



Jersey

HARBOURS (JERSEY) REGULATIONS 1962

Official Consolidated Version

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HARBOURS (JERSEY) REGULATIONS 1962

Contents

Regulation

PART 1	5
POWERS TO RESTRICT ACCESS, ETC.	5
1 Restriction of access – harbours and territorial waters	5
PART 2	6
POWERS OF THE HARBOUR MASTER	6
2 Unserviceable vessels and other obstructions	6
3 General	6
4 Permits for use of facilities or provision of services.....	7
5 Permits.....	8
6 Use of facility or provision of a service by agreement	9
PART 3	10
DUTIES OF MASTER AND OWNER	10
7 Masters to comply with directions of Harbour Master	10
8 Communication to be made by vessel bound for harbour	10
9 Reporting	11
10 Collision Regulations.....	11
11 Speed of vessels.....	11
12 Charge of moored vessels	11
13 Means of boarding and leaving vessel	11
14 Off-mooring ropes	11
15 Dropping of mooring anchors to be reported	12
16 Lost anchors, etc. to be reported	12
PART 4	12
PROVISIONS GOVERNING SHIPS BRINGING PETROLEUM SPIRIT INTO A HARBOUR	12
17 Red light or flag to be displayed	12
18 Notice of cargo to be given	12
19 Berthing of ship	12

20	Loading and discharging of petroleum spirit.....	13
21	Fire precautions.....	14
22	Distance between ships.....	14
23	Watchman	14
24	Inspection	15
25	Penalties	15
26	Interpretation of Part 4	15
PART 5		16
PROVISIONS GOVERNING THE CONVEYANCE, LOADING AND UNLOADING OF EXPLOSIVES		16
27	General	16
28	Exceptions.....	16
29	Notice to be given to the Harbour Master	16
30	Limit on the quantity of explosives	16
31	Berthing of an explosives ship	16
32	Loading and unloading procedures	17
33	Precautions against fire and explosion during loading and unloading	18
34	Conveyance of explosives by road	19
35	Facilities for inspection.....	19
36	Technical advice.....	19
37	Power to grant exemption	19
38	Penalties	19
39	Interpretation of Part 5	20
PART 6		20
PROVISIONS CONCERNING SEA-GOING TANKERS CARRYING OIL, GAS OR CHEMICALS		20
40	Interpretation of Part 6	20
41	Application.....	21
42	Reporting	21
43	Check list.....	22
44	Offences.....	22
PART 7		23
LOADING AND UNLOADING OF GOODS AND EMBARKATION AND DISEMBARKATION OF PASSENGERS		23
45	Goods.....	23
46	Passengers	23
PART 8		24
GENERAL		24
47	Damage by vessels in harbour.....	24
48	Prohibited acts.....	24
49	Acts for which written permission of harbour authority is required	25
50	Penalties and criminal responsibility.....	25
51	Interpretation	26
52	Citation	26

SCHEDULE 1	27
POLICY GUIDELINES TO BE FOLLOWED BY HARBOUR AUTHORITY	27
1 Application	27
2 Performance of function by harbour authority	27
3 Objectives	27
4 Harbour authority not to show preference or to discriminate	27
SCHEDULE 2	28
TANKER CHECK LIST	28
A. Vessel Identification	28
B. Safety installations aboard	29
C. Safety Certificates and other documents	29
D. Officers and ratings	31
ENDNOTES	32
Table of Legislation History	32
Table of Renumbered Provisions	33
Table of Endnote References	35



Jersey

HARBOURS (JERSEY) REGULATIONS 1962¹

THE STATES, in pursuance of Article 4 of the [Harbours \(Administration\) \(Jersey\) Law 1961](#), have made the following Regulations –

Commencement [[see endnotes](#)]

PART 1²

POWERS TO RESTRICT ACCESS, ETC.³

1 Restriction of access – harbours and territorial waters⁴

- (1) If it appears to the authority necessary or expedient to do so, a harbour authority may issue a direction –
 - (a) restricting or prohibiting access to any part; or
 - (b) for a specified purpose, reserving a specified part, of a harbour under the control of that authority.⁵
- (2) If it appears to the Minister necessary or expedient to do so, the Minister may issue a direction –
 - (a) restricting or prohibiting access to any part; or
 - (b) for a specified purpose, and subject to such conditions as the Minister may consider appropriate, reserving a specified part, of any territorial waters.⁶
- (3) The harbour authority or, as the case may be, the Minister must publish a direction issued under this Regulation.⁷
- (4) A person who contravenes a direction issued under this Regulation is guilty of an offence and is liable to a fine of level 3 on the standard scale.

PART 2⁸**POWERS OF THE HARBOUR MASTER****2 Unserviceable vessels and other obstructions**

- (1) The Harbour Master may issue a direction requiring the removal of an unserviceable vessel or other obstruction from a harbour.⁹
- (2) The direction must be –
 - (a) served on the owner of the vessel or obstruction; or
 - (b) published if the owner is unknown or cannot be traced.
- (3) If, within 7 days, the vessel or obstruction has not been moved in accordance with the direction the harbour authority may cause the vessel or obstruction to be moved.¹⁰
- (4) If the Harbour Master causes the vessel or obstruction to be moved –
 - (a) expenses incurred in removing and storing the vessel or obstruction shall be payable by the owner; and
 - (b) no claim for damages shall lie against the Harbour Master, harbour authority or any person who moved and stored the vessel or obstruction.¹¹
- (5) If –
 - (a) the expenses mentioned in paragraph (4)(a) are not paid within 7 days of being demanded; or
 - (b) the owner of the vessel or obstruction cannot be found after reasonable enquiry,

the harbour authority may dispose of the vessel or obstruction in such manner as the harbour authority considers appropriate.¹²
- (6) The harbour authority must pay any proceeds arising from the disposal, after deduction of the expenses incurred –
 - (a) to the owner; or
 - (b) if no owner can be found, into the consolidated fund.¹³
- (7) For the purpose of this Regulation a vessel or obstruction is to be taken to be unserviceable or abandoned –
 - (a) if it appears to the Harbour Master to be abandoned due to its state of neglect, lack of maintenance or lack of attention by its owner; or
 - (b) where it is occupying a space in return for the payment of a fee, charge or other consideration, if the fee, charge or other consideration has not been paid.

3 General

- (1) The Harbour Master may give directions –
 - (a) to regulate the time at, and the manner in which, a vessel may enter into, go out of, or lie in, a harbour;
 - (b) to regulate a vessel's position, mooring or unmooring, placing and removing, while in a harbour.

- (2) The Harbour Master may give directions to regulate the time at, and the position in which a vessel may –
 - (a) take in or discharge its cargo or any part of its cargo;
 - (b) take in or land its passengers;
 - (c) take in or deliver ballast,within a harbour.
- (3) The Harbour Master, or a person authorized to do so by the Harbour Master, may give directions and orders necessary –
 - (a) to maintain order in a harbour;
 - (b) to control the movement of persons and vehicles in a harbour;
 - (c) to maintain security in a harbour;
 - (d) to maintain safety in a harbour.
- (4) A person must comply with a direction or order given in accordance with paragraph (3) that is applicable to the person.
- (5) The harbour authority may give directions in respect of –
 - (a) the circulation and parking of vehicles in a harbour;
 - (b) the charges to be paid to park a vehicle in a harbour or in any part of a harbour.¹⁴
- (6) Despite Regulation 2, the Harbour Master may cause to be removed any vessel or obstruction from –
 - (a) a harbour; or
 - (b) territorial waters,where the Harbour Master is satisfied that its immediate removal is necessary.

4 Permits for use of facilities or provision of services¹⁵

- (1) For the purposes of Article 4A of the Law, the use of certain facilities or the provision of certain services may be designated in accordance with paragraphs (4) and (5) of this Regulation as facilities or services which may not be used or, as the case may be, provided except in accordance with a permit issued under Regulation 5.
- (2) It is an offence punishable by a fine to use a designated facility or to provide a designated service without such a permit.
- (3) It is an offence punishable by a fine of level 3 on the standard scale to use a designated facility or to provide a designated service otherwise than in accordance with the terms, conditions or limitations of or in such a permit.¹⁶
- (4) A harbour authority may designate a facility to be used, or a service to be provided, in a harbour or (subject to paragraph (5)) in territorial waters as a facility or a service to which this Article applies, but in doing so the harbour authority must –
 - (a) follow the policy guidelines specified in Schedule 1; and
 - (b) publish details of the designation.

- (5) A harbour authority may not make a designation under paragraph (4) in relation to the use of a facility or the provision of a service in territorial waters unless directed to do so by the Minister.
- (6) The Minister may, by written notice, direct the harbour authority –
 - (a) to make such a designation under paragraph (4) as is specified in the direction; or
 - (b) to amend, in the manner specified in the direction, a designation made under paragraph (4).
- (7) Where the Minister gives a direction in accordance with paragraph (6) –
 - (a) the Minister shall lay a copy of the written notice before the States at the earliest opportunity; and
 - (b) the harbour authority shall act in accordance with the direction.
- (8) A requirement for a licence under Part 3 of the [Air and Sea Ports \(Incorporation\) \(Jersey\) Law 2015](#) shall not apply to any facility or service in relation to which the Minister has directed a harbour authority to make or amend a designation in accordance with paragraph (6).
- (9) An offence under paragraph (3) may be charged by reference to a day or any longer period of time and a person may be convicted of a second offence or subsequent offences under that paragraph by reference to any period of time following the preceding conviction for such an offence.
- (10) Any designation made by the Harbour Master before the commencement of this provision shall continue in full force and effect as if it were a designation made by the harbour authority under paragraph (4), and as though any reference in such designation to the Harbour Master were a reference to the harbour authority.
- (11) Any direction given by the Minister before the commencement of this provision shall continue in full force and effect but as though any reference in that direction to the Harbour Master were a reference to the harbour authority.

5 Permits

- (1) This Regulation applies where the harbour authority has designated a facility or service under Regulation 4(4).¹⁷
- (2) A person who wants to acquire a permit to use the designated facility or to provide the designated service, as the case may be, must apply to the harbour authority for the permit.¹⁸
- (3) The application must be made in such form as the harbour authority may publish.¹⁹
- (4) The harbour authority must publish the application and seek comment from those likely to be affected.²⁰
- (5) When considering the application the harbour authority must follow the policy guidelines specified in Schedule 1.²¹
- (6) The harbour authority must also take into account any relevant –
 - (a) policy of the States as conveyed to the harbour authority by the Minister; and
 - (b) comments received as a result of publishing the application.²²

- (7) After considering the application the harbour authority may –
- (a) issue the permit;
 - (b) refuse to issue the permit; or
 - (c) issue the permit subject to terms (including terms requiring the payment of fees or charges), conditions and limitations.²³
- (8) The harbour authority may at any time –
- (a) amend the terms, conditions or limitations attached to a permit; or
 - (b) suspend or revoke a permit.²⁴
- (8A) Any permit issued by the Harbour Master before the commencement of this provision shall continue in full force and effect and as though issued by the harbour authority.²⁵
- (9) If the harbour authority takes any action mentioned in paragraph (7)(b) or (c) or paragraph (8), the harbour authority must give the applicant for, or holder of, the permit –
- (a) written reasons for doing so; and
 - (b) notice of his or her right to appeal under paragraph (10).²⁶
- (10) The applicant or holder may, within 28 days of receiving those reasons and the notice, appeal to the Royal Court against the action taken by the harbour authority on the grounds that taking the action was not reasonable in the circumstances.²⁷
- (10A) In a case where the designation was made or amended pursuant to a direction given to the harbour authority by the Minister under Regulation 4(6), the Minister shall be joined as a party in the appeal.²⁸
- (11) The Royal Court may –
- (a) uphold the action taken by the harbour authority; or
 - (b) direct the harbour authority to take such other action as the Court considers appropriate.²⁹
- (12) The harbour authority must comply with the direction.³⁰
- (13) In reaching its decision, the Royal Court must take into account the extent to which the harbour authority has complied with paragraphs (5) and (6).³¹

6 Use of facility or provision of a service by agreement

- (1) For the purposes of Article 4A of the Law, the use of certain facilities or the provision of certain services may be designated in accordance with paragraph (3) of this Regulation as facilities or services which may not be used or, as the case may be, provided except under and in accordance with an agreement as provided by this Regulation.³²
- (2) It is an offence punishable by a fine –
- (a) to use a designated facility; or
 - (b) to provide a designated service,
- without an agreement as provided by this Regulation.³³

- (3) A harbour authority may designate a facility to be used, or a service to be provided, in a harbour as a facility or a service to which this Article applies, but in doing so the harbour authority must –
 - (a) follow the policy guidelines specified in Schedule 1; and
 - (b) publish details of the designation.³⁴
- (4) Where a harbour authority has made a designation under paragraph (3), and subject to paragraph (5), the authority may enter into an agreement with a person for the use of the designated facility or the provision of the designated service, as the case may be.³⁵
- (5) Before entering into such an agreement, the harbour authority may publish details of the proposed agreement and seek comments from those likely to be affected by it.³⁶
- (6) In negotiating the terms of such an agreement, the harbour authority must –
 - (a) follow the policy guidelines specified in Schedule 1; and
 - (b) have regard to any relevant comments received following publication of the proposed agreement.³⁷

PART 3

DUTIES OF MASTER AND OWNER

7 Masters to comply with directions of Harbour Master

- (1) The master of every vessel within a harbour shall comply with any directions given by the Harbour Master in pursuance of these Regulations and any master of a vessel who fails to carry out such directions shall be liable to a fine not exceeding level 3 on the standard scale.³⁸
- (2) Without prejudice to the provisions of paragraph (1), if directions given by the Harbour Master in pursuance of Regulation 3(1) or (2) require the movement of a vessel within a harbour and the master of the vessel fails to carry out such directions, the Minister may instruct the harbour authority, and any person authorized by the harbour authority in that behalf, to move the vessel, and any expenses incurred in removing such vessel shall be payable by the owner and no claim for damages shall lie against the Minister or the harbour authority in connection with such removal.³⁹

8 Communication to be made by vessel bound for harbour⁴⁰

- (1) The master of a vessel that –
 - (a) is bound for a harbour in Jersey; and
 - (b) is equipped with a means of communication by radio telephone,must, on arrival in territorial waters, establish communication with Jersey Coastguard, and maintain the communication until the vessel enters the harbour or leaves territorial waters.
- (2) The master of a vessel that is in territorial waters bound for a harbour in Jersey must, at the first opportunity to do so, inform the Harbour Master of any deficiency or incident that may –

- (a) decrease the normal safe manoeuvrability of the vessel; or
- (b) constitute a hazard to the marine environment or adjacent areas, or both.

9 Reporting⁴¹

The master of any vessel arriving in Jersey from a port outside Jersey, shall, in advance of its arrival within any harbour, notify to the Harbour Master –

- (a) the name of the vessel;
- (b) its length and draught;
- (c) its port of destination;
- (d) the estimated time of its arrival at its port of destination or the pilot station, if a pilot is required;
- (e) if the vessel is carrying cargo, the nature and quantity of the cargo.

10 Collision Regulations⁴²

The master of a vessel within a harbour must observe and obey the Regulations for preventing collisions at sea made in pursuance of the [Shipping \(Jersey\) Law 2002](#).

11 Speed of vessels⁴³

- (1) The Harbour Master may issue directions limiting the speed at which vessels may travel in any part of a harbour or of territorial waters.
- (2) The Harbour Master must publish a direction issued under paragraph (1).
- (3) The master of a vessel must comply with any direction published in accordance with this Regulation that is applicable to the vessel.

12 Charge of moored vessels

The master of a vessel exceeding 80 tons gross registered tonnage shall cause at least one responsible person to be on board at all times while the vessel is moored in a harbour.

13 Means of boarding and leaving vessel

The master of every vessel moored alongside a quay shall provide a device, of a type approved by the Harbour Master, for enabling persons to board and leave the vessel with safety, and shall ensure that the same is adequately lighted between sunset and sunrise.

14 Off-mooring ropes

The master of a vessel shall not, without the permission of the Harbour Master, permit any off-mooring ropes to be placed and left out in any harbour.

15 Dropping of mooring anchors to be reported

If any vessel drops anchor in order to assist in the mooring of the vessel alongside a quay, the master shall cause the fact to be reported to the Harbour Master as soon as possible.

16 Lost anchors, etc. to be reported⁴⁴

- (1) This Regulation applies if –
 - (a) a vessel within a harbour parts from its anchor;
 - (b) a vessel (other than a small ship) within the territorial water parts from its anchor; or
 - (c) a vessel in a harbour or in territorial waters loses anything overboard that may cause an obstruction on the sea bed.
- (2) The master of the vessel must report the incident to the Harbour Master as soon as possible.
- (3) In this Regulation, “small ship” means a vessel that is less than 24 metres in length when its length is determined in accordance with the Tonnage Regulations.

PART 4**PROVISIONS GOVERNING SHIPS BRINGING PETROLEUM SPIRIT INTO A HARBOUR****17 Red light or flag to be displayed**

The master of every petroleum ship shall, on nearing a harbour, and during the time that the ship remains in harbour, display, by day a red flag not less than 3 feet square with a white circular centre 6 inches in diameter, and by night a red light in a position specified by the Harbour Master.

18 Notice of cargo to be given

The owner or master of every petroleum ship on entering a harbour shall, without delay, inform the Harbour Master of the quantity of petroleum spirit carried on the ship and of the manner in which the petroleum spirit is stowed.

19 Berthing of ship

- (1) The master of every petroleum ship shall anchor or moor the ship at such place as the Harbour Master may from time to time direct, and shall not, without the permission of the Harbour Master, remove the ship therefrom except for the purpose of leaving the harbour.
- (2) No petroleum ship shall be anchored or moored at any place other than one approved by the Harbour Master.

20 Loading and discharging of petroleum spirit⁴⁵

The following requirements with respect to the loading or discharging of petroleum spirit from a petroleum ship within a harbour shall be observed –

- (a) before any petroleum spirit is loaded or discharged, due notice shall be given to the Harbour Master of the time and place of such loading or discharge;
- (b) petroleum spirit shall only be loaded or discharged at such place as the Harbour Master may direct;
- (c) before any petroleum spirit contained in casks, barrels or other vessels is discharged, the holds of the ship shall be thoroughly ventilated and, after all petroleum spirit has been removed from the ship, the holds and tanks shall be rendered free from flammable vapour:

Provided that this requirement shall not apply in the case of a ship which leaves a harbour without delay after the discharge of petroleum spirit, or remains only for the purpose of taking on board bunkers, stores or ballast, or for such other purposes as may be approved by the Harbour Master, and of which the tanks are closed down immediately after the discharge of the petroleum spirit;

- (d) where anything occurs during the loading or discharge of petroleum spirit between sunset and sunrise to necessitate a repair to the plant, pipes or connections or to interfere in any way with the uninterrupted loading or discharge of the petroleum spirit, loading or discharge shall be discontinued until after sunrise;
- (e) from the time when the holds or tanks of the ship are first opened for the purpose of loading or discharging petroleum spirit, until such time as all petroleum spirit has been loaded into or removed from the holds or tanks and the holds or tanks have been securely closed down and, in the case of a discharging, rendered free from flammable vapour, there shall be no fire or artificial light on board the ship or within a distance of 20 metres of the place where the petroleum spirit is being loaded or discharged:

Provided that this requirement shall neither prevent the use of lamps, heaters, cookers or other apparatus, electric or otherwise, designed, constructed and maintained in accordance with Lloyd's Register of Shipping or other approved Classification Society's requirements in relation to the position in the ship in which it is installed, nor shall it be deemed to prohibit the loading or discharge of a ship under conditions approved by the Harbour Master by means of steam from its own boilers or power generated by electric motors or internal combustion engines designed, constructed, installed, positioned and maintained in accordance with the requirements of Lloyd's Register of Shipping or other approved Classification Society's requirements;

- (f) adequate steps shall be taken to prevent any person from smoking at or near the place where petroleum spirit is being loaded or discharged and to prevent any person engaged in such loading or discharge from carrying fuses, matches or any appliance whatsoever capable of producing ignition;
- (g) no petroleum spirit contained in casks, barrels or other vessels shall be loaded or discharged in a harbour, unless such vessels are staunch and free from leakage, and are of such strength and construction as not to be broken or to leak, except in case of gross carelessness or extraordinary accident;
- (h) all pipes and other appliances used in the loading and discharge of petroleum spirit in bulk shall be free from leakage and all pipe lines and hoses shall, whilst rigged for

loading or discharging petroleum spirit, be adequately and continuously earthed and kept under constant supervision;

- (i) when the loading or discharging of petroleum spirit has been commenced, such loading or discharge shall be carried out without interruption and, if it is discontinued, the tanks and holds of the ship shall immediately be closed;
- (j) no petroleum spirit contained in casks, barrels or other vessels shall be discharged at any place until the ship or vehicle by which the petroleum spirit is to be removed is at the appropriate place in readiness to receive the same;
- (k) all petroleum spirit landed in a harbour shall forthwith be removed therefrom, or taken to some place of storage approved for that purpose by the Minister;
- (l) no petroleum spirit shall be brought to the place of loading until the ship into which it is to be loaded is ready to receive the same;
- (m) no petroleum spirit shall be discharged or allowed to escape into the waters of any harbour;
- (n) all due precautions shall be taken for the prevention of accident by fire in loading or discharging petroleum spirit;
- (o) iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing the hatches or tank lids of the ship, or in the carrying out of work on the hull of the ship, until the petroleum spirit has been discharged and the vapour cleared;
- (p) adequate steps shall be taken to ensure that during the loading or discharge of petroleum spirit, no unauthorized persons shall enter an area defined by the Harbour Master for the purpose of such loading or discharge.

21 Fire precautions⁴⁶

Fires and lights other than those designed, constructed and maintained so as to be incapable of igniting flammable vapour, shall not be used at any place at which petroleum spirit is being loaded or discharged or at which petroleum spirit is lying and notices shall be prominently displayed in any such place calling attention to the prohibition.

22 Distance between ships

Petroleum ships shall not, except for the purposes of transshipment, lie within 30 metres of one another, unless, in the opinion of the Harbour Master, it is impossible to maintain such distance.⁴⁷

23 Watchman

Every petroleum ship shall be watched by a competent person on board the ship until all petroleum spirit on board has been loaded or discharged and the holds or tanks securely closed down, and every petroleum ship shall at all times have on board a responsible person to carry out and give effect to the provisions of this Part.

24 Inspection

The master of a petroleum ship shall, when required to do so by the harbour authority (or any officer duly authorized for the purpose by the authority), afford every reasonable facility to enable such officer to ascertain whether the requirements of this Part are being carried out.⁴⁸

25 Penalties

In the event of any contravention of this Part, the owner and master of any ship on or in relation to which the contravention occurs and, except in the case of a contravention in respect of the mooring of a ship, the owner of any petroleum spirit in respect of which the contravention occurs, shall each be guilty of an offence and shall be liable to a fine for every day on which the offence occurs or continues:

Provided that it shall be a good defence –

- (a) if the proceedings are against the owner or master of a ship for an offence in respect of the loading or discharging of petroleum spirit, to prove that all reasonable means were taken by the master to prevent the commission of the offence, and that the offence was not caused or facilitated by any act or neglect on the part of the owner or any person engaged or employed by the owner or master; and
- (b) if the proceedings are against the owner of petroleum spirit for an offence in respect of the loading or discharging thereof or in respect of any failure to observe precautions required to be observed with respect to ships carrying petroleum spirit whilst in harbour, to prove that the offence was not caused or facilitated by any act or neglect on the owner's part or on the part of any person engaged or employed by the owner.⁴⁹

26 Interpretation of Part 4⁵⁰

In this Part–

“petroleum” includes crude petroleum, oil made from petroleum or from coal, shale, peat or other bituminous substances, and other products of petroleum;

“petroleum spirit” means such petroleum as when tested in the manner set forth in the Second Schedule to the Petroleum (Consolidation) Act 1928 of the United Kingdom, gives off a flammable vapour at a temperature of less than 23°;

“petroleum ship” means any ship having on board or about to take on board a cargo the whole or any part of which consists of petroleum spirit, or any ship having discharged petroleum spirit if the holds and tanks have not been rendered free from flammable vapour to the satisfaction of the Harbour Master.

PART 5⁵¹**PROVISIONS GOVERNING THE CONVEYANCE, LOADING AND UNLOADING OF EXPLOSIVES****27 General**

Explosives ships shall berth only in St. Helier Harbour.

28 Exceptions

The following categories of explosives shall be exempt from the provisions of this Part—

- (a) manufactured small arms ammunition;
- (b) fireworks;
- (c) explosives brought into the harbour area by road or conveyed therein for immediate use in the course of or in connection with harbour works under a licence granted in accordance with the [Explosives \(Jersey\) Law 1970](#).

29 Notice to be given to the Harbour Master

- (1) The master of an explosives ship shall give 48 hours' notice to the Harbour Master or such notice as is reasonable in the case of a voyage of less than 48 hours before the ship enters the harbour.
- (2) The owner or master of an explosives ship shall before entering the harbour inform the Harbour Master of the quantity by weight of explosives carried in the ship.

30 Limit on the quantity of explosives

Before allowing an explosives ship to enter the harbour, the Harbour Master shall be satisfied that the consignment of explosives for unloading in the harbour corresponds with the types and quantities listed in any import licence issued in accordance with Article 2 of the [Explosives \(Jersey\) Law 1970](#).⁵²

31 Berthing of an explosives ship

- (1) The master of every explosives ship shall anchor or moor the ship at such place as the Harbour Master may from time to time direct, and shall not, without the permission of the Harbour Master, remove the ship therefrom except for the purpose of leaving the harbour.
- (2) No explosives ship shall be anchored or moored at any place other than one approved by the Harbour Master.
- (3) The master of every explosives ship shall provide and have available for immediate use adequate towing ropes or wires at bow and stern properly turned up and secured to mooring bits and having the towing eyes passed outboard and maintained to about water level.

- (4) The master of every explosives ship shall, on nearing the harbour, and during the time that the ship remains in harbour, display by day, the International Code Flag "B" which shall not be less than 3 feet square, and by night a red light in a position above any other light which the vessel may display.
- (5) Only one explosives ship shall enter or remain in the harbour at any one time.
- (6) Explosives ships shall only berth in the harbour at the following times during the given periods –
 - (a) 1st October to 31st March – 30 minutes before sunrise to 0900 hrs. local time;
 - (b) 1st April to 30th September – 30 minutes before sunrise to 0800 hrs. local time.

32 Loading and unloading procedures

- (1) No explosives shall be loaded from or unloaded at any berth other than a berth designated for that purpose by the Harbour Master.
- (2) The master of an explosives ship shall designate an officer of that ship who shall have the duty to supervise and be present throughout the loading or unloading from the ship of any explosives and the master shall inform the Harbour Master of the name of the officer who has been designated for this purpose.
- (3) No person under the influence of drink or drugs to such an extent that the person's actions are not under proper control shall be allowed into the hold of any ship into or out of which any explosives are being loaded or unloaded or to approach any such explosives while they are being loaded or unloaded into or out of any such ship.
- (4) No explosives or package containing explosives shall be thrown down or roughly handled and when any explosives or package containing explosives is being loaded due precaution shall be taken to prevent its falling.
- (5) No explosives shall be placed on any quay until the vehicle by which they are to be removed therefrom is at the place in readiness to receive them.
- (6) When the loading or unloading of explosives has been commenced, such loading or unloading shall proceed with due diligence.
- (7) The quay, the hold of any explosives ship and the floor of any vehicle into or from which explosives have been or are to be loaded or unloaded shall be carefully cleaned and swept immediately before and after such loading or unloading.
- (8) If any explosives shall be spilt or escape from the package in which they are contained such explosives shall immediately be carefully collected and deposited in a safe and secure place. The occurrence shall be reported forthwith to the Harbour Master by the officer charged under paragraph (2) with the supervision of the loading or unloading.
- (9) Adequate steps shall be taken by the Harbour Master to ensure that, during the loading or unloading of explosives, no unauthorised persons shall enter a defined area in the vicinity of such loading or unloading.
- (10) Subject to the direction of the Harbour Master, the officer charged under paragraph (2) shall not permit the loading or unloading of explosives in weather conditions which are likely to give rise to any danger. In particular the handling of explosives shall cease when an electrical storm is in progress within 5 miles of the harbour entrance. All hatches in the ship shall be battened down.

- (11) The officer charged under paragraph (2) shall ensure that detonators are loaded or unloaded from the ship separately from other types of explosives. At the same time the officer shall ensure that detonators are not loaded or unloaded whilst a radar signal is being emitted within a radius of 100 feet of the detonators.

33 Precautions against fire and explosion during loading and unloading

- (a) On the explosives ship –
- (i) in a ship containing any explosives no matches other than safety matches shall be kept for use and such safety matches shall be kept in a safe place apart from such explosives,
 - (ii) before the loading or unloading of any explosives into or from any ship is begun, and throughout the time that such loading or unloading continues, the master of that vessel shall, after consulting where necessary the Harbour Master, ensure so far as the master is able that all due precautions are taken to prevent the risk of fire or explosion arising in the course of such loading or unloading,
 - (iii) during the loading or unloading of any explosives into or from any ship, that ship shall have its fire fighting appliances on board readily available for use,
 - (iv) during the loading or unloading of any explosives into or from any ship there shall be no artificial lights on board that vessel other than the ship's permanent lighting installation,
 - (v) except with the permission of the Harbour Master no bunkering shall take place during the loading or unloading of any explosives into or from that ship nor at any time when the hatches of the explosives storage compartments are off,
 - (vi) no repair work of any kind shall be carried out at or near any place in a ship in which explosives are being stowed.
- (b) On the quay –
- (i) whilst any explosives are being loaded into or unloaded from any ship all persons engaged in such loading or unloading shall take all due precautions to prevent unauthorised persons having access to the explosives and shall abstain from any act which is not reasonably necessary for the purposes of such loading or unloading and which could lead to a fire or explosion being caused and shall use every reasonable endeavour to prevent any other person from committing any such act,
 - (ii) no person shall when at or near a place where any explosives are being loaded into any ship or vehicle or unloaded from any vessel or vehicle smoke or have about the person's person any match or means of striking a light. The Harbour Master shall ensure that a notice drawing attention to this restriction shall be exhibited near where the explosives are being loaded or unloaded,
 - (iii) any fork lift truck or other mechanical equipment used for loading or unloading explosives shall be of a type not likely to give rise to accidental ignition of the explosives,
 - (iv) the Harbour Master must ensure that adequate and properly tested fire fighting facilities are provided in the vicinity of any ship loading or unloading explosives,

- (v) no repair work of any kind shall be carried out to the quay or to equipment on the quay within 200 feet of the place at which explosives are being loaded or unloaded.⁵³

34 Conveyance of explosives by road

- (1) Explosives once unloaded on a quay in the harbour shall be forthwith removed therefrom in accordance with a conveyance licence issued by the Minister for Justice and Home Affairs under Article 7 of the [Explosives \(Jersey\) Law 1970](#).⁵⁴
- (2) Before any explosives are brought into the harbour for loading into an explosives ship the owner of the explosives shall notify the Harbour Master of the nature and the quantity of the explosives together with the estimated date of re-shipment. In turn the Harbour Master will provide berthing arrangements for the explosives ship.
- (3) No explosives shall be brought into the harbour for shipment until the explosives ship onto which those explosives are to be loaded is berthed in the harbour and the explosives shall be loaded on that ship forthwith.

35 Facilities for inspection

The master of an explosives ship shall when so required by the Harbour Master or other officer duly authorized by the Minister afford every reasonable facility to enable such officer to ascertain whether the requirements of this Part are carried out.

36 Technical advice

The Harbour Master shall, if the Harbour Master considers it necessary, consult with the appropriate officer in an administration of the States for which the Minister is assigned responsibility to obtain technical advice regarding the practical handling and effects of explosive materials and shall liaise with that officer regarding the requirements of the [Explosives \(Jersey\) Law 1970](#).

37 Power to grant exemption⁵⁵

The harbour authority may grant exemption from the operation of any of the provisions of this Part of these Regulations, if prior approval for the exemption has been given in principle by the Minister for Justice and Home Affairs having regard to that Minister's obligations to safeguard the interests of the public under Articles 2(2) and (3) of the [Explosives \(Jersey\) Law 1970](#).

38 Penalties

In the event of any contravention of this Part the owner and master of any explosives ship on or in relation to which the contravention occurs and, except in the case of a contravention in respect of the mooring of an explosives ship, the owner of any explosives in respect of which the contravention occurs, shall each be guilty of an offence and shall be liable to a fine for each offence and a fine of level 2 on the standard scale for each day during which the offence continues and forfeiture of all or any part of the explosives of which the breach has taken place:

Provided that it shall be a good defence –

- (a) if the proceedings are against the owner or master of an explosives ship for an offence in respect of the loading or unloading of explosives, to prove that all reasonable means were taken by the master to prevent the commission of the offence, and that the offence was not caused or facilitated by any act or neglect on the part of the owner or any person engaged or employed by the owner or master; and
- (b) if the proceedings are against the owner of explosives for an offence in respect of the loading or unloading thereof or in respect of any failure to observe precautions required to be observed with respect to explosives ships whilst in the harbour, to prove that the offence was not caused or facilitated by any act or neglect on the owner's part or on the part of any person engaged or employed by the owner.⁵⁶

39 Interpretation of Part 5

In this Part–

“berth” means any place at which a vessel might lie;

“explosives” means gunpowder, nitro-glycerine, dynamite, gun-cotton, blasting powders, fulminate of mercury or of other metals, and every other substance, whether similar to those above-mentioned or not, used or manufactured with a view to produce a practical effect by explosion or a pyrotechnic effect, and includes fuses, rockets, detonators, and every adaptation or preparation of an explosive as above defined;

“explosives ship” means any ship or vessel having on board or about to take on board a cargo of explosives;

“vehicle” includes any carriage or articulated trailer used for the conveyance of goods by road.

PART 6⁵⁷

PROVISIONS CONCERNING SEA-GOING TANKERS CARRYING OIL, GAS OR CHEMICALS

40 Interpretation of Part 6

In this Part–

“chemicals” means any substance listed in Chapter 17 of the IBC Code;

“gas” means any substance to which the IMO Code for Existing Ships carrying Liquefied Gases and the IMO Code for Ships carrying Liquefied Gases (being gas as defined in paragraph 1.2.1 of each of those Codes) apply;

“IMO” means the International Maritime Organisation;

“IMO Code for Existing Ships carrying Liquefied Gases” means the Code for Existing Ships carrying Liquefied Gases in Bulk published by IMO in London in 1976 (as amended by the 1st to 3rd Sets of Amendments published from 1978 to 1980);

“IBC Code for Ships carrying Dangerous Chemicals” means the International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk (as published and amended from time to time by the IMO);

“IMO Code for Ships carrying Liquefied Gases” means the Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk published by IMO in London in 1976 (as published and amended from time to time by the IMO);

“master” means any person (except a pilot) having command or charge of a tanker;

“oil” means petroleum in any form, including crude oil, fuel oil, and refined products (other than a substance listed in Chapter 17 of the IBC Code);

“tanker” means a ship of 1,600 gross register tonnage or over (and the gross tonnage of a ship having alternative gross tonnage shall be taken to be the larger of those tonnages), which is constructed or adapted for the carriage of oil, chemicals or gas in bulk.⁵⁸

41 Application

- (1) Subject to paragraph (2), this Part applies to all tankers (whether or not registered in Jersey) which –
 - (a) are carrying a cargo of chemicals, gas or oil in bulk; or
 - (b) having previously carried such a cargo, have discharged that cargo but whose tanks are not free of vapours given off by residues of such cargo, and have an atmosphere which has not been rendered non-flammable.
- (2) This Part shall not apply to any ship belonging to His Majesty or owned or operated by any State and used, for the time being only on the non-commercial service of that State.⁵⁹

42 Reporting

- (1) The master of a tanker to which this Part applies shall, on arrival in territorial waters, notify to the Harbour Master, in addition to the information required under Regulation 6, the following information –
 - (a) the country in which the tanker is registered;
 - (b) the nature and quantity of any chemicals, gas or oil carried by the tanker;
 - (c) whether the tanker is fitted with an inert gas system;
 - (d) whether the inert gas system, if fitted, is fully operational;
 - (e) whether the cargo tanks have an atmosphere which has been rendered non-flammable;
 - (f) whether or not a certificate has been issued in respect of the tanker –
 - (i) if its cargo includes chemicals, that it complies –
 - (aa) in the case of a ship built before 1st July 1986, with the IMO Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk published by the IMO in London in 1977, or

- (bb) in the case of a ship built on or after 1st July 1986, with the IBC Code for Ships carrying Dangerous Chemicals; and
 - (ii) if its cargo includes gas, that it complies with the IMO Code for Existing Ships carrying Liquefied Gases or with the IMO Code for Ships carrying Liquefied Gases;
 - (g) any defect in the hull, machinery or equipment of the tanker, which may –
 - (i) affect materially the safe manoeuvrability of the tanker,
 - (ii) affect materially the safety of other vessels in or in the vicinity of or in the approaches to the harbour,
 - (iii) constitute a hazard to the marine environment, or
 - (iv) constitute a hazard to persons or property on land or in the vicinity of the harbour.⁶⁰
- (2) The master of a tanker to which this Part applies shall in advance of entering any harbour forthwith notify the Harbour Master of any change in the information notifiable under paragraph (1)(g) which occurs after such information was notified to the Harbour Master.
- (3) While a tanker to which this Part applies is in any harbour the master of that tanker shall notify the Harbour Master of any change which occurs in the information notifiable under paragraph (1)(g) or (2).
- (4) If any pilot licensed under the [Pilotage \(Jersey\) Law 2009](#) having boarded a tanker to which this Part applies to pilot it into or out of a harbour, has reason to believe that there are defects which may prejudice the safe navigation of the tanker, and which have not been notified to the Harbour Master in accordance with paragraph (1)(g), (2) or (3), the pilot shall invite the master of the vessel to make such a notification and, if the master fails to do so, shall forthwith notify the Harbour Master of the defect.⁶¹

43 Check list

The master of a tanker to which this Part applies shall make available a check list in the form set out in Schedule 2 and completed in respect of the tanker, to –

- (a) any pilot licensed as aforesaid boarding the tanker to pilot it into a harbour; and
- (b) if the Harbour Master so requests, the Harbour Master.

44 Offences

- (1) If there is a contravention of any of this Part the owner and master of the tanker shall be guilty of an offence and liable to a fine.⁶²
- (2) If a pilot contravenes Regulation 42(4), the pilot shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.⁶³
- (3) In any proceedings under Regulation 42(1)(g), it shall be a defence to prove that the master had no knowledge, or had not been informed by a pilot, of the defect in question.

PART 7⁶⁴**LOADING AND UNLOADING OF GOODS AND EMBARKATION AND DISEMBARKATION OF PASSENGERS****45 Goods**

- (1) The Harbour Master may give directions in respect of the loading and unloading of goods on and from a vessel in a harbour.
- (2) The harbour authority may publish a notice providing that if a person, without the Harbour Master's permission, allows goods to remain on a harbour in excess of the period specified in the notice the person shall be liable to the charges specified in the notice.⁶⁵
- (3) In addition, if the Harbour Master considers that the goods are interfering with the normal working of the harbour, the Harbour Master may remove them to such other place, within or outwith the harbour, as the Harbour Master thinks fit.
- (4) The harbour authority may recover as a debt due to the harbour authority from the owner of the goods –
 - (a) any charges incurred under paragraph (2);
 - (b) any expenses incurred in removing the goods under paragraph (3); and
 - (c) any expenses subsequently incurred in storing the goods.⁶⁶
- (5) No claim for damages shall lie against the harbour authority in connection with the removal or storage of the goods.⁶⁷
- (6) If –
 - (a) goods have been removed under this Regulation; and
 - (b) any charges and expense mentioned in paragraph (4) have not been paid by their owner within 7 days of being demand or if their owner cannot be found, the harbour authority may sell the goods and, after deducting the expenses incurred in doing so and any charges and expense mentioned in paragraph (4), pay the proceeds, to the owner or, if the owner cannot be found, into the consolidated fund.⁶⁸

46 Passengers

- (1) The Harbour Master may give directions in respect of the embarkation and disembarkation of passengers and their personal baggage on and from a vessel in a harbour.
- (2) Except with the permission of the Harbour Master, a person must not board a vessel carrying passengers following its arrival in a harbour until all its passengers have disembarked.
- (3) In this Article, "passengers" means the persons carried on a vessel other than –
 - (a) a person employed or engaged in any capacity on the business of the vessel; and
 - (b) a person on board the vessel either in pursuance of the obligation laid upon the master to carry shipwrecked, distressed or other persons, or by reason of

any circumstance that neither the master nor the owner nor the charterer (if any) could have prevented or forestalled.

PART 8

GENERAL

47 Damage by vessels in harbour

- (1) The owner of a vessel within a harbour shall be answerable to the Minister for any damage done by such vessel, or by any person employed on or about the same, to the harbour or the quays or works connected therewith.
- (2) The master of a vessel through whose wilful act or negligence any such damage as is referred to in paragraph (1) has been done shall be liable to make good the same, and the Minister may detain any such vessel until sufficient security has been given for the amount of damage done.
- (3) ⁶⁹

48 Prohibited acts⁷⁰

- (1) A person must not in a harbour –
 - (a) throw, deposit or put ballast, earth, ashes, stones or other thing into the water;
 - (b) throw down, deposit, put or leave refuse of any nature whatsoever;
 - (c) leave faeces of a dog for which a person is responsible;
 - (d) injure, or deface by writing or otherwise, a wall, building, structure, machinery, statue, erection, seat, railing or other thing;
 - (e) behave in a manner reasonably likely to offend against public decency;
 - (f) wilfully and unreasonably interfere with the convenience of, or cause annoyance to, another person;
 - (g) throw or discharge a stone or missile;
 - (h) cause an obstruction to free passage;
 - (i) obstruct, impede, resist or assault an officer in an administration of the States for which the Minister is assigned responsibility in the exercise of the officer's duties.
- (2) Despite paragraph (1), a person may in a harbour –
 - (a) leave refuse in a receptacle provided for the purpose;
 - (b) leave dog faeces in a receptacle provide for the purpose;
 - (c) discharge ballast water in accordance with the International Maritime Organization's Guidelines for the Control and Management of Ships' Ballast Water to Minimize the Transfer of Harmful Aquatic Organisms and Pathogens, as stated in resolution A.868(20), as for the time being in force.

49 Acts for which written permission of harbour authority is required⁷¹

- (1) Subject to the provisions of these Regulations, no person shall in any harbour, except with the written permission, previously obtained, of the harbour authority –
 - (a) use, or cause or permit any other person to use, any vessel as a house-boat;
 - (b) exhibit or affix any notice, advertisement or other written or pictorial matter;
 - (c) discharge any firearm;
 - (d) deliver any public address or give or take part in any public performance, display or exhibition;
 - (e) solicit or collect any alms, donations, contributions or subscriptions of any kind;
 - (f) engage in any trade or business activity;
 - (g) light any fire or firework.⁷²
- (2) Any permission under this Regulation may be granted subject to such conditions as the harbour authority may think fit to impose and may at any time be withdrawn by the harbour authority.⁷³

50 Penalties and criminal responsibility⁷⁴

- (1) A person who contravenes –
 - (a) a provision of these Regulations; or
 - (b) a direction issued or given under these Regulations,in relation to which no special penalty is provided, is guilty of an offence and is liable to a fine of level 2 on the standard scale.
- (2) Where an offence under these Regulations 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 –
 - (a) a person who is a director, manager, secretary or other similar officer of the body corporate; or
 - (b) any person purporting to act in any such capacity,the person shall also be guilty of the offence and liable in the same manner as the body corporate to the penalty provided for that offence.
- (3) Where the affairs of a body corporate are managed by its members, paragraph (2) shall apply in relation to acts and defaults of a member in connection with his or her functions of management as if he or she were a director of the body corporate.
- (4) A person who aids, abets, counsels or procures the commission of an offence under these Regulations shall also be guilty of the offence and liable in the same manner as a principal offender to the penalty provided for that offence.
- (5) Where it is relevant to do so, an offence under these Regulations may be charged by reference to a person's actions during a period of time and the person may be convicted of a second offence or subsequent offences by reference to the same action during a period of time following the preceding conviction for the offence.

51 Interpretation

In these Regulations, unless the context otherwise requires –

“contravention” includes non-compliance and the expression “contravene” shall be construed accordingly;

“enactment” includes any enactment of the Parliament of the United Kingdom and any instrument made under any such enactment;

“goods” includes merchandise, baggage, live animals and mails;

“harbour” means any harbour, whether natural or artificial, and includes any port, dock, pier, jetty or quay, and any waters in which seagoing vessels can obtain shelter or ship or unship goods or passengers;

“master”, in relation to any vessel, means the person having the command or charge of the vessel for the time being;

“owner”, when used in relation to goods, includes any consignor, consignee, shipper or agent for sale or custody of such goods, as well as the owner thereof;

“vessel” includes any ship or boat or any other description of vessel used in navigation.

52 Citation

These Regulations may be cited as the Harbours (Jersey) Regulations 1962.

SCHEDULE 1⁷⁵

(Regulations 4, 5 and 6)

POLICY GUIDELINES TO BE FOLLOWED BY HARBOUR AUTHORITY**1 Application**

This Schedule applies to the following functions of the harbour authority –

- (a) the designation of a facility or service under Regulation 4(3);
- (b) the grant of a permit under Regulation 5;
- (c) the designation of a facility or a service under Regulation 6(3); and
- (d) the negotiation of an agreement under Regulation 6(6).

2 Performance of function by harbour authority

The harbour authority must perform a function to which this Schedule applies in a manner that is best calculated to ensure that, so far as is reasonably practicable and safe –

- (a) shipping services and facilities in the harbours and territorial waters; and
- (b) shipping services between Jersey and other jurisdictions,

are provided in a manner that achieves the objectives mentioned in paragraph 3.

3 Objectives

The objectives referred to in paragraph 2 are –

- (a) to protect and further the long-term interests of end-users of the services and facilities;
- (b) to satisfy all current and prospective demands for the services and facilities;
- (c) to promote competition, efficiency, economy and effectiveness in commercial activities connected with port and shipping services;
- (d) to impose a minimum of restriction on persons engaged in commercial activities connected with port and shipping services;
- (e) to ensure that persons engaged in commercial activities connected with port and shipping services have sufficient expertise and financial and other resources to conduct the activities.

4 Harbour authority not to show preference or to discriminate

The harbour authority must not show undue preference or unfairly discriminate in exercising a function to which this Schedule applies.

SCHEDULE 2⁷⁶

(Regulation 43)

TANKER CHECK LIST**A. Vessel Identification**

Name of Vessel Owner

Year built Flag

Call sign Gross tonnage

Port of registry Length overall.....

Classification society

Class notation Hull

Machinery Propulsion machinery

Output

Agent at the harbour where the tanker will be
berthed

Draught forward

amidships aft

Type of cargo loaded (according to tank loading
plan)

Quantity of cargo loaded

B. Safety installations aboard

	In good working order		Deficiencies
	Yes	No	
1. Construction and technical equipment	<input type="checkbox"/>	<input type="checkbox"/>	
Main and auxiliary engines	<input type="checkbox"/>	<input type="checkbox"/>	
Main steering gear	<input type="checkbox"/>	<input type="checkbox"/>	
Auxiliary steering gear	<input type="checkbox"/>	<input type="checkbox"/>	
Anchor gear	<input type="checkbox"/>	<input type="checkbox"/>	
Fixed fire-extinguishing system	<input type="checkbox"/>	<input type="checkbox"/>	
2. Navigational equipment	<input type="checkbox"/>	<input type="checkbox"/>	
Manoeuvring characteristics available	<input type="checkbox"/>	<input type="checkbox"/>	
First radar installation	<input type="checkbox"/>	<input type="checkbox"/>	
Second radar installation	<input type="checkbox"/>	<input type="checkbox"/>	
Gyro compass	<input type="checkbox"/>	<input type="checkbox"/>	
Standard magnetic compass	<input type="checkbox"/>	<input type="checkbox"/>	
Radio direction-finding apparatus	<input type="checkbox"/>	<input type="checkbox"/>	
Echo-sounding device	<input type="checkbox"/>	<input type="checkbox"/>	
Other electronic position fixing aids	<input type="checkbox"/>	<input type="checkbox"/>	
3. Radio equipment	<input type="checkbox"/>	<input type="checkbox"/>	
Radiotelegraph installation	<input type="checkbox"/>	<input type="checkbox"/>	
Radiotelephone installation (VHF)	<input type="checkbox"/>	<input type="checkbox"/>	

C. Safety Certificates and other documents

	Certificates/documents valid on board	
	Yes	No
Cargo Ship Safety Construction Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Cargo Ship Safety Equipment Certificate	<input type="checkbox"/>	<input type="checkbox"/>

Cargo Ship Safety Radio-telegraphy Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Ship Safety Radiotelephony Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Load Line Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Classification Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Oil Liability Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Oil Record Book filled in	<input type="checkbox"/>	<input type="checkbox"/>
Certificate of fitness for the carriage of dangerous chemicals in bulk under the terms of the IMO Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk	<input type="checkbox"/>	<input type="checkbox"/>
Certificate of fitness for the carriage of liquefied gases under the terms of the IMO Code for Existing Ships carrying Liquefied Gases in Bulk or the IMO Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk	<input type="checkbox"/>	<input type="checkbox"/>

D. Officers and ratings

	Yes	No	Certificate of competency detailed description and serial no.	Name	Place	Country of issuing authority
Master	<input type="checkbox"/>	<input type="checkbox"/>				
Chief Mate	<input type="checkbox"/>	<input type="checkbox"/>				
Second Mate	<input type="checkbox"/>	<input type="checkbox"/>				
Third Mate	<input type="checkbox"/>	<input type="checkbox"/>				
Chief Engineer	<input type="checkbox"/>	<input type="checkbox"/>				
First Engineer	<input type="checkbox"/>	<input type="checkbox"/>				
Second Engineer Officer	<input type="checkbox"/>	<input type="checkbox"/>				
Third Engineer Officer	<input type="checkbox"/>	<input type="checkbox"/>				
Fourth Engineer Officer	<input type="checkbox"/>	<input type="checkbox"/>				
Radio Officer	<input type="checkbox"/>	<input type="checkbox"/>				
Total number of ratings			deck	engine room		
Pilot taken aboard	<input type="checkbox"/>	<input type="checkbox"/>				

Signature of the master or, if the master is indisposed, of the deputy

.....

Date

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Harbours (Jersey) Regulations 1962	R&O.4338	26 February 1962
Harbours (Amendment) (Jersey) Regulations 1964	R&O.4574	11 July 1964
Harbours (Amendment No. 2) (Jersey) Regulations 1965	R&O.4699	28 July 1965
Harbours (Amendment No. 3) (Jersey) Regulations 1966	R&O.4842	1 October 1966
Harbours (Amendment No. 4) (Jersey) Regulations 1966	R&O.4843	1 October 1966
Harbours (Amendment No. 5) (Jersey) Regulations 1967	R&O.4950	19 July 1967
Harbours (Amendment No. 6) (Jersey) Regulations 1967	R&O.4968	7 October 1967
Harbours (Amendment No. 7) (Jersey) Regulations 1974	R&O.6057	9 October 1974
Harbours (Amendment No. 8) (Jersey) Regulations 1976	R&O.6297	26 May 1976
Harbours (Amendment No. 9) (Jersey) Regulations 1977	R&O.6477	2 November 1977
Harbours (Amendment No. 10) (Jersey) Regulations 1979	R&O.6642	1 May 1979
Harbours (Amendment No. 10) (Jersey) Regulations 1980	R&O.6844	1 October 1980
Harbours (Amendment No. 12) (Jersey) Regulations 1983	R&O.7148	1 March 1983
Harbours (Amendment No. 13) (Jersey) Regulations 1983	R&O.7240	14 December 1983
Harbours (Amendment No. 16) (Jersey) Regulations 1986	R&O.7541	20 August 1986
Harbours (Amendment No. 21) (Jersey) Regulations 1992	R&O.8479	14 November 1992
Harbours (Amendment No. 24) (Jersey) Regulations 1995)	R&O.8893	1 January 1996
Harbours (Amendment No. 25) (Jersey) Regulations 1996	R&O.9015	1 January 1997
Harbours (Amendment No. 26) (Jersey) Regulations 1997	R&O.9182	1 January 1998
Harbours (Amendment No. 27) (Jersey) Regulations 1998	R&O.9203	19 February 1998
Harbours (Amendment No. 29) (Jersey) Regulations 1998	R&O.9343	1 January 1999

Legislation	Year and No	Commencement
Harbours (Amendment No. 32) (Jersey) Regulations 2001	R&O.43/2001	15 March 2001
Harbours (Amendment No. 33) (Jersey) Regulations 2001	R&O.177/2001	9 December 2001
Harbours (Amendment No. 34) (Jersey) Regulations 2002	R&O.116/2002	8 October 2002
Harbours (Amendment No. 35) (Jersey) Regulations 2002	R&O.175/2002	1 January 2003
Harbours (Amendment No. 36) (Jersey) Regulations 2003	R&O.151/2003	1 January 2004
Harbours (Amendment No. 37) (Jersey) Regulations 2004	R&O.40/2004	1 June 2004
Harbours (Amendment No. 38) (Jersey) Regulations 200	R&O.154/2004	1 January 2005
States of Jersey (Amendments and Construction Provisions (No. 10) (Jersey) Regulations 2005	R&O.50/2005	9 December 2005
Public Finances (Consequential Amendments) (Jersey) Regulations 2005	R&O.126/2005	9 December 2005
Harbours (Amendment No. 39) (Jersey) Regulations 2005	R&O.161/2005	1 January 2006
Harbours (Amendment No. 40) (Jersey) Regulations 2006	R&O.141/2006	1 January 2007
Harbours (Amendment No. 41) (Jersey) Regulations 2008	R&O.61/2008	6 May 2008
Air and Sea Ports (Incorporation) (Jersey) Law 2015	L.9/2015	1 October 2015 (R&O.105/2015)
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (except Regulation 4(8)) (R&O.98/2016)
Criminal Justice (Miscellaneous Provisions) (Jersey) Regulations 2016	R&O.97/2016	20 September 2016
States of Jersey (Transfer of Justice Functions – Chief Minister to Justice and Home Affairs) Order 2023	R&O.76/2023	21 September 2023

Table of Renumbered Provisions

Original	Current
PART I	PART 1
1A	2
1B	3
2	4
3	5
PART II	PART 2
4	6

Original	Current
PART III	PART 3
5	7
5A	8
6	9
6(f)	9(e)
7(1)	10
7(2)	repealed by R&O.7541
8	11
9	12
10	13
11	14
12	15
13	16
PART IV	PART 4
14	17
15	18
16	19
17	20
18	21
19	22
20	23
21	24
22	25
23	26
PART IV A	PART 5
23A	27
23B	28
23C	29
23D	30
23E	31
23F	32
23G	33
23H	34
23I	35
23J	36
23K	37
23L	38
23M	39
PART IV B	PART 6
23P	40
23Q	41
23R	42
23S	43
23T	44
PART V	PART 7
24	45
24(1)	45(1)

Original	Current
24(2)	45(2)
24(2A)	45(3)
(3)	(4)
(4)	(5)
(5)	(6)
25	46
PART VI	PART 8
26	47
27	repealed by R&O.6297
28	48
29	49
29(1)(aa)	49(1)(a)
(a)	(b)
(b)	(c)
(c)	(d)
(d)	(e)
(e)	(f)
(f)	(g)
29(2)	49(2)
30	50
31(1)	51
(2)	spent, omitted from this revised edition
32	spent, omitted from this revised edition
33	52
FIRST SCHEDULE	SCHEDULE 1
PART I	PART 1
PART II	PART 2
SECOND SCHEDULE	SCHEDULE 2
Former SECOND SCHEDULE	THIRD SCHEDULE spent, omitted from this revised edition

Table of Endnote References

- ¹ *These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government substituted by R&O.61/2008*
- ² *Part 1*
- ³ *Part 1*
- ⁴ *Regulation 1*
- ⁵ *Regulation 1(1)*
- ⁶ *Regulation 1(2)*
- ⁷ *Regulation 1(3)*
- ⁸ *Part 2*

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- ⁹ Regulation 2(1) substituted by L.9/2015
- ¹⁰ Regulation 2(3) amended by L.9/2015
- ¹¹ Regulation 2(4) amended by L.9/2015
- ¹² Regulation 2(5) amended by L.9/2015
- ¹³ Regulation 2(6) amended by L.9/2015
- ¹⁴ Regulation 3(5) amended by L.9/2015
- ¹⁵ Regulation 4 substituted by L.9/2015
- ¹⁶ Regulation 4(3) amended by R&O.97/2016
- ¹⁷ Regulation 5(1) amended by L.9/2015
- ¹⁸ Regulation 5(2) amended by L.9/2015
- ¹⁹ Regulation 5(3) amended by L.9/2015
- ²⁰ Regulation 5(4) amended by L.9/2015
- ²¹ Regulation 5(5) amended by L.9/2015
- ²² Regulation 5(6) amended by L.9/2015
- ²³ Regulation 5(7) amended by L.9/2015
- ²⁴ Regulation 5(8) amended by L.9/2015
- ²⁵ Regulation 5(8A) inserted by L.9/2015
- ²⁶ Regulation 5(9) amended by L.9/2015
- ²⁷ Regulation 5(10) amended by L.9/2015
- ²⁸ Regulation 5(10A) inserted by L.9/2015
- ²⁹ Regulation 5(11) amended by L.9/2015
- ³⁰ Regulation 5(12) amended by L.9/2015
- ³¹ Regulation 5(13) amended by L.9/2015
- ³² Regulation 6(1) substituted by L.9/2015
- ³³ Regulation 6(2) substituted by L.9/2015
- ³⁴ Regulation 6(3) substituted by L.9/2015
- ³⁵ Regulation 6(4) substituted by L.9/2015
- ³⁶ Regulation 6(5) substituted by L.9/2015
- ³⁷ Regulation 6(6) substituted by L.9/2015
- ³⁸ Regulation 7(1) amended by R&O.6057, R&O.7541, R&O.9203
- ³⁹ Regulation 7(2) inserted by R&O.6057, amended by L.9/2015
- ⁴⁰ Regulation 8 substituted by R&O.61/2008
- ⁴¹ Regulation 9 substituted by R&O.7240
- ⁴² Regulation 10 substituted by R&O.40/2004
- ⁴³ Regulation 11 substituted by R&O.61/2008
- ⁴⁴ Regulation 16 substituted by R&O.61/2008
- ⁴⁵ Regulation 20 amended by R&O.4842, R&O.7541, revised on 11 January 2024 by Law Revision Board item [2023/2](#)
- ⁴⁶ Regulation 21 amended by R&O.4842, revised on 11 January 2024 by Law Revision Board item [2023/2](#)
- ⁴⁷ Regulation 22 amended by R&O.7541
- ⁴⁸ Regulation 24 amended by L.9/2015
- ⁴⁹ Regulation 25 amended by R&O.7541, R&O.9203, L.1/2016
- ⁵⁰ Regulation 26 amended by R&O.7541, revised on 11 January 2024 by Law Revision Board item [2023/2](#)
- ⁵¹ Part 5 inserted by R&O.6642
- ⁵² Regulation 30 substituted by L.9/2015
- ⁵³ Regulation 33(b) amended by R&O.61/2008
- ⁵⁴ Regulation 34(1) amended by R&O.76/2023
- ⁵⁵ Regulation 37 amended by L.9/2015, R&O.76/2023
- ⁵⁶ Regulation 38 amended by R&O.7541, R&O.9203, L.1/2016
- ⁵⁷ Part 6 inserted by R&O.7240

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- ⁵⁸ Regulation 40 amended by L.9/2015
- ⁵⁹ Regulation 41(2) revised on 11 January 2024 by Law Revision Board item [2023/1](#)
- ⁶⁰ Regulation 42(1) amended by R&O.61/2008, L.9/2015
- ⁶¹ Regulation 42(4) amended by L.9/2015
- ⁶² Regulation 44(1) amended by R&O.9203, L.1/2016
- ⁶³ Regulation 44(2) amended by R&O.9203
- ⁶⁴ Part 7 substituted by R&O.61/2008
- ⁶⁵ Regulation 45(2) amended by L.9/2015
- ⁶⁶ Regulation 45(4) amended by L.9/2015
- ⁶⁷ Regulation 45(5) amended by L.9/2015
- ⁶⁸ Regulation 45(6) amended by L.9/2015
- ⁶⁹ Regulation 47(3) omitted by R&O.61/2008
- ⁷⁰ Regulation 48 substituted by R&O.61/2008
- ⁷¹ Regulation 49 heading amended by L.9/2015
- ⁷² Regulation 49(1) amended by R&O.4699, L.9/2015
- ⁷³ Regulation 49(2) amended by L.9/2015
- ⁷⁴ Regulation 50 substituted by R&O.61/2008
- ⁷⁵ Schedule 1 substituted by R&O.61/2008, amended by L.9/2015
- ⁷⁶ Schedule 2 inserted by R&O.7240