

ORDINANCE

OF THE STATES OF DELIBERATION

ENTITLED

The Harbours Ordinance, 1988 *

[CONSOLIDATED TEXT]

NOTE

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* 'Recueil d'Ordonnances Tome XXIV, p. 418; as amended by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); the Harbours (Amendment) Ordinance, 1988 ('Recueil d'Ordonnances Tome XXIV, p. 418); the Traffic Offences (Fixed Penalties) Ordinance, 1989 ('Recueil d'Ordonnances Tome XXV, p. 11); the Harbours (Amendment) Ordinance, 1994 ('Recueil d'Ordonnances Tome XXVI, p. 310); the Harbours (Amendment) Ordinance, 2001 (No. XII of 2001, 'Recueil d'Ordonnances Tome XXVIII, p. 424); the Harbours (Amendment) Ordinance, 2003 (No. XVII of 2003, 'Recueil d'Ordonnances Tome XXIX, p. 359); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, 'Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) Regulations, 2020 (G.S.I. No. 163 of 2020). See also the Fees, Charges and Penalties (Guernsey) Law, 2007 (No. VII of 2008); the Offences (Fixed Penalties) (Guernsey) Law, 2009 (No. XV of 2010).

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(Made on 28th July, 1988.)

The Harbours Ordinance, 1988

THE STATES, in pursuance of their Resolution of the 16th day of March 1988, hereby order: –

PART I

NAVIGATION AND USE OF VESSELS

Dangerous and careless navigation.

1. The master of a vessel in either harbour or in the harbour approach limits –

- (a) shall follow and obey the collision regulations,
- (b) shall not navigate the vessel recklessly or in a manner dangerous to other persons,
- (c) shall not navigate the vessel without due care and attention, or without reasonable consideration for other persons.

NOTE

In accordance with the provisions of the Fees, Charges and Penalties (Guernsey) Law, 2007, section 1, Schedule, with effect from 19th May, 2008, the power to prescribe by Resolution the fees therein referred to and payable under this Ordinance may be exercised by Regulation.

Speed limits.

2. (1) Subject to subsection (2), the master of a vessel shall not, without the permission of the Harbourmaster, navigate the vessel –

- (a) in the [Queen Elizabeth II Marina], or in that part of the main 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 [or in the harbour of Saint Sampson or the Longue Hougue Basin], at a speed in excess of four knots, or
- (b) in any other part of the harbour of Saint Peter Port, [...], at a speed in excess of six knots.

(2) This section does not apply to a vessel engaged in a life-saving operation or in any other emergency.

NOTES

In section 2,

the words in the first and second pairs of square brackets in paragraph (a) of subsection (1) were, respectively, substituted and inserted by the Harbours (Amendment) Ordinance, 2003, respectively section 1(2)(b) and section 1(3)(a), with effect from 24th September, 2003;

the words omitted in the square brackets in paragraph (b) of subsection (1) were repealed by the Harbours (Amendment) Ordinance, 2003, section 1(3)(b), with effect from 24th September, 2003.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 2 of this Ordinance may be discharged by payment of a fixed penalty.

Entry and exit—Saint Peter Port main Harbour.

3. (1) The master of a vessel shall not cause that vessel to enter or leave the main harbour of Saint Peter Port without first obtaining the permission of the Harbourmaster.

(2) Without prejudice to the generality of subsection (1), the master of a vessel shall not, without the specific permission of the Harbourmaster, cause that vessel –

(a) to enter the main harbour of Saint Peter Port at any time when a red light[, (or, as the Board may from time to time specify, by Order, any other signal)] beamed seaward is exhibited on, and at a height of not less than three metres from the base of the eastern elevation of, the radio station, or

(b) to leave that main harbour, or to leave its berth, mooring or anchorage in that main harbour, at any time when a red light[, (or, as the Board may from time to time specify, by Order, any other signal)] beamed landward is exhibited either –

(i) on, and at a height of not less than three metres from the base of, the western elevation of the radio station, or

(ii) at the south-western corner of, and at a height of not less than four metres from the base of, the building situate on the jetty known as "the New Jetty".

(3) Nothing in this section prohibits an exempted vessel from

entering or leaving the main harbour of Saint Peter Port; but the Harbourmaster may, if he considers it necessary for reasons of safety, prohibit an exempted vessel from entering or leaving that main harbour, or may give such directions with regard to its entering or leaving that main harbour, as he considers necessary or expedient.

(4) When causing an exempted vessel to enter or leave the main harbour of Saint Peter Port in circumstances when its entry or exit, as the case may be, would, but for subsection (3), be prohibited, the master of that vessel shall keep it out of the way of, and give way to, all vessels, other than exempted vessels, entering or leaving that main harbour.

NOTE

In section 3, the words in the first and second pairs of square brackets in subsection (2) were inserted by the Harbours (Amendment) Ordinance, 2003, section 1(4), with effect from 24th September, 2003.

Entry and exit—[Queen Elizabeth II Marina].

4. The master of a vessel shall not, without the specific permission of the Harbourmaster, cause that vessel to enter or leave the [Queen Elizabeth II Marina] at any time when a red light[, (or, as the Board may from time to time specify, by Order, any other signal)] is exhibited on the side towers of the gate structure.

NOTES

In section 4,

the words in square brackets in the marginal note thereto, and in the first pair of square brackets therein, were substituted by the Harbours (Amendment) Ordinance, 2003, section 1(2)(c), with effect from 24th September, 2003;

the words in the second pair of square brackets therein were inserted by the Harbours (Amendment) Ordinance, 2003, section 1(4), with effect from 24th September, 2003.

Entry to Victoria Marina.

5. The master of a vessel shall not, without the specific permission of the Harbourmaster, cause that vessel to enter the Victoria Marina at any time when a red light[, (or, as the Board may from time to time specify, by Order, any other signal)] is exhibited at the seaward end of the north-east arm of the Albert Pier at the entrance to that marina.

NOTE

In section 5, the words in square brackets were inserted by the Harbours (Amendment) Ordinance, 2003, section 1(4), with effect from 24th September, 2003.

Entry and exit—Saint Sampson's Harbour.

6. The master of a vessel shall not, without the specific permission of the Harbourmaster, cause that vessel –

- (a) to enter [that part of the harbour of Saint Sampson lying to the west of a line running from the southern extremity of the northern pier to the northern extremity of the south pier-head (known as the "South-Arm"),] at any time when a red light beamed seaward is exhibited on, and at a height of not less than four metres from the foot of, the signal mast erected on the south pier-head (known as the "South Arm") of [that part of that harbour],
- (b) to leave [that part of that harbour], or to leave its berth, mooring or anchorage in that harbour, at any time when a red light beamed landward is exhibited on, and at a height of not less than four metres from the foot of, that

signal mast.

NOTES

In section 6,

the words in square brackets in paragraph (a) were substituted by the Harbours (Amendment) Ordinance, 2003, section 1(6), with effect from 24th September, 2003;

the words in square brackets in paragraph (b) were substituted by the Harbours (Amendment) Ordinance, 2003, section 1(7), with effect from 24th September, 2003.

[Entry and Exit—Longue Hougue Basin.]

6A. The master of a vessel shall not, without the specific permission of the Harbourmaster, cause that vessel to enter or leave the Longue Hougue Basin at any time when a red light (or any other signal as the Board may, from time to time, specify by Order) is exhibited at any place at the Mont Crevelt Breakwater, at the entrance to the Longue Hougue Basin.]

NOTE

Section 6A was inserted by the Harbours (Amendment) Ordinance, 2003, section 1(5), with effect from 24th September, 2003.

[Entry and Exit—St Sampson's Marina.]

6B. The master of a vessel shall not, without the specific permission of the Harbourmaster, cause that vessel to enter or leave the Saint Sampson's Marina at any time when a red light (or any other signal as the Board may, from time to time, specify by Order) is exhibited at any place at the entrance to the Saint Sampson's Marina.]

NOTE

Section 6B was inserted by the Harbours (Amendment) Ordinance, 2003, section 1(5), with effect from 24th September, 2003.

[Power to prohibit fishing boats entering or leaving harbours etc.]

6C. (1) The Harbourmaster may prohibit a fishing boat from entering or leaving a harbour or marina named in this Ordinance.

(2) The master of a fishing boat shall not cause that fishing boat to enter or leave a harbour or marina named in this Ordinance where the Harbourmaster has prohibited it from doing so.

(3) For the purposes of this section, "**fishing boat**" has the meaning given in the Sea Fish Licensing (Bailiwick of Guernsey) Law, 2012, regardless of its country or territory of registration.

(4) For the avoidance of doubt –

(a) nothing in this section shall prevent the Harbourmaster from permitting a fishing boat to enter a harbour or marina named in this Ordinance if the Harbourmaster considers it necessary or expedient for reasons of safety, and

(b) the power of the Harbourmaster to prohibit under subsection (1) is in addition, and without prejudice, to any other power to regulate the entry and exit of vessels into a harbour or marina named in this Ordinance.]

NOTE

Section 6C was inserted by the European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) Regulations, 2020, regulation 9(a), with effect from 11 p.m. on 31st December, 2020.

Obstructing navigation.

7. (1) The master of an exempted vessel shall not make use of any fairway within a harbour or the harbour approach limits so as to cause an obstruction to other vessels which can only navigate within the fairway.

(2) Except in an emergency, a person shall not cause or permit a vessel to be made fast to, or to lie against, any buoy, beacon or mark used for navigation purposes in either harbour.

(3) A person shall not cause or permit any rope, chain, cable, wire or hawser to impede or be a danger to navigation in either harbour or in the harbour approach limits.

(4) A person who knows of the presence of any rope, chain, cable, wire or hawser which is an impediment or danger to navigation in either harbour or in the harbour approach limits shall inform the Harbourmaster as soon as possible of its position.

Aircraft.

8. Except in an emergency, a person shall not cause or permit an aircraft to enter either harbour without the written consent of the Board.

Reportable incidents.

9. The master of a vessel which, in either harbour or in the harbour approach limits, –

(a) has been involved in a collision with any vessel or

property or quay or has been sunk or grounded or stranded, or

(b) by reason of accident, fire, defect or otherwise, is in such a condition as to affect safe navigation or to give rise to danger to other vessels or to property, or quays, or

(c) in any manner gives rise to an obstruction to a fairway,

shall report that fact to the Harbourmaster immediately and shall provide the Harbourmaster with full details in writing as soon as practicable; and if the vessel is damaged in such a way as to affect its seaworthiness, a person shall not move the vessel, except –

(i) to clear a fairway or to moor or anchor in safety, or

(ii) with the permission, and in accordance with the directions, of the Harbourmaster.

Noise and silencing of engine.

10. (1) The master of a power-driven vessel shall not use it in either harbour in such circumstances or in such manner as to cause excessive noise.

(2) Without prejudice to the generality of subsection (1), a person shall not operate an engine in either harbour unless it is fitted with a device sufficient for reducing, as far as is reasonably possible, the noise emitted by it.

NOTE

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 10 of this Ordinance may be discharged by payment of a fixed penalty.

Examination of power-driven vessels.

11. An examiner may, on production of his authority if so required, at any time enter and examine any power-driven vessel, including its engine and equipment, for the purpose of ensuring that the provisions of section 10 are being complied with, and for that purpose may require any power-driven vessel to be stopped.

Fire, explosions and emergencies.

12. The master of a vessel –

- (a) shall take all reasonable precautions for the prevention of accidents by fire,
- (b) shall not, without the permission of the Harbourmaster, cause that vessel to enter either harbour whilst carrying any dangerous goods, as defined in Part A of Chapter VII of the International Convention for the Safety of Life at Sea 1974 and the International Maritime Dangerous Goods Code from time to time approved by the Maritime Safety Committee of the International Maritime Organisation,
- (c) shall not, without the permission of the Harbourmaster, explode any material or device on or from that vessel whilst it is in either harbour,
- (d) shall not, without the permission of the Harbourmaster, fumigate, or permit the fumigation of, a vessel,

- (e) shall give all reasonable assistance to fire, police, ambulance and other emergency services in preventing and dealing with any emergency.

Directions to remove vessels etc.

13. (1) The Harbourmaster may direct the master of any vessel to remove it to a place specified in the direction from any place in either harbour or in the harbour approach limits if, in the opinion of the Harbourmaster, the vessel is –

- (a) causing an obstruction to navigation, or
- (b) impeding the efficient operation of either harbour, or
- (c) berthed, moored or anchored in contravention of this Ordinance or any other enactment.

(2) The Harbourmaster may prohibit the master of any vessel from causing it to enter any specified place in either harbour or in the harbour approach limits if in the opinion of the Harbourmaster its entry to that place would be likely to –

- (a) cause an obstruction to navigation, or
- (b) impede the efficient operation of the harbour, or
- (c) give rise to a contravention of this Ordinance or any other enactment.

Navigation and use regulations.

14. (1) The Board may, by regulations made under this section, make

any provision not inconsistent with this Ordinance as to the navigation and use of vessels in either harbour.

(2) Without prejudice to the generality of subsection (1), regulations under this section may specify the effect of –

- (a) directions and permissions given by the Harbourmaster,
- (b) lights and other signals erected, marked or placed in either harbour.

[Prohibition of jet skis.

14A. A person shall not, without the specific permission of the Harbourmaster, use or cause or permit to be used in either harbour or in the harbour approach limits a personal water craft (which expression shall, in this Ordinance, mean any boat commonly known as a jet ski, wet bike, water scooter or fun craft or by an other like description and any other power-driven boat steered by means of a handlebar operated linkage system or by altering the relationship between the body weight of any person on the boat and the boat itself).]

NOTE

Section 14A was inserted by the Harbours (Amendment) Ordinance, 1994, section 1, with effect from 29th June, 1994.

PART II

BERTHING, MOORING AND ANCHORING

Berthing, mooring and anchoring in harbour.

15. A person shall not cause or permit a vessel –

- (a) to be berthed alongside any quay in either harbour, or
- (b) to be moored or anchored in either harbour, other than on a mooring for the time being allocated in respect of that vessel under section 17,

except in such place and in such manner as the Harbourmaster may direct.

Restriction on stay.

16. The master of a vessel in respect of which no mooring is for the time being allocated under section 17 shall not, without the permission of the Harbourmaster, cause or permit that vessel to remain in the harbours for more than 14 days in any calendar year.

Allocated moorings.

17. The Board may allocate moorings in either harbour –

- (a) to owners of registered boats –
 - (i) for a mooring charges year, or
 - (ii) for any period less than a mooring charges year,
- (b) to owners of vessels other than registered boats, for periods of 24 hours.

NOTE

In section 17, the words in square brackets were substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 3(b), Schedule 2, paragraph 2(b), with effect from 6th May, 2004.

Allocation of moorings.

18. (1) An application for the allocation of a mooring under section 17 shall be in such form and accompanied by such information as the Board may, from time to time, require; and an applicant shall furnish the Board with such further information as the Board may require.

(2) Upon receipt of an application under this section the Board may –

(a) allocate a mooring, subject to such conditions as the Board thinks fit, or

(b) refuse to allocate a mooring.

Notice of intention to remove mooring equipment.

19. A person shall not remove mooring equipment from the sea bed in either harbour unless he gives 24 hours notice to the Harbourmaster.

Direction to move or remove mooring equipment.

20. The Harbourmaster may direct any person allocated a mooring under section 17 to remove the mooring equipment, or to move it from one place to another, in the Harbour of Saint Peter Port or the Harbour of Saint Sampson, as the case may be.

Inspection of mooring equipment.

21. (1) The Harbourmaster may, on giving at least seven days notice in writing, direct the master of a vessel moored at a mooring allocated under section 17 to lift the mooring equipment for inspection by the Harbourmaster.

(2) The Harbourmaster may, at any reasonable time, enter upon

any vessel moored at a mooring allocated under section 17 for the purpose of inspecting the mooring equipment.

Proper and effective mooring.

22. The master of a vessel berthed or lying at any quay shall, to the satisfaction of the Harbourmaster, at all times keep his vessel properly and effectively moored.

Fenders.

23. The master of a vessel shall ensure that it is provided with a sufficient number of fenders adequate for the size of the vessel; and when berthing, leaving, or lying against any quay, or against another vessel, shall cause the vessel to be fended off from that quay or other vessel so as to prevent damage to that quay or other vessel, or to other property.

Gangways.

24. The master of a vessel other than an exempted vessel shall, when the vessel is berthed alongside a quay, provide and maintain a sufficient and proper gangway for access and egress of all persons having lawful business on the vessel and, during the hours of darkness, provide sufficient lighting to illuminate the whole length of the gangway.

Sufficiency of crew etc.

25. Except with the permission of the Harbourmaster, the master of a vessel berthed alongside a quay shall at all times ensure that the vessel is capable of being moved and navigated and that there are sufficient crew or other competent persons readily available to –

- (a) attend to the vessel's moorings, and
- (b) comply with any direction given by the Harbourmaster,

and

- (c) deal with any emergency which may arise.

Vessels to be moveable.

26. (1) A person shall not take any steps to render a vessel incapable of movement without first notifying the Harbourmaster, unless that vessel is lying aground.

(2) If a vessel is at any time not capable of being safely moved by means of its own propulsion machinery, the master shall inform the Harbourmaster forthwith and give him any further information which he may require.

Use of engines while berthed.

27. The master of a vessel which is at a quay or attached to any mooring device in either harbour shall not permit the engines of that vessel to be worked in such a manner as to cause damage to the quay or to the bed of that harbour or to any other vessel or property.

Access across decks.

28. The master of a vessel alongside a quay or alongside any vessel already berthed or moored within a harbour shall, if directed to do so by the Harbourmaster, give free access across the deck of that vessel, for persons and goods, to and from vessels berthed alongside his vessel.

Parted vessels etc.

29. The master of a vessel which has slipped or parted from, or lost, any anchor, chain, cable or propeller, or which has parted from its mooring, shall –

- (a) forthwith give notice of that fact to the Harbourmaster,
and

- (b) if the Harbourmaster so directs, recover any anchor, chain, cable or propeller.

Adjustment of ropes etc.

30. The master of a vessel shall cause anything by which it is connected to a quay or buoy in either harbour to be slackened or held taut so as to enable other vessels to move in the harbour, as the Harbourmaster may direct.

Careening etc.

31. A person shall not cause or permit a vessel to be careened, heaved down, graved or breamed in either harbour otherwise than with the permission of the Harbourmaster and in such place, and subject to such conditions, as the Harbourmaster may direct.

Lighting of vessels.

32. The master of a vessel which is berthed, moored or anchored in either harbour or in the harbour approach limits shall, during darkness, cause to be exhibited on that vessel such lights, in such manner, as the Harbourmaster may direct.

PART III

USE OF HARBOUR FACILITIES

Charges for use of cranes, ramps, grabs and standing areas.

33. (1) There shall be payable –
- (a) for the use of any crane, grab or ramp at either harbour, and
 - (b) in respect of any vessel, vehicle, trailer, container or other goods deposited or allowed to remain in a

standing area at either harbour,

charges at such rates as the States may from time to time by resolution determine.

- (2) A resolution passed under subsection (1) may –
- (a) determine different rates for different classes or descriptions of vessels, vehicles, trailers, containers or goods, for different facilities and for different circumstances generally,
 - (b) empower the Board, in its absolute discretion in any particular case, to determine which of two or more alternative charges shall be payable,
 - (c) exempt any person or class of persons from all or any charges,
 - (d) be varied or revoked by a subsequent resolution so passed.

[(3) A resolution passed under subsection (1) determining charges may, subject to such conditions as may be specified in the Resolution, authorise the Board to amend the amount of those charges in respect of any twelve month period or periods so specified by an amount not exceeding the change in the Guernsey Retail Prices Index during such earlier twelve month period or periods as may be so specified.]

NOTES

In section 33, subsection (3) was inserted by the Harbours (Amendment)

Ordinance, 2001, section 1, with effect from 30th May, 2001.

In accordance with the provisions of the Fees, Charges and Penalties (Guernsey) Law, 2007, section 1, Schedule, with effect from 19th May, 2008, the power to prescribe by Resolution the fees therein referred to and payable under this Ordinance may be exercised by Regulation.

The following Regulations have been made under section 33:

Harbour Dues and Facilities Charges (Guernsey) Regulations, 2025.

Payment and recovery of charges.

34. Any charges payable pursuant to a resolution under section 33 may be recovered as a civil debt due to the States from the person by whom, or on whose behalf, use of the crane, ramp, grab or standing area concerned was requested, or from any agent of that person.

Furnishing of information etc.

35. The owner of a vessel shall, not later than the end of the day following that on which he uses a crane, ramp, grab or standing area, –

- (a) provide the Harbourmaster with such information as he may direct, and
- (b) produce to him, and allow him to inspect and take copies of, any document whose production he may direct,

relating to the vessel, vehicle, trailer, container or goods concerned or to any goods or vehicles forming part of the cargo of any vessel concerned.

PART IV
QUAYS, HARDS AND ROADS

Control of traffic etc.

36. (1) The Board may from time to time, after consulting the [Island Traffic Committee], order, direct or indicate the manner in which persons may use harbour land by erecting, placing or marking –

- (a) any traffic sign described in Schedule 1 or Schedule 2 to the Traffic Signs and Traffic Light Signals Ordinance, 1988^a; or
- (b) any traffic light signal described in Schedule 3 to that Ordinance, or
- (c) if no sign having an appropriate meaning is prescribed by that Ordinance, a sign giving such an order, direction or indication in whatever manner the Board considers appropriate.

(2) The order, direction or indication given by the Board by means of a traffic light signal erected, placed or marked, under paragraph (a) or (b) of subsection (1) is the order, direction or indication set out against the number and description of that sign or signal in Schedule 1, 2 or 3 to the Traffic Signs and Traffic Light Signals Ordinance, 1988 as modified by paragraph 2 of Schedule 1 to this Ordinance.

(3) The provisions of the Traffic Signs and Traffic Light Signals Ordinance, mentioned in Schedule 1 to this Ordinance apply in relation to signs and signals erected, placed or marked under this section subject to the modifications set out in that Schedule.

^a Ordinance No. XV of 1988.

(4) Any order or direction given by the Board by a traffic sign or traffic light signal before the coming into force of this Ordinance which the Board is empowered by this section to give shall be deemed to have been given under this section.

NOTE

The Island Traffic Committee referred to in subsection (1) has since been replaced by the States Traffic Committee, and then by the Environment Department, the reference to which has since been substituted by a reference to the Committee for the Environment & Infrastructure by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 4(a), with effect from 1st May, 2016. The functions, rights and liabilities of the Environment Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for the Environment & Infrastructure and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 4(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

Parking and removal of vessels and trailers.

37. (1) A person shall not, without the permission of the Harbourmaster, park a vessel or trailer on any harbour land, except in a standing area designated for the parking of vessels or the parking of trailers, as the case may be, by a traffic sign erected, placed or marked by the Board.

(2) The Harbourmaster may direct a person in charge of a vessel or trailer to remove it from, or from any place on, the quays of either harbour.

Vehicle loads and accidents.

38. (1) A person shall not use a vehicle in either harbour at any time when its load is not properly secured.

(2) A person in charge of a vehicle which is involved in an accident in either harbour shall, if injury is caused to any person or if damage is caused to any property, forthwith report the accident to the Harbourmaster and give his name and address to the Harbourmaster.

Handling of cargo.

39. (1) The owner of any goods loaded or discharged at either harbour shall –

- (a) comply with any direction given by the Harbourmaster as to the time, place and manner of their loading or unloading at, or their admission to or removal from, the harbour,
- (b) cause those goods to be removed from the harbour as soon as practicable.

(2) A person involved in the loading or unloading of a vessel shall comply with any directions given by the Harbourmaster in that regard.

Obstruction etc. of harbour land.

40. A person shall not –

- (a) deposit refuse on harbour land, except in a receptacle provided for the purpose by the Board,
- (b) deposit anything on harbour land in such a manner as to obstruct any road, plant, machinery or apparatus, or the access to any building, mooring, road, plant, machinery or apparatus, or in such manner as to cause a danger or nuisance,

- (c) permit any substance to leak, spill or fall from a vehicle or vessel onto harbour land,
- (d) explode any material or device on harbour land.

PART V

GENERAL CONDITIONS OF HARBOUR USE

Refuelling etc.

41. (1) A person shall not, without the permission of the Harbourmaster, fill or empty fuel into or from any vessel, vehicle or container in either harbour.

(2) When a boat is on the water of either harbour within 30 metres of any place where the refuelling of boats is permitted by the Harbourmaster a person shall not –

- (a) smoke, or
- (b) permit a naked flame to burn,

aboard the boat.

Obstructing and littering harbour waters.

42. A person shall not, in either harbour –

- (a) deposit refuse in the water,
- (b) place anything in such a position that it is likely to fall,

blow or drift into the water,

- (c) cast or place a net in the water in such a position that it is, or is likely to become, an obstruction or danger.

NOTE

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 42 of this Ordinance may be discharged by payment of a fixed penalty.

Noise abatement.

43. (1) The master of a vessel berthed, moored or anchored in either harbour shall not permit any person on that vessel to create any noise, or to operate any device for the creation or amplification of sound, in such a manner as to give reasonable cause for annoyance to others.

(2) A person shall not create any noise, or operate any device for the creation or amplification of sound, on the quays in such a manner as to give reasonable cause for annoyance to others.

NOTE

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 43 of this Ordinance may be discharged by payment of a fixed penalty.

Activities prohibited without permission.

44. A person shall not, in either harbour, without the permission of the Harbourmaster, –

- (a) use a pot or raft,
- (b) engage in water-skiing, aquaplaning, surfing or windsurfing,
- (c) swim or dive,
- (d) excavate or remove any material or article from the sea bed.

NOTE

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 44 of this Ordinance may be discharged by payment of a fixed penalty.

Trading without consent.

45. A person shall not, without the written consent of the Board, engage by way of trade in the sale of any goods or the provision for reward of any services in either harbour.

NOTE

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 45 of this Ordinance may be discharged by payment of a fixed penalty.

General regulations.

46. (1) The Board may, by regulations made under this section, make any provision not inconsistent with this Ordinance as to the conduct of persons in either harbour.

(2) Without prejudice to the generality of subsection (1), the Board may by regulations –

- (a) prohibit persons from entering or remaining in any specified part of a harbour, and
- (b) make provision for the removal of articles and substances from any part of a harbour so specified.

NOTE

The following Regulations have been made under section 46:

Harbours (Prohibition of Bait Digging) (Guernsey) Regulations, 1994;
Harbours (Visiting Yacht Facilities) Regulations, 2001;
Harbours (Cycling etc. Prohibition) Regulations, 2005.

PART VI

MISCELLANEOUS AND SUPPLEMENTARY

General contraventions etc.

47. (1) A person who contravenes section 1(b), 12(c) or 40(d) is guilty of an offence and liable on summary conviction to a fine not exceeding [level 5 on the uniform scale] or to imprisonment for a term not exceeding 3 months, or to both.

(2) A person who contravenes section 1(a) or 1(c) is guilty of an offence and liable on summary conviction to a fine not exceeding [level 5 on the uniform scale].

(3) A person who contravenes, or fails to comply with, section 2, 3, 4, 5, 6, [6(C)(2),] 8, 12(a), (b), (d), or (e) or 41 is guilty of an offence and liable on

summary conviction to a fine not exceeding [level 4 on the uniform scale].

(4) A person who contravenes, or fails to comply with, section 7, 16, 25, 27 or 37 is guilty of an offence and liable on summary conviction to a fine not exceeding [level 3 on the uniform scale].

(5) A person who contravenes, or fails to comply with, section 9, 10, 22, 23, 24, 26, 31, 38 or 45 is guilty of an offence and liable on summary conviction to a fine not exceeding [level 2 on the uniform scale].

(6) A person who contravenes, or fails to comply with, section 19, 29, 40(a), (b) or (c), 42, 43 or 44 is guilty of an offence and liable on summary conviction to a fine not exceeding [level 1 on the uniform scale].

NOTES

In section 47,

the words and figures in square brackets in subsection (1), in subsection (2), in the second pair of square brackets in subsection (3), in subsection (4), in subsection (5) and in subsection (6) were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989;

the figures, letter and punctuation in the second pair of square brackets in subsection (3) were inserted by the European Union (Sea Fisheries, etc.) (Brexit) (Bailiwick of Guernsey) Regulations, 2020, regulation 9(b), with effect from 11 p.m. on 31st December, 2020.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 2, section 10, section 42, section 43, section 44 or section 45 of this Ordinance may be discharged by payment of a fixed penalty.

Breach of direction or prohibition under section 13.

48. (1) If any person contravenes or fails to comply with a direction

given by the Harbourmaster under section 13(1) or a prohibition imposed by the Harbourmaster under section 13(2) then –

- (a) that person, and
- (b) the owner of the vessel referred to in the direction or prohibition,

is guilty of an offence.

(2) A person guilty of an offence under subsection (1) of this section is liable on summary conviction –

- (a) to a fine not exceeding £50,000, and
- (b) to a further fine not exceeding £5,000 in respect of each day on which the offence continues after conviction.

(3) A person who –

- (a) wilfully obstructs, or fails to give reasonable assistance in connection with, the carrying out of a direction given under section 13(1), or
- (b) causes a prohibition imposed under section 13(2) to be contravened,

is guilty of an offence and liable on summary conviction to a fine not exceeding [level 4 on the uniform scale].

(4) In proceedings in respect of an offence under this section it is a

defence for the defendant to prove –

- (a) that he took all reasonable care to avoid the commission of the offence, and
- (b) that the acts or omissions constituting the offence were acts or omissions of a person who was not at the time his servant or agent.

NOTE

In section 48, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Breach of other directions and obstruction.

49. A person who –

- (a) obstructs the Harbourmaster or an examiner in the exercise of any of his functions under this Ordinance, or
- (b) contravenes or fails to comply with any direction given, or prohibition imposed, by the Harbourmaster under this Ordinance (other than a direction or prohibition given or imposed under section 13),

is guilty of an offence and liable on summary conviction to a fine not exceeding [level 3 on the uniform scale].

NOTE

In section 49, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Failure to comply with traffic signs etc.

50. A person who contravenes or fails to comply with an order or direction given by the Board by means of a traffic sign or traffic light signal erected placed or marked under section 36 is guilty of an offence and liable on summary conviction –

- (a) in the case of a sign numbered 21, 22, 24, 25, 26, 56, 57, 58, 59 or 60 in Schedule 1 or Schedule 2 to the Traffic Signs and Traffic Light Signals Ordinance, 1988, or a sign erected, placed or marked under section 36(1)(c) of this Ordinance in order to control parking, to a fine not exceeding [level 2 on the uniform scale],
- (b) in the case of any other sign or any traffic light signal, to a fine not exceeding [level 3 on the uniform scale].

NOTES

In section 50,

the words and figures in the second and third pairs of square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

In accordance with the provisions of the Offences (Fixed Penalties) (Guernsey) Law, 2009, section 1, section 2 and the Schedule, with effect from 1st July, 2012, any liability to conviction of offences against section 50 of this Ordinance may be discharged by payment of a fixed penalty.¹

False statements etc.

51. A person who knowingly or recklessly furnishes false or misleading information for any purpose of this Ordinance is guilty of an offence and liable on summary conviction to a fine not exceeding [level 3 on the uniform scale].

NOTE

In section 51, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Breach of regulations.

52. A person who contravenes or fails to comply with any provision of any regulations made under this Ordinance is, unless those regulations otherwise provide, guilty of an offence and liable on summary conviction to a fine not exceeding [level 3 on the uniform scale].

NOTE

In section 52, the words and figure in square brackets were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989.

Attempts.

53. A person who attempts to commit an offence punishable under this Ordinance is guilty of an offence and liable on summary conviction to a punishment not exceeding that to which he would have been liable if he had completed the offence concerned.

Offences by bodies corporate.

54. (1) If an offence under this Ordinance committed by a body corporate is proved to have been committed with the consent or connivance of, or to

be attributable to any neglect on the part of, any director, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) For the purposes of this section a person is deemed to be a director of a body corporate if he is a person in accordance with whose directions or instructions the directors of that body corporate, or any of them, act.

Permissions, directions, prohibitions and consents.

55. (1) Any permission, direction or prohibition of the Harbourmaster, and any consent of the Board, under, or for the purposes of, any provision of this Ordinance may be –

- (a) given or imposed either generally or in relation to specified descriptions of vessels, persons, cases or circumstances, or in relation to a particular vessel or person,
- (b) given or imposed either unconditionally or subject to such conditions as the Harbourmaster, or, as the case may be, the Board, thinks fit,
- (c) withdrawn by the Harbourmaster, or, as the case may be, by the Board, at any time.

(2) Any such permission, direction, prohibition or consent –

- (a) may be given, imposed or withdrawn in such manner as the Harbourmaster or, as the case may be, the Board, considers appropriate, and

- (b) without prejudice to the foregoing, shall be conclusively presumed to have been so given, imposed or withdrawn if it is given, imposed or withdrawn in such manner as the Board may prescribe by regulations made under this section.

Regulations.

56. Regulations made by the Board under any provision of this Ordinance

—

- (a) may make different provision for different cases and circumstances,
- (b) may prohibit any act or omission without the permission of the Harbourmaster or without the consent of the Board,
- (c) shall be laid before a meeting of the States as soon as possible after being made; and if at that meeting or their next meeting the States resolve that the regulations be annulled they shall cease to have effect, but without prejudice to anything done under them or to the making of new regulations,
- (d) may be varied or revoked by subsequent regulations so made.

Service of notices.

57. Any notice which may be served for any purpose of this Ordinance shall, without prejudice to any other lawful method of service, be validly served —

- (a) on any person, if delivered to him, or if left at or sent by registered post or by recorded delivery service addressed to him at, his usual or last known place of abode,
- (b) on any unincorporated body, if delivered to any partner, manager, or similar officer of that body, or if left at, or sent by registered post or by recorded delivery service to, the principal or last known principal place of business of that body,
- (c) on any body corporate, if left at, or if sent by registered post or by recorded delivery service to, its registered office if situate in Guernsey, or, if its registered office is not so situate, its principal or last known principal place of business in Guernsey.

Interpretation.

58. (1) In this Ordinance, unless the context otherwise requires –

"the Board" means the States [States' Trading Supervisory Board],

"collision regulations", in relation to a vessel, means any regulations for the time being applicable to that vessel giving effect to international regulations for preventing collisions at sea,

"dangerous goods" has the meaning assigned by section 12(b),

"either harbour" means the harbour of Saint Peter Port and the harbour of Saint Sampson,

"examiner" means a person appointed by the Board to examine power-driven vessels,

"exempted vessel" means a vessel, other than a vessel under way by sail alone, of less than 15 metres length overall,

"fairway" means a navigable channel,

"general pilot" has the meaning assigned by section 11 of the Pilotage (Guernsey) Law, 1966^b,

"goods" includes containers, whether loaded or empty,

"the Harbourmaster" means the States Harbourmaster and any States Deputy Harbourmaster, and includes any person acting under the authority of the States Harbourmaster upon production, if so required, of his authority so to act,

"the harbour approach limits" means –

- (a) in relation to the harbour of Saint Peter Port, the sea within three quarters of a nautical mile of the south-eastern extremity of the White Rock pier, and
- (b) in relation to the harbour of Saint Sampson, the sea within half of a nautical mile of the north-eastern extremity of the [rubble mound surrounding the Longue Hogue Basin],

^b Ordres en Conseil Vol. XX, p. 206.

"the harbour of Saint Peter Port" means the harbour area to the west of a line drawn from the eastern extremity of the Castle Breakwater to the south-eastern extremity of the White Rock Pier and the marina area to the south-west of a line drawn from the Salarie Battery to the northern extremity of the breakwater extending north from the White Rock; and includes the quays, hards and roads adjacent to those areas and under the administration of the Board,

"the harbour of Saint Sampson" means the harbour area to the west of a line drawn from the northern extremity of the [rubble mound surrounding the Longue Hougue Basin] to the south-eastern extremity of the northern pier; and includes the [Longue Hougue Basin and the] quays, hards and roads adjacent to those areas and under the administration of the Board,

"harbour land" means the quays, hards and roads under the administration of the Board and adjacent to the harbour and marina areas of the harbour of Saint Peter Port or the harbour of Saint Sampson [but in sections 36 and 37 of this Ordinance shall not include any land set out in paragraph 2 of the Schedule to the Vehicular Traffic (Control of Parking on Certain States Land) Ordinance, 1988],

[**"the Longue Hougue Basin"** means the area of water enclosed by the rubble mound, lying to the south east of the Mont Crevelt Breakwater, the whole lying to the south east of land and buildings on the south-eastern side of Bulwer Avenue,]

"the main harbour of Saint Peter Port" means the harbour of Saint Peter Port excluding the [Queen Elizabeth II Marina],

"master" means the person having for the time being the command or

charge of a vessel, and includes, in sections 1 to 6 inclusive, a general or special pilot under whose pilotage a vessel is being navigated,

"mooring" includes berth,

"mooring charges year" means the period commencing on 1st April in any year and ending on 31st March in the next year,

"navigate", in relation to a vessel, means cause the vessel to move in the water,

"the [Queen Elizabeth II Marina]" means the marina area of the harbour of Saint Peter Port to the south-west of a line drawn from the Salarie Battery to the northern extremity of the breakwater extending north from the White Rock,

"owner" includes a charterer and an agent,

"parked", in relation to a vessel or a trailer, means stationary on land for longer than is needed to launch a vessel or remove a vessel from the water,

"power-driven vessel" means any vessel propelled by machinery, including every vessel under power, whether under sail or not, and any prime mover used for towing purposes on the sea,

"quays" includes dolphins, jetties, wharfs, piers, walls, slipways and steps,

"the radio station" means the building, also known as **"port control"** and as the **"signal station"**, which is situated on the pier-head (known as **"the Spur"**) of the White Rock Pier,

"registered vessel" means a vessel registered under Part I of the Boats and Vessels (Registration, Speed Limits and Abatement of Noise) Ordinance, 1970^c,

[**"the Saint Sampson Marina"** means the marina area situated within the harbour of Saint Sampson,]

"special pilot" has the meaning assigned by section 11 of the Pilotage (Guernsey) Law, 1966,

"standing area" means an area of harbour land designated by a resolution of the Board as an area where, subject to such conditions as may be specified in the resolution, vessels, vehicles, trailers, containers or goods may be deposited,

"traffic sign" means a sign erected, placed or marked in accordance with section 36,

"trailer" means a vehicle which is designed or adapted for use in connection with the conveyance of a boat on land and which is incapable of being propelled under its own power,

"vehicle" means anything made for the conveyance by land of people or property, including a trailer, an animal-drawn vehicle, a bicycle and a tricycle,

"vessel" means anything made for the conveyance by water of people

^c 'Recueil d'Ordonnances Tome XVI, p. 346; Tome XIX, p. 220; Tome XXI, p. 16.

or property.

- (2) Unless the context otherwise requires –
- (a) a reference in this Ordinance to a numbered or lettered section, subsection or paragraph is a reference to the section, subsection or paragraph so numbered or lettered in this Ordinance,
 - (b) a reference in a provision of this Ordinance to a numbered or lettered subsection or paragraph is a reference to the subsection or paragraph of that provision which is so numbered or lettered,
 - (c) a reference in this Ordinance to any enactment includes a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment.

NOTES

In section 58,

the words in square brackets in the definition of the expression "the Board" in subsection (1) were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 12(b), Schedule 2, Part 8, with effect from 1st May, 2016;²

the words in square brackets in the definition of the expression "the harbour approach limits" in subsection (1) were substituted by the Harbours (Amendment) Ordinance, 2003, section 1(8)(a), with effect from 24th September, 2003;

the words in the first and second pairs of square brackets in the definition of the expression "the harbour of Saint Sampson" in subsection (1) were, respectively, substituted and inserted by the Harbours (Amendment) Ordinance, 2003, respectively section 1(8)(b)(i) and section 1(8)(b)(ii), with

effect from 24th September, 2003;

the words and figures in square brackets in the definition of the expression "harbour land" in subsection (1) were inserted by the Harbours (Amendment) Ordinance, 1988, section 1, with effect from 26th October, 1988;

the definition of the expression "the Longue Hougue Basin" in subsection (1) was inserted by the Harbours (Amendment) Ordinance, 2003, section 1(8)(b)(iii), with effect from 24th September, 2003;

the words in square brackets in the definitions of the expressions "the main harbour of Saint Peter Port" and "the Queen Elizabeth II Marina" in subsection (1) were substituted by the Harbours (Amendment) Ordinance, 2003, section 1(2)(d), with effect from 24th September, 2003;

the definition of the expression "the Saint Sampson Marina" in subsection (1) was inserted by the Harbours (Amendment) Ordinance, 2003, section 1(8)(b)(iv), with effect from 24th September, 2003.

The functions, rights and liabilities of the Public Services Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the States' Trading Supervisory Board and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 12(b), Schedule 2, Part 8, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.³

Repeals and amendments.

59. (1) The enactments mentioned in the left hand column of Schedule 2 to this Ordinance are repealed to the extent specified in the right hand column of that Schedule.

(2) In section 10 of the Boats and Vessels (Registration, Speed Limits and Abatement of Noise) Ordinance, 1970 for "the last two preceding sections" there is substituted "section eight of this Ordinance" and the words "for the time being having the command or charge of a vessel as defined in the last preceding section when" are repealed.

(3) ...

NOTE

In section 59, subsection (3) was repealed by the Traffic Offences (Fixed Penalties) Ordinance, 1989, section 9(1), Schedule 3, with effect from 1st May, 1989, subject to the savings in section 9(2) of the 1989 Ordinance.

Savings.

60. (1) It is hereby declared that this Ordinance repeals and re-enacts with modifications the provisions specified in the right hand column of Schedule 2 to this Ordinance of the enactments mentioned in the left hand column of that Schedule.

(2) Without prejudice to the general application of section 19 of the Interpretation (Guernsey) Law, 1948^e (effect of repeal and re-enactment) –

- (a) a reference in any other enactment to an enactment repealed by this Ordinance shall, unless the contrary intention appears, be construed as including a reference to the corresponding provision of this Ordinance,
- (b) any document referring, expressly or by implication, to an enactment repealed by this Ordinance shall, so far as may be necessary for preserving its effect, be construed as referring, or as including a reference, to the corresponding provision of this Ordinance,
- (c) in so far as any rule or regulation made, any resolution passed or any other thing done under an enactment repealed by this Ordinance, or having effect as if so made, passed or done, could be made, passed or done

^e Ordres en Conseil Vol. XIII, p. 355.

under a corresponding provision of this Ordinance, it shall have effect as if made, passed or done under that corresponding provision on the date on which it was in fact made, passed or done, and as if that corresponding provision had been in force on that date.

NOTE

The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.

Citation.

61. This Ordinance may be cited as the Harbours Ordinance, 1988.

Commencement.

62. This Ordinance shall come into force on 5th August, 1988.

SCHEDULE 1

Section 36(2) and (3)

MODIFICATIONS TO THE TRAFFIC SIGNS AND TRAFFIC LIGHT SIGNALS
ORDINANCE, 1988 IN RELATION TO SIGNS AND SIGNALS
ON HARBOUR LAND

1. Sections 5, 6, 7, 8, 9, 10, 13 and 16 of the Traffic Signs and Traffic Light Signals Ordinance, 1988 apply in relation to signs and signals erected, placed or marked under this Ordinance as they apply to signs and signals erected, placed or marked on a public highway by the [Island Traffic Committee], subject to the modifications that –

- (a) for references to "the carriageway" and to "the highway" or "a highway", there are substituted references to "the harbour land",
- (b) for references to "the Committee" there are substituted references to "the Board",
- (c) in section 7(2) and (4) the words "erected or placed under section 4(1)(a)" are omitted,
- (d) in section 10(1) for "on or near a public highway" there is substituted "on the harbour land",
- (e) in section 16 –
 - (i) the definitions of "carriageway", "the Committee", "existing prohibition" and "highway" are omitted,
 - (ii) in the definitions of "intersection", "lane",

Consolidated text

"major road" and "traffic island" for references to a "highway" there are substituted references to a "road",

- (iii) immediately after the definition of "power driven vehicle" there is inserted the following definition:

" **"road"** means a roadway set aside by order or direction of the Board as a way for vehicular traffic,"

- (iv) in subsection (3)(a) the words and commas ", or obliged by a prohibition, restriction or requirement indicated by the sign," are omitted.

2. Schedules 1, 2 and 3 of the Traffic Signs and Traffic Light Signals Ordinance, 1988 apply in relation to signs and signals erected, placed or marked under this Ordinance as they apply to signs and signals erected, placed or marked on a public highway by the [Island Traffic Committee], subject to the modifications that –

- (a) for references to "the carriageway" and "the highway" there are substituted references to "the road",
- (b) in the heading of Schedule 2 and the sub-headings of Parts I and II of Schedule 2, for the words "Signs indicating an existing prohibition, restriction or requirement" there is in each case substituted "Further signs giving orders or directions",
- (c) for the headings of the fourth column of Parts I and II

of Schedule 2 there is in each case substituted the following heading:

"Order or direction given by sign".

NOTE

The Island Traffic Committee referred to in subsection (1) has since been replaced by the States Traffic Committee, and then by the Environment Department, the reference to which has since been substituted by a reference to the Committee for the Environment & Infrastructure by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 4(a), with effect from 1st May, 2016. The functions, rights and liabilities of the Environment Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for the Environment & Infrastructure and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 4(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.

SCHEDULE 2

Section 59(1)

REPEALS

Enactment	Extent of repeal
The Ordinance entitled "Ordonnance portant défense d'attacher des Bestiaux en certains endroit dans les environs du Havre" of 24 th April, 1865 ^f .	The whole Ordinance.
The Ordinance entitled "Ordonnance Générale relative à la Police des Havres" of 19 th January, 1874 ^g .	The whole Ordinance, so far as it remains unrepealed.
The Ordinance entitled "Ordonnance par rapport ou dépôt de Lest dans le havre de Saint Samson" of 22 nd April, 1895 ^h .	The whole Ordinance.
The Ordinance entitled "Ordonnance supplémentaire relative à la Police des Havres" of 5 th October, 1896 ⁱ .	The whole Ordinance.
The Ordinance entitled "Ordonnance supplémentaire à l'Ordonnance relative à la Police des Havres" of 4 th April, 1921, made permanent on 5 th October, 1931 ^j .	The whole Ordinance.
The Ordinance entitled "Ordonnance supplémentaire à l'Ordonnance Générale	

- f** 'Recueil d'Ordonnances Tome IV, p. 50.
g 'Recueil d'Ordonnances Tome IV, p. 146.
h 'Recueil d'Ordonnances Tome IV, p. 388.
i 'Recueil d'Ordonnances Tome IV, p. 380.
j 'Recueil d'Ordonnances Tome V, p. 410.

relative à la Police des Havres" of 6 th June, 1925, made permanent on 5 th October, 1931 ^k .	The whole Ordinance, so far as it remains unrepealed.
The Ordinance entitled "Ordonnance supplémentaire à l'Ordonnance Générale relative à la Police des Havres" of 14 th May, 1927, made permanent on 5 th October, 1931 ^l .	The whole Ordinance.
The Ordinance entitled "Ordonnance supplémentaire à l'Ordonnance Générale relative à la Police des Havres", of 4 th July, 1936 ^m .	The whole Ordinance.
The Ordinance entitled "Ordonnance supplémentaire à l'Ordonnance Générale relative à la Police des Havres", of 2 nd April, 1938 ⁿ .	The whole Ordinance, so far as it remains unrepealed.
The Ordinance entitled "St. Peter Port Harbour (Use by Aircraft) Ordinance, 1947" of 8 th February, 1947 ^o .	The whole Ordinance.
The Ordinance entitled "St. Peter Port Harbour (Use of Aircraft) Ordinance No 2 of 1947" of 14 th April, 1947 ^p .	The whole Ordinance.
The Harbours (Berths, Moorings and Anchorages) Ordinance, 1959 ^q .	

- k** 'Recueil d'Ordonnances Tome V, p. 410.
l 'Recueil d'Ordonnances Tome V, p. 412.
m 'Recueil d'Ordonnances Tome VIII, p. 208.
n 'Recueil d'Ordonnances Tome VIII, p. 208.
o 'Recueil d'Ordonnances Tome IX, p. 55.
p 'Recueil d'Ordonnances Tome IX, p. 56.
q 'Recueil d'Ordonnances Tome XII, p. 186.

<p>The Boats and Vessels (Registration, Speed Limits and Abatement of Noise) Ordinance, 1970^r.</p>	<p>The whole Ordinance. Sections 9 and 14.</p>
<p>The Vehicular Traffic (Parking on St. Peter Port Harbour) (Prohibition) Ordinance, 1965^s.</p>	<p>The whole Ordinance.</p>
<p>The Harbours (Entry and Exit) Ordinance, 1975^t.</p>	<p>The whole Ordinance.</p>
<p>The Harbours (Entry and Exit) (Amendment) Ordinance, 1984^u.</p>	<p>The whole Ordinance.</p>
<p>The Road Traffic and Highways Offences (Increase in Fines) Ordinance, 1986^v.</p>	<p>The whole Ordinance. The entries in the Schedule relating to the Ordinance entitled "Ordonnance supplémentaire à l'Ordonnance Générale relative à la Police des Havres, 1938" of 2nd April, 1938 and to the Vehicular Traffic (Parking on St. Peter Port Harbour) (Prohibition) Ordinance, 1965.</p>
<p>The Harbour Facilities Charges Ordinance, 1986^w.</p>	<p>The whole Ordinance.</p>
<p>The Vehicular Traffic (Parking on St.</p>	

^r 'Recueil d'Ordonnances Tome XVI, p. 348.

^s 'Recueil d'Ordonnances Tome XIV, p. 128.

^t 'Recueil d'Ordonnances Tome XX, p. 131.

^u Ordinance No. XXIX of 1984.

^v Ordinance No. IX of 1986.

^w Ordinance No. XXIV of 1986.

Peter Port Harbour) (Prohibition) (Amendment) Ordinance, 1987 ^x .	The whole Ordinance.
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1 Previously, in accordance with the provisions of the Traffic Offences (Fixed Penalties) Ordinance, 1989, section 1, section 2 and Schedule 1, with effect from 1st May, 1989, any liability to conviction of offences against section 50 may have been discharged by payment of a fixed penalty.

2 These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 3(b), Schedule 2, paragraph 2(b), with effect from 6th May, 2004.

3 The functions, rights and liabilities of the Public Services Department and its Minister arising under or by virtue of this Ordinance were transferred to and vested in them, respectively, from the Board of Administration and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 3(b), Schedule 2, paragraph 2(b), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

^x Ordinance No. XXXVII of 1987.