

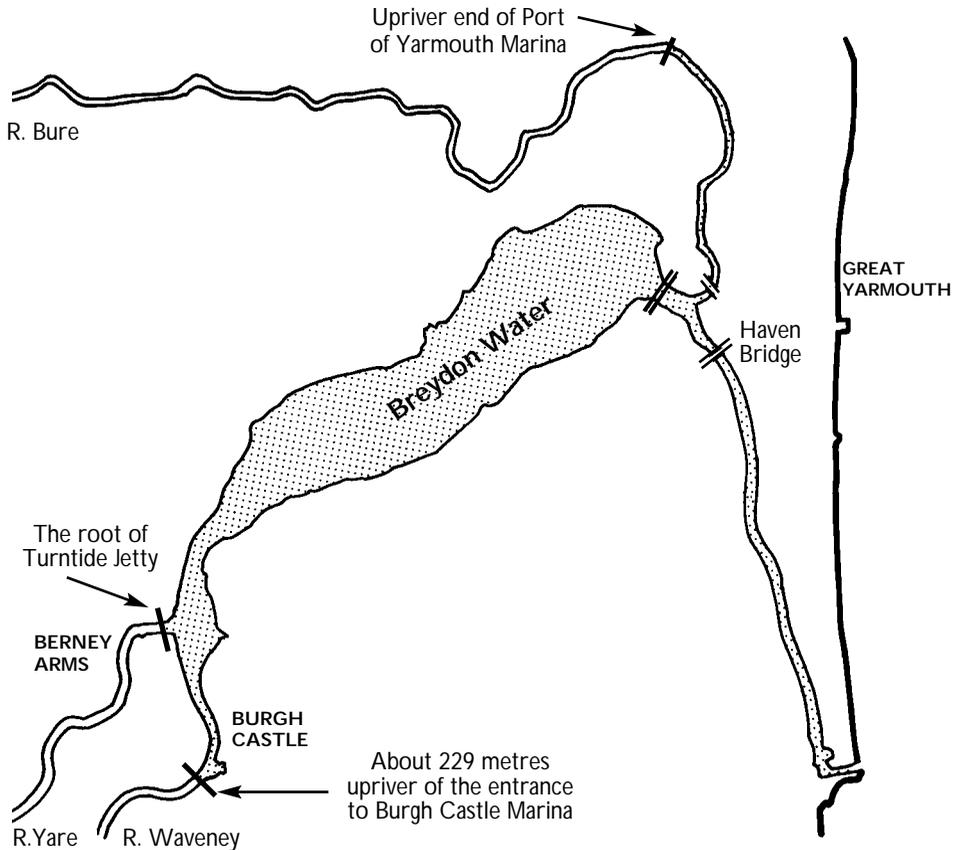
A decorative graphic on the left side of the cover, consisting of several vertical, wavy, light gray bands of varying widths, creating a textured, water-like effect.

 Broads Authority

Navigation Byelaws 1995

NOTE: NOT FORMING PART OF THE BYELAWS

APPLICATION OF THE BYELAWS - MAP FOR GUIDANCE ONLY



The area of application of the Byelaws is contained in Byelaw 4.

The Byelaws **do not apply** in the Port of Great Yarmouth which is under the jurisdiction of the Great Yarmouth Port Authority and the area of which is shown for the purposes of illustration only shaded on the map.

The boundaries between the Haven and the Broads Authority's Navigation Area are by S25 of Norfolk & Suffolk Broads Act 1988 determined by reference to a notional line drawn -

- (a) in the case of the River Bure, between grid references TG 5190 1009 and TG 5193 1012;
- (b) in the case of the River Yare, between grid references TG 4700 0511 and TG 4696 0520; and
- (c) in the case of the River Waveney, between grid references TG 4722 0379 and TG 4725 0375.

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BROADS AUTHORITY NAVIGATION BYELAWS

Byelaws made by the Broads Authority under Section 10(3) and Section 10(5) and paragraph 4 of Schedule 5 of the Norfolk and Suffolk Broads Act 1988.

- Citation** 1 These Byelaws may be cited as the Broads Authority Navigation Byelaws 1995.
- Commencement** 2 These Byelaws shall come into operation on the 1st January 1996.
- Repeal** 3 With effect from the coming into operation of these Byelaws the following are repealed in relation to the navigation area as described in Byelaw 4:
- (a) The Rivers Yare, Bure and Waveney Byelaws, 1936;
 - (b) Byelaw 21 of the Great Yarmouth Port and Haven River Byelaws 1946 as amended by the Great Yarmouth Port and Haven (Amendment) Byelaws 1981;
 - (c) The River Yare (Carrow Bridge) Byelaws 1938;
 - (d) The Great Yarmouth Port and Haven (Increase in Fines) Byelaws 1983 in as far as they relate to the Byelaws referred to in paragraphs (a), (b) and (c) above.
- Application** 4 These Byelaws shall apply to the whole of the navigation area of the Broads Authority as for the time being defined in accordance with Sections 8 and 10(4) of the Norfolk and Suffolk Broads Act 1988 and hereinafter referred to as "the navigation area" and in the case of Byelaws 1-25 and 33-51 and 87 and 88 to all waters navigable by vessels contiguous with the navigation area other than waters within the jurisdiction of the Great Yarmouth Port Authority or Associated British Ports Plc.
- Disapplication of The Collision Regulations** 5 The Collision Regulations as hereinafter defined shall not apply in any waters to which these Byelaws apply.
- Interpretation** 6 (1) In these Byelaws, unless the context otherwise requires:
- "All-round light" means a light showing an unbroken light over an arc of the horizon of 360 degrees.
 - "Anchor" means any weight, hook, grapnel or similar thing sufficient to hold the mooring line of a vessel to the ground, and "anchoring", "anchored" and "at anchor" shall be construed accordingly.

“The Authority” means the Broads Authority.

“Beam” in relation to a vessel means the full width of the vessel at its widest part and includes fixed fendering.

“By day” means between sunrise and sunset.

“By night” means between sunset and sunrise.

“Channel” means the main navigable part of a river or waterway, or, in broads or similar areas of navigable water, the route generally followed by vessels in transit.

“The Collision Regulations” means regulations made under Section 21 of the Merchant Shipping Act 1979 for the purposes of preventing collisions or under any statutory provisions amending or replacing the same.

“Flashing light” means a light flashing at regular intervals.

“Kedging” means the use by a vessel of an anchor to prevent loss of ground due to unfavourable winds or streams or to prevent the vessel being set into danger, or for hauling off or shifting position.

“Length” in relation to a vessel means the full length of the vessel and includes any fixed fendering, bowsprit or any davits which are not retractable.

“Light sports vessel” means a motor vessel with a block area of no more than 13 square metres which has a planing hull and no permanent covered accommodation and which is capable of towing a water-skier.

“Lighter” means any dumb barge or other like craft for carrying goods or any sailing barge with her masts and gear lowered on deck.

“Manually propelled vessel” means any vessel propelled by oars, sculls or paddles or otherwise by the energy of those on board but excludes a quanted vessel.

“Master” in relation to a vessel means any person whether the owner, master, hirer or other person lawfully or unlawfully having or taking command or charge or management of the vessel for the time being.

“Masthead light” means a white light placed over or as near as practicable over the fore and aft centre line of the vessel showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on either side of the vessel.

“Navigate” means direct the course of movement of.

“Navigation Officer” means the Navigation Officer of the Broads Authority and any assistant appointed by the Broads Authority.

“Officer of the Authority” means any officer of the Authority employed to secure compliance with these Byelaws.

“Owner” in relation to a vessel includes the person for the time being registered as the owner under the Great Yarmouth Port and Haven River Byelaws 1946 (as amended) or any Byelaw made by the Authority replacing the same.

“Pleasure vessel” means any vessel used for sport or recreation whether hired or privately owned and includes a houseboat.

“Power-driven vessel” means any vessel propelled by machinery.

“Prolonged blast” means a blast of between 4 and 6 seconds duration.

“Quanted vessel” means a vessel whether or not under sail which is being propelled by use of a quant.

“Restricted visibility” means any condition in which visibility is restricted by fog, mist, falling snow, heavy rain storms, sand storms, smoke or similar causes.

“Sailing vessel” means any vessel under sail other than a quanted vessel provided that propelling machinery, if fitted, is not being used.

“Short blast” means a blast of about one second duration.

“Sidelight” means a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on its respective side. In a vessel of less than 20 metres in length the sidelights may be combined in one lantern carried on the fore and aft centre line of the vessel.

“Sternlight” means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees from right aft on each side of the vessel.

“Towed” includes any vessel being propelled by any other and “towing” shall be construed accordingly.

“Towing light” means a yellow light having the same characteristics as a sternlight.

“Underway” when used in relation to a vessel means that it is not at anchor or moored or secured to the banks, shores or bed of a waterway or aground and includes a vessel dropping up or down a waterway with its anchor on the ground.

“Vessel” includes every description of water craft, including a non-displacement vessel, used or capable of being used for transportation on water.

“Vessel constrained by its draught” means a power-driven vessel which because of its draught in relation to the available depth and width of navigable water is severely restricted in its ability to deviate from the course it is following .

“Vessel not under command” means a vessel which through some exceptional circumstances is unable to manoeuvre as required by these Byelaws and is therefore unable to keep out of the way of another vessel.

“Vessel restricted in its ability to manoeuvre” means a vessel which from the nature of its work is restricted in its ability to manoeuvre as required by these Byelaws and is therefore unable to keep out of the way of another vessel. The term shall include but is not limited to:

- (i) a vessel engaged in laying, servicing or picking up a navigation mark, submarine cable or pipeline;
- (ii) a vessel engaged in dredging, surveying or underwater operations;
- (iii) a vessel engaged in replenishment or transferring persons, provisions or cargo when underway;
- (iv) a vessel engaged in a towing operation such as severely restricts the towing vessel and its tow in their ability to deviate from their course and/or speed.

“Whistle” means an efficient whistle, siren horn or other sound signalling appliance capable of producing such blasts as are prescribed in the Byelaws.

(2) The Interpretation Act 1978 shall apply for the interpretation of these Byelaws as it applies for the interpretation of an Act of Parliament and as if for the purposes of Sections 15 and 16 of that Act these Byelaws were an Act of Parliament and the Byelaws revoked by Byelaw 3 were Acts of Parliament thereby repealed.

(v) shows reasonable consideration for persons fishing from boats or the banks of the navigation area provided that this sub-paragraph shall not be construed as relieving a person fishing of his obligation under Byelaw 29 to ensure that his rod or line does not obstruct the passage of a vessel along a channel.

Risk of Collision

- 11** (a) The master of a vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists.
- (b) If there is any doubt such risk shall be deemed to exist.

Action to Avoid Collision

- 12** (1) The master of a vessel shall ensure that any action taken to avoid collision shall if the circumstances of the case admit be positive, made in ample time and with due regard to the observance of good seamanship.
- (2) The master of a vessel shall ensure that:
- (a) any action taken to alter course or speed to avoid collision shall if the circumstances of the case admit be large enough to be readily apparent to another vessel observing visually.
- (b) a succession of small alterations of course and/or speed is avoided.
- (c) action taken to avoid collision with another vessel shall be:
- (i) such as to result in the vessel passing at a safe distance;
- (ii) carefully checked by the master until the other vessel is finally past and clear.
- (3) The master of a power-driven vessel shall if necessary to avoid collision or to allow more time to assess the situation slacken the speed of the vessel or take all way off by stopping or reversing its means of propulsion.

Vessels to keep to Starboard/Right Side of Channel

- 13** The master of a power-driven or manually propelled vessel proceeding along a channel shall when it is safe and practicable to do so keep to the side of mid channel which lies on the starboard or right hand side of the vessel.

**Head-on
Situation**

- 14** (1) When two vessels, whether power-driven or manually propelled, are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision the master of each vessel shall if it is safe and practicable to do so alter the course of his vessel to starboard so that each vessel shall pass on the port side of the other.
- (2) (a) Such a situation as is referred to in paragraph (1) shall be deemed to exist when the master of a vessel sees the other vessel ahead or nearly ahead and by night he could see the masthead lights of the other vessel in a line or nearly in a line and/or both sidelights and by day he observes the corresponding aspect of the other vessel.
- (b) When the master is in any doubt as to whether a situation as is referred to in paragraph (1) exists he shall assume that it does exist and act accordingly.

Overtaking

- 15** (1) Notwithstanding any provision to the contrary in these Byelaws the master of a vessel overtaking another vessel shall keep his vessel out of the way of the vessel being overtaken.
- (2) A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than 22.5 degrees abaft its beam, that is, in such a position with reference to the vessel it is overtaking that at night the master would be able to see only the sternlight of the vessel but neither of its sidelights.
- (3) When a master is in any doubt as to whether his vessel is overtaking another he shall assume that this is the case and act accordingly.
- (4) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel for the purposes of Byelaw 16 or relieve the master of the overtaking vessel of his duty of keeping clear of the overtaken vessel until his vessel is finally past and clear.

**Crossing
Situation**

- 16** When two vessels whether power-driven or manually propelled are crossing so as to involve risk of collision the master of the vessel which has the other on its own starboard side shall keep his vessel out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

**Action by
Give-Way
Vessel**

17 The master of a vessel which is obliged to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

**Action by
Stand-On
Vessel**

18 (1) (a) Where pursuant to these Byelaws one of two vessels is to keep out of the way of the other the master of the other shall subject to sub-paragraph (1)(b) keep his course and speed.

(b) The master of the latter vessel may take action to avoid collision by his manoeuvre alone, as soon as it becomes apparent to him that the vessel required to keep out of the way is not taking appropriate action in compliance with these Byelaws.

(2) When for any reason the master of a vessel required under these Byelaws to keep its course and speed finds his vessel so close that collision cannot be avoided by the action of the give way vessel alone he shall take such action as will best aid to avoid collision.

(3) The master of a vessel, whether power-driven or manually propelled, who takes action in a crossing situation in accordance with sub-paragraph (1) (b) of this Byelaw to avoid collision with another vessel whether power-driven or manually propelled shall, if the circumstances of the case admit, not alter the course of his vessel to port for a vessel on the port side of his vessel.

(4) Nothing in this Byelaw shall relieve the master of the give-way vessel of his obligation to keep out of the way of the other vessel.

**Vessels
Crossing/
Joining Channel**

19 (1) Except as provided in paragraph (2) but notwithstanding any other provision in these Byelaws the master of a power-driven or manually propelled or quanted vessel crossing from one side of a channel to the other side or entering a channel from a side dyke or other waterway shall do so at a proper time having regard to any vessels navigating along the channel and shall give way to such vessels.

(2) This Byelaw does not apply to any vessel whilst entering the navigation area from any waterway within the jurisdiction of the Great Yarmouth Port Authority.

(b) The master of a sailing vessel underway shall keep his vessel out of the way of:

- (i) a vessel not under command;
- (ii) a vessel restricted in its ability to manoeuvre;
- (iii) a quanted vessel.

(c) (i) The master of a vessel other than a vessel not under command or a vessel restricted in its ability to manoeuvre shall, if the circumstances of the case admit, avoid his vessel impeding the safe passage of a vessel constrained by its draught, exhibiting the signal in Byelaw 39.

(ii) The master of a vessel constrained by its draught shall navigate his vessel with particular caution having full regard to that constraint.

(2) For the purposes of sub-paragraph (1) (a) (iii) of this Byelaw a Sailing Vessel shall include a wherry under sail notwithstanding that it is also being propelled by machinery; and for this purpose a wherry shall mean a vessel known in the Broads as a wherry or wherry yacht.

Sailing Vessels 24 Not to Impede Commercial and Passenger Vessels

(1) Notwithstanding any other provision in these Byelaws but subject to paragraph (2) the master of a sailing vessel of length less than 15 metres (49 feet 3 inches) shall not navigate his vessel so as unnecessarily to hamper or delay the passage of:

(a) a power-driven vessel of length greater than 15 metres (49 feet 3 inches) which is being used for or is ordinarily used for the commercial carriage of passengers or goods or for the maintenance or dredging of waterways or for commercial fishing, or

(b) a towing vessel and its tow if the towing vessel is:

- (i) towing astern or pushing ahead and the overall length of the tow from the stem of the forward vessel to the stern of the rear vessel exceeds 15 metres, (49 feet 3 inches) or
- (ii) towing alongside and the length of either the towing or towed vessel exceeds 10 metres (32 feet 10 inches) or the combined width of towing and towed vessels exceeds 5 metres (16 feet 5 inches)

unless in either case under sub-paragraph (b) the towing vessel is a pleasure vessel of length less than 15 metres (49 feet 3 inches) which is towing a tender or other vessel of length less than 7.5 metres (24 feet 7 inches).

(2) Paragraph (1) shall not be construed as relieving the master of a vessel to which it applies of any obligation under Byelaw 23 to keep out of the way of a sailing vessel.

Conduct of Vessels in Restricted Visibility

- 25** (1) This Byelaw applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.
- (2) The master of a vessel to which this Byelaw applies shall:
- (a) ensure that it proceeds at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility;
 - (b) have due regard to the prevailing circumstances and conditions of restricted visibility; and
 - (c) if it is a power-driven vessel, ensure that the engines of the vessel are ready for immediate manoeuvre.
- (3) Except where it has been determined that a risk of collision does not exist, the master of a vessel to which this Byelaw applies who hears apparently forward of the beam of the vessel the fog signal of another vessel, or whose vessel cannot avoid a close quarters situation with another vessel forward of the beam of his vessel, shall:
- (a) reduce the speed of his vessel to the minimum at which it can be kept on its course; and
 - (b) if necessary take all way off his vessel and in any event navigate with extreme caution until danger of collision is over.

Ferries

- 26** The master of a vessel operating as a ferry shall when crossing a waterway keep out of the way of any vessel navigating along the waterway.

Towing

- 27** (1) Except as provided for in this Byelaw or otherwise with the consent of the Authority the master of a vessel shall navigate singly and shall not cause or permit it to tow or push another vessel.
- (2) The exceptions referred to in paragraph (1) are that:
- (a) the master of a power-driven vessel may tow one other vessel which is secured alongside provided that no other vessel is at the same time pushed ahead or towed alongside without the consent of the Authority; or

- (b) the master of a power-driven vessel may push ahead one other vessel provided:
 - (i) it is properly equipped for that purpose; and
 - (ii) no other vessel is towed at the same time; or
- (c) the master of a power-driven vessel or a manually propelled vessel may tow not more than two other vessels (or a greater number with the consent of the Authority) in a single line at the same time; or
- (d) the master of a power-driven vessel may tow any number of launches, dinghies, skiffs, canoes, punts or similar vessels provided each vessel being towed is less than 7.5 metres (24 feet 7 inches) long; or
- e) the master of a sailing vessel or towing vessel may tow a small craft used as a means of gaining access to or going ashore from the vessel which is towing it;

and provided that in each case the conditions referred to in paragraph (3) are complied with.

(3) The conditions referred to in paragraph (2) are that:

- (a) If the towing vessel or the vessel being towed is a vessel being used for or ordinarily used for the commercial carriage of passengers or goods or for the maintenance or dredging of waterways or for commercial fishing the overall length of the tow measured from the stern of the towing vessel to the stern of the towed vessel shall not exceed 100 metres (328 feet).
- (b) If the towing vessel is a pleasure vessel the overall length of the tow measured from the stern of the towing vessel to the stern of the towed vessel shall not exceed 35 metres (115 feet).
- (c) the overall width of a tow including both or all the vessels towed or towing alongside shall not exceed 8 metres (26 feet 3 inches).

(4) In giving their consent under any part of this Byelaw the Authority may impose such conditions as it thinks fit.

(5) Nothing in this Byelaw shall be taken to override the provisions of the Broads Authority Speed Limit Byelaws 1992 in so far as they relate to the towing of waterskiers.

Person to attend to Towed Vessel **28** The master of a vessel towing or pushing another vessel which is more than 10 metres (32 feet 10 inches) in length shall ensure that there is always at least one competent person on board the towed vessel for the purpose of its navigation and management.

Fishing **29** (1) Subject to paragraph (2) no person shall conduct any fishing or any associated activity from a power-driven or sailing vessel which is underway or cause or permit any net or fishing line to hang from such a vessel into the water whilst the vessel is underway.

(2) Paragraph (1) shall not apply to a vessel which is:

- (a) engaged in the handling of licensed eel nets; or
- (b) under the control of the National Rivers Authority in connection with its fishery duties.

(3) Any person fishing from a boat or the bank shall show reasonable consideration to any other person using the navigation area and shall ensure that his rod or line does not obstruct the passage of a vessel along a channel.

Navigation by Minors **30** (1) Subject to paragraphs (2) (3) and (4) no person below the age of 14 years shall be at the helm of a power-driven vessel.

(2) Subject to paragraph (5) a person who has reached the age of 8 years but is below the age of 14 years may be at the helm of a power-driven vessel provided that the following conditions are satisfied:

- (a) The vessel is an open boat of 4.5m (14 feet 9 inches) length or less; and
- (b) The vessel if propelled by an outboard motor has engine power of not more than 4.47 kw (or equivalent rating) or if powered by an inboard motor is incapable of attaining a speed greater than 8 mph through the water; and
- (c) That person is under the supervision of a person, whether or not in the vessel, over the age of 18 years.

(3) Subject to paragraph (5) a person who has reached the age of 8 years but is below the age of 14 years may be at the helm of a power-driven vessel other than a vessel as described in sub-paragraphs (2) (a) and (b) provided that the following conditions are satisfied:

- (a) That person is under the supervision of a person who is in the vessel and who has reached the age of 18 years; and
- (b) The person who is providing supervision remains at all times close to the helm so as to be able immediately to take the helm in the event of necessity; and
- (c) The person who is providing supervision maintains at all times a proper navigational watch.

(4) A person who has reached the age of 9 years may be at the helm of a power-driven vessel in Oulton Broad at any time whilst the Broad is temporarily closed under paragraph 10(1)(c) of Schedule 5 to the Norfolk and Suffolk Broads Act 1988 provided that the person is an entrant for powerboat racing on Oulton Broad on that day and the vessel has engine power of not more than 11.19 kw (or equivalent rating).

(5) Nothing in paragraphs (2) or (3) shall permit a person who has reached the age of 8 years but is below the age of 14 years to be at the helm of a light sports vessel or at the helm of any power-driven vessel which is travelling at a speed greater than 6 mph over the ground.

(6) A person providing supervision as required by this Byelaw shall be deemed to be the master of the vessel for the purposes of these Byelaws.

(7) No person shall cause or permit another person to be at the helm of a power-driven vessel in contravention of this Byelaw.

Power Vessels approaching Bends or Bridges

31 The master of a power-driven vessel navigating against the current or tidal flow shall, if necessary to avoid the risk of collision, ease the speed of or stop the vessel on approaching or rounding a bend or approaching a bridge to allow any vessel navigating with the current or tidal flow to pass clear.

Speed at Bridges

32 The master of a vessel passing through a bridge shall navigate the vessel at the lowest practicable speed consistent with safety.

PART II: EXHIBITION OF LIGHTS AND SHAPES

- Application** **33** The master of every vessel shall ensure that:
- (a) Byelaws 34 to 45 are complied with in all weathers.
 - (b) The Byelaws concerning lights shall be complied with from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in these Byelaws or as do not impair their visibility or distinctive character, or interfere with the keeping of a proper look out or with the safe navigation of any other vessel.
 - (c) The lights prescribed by these Byelaws shall also be exhibited from sunrise to sunset in restricted visibility and may be exhibited in all other circumstances when it is deemed necessary.
 - (d) The Byelaws concerning shapes shall be complied with by day.
- Visibility of Lights** **34** The master of a vessel shall ensure that all lights prescribed in these Byelaws shall have an intensity sufficient to be visible at the following minimum ranges:
- (a) for a vessel of 50 metres (164 feet) or more in length:
 - a masthead light, 6 nautical miles (12,150 yards or 11,110 metres);
 - a sidelight, 3 nautical miles (6,075 yards or 5,555 metres);
 - a sternlight, 3 nautical miles (6,075 yards or 5,555 metres);
 - a towing light, 3 nautical miles (6,075 yards or 5,555 metres);
 - a white, red, green or yellow all-round light, 3 nautical miles (6,075 yards or 5,555 metres).
 - (b) for a vessel of less than 50 metres (164 feet) in length:
 - a masthead light, 2 nautical miles (4,050 yards or 3,703 metres);
 - a sidelight, 1 nautical mile (2,025 yards or 1,852 metres);
 - a sternlight, 1 nautical mile (2,025 yards or 1,852 metres);
 - a towing light, 1 nautical mile (2,025 yards or 1,852 metres);
 - a white, red, green or yellow all-round light, 1 nautical mile (2,025 yards or 1,852 metres).

(c) for an inconspicuous, part-submerged vessel or object:
-a white all-round light, 2 nautical miles (4,050 yards or 3,703 metres).

Power-driven Vessels Underway **35**

(1) Subject to paragraph (2) the master of a power-driven vessel underway shall cause to be exhibited:

- (a) a masthead light;
- (b) a second masthead light abaft of and higher than that in (a) except that a master of a vessel less than 50 metres (164 feet) in length shall not be obliged to exhibit such light but may do so;
- (c) sidelights;
- (d) a sternlight.

(2) Notwithstanding paragraph (1):

- (a) the master of a power-driven vessel less than 12 metres (39 feet 4 inches) in length may cause to be exhibited in lieu of the lights prescribed in paragraph (1) an all-round white light and sidelights, and
- (b) the master of a power-driven vessel less than 7 metres (23 feet) in length may cause to be exhibited in lieu of the lights prescribed in paragraph (1) of this Byelaw an all-round white light and shall, if practicable, also cause to be exhibited sidelights.

Sailing Vessels Manually Propelled Vessels and Quanted Vessels Underway **36**

(1) The master of a sailing vessel underway shall cause to be exhibited:

- (a) sidelights; and
- (b) a sternlight.

(2) The master of a sailing vessel underway may, in addition to but not in substitution for the lights prescribed in paragraph (1) cause to be exhibited at or near the top of the mast, where they can best be seen, two all-round lights in a vertical line, the upper being red and the lower green.

(3) The master of a manually propelled vessel or a quanted vessel underway which is 4.5 metres (14 feet 9 inches) or more in length shall cause to be exhibited the lights in paragraph (1) or shall cause to be exhibited an all-round white light or two white lights giving the same coverage.

Towing and Pushing

37

(4) The master of a manually propelled vessel or a quanted vessel underway which is less than 4.5 metres (14 feet 9 inches) in length shall ensure that there is ready at hand in the vessel an electric torch or lighted lantern showing a white light and shall cause such torch or lantern to be exhibited in sufficient time to prevent collision.

(1) The master of a power-driven vessel of greater than 15 metres (49 feet 3 inches) in length shall when it is towing a vessel the length of which exceeds 7.5 metres (24 feet 7 inches) cause to be exhibited:

- (a) instead of the lights prescribed in Byelaw 35, two masthead lights forward in a vertical line;
- (b) sidelights;
- (c) a sternlight; and
- (d) a towing light in a vertical line above the stern light.

(2) The master of a power-driven vessel greater than 15 metres (49 feet 3 inches) in length shall when the vessel is pushing ahead or towing alongside, except in the case of a rigidly connected composite unit cause to be exhibited:

- (a) instead of the light prescribed in Byelaw 35, two masthead lights in a vertical line;
- (b) sidelights; and
- (c) a sternlight.

(3) When a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and exhibit the lights prescribed in Byelaw 35.

(4) The master of a power-driven vessel when towing by night shall cause to be exhibited on the vessel being towed:

- (a) when the beam of the towed vessel exceeds the beam of the towing vessel, side lights and a stern light;
- (b) when the overall length of the tow exceeds 7.5 metres (24 feet 7 inches) and the beam of the towed vessel does not exceed the beam of the towing vessel, a stern light

provided that any number of vessels being towed alongside the towing vessel or being pushed in a linked group by the towing vessel shall be lighted as one vessel.

(5) Where from any sufficient cause it is impracticable for a vessel or object being towed to exhibit the lights prescribed in paragraph (4) the master of the towing vessel shall ensure that all possible measures shall be taken to light the vessel or object towed or at least to indicate the presence of such vessel or object.

(6) When for any sufficient reason it is impracticable for a vessel not normally engaged in towing operations to display the lights required by paragraph (1) or (2) the master of such vessel shall not be required to ensure that the vessel exhibits those lights when engaged in towing another vessel in distress or otherwise in need of assistance, but shall ensure that all possible measures shall be taken to indicate the nature of the relationship between the towing vessel and the vessel being towed in particular by illuminating the tow line.

**Vessels not 38
under command
and Vessels
restricted
in their ability
to manoeuvre**

(1) The master of a vessel not under command of 20 metres (66 feet) or more in length shall and the master of a vessel not under command of less than 20 metres (66 feet) in length may cause to be exhibited:

- (a) two all-round red lights in a vertical line where they can best be seen;
- (b) two balls in similar shapes in a vertical line where they can best be seen; and
- (c) when making way through the water, in addition to the lights prescribed in this paragraph, sidelights and a sternlight.

(2) The master of a vessel restricted in its ability to manoeuvre of 20 metres (66 feet) or more in length shall and the master of a vessel restricted in its ability to manoeuvre of less than 20 metres (66 feet) in length may cause to be exhibited:

- (a) three all-round lights in a vertical line where they can best be seen. The highest and lowest of these lights shall be red and the middle light shall be white;
- (b) three shapes in a vertical line where they can best be seen, the highest and lowest of these shapes shall be balls and the middle one a diamond;
- (c) when making way through the water, a masthead light or lights, sidelights and a sternlight in addition to the lights prescribed in sub-paragraph (a); and

(d) when at anchor, in addition to the lights or shapes prescribed in sub-paragraph (a) and (b), the lights or shapes prescribed in Byelaw 40.

(3) The master of a vessel engaged in a towing operation such as renders it unable to deviate from its course and/or speed shall, in addition to the lights or shapes prescribed in sub-paragraphs (2) (a) and (b) of this Byelaw cause to be exhibited the lights prescribed in Byelaw 37.

(4) The master of a vessel engaged in dredging or underwater operations, when restricted in its ability to manoeuvre shall cause to be exhibited the lights and shapes prescribed in paragraph (2) and shall in addition, when an obstruction exists, cause to be exhibited:

(a) two all-round red lights or two red balls in a vertical line to indicate the side on which the obstruction exists;

(b) two all-round green lights or two white diamonds in a vertical line to indicate the side on which another vessel may pass;

(c) when making way through the water, in addition to the lights prescribed in this paragraph, masthead lights, sidelights and a stern light.

(5) The master of a vessel engaged in dredging or underwater operations when at anchor shall cause to be exhibited the lights or shapes prescribed in sub-paragraphs (4) (a) and (b) of this Byelaw instead of the lights prescribed in Byelaw 40.

(6) Notwithstanding the provisions of paragraph (4) of this Byelaw the master of a dredger or vessel engaged in underwater operations in the navigation area which is less than 20 metres (66 feet) in length may in place of the lights and shapes prescribed in that paragraph ensure that the vessel exhibits the following signals:

(i) by night a red light visible all round the horizon at a distance of 1 kilometre (1,100 yards) or such other light signals as are approved by the Authority;

(ii) by day, a red flag on the side where there are obstructions to navigation.

(7) The master of a vessel engaged in diving operations shall cause to be exhibited a rigid replica of the International Code Flag A of a size and in such a position as to be clearly visible to other vessels in the vicinity. Measures shall be taken by the master to ensure all-round visibility.

(b) by night ensure that the vessel exhibits in the same position two lights in a vertical line not less than 1 metre (3 feet 3 inches) apart and visible all-round at a distance of 1.6 kilometres (1 mile). The upper of these lights shall be red and the lower light white.

Lights in Moored Vessels 44

(1) Subject to paragraph (2) a moored vessel, any part of which extends 15 metres (49 feet 3 inches) or more into a channel or more than a quarter of the width of the channel (whichever is the less) shall by night exhibit an all-round white light at the outer extremity of the vessel. Such a light must be visible at a distance of one kilometre (1100 yards).

(2) This Byelaw does not apply to any vessel having a beam of less than 3.8 metres (12 feet 6 inches) moored alongside the bank of a waterway.

Height of Masthead Lights

45 A power-driven vessel which navigates under fixed bridges at a time when required to exhibit lights shall be required to carry a masthead light above the level of the vessel's sidelights but otherwise not at such a height as will prevent safe clearance beneath any such bridge.

PART 111: SOUND SIGNALS

Requirement for Whistle 46

(1) The master of a vessel of 25m (82 feet) or more in length shall ensure that the vessel is provided with an operative fixed or portable whistle capable of producing the blasts prescribed by these Byelaws and audible at a distance of one half of a nautical mile (2,025 yards or 1,852 metres).

(2) The master of a vessel of length more than 7.5m (24 feet 6 inches) but less than 25 metres (82 feet) shall ensure that the vessel is provided with a whistle or some other means of making an efficient sound signal.

Use of Whistle 47

(1) All sound signals prescribed by these Byelaws shall be given on the whistle.

(2) The master of a vessel shall not cause or permit the whistle of the vessel to be sounded for any purposes other than the safe navigation or management of the vessel.

Manoeuvring and Warning Signals 48

(1) When vessels are in sight of one another the master of a power-driven vessel under way when manoeuvring as authorised or required by these Byelaws may indicate that manoeuvre by the following signals on its whistle:

- one short blast to mean "I am altering my course to starboard" (i.e. to the right);
- two short blasts to mean "I am altering my course to port" (i.e. to the left);
- three short blasts to mean "I am operating astern propulsion".

(2) The master of a vessel may supplement the whistle signals described in paragraph (1) of this Byelaw by light signals, repeated as appropriate, whilst the manoeuvre is being carried out:

- (a) these light signals shall have the following significance:
- one flash to mean "I am altering my course to starboard";
 - two flashes to mean "I am altering my course to port";
 - three flashes to mean "I am operating astern propulsion".

(b) the duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall not be less than 10 seconds.

(3) When vessels in sight of one another are approaching each other and for any reason the master of either vessel fails to understand the intention or actions of the other, or is in doubt whether sufficient action is being taken by the other to avoid collision, the master of the vessel in doubt may immediately indicate such doubt by giving at least five short and rapid blasts on the whistle. Such signal may be supplemented by a light signal of at least five short and rapid flashes.

(4) The master of a vessel nearing a bend or an area of a channel or fairway or a bridge or other place where other vessels may be obscured by an intervening obstruction may, if the circumstances require, sound one prolonged blast. Such signals may be answered with a prolonged blast by the master of any approaching vessel that may be within hearing around the bend or behind the intervening obstruction.

Vessels Turning Round

49 The master of a power-driven vessel of 15 metres (49 feet 3 inches) or more in length and underway when about to turn round shall if circumstances require signify the same by four short blasts of its whistle followed after a short interval if turning with its head to starboard by one short blast and if to port by two short blasts. Whilst turning the vessel the master shall repeat such to any approaching vessel the master of which shall take any action necessary to avoid collision.

Sound Signals in Restricted Visibility

50 In or near an area of restricted visibility, whether by day or night, the signals prescribed in this Byelaw shall if the circumstances require be used as follows:

- (a) a power-driven vessel making way through the water shall sound at intervals of not more than two minutes, one prolonged blast;
- (b) a power-driven vessel underway but stopped and making no way through the water shall sound at intervals of not more than two minutes, two prolonged blasts in succession with an interval of about two seconds between them;
- (c) a vessel not under command, a vessel restricted in its ability to manoeuvre, a vessel constrained by its draught, a sailing vessel and a vessel engaged in towing or pushing another vessel shall instead of the signals prescribed in subparagraphs (a) or (b) of this Byelaw sound at intervals of not more than two minutes, three blasts in succession, namely one prolonged blast followed by two short blasts;

- (d) when a pushing vessel and a vessel being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven vessel and the master of the pushing vessel shall cause to be sounded the signals prescribed in paragraphs (a) or (b) of this Byelaw;
- (e) the master of a vessel at anchor or aground shall at intervals of not more than one minute cause to be sounded three blasts in succession namely one short, one prolonged and one short blast or ring a bell rapidly for five seconds to give warning.

**Signals to
Attract
Attention**

- 51** Where it is necessary for the purpose of the safe navigation or management of a vessel for its master to attract the attention of another vessel he may make light or sound signals that cannot be mistaken for any signal authorised elsewhere in these Byelaws, or may direct the beam of his vessel's search light in the direction of the danger in such a way as not to embarrass any vessel.

PART 1V: BRIDGE SIGNALS

- Compliance with Light Signals** **52** **(1)** Where light signals control the approach to, or passage through, a bridge the master of a vessel shall:
- (a) not navigate the vessel past the light signals while red is displayed; and
 - (b) keep clear of the bridge so as to avoid obstructing the passage of any oncoming vessel.
- (2)** Sub-paragraph (1) (a) of this Byelaw does not apply to any fixed or permanently displayed red light the purpose of which is to give warning of the existence of a bridge.
- Signal for Bridge Opening other than Carrow Bridge** **53** The master of a vessel requiring any bridge (other than Carrow Bridge) to be lifted or swung open to permit the passage of the vessel may signify the same by three prolonged blasts of its whistle.
- Signal for Carrow Bridge** **54** The master of a vessel requiring Carrow Bridge to be lifted may signify the same by one prolonged blast followed by five short blasts.
- Signals for Passage of Carrow Bridge** **55** The master of a vessel requiring Carrow Bridge to be lifted shall not pass or attempt to pass through the opening span of the Bridge until authorised to do so by an authorised officer of the Authority.
- Conduct of Vessels not requiring the lifting of Carrow Bridge** **56** The master of a vessel which does not require Carrow Bridge to be lifted for the passage of the vessel shall not navigate or attempt to navigate the vessel through the opening span at any time or in such a manner as would hamper or inconvenience the passage through the bridge of a vessel which requires the bridge to be lifted.

PART V: MOORING AND ANCHORING

- Place of Mooring** **57** Subject to Byelaw 62(2) the master of a vessel:
- (a) shall ensure that the vessel is not anchored, moored, berthed or stopped in such a position or manner as to impede the clear and free passage of any other vessel, or otherwise to obstruct the navigation of a waterway or channel or the use of a right of way on the banks thereof;
 - (b) shall not anchor, moor, berth or secure the vessel in any place or position where, because of any bridge or other permanent or temporary structure or obstruction to navigation or because of tidal or wind conditions in that place there exists permanently or temporarily a significant risk that any vessel navigating or manoeuvring in the channel may come into collision with the vessel.
- Moored Vessels to be Properly Secured** **58** **(1)** The master of a moored vessel shall ensure that the vessel is properly, safely and effectively secured and fendered so as to hold the vessel to the mooring and to prevent the risk of avoidable damage to the vessel or any other vessel or to the place of mooring or to any mooring equipment provided therein.
- (2)** The master of a vessel shall not without the consent of the Authority moor that vessel stern-on or bow-on except
- (a) at a place where stern-on mooring or bow-on mooring (as the case may be) is approved by the Authority and
 - (b) in accordance with such conditions and during such times as the Authority may have by Notice displayed at or near that place.
- Mooring Prohibitions to be Obeyed** **59** **(1)** The master of a vessel shall not moor the vessel at any place where the Authority has prohibited mooring by a Notice displayed at or near that place.
- (2)** The master of a power-driven vessel shall not moor the vessel at any place where the Authority has by Notice displayed at or near that place indicated that such place is reserved for the mooring of sailing vessels.
- Vessels not to Secure to Navigational Marks** **60** The master of a vessel shall not secure the vessel to any buoy, beacon, post, sign or similar mark the purpose of which is to indicate hazard or channel or to give navigational direction.

Use of Moorings for Specific Periods

- 61** (1) This Byelaw applies where, by a notice displayed at or near any place, the Authority has prohibited mooring for more than a limited period or has restricted the number of times a vessel may use that place for mooring in a limited period.
- (2) The master of a vessel shall not cause or permit the vessel to be moored in a place in contravention of any prohibition or restriction contained in a notice referred to in paragraph (1).
- (3) A 'place' in this Byelaw includes, in relation to any restriction on the number of times a vessel may be moored in a place in a limited period, any other place within 500 metres (550 yards) thereof which is also subject to a notice displayed under the Byelaw.

Vessels to Moor Broadside to Banks

- 62** (1) Unless otherwise permitted by the Authority, the master of a vessel moored to a quayhead or bank shall ensure that either the vessel is made fast to the quayhead or bank at each of its ends and is laid so close as possible to and along the side of that mooring place or, if the vessel is moored alongside another vessel, it is not moored in contravention of Byelaw 63.
- (2) Notwithstanding Byelaw 57 and paragraph (1) of this Byelaw a sailing vessel may lie secured to a quayhead or bank head to wind provided that in so doing:
- (a) the master of the vessel takes all reasonable steps to avoid impeding the navigation of other vessels; and
 - (b) the vessel does not extend into the channel by more than a quarter of the width of the channel except whilst raising or lowering a mast or sail.
- (3) Paragraph (2) shall apply also to a vessel equipped with sails notwithstanding that its sails are not for the time being set provided the vessel is lying head to wind preparatory or incidental to mooring or unmooring or in the course of a manoeuvre made or to be made under sail.

Vessels Mooring Abreast

- 63** (1) The master of a vessel shall not without the permission of the Authority moor that vessel alongside another vessel:
- (a) at any place where the Authority has by notice displayed a prohibition of double mooring or the mooring of vessels alongside other vessels; or
 - (b) in contravention of any condition relating to double or multiple mooring which the Authority may by notice display at or near that place; or

(c) outside such times as the Authority may by notice permit for double or multiple mooring.

(2) Notwithstanding paragraph (1) the master of a vessel shall not moor alongside another vessel if by so doing any part of his vessel extends more than 10 metres (32 feet 9 inches) into the channel or extends into the channel more than one quarter of the width of the channel whichever is the less.

Vessels not to Anchor in a Channel

64

(1) Except as provided for in paragraph (3) or as may otherwise be permitted by the Authority the master of a vessel shall not cause or permit it to be anchored in a channel except to avoid immediate danger to the vessel or any other vessel, the bank or anything in or near the waterway.

(2) As soon as the danger referred to in paragraph (1) has passed the master of the vessel shall cause the anchor to be raised and the vessel to get under way.

(3) Nothing in paragraphs (1) and (2) shall prevent the master of a sailing vessel from anchoring the vessel

(a) whilst lowering or raising a mast or sail; or

(b) whilst kedging; or

(c) in order to control the progress, speed or direction of the vessel whilst moving under the influence of wind or stream.

Provided that in each case:

(i) it is reasonably necessary to do so because of prevailing conditions of wind or stream and

(ii) in so doing he takes all reasonable steps to avoid impeding the navigation of other vessels.

(4) Paragraph (3) shall apply also to a vessel equipped with sails notwithstanding that its sails are not for the time being set.

Vessels Engaged in Fishing

65

The master of a vessel anchored for the purposes of fishing shall ensure that:

(a) no part of the vessel shall extend more than 3.8 metres (12 feet 6 inches) into the channel; and

(b) no part of the vessel shall obstruct the passage of any other vessel; and

(c) notwithstanding Byelaw 40 the vessel shall exhibit by night an all-round white light, the indirect illumination of which is visible for at least 100 metres (110 yards) but which will not interfere with the safe navigation of any other vessel.

**Obstruction
of Moorings**

66 No person shall prevent, obstruct or hinder the lawful mooring of any vessel.

**Working of
Engines at
Moorings**

67 The master of a moored vessel shall not cause the engines of the vessel to be worked or the vessel to be operated in such a way that damage is, or is likely to be, caused to any part of the mooring place to which the vessel is secured.

PART V1: GENERAL

Duty of Master to Comply with Instructions of the Authority

The master of a vessel shall:

- (1) Obey and conform to all lawful directions given by the Navigation Officer or other authorised Officer of the Authority.
- (2) Not hinder or obstruct any such Officer in the execution of his powers or duties.
- (3) Permit any such Officer to board and enter the vessel in such a manner and at any time as is reasonable for the purpose of:
 - (a) ascertaining whether or not these Byelaws are duly observed;
 - (b) ensuring compliance with these Byelaws.

Conduct following an Incident

69

- (1) On the occurrence of any incident resulting in personal injury or serious damage to property or to any other vessel, the master of each vessel involved therein shall:
 - (a) stop the vessel as soon as practicable; and
 - (b) inform in writing the Navigation Officer or other Officer of the Authority and any other person having good reason to request it of his full name and address, the name and address of the owner of the vessel and its registration details.
- (2) On the occurrence of any incident resulting in damage to property or to any other vessel not being an incident described in paragraph (1) the master of each vessel involved therein shall:
 - (a) Stop the vessel as soon as practicable; and
 - (b) Inform in writing any person having good reason to request it of his full name, address and the name and address of the owner of the vessel and its registration details; and
 - (c) Promptly take all reasonable steps to ascertain the identity of the owner of any property or other vessel involved therein and inform in writing such person or persons of his full name and address, the name and address of the owner of the vessel and its registration details.

Reporting of Sunken Vessels	70	The master of a vessel which for any reason has sunk or become stranded shall as soon as reasonably practicable report the occurrence to the Authority giving full written details including the position of the vessel.
Obstructions	71	<p>(1) Subject to paragraph (3) the master of a vessel or owner of any thing shall:</p> <p>(a) not cause or permit it to be stopped, grounded or sunk or placed so as to impede the free and clear navigation of any part of the navigation area;</p> <p>(b) cause the vessel or thing to be re-moored or re-positioned without any delay, if required to do so by any person impeded or obstructed thereby or by an Officer of the Authority.</p> <p>(2) If any person refuses, fails or neglects to remove a vessel or thing under paragraph (1) (b) an Officer of the Authority shall be entitled to cause it to be removed and, if necessary, to be unloaded and the cost of such removal or unloading shall be paid in full by the owner of the vessel or thing.</p> <p>(3) Paragraphs (1) and (2) shall not apply to the stopping of a sailing vessel for so long as is reasonably necessary to lower or raise any sail or mast on the vessel provided that in any case the master of the vessel takes all reasonable steps to avoid impeding the navigation of other vessels.</p>
Repairs	72	The master of a vessel shall not permit the vessel to lie in the navigation area while disabled or under repair for a period exceeding 28 days without written permission from the Authority unless the vessel is within a booyard.
Interference with Vessels	73	No person other than the Navigation Officer or an Officer of the Authority acting in the execution of his duty shall without reasonable excuse let go or attempt to let go or part the mooring line or lines of any vessel except with the permission of the master of the vessel.
Interference with Machinery or Equipment	74	No person shall start or attempt to start any machinery or the equipment of a vessel without the permission of the master of the vessel.
Boarding of Vessels	75	(1) Subject to paragraph (2) no person shall board or attempt to board a vessel without the consent of the master of the vessel.

(2) Paragraph (1) does not:

- (a) prevent the reasonable boarding of a vessel in order to gain lawful access to another vessel moored alongside or access to the bank from a vessel on an outside berth; or
- (b) apply to an Officer of the Authority acting under Byelaws 68 or 71.

Precautions when Loading or Unloading 76

The master of a vessel and a person undertaking the loading or discharging of any cargo, ballast, fuel, refuse or any other material into or from the vessel shall:

- (a) use or cause to be used such methods as the Authority may direct for preventing any such matters from falling or escaping into the navigation area;
- (b) in cases where such material is likely to fall into the navigation area, ensure that sufficient precautions are taken to prevent such material from so falling.

Security of Anchors and Gear 77

The master of a vessel shall ensure that the anchor or anchors and all spars and gear of the vessel (whether moored or underway) shall when not in use be stowed in such a position as not to injure or damage any person or other vessel or property on or by the waterway.

Notice of Lost Anchors 78

(1) Subject to paragraph (3) the master of a vessel which has slipped or parted from or lost any anchor, chain, cable or propeller, shall:

- (a) as soon as reasonably practicable inform the Navigation Officer thereof and, if possible, give him details of the position of the anchor, chain, cable or propeller; and
- (b) if the Navigation Officer so directs, cause it to be recovered as soon as practicable.

(2) Subject to paragraph (3) the master of a vessel slipping or parting from an anchor or propeller shall leave a buoy to mark the position thereof.

(3) Paragraphs (1) and (2) shall not apply in any case where a failure to comply with the requirements of those paragraphs is unlikely to lead to any interference with the safe navigation of another vessel.

Drinks and Drugs **83** A person shall not navigate a vessel whilst under the influence of drink or drugs to such an extent as to be incapable of taking proper control of the vessel.

Emission of Smoke or Fumes or the Making of Noise **84** The master of a vessel shall not permit the vessel to emit smoke or fumes or make any noise or nuisance which gives reasonable grounds for annoyance to any other person.

Noise Nuisance **85** The master of a vessel shall ensure that no musical instrument, television or radio receiver or any other apparatus aboard the vessel is used in such a way that it causes nuisance or gives reasonable grounds for annoyance to any other person.

Fun Events **86** (1) Except with the written consent of the Authority no person shall organise or participate in any function or event in connection with the recreational use of any waterway which includes the use of any raft, tub vessel or other floating object not registered with the Authority pursuant to Byelaws made under paragraph 5 of Schedule 5 to the Norfolk and Suffolk Broads Act 1988.

(2) In giving its consent under this Byelaw the Authority may impose such conditions as it thinks fit.

Indemnity Protecting Officers in Execution of Duty **87** An act necessary for the proper execution of his duty by an Officer of the Authority (or by any person acting on the instructions of an Officer of the Authority) shall not be deemed an offence against these Byelaws.

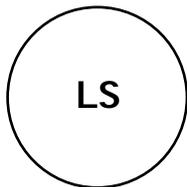
Penalties and Defences **88** (1) Every person contravening any of these Byelaws without reasonable excuse shall on summary conviction for every such breach be liable to pay a penalty not exceeding level 3 on the standard scale.

(2) In any proceedings for an offence under these Byelaws it shall be a defence for a person charged to prove:

(a) that he/she took all reasonable precautions and exercised due diligence to avoid the commission of such an offence; or

(b) that he/she had a reasonable excuse for the act or failure to act.

THE COMMON SEAL OF THE BROADS AUTHORITY was hereunto affixed in the presence of



Given under the Common Seal of the Broads Authority the day of 3rd April 1995

Nicholas Hancox
Solicitor to the Broads Authority

Signed by Authority of the Secretary of State for Transport

P R Smith
(Assistant Secretary in the Department of Transport)

Date 11 August 1995