



BERMUDA

MARINE AND PORTS SERVICES (SHIP CHANNELS) REGULATIONS 2021

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TABLE OF CONTENTS

1	Citation
2	Interpretation
3	Application
4	Maximum speed of island boats in Channels
5	Maximum speed of ships in Channels
6	Two Rock Channel; inward bound ships, to give way
7	Staggs and Dundonald Channels; right of way of outward bound ship
8	Inward bound ship to keep clear of outward bound ship claiming priority
9	Radio notification by ships arriving in a port
10	Radio notification by ships leaving a port
11	Island boats and boats to give way
12	No anchoring unless under stress
13	Ships not to enter Channel in dangerous conditions
14	Permission for disabled ship to enter
15	No dumping in any Channel
16	Penalties
17	Revocations

The Minister responsible for Marine and Ports Services, in exercise of the powers conferred by section 73 of the Marine and Ports Services Act 2021, makes the following Regulations:

Citation

1 These Regulations may be cited as the Marine and Ports Services (Ship Channels) Regulations 2021.

MARINE AND PORTS SERVICES (SHIP CHANNELS) REGULATIONS 2021

Interpretation

2 In these Regulations—

“Bermuda Maritime Operations Centre” (BMOC) means the facility providing the co-located functions of Coast Radio Station (CRS), Rescue Coordination Centre (RCC) and Vessel Traffic Service (VTS);

“Bermuda Radio” means the principal coast radio station in Bermuda providing distress and safety radio watchkeeping functions;

“Director” means the Director of Marine and Ports Services;

“island boat” means any type of boat (not being a rowboat) which is operated for hire or reward in the waters of, or from place to place within Bermuda, and not ordinarily employed in voyages to any place beyond the territorial waters;

“master” means the person in charge of any ship or island boat;

“Pilot Station” means the onshore facility manned by the pilot service;

“ship” means a sea-going vessel, motor or sailing ship, and includes a lighter, used locally or otherwise; but does not include craft usually plying in inland waters.

Application

3 The Channels to which these Regulations apply are—

(a) the Main Ship Channel leading from Five Fathom Hole by way of the Narrows, Murray's Anchorage, the North Channel and the South Channel to Grassy Bay, Dundonald Channel, the Two Rock Channel and every approach to and every extension or prolongation of any of them; and

(b) Boat Channels, including Head of the Lane Channel and Timlin's Narrows.

Maximum speed of island boats in Channels

4 The speed limit for island boats in these Channels shall be as specified in Speed Limit Regulations or a notice.

Maximum speed of ships in Channels

5 Except in circumstances which render it necessary for the safety of the ship, no ship shall be permitted by the master to pass through the Two Rock Channel, or any part thereof, at a speed greater than ten knots.

Two Rock Channel; inward bound ships, to give way

6 (1) No inward bound ship or island boat shall be permitted by the master to enter the two Rock Channel from the Great Sound while any outward bound ship is in or is approaching or is about to enter that Channel from Hamilton Harbour.

(2) The master of every inward bound ship or island boat approaching the Two Rock Channel from the Great Sound shall keep such ship or island boat off and away from the outward entrance to that Channel and at a safe and sufficient distance therefrom, while

MARINE AND PORTS SERVICES (SHIP CHANNELS) REGULATIONS 2021

any outward bound ship is in or about to enter or is approaching that Channel from Hamilton Harbour and until such outward bound ship has cleared that Channel.

Staggs and Dundonald Channels; right of way of outward bound ship

7 On two ships approaching the Staggs Channel or, as the case may be, the Dundonald Channel, in opposite directions, so that if they both proceed, they will meet in the said channels, the outward bound ship shall have the right of way.

Inward bound ship to keep clear of outward bound ship claiming priority

8 The master or pilot of every inward bound ship shall, on an outward bound ship claiming priority of the right of way, keep such ship off, and from the channel through which priority is claimed, at a safe and sufficient distance therefrom and until such ship has cleared such channel.

Radio notification by ships arriving in a port

9 The master or pilot of every ship shall notify the Pilot Station or BMOC that the ship is inward bound from the Sea Buoy and is entering the channel, and when berthed.

Radio notification by ships leaving a port

10 The master or pilot of every ship shall cause to be broadcast thirty minutes prior to the intended time of departure from all ports, a warning to either the Pilot Station or BMOC that the ship is about to get underway and shall also confirm when the ship has entered a channel.

Island boats and boats to give way

11 The master of every island boat or boat using, entering or about to use a ship Channel shall at all times, give way to any inward or outward bound ship using a Channel.

No anchoring unless under stress

12 (1) Except under stress of weather or circumstances beyond the control of the master, no ship or island boat shall be permitted by the master to be anchored or moored in a Channel or so near thereto as to obstruct, delay or endanger any ship in or about to enter the Channel.

(2) The master of any ship or island boat who has been forced by stress of weather or other circumstances beyond his control to anchor in or near any Channel to avoid accident to his or some other ship, shall not permit such ship or island boat to remain in that Channel or in any approach thereto for any period longer than is necessary in the circumstances, and in any event shall notify the Pilot Station or BMOC.

Ships not to enter Channel in dangerous conditions

13 The pilot or master of a ship shall not permit the ship to enter a Channel if on account of—

- (a) the force of the wind;
- (b) the state of the waters; or

MARINE AND PORTS SERVICES (SHIP CHANNELS) REGULATIONS 2021

(c) other circumstances,

the ship cannot use that Channel without posing a danger to herself, any other ship, the sides of the Channel or the aids to navigation marking the Channel.

Permission for disabled ship to enter

14 No disabled ship shall be permitted by the master to enter or pass through the Channel without the permission of the Director and any entry or pass through the Channel shall be in accordance with any conditions attached to such permission.

No dumping in any Channel

15 No person shall discharge or deposit any ballast, gravel, rubble or other solid material, or any marine pollutant from any ship or island boat in the waters of any Channel; and the master of every ship or island boat shall take all precautions necessary to prevent any such discharge or deposit from such ship or island boat.

Penalties

16 A person who contravenes any of these Regulations commits an offence and is punishable on summary conviction, to a fine not exceeding \$10,000 or imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Revocations

17 The following Regulations are revoked—

- (a) Marine Board (Navigation) (HM Ship) (Ship Channels) Regulations 1962;
- (b) Marine Board (Navigation) (Ship Channels) Regulations 1962;
- (c) Marine & Ports Authority (Hamilton Channels) Regulations 1967;
- (d) Marine Board (Navigation) (Ship Channels) (No. 2) Regulations 1962; and
- (e) Marine Board (Navigation) (Ship Channels) (No. 3) Regulations 1962.

Made this 7th day of July 2021

Minister of Transport

[Operative Date: 08 July 2021]