

BERMUDA STATUTORY INSTRUMENT

BR 24/1993

MARINE BOARD (SAFETY) REGULATIONS 1993

[made by the Minister of Transport under section 11 of the Marine Board Act 1962 [title 22 item 3] and brought into operation on 28 May 1993]

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Citation

1 These Regulations may be cited as the Marine Board (Safety) Regulations 1993.

Interpretation

2 In these Regulations, unless the context otherwise requires—
"approved" means approved by the Minister in writing;

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"inshore waters" means any of the following areas of water:

- (a) all enclosed waters south of a line between Commissioner's Point and Cobbler's Cut;
- (b) Mangrove Bay;
- (c) Ely's Harbour and Scaur Harbour;
- (d) Harrington Sound;
- (e) Flatts Inlet (southeast of Gibbet Island);
- (f) Castle Harbour;
- (g) Ferry Reach;
- (h) St. George's Harbour;
- (i) Coot Pond;
- (j) Burchall's Cove;
- (k) Devonshire Dock;
- (l) Sinky Bay and Boats Bay;
- (m) Devonshire Bay;
- (n) Hungry Bay.

Application

3 These Regulations apply to any boat while it is within the territorial waters except—

- (a) a boat while it is at a mooring or at a dock and no person is on board it; or
- (b) a boat which is solely propelled by oars or paddles while it is in inshore waters.

Boat not exceeding 16' (4.88m) in length

4 Every sail boat of a length not exceeding 16' (4.88M) overall without an engine and which is solely propelled by wind while it is in inshore waters shall carry one approved life-jacket each for every person on board which life-jacket is easily accessible for use, is in good and effective condition and is of a suitable size.

Boat not exceeding 20' (6.10m) in length

5 (1) Every boat of a length not exceeding 20' (6.10m) overall other than a sail boat mentioned in regulation 4 shall carry not less than—

- (a) one approved life-jacket each for every person on board which life-jacket is easily accessible for use, is in good and effective condition and is of a suitable size;

- (b) two oars or paddles;
- (c) one bailer or one manual bilge pump;
- (d) one anchor with not less than 3' (0.91M) of chain and not less than 100' (30.48m) of rope attached thereto;
- (e) one effective sound producing device;
- (f) one effective flashlight.

(2) Every boat of a length not exceeding 20' (6.10m) overall which proceeds beyond inshore waters shall, in addition to the items specified in paragraph (1), carry—

- (a) three approved red flares, three approved red rockets, three approved orange daylight smoke and approved dyemaking equipment in effective working condition carried in watertight containers;
- (b) one effective mirror.

(3) Every boat of a length not exceeding 20' (6.10m) overall which is equipped with an inboard motor, or is fitted with built-in or fixed fuel tanks, or is equipped with a cooking or heating appliance shall carry one of the following:

- (a) a vapourizing liquid (BCF) fire extinguisher of not less than 1½ lb. (0.68kg) content;
- (b) a dry chemical fire extinguisher of not less than 2½ lbs. (1.14kg) content;
- (c) a carbon dioxide fire extinguisher of not less than 5 lbs. (2.27kg) content in effective working condition.

Boat over 20' (6.10m) and not exceeding 40' (12.20m) in length

6 (1) Every boat of a length of over 20' (6.10m) and not exceeding 40' (12.19m) overall shall carry not less than—

- (a) one approved life-jacket each for every person on board which life-jacket is easily accessible for use, is in good and effective condition and is of suitable size;
- (b) one bailer and one manual bilge pump;
- (c) one anchor with not less than 5' (1.52m) of chain and not less than 200' (60.96m) of rope attached thereto;
- (d) one effective sound producing device;
- (e) one approved life buoy in good and effective condition with 50' (15.24m) of floating line attached thereto;
- (f) one effective flashlight;

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- (g) three approved red flares, three approved red rockets, three approved orange daylight smoke and approved dyemaking equipment in effective working condition carried in watertight containers;
- (h) one effective mirror.

(2) Every boat of a length of over 20' (6.10m) and not exceeding 40' (12.19m) overall which is power-driven or is equipped with cooking or heating appliance shall carry one of the following:

- (a) a vapourizing liquid (BCF) fire extinguisher of not less than 3 lbs. (1.36kg) content;
- (b) a dry chemical extinguisher of not less than 5 lbs. (2.27kg) content;
- (c) a carbon dioxide fire extinguisher or not less than 10 lbs. (4.5kg) content, in effective working condition.

Boat exceeding 40' (12.19m) in length

7 (1) Every boat of a length exceeding 40' (12.19m) overall shall carry not less than—

- (a) one approved life-jacket each for every person on board which life-jacket is easily accessible for use, is in good and effective condition and is of a suitable size;
- (b) two bailers and one manual bilge pump;
- (c) one anchor with not less than 5' (1.52M) of chain and not less than 200' (60.96M) of rope attached thereto;
- (d) one effective sound producing device;
- (e) two approved life buoys in good and effective condition with 50' (15.24M) of floating line attached thereto;
- (f) one effective flashlight;
- (g) three approved red rockets, three approved red flares, three approved orange daylight smoke flares and approved dyemarking equipment in effective working condition and carried in watertight containers;
- (h) one effective mirror.

(2) Every boat of a length exceeding 40' (12.19M) overall which is power-driven or is equipped with a cooking or heating appliance shall carry two of any of the following:

- (a) vapourizing liquid (BCF) fire extinguishers of not less than 3 lbs. (1.36kg) content;
- (b) dry chemical extinguishers of not less 5 lbs. (2.27kg) content;

- (c) carbon dioxide fire extinguishers of not less than 10 lbs. (4.5kg) content.

Boat equipped with VHF marine radio

8 Every boat proceeding to seaward of—

- (a) the Narrows Channel;
- (b) South Channel;
- (c) Western (Hogfish) Boat Channel (Commissioner's Point to Pompano Beacon);
- (d) the outer edge of the reef between Pompano Beacon and Spit Buoy,

shall be equipped with a VHF marine radio that is in effective working order.

Equipment to be maintained

9 The owner of every boat shall cause its equipment and appliance to be maintained in good order and kept in readiness for instant use.

Offence

10 (1) The owner of every boat is responsible for compliance with these Regulations in relation to that boat and, in the event of non-compliance, is guilty of an offence against these Regulations, unless he can show that the non-compliance was without his knowledge and consent.

(2) For the purposes of paragraph (1), the owner shall, while the boat is being used by others when the owner is not on board, be deemed to include the person in charge of the boat or, if no person is in charge thereof, all persons using it.

Alteration or modification

11 (1) Notwithstanding the provisions of these Regulations, the Minister may, in special circumstances or in respect of any particular occasion, alter or modify the application of these Regulations or any part of them to any boat or group or type of boat and in so doing may specify such conditions as he thinks necessary respecting the area of operation of, or the equipment or appliance to be carried by, the boat or group or type of boat.

(2) Upon such alteration or modification being made pursuant to paragraph (1), these Regulations or such part of them as is specified in the alteration or modification shall apply to any boat or group or type of boat specified in the alteration or modification.

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(3) The Minister may cause to be published in the Gazette any alteration or modification made under this regulation.

Rescinds S.R.& O. No. 25-1964

12 The Marine Board Safety Regulations 1964 are rescinded.