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1960

STATES OF ALDERNEY ORDINANCE OF THE STATES

Made 8th March, 1960
Coming into force 8th March, 1960

BRAYE HARBOUR {ALDERNEY} ORDINANCE, 1960

THE STATES, upon the recommendations of the Transport and Harbour Committee have made the following Ordinance:-

1. In this Ordinance –

“the Approaches to Braye Harbour” means the area south and west of a line drawn from the extreme end of the submerged portion of the Breakwater to the Aiguillons and which is bounded by the Breakwater to the west and the foreshore to the south;

“Braye Harbour” means the areas south-west of a line drawn between the end of the German-built jetty and Mal Assus and south-west of a line drawn between the end of the said jetty and the Toulouse Rock, and including Crabby Harbour and the Old Harbour, but not including the Breakwater;

“Committee” shall mean that Committee of the States to which the administration of Braye Harbour is entrusted;

“Harbour Master” includes a Deputy Harbour Master and any person acting under the authority of the Harbour Master or the Deputy Harbour Master;

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

“Owner” includes a charterer and an agent;

“Quay” includes any jetty, wharf, wall, slip-way or steps;

“Vessel” means anything made for the conveyance by water of human beings or goods.

2. The Master of a Vessel shall not cause or permit that vessel –

- (a) to occupy a berth in Braye Harbour without the permission of the Harbour Master;

- (b) to be berthed alongside any quay in Braye Harbour until a berth has been allotted by the Harbour Master;
- (c) to be moored or anchored without Braye Harbour or Braye Harbour Approaches except in such place and manner as the Harbour Master may direct.

3. The Harbour Master may –

- (a) where the Master of a vessel has failed to comply with directions given in accordance with this Ordinance, or
- (b) where there is no person for the time being in charge of a vessel berthed, moored or anchored in any place within Braye Harbour or Braye Harbour Approaches –

cause such vessel to be removed and berthed, moored or anchored, as the case may be, in such place and in such manner as he may think fit.

- 4. The Harbour Master may direct the Master of a vessel anchored or moored in any place within the Approaches to Braye Harbour to remove the said vessel from the said Approaches.
- 5. No vessel shall exceed the speed of four knots within Braye Harbour.
- 6. It is forbidden to pump or discharge bilge water or oil in Braye Harbour or the Approaches thereto.
- 7. It is forbidden to throw or deposit any cinders, stones, dirt, filth, excrement or rubbish of any kind in Braye Harbour or the Approaches thereof, or on or upon the quays, slipways of the said Harbour.
- 8. The Masters of all vessels discharging or taking in ballast or cargo shall take all reasonable precautions that no ballast or cargo falls into the harbour.
- 9. The Agents or Charterers responsible for loading or discharging any vessel shall be responsible for clearing away any litter or rubbish which may be left on the quays when loading or discharging has been completed.
- 10. No cargo or merchandise shall be left on the quays without permission of the Harbour Master. If cargo or merchandise is left on the quays without such permission, the Owner or Agents, as the case may be, shall be liable to pay demurrage at a rate which shall be laid down by the Committee in each case.

11. The Harbour Master may prohibit bathing in Braye Harbour or the Approaches thereto if circumstances require.
12. No firearms of any description shall be fired from any vessel within Braye Harbour or the Approaches thereof.
13. All vessels at anchor in Braye Harbour or the Approaches thereof shall exhibit an anchor light from sunset to sunrise.
14. Any person obstructing the Harbour Master in the exercise of his duties under this Ordinance shall be guilty of an offence under this Ordinance.
15. The States may recover from the Owner of any vessel using Braye Harbour any expenses incurred by the Committee in the exercise of any of the functions assigned to the Harbour Master under this Ordinance.
16. Any person who infringes any provision of this Ordinance shall upon conviction be liable to a fine not exceeding £25 or to imprisonment not exceeding one month or to both such fine and such imprisonment.