

G.N. 33/1952
 G.N. 180/1953
 G.N. 179/1957
 G.N. 96/1960
 S.I. 38/1967
 5 of 1987

PILOTAGE (PORT OF NASSAU) RULES

(SECTION 75(1))

[Commencement 16th February, 1952]

- Short title. **1.** These Rules may be cited as the Pilotage (Port of Nassau) Rules.
- Interpretation. **2.** In these Rules, unless the context otherwise requires —
- “Act” means the Maritime Affairs and Port Authorities Act;
- “harbour” means the Harbour of Nassau as defined in the Act;
- “master” includes every person (except a pilot) having command or charge of any vessel;
- “pilot” means a person duly licensed under the provisions of the Act as a pilot;
- “Port Director” means the Port Director of the Port of Nassau or any deputy duly appointed by him to perform the duties of his office;
- “vessel” includes any ship, boat or craft;
- “visiting officer” means the Port Director of the Port of Nassau or other duly appointed officer;
- “wharf” includes any quay, dock, pier or abutment.
- Quarantine flag to be flown on arrival. **3.** Every vessel arriving at the port of Nassau from a port without The Bahamas shall hoist or display in a conspicuous position the international quarantine flag or her national flag, in the forerigging and shall keep it flying until the visiting officer has boarded her.
- Main channel way to be kept clear. **4.** Save in case of emergency no master or pilot arriving at the port of Nassau shall anchor his vessel in the main channel way of the harbour.
- Vessels carrying explosives. **5.** (1) No vessel arriving at the port of Nassau having on board or seeking to take on board more than 50lbs. of gun powder, dynamite or other high explosive (Government vessels excepted) shall anchor to the eastward or southward of No. 5 Buoy on the northern side of the main channel, until such explosive shall have been loaded or unloaded unless ordered by the Port Director to proceed direct to the magazine.

(2) In the case of unloading, the Port Director shall require the master to cause such explosive to be landed and deposited in a proper place within such time as may appear to him to be reasonable; and the master shall conform to the directions given to him by the Port Director:

Provided, however, that any vessel carrying explosives in transit may enter the harbour and lie alongside any wharf if fitted with magazines for the storage of explosives constructed in accordance with the requirements of the Board of Trade, or, in the case of any foreign vessel, a similar authority:

Provided further that all explosives on board are contained in such magazines, which shall not be opened or interfered with so long as the vessel shall remain within the harbour.

6. No vessel shall anchor within an area of 150 feet east or west of the electrical cable crossing the harbour between the old shipyard at Paradise Island immediately west of Esso Standard Oil Co. Plant and a line drawn therefrom to the shore of New Providence, as marked by notice boards.

Anchorage not to be near electric cable.

7. Every vessel shall anchor or moor wherever directed by the Port Director and shall change its anchorage or mooring if and when so directed by the Port Director. If the master or owner refuses to move the vessel when so directed the Port Director shall have such vessel moved at the cost and expense of the owner of the vessel.

Harbour anchorage.

8. (1) No master of a vessel or pilot in charge of a vessel arriving at the port of Nassau in such a condition as to be likely to sink or become an obstruction to navigation shall allow his vessel to remain in the main channel or basin in the harbour without the written permission of the Minister or Port Director.

Control of vessels likely to cause obstruction in harbour.

(2) If it shall come to the knowledge of the Port Director that any vessel in the harbour is in such a condition as to be likely to sink or to become an obstruction to navigation he shall report the same to the Minister, who may issue such instructions to the master or owner as to the conditions under which such vessel may be navigated or used in the said harbour as may be deemed necessary and the master or owner shall obey such instructions.

Anchorage for
vessels.
5 of 1987, s. 2.

9. No vessel shall anchor so as to lie northeast of a line drawn from the foot of the east side of Charlotte Street to No. 10 Buoy, except for the purpose of hauling to the wharf at once. Penalty for the breach of this rule shall be twenty dollars.

Obstruction of
fair-way.

10. No vessel of less than 30 tons gross shall obstruct the fairway by tacking or crossing the bows of any incoming or outgoing vessel exceeding 30 tons gross.

Change of berth
or position.

11. When required by the Port Director so to do, the master of any vessel shall change her position for the purpose of making room for the mooring or bringing alongside of a wharf of any other vessel; and on refusal or neglect so to do, the Port Director may cause the said vessel to be removed and all expenses attaching thereto shall be defrayed by the master or owner.

Rights of master
lying alongside a
wharf.

12. The master of any vessel lying alongside a wharf shall have the right to —

- (a) run warps or lines across an opening or slip and make them fast to the posts, anchors or ringbolts fixed or attached to any other wharf but he shall at all times temporarily slacken or cast them adrift to enable another vessel to pass in or out or to remove her lines;
- (b) if engaged in warping his vessel from one position in the harbour to another, to make lines or warps fast to such posts, anchors or ringbolts:

Provided that —

- (i) any damage which may result thereto by being used in the manner aforesaid shall be made good by the master or owner; and
- (ii) the master shall slacken any warps or chains attached to anchors in the harbour when directed by the Port Director so to do.

Signals when
aground.

13. (1) Every vessel lying at anchor in or within one hundred feet of the main channel, turning basin, back channel or south channel shall display between sunset and sunrise an all round white light.

(2) Every vessel when aground in or within one hundred feet of the main channel from the bar to the turning basin, the back channel and the connecting channels therewith, shall display between sunset and sunrise two red lights in accordance with the provisions of such International Convention for the Safety of Life at Sea, as may be in force for the time being.

14. No vessel lying alongside Prince George's Wharf or any other commercial wharf or within twenty feet thereof shall have her propeller in motion for more than ten minutes during any period of one hour without the permission of the Port Director.

Propellers not to be in motion alongside.

15. The Port Director may require any vessel to place approved rat guards on all lines running to the shore; and on refusal or neglect so to do, the Port Director may cause such guards to be so placed and all expenses attaching thereto shall be defrayed by the master or owner.

Rat guards.

16. No vessel shall make any unnecessary noise with her whistle or siren while lying at the wharf or in the harbour.

Unnecessary noise.

17. No vessel shall proceed at such speed that her wash causes damage or otherwise incommodes any craft or person in the area of the Harbour of Nassau.

Excessive speed.
S.I. 38/1967.

18. (1) No person shall —

- (a) throw ballast, dirt, garbage or rubbish of any kind into or in the vicinity of any part of the anchorage of New Providence;
- (b) empty, spill, throw or conduct through pipes or cause to be emptied, spilled, thrown or conducted any oil, grease or other substance whatsoever into the waters of the harbour or other anchorages of the Island of New Providence.

Polluting harbour and anchorage.

(2) Any person committing a breach of rule 18(1) shall be liable on summary conviction to a penalty of one hundred dollars for every such breach.

*G.N. 180/1953.;
G.N. 179/1957.;
S.I. 5 of 1987, s. 2.*

19. (1) No wharf (which expression for the purpose of this rule shall exclude abutments between Parliament Street to the east and the British Colonial Hotel to the west and all public abutments) shall be erected in the harbour except with the permission of the Minister.

Erection of wharf.

(2) Before causing any alteration to be made to any wharf the owner shall obtain the consent of the Minister in writing.

Repair of wharf.

20. Any owner or occupier who permits any wharf to fall into disrepair may be called upon by the Minister to repair or remove such wharf (subject to his consent as to the type of repairs) within a reasonable time; and if at the end of that time no repairs have been made or removal has not been effected then the Minister may cause such repairs to be executed or such removal to be effected at the cost and expense of the owner.

Removal of objects dropped into harbour.

21. Every stopper, pile, stone or other foreign substance having dropped from any wharf into the harbour shall be removed immediately by the owner and if not removed within seven days after notice so to do has been given by the Port Director, the Port Director may cause the same to be removed and all expenses attaching thereto shall be defrayed by the owner.

International Convention for Safety of Life at Sea.

22. Save as otherwise provided in these Rules, every vessel in the harbour and anchorages of the Island of New Providence shall comply with the provisions of such International Convention for the Safety of Life at Sea as may be in force for the time being.

Duties of Port Director.

23. In addition to the duties prescribed in the Port Authorities Act, the Port Director shall perform the duties prescribed in these Rules.

Register of arrivals.

24. The Port Director shall keep a book in which he shall register the arrival of every vessel within the port of Nassau from a port without The Bahamas together with the time and date of any visit which he may make on board her, with a note as to whether she was moored at permanent moorings or anchored or secured alongside a wharf giving an explanation of any exceptional proceeding.

Master to have copy of Rules.

25. The Port Director shall furnish to every ship at the port of Nassau a copy of all Rules made under any Act which may be necessary for the guidance of such master, and a second copy shall be given only when the original has been accidentally lost or destroyed.

Laying-up of vessel in harbour.

26. The Port Director shall see that any vessel which is to be laid up in the harbour shall be properly moored and secured in such a position as he may direct.

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- 27.** The Port Director shall not solicit consignments on behalf of or in any way act as agent for any merchant or commercial firm or company. Soliciting of consignments.
- 28.** At least once in every three months the harbour engineer shall make a report in writing to the Port Authority for New Providence upon the condition of the buoys and lights in the harbour; and at least once in every six months upon those in the other anchorages of the Island of New Providence. Condition of buoys.
- 29.** In addition to the duties prescribed in the Act, every pilot shall perform the duties prescribed in these Rules. Further duties of pilots.
- 30.** Any person making application to the Minister for a licence to act as pilot for the Harbour of Nassau and other anchorages in the Island of New Providence shall be examined as to colour blindness in addition to any examination required under the provisions of the Act. Examination for colour blindness.
- 31.** Every pilot before entering upon the discharge of his duties shall produce to the Port Authority for New Providence his licence together with certificate from the Minister that he has executed the bond required under the provisions of the Act. Pilot to produce licence.
- 32.** Every pilot shall have his boat numbered by the Port Director and the number shall be painted legibly on her bow and mainsail, if any. Numbering boats.
- 33.** Every pilot when on duty shall display by day at least four feet above the gunwhale of his boat, a white and red flag, four feet long by eighteen inches wide, horizontal white above; and by night a light at masthead showing all round. Flag to be displayed.
- 34.** (1) The pilot whose hail shall first be heard by the master of any vessel arriving off the port of Nassau shall be entitled to her pilotage into the port and shall bring her to anchor as may be directed by the Port Director. Pilot's right to pilotage.
- (2) The pilot bringing a vessel into port shall be entitled to her pilotage out of the port; and the master shall notify the pilot that his services are required by hoisting the Pilot Jack at the foretop masthead at least one hour before the time of sailing.

(3) If the pilot does not repair on board within the time prescribed, the master may avail himself of the services of any other pilot who may first repair on board.

Change of position in buoys to be reported.

35. (1) Every pilot observing any change of position in buoys in the harbour and any other anchorages shall immediately report any such changes in writing to the Port Director or Port Authority for New Providence.

(2) The pilot of any vessel intending to use the main channel for leaving the harbour shall notify the signalman of Fort Fincastle signal station fifteen minutes before getting under way; and the signalman shall hoist a black ball three feet in diameter on the southern yard arm.

(3) No vessel shall enter the harbour while such signal is being displayed or attempt to leave the harbour unless such signal is being displayed.

Indication signals.

36. Signalmen shall hoist flags at the masthead to indicate the class of vessel in the offing as follows —

- (a) all naval vessels: Union Jack (except on Sundays, Royal Birthdays and public holidays when a red pennant shall be hoisted instead on the yard-arm);
- (b) mail steamer: red pennant;
- (c) steamer: red and yellow vertical bars;
- (d) ship or barque: all red;
- (e) lighthouse tender: Imperial Lighthouse Service blue pennant with official badge;
- (f) schooner: blue with white cross;
- (g) inter-insular mail vessel: yellow pennant.

Distress signals.

37. If a vessel appears to be in distress, a flag, white and blue horizontal, shall be hoisted under the flag indicating her character.

Fleet signal.

38. If more than eight vessels appear in the offing from the same quarter, a flag, blue and yellow horizontal, shall be hoisted to indicate the approach of a fleet.

Direction signal.

39. The direction from which a vessel in the offing is coming shall be indicated by flags hoisted on the yardarm as follows —

- (a) east: all red;
- (b) northeast: blue and red vertical;
- (c) north: all blue;

- (d) northwest: blue and yellow vertical;
- (e) west: all yellow.

40. The number of vessels of the same character coming from the same quarter shall be indicated by a flag hoisted as follows — Number signals.

- (a) one vessel: on the first halyard of the yardarm;
- (b) two vessels: on the second halyard;
- (c) three vessels: on the third halyard;
- (d) four vessels: on the fourth halyard;
- (e) five vessels: low down on the first halyard;
- (f) six vessels: low down on the second halyard;
- (g) seven vessels: low down on the third halyard;
- (h) eight vessels: low down on the fourth halyard;
- (i) over eight vessels: fleet flag on topmast.

41. The flags used for the purpose of signalling vessels shall be kept hoisted from sunrise to sunset and during that period of time be taken down only when vessels have crossed the bar; or if from the east when they have reached the lower point of Potter's Cay or anchored in one of the other anchorages of the Island of New Providence. Flags to be kept hoisted.

42. The keeper of Hog Island Lighthouse, or his assistant, shall — Danger signals.

- (a) hoist a red flag on the flag staff on the west point of Paradise Island when the sea is breaking so heavily across the bar channel as would, in his opinion, render it dangerous for a vessel to cross and shall keep the same flying from sunrise to sunset as long as he considers that the bar channel is dangerous or impassable;
- (b) display a red light from the lighthouse during the night and keep the same burning steadily from sunset to sunrise, as long as, in his opinion, the bar channel continues to be dangerous or impassable;
- (c) hoist a white flag on the flagstaff on the west point of Paradise Island as a signal that the bar is passable, when it is breaking, but not sufficiently, in the opinion of the keeper of Hog Island Lighthouse or his assistant, to preclude a vessel which may appear in the offing from attempting the passage into the harbour.

Tropical
disturbance.

43. (1) Immediately upon receipt of official news of any tropical disturbance which may affect shipping within The Bahamas, a storm flag, which shall be red with a square black centre, shall be hoisted at the signal stations at Fort Charlotte, Fort Fincastle and at the Hog Island Lighthouse.

G.N. 96/1960.

(2) As soon as it appears that any tropical disturbance is likely to pass over some portion of The Bahama Islands, a second storm flag, which shall also be red with a square black centre, shall be hoisted under the first storm flag.

Signalmen not to
give information
to pilots.

44. Signalmen shall not, under penalty of dismissal, give information of vessels in the offing either by private signals or otherwise to pilots before the signal flag is displayed.

Signalmen not to
leave post.

45. No signalman shall leave his post during signalling hours without providing a substitute to be approved by the Port Authority for New Providence to perform his duties.

Penalties.

5 of 1987, s. 2.

46. (1) Save as otherwise provided by the Act and by these Rules, any person committing a breach of these Rules shall be liable on summary conviction to a fine of one hundred dollars for every such breach.

(2) Where in any of these Rules it is provided that any repair, removal or any act may be done or effected at the cost or expense of the owner or that such cost or expense shall be defrayed by the owner it shall be lawful for the Port Authority for New Providence to take proceedings at law to enforce payment of such costs or expenses and such proceedings may be commenced and prosecuted in the name of the clerk for the time being of the Port Authority for New Providence.