

Island of  Guernsey

Ordinance of the States **XXII**

1975

Made 4th June, 1975.
Came into Operation ... 4th June, 1975.

**The Harbours (Entry and Exit)
Ordinance, 1975**

THE STATES, in pursuance of their Resolution of the eleventh day of December, nineteen hundred and seventy-four, hereby order:—

PART I

Provisions relating to the Harbour of Saint Peter Port.

1. (1) The Master or Pilot of a vessel shall not cause or attempt to cause that vessel—

Entry into and exit from St. Peter Port Harbour.

(a) to enter the Harbour of Saint Peter Port at any time when a red light beamed seawards is exhibited on and at a height of not less than ten feet from the base of the eastern elevation of the signal station situate on the pier-head (known as “the Spur”) of the White Rock Pier;

- (b) to leave the said Harbour at any time when a red light beamed landwards is exhibited on and at a height of not less than ten feet from the base of the western elevation of the said signal station :

Provided that the States Harbourmaster may, in his discretion permit a particular vessel to enter or leave the said Harbour notwithstanding that by the exhibit of the light as aforesaid that vessel may not enter or leave the said Harbour, as the case may be.

(2) During such times as the light referred to in paragraph (b) of the last preceding subsection is exhibited, the Master or Pilot of a vessel shall not cause or attempt to cause that vessel to leave its berth, mooring or anchorage in the said Harbour except with the permission of the States Harbourmaster.

Exempted vessels may enter or leave Harbour, etc.

2. Nothing in the last preceding section shall be taken to prohibit an exempted vessel from entering or leaving the Harbour of Saint Peter Port between sunrise and sunset save that the States Harbourmaster may, in his discretion, if he considers it necessary for reasons of safety, prohibit a particular vessel from entering or leaving the said Harbour or may give such instructions, with regard to entering or leaving the said Harbour, to the Master or Pilot of an exempted vessel as he may, in the circumstances, deem necessary or expedient.

Exempted vessel to keep out of way, etc.

3. When causing an exempted vessel to enter or leave the Harbour of Saint Peter Port in circumstances when its entry or exit, as the case may be, would but for the provisions of the last preceding section be prohibited, the Master or Pilot of such vessel shall navigate that vessel in such a manner as to ensure that it keeps out of the way of, and gives

way to, all vessels, other than exempted vessels, entering or leaving the said Harbour.

PART II

Provisions relating to the Harbour of Saint Sampson

Entry into
and exit
from St.
Sampson's
Harbour.

4. (1) The Master or Pilot of a vessel shall not cause or attempt to cause that vessel—

(a) to enter the Harbour of Saint Sampson when—

(i) between sunrise and sunset a square flag red in colour is flying at a height of not less than twelve feet on the signal mast erected on the southern pier-head (known as "South Arm") to the said Harbour;

(ii) between sunset and sunrise a red light beamed seawards is exhibited at a height of not less than twelve feet on the said signal mast;

(b) to leave the said Harbour—

(i) between sunrise and sunset when a broad pennant red in colour is displayed at a height of not less than twelve feet on the said signal mast;

(ii) between sunset and sunrise when a red light beamed landwards is exhibited at a height of not less than twelve feet on the said signal mast:

Provided that the States Harbourmaster may, in his discretion permit a particular vessel to enter or to leave the said Harbour notwithstanding that by the flying, exhibit or display of the flag, light or pennant as aforesaid, that vessel may not enter or leave the said Harbour, as the case may be.

(2) During such times as the signals referred to in paragraph (b) of the last preceding subsection are displayed or exhibited, the Master or Pilot of a vessel shall not cause or attempt to cause that vessel to leave its berth, mooring or anchorage in the said Harbour except with the permission of the States Harbourmaster.

PART III

General Provisions

Signals
when ships
navigating
astern.

5. (1) The Master or Pilot of a vessel fitted with a bow rudder when navigating the vessel stern first in the Harbour of Saint Peter Port or in the Harbour of Saint Sampson or in the Pilotage Zone, shall, for the purposes of indicating that the vessel is being navigated stern first, cause to be displayed by day a signal consisting of two balls, each two feet in diameter, carried at the ends of a horizontal jackyard on the mast, or if the vessel has more than one mast, on the main or aftermast, which jackyard shall be placed in a thwartship direction at least six feet higher than the funnel top and shall project at least four feet on either side of the mast so that the distance between the centres of the two balls is at least eight feet.

(2) The Master or Pilot of a vessel shall during such time as the vessel is being navigated as aforesaid follow and obey the Collision Regulations as if such vessel were being navigated bow foremost and for that purpose the starboard side shall be deemed to be the port side and the port side shall be deemed to be the starboard side.

Offences.

6. A Master or Pilot who contravenes any of the provisions of this Ordinance or who fails to comply with any prohibition or instruction of the States

Harbourmaster given under the provisions of section two of this Ordinance shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds.

7. (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 Collision Regulations” means the regulations from time to time in force for preventing collisions at sea made by Her Majesty in Council in pursuance of the provisions of section four hundred and eighteen of the Merchant Shipping Act, 1894;

“exempted vessel” means a vessel, other than a vessel under way by sail alone, of less than forty feet in length overall from stem to stern;

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

“the Pilotage Zone” has the meaning assigned to it by section eleven of the Pilotage (Guernsey) Law, 1966(a);

“States Harbourmaster” includes a Deputy States Harbourmaster and any person acting by or 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) Any reference in this Ordinance to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced,

(a) Ordres en Conseil Vol. XX, p. 206.

extended or applied by or under any other enactment including this Ordinance.

Repeals. 8. The Harbours (Entry and Exit) Ordinance, 1952(*b*), the Harbours (Entry and Exit) (Amendment) Ordinance, 1955(*c*), the Harbours (Entry and Exit) (Amendment) Ordinance, 1956(*d*), the Harbours (Entry and Exit) Ordinance, 1961(*e*), and section fifty-six of the Pilotage Ordinance, 1967 (*f*), are hereby repealed.

Citation. 9. This Ordinance may be cited as the Harbours (Entry and Exit) Ordinance, 1975.

R. H. VIDELO,

Her Majesty's Greffier.

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- (*b*) Recueil d'Ordonnances Tome X, p. 302.
 - (*c*) Recueil d'Ordonnances Tome XI, p. 127.
 - (*d*) Recueil d'Ordonnances Tome XI, p. 273.
 - (*e*) Recueil d'Ordonnances Tome XIII, p. 38.
 - (*f*) Recueil d'Ordonnances Tome XV, p. 50.