

Island of  Guernsey

Ordinance of the States **IX**

1959

Made 22nd April, 1959.

Coming into Operation 23rd April, 1959.

The Harbours (Berths, Moorings and Anchorages) Ordinance, 1959.

THE STATES, on the representations of the States Board of Administration, hereby order:—

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

Interpreta-
tion.

“the approaches to the Harbour of Saint Peter Port” means the area bounded—

- (a) by a line drawn from the south-eastern extremity of the White Rock Pier, through the eastern extremity of the Castle Breakwater to a point at a distance of one half of a sea mile from the said south-eastern extremity of the White Rock Pier;

- (b) by the White Rock Pier;
- (c) by a line drawn from the north-eastern corner of the White Rock Pier to the beacon on the Rocque à Deux Têtes;
- (d) by a line drawn from the beacon on the Rocque à Deux Têtes, through the Goubeau Beacon to a point at a distance of one half of a sea mile from the said Goubeau Beacon; and
- (e) by a line drawn from the said point at a distance of one half of a sea mile from the south eastern extremity of the White Rock Pier to the said point at a distance of one half of a sea mile from the Goubeau Beacon;

“the approaches to the Harbour of Saint Sampson” means the area outside the Harbour of Saint Sampson bounded—

- (a) by a line drawn from the northern extremity of the breakwater to the Grunette Beacon; and
- (b) by a line drawn from the Grunette Beacon to the eastern extremity of the Vale Castle;

“the Harbour of Saint Peter Port” means the harbour area to the westward of a line drawn from the eastern extremity of the Castle Breakwater to the south-eastern extremity of the White Rock Pier;

“the Harbour of Saint Sampson” means the harbour area to the westward of a line drawn from the northern extremity of the breakwater to the south-eastern extremity of the northern pier;

- “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, pier, wall, slip-way or steps;
- “States Harbourmaster” includes a Deputy States Harbourmaster and any person acting under the authority of the States Harbourmaster or of a Deputy States Harbourmaster;
- “vessel” means anything made for the conveyance by water of human beings or of property.

2. (1) The Master or Pilot of any vessel shall not cause or permit that vessel—
- (a) to be berthed alongside any quay in the Harbour of Saint Peter Port or in the Harbour of Saint Sampson;
- (b) to be moored or anchored within the Harbour of Saint Peter Port or within the Harbour of Saint Sampson;

Berthing, mooring and anchoring of vessels in the Harbours of Saint Peter Port and Saint Sampson.

except in such place and in such manner as the States Harbourmaster may from time to time direct.

(2) The Master or Pilot of any vessel who contravenes the provisions of subsection (1) of this section or fails to comply with any direction of the States Harbourmaster under that subsection with respect to that vessel shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds.

(3) The States Harbourmaster may—

- (a) in any case where the Master of any vessel has failed to comply with any direction given by him under subsection (1) of this section with respect to that vessel;

- (b) in any case where there is no person for the time being in charge of any vessel berthed, moored or anchored in any place within the Harbour of Saint Peter Port or in any place within the Harbour of Saint Sampson and the States Harbourmaster requires that vessel to be removed from that place or to be berthed, moored or anchored in a different manner;

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

Powers of
States
Harbour-
master with
respect to
vessels
anchored in
approaches
to the
Harbours of
Saint Peter
Port and
Saint
Sampson.

3. (1) The States Harbourmaster may direct the Master of any vessel anchored in any place within the approaches to the Harbour of Saint Peter Port or in any place within the approaches to the Harbour of Saint Sampson to remove that vessel from that place or from any such approaches.

(2) The Master of any vessel who fails to comply with any direction of the States Harbourmaster under subsection (1) of this section with respect to that vessel shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds.

(3) The States Harbourmaster may—

- (a) in any case where the Master of any vessel has failed to comply with any direction given by him under subsection (1) of this section;
or
- (b) in any case where there is no person for the time being in charge of any vessel anchored in any place to which subsection (1) of this section relates and the States Harbourmaster requires that vessel to be removed from that place;

cause that vessel to be removed to and anchored in such place and in such manner as he may think fit.

4. Where the States Harbourmaster is obstructed in the exercise of his powers under this Ordinance, the person obstructing him shall be guilty of an offence and liable, on conviction, to a fine not exceeding twenty-five pounds.

Obstruction of States Harbourmaster.

5. The States Board of Administration may recover from the owner of any vessel as a simple contract debt the amount of any expenses reasonably incurred by it and arising out of the exercise by the States Harbourmaster in relation to that vessel of any of the powers conferred upon him by this Ordinance.

Recovery of expenses incurred in removing vessels.

6. Any vessel berthed, moored or anchored in any manner and in any place within the Harbour of Saint Peter Port or in any place within the Harbour of Saint Sampson at the commencement of this Ordinance shall be deemed to be so berthed, moored or anchored, as the case may be, in accordance with directions of the States Harbourmaster under subsection (1) of section two of this Ordinance.

Vessels berthed, moored or anchored in the Harbours of Saint Peter Port and Saint Sampson at the commencement of this Ordinance.

7. The Ordinances set out in the first column of the Schedule to this Ordinance are hereby repealed to the extent specified in the second column of that Schedule.

Repeals.

8. (1) This Ordinance may be cited as the Harbours (Berths, Moorings and Anchorages) Ordinance, 1959.

Citation and commencement.

(2) This Ordinance shall come into force on the twenty-third day of April, nineteen hundred and fifty-nine.

SCHEDULE Section seven

Ordinances repealed

<i>Ordinance</i>	<i>Extent of repeal</i>
The Ordinance entitled "Ordonnance Générale relative à la Police des Havres" of the nineteenth day of January, eighteen hundred and seventy-four.	Articles four, six, twenty-six, twenty-seven, twenty-eight, thirty-two, thirty-three, sixty-five, seventy, seventy-two and ninety-four.
The Ordinance entitled "Ordonnance Supplémentaire à l'Ordonnance Générale relative à la Police des Havres" of the sixth day of June, nineteen hundred and twenty-five.	Article four.

R. H. VIDELO,

Her Majesty's Greffier.