which is owned by more than one person if one of those persons is ordinarily so resident; or
- (c) which is owned by a body corporate registered in pursuance of the provisions of the Law entitled "Loi relative aux Sociétés Anonymes ou à Responsabilité Limitée" registered on the twenty-first day of March, nineteen hundred and eight(b).

## PART II

### *Restrictions on speed, navigating, noise and use of Harbours*

Speed limit in coastal restricted zones.

8. (1) A person for the time being having the command or charge of a power-driven boat shall not, except with the permission of the Board and subject to such conditions as the Board may specify, cause or permit that boat to proceed ahead or astern or to manoeuvre within the coastal restricted zones, between ten o'clock in the forenoon and seven o'clock in the afternoon on any day during the period commencing on the first day of May and ending on the thirty-first day of October, both days inclusive, in any year at a speed in excess of six knots.

---

(b) Ordres en Conseil Vol. IV, p. 178.

(2) In this section the expression "the coastal restricted zones" means—

- (a) those parts of the territorial waters adjacent to the Island of Guernsey more particularly shown and delineated on a map and thereon coloured red which map for the purpose of identification was signed by the Bailiff on the thirteenth day of March, nineteen hundred and seventy, and lodged at the Greffe; and
- (b) any part of the territorial waters adjacent to the Islands of Herm and Jethou more particularly shown and delineated on a map and thereon coloured red which map for the purpose of identification was signed by the Bailiff on the thirteenth day of March, nineteen hundred and seventy, and lodged at the Greffe.

9. (1) A person for the time being having the command or charge of a vessel shall not, except with the permission of the States Harbourmaster, cause or permit that vessel to proceed ahead or astern or to manoeuvre:—

Speed limit in St. Peter Port and St. Sampson's restricted zones.

- (a) within the Saint Peter Port (No. 1) restricted zone or the Saint Sampson's restricted zone at a speed in excess of six knots,
- (b) within the Saint Peter Port (No. 2) restricted zone at a speed in excess of four knots.

(2) In this section the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Saint Peter Port (No. 1) restricted zone" means that area of the Harbour of Saint Peter Port east of a line drawn from the south-western corner of the New Jetty to the western extremity of the Castle Bridge and west

of a line drawn from the Spur to the eastern extremity of the Castle Breakwater;

“the Saint Peter Port (No. 2) restricted zone” means that area of the Harbour of Saint Peter Port west of a line drawn from the south-western corner of the New Jetty to the western extremity of the Castle Bridge;

“the Saint Sampson’s restricted zone” means that area of the Harbour of Saint Sampson west of a line drawn from the northern end of the southern pier to the southern end of the northern pier;

“vessel” means anything made for the conveyance by water of human beings or of property.

Savings for emergencies.

10. Nothing in the last two preceding sections shall apply to a person for the time being having the command or charge of a vessel as defined in the last preceding section when engaged on a life-saving operation or in any other emergency.

Navigating dangerously or without due care and attention.

11. (1) A person for the time being having the command or charge of a power-driven boat shall not, in the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou, cause or permit that boat to proceed ahead or astern or to manoeuvre recklessly or at a speed or in a manner which is dangerous to other persons in or on the sea.

(2) A person for the time being having the command or charge of a power-driven boat shall not, in the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou, cause or permit that boat to proceed ahead or astern or to manoeuvre without due care and attention or without reasonable consideration for other persons in or on the sea.

(3) If any person contravenes either of the preceding subsections of this section he shall be guilty of an offence and liable, on conviction:—

- (a) in the case of a contravention of subsection (1), to a fine not exceeding one hundred pounds;
- (b) in the case of a contravention of subsection (2), to a fine not exceeding fifty pounds.

12. A person for the time being having the command or charge of a power-driven boat shall not use or attempt to use that boat within the territorial waters adjacent to the Islands of Guernsey, Herm and Jethou:—

Abatement  
of noise.

- (a) unless the engine thereof is fitted with a silencer, expansion chamber or other contrivance suitable and sufficient for reducing as far as may be reasonably possible the noise caused by the escape of exhaust gases; or
- (b) if the engine thereof causes any excessive noise either directly or indirectly as a result of any defect (including a defect in design or construction) lack of repair or faulty adjustment in the engine or any part or accessory of the engine; or
- (c) in such manner as to cause any excessive noise which would have been avoided by the exercise of reasonable care.

13. (1) A police officer or an examiner may, on production of his authority if required, at any time examine any power-driven boat including the engine thereof and any equipment attached thereto for the purpose of ensuring that the provisions of the last preceding section are being complied with and for that purpose may require any power-driven boat to be stopped.

Examina-  
tion of  
power-driven  
boats.

(2) For the purposes of the last preceding subsection the power to examine any power-driven boat shall include a power to embark upon or enter any such boat.

Restriction  
on stay.

14. A person who is not ordinarily resident in the Islands of Guernsey, Herm or Jethou who has for the time being the command or charge of a boat and who has not been allocated a mooring by or on behalf of the Board shall not, without the permission of the States Harbourmaster, cause or permit that boat to remain in the Harbour of Saint Peter Port or the Harbour of Saint Sampson for any continuous period greater than a period of fourteen days or periods which in the aggregate amount to a period greater than a period of fourteen days during the period commencing on the first day of January and ending on the thirty-first day of December, both days inclusive, in any year.

### PART III

*Service of notices, offences, interpretation, repeals, extent, citation and commencement*

Service of  
notices.

15. Any notice which may be served for the purposes of this Ordinance shall be validly served:—

- (a) on any person, if delivered to him, left, or sent by registered post or by recorded delivery service to him at his usual or last known place of abode;
- (b) on any firm, if delivered to any partner of the firm, or left at, or sent by registered post or by recorded delivery service to, the principal or last known principal place of business of the firm;
- (c) on any body corporate, if left at, or sent by registered post or by recorded delivery service to, its registered office if situate in the

Island of Guernsey, or, if its registered office is not so situate, its principal or last known principal place of business in the said Island.

16. (1) Except where otherwise expressly provided, Offences.  
any person who:—

- (a) contravenes or fails to comply with any of the provisions of this Ordinance or any of the provisions of a licence granted by the Board in pursuance of the provisions of section eight of this Ordinance or fails to comply with any condition specified in any such licence;
- (b) in connection with any application for the registration of a boat to which Part I of this Ordinance applies or in supplying any information which he is required to supply to the Board in pursuance of the provisions of the said Part, knowingly makes any false statement or recklessly makes any statement which is false in a material particular or produces or furnishes any information which is false;

shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds and, in the case of a continuing offence, to a further fine not exceeding ten pounds for each day during which the offence continues after conviction.

(2) Any person who obstructs any person in the exercise of his powers under this Ordinance shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds.

17. Where a person convicted of an offence under this Ordinance is a body corporate, every person Offences by  
bodies  
corporate.  
who, at the time of the commission of the offence,

was a director or officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

Interpreta-  
tion.

18. (1) In this Ordinance, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Board” means the States Board of Administration;

“boat” means anything made for the conveyance by water of human beings or of property other than a boat which is a passenger steamer within the meaning of that expression in the Law entitled “Loi relative à la Marine Marchande dans le Bailliage de l’Île de Guernesey” registered on the sixth day of June, nineteen hundred and sixteen(c), or a load line ship within the meaning of that expression in the Merchant Shipping (Safety and Load Line Conventions) Act, 1932, as extended to the Bailiwick of Guernsey by the Merchant Shipping Load Line Convention (Guernsey) Order, 1933(d);

“certificate of registration” means a certificate of registration issued by the Board in pursuance of the provisions of subsection (2) of section three of this Ordinance;

“examiner” means a person appointed by the Board to examine power-driven boats;

“owner” in relation to a boat which is the subject of a hire-purchase agreement, means the per-

---

(c) Ordres en Conseil Vol. V, p. 189.

(d) Ordres en Conseil Vol. IX, p. 302.

son in possession of the boat under that agreement;

“police officer” means a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;

“policy of insurance” includes a covering note;

“power-driven boat” means any boat propelled by machinery and includes every boat under power, whether under sail or not, and includes any prime mover used for towing persons on the sea;

“registered fishing boat” means a fishing boat registered under the provisions of Part IV of the Merchant Shipping Act, 1894;

“speedboat” means any power-driven boat capable of travelling on the sea at a speed in excess of twelve knots.

(2) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as a reference to that enactment as amended, repealed or replaced, extended or applied by or under any other enactment including this Ordinance.

19. The St. Peter Port Harbour (Speed Limit) Ordinance, 1954(e), and the St. Peter Port Harbour (Speed Limit) (Amendment) Ordinance, 1954(f), are hereby repealed. Repeals.

20. This Ordinance shall have effect in the Islands of Guernsey, Herm and Jethou. Extent.

21. This Ordinance may be cited as the Boats and Vessels (Registration, Speed Limits and Abatement of Noise) Ordinance, 1970. Citation.

---

(e) Recueil d'Ordonnances Tome XI, p. 1.

(f) Recueil d'Ordonnances Tome XI, p. 48.

Commence-  
ment.

22. This Ordinance shall come into force on the first day of April, nineteen hundred and seventy.

FIRST SCHEDULE      Section five  
*Requirements as to numbers on boats other than  
speedboats registered under Part I of this  
Ordinance*

1. The number shall be of a distinctive colour compared with the colour of the hull.
2. Each numeral of the number shall be at least one and one half inches and not more than two inches high.

SECOND SCHEDULE      Section five  
*Requirements as to numbers on speedboats registered  
under Part I of this Ordinance*

1. The number shall be black on a white ground.
2. Each numeral of the number shall be at least six inches high and each part thereof shall be at least one and one quarter inches broad.
3. Except in the case of the numeral "1" the total width of the space taken by each numeral shall be at least three inches.
4. The space between the nearest parts of each numeral shall be at least one inch.
5. There shall be a margin of at least three inches between the nearest part of each numeral and the top and bottom of the white ground on which the number appears and of at least two inches between the nearest parts of each numeral and the sides of such ground.

R. H. VIDELO,  
Her Majesty's Greffier.

**Copies may be purchased from  
Her Majesty's Greffier, Royal Court House, Guernsey.**

PRICE 2/-