

Barbados Port Authority

BARBADOS HARBOURS REGULATIONS, 1961

ARRANGEMENT OF REGULATIONS

PART I

Preliminary

REGULATION

1. Short title, application and commencement.
2. Interpretation and definition of harbours.

PART II

Pilotage

3. Berthing masters.
4. Compulsory pilotage.
5. Exception from compulsory pilotage by General Manager.
6. Approach and boarding of berthing master.
7. Signals to be shown by excepted ship.
8. Only berthing masters may pilot ships.
9. Pilot flag.
10. Excepted ship to occupy assigned berth.
11. Removal of ship anchored in fairways.

PART III

Ships, Report, Movement, Berthing etc.

12. Notification of expected arrival of ships.

REGULATION

13. Shipping return.
14. Ship's signals on entering.
15. Barbados signals.
16. Speed in harbour.
17. Due notice of ship's departure to be given.
18. Anchors to be in readiness for letting go.
19. Port Health Officer.
20. Immigration formalities.
21. Customs formalities.
22. Master to deliver particulars of ship etc.
23. Master responsible for erroneous report.
24. Ship's tonnage - how determined.
25. Ships to be kept fit to be moved.
26. Management to assign berths and control berthing.
27. Unseaworthy ships may be detained.
28. Berths not to be changed without authority of management.
29. Ship's moorings etc.
30. Lights on ships and collision regulations.
31. Watch to be kept aboard.
32. Liability for damage in harbours.
- 32A. Liability for injury and damage to persons employed at harbour.
33. Erection of leading marks, laying of buoys, and fee for private mooring buoy.

REGULATION

PART IV

Ships - Working of

- 34. Towage and other facilities.
- 34A. Master to comply with certain conditions when ship is entering or leaving berth.
- 35. Manifest of goods.
- 36. List of heavy lifts.
- 37. Conditions of working ships.
- 38. Customs.
- 39. Master to superintend loading or discharge.
- 40. Ships to be worked with reasonable dispatch.
- 41. Overtime work.
- 42. Regular working hours.
- 43. Harbours closed on holidays.
- 43A. Overtime work by staff of Authority.
- 44. Receipts for goods.
- 45. Payment of dues, rates and charges.
- 46. When cargo considered landed.
- 47. When cargo considered shipped.

PART V

Ships - General

- 48. Fire on ships.

REGULATION

49. Prevention of insanitary conditions and nuisances in harbours.
50. Ships to be open for inspection.
51. Working of lighters.
52. Boarding or leaving ships.
53. Refuse not to be deposited in a harbour.
54. No timber allowed to float in a harbour.
55. Removal of ships having offensive matter on board.
56. Offensive goods.
57. Protection of hatchways.
58. Ships laden with coal.
59. Fumigation.
60. Repairs to ships.
61. Restrictions on use of flame apparatus in harbour.
62. No boats, ship's gear etc. may be placed on any wharf.
63. Pitch and other combustibles may not be boiled on board ship.
64. Explosives may not be used or guns fired.
65. Propellers may not be turned in a harbour without previous warning.
66. Displaced moorings or mark to be reported.
67. Submarine cables.
68. Crews of ships to take lines.
69. Animals.

REGULATION

PART VI

Small Craft

70. Small craft to give way.
71. Row boats to give way to sailing boats.
72. Small craft to carry lights.
73. Approaches to wharves, landing places and ship's ladders be kept clear.
74. Mooring of small craft.
75. Small craft sunk in harbour to be reported.
76. Boats not to go alongside ships under way.
77. Passengers and goods to be landed at place appointed.
78. Small craft plying for hire to be surveyed before granted certificate of fitness.
79. Method of obtaining a licence for small craft plying for hire.
80. Duration of licence of small craft plying for hire.
81. Licence for small craft used for pleasure purposes.
82. Transfer of licensed craft.
83. Persons carried not to exceed authorised number.
84. Goods carried not to exceed authorised load.
85. Unclaimed property to be taken to Customs.
86. Expired licence to be returned.
87. Life-saving and fire-extinguishing apparatus.
88. When holder of licence ceases to use craft.

REGULATION

89. Penalty for non-observance of notice.
90. Small craft licensed to ply for hire to be numbered and registered.
91. Person in charge of small craft licensed to ply for hire to be capable.
92. Person in charge of small craft plying for hire may not refuse engagement.
93. Registration of boatmen of small craft licensed to carry passengers.
94. Crew not to solicit for passengers.
95. Quantity of luggage that may be carried.
96. Liability.
97. Small craft prohibited from conveying liquor to ship's crew.
98. Penalty for breach of small craft rules.
99. *Revoked by 1990/43.*
100. *Revoked by 1990/44.*
101. Suspension of licence for misconduct.
102. *Spent.*

PART VII

Dangerous, Hazardous and Poisonous Goods

103. Master or agent to give notice of dangerous goods on board.
104. Warships and transports.
105. Exemptions.
106. Berthing of ships carrying dangerous goods.
107. Red flag to be exhibited.

REGULATION

- 108. Fires etc. prohibited.
- 109. Only dangerous goods to be handled at one time.
- 110. Permits to land dangerous goods.
- 111. Special permit when Abel test applied.
- 112. Licence for special small craft.
- 113. Superintendence of management.
- 114. Liability for expenses.
- 115. Penalty.
- 116. Inspection and examination.
- 117. Petroleum.
- 118. Carbide.

PART VIII

General Safety Regulations

- 119. Application.
- 120. Duties of masters and others.
- 121. Appointment of persons to carry out tests and issue of certificates certified by such persons.
- 122. Safe means of access to wharf to be provided.
- 123. Landing or embarking passengers.
- 124. Safe means of access to other ships to be provided.
- 125. Safe means of access from deck to hold to be provided.
- 125A. Ladders for use in hold to be equipped with hooks.

REGULATION

126. Efficient lighting to be provided.
127. Gear for lifting beams for hatch covering to be provided.
128. Hatch coverings to be plainly marked.
129. Beams to be maintained in good condition.
130. Handgrips on hatch coverings to be provided.
131. Provision for removal and replacement of hatches in safety.
132. Lifting machinery etc. to be tested and examined.
133. Chains etc. to be tested.
134. Rope to be good quality and wire to be tested.
135. Pulley blocks to have working load stamped thereon.
136. Means to enable safe working load for slings, ropes etc. to be ascertained.
137. Shortening of chains.
- 137A. Motors, cog-wheels and other dangerous apparatus to be fenced.
138. Reduction of risk in use of cranes and winches.
139. Crane platforms to be fenced.
140. Marking of working load on cranes and derricks.
141. Exhaust steam from cranes or winches.
142. Measures to be taken with regard to derricks.
143. Escape of workers in a hold etc.
144. No lifting machinery to be loaded above safe working load.
145. Age and competency of drivers of cranes etc.
- 145A. Safety measures relating to approaches over docks, wharves and quays.

REGULATION

- 145B. Provision for rescue from drowning and life saving appliances etc.
- 145C. Provision of first-aid boxes or cupboards.
- 146. Clear passage to means of access to ship to be maintained on wharf.
- 147. Provision of substantial deck stage etc.
- 148. Fencing of hatches etc.
- 149. Loading or unloading of cargo at intermediate deck.
- 150. Provision with regard to use of hooks.
- 151. Staging to be provided when working on skeleton deck.
- 152. Shoring of cargo etc.
- 153. Securing of hatch beams.
- 154. Employment of signaller in certain circumstances.
- 155. Provision of safe transport by water.
- 156. Persons employed to use means of access.
- 157. Persons not to go up on beams etc. in certain circumstances.
- 158. Machinery used to comply with regulations.
- 159. Responsibility of compliance with certain regulations.
- 159A. Safety apparatus not to be removed except under authority or in case of necessity.

PART VIIIA

Accidents

- 159B. Accidents to be reported.
- 159C. Inquiries into accidents.

REGULATION

159D. General Manager to make a return of accidents.

PART IX

Handling of Cargo

160. Liability in respect of transit sheds.

161. Transit sheds.

162. Goods not to be delivered without authority from Customs.

162A. Refrigerated cargo.

162B. Exception to regulation 162A.

163. Documents required before goods delivered.

164. When goods provisionally entered are deemed to be cleared.

165. Documents required for goods for export.

166. Depositing of goods for export.

167. Goods for export and relative documents to be received in time.

168. Cancelling or amending orders.

169. When weight or measurement not available.

170. Marking of packages.

171. Delivery to Queen's Warehouse.

172. Defective packages.

173. Unpacking of goods.

174. Acids etc. landed in leaky condition.

175. Charges to be pre-paid or secured.

REGULATION

176. Management may destroy or otherwise deal with dangerous, hazardous or poisonous goods.
177. Goods stored in the open.

PART X

Storage

178. Certain goods not accepted for storage.
179. Harbour dues and charges.
- 179A. Exemption from harbour dues, charges etc.
180. Storage charges on imports.
181. Goods detained by Customs.
182. Export cargo.
183. Free storage period on exports.
184. Goods may be transferred.
185. Removal of export cargo.
186. When storage accommodation not available.
187. Penal storage accommodation not available.
188. Change of ownership of goods.
189. Transshipment charge.
190. Passengers' baggage.
191. Claims for refund of overcharges and undercharges.

REGULATION

PART XI

Control of Harbours

- 192. Closing roads, wharves etc.
- 193. Trespassers.
- 193A. Protection of ships from damage.
- 194. Vehicles to take place assigned.
- 195. Vehicles to move when required.
- 196. Dangerous driving.
- 197. Behaviour of drivers of vehicles.
- 198. Danger signals.
- 199. Fire hydrants.
- 200. Fire-fighting operations.
- 201. Power to exclude public if major fire.
- 202. Entering or leaving a harbour area.
- 203. Persons employed in or visiting harbour to carry identification cards.
- 204. Parcels etc. to be examined.
- 205. Harbour gates to be closed at night.
- 206. Person wishing to enter harbour area at night.
- 207. Vagrants.
- 208. Advertising on harbour property.
- 209. Bathing.
- 210. Burials.

REGULATION

- 211. Dogs and wild animals.
- 212. Use of sirens.
- 213. Spitting prohibited.
- 214. Prohibition of sales of articles to persons aboard or alongside ships in a harbour.
- 214A Power of search by authorised employees and Police.
- 214B. Penalty on unauthorised persons found in harbour area.
- 214C. Definition of "harbour area".

PART XII

Miscellaneous

- 215. Licences generally.
- 216. Licences etc.
- 217. Licensing of agents and others.
- 218. Ship chandlers and other dealers.
- 219. Exclusive powers of the management.
- 220. Regulations relating only to the Carenage.
- 220A. Copies of Part VII to be posted up.
- 220B. Application of moneys of Authority.

REGULATION

220C. Cash deposits and payments.

221. Penalty for contravention of regulations.

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

FOURTH SCHEDULE

Barbados Port Authority

Cap. 285B.

**BARBADOS HARBOURS
REGULATIONS, 1961¹**

		L.N. 11/ 1961.	1968/69. 1969/10.
		L.N. 98/ 1962.	1969/32. 1969/62.
Authority:	These Regulations were made on the 28th January, 1961 by the Governor-in-Executive Committee under section 53 of the Barbados Harbours Act, 1960 ¹ .	L.N. 56/ 1964.	1970/95. 1972/126.
		L.N. 135/ 1964.	1973/184. 1974/39.
Governor-in-Executive Committee:	The authority to make regulations is now vested in the Barbados Port Authority.	L.N. 180/ 1964.	1978/151. 1978/227.
		L.N. 63/ 1965.	1987/41. 1987/43.
Commencement:	1st February, 1961.	L.N. 8/ 1966.	2002/47.

PART I*Preliminary*

1. These Regulations may be cited as the *Barbados Harbours Regulations, 1961* and shall apply to the harbours of Barbados. Short title, application and commencement.
2. (1) In these Regulations, unless the context otherwise requires
 - “approved magazine” means a magazine constructed in accordance with the regulations of the Ministry of Transport of the United Kingdom governing the carriage of dangerous goods in ships;
 - “authorised place” means any slipway, boat repair or lighterage repair workshop, yard or other place approved by the management for the purposes of these Regulations;Interpretation and definition of harbours.

¹ The Barbados Harbours Act, 1960-29 was repealed by the Barbados Port Authority Act, 1975-19 (“the 1975 Act”), but these Regulations were saved by section 66(6) of the 1975 Act. The 1975 Act was itself repealed by section 13(1) of the Barbados Port Inc. (Transfer of Management and Vesting of Assets) Act, 2003-18 (“the 2003 Act”), and these Regulations were again saved by section 13(2) of the 2003 Act.

“the carriage of dangerous goods in ships” means the carriage of dangerous goods in ships as governed by the *Merchant Shipping (Dangerous Goods) Rules, 1978* of the Ministry of Transport of the United Kingdom;

Third
Schedule.

“dangerous, hazardous and poisonous goods” means goods as defined in the *Third Schedule*;

“documents” means the shipping documents in respect of the cargo concerned, completed and stamped by the Customs, the Customs entry, the released bill of lading or shipping company’s delivery order, the Port Department’s delivery order;

“excepted ship” means all or any of the following:

- (a) any ship excepted from compulsory pilotage by the provisions of subsection (2) of section 25 of the Act;
- (b) any ship exempted by the General Manager from compulsory pilotage in any particular case;

“fairway” means the whole of the navigable channel or channels of any compulsory pilotage harbour;

“fireworks” includes all signalling rockets and other pyrotechnic articles commonly used in connection with signalling or life-saving;

“harbour area” means the limits of any harbour as defined in these Regulations, and such other area or place as the Authority may by notice published in the *Official Gazette* declare to be included in any harbour area for the purpose of these Regulations;

“hatch” means an opening in a deck used for the purposes of the processes, for trimming or for ventilation;

“hatchway” means the whole space within the square of the hatches, from the top deck to the bottom hold;

Cap. 296.

“Home-trade ship” has the meaning assigned to it by the *Shipping Act*; all other ships, other than small craft, shall be deemed to be foreign-going ships;

- “licensed small craft” means any small craft licensed under the provisions of regulation 79 or 81;
- “lifting machinery” means cranes, winches, hawsers, derrick booms, derrick and mast bands, goose necks, eyebolts, and all other permanent attachments to the derricks, masts and decks used in hoisting or lowering in connection with the processes;
- “management” means the person or persons from time to time appointed to perform the duties of General Manager, his deputies or assistants;
- “Minister” means the Minister charged with responsibility for the subject of communication; L.N. 98/1962.
- “passengers’ baggage” means packages containing the ordinary personal effects of the passenger, including pedal bicycles, perambulators, and the like, but does not extend to merchandise, provisions, (other than food taken on board ships by deck passengers for consumption during the voyage) wines, spirits, furniture, vehicles (other than the above-mentioned) and the like;
- “petroleum ship” means any ship having on board, or having had or about to take on board, any petroleum as defined in the *Petroleum* Cap. 281. *Winning Act*, or any turpentine or turpentine substitute;
- “processes” means the processes mentioned in regulation 119 or any one of them;
- “pulley block” means pulley, block, gin and similar gear, other than a crane block specially constructed for use with a crane to which it is permanently attached;
- “small craft” means any tug, launch, barge, lighter, rowing boat, sailing boat, or similar craft;
- “transit shed” means a warehouse or any part thereof approved by the Comptroller of Customs under the provisions of any law relating to customs as a transit shed.

reg.3

First
Schedule.

(2) The boundaries set out in Part I of the *First Schedule* shall be the boundaries of the harbours to which they respectively relate and the boundaries set out in Part II of that *Schedule* shall be the boundaries of the compulsory pilotage harbour to which they relate.

PART II

*Pilotage*Berthing
masters.
L.N. 135/
1964.

3. (1) The persons who may serve as berthing masters shall be those appointed by the Governor after examination as provided in this regulation.

(2) Candidates for appointment as berthing masters shall be examined by the Harbour Master with the assistance of the Senior Berthing Master; and any candidate for appointment as Senior Berthing Master, other than a berthing master, shall be examined by the Harbour Master with the assistance of a master of a merchant vessel who has been engaged in trade with Barbados for not less than 3 years.

(3) Candidates shall be examined as to their knowledge of

(a) the course or courses which may be taken by a vessel

(i) entering or leaving the Deep Water Harbour from or to any port without Barbados or any harbour or anchorage in Barbados;

(ii) entering or leaving Carlisle Bay from or to any port without Barbados or any harbour or anchorage of Barbados;

(iii) entering or leaving the Careenage from or to Carlisle Bay.

(b) the shoals, reefs, tidal influences, currents and bearings of the different points on or affecting each and every one of such courses;

(c) the soundings and nature of the ground in the Deep Water Harbour, Carlisle Bay, the Careenage and any other places where vessels may anchor; and

(d) such matters relating to the steering and management of a vessel as may be necessary for its berthing.

(4) Every such candidate shall also be subjected to such practical tests as the examiners may deem necessary.

(5) No such candidate shall be appointed as a berthing master until he has served for a period of one month with the berthing masters for the purpose of acquainting himself with the local practical conditions.

4. (1) The master of any ship (other than an excepted ship) shall not cause or permit his ship to enter, leave or be berthed or moored in any compulsory pilotage harbour without having on board a berthing master. Compulsory pilotage.

(2) If any ship (other than an excepted ship) in circumstances in which pilotage is compulsory is not under pilotage as required by this regulation, the master of the ship shall be guilty of an offence.

5. (1) When in any particular case a ship is exempted from compulsory pilotage by the General Manager, a certificate of exemption shall, on payment of the charge prescribed in the Tariff Book be issued by the management to the master of the ship concerned, and unless suspended or revoked shall remain in force until the end of the year in which it is issued. Exemption from compulsory pilotage by General Manager.

(1A) Notwithstanding paragraph (1) a ship may on a single or special occasion be exempted by the General Manager from compulsory pilotage without having been issued with a certificate of exemption.

(2) The master of the ship to whom a certificate of exemption has been accorded under this regulation shall return the certificate to the management on relinquishing command of the ship in respect of which the same was accorded.

6. (1) The masters of ships shall, in order to avoid delay or accident, take the way off their ships when the berthing master's launch is approaching and shall await the arrival of the berthing master's launch 5 cables to seaward of the red flashing buoy off the entrance to the Deep Water Harbour. Approach and boarding of berthing master.

(2) All pilot ladders shall be in good repair, of modern pattern, be provided with reliable man ropes and be brightly illuminated at and after dusk.

(3) Ships awaiting a berthing master shall have a boat rope ready rigged from the break of the fore-castle to a position abaft the pilot ladder.

Signals to be shown by excepted ship.

7. A ship, the master of which is exempt from pilotage and which has arrived in Barbados from a port outside of Barbados, shall hoist when entering and leaving any harbour

(a) by day - the International flag "H" hoisted at the dip. In the case of small craft, hoisted as high as possible;

(b) by night - 3 lights visible all round the horizon hoisted in a vertical line 6 feet apart where they can best be seen, the upper light red and the 2 lower ones white. In the case of small craft, the lights shall, if the 6 foot spacing is impracticable, be as far apart as possible.

Only berthing masters may pilot ships.

8. No person other than a berthing master shall offer his services as a pilot.

Pilot flag.

9. No person, not being a berthing master afloat and on duty, shall hoist a pilot flag (upper half white, lower half red,) nor shall the master of a ship allow such flag to be displayed on his ship except by a berthing master afloat and on duty.

Excepted ship to occupy assigned berth.

10. Any excepted ship, not having taken a berth assigned to her by the management, and which is observed to be foul of or likely to foul any work, buoy or some other ship due to having made a slack mooring or other cause, may be moved or re-moored under the direction of a berthing master, for which service the charge prescribed in the Tariff Book shall be charged.

Removal of ship anchored in fairways.

11. (1) No ship shall be anchored in any fairway without the authority of the management.

(2) Any ship anchoring in any fairway in contravention of this regulation shall, in addition to any penalty, be liable to be removed under the control of a berthing master, for which service full pilotage shall be charged and, if the use of tugs is considered necessary by the management, shall be liable also for towage charges.

PART III

Ships, Report, Movement, Berthing etc.

12. The owners or agents of a ship which intends to come to Barbados from a port outside of Barbados and proposing to call at a harbour shall as early as possible give notice in writing in duplicate to the management on the form A prescribed in the *Second Schedule* of the expected date and time of arrival of the ship, and shall give particulars in so far as practicable of all other details required to be stated in that form.

Notification
of expected
arrival of
ships.
Second
Schedule.

13. The owners or agents of a ship proposing to leave for a port outside of Barbados shall, within 72 hours after the ship has left, supply to the management on the form B prescribed in the *Second Schedule* the particulars required thereon.

Shipping
return.
Second
Schedule.

14. Before entering a harbour every ship which has arrived in Barbados from a port outside of Barbados shall hoist the following flags in a conspicuous position:

Ship's
signals on
entering.

- (a) her national colours, which she shall fly from 8.00 a.m. to sundown;
- (b) the ship's signal letters;
- (c) the "Q" flag, international code, until the Port Health Officer shall have given pratique;
- (d) if carrying passengers, the "I" flag, International Code, until notified by an immigration officer that the Immigration Department's formalities shall have been observed;

- (e) if livestock are to be landed therefrom, the “N” flag, International Code;
- (f) if carrying dangerous goods, the “B” flag, International Code.

Barbados
signals.
1970/95.

15. The following are the prescribed Barbados signals:

- (a) At the Deep Water Harbour, the following signals will be displayed from the flagpole at the signal hut located at the elbow of the breakwater.
 - (i) **Signal by Day**
International Code flag “E” over a black cone shape with point upwards.
 - (ii) **Signal by Night**
Three white lights displayed vertically one above the other.

Significance

The above signals signify that a ship is about to enter the Deep Water Harbour. All traffic inwards or outwards at or near the entrance vicinity is forbidden until the signal has been hauled down.

- (iii) **Signal by Day**
International Code flag “D” over a black ball.
- (iv) **Signal by Night**
Three red lights displayed vertically one above the other.

Significance

The above signals signify that a ship is about to leave the Deep Water Harbour. All traffic inwards or outwards at or near the entrance vicinity is forbidden until this signal is hauled down.

- (b) At the Careenage the following signal will be displayed from the flag staff above the Shipping Office, Careenage House.
 - Signal by Day**
International Code flag “T” over a black ball.

Significance

A ship is turning within the Careenage. All Careenage traffic (including lighters) is to keep clear of the turning ship temporarily securing alongside the mole, wharves or another ship if necessary. Passing or attempting to pass under or over warping lines run by the turning ship is forbidden.

16. All ships shall proceed at a moderate speed within the limits of any harbour. Speed in harbour.

17. The master or agent of a ship intending to leave Barbados for a port outside of Barbados shall, during the regular working hours of the harbour and at least four hours before the ship intends leaving, give notice thereof to the management. Due notice of ship's departure to be given.

18. (1) Every ship entering or leaving a harbour shall have both bower anchors and cables clear and ready for use as required. Anchors to be in readiness for letting go.

(2) Ships intending to load or discharge goods arriving off a harbour shall have their derricks (if any) hoisted when the weather permits of this being done.

19. All ships entering a harbour on arriving in Barbados from a port outside of Barbados shall await the granting of pratique before having any communication with the shore or with any other ship except the berthing master's launch or the boat of a Customs Officer. Port Health Officer.

20. (1) After pratique has been granted to a ship, the immigration officers shall commence their clearance formalities. Immigration formalities.

(2) No person shall leave a ship prior to the completion of the clearance formalities required by paragraph (1) except with the permission of an immigration officer.

(3) No person other than a Health Officer, a berthing master, a Customs Officer, an Immigration Officer or a person authorised generally or specially by a Health Officer or an Immigration Officer shall board any ship until the "I" flag is lowered or until permission to do so has been granted by an Immigration Officer.

Customs formalities.

21. Until Customs formalities have been completed no person may leave a ship except with the express permission of a Customs Officer.

Master to deliver particulars of ship, etc.

22. (1) The Master of every ship which has arrived in Barbados from a port outside of Barbados shall correct and or complete the agent's notice of expected arrival prescribed by regulation 12, shall append his signature thereto and hand the form to the berthing master before the latter leaves the ship: but in the case of a ship which is berthed or anchored without the assistance of a berthing master, the Master shall ensure that a completed form A correct in all particulars is sent to the management by him or by his agent within one hour of his anchoring or berthing.

(2) The Master of a ship which has arrived in Barbados from a port outside Barbados shall on entering a harbour produce his ship's registry certificate on request of an authorised employee.

Master responsible for erroneous report.

23. The Master shall be responsible for all damage or consequence resulting from any erroneous declaration made by himself or his representatives as to the draught of water or dimensions of his ship.

Ship's tonnage - how determined.

24. The tonnage of a ship shall be that shown on her certificate of registry.

Ships to be kept fit to be moved.

25. (1) Ships entering, leaving or shifting berth within a harbour shall be provided with sufficient hands for the purpose, and shall at all times be kept in a fit condition for removal, in default of which the work may be performed by the management at the ship's risk and expense.

(2) No ship, other than a small craft, shall drop main steam or power without first obtaining permission from the management.

(3) Ships entering, leaving or shifting berth within a compulsory pilotage harbour shall be provided with good and sufficient warps to the satisfaction of the management shall be moored by such warps, and no warp may be cast off for any reason unless so ordered or authorised by the management.

(4) In case of ships not being suitably found with the necessary gear, warps may, when so ordered by the management, be supplied by the management at the expense of the ship.

(5) In no case shall the Authority be liable for any damage that may result from the inefficiency of any rope or warp which it may hire to the ship or allow to be used in connection with any assistance rendered by the management to any ship which is entering, leaving or shifting berth within a compulsory pilotage harbour.

26. (1) The management shall have the right to determine the harbour in which a ship shall berth or anchor and to assign a berth, whether at a quay or elsewhere, to any ship and, where a berth is so assigned to a ship, the ship shall occupy that berth and may at the direction of the management be removed to any other berth which the management may direct, and generally all Masters or persons in charge of a ship shall obey the directions of the management.

Management to assign berths and control berthing.

(2) The management shall have the right to control the berthing and mooring arrangements of every ship, accommodated at any private wharf or jetty.

(3) Ships proceeding alongside a quay shall have no list, but shall be trimmed upright.

27. The management may detain a ship which in its opinion is in an unsafe condition to proceed to sea, until she has been made seaworthy to the satisfaction of the management.

Unseaworthy ships may be detained.

28. The master of a ship assigned a berth by the management shall not shift or change the berth assigned to his ship without obtaining the previous sanction of the management.

Berths not to be changed without authority of management.

Ship's
moorings,
etc.

29. (1) Every ship within a compulsory pilotage harbour, other than a small craft, shall have sufficient hands on board to attend to her moorings and to cause them to be slackened or hove in as may be necessary. No rope shall be made fast except to dolphins, mooring posts, and bollards placed for the purpose, and no wire rope may be used unless the bollards and the edge of the coping of the wharf or jetty are protected from chafe to the satisfaction of the management. No chain cable shall be used for mooring alongside except with the special permission of the management.

(2) All ships shall anchor, moor and berth to the satisfaction of the management, and shall take such additional precautions in severe weather as may be ordered by the management.

(3) All ships alongside quays shall affix efficient rat guards on every line and wire connected to or reaching the shore.

Lights on
ships and
collision
regulations.

30. (1) All ships, whether under way or at anchor, shall, save as otherwise provided by these Regulations, between the hours of sunset and sunrise, exhibit the lights required by the 1948 International Regulations for Preventing Collisions at Sea.

(2) All ships shall, save as otherwise provided by these Regulations, fully observe and obey the 1948 International Regulations for Preventing Collisions at Sea.

Watch to be
kept aboard.

31. A watch of at least one man shall be constantly kept upon the open deck of every ship, other than a small craft, in a harbour by day and night.

Liability for
damage in
harbours.

32. (1) The owner of every ship shall be answerable to the Authority for any damage done to any harbour works, plant, machinery, or other property used by or for the purposes of the Authority by such ship or by any person employed about the same, and the master or person having charge of such ship through whose wilful act or negligence any such damage is occasioned shall also be liable to make good the same.

(2) The owner or master of a ship navigating under circumstances in which pilotage is compulsory shall be answerable for any loss or damage caused by the ship or by any Fault of the navigation of the ship in the same manner as he would if pilotage were not compulsory.

(3) The management may detain any ship damaging any property referred to in paragraph (1) until sufficient security to the satisfaction of the management has been given for the damage done as aforesaid.

32A. Where any person employed about a ship lets fall or throws anything from such ship causing injury, loss or damage to any person employed at the harbour or his property, the owner of every such ship shall be liable to make good such loss or damage.

Liability for injury and damage to persons employed at harbour. 1970/95.

33. (1) No ship shall use any buoy which is the property of the Authority without the sanction in writing of the management. No buoy shall be laid down for any purpose whatsoever, and no leading marks shall be erected, within the limits of a harbour without the prior permission of the management.

Erection of leading marks, laying of buoys and fee for private mooring buoy.

(2) A charge as prescribed in the Tariff Book shall, subject to any agreement to the contrary entered into by the Authority or to anything to the contrary contained in any Act, be payable in respect of any mooring buoy laid within a harbour by the owner of such buoy; and moorings may, subject as aforesaid, be removed by the management at the expense of the owner if at any time the management so desires.

PART IV

Ships - Working of

34. By means of the Authority, all towage and other tug facilities shall be afforded subject to the following conditions:

Towage and other facilities.

- (a) on the employment of a tug, the master and crew thereof shall become the servants of and be identified with the hirer and shall be under the control of the hirer or his servants or agents,

and any person on board the hirer's vessel who may be an employee or is paid out of the Fund of the Authority shall be deemed to be the servant of the hirer;

- (b) the Authority shall not, whilst towing, bear or be liable for damage of any description done by or to the tug, or done by or to the hirer's vessel, or for the loss of the tug or the hirer's vessel, or for any personal injury or loss of life, arising from any cause, including negligence at any time of its servants or agents, unseaworthiness, unfitness or breakdown of the tug, its machinery, boilers, towing gear, equipment or hawsers, lack of fuel, stores or speed, or otherwise; and the hirer shall pay for all loss or damage and personal injury or loss of life and shall also indemnify the Authority against all consequences thereof, and the Authority shall not, whilst at the request expressed or implied of the hirer rendering any service other than towing, be held responsible for any damage done to the hirer's vessel, and the hirer shall indemnify the Authority against any claim by a third party (other than a member of the crew of the tug) for personal injury or loss of life:

Provided that any such liability for loss or damage as herein prescribed is not caused by want of reasonable care on the part of the management to make the tugs used by or for the purposes of the Authority seaworthy for the navigation of the tugs during the towing or other services. The burden of proving any failure to exercise such reasonable care shall lie upon the owner of the tow;

- (c) the hirer shall not bear or be liable for any loss or damage of any description done by or to the tug otherwise than whilst towing or for loss of life or injury to the crew of the tug whilst towing: but nothing herein contained shall prejudice any claim the Authority may have in law against the hirer;
- (d) the Authority shall not be responsible for the consequences of war, strikes, lockouts, riots, civil commotions, disputes or labour disturbances (whether it be a party thereto or not) or

anything done in contemplation or furtherance thereof, or delays of any description, however caused, including negligence of its servants or agents;

- (e) for the purpose of this regulation, the expression “whilst towing” shall be deemed to cover the period commencing when the tug is in a position to receive orders direct from the hirer’s vessel to pick up ropes or lines, or when the towrope has been passed to or by the tug, whichever is the sooner, and ending when the final orders from the hirer’s vessel to cast off ropes or lines have been carried out, or the towrope has been finally slipped and the tug is safely clear of the vessel, whichever is the later; the word “towing” means any operation in connection with holding, pushing pulling or moving a ship.

34A. The master of every ship entering or leaving berth shall, unless otherwise ordered or authorised by the management, comply with the following conditions:

Master to comply with certain conditions when ship is entering or leaving berth.
L.N. 8/1966.
1969/10.

- (a) in the case of a ship exceeding 1 000 tons net registered tonnage and less than 10 000 tons net registered tonnage, engage the services of one tug; and
- (b) in the case of a ship of or exceeding
- (i) 10 000 tons net registered tonnage; or
- (ii) 600 feet in length,
- engage the services of two tugs.

35. (1) The master or agent of any ship which has arrived in Barbados from a port outside of Barbados shall, within 24 hours after the ship’s arrival in a harbour, deliver to the management a true copy in duplicate of the manifest or report of goods inwards, giving detailed weights and measurements as utilized for sea freight purposes. The master or agent shall, within 24 hours after the ship’s departure from the harbour, also similarly furnish a manifest in duplicate of the goods shipped and/or transhipped to such ship.

Manifest of goods.

(2) The master or agent of any ship referred to in paragraph (1) shall, as soon as possible, notify the management of subsequent amendments made to any outward or inward manifest.

List of
heavy lifts.

36. The master or agent of any ship which has arrived in Barbados from a port outside of Barbados shall, within 24 hours after the ship's arrival in a harbour, deliver to the management a true list in duplicate of lifts over 3 tons comprised in her import goods for that harbour.

Conditions
of working
ships.

37. (1) As far as may be practicable at the time, goods shall be discharged from and loaded into ships in the order of their arrival in harbour, but subject always to the discretion and direction of the management.

(2) Work on any ship at an anchorage shall only be undertaken when, in the opinion of the management, weather and other conditions are suitable.

(3) The management may refuse to permit goods to be landed from any ship until suitable wharf, shed, quay or other accommodation is available for such goods.

(4) The management may refuse to permit timber, iron and steel bars, pipes and tubes of all kinds to be landed unless the conditions regarding bundling and/or marking as published under the authority of the management from time to time in one or more newspapers of Barbados are complied with. In the event of permission to land being granted, the Authority shall not be liable for loss, damage, delay or mis-delivery occasioned by non-compliance with such conditions.

Customs.

38. A ship which has arrived in Barbados from a port outside of Barbados shall not break bulk until her cargo has been duly reported to the Customs or special authority has been obtained from the Comptroller of Customs or his authorised representative for breaking bulk in accordance with Customs Laws.

39. The master, or some other responsible person appointed by him, shall remain on board his ship whilst loading or discharging cargo, for the purpose of superintending such loading or discharge. Any goods or ship's gear that may be dropped overboard shall be at once reported by the master of the ship concerned to the management, and shall be immediately recovered by such master if it is reasonably possible for him to do so. Failing that it may be recovered by the management at the risk and expense of the ship.

Master to superintend loading or discharge.

40. (1) If a ship fails to take in or discharge its cargo with such dispatch as appears reasonable to the management, the said ship shall, after written notice has been given by the management to that effect to the master, lose its turn to take in or discharge its cargo, and, if occupying a quay berth, may be removed from such berth by the management at the risk and expense of the ship.

Ships to be worked with reasonable dispatch.

(1A) Notwithstanding paragraph (1) and regulation 41, the management may, if it thinks it expedient, without a written request from any party, by notice in writing given to the master or person in charge and the agents in Barbados of any ship which occupies a quay berth require such ship to take in or discharge its cargo during any time and on any day specified in the notice other than Good Friday, Easter Sunday or Christmas day, subject to the weather and the availability of labour for the purpose; and, if the ship fails to comply with the notice, the ship shall lose its turn to take in or discharge its cargo and may be removed from its berth by the management at the risk and expense of the ship.

1972/126.

(1B) Where the management by notice under paragraph (1A) requires that a ship take in or discharge its cargo during any time outside the regular working hours or on a Sunday, such work as may be performed in connection therewith shall be charged for as overtime, and an account for the cost thereof shall be rendered by the management.

(2) If either the plant or labour engaged for the special purpose of landing, shipping or transhipping any goods is not fully employed owing to the default of the ship, the expenses incurred thereby shall be paid by the ship.

(3) The management may, in the event of any accumulation of goods upon a wharf, jetty or quay or in a lighter, or for any cause that may appear reasonable to it, require any ship to suspend, discharge or reduce the rate of discharge of cargo.

Overtime
work.
L.N. 98/
1962.

41. (1) Work ashore and afloat in connection with the landing, shipping and transshipping of goods during hours other than the regular working hours of a harbour shall be charged for as overtime, and shall only be worked on receipt of a written request from the party desiring the work performed, to whom an account for the cost thereof shall be rendered by the management.

(2) No work shall be carried out on Good Friday, Easter Sunday or Christmas Day except as laid down in regulation 43.

Regular
working
hours.

42. The regular hours of every harbour shall be from 7 a.m. to 4 p.m. (with a break of one hour for a meal) from Monday to Friday, and from 7 a.m. to 11 a.m. on Saturday.

Harbours
closed on
holidays.

43. Every harbour shall, on Good Friday, Easter Sunday and Christmas Day, normally be closed, except for the necessary pilotage of ships in and out thereof and for dealing with mails, passengers and their baggage, animals and perishable goods; but in exceptional circumstances, and provided the prior authority of the management has been obtained, goods may be dealt with and services performed subject to payment of the special overtime charges then prevailing.

Overtime
work by
staff of the
Authority.
L.N. 63/
1965.

43A. The General Manager may require the attendance of any member of the staff of the Authority outside of his normal hours of duty for the performance of extra duties in connection with the business of the Authority, and in every such case attendance is obligatory.

Receipts for
goods.

44. (1) Unless otherwise specially agreed upon between the management and the master of a ship, the management shall in the name of the Authority grant a receipt to the master of the ship for all goods received, subject to each item being properly marked and being discharged in an orderly manner: but where in the opinion of the

management goods are of such a nature as to preclude an accurate tally at the time of discharge, then a receipt shall be granted at the time of sorting and stacking wherever such sorting and stacking takes place. No preferential treatment shall be permitted in the sorting, stacking and disposal of goods in any warehouse used by or for the purposes of the Authority.

(2) A receipt addressed to the Authority shall be granted by the master to the management for each separate consignment received by the ship.

45. (1) All harbour dues and other rates and charges on every ship shall be paid promptly to the management at the Post Office, which, upon payment thereof, shall issue a receipt under the name of the Authority with which clearance outwards from the Customs may be obtained; in the absence of such receipt, a ship shall not be allowed to leave the harbour.

Payment of
due, rates
and charges.

(2) In the case of ships' agents having ledger accounts for rates and charges on ships, an endorsement may be obtained on application to the management.

46. Subject to the provisions of regulations 44 and 172, goods shall not be considered to have been delivered to, accepted by or in the possession of the Authority until the goods have been removed from the slings, hooks, baskets, nets, cages, buckets or other appliances used in landing the said goods.

When cargo
considered
landed.

47. Goods for shipment shall be placed by an authorised employee in slings or other appliances provided by the ship or by means of the Authority, whereupon delivery shall be deemed to have been made to the ship and, unless mutually agreed to the contrary between the management and the master of the ship, or unless such goods are declined by the ship as damaged or in bad condition, such goods shall be deemed to have been properly delivered to the ship in good order and condition.

When cargo
considered
shipped.

PART V

Ships - General

Fire on
ships.

48. (1) In the event of a fire occurring on board any ship in a harbour, the master shall at once give the alarm and take such steps towards the protection of property as the management may direct.

(2) The alarm signal for ships (other than small craft) on fire shall be as follows:

Ships shall hoist "N.Q." of the international Code and at the same time sound one long and three short blasts in quick succession on the whistle. The signal "N.Q." shall be kept hoisted until the fire on board has been extinguished.

Prevention
of insanitary
conditions
and
nuisances in
harbours.

49. The master of a ship lying in a harbour shall ensure that all outlets or scuppers in the ship's sides are fitted with adequate shields to prevent all obnoxious or dirty fluid or matter from falling on to the quays. Exhaust pipes shall be so equipped as to prevent exhaust from inconveniencing other ships or traffic in the harbour or on the quays. No ship shall make thick smoke or unnecessary noise to the inconvenience or annoyance of other ships or traffic in the harbour or of the management, or of nearby residents.

Ships to be
open for
inspection.

50. An authorised employee may, in the execution of his duty, at any time whilst a ship, other than a small craft used solely for pleasure, is in harbour, board such ship and inspect it or any part of it.

Working of
lighters.

51. Masters of ships at anchor or at buoys in a compulsory pilotage harbour shall not permit more than two small craft licensed for the carriage of goods to be abreast of each hatch on either side of the ship, nor more than two such small craft to be made fast in a tier astern.

52. No person may, except with the permission of the management, board or leave a ship, other than a small craft, whilst such ship is in motion; nor may any person leave or board such ship except by means of the gangway or an efficient pilot ladder.

Boarding or leaving ships.

53. (1) No wire-rope, hemp rope, dunnage mats, wood, dirt, ballast, ashes, earth, stone, offal, noxious or offensive matter or rubbish of any sort whatsoever shall be thrown or allowed to fall into the harbour area or on to the quay or drift into the water of a harbour.

Refuse not to be deposited in a harbour. 1970/95.

(1A) The master or owner of any ship from which any articles or refuse mentioned in paragraph (1) have been thrown or allowed to fall shall make good all loss, damage, and expense which the Authority sustains or incurs in consequence of dealing with such articles or refuse or in any way incidental to such dealings.

(2) No dead animal shall be thrown into a harbour from any ship. Dead animals on board a ship shall, unless permitted by the appropriate authority to be buried ashore, be taken not less than one nautical mile outside the harbour limits during ebb tide at the expense of the ship on board which death took place.

(3) No oil or bituminous by-product of any description shall be discharged into, or allowed to escape into, a harbour; and oil-fuel-burning ships and ships conveying oil or bituminous by-products in bulk are prohibited from pumping out or cleaning out their tanks or bilges within 50 nautical miles seaward of the harbour limits.

(4) All articles which have accidentally fallen or drifted into the water of a harbour shall be at once recovered by the person concerned, failing which the management may recover them at the risk and expense of such person.

(5) The master of every ship whilst loading or discharging ballast, coal, cinders, stone or any other loose material, shall cause a canvas, tarpaulin or some other safeguard to be placed in such manner as to prevent any such material from falling into a harbour.

No timber
allowed to
float in a
harbour.

54. No timber shall be permitted to float in a harbour unless previous permission in writing for that purpose has been obtained from the management, and then only subject to the payment of rent at the same rate as if it had been landed, and subject to the further condition that the consignee shall be responsible for any damage caused by such timber and any loss or customs duties, rates, charges and other losses which may result from loss of the timber.

Removal of
ships having
offensive
matter on
board.

55. The management may order the removal from a harbour of any ship which has on board goods or other matter which in the opinion of the management are injurious to health or offensive or dangerous in any respect, and such goods or matter shall be disposed of in such manner as it may direct at the risk and expense of the ship.

Offensive
goods.

56. The management may, with the consent of the Comptroller of Customs, and after giving at least two hours' notice to the owner or other person entitled to receive the goods, or, if the owner or consignee cannot be found, then without such notice, order the removal, and, if necessary, the destruction, of any goods or matter which in the opinion of the management are of an offensive nature and which may be landed or placed upon the wharves, jetties or quays, or any other part of the premises of a harbour. Such removal or destruction and any loss of customs duties, rates or other charges incurred thereby shall be at the expense of the consignee or other person concerned.

Protection of
hatchways.

57. Except as stated in regulation 58, during the intervals of working cargo ships in harbour shall have their hatches closed or well protected.

Ships laden
with coal.

58. Ships laden with coal shall, in order to avoid the possibility of explosion, have their holds well ventilated, if necessary by open hatchways, while they are in harbour.

Fumigation.

59. No ship may be fumigated in a harbour except with the written consent of the management and subject to such conditions as the management may impose.

60. Except at authorised places, no structural repairs of ships may be made within a compulsory pilotage harbour save with the written permission of the management, and then only upon the following conditions that is to say that:

Repairs to ships.

- (a) before any repairs are commenced, the master or other person in charge shall take such precautions as the management may direct to prevent dirt or other matter falling into the harbour;
- (b) the master or other person in charge shall observe such other conditions as the management may impose in its written permission;
- (c) if the master or other person in charge contravenes or fails to comply with the provisions of this regulation, or of any permission granted, the permission to effect repairs may be withdrawn and the work stopped by the management.

61. (1) No construction, repair or maintenance work entailing use of any flame apparatus, or any apparatus which produces extreme heat, shall be carried out on any ship in any compulsory pilotage harbour without the prior written permission of the management.

Restrictions on use of flame apparatus in harbour.

(2) Where it is proposed to do any work in respect of which permission is required under paragraph (1), the master or other person in charge or agent of the ship shall make application in writing for that purpose to the management; and, where such application relates to a petroleum ship, the application shall be accompanied by a certificate from a person approved by the management for such purpose that such ship is at the time of the application free from any inflammable liquid or gas which would be likely to explode or to be set on fire as the result of the use of such apparatus.

62. No boat, spar, anchor, cable, ship's gear, dunnage, cattle fittings horse-box or the like, shall be allowed to remain upon any wharf, jetty, or quay used by or for the purposes of the Authority, without the permission of the management.

No boats, ship's gear etc may be placed on any wharf.

Pitch and other combustibles may not be boiled on board ship.

63. Pitch, tar, resin, turpentine, oil and combustibles of similar nature required whilst caulking, repairing or carrying out any other work on any ship afloat in a harbour, shall be boiled on a stage alongside, or in a boat alongside, the ship and not on board the ship.

Explosives may not be used or guns fired.

64. (1) No guns, except salutes authorised by the management, shall be fired, and no mines, torpedoes, or other engines of like nature, shall be exploded in a harbour. No rocket shall be fired or blue light burned on board any ship while in a harbour without the permission of the management, except when such ship may be in actual distress or in want of assistance.

(2) No blasting shall take place within a harbour without the prior authority of the management.

Propellers may not be turned in a harbour without previous warning.

65. Ships mechanically propelled and which are at anchor or occupying moorings or alongside a quay or jetty shall not, otherwise than for an approved movement, turn their propellers without the permission of the management and without giving sufficient warning of their intention to ships in the vicinity.

Displaced moorings or mark to be reported.

66. (1) If any mooring or mark buoy is dragged from its position or damaged by a ship, the cost of replacing it shall be paid for by the master or owner of the ship.

(2) The master of any ship hooking or getting foul of any mooring laid by the authority of the management shall not, except in case of emergency, lift the buoy or mooring for the purpose of unhooking or getting clear, but shall immediately report the occurrence to the management and await instructions.

Submarine

67. The master of any ship hooking or damaging with her anchor any submarine electric cable marked as such within a harbour area shall be liable to the Authority for any expense it may sustain or incur thereby.

68. All ships anchored, moored or berthed in harbour shall receive on board, make fast or cast off lines or warps from any other ship warping in and out of such harbour when required so to do by the management or by the berthing master, master or other person in charge of such aforesaid ship.

Crews of ships to take lines.

(2) No lines or warps shall be stretched across the waters of a harbour without the permission of the management.

(3) The management may, in case of urgent necessity, cut or cause to be cut any warps, rope, cable, or hawser endangering the safety of any ship in a harbour.

69. (1) Animals when ashore or afloat in a harbour area and when landed, discharged or shipped there shall be treated in a humane manner, and in accordance with veterinary practice.

Animals.

(2) The management may in its discretion refuse to land or ship animals if such landing or shipping would in the opinion of the management entail unnecessary suffering to any animal.

PART VI

Small Craft

70. Small craft within the limits of a harbour shall at all times make way for ocean-going ships under way or tugs when engaged in towing.

Small craft to give way.

71. When two boats are being propelled, one by sails and the other by oars, and are proceeding on a course, which, if continued, would involve the risk of collision, the boat propelled by oars shall keep out of the way of the other; and the boat under sail shall use every precaution to avoid accident and, if so close that collision cannot be avoided by the action of the vessel giving way alone, she also shall take such action as will best aid to avoid collision.

Row boats to give way to sailing boats.

Small craft
to carry
lights.

72. (1) Subject to the provisions of paragraph (2), small craft, when under way between sunset and sunrise, shall have ready at hand a lantern showing a white light, which shall be temporarily exhibited in sufficient time to prevent collision.

(2) Powered launches, other than fishing boats, shall carry the lights prescribed for their class.

Approaches
to wharves,
landing
places and
ship's
ladders to be
kept clear.

73. (1) Free passages shall be kept to all jetties, landing places, wharves and moorings, and small craft shall, when required by the management to do so, move so as to clear such passages.

(2) No small craft shall lie alongside any of the passenger landing places or ship's accommodation ladders longer than is necessary to embark or land passengers and their luggage, and, when waiting, shall lie off at a distance of at least 20 yards from such landing place or ship's accommodation ladder in order not to obstruct the approach thereto.

(3) No person in charge of a small craft, no member of the crew of such craft and no baggage clearing agent shall loiter on any pontoon or landing step or accost passengers thereon.

Mooring of
small craft.

74. No small craft shall, except with the permission of the management, be secured to any wharf, jetty, quay, mooring, post, pile bollard or buoy belonging to the Authority.

Small craft
sunk in
harbour to
be reported.

75. The sinking of any small craft in a harbour shall be reported by the master or owner to the management as early as possible after the occurrence.

Boats not to
go alongside
ships under
way.

76. No small craft, other than a small craft carrying any person authorised by paragraph (3) of regulation 20 to board a ship before the "I" flag is lowered, shall go alongside a ship which has arrived in Barbados from a port outside of Barbados until such ship is at anchor or made fast alongside and has been granted pratique by the Port Health Officer or his representative.

77. Every small craft leaving the side of a ship shall proceed to a Customs landing, and shall not land passengers or goods elsewhere.

Passengers and goods to be landed at place appointed.

78. Any person who desires to ply for hire with, or let for hire, any tug, hulk, lighter, motor boat or other small craft shall apply to the management for a licence, and the management, which is hereby empowered to appoint inspectors for the purpose of inspecting such small craft, shall cause such craft to be examined by one or more such inspectors, and if in the opinion of such inspector or inspectors the hull, equipment, boilers and machinery of such craft are in a suitable condition and fitted for the purpose and work for which they are intended, but not otherwise, the inspector or inspectors shall grant a certificate to that effect; and such certificate shall be valid for a period of 12 months from the day of its issue unless previously cancelled, and shall state the purpose, whether the carriage of passengers or goods or both, for which the craft may be used and the number of persons or tonnage of goods or both she may be licensed to carry.

Small craft plying for hire to be surveyed before granted certificate of fitness.

79. Upon the production of a certificate granted under the provisions of regulation 78 at the offices of the management, and upon payment of the licence fee prescribed in the Tariff Book, a licence may be issued by the management to the holder of the said certificate authorising him, subject to such terms and conditions as may be specified in the licence, to ply for hire with, or let for hire, the small craft to which such certificate relates; and where the licence authorises the holder of the certificate to so use the said craft for the carriage of passengers, he shall be supplied by the management with a copy of the authorised tariff charges prescribed in the Tariff Book for the carriage of passengers, goods and baggage.

Method of obtaining a licence for small craft plying for hire.

80. (1) A licence issued under the provisions of regulation 79 shall, unless previously cancelled, expire on the day of expiration of the certificate to which such licence relates.

Duration of licence of small craft plying for hire.

(2) No person shall ply for hire with or let for hire any tug, hulk, lighter, motor boat or other small craft in respect of which there is not in full force and effect a licence issued under regulation 79.

Licence for
small craft
used for
pleasure
purposes.

81. (1) The owner of a small craft of one ton or over to be used solely for pleasure purposes shall apply for a licence to the management, and the management on payment of the licence fee prescribed in the Tariff Book, may issue a licence. A licence issued under the provisions of this regulation shall, unless previously cancelled, be valid for a period of 12 months from the day of its issue.

(2) No owner of a small craft of one ton or over shall use or permit the use of such craft for pleasure purposes unless there is in full force and effect in respect of such craft a licence issued under either regulation 79 or 81; but the provisions of this paragraph shall not apply to any person who, being the owner of a small craft to be used solely for pleasure purposes, is resident in Barbados for less than 3 months from the date on which he brought to or acquired in Barbados the small craft.

Transfer of
licensed
craft.

82. The transfer by sale or otherwise of any licensed small craft shall not affect a licence already granted but in all such cases the licence shall be transferred to the purchaser or the person acquiring the ownership of the craft, provided the approval of the management to such transfer is obtained.

Persons
carried not
to exceed
authorised
number.

83. (1) No licensed small craft plying for hire and carrying passengers shall carry more than the number of persons such craft is licensed to carry, or charge more than the authorised tariff charges; and a notice showing the number of persons authorised to be carried and the copy of the authorised tariff charges shall be painted on or affixed to some conspicuous part of such craft. No person shall attempt to board a craft containing its full licensed complement.

(2) No small craft licensed to carry passengers only shall carry any goods other than passengers' baggage.

Goods
carried not
to exceed
authorised
load.

84. (1) No small craft licensed for the carriage of goods shall carry a greater load of goods than such craft is licensed to carry, and no person shall attempt to make such craft carry such greater load.

(2) No small craft licensed to carry goods only shall carry passengers or passengers' baggage.

85. The person in charge of a small craft licensed to carry passengers shall be responsible for all unclaimed property left in his boat, and he shall take or cause to be taken forthwith to the Customs all such unclaimed property.

Unclaimed property to be taken to Customs.

86. On the expiration or other determination of any licence, the owner of the licensed small craft in question shall return to the management the licence, and, if licensed to carry passengers, the copy of the authorised tariff charges.

Expired licence to be returned.

87. Every licensed small craft shall be equipped with such life-saving and fire-extinguishing appliances as may from time to time be considered necessary by the management, and shall be kept so as to be at all times fit and ready for use.

Life-saving and fire-extinguishing apparatus.

88. (1) Any inspector appointed under regulation 78 may, and he is hereby empowered and authorised at any time during the currency of the licence to, enter upon any small craft licensed under regulation 79 and inspect and examine the hull, equipment and machinery of any craft; and if in his opinion the said hull, equipment or machinery is not in a condition suitable and fit for the purpose for which it is being used, he shall notify the management, which shall give written notice to the holder of the licence to cease to use the said craft unless and until the hull, equipment and machinery, or any of them, have again been placed in a condition suitable and fit for the purpose for which they are being used.

When holder of licence ceases to use craft.

(2) Upon being so satisfied, after further inspection, the inspector shall report the fact to the management, which shall make an endorsement to that effect upon the licence and the date thereof, and from such date the holder of the licence shall be entitled to continue to ply for hire with, or let for hire, the said craft for the unexpired period of the currency of the licence.

89. Any holder of a licence who uses or causes or allows to be used any small craft after the written notice mentioned in regulation 88 has been served upon him and before he has obtained the subsequent endorsement in the said regulation referred to, and any

Penalty for non-observance of notice.

person who refuses to allow an inspector to enter upon, inspect or examine any such craft or its machinery or equipment, or obstructs the inspector therein, shall be guilty of an offence and the licence granted in respect of such craft may be cancelled.

Small craft licensed to ply for hire to be numbered and registered.

90. All small craft licensed under regulation 79 shall be numbered and registered. Every motor boat and row boat so licensed and, when required by the management, every other small craft so licensed, shall have its registered number painted on both sides of the bow so as to be clearly legible at a distance of 30 yards with normal eye-sight.

Person in charge of small craft licensed to ply for hire to be capable.

91. No holder of a licence issued under regulation 79 shall permit his small craft to be used for hire unless sufficiently manned and unless the person in charge is competent to manage her.

Person in charge of small craft plying for hire may not refuse engagement.

92. No person in charge of a licensed small craft that is plying for hire of passengers and disengaged shall refuse without good reason to accept an engagement, or shall attempt to extort fares in excess of the authorised tariff charge.

Registration of boatmen of small craft licensed to carry passengers.

93. (1) All boatmen working in a small craft licensed to carry passengers shall be registered with the management, and shall wear a numbered badge in a conspicuous place, such badge to be supplied by the management on payment of the fee prescribed in the Tariff Book.

(2) Each member of the crew of a small craft licensed to carry passengers shall be capable of performing his work and shall be cleanly clad.

(3) Any boatman of a small craft licensed to carry passengers may be struck off the register by the management for misconduct, and in such case, or on his ceasing for any other reason to be employed as such boatman, he shall return his badge to the management.

Crew not to solicit for passengers.

94. The person in charge and members of the crew of any small craft licensed to carry passengers shall not solicit passengers to use their crafts.

95. The management may regulate the quantity of luggage which may be carried consistently with the safety and convenience of the passengers conveyed in any small craft licensed to carry passengers, and the owner or person in charge shall obey the orders of the management in this respect. One hundred and twenty pounds weight shall be taken as the equivalent of one person allowed for on the licence.

Quantity of luggage that may be carried.

96. Nothing in this Part contained shall be deemed to impose any liability or responsibility upon the Authority of Barbados for any loss or injury caused by the acts or negligence of any owner or person in charge of or member of the crew of any licensed small craft.

Liability.

97. (1) No owner or person in charge of any small craft, and no boatman or any person employed by such owner or person in charge shall supply, convey or deliver any intoxicating liquor to any of the crew of, or to any other person on board, any ship at anchor or moored in a harbour, except

Small craft prohibited from conveying liquor to ship's crew.

- (a) such liquor as may be purchased with the consent of the master of the ship from a person duly licensed to sell the same; or
- (b) such liquor as may be removed under the Customs laws and regulations or from a bonded or bonding warehouse for exportation beyond the limits of the harbour, or for ship's stores.

(2) Where any such owner is convicted of a contravention of this regulation, the licence, if any, of the small craft used in connection with the commission of such offence shall be cancelled, and shall thereupon become null and void, without prejudice to any other penalty provided by the law.

98. The owner or person in charge of any small craft licensed under regulation 79 in respect of which a breach of this Part has been committed, shall, in addition to any other penalty to which he may have rendered himself liable, be liable to imprisonment for a term not exceeding 2 months, or to a fine not exceeding \$1 00 or to both such fine and such imprisonment.

Penalty for breach of small craft rules.

99. *Revoked by 1990/43.*

100. *Revoked by 1990/44.*

Suspension
of licence
for
misconduct.

101. The management may suspend or revoke the licence of any small craft whose owner or any member of whose crew has been guilty of misconduct or a breach or neglect of any regulation in this Part or of any lawful order of the management, or who in the opinion of the management is of bad character; and such suspension or revocation shall be endorsed upon the licence, which shall be produced to the management for the purpose.

102. *Spent.*

PART VII

Dangerous, Hazardous and Poisonous Goods.

Master or
agent to give
notice of
dangerous
goods on
board.

103. The master or agent of every ship having on board any dangerous goods shall, 24 hours before arrival, give notice thereof to the management. If without notice thereof any such goods are landed, the management may order the same to be placed on board the ship whence they came, or otherwise deal with them or destroy them as it considers necessary, at the risk and expense of the ship from which they were discharged.

Warships
and
transports.

104. Ships of war and transports may be exempted by the General Manager from this Part if they are fitted with approved magazines under the water-line and capable of being flooded, and in granting such exemption the General Manager may impose such terms and conditions as he thinks fit.

Exemptions.

105. Every ship having only the following dangerous goods on board shall, except where expressly specified in any of the following regulations contained in this Part, be exempt from the provisions of such regulations; and such dangerous goods shall be similarly exempt and may be landed and dealt with at such places and under such conditions as the management may direct:

- (a) safety-cartridges, safety-fuses, percussion caps, fireworks, and any other dangerous goods specially exempted by notice published in the *Official Gazette*.
- (b) any other dangerous goods of the nature of any explosive referred to in the *Third Schedule* which does not exceed 50 pounds in weight and is properly stored in an approved magazine.

106. Every ship carrying, or about to carry, dangerous goods shall be anchored or berthed only in the position assigned to her by the management, and shall not be moved therefrom without the written order or permission of the management.

Berthing of ships carrying dangerous goods.

107. The master of every ship having dangerous goods on board shall, whilst within the limits of a harbour, keep conspicuously exhibited at the fore by day a red flag "B" (International Code) in size not less than 4 feet by 3 feet, and at night, at the masthead in addition to the lights ordinarily required and above them a red light showing a clear uniform unbroken light all round the horizon, visible on a clear night at a distance of one nautical mile from such ship.

Red flag to be exhibited.

108. No fires or artificial lights or smoking of tobacco shall be allowed near the open hatches or in the hold in which dangerous goods are stored, or at the place of discharge or shipment; but this regulation

Fires, etc. prohibited.

- (a) shall not prevent the use of an electric lighting installation or a safety lamp of a construction approved by the management, or of ships' riding or signal lights so disposed as to prevent any risk of fire or explosion; and
- (b) shall not apply to engine room fires when the same have been previously carefully banked.

109. (1) During the time any dangerous goods are being discharged, no other goods or articles shall be handled or dealt with at or near the place of discharge.

Only dangerous goods to be handled at one time.

(2) Persons other than those actually engaged in or superintending the work of discharge shall not be allowed access to the ship, and may, at the discretion of an authorised employee or member of the Police Force, be ordered to a reasonable distance from the place of discharge.

Permits to land dangerous goods.

110. Dangerous goods shall not be landed except on production of one of the following certificates or permits:

- (a) if shipped from a port within the Commonwealth of Nations, the certificate on oath of a duly qualified chemist to the effect that the dangerous goods have been shipped in good order and condition, properly packed and labelled, and safe to be shipped through the tropics and handled in a warm climate;
- (b) if shipped from a foreign port, the certificate on oath of a duly qualified chemist authenticated as such, and a certificate by the British Consul at such port, stating that the explosives fulfil the requirements set forth in paragraph (a).

Special permit when Abel test applied.

111. In the case of dangerous goods of a nature requiring the application of the "Abel heat test", the certificate required under regulation 110 shall further state that no ingredient capable of making such test is present in such goods.

Licence for special small craft.

112. No small craft shall be used for the temporary storage of dangerous goods except under a special licence granted on a certificate from the management and subject to such conditions as it may impose. Such licensed craft shall not be loaded above the hatches, shall at all times remain afloat and be anchored only at specially appointed moorings and shall exhibit a red flag by day and a red light in an elevated position by night. Hatches shall be properly closed, and no dangerous goods shall be carried on deck.

Superintendence of management.

113. No dangerous, hazardous or poisonous goods shall be landed, shipped, transhipped or brought into any harbour except under the direction and superintendence of the management, whose orders shall be implicitly obeyed.

114. Any expense incurred by or on behalf of the Authority in superintendence, the provision of watchmen or other facility in connection with the handling and discharge of dangerous, hazardous or poisonous goods shall, except where otherwise provided in these Regulations, be borne by the consignee, consignor, or agent, as the case may be. Liability for expenses.

115. In the event of any breach by act or default of any of the foregoing regulations of this Part, all or any part of the dangerous, hazardous or poisonous goods in respect of which, or found in the vehicle in respect of which, the offence has been committed may be forfeited. Penalty.

116. Every person in control of any dangerous, hazardous or poisonous goods or of any ship or vehicle containing such goods shall when so required by the management, show all such goods under his control or upon his ship and shall afford every reasonable facility to enable inspection and examination of such goods and to ascertain whether these Regulations are being duly observed. Inspection and examination.

117. For the avoidance of doubt it is hereby declared that in the case of petroleum and all other inflammable liquids, including turpentine, these Regulations shall apply in addition to and not in derogation of any relevant legislation of Barbados. Petroleum.

118. In the case of carbide of calcium the following special regulations shall apply in addition to the other provisions of these Regulations Carbide.

- (a) the owner or master of every ship the hold of which contains carbide of calcium shall keep such hold efficiently ventilated so long as any carbide of calcium remains therein;
- (b) all carbide of calcium landed from any ship shall be removed without unnecessary delay to some duly licensed place of storage or beyond the limits of a harbour area;

- (c) no carbide of calcium shall be brought into or landed within a harbour area unless packed in hermetically closed metal vessels of such strength and construction or so protected as not to be liable to breakage or to become defective or insecure except as a result of gross negligence or extraordinary accident;
- (d) no packages or vessel containing carbide of calcium shall be opened within the limits of a harbour area except in some licensed place of storage or, with the written consent of the management, in such place as the management may direct;
- (e) every reasonable precaution shall be taken by the owner and master of every ship carrying carbide of calcium and by every person engaged thereon and also by the owner of such carbide of calcium and by every person engaged in the landing or loading thereof to prevent the contact of water or moisture therewith and, where such contact may have occurred, to prevent the gas evolved thereby from being ignited.

PART VIII

General Safety Regulations

Application. **119.** The regulations contained in this Part shall apply in respect of the processes of loading, unloading, moving and handling goods in, or at any dock, wharf or quay, and the processes of loading, unloading and coaling any ship in any dock or harbour; but nothing in these Regulations shall apply to the unloading of fish from a ship employed in the catching of fish; and nothing in regulations 122 and 124 (so far as regards liability to provide means of access) 123 and 125 to 131 inclusive shall apply to a small craft.

Duties of masters and others. **120.** (1) It shall be the duty of the owner, master or other person in charge of a ship to comply with regulations 122 to 131 in so far as the same are applicable to the ship of which they are the owner, master or other person in charge.

(2) It shall be the duty of the owner of machinery and plant used in the processes and in the case of machinery or plant carried on board a ship, not being a ship registered in the United Kingdom, or within the Caribbean Commonwealth, it shall also be the duty of the Master of such ship to comply with regulations 132 to 142.

(2A) The General Manager may exempt the master of a ship registered in a country the Government of which is a party to the International Safety Convention from compliance with the provisions of regulations 132 to 142 on proof that tests have been carried out in respect of the matters contained in the said regulations.

(3) It shall be the duty of every person who by himself, his agents, or workmen carries on the processes and of all agents, workmen and persons employed by him in the processes to comply with regulations 143 to 155: but where the processes are carried on by a stevedore or other person other than the owner of the ship, it shall be the duty of the owner, master or other person in charge of the ship to comply with regulation 122 so far as it concerns

- (a) any hatch not taken over by the said stevedore or other person for the purpose of the processes; and
- (b) any hatch which, after having been taken over by the said stevedore or other person for the purposes of the processes,
 - (i) has been reported by written notice in the form prescribed by the management to the owner, master or other person in charge of the ship, by or on behalf of the said stevedore or other person, as being a hatch at which the processes have been completed for the time being; and
 - (ii) either has been left by the said stevedore or other person fenced or covered as required by regulation 148, or has been taken into use by or on behalf of the owner of the ship, and in either case has been so reported by such written notice as aforesaid.

(4) It shall be the duty of the owner, master or other person in charge of the ship to give immediately a written acknowledgement in the prescribed form of such written notice as aforesaid.

(5) It shall be the duty of all persons, whether owners, occupiers, or persons employed, to comply with regulations 156 and 157.

(6) Regulations 158 and 159 shall be complied with by the person on whom the duty is placed in such regulations.

Appoint-
ment of
persons to
carry out
tests and
issue of
certificates
certified by
such
persons.

121. (1) For the purpose of regulations 132 to 134 and of regulation 137, the General Manager may authorise such person as he considers competent to carry out any tests, examinations, inspections, annealing or other treatment that may be required in order to certify any certificate referred to in paragraph (2): but the General Manager may, at his discretion, at any time withdraw any authorisation issued by him under this regulation, in which case the person whose authorisation has been so withdrawn may appeal to the Authority, whose decision shall be final.

(2) Certificates in the form set out in the *Fourth Schedule* and containing particulars with regard to the tests, examinations, inspections, annealing or other treatment that may be required in order to ensure compliance with the provisions of regulations 132 to 134 and of regulation 137 shall be obtained from the management and when properly completed shall be returned to the management within 5 days of the date upon which such tests, examinations, inspections, annealing or other treatment shall have been completed.

(3) The person for whom such tests, examinations, inspections, annealing or other treatment have been carried out shall keep a copy of such form duly completed and shall produce it at any time upon request by the management.

122. (1) If a ship is lying at a wharf or quay for the purpose of loading or unloading or coaling, there shall be safe means of access for the use of persons employed at such times as they have to pass from the ship to the shore or from the shore to the ship as follows:

Safe means of access to wharf to be provided.

- (a) where reasonably practicable, the ship's accommodation ladder or a gangway or a similar construction not less than 22 inches wide, properly secured, and fenced throughout on each side to a clear height of 2 feet 9 inches by means of upper and lower rails, taut ropes or chains or by other equally safe means, except that in the case of the ship's accommodation ladder such fencing shall be necessary on one side only provided that the other side is properly protected by the ship's side and there is properly secured under such ladder an adequate safety net;
- (b) in other cases, a ladder of sound material and adequate length, which shall be properly secured to prevent slipping.

(2) Paragraph (1) shall not apply to any sailing ship not exceeding 250 tons gross registered tonnage and any mechanically propelled ship not exceeding 150 tons gross registered tonnage, if and while the conditions are such that it is possible without undue risk to pass to and from the ship without the aid of any special appliances.

(3) Nothing in this regulation shall be held to apply to cargo stages or cargo gangways when exclusively used for the processes.

1969/32.

123. (1) Whilst passengers are being landed from or embarked upon any ship in harbour, a sound gangway shall be provided and one of the crew of the ship shall be in attendance at the ship's end of the gangway to attend to the security of the gangway and the safety of the passengers passing over it.

Landing or embarking passengers.

(2) Where any ship is in harbour, a lifebuoy with a line attached thereto, kept in proper condition for immediate use, shall be placed near to the head of each gangway, accommodation ladder or similar construction, which is available for use.

(3) No goods in course of discharge from or loading to any ship shall be worked by crane, derrick or other means over a passenger gangway.

Safe means
of access to
other ships
to be
provided.

124. If a ship is alongside any other ship, and persons employed have to pass from one to the other, safe means of access shall be provided for their use, unless the conditions are such that it is possible to pass from one to the other without undue risk without the aid of any special appliance. If one of such ships is a small craft of relatively low freeboard, the means of access shall be provided by the ship which has the higher freeboard.

Safe means
of access
from deck to
hold to be
provided.

125. (1) If the depth from the level of the deck to the bottom of the hold exceeds 5 feet, there shall be maintained safe means of access from the deck to the hold in which work is being carried on.

(2) Save as hereinafter provided, such access shall be afforded by ladder, and by ladder cleats or cups on the coamings, and shall not be deemed to be safe

- (a) unless the ladders between the lower decks are in the same line as the ladder from the top deck, if the same is practicable having regard to the position of the lower hatch or hatches;
- (b) unless the ladders provide a foothold of a depth including any space behind the ladder of not less 4 1/2 inches for a width of 10 inches and a firm handhold;
- (c) unless the cleats or cups provided on coamings
 - (i) provide a foothold or a depth including any space behind the cleats or cups of not less than 4 1/2 inches for a width of 10 inches and a firm handhold;
 - (ii) are so constructed as to prevent a man's foot from slipping off the side;
 - (iii) are placed vertically one above the other and in the same line as the ladders to which they give access;

- (d) unless the cargo is stowed sufficiently far from the ladder to leave at each rung of the ladder foothold of a depth including any space behind the ladder of not less than 4 1/2 inches for a width of 10 inches and a firm handhold;
- (e) unless there is room to pass between a winch or other obstruction and the coamings at the place where the ladder leaves the deck;
- (f) unless the ladder is recessed under the deck no more than is reasonable necessary to keep the ladder clear of the hatchway;
- (2A) Notwithstanding paragraph (2), access may be afforded
- (i) where the provisions of a ladder on a bulkhead or in a trunk hatchway can be shown to be reasonably impracticable, by cleats or cups complying with the requirements of sub-paragraph (c) of paragraph (2);
- (ii) by ladders or steps separate from any hatchway or sloping from deck to deck if such ladders or steps comply with the requirements of sub-paragraphs (b), (d) and (e) of paragraph (2).
- (3) Shaft tunnels shall be equipped with adequate handholds and footholds on each side.

125A. When a ladder is to be used in the hold of a ship which is not decked it shall be the duty of the contractor undertaking the processes to provide a ladder equipped at the top with hooks or with other means for firmly securing it.

Ladders for use in hold to be equipped with hooks etc. 1969/32.

126. When the processes are being carried on,

- (a) the places in the hold and on the decks where work is being carried on;
- (b) the means of access provided in pursuance of regulations 122 and 123; and

Efficient lighting to be provided.

(c) all parts of the ship to which persons employed may be required to proceed in the course of their employment, shall be efficiently lighted, due regard being had to the safety of the ship and cargo, of all persons employed, and of the navigation of other vessels.

Gear for lifting beams for hatch covering to be provided.

127. All fore and after beams and thwartship beams used for hatch coverings shall have suitable gear for lifting them on and off without it being necessary for any person to go upon them to adjust such gear.

Hatch coverings to be plainly marked.

128. (1) All hatch coverings shall be kept plainly marked to indicate the deck and hatch to which they belong and their position therein: but this regulation shall not apply in cases where all the hatch coverings of a ship are interchangeable or, in respect of marking of position, where all hatch coverings of a hatch are interchangeable.

(2) The provisions of this regulation apply to fore and aft beams and to thwartship beams as they apply applies to hatch coverings.

Beams to be maintained in good condition.

129. All fore and aft beams and thwartship beams used for hatch coverings and all hatch coverings shall be maintained in good condition.

Handgrips on hatch coverings to be provided.

130. Adequate handgrips shall be provided on all hatch coverings, having regard to their size and weight, unless the construction of the hatch or the hatch coverings is of a character rendering the provision of handgrips unnecessary.

Provision for removal and replacement of hatches in safety.

131. Where the working space around a hatch is less than 2 feet wide, such provision shall be made as will enable persons employed to remove and replace in safety all fore and aft beams and thwartship beams used for hatch coverings and all hatch coverings.

132. (1) All lifting machinery shall, where practicable, be tested and examined, by a person authorised by the General Manager under regulation 121, in the manner set out in the *Fourth Schedule* before being taken into use.

Lifting machinery etc. to be tested and examined. Fourth Schedule.

- (2)(a) All derricks and permanent attachments, including bridle chains to the derrick, mast and deck, used in hoisting or lowering shall be inspected once in every 12 months and be thoroughly examined once at least in every 4 years.
- (b) All other lifting machinery shall be thoroughly examined once at least in every 12 months.
- (c) For the purposes of this regulation, thorough examination means a visual examination, supplemented if necessary by other means such as a hammer test, carried out as carefully as the conditions permit, in order to arrive at a reliable conclusion as to the safety of the parts examined, and, if necessary for the purpose, parts of the machines and gear shall be dismantled.

133. No chain, ring, hook, shackle, swivel or pulley block shall be used in hoisting or lowering unless it has been tested and examined by a person authorised by the General Manager under regulation 121 as far as practicable in the manner set out in the *Fourth Schedule*.

Chains etc. to be tested. Fourth Schedule.

(2) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles and swivels used in hoisting or lowering shall, unless they have been subjected to such other treatment as may be approved by the management, be effectually annealed under the supervision of a person authorised by the General Manager under regulation 121 and at the following intervals:

- (a) half-inch and smaller chains, rings, hooks, shackles and swivels in general use: once at least in every 6 months;
- (b) all other chains, rings, hooks, shackles and swivels in general use: once at least in every 12 months.

(2A) Where the gear referred to in paragraph (2) is used solely on cranes and other hoisting appliances worked by hand, 12 months shall be substituted for 6 months in sub-paragraph (a) of paragraph (2) and 2 years for 12 months in sub-paragraph (b) of paragraph (2).

(2B) Where the management is of the opinion that, owing to the size, design, material or infrequency of use of any gear or class of gear referred to in paragraphs (1) and (2), the requirement of this regulation as to annealing is not necessary for the protection of persons employed, it may, by certificate in writing, which it may in its discretion revoke, exempt such gear or class of gear from such requirement, subject to such conditions as may be specified in such certificate.

(3) All chains, other than bridle chains attached to derricks or masts, and all rings, hooks, shackles, swivels and pulley blocks shall be inspected by a person authorised by the General Manager under regulation 121 immediately before each occasion on which they are used in hoisting or lowering, unless they have been inspected within the preceding 3 months.

(4) All chains, rings, hooks, shackles or swivels used in hoisting or lowering which have been lengthened, altered or repaired by welding shall, before being again taken into use, be adequately tested and re-examined.

Rope to be
good quality
and wire
rope to be
tested.

134. (1) No rope shall be used in hoisting or lowering unless

- (a) it is of suitable quality and free from patent defect; and
- (b) in the case of wire rope, it has been examined and tested by a person authorised by the General Manager under regulation 121.

(2) Every wire rope in general use for hoisting or lowering shall be inspected by a person authorised by the General Manager under regulation 121 once at least in every 3 months: but after any wire has broken in such rope it shall be inspected once at least in every month.

(3) No wire rope shall be used in hoisting or lowering if in any length of 8 diameters the total number of visible broken wires exceeds 10 per cent of the total number of wires, or the rope shows signs of excessive wear, corrosion or other defect which, in the opinion of the person who inspects it, renders it unfit for use.

(4) A thimble or loop splice made in any wire rope shall have at least 3 tucks with a whole strand of the rope and 2 tucks with one-half of the wires cut out of each strand. The strands in all cases shall be tucked against the lay of the rope: but this regulation shall not operate to prevent the use of another form of splice which can be shown to be as efficient as that laid down in this regulation.

135. No pulley block shall be used in hoisting or lowering unless the safe working load is clearly stamped upon it.

Pulley blocks to have working load stamped thereon.

136. Means shall be provided to enable any person using a chain or wire rope sling to ascertain the safe working load for such chain or sling under such conditions as it may be used:

Means to enable safe working loads for slings, ropes, etc. to be ascertained.

(a) as regards chain slings, such means shall consist of marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto;

(b) as regards wire rope slings, such means shall consist of either the means specified in paragraph (a) or a notice or notices, so exhibited as to be easily read by any person concerned, stating the safe working loads for the various sizes of wire rope slings used.

137. Chains shall not be shortened by tying knots in them, and suitable packing shall be provided to prevent the links coming into contact with sharp edges of hard materials.

Shortening of chains.

Motors, cog-wheels and other dangerous apparatus to be fenced.

137A. All motors, cog-wheels, chain and friction gearing, shafting, live electric conductors and steam pipes shall (unless it can be shown that by their position and construction they are equally safe to every person employed as they would be if securely fenced) be securely fenced so far as is practicable without impeding the safe working of the ship.

Reduction of risk in use of cranes and winches.

138. Cranes and winches shall be provided with such means as will reduce to a minimum the risk of the accidental descent of a load while being raised or lowered. In particular, the lever controlling the link motion reversing gear of a crane or winch shall be protected with a suitable spring or other locking arrangement.

Crane platforms to be fenced.

139. The driver's platform on every crane or tip driven by mechanical power shall be securely fenced and shall be provided with safe means of access. In particular, where access is by a ladder,

- (a) the sides of the ladder shall extend to a reasonable distance beyond the platform or some other suitable handhold shall be provided;
- (b) the landing place on the platform shall be maintained free from obstruction;
- (c) in cases where the ladder is vertical and exceeds 30 feet in height, a resting place shall be provided approximately midway between the platform and the foot of the ladder.

Marking of working load on cranes and derricks.

140. Every crane and derrick shall have the safe working load plainly marked upon it, and every shore crane, if so constructed that the safe working load may be carried by the raising or lowering of the jib or otherwise, shall have attached to it an automatic indicator of safe working loads: but in cases where the jib may be raised or lowered, provision on the crane of a table showing the safe working loads at the corresponding inclinations or radii of the jib shall be considered a sufficient compliance with this regulation.

141. Adequate measures shall be taken to prevent exhaust steam from, and, so far as is practicable, live steam to, any crane or winch obscuring any part of the decks, gangways, stages, wharf, or quay where any person is employed in the processes.

Exhaust steam from cranes or winches.

142. Appropriate measures shall be taken to prevent the foot of a derrick being accidentally lifted out of its socket or support.

Measures to be taken with regard to derricks.

143. Precautions shall be taken to facilitate the escape of workers when employed in a hold or on tween docks in dealing with coal or other bulk cargo.

Escape of workers in a hold, etc.

144. (1) No lifting machinery, chains or other lifting appliance shall be loaded beyond the safe working load: but a crane may be loaded beyond the safe working load in exceptional cases to such extent and subject to such conditions as may be approved by the engineer in charge or other competent person if on each occasion

No lifting machinery to be loaded above safe working load.
1969/32.

(a) the written permission of the owner or his responsible agent has been obtained;

(b) a record of the overload is kept.

(1A) Where the load upon a single sheave pulley block is attached to the pulley block instead of to the chain or rope passing round the sheave, the load on the pulley block shall be deemed for the purpose of paragraph (1) to be half of the actual load.

(2) No load shall be left suspended from a crane, winch or other machine unless there is a competent person actually in charge of the machine while the load is so left.

145. No person under 16 years of age and no person who is not sufficiently competent and reliable shall be employed as a driver of a crane or winch, whether driven by mechanical power or otherwise, or to attend to cargo falls on winch-ends or winch-bodies.

Age and competency of drivers of cranes etc.

Safety
measures
relating to
approaches
over docks,
wharves and
quays.
1969/32.

145A. (1) Every regular approach over a dock wharf or quay which persons employed have to use for going to or from a working place at which the processes are carried on, and every such working place on shore, shall be maintained with due regard to the safety of the persons employed.

(2) Every such working place on shore, and any dangerous parts of any approach to any such place from the nearest highway, shall be safely and sufficiently lighted.

(3) In particular, so far as is practicable having regard to the traffic and working,

(a) all dangerous parts of such approaches and working places, including dangerous breaks, corners and edges, shall be securely fenced so that the height of the fence shall not be less than 2 feet 6 inches;

(b) dangerous footways over bridges, caissons, and dock gates shall be securely fenced so that the height of the fence shall not be less than 2 feet 6 inches on each side and the fencing shall be continued at each end of such footway for a sufficient distance not exceeding 5 yards.

Provision
for rescue
from
drowning
and life
saving
appliances,
etc.
1969/32.

145B. Provision for the rescue from drowning of persons employed shall be made and maintained, and shall include

(a) a supply of life-saving appliances, kept in readiness on the wharf or quay, which shall be reasonably adequate having regard to all the circumstances;

(b) means, at or near the surface of the water at reasonable intervals for enabling a person immersed to support himself or escape from the water, which shall be reasonably adequate having regard to all the circumstances.

145C. (1) A sufficient number of first-aid boxes or cupboards shall be provided at every working place and, if more than one is provided, at reasonable distances from each other.

Provision of first-aid boxes or cupboards. 1969/32.

(2) A first-aid box or cupboard shall be marked plainly with a white cross on a red ground.

(3) Nothing except appliances or requisites for first-aid shall be kept in a first-aid box or cupboard.

(4) A first-aid box or cupboard shall be kept stocked and in good order, and shall be placed under the charge of a responsible person who shall always be readily available during working hours. Such person shall be a person trained in first-aid.

146. Where goods are placed on a wharf or quay,

(a) a clear passage leading to the means of access to the ship required by regulation 122 shall be maintained on the wharf or quay; and

(b) if any space is left along the edge of the wharf or quay, it shall be at least 3 feet wide and clear of all obstructions other than fixed structures, plant and appliances in use.

Clear passage to means of access to ship to be maintained on wharf.

147. (1) No deck-stage or cargo-stage shall be used in the processes unless it is substantially and firmly constructed and adequately supported and, where necessary, securely fastened.

Provision of substantial dock stage, etc.

(2) No truck shall be used for carrying cargo between ship and shore on a stage so steep as to be unsafe.

(3) Any stage which is slippery shall be made safe by the use of sand or otherwise.

Fencing of
hatches, etc.

148. (1) If any hatch of a hold accessible to any person employed and exceeding 5 feet in depth, measured from the level of the deck in which the hatch is situated to the bottom of the hold, is not in use for the passage of goods, coal or other materials or for trimming, and the coamings are less than 2 feet 6 inches in height, such hatch shall either be fenced to a height of 3 feet or be securely covered: but this requirement shall not apply

- (i) to ships not exceeding 200 tons net registered tonnage which have only one hatchway;
- (ii) to any ship during meal times or other short interruptions of work during the period of employment.

(2) Hatch coverings shall not be used in the construction of deck or cargo stages, or for any other purpose which may expose them to damage.

(3) Hatch coverings shall be replaced on the hatches in the position indicated by the marking made thereon in pursuance of regulation 128.

1969/32.

(4) All other openings in a deck accessible to any person employed and not in use shall either be fenced to a height of 3 feet or be securely covered.

Loading or
unloading
of cargo at
intermediate
deck.

149. No cargo shall be loaded or unloaded by a fall or sling at any intermediate deck unless either the hatch at that deck is securely covered or a secure landing platform of a width not less than that of one section of hatch coverings has been placed across it: but this regulation shall not apply to any process of unloading the whole of which will be completed within a period of half an hour.

150. When the working space in a hold is confined to the square of the hatch, hooks shall not be made fast in the bands of fastenings of bales of cotton, wool, cork, gunny bags or other similar goods, nor shall hooks be used for raising or lowering a barrel when, owing to the construction or condition of the barrel or of the hooks, their use is likely to be unsafe: but nothing in this regulation shall apply to breaking out or making up slings.

Provision with regard to use of hooks.

151. When work is proceeding on any skeleton deck, adequate staging shall be provided unless the space beneath the deck is filled with cargo to within a distance of 2 feet of such deck.

Staging to be provided when working on skeleton deck.

152. Where stacking, unstacking, stowing or unstowing of cargo or handling in connection therewith cannot be safely carried out unaided, reasonable measures to guard against accident shall be taken by shoring or otherwise.

Shoring of cargo, etc.

153. The beams of any hatch in use for the processes shall, if not removed, be adequately secured to prevent their displacement.

Securing of hatch beams.

154. (1) When cargo is being loaded or unloaded by a fall at a hatchway, a signaller shall be employed and, where more than one fall is being worked at a hatchway, a separate signaller shall be employed to attend to each fall.

Employment of signaller in certain circumstances.

(2) Paragraph (1) shall not apply in cases where a small craft is being loaded or unloaded if the driver of the crane or winch working the fall has a clear and unrestricted view of those parts of the hold where work is being carried on.

(3) Paragraph (1) shall not apply where the management is of the opinion that, owing to the nature of the crane or winch or other appliance in use or by reason of any special arrangements, the requirements of that paragraph are not necessary for the safety of the person employed; and it may by certificate in writing, which it may in its discretion revoke, suspend such requirements subject to such conditions as may be specified in such certificate.

Provision of
safe
transport by
water.

155. When any person employed has to proceed to or from a ship by water for the purpose of carrying on the processes, proper measures shall be taken to provide for his safe transport. Ships used for this purpose shall be in charge of a competent person, shall not be over-crowded, and shall be properly equipped for safe navigation and maintained in good condition.

Persons
employed to
use means
of access.

156. Every person employed shall use the means of access provided in accordance with regulations 122 to 125, and no person shall authorise or order another to use means of access other than those provided in accordance therewith.

Persons not
to go up on
beams etc in
certain
circum-
stances.

157. No person shall go upon the fore and aft beams or thwartship beams of any ship, other than a small craft, for the purpose of adjusting the gear for lifting them on and off, nor shall any person authorise or order another to do so.

Machinery
used to
comply with
regulations.

158. No employer of persons in the processes shall allow machinery or gear which does not comply with regulations 132 to 142 to be used by such persons.

Responsibil-
ity of
compliance
with certain
regulations.

159. If the person whose duty it is to comply with regulations 122 to 125 fails so to do, then it shall also be the duty of the employers of the persons employed, for whose use the means of access and the lights are required, to comply with the said regulations within the shortest time reasonably practicable after such failure.

Safety
apparatus
not to be
removed
except under
authority or
in case of
necessity.
1969/32.

159A. No person shall, unless duly authorised or in case of necessity, remove or interfere with any fencing, gangway, gear, ladder, hatch-coverings, life-saving means or appliances, lights, stages or other things whatsoever, required to be provided under these Regulations. If removed, such things shall be restored at the end of the period for which their removal was necessary by the person last engaged in the work that necessitated such removal.

PART VIII

Accidents

159B. Where an accident occurs in any harbour, then if that accident

Accidents to be reported. 1978/227.

- (a) is attended, or is of a kind usually attended, with loss of human life or with serious injury to person or property;
- (b) involves any collision between ships, of which one is carrying passengers; or
- (c) is of such other kind as the Authority specifies,

the General Manager shall, as soon as practicable, give notice of the occurrence of the accident to the Authority.

159C. (1) The General Manager may order such enquiry into any accident which occurs in any harbour as he thinks fit, and shall order such enquiry as the Authority thinks fit into any such accident when so required by the Authority.

Inquiries into accidents. 1978/227.

(2) The General Manager shall submit to the Authority a report on any accident enquired into setting out, *inter alia*, the probable cause of such accident and the steps, if any, that have been taken or that he has directed shall be taken with a view to avoiding a repetition thereof.

159D. The General Manager shall make to the Authority for transmission to the Minister a return, in such form and at such intervals as the Minister directs, of all accidents occurring in any harbour.

General Manager to make a return of accidents. 1978/227.

PART IX

Handling of Cargo

160. The provisions of the *Barbados Port Authority Act* and of these Regulations relative to liability for goods warehoused shall apply to goods in a transit shed in like manner as they apply to goods being warehoused.

Liability in respect of transit sheds.

Transit sheds. **161.** Transit sheds shall be closed to members of the public, and no vehicle shall enter a transit shed without the authority of an authorised employee.

Goods not to be delivered without authority from Customs. **162.** No goods shall be delivered to any consignee without the production by him of the necessary authority from the Comptroller of Customs or a person authorised in that behalf by the Comptroller of Customs.

Refrigerated cargo. 1969/10. **162A.** (1) No imported refrigerated goods shall be delivered direct ex ship to the consignee or owner thereof.

(2) All such goods which are accepted by or delivered to the Authority shall be deposited by or on behalf of the Authority in an approved warehouse.

(3) For the purposes of this regulation and regulation 162B "approved warehouse" means any warehouse approved by the Comptroller of Customs and the General Manager and equipped with such facilities for cold storage as may be provided for under any agreement which the Authority may enter into with the owner or occupier of such warehouse.

Exception to regulation 162A. 1973/184. **162B.** Regulation 162A shall not apply to refrigerated goods

(a) *Spent*;

(b) which the General Manager has certified as incapable of being stored in the space available in an approved warehouse.

Documents required before goods delivered. **163.** (1) Importers or their agents shall present at such place as may be appointed by the management during the regular working hours of a harbour the following documents before the delivery of goods may be made:

(a) delivery orders, complete in every detail and respect and specifying the respective marks and numbers on packages or articles in respect of unpacked goods, their number, description and contents, also the name of the ship and the port of shipment, the arrival date and disposal instructions. There shall be a separate delivery order for each separate consignee;

- (b) bills of lading or shipping company's orders, duly released by ship's agents, shall be produced for all goods landed or to be landed before orders can be accepted or delivery made of any portion thereof, and no bills of lading or delivery orders shall be accepted on which the authority from the shipper to the holder is not deduced by a complete and accurate chain of endorsement. Every bill of lading or shipping company's delivery order shall clearly show to whose order the goods are to be delivered;
- (c) a certified copy of the customs entry; and
- (d) in the case of transshipment goods, a shipping order complete in every detail and respect.

(2) Paragraph (1), so far as it relates to the specification of deadweight and cubic measurement, shall not apply to certain goods, charges on which are assessed on a defined basis set out in the Tariff Book, in which cases, either deadweight or cubic measurement, according to the unit specified in the Tariff Book, or bill of lading tonnage shall be specified.

(3) No delivery order shall be required in any case where the bill of lading under paragraph (1) is endorsed with the release order of the ship's agent.

164. Goods for customs examination under a provisional entry shall not be deemed to be cleared until a perfect entry has been duly made.

When goods provisionally entered are deemed to be cleared. Documents required for goods for export.

165. Persons desiring goods to be shipped shall deliver to such place as may be appointed by the management, during the regular working hours of any harbour, shipping orders, complete in every detail and respect and specifying the respective marks and numbers on packages or articles in respect of unpacked goods, their number, description and contents, with the deadweight or cubic measure or value thereof as required by the Tariff Book, also the name of the ship and the port of destination. There shall be a separate shipping order for each consignment.

Depositing
of goods for
export.

166. (1) Goods for export shall be deposited in such places as the management may direct.

(2) The owner of any goods deposited otherwise than in accordance with the provisions of paragraph (1) shall be subject to a penalty of \$25 per day until the goods are removed; or the management may remove them, charging the owner with the cost thereof in addition to such fine.

Goods for
export and
relative
documents
to be
received in
time.

167. (1) All goods intended for shipment by any particular ship together with the relative shipping orders shall be presented at such place as may be appointed by the management at the harbour not later than 9 working hours previous to the ship's sailing time; in the event of goods and/or shipping orders being received late, the exporter shall be liable for any additional expenses incurred.

(2) Goods in respect of which shipping orders are presented shall be ready for shipment in every respect.

(3) Sorting and/or other manipulation of goods is not permitted in a harbour area other than by the management or an authorised employee.

(4) Goods which, apart from marking, measurements or weighing, are not in every respect fit for shipment shall be removed from the harbour area within 48 hours of time of receipt.

(5) The Authority shall in no way be responsible for ensuring that the whole or any part of any parcel of goods covered by any shipping order is placed aboard any ship before her time of sailing.

Cancelling
or amending
orders.

168. Orders from persons in lawful control of goods, cancelling or amending previous orders, may be accepted by the management, provided it is reasonably possible to act upon such orders at the time they are received; a charge may be made in respect of each order cancelling or amending a previous order, and such charge shall be paid at the time such order is delivered to the management.

169. (1) When the weight and/or cubic measurement of goods is not available, the goods shall be weighed and/or measured by the management or any authorised employee and the charges therefor shall be paid by the person who presents the delivery order in respect of such goods.

When weight or measurement not available.

(2) All packages exceeding 3 tons in weight shall have the actual weight thereof legibly painted on the outside of the package in close proximity to the shipping mark; if this is not done, the package may be weighed by the management or an authorised employee and all expenses of weighing, extra handling, transport, or otherwise shall be charged to the consignee and may be forthwith recovered from him.

170. (1) When goods are insufficiently or erroneously marked, the management, notwithstanding that all dues and charges have been deposited or paid, may require from any person claiming such goods a special release order, signed by the ship's agent, or an indemnification against any loss or damage which the Authority may sustain by reason of the delivery to such person. The ordinary rent shall be charged against all goods remaining on the harbour premises in consequence of such insufficient or erroneous marking.

Marking of packages.

(2) The Authority shall not be liable for any damage, loss, delay or non-delivery of goods occasioned by insufficient or erroneous marking.

171. The delivery of goods to the warehouse appointed by the Comptroller of Customs as the Queen's Warehouse shall constitute delivery of such goods to the consignee, and the Authority shall not be liable in respect of goods after they have been so delivered.

Delivery to Queen's Warehouse.

172. (1) Where any goods have been landed in packages of a defective or leaky character, notwithstanding the provisions of regulation 46 or the fact that the management has given a receipt for the goods, delivery of the goods shall not be considered to have been made to the Authority until such packages have been repacked, rebagged or repaired in a reasonably sound condition and such goods have been checked in the presence of the ship's agent and a Customs officer; and only such goods as are found upon such check shall be deemed to have been accepted by the Authority.

Defective packages.

(2) Notwithstanding the provisions of paragraph (1), the management may decline to accept any goods which are tendered for landing in packages of a defective or leaky character until such packages have been properly repaired or the goods rebagged or repacked, to the satisfaction of the management, on board the carrying ship.

Unpacking
of goods.

173. Except for Customs purposes, no goods or materials of any kind shall be unpacked within a harbour area without special permission of the management; and all straw or other material from which goods may have been unpacked shall be immediately swept up and removed by the owner or agent of such goods, failing which the same may be swept up and removed by the management at the expense of such owner or agent.

Acids etc.
landed in
leaky
condition.

174. (1) When acids, grease, oils, tar, pitch, paints or other similar substance come into the possession of the Authority in a leaky condition, the management may, in its discretion, repair the leaky defective packages at the expense of the owner, and may refill any packages from which the original contents have leaked with like substance from other leaky or damaged packages forming part of the same consignment.

(2) If the packages are repaired or refilled, the consignee or owner shall have no claim in respect of the manipulation of such packages: but the owner may, at the time of handing in his orders, notify the management that he wishes such articles to be set aside, and in that case they may be removed to a depositing ground or replaced in a warehouse at his risk and expense.

Charges to
be pre-paid
or secured.

175. All dues and charges payable upon all goods landed, shipped, transhipped or warehoused shall be paid, or sufficient security furnished for their payment, before orders for shipping, delivery or forwarding are acted upon, and the management may prevent the removal of any goods from any premises occupied by or for the purposes of the Authority whilst any dues or charges payable by the consignee remain unpaid but; for the purposes of preventing delay, the management may ship goods before the dues and charges payable thereon are paid, and, in that case, shall retain the ship's receipts as security for the payment of such dues and charges.

176. In cases of emergency, or for the purpose of securing the better safety of a harbour or the shipping therein, the management may, whenever it may deem expedient to do so, destroy or otherwise dispose of dangerous hazardous or poisonous goods within a harbour area without compensation to the owner of the goods.

Management may destroy or otherwise deal with dangerous hazardous or poisonous goods.

177. The following goods, when not packed or in crates, shall not be placed in stores or warehouses, but shall, if necessary, be stored or deposited in the open, and always at the sole risk of the owner or his agent, that is to say:

Goods stored in the open.

Asbestos sheets and ridges, ashes, asphalt, bones, meats, bricks, chalk, charcoal, cinders, clay, coal, dung, fertilizer, flower-pots (earthen), firewood, girders, horns, copper pipes, shooks, iron and iron manufactures such as cast, wrought, galvanized, sheet, plate, bar, rod, tube, billet, bloom, ingot or pig ores, pipes (earthen and iron); rubbish, sand, slate, sleepers, steel and iron-work, stone, straw, sulphur in bulk (not being flowers of sulphur) timber (rough or unplanned), vehicles and chassis.

PART X

Storage

178. The General Manager shall have the right to refuse for storage or warehousing, except under special conditions and always at the sole risk of the owner or his agent, the following goods:

Certain goods not accepted for storage.

- (a) articles of unusual length, bulk or weight, or of exceptional bulk in proportion to weight;
- (b) articles improperly, insecurely, or insufficiently packed, which are consequently liable to loss or damage;
- (c) dangerous, hazardous, or poisonous goods, being any goods which are likely to cause harm or damage to persons or property;
- (d) any wild animal or any large animal.

Harbour
dues and
charges.

179. Ship's dues, wharfage, handling, storage and other harbour dues and charges shall be levied at such rates as the Authority may from time to time prescribe in the Tariff Book.

Exemption
from
Harbour
dues and
charges.
L.N.98/
1962.

179A. Notwithstanding the provisions of regulation 179, the Authority may waive or reduce the charges, rates, dues or fees specified in the Tariff Book whenever it considers it expedient so to do

(a) in such cases as are from time to time specified in the Tariff Book; or

(b) in such other cases as it thinks fit.

Storage
charges on
imports.

180. Storage charges shall be levied on all import cargo and merchandise for which documents have not been received by the management or on which charges have not been paid or secured:

Provided that such cargo and merchandise shall be subject to a free period of 120 hours calculated from the posted date of arrival of the ship:

L.N. 98/
1962.

Provided further that, during the season when large shipments of mixed timber reach Barbados, the management may allow such timber to remain in the Deep Water Harbour area for such free period not exceeding 480 hours calculated from the posted date of arrival of the ship, as the Authority may determine.

Goods
detained by
Customs.

181. Goods detained by the Comptroller of Customs for examination purposes shall not be liable to storage charges during the period they are so detained, that is to say, from the date the documents are "Stopped" by Customs until the date of completion of examination: but any delay attributable to the importer or agent during the period of detention shall not be given the benefit of such storage.

Export
cargo.

182. Storage charges shall be levied on all export cargo and merchandise and, save as otherwise provided herein, shall be levied from the date of arrival of such export cargo and merchandise in the harbour area until the date fixed as the loading date by the management, or the date of presentation of the relevant shipping documents, whichever is the later.

183. Save as otherwise herein provided, a free storage period of 3 clear days exclusive of Sundays and bank holidays, as defined in the *Public Holidays Act*, shall be allowed on all export goods calculated from the date of arrival of the goods in the area.

Free storage period on exports. Cap. 352.

184. Goods on which storage charges have become due may be transferred by the management, at its discretion, to any point in or outside of a harbour area or left *in situ*; but in any such case, such goods shall incur such additional charges as may be prescribed in the Tariff Book.

Goods may be transferred.

185. (1) Where an exporter desires to remove any export goods already in the transit sheds for any purpose other than for shipment, the management shall provide the labour necessary at the charge prescribed in the Tariff Book. The employment of private labour for the purpose shall not be permitted.

Removal of export cargo.

(2) Where it is desired to remove export goods from a transit shed to a private warehouse, the necessary loading orders shall be submitted not less than 48 hours before the expiration of the free storage period on the goods concerned. Failure to comply with the provisions of this regulation will result in storage rent being charged up to the date on which the goods are loaded.

186. If there is insufficient harbour storage accommodation available, the management may order the owners or agents of any goods to make, within a specified time, their own arrangements for the storage of such goods.

When storage accommodation not available.

187. If any order issued under regulation 186 is not complied with in the specified time, the goods shall be subject, in addition to other charges incurred, to a penal charge as prescribed in the Tariff Book from the date of expiration of the relevant prescribed free storage period.

Penal storage accommodation not available.

188. Any change in the ownership of goods shall be notified to the management immediately such change takes place and, in the absence of such notification, the previous owner shall be held responsible for all charges.

Change of ownership of goods.

Tran-shipment charge. L.N. 180/1964.

189. (1) Storage charges shall be levied on all transshipment and overlanded goods and on goods, where landed or discharged into lighter, pending reshipment: but a free storage period shall be allowed of 21 days or of one month where the goods are stored in the stacking area from the posted date of arrival of the ship by which such goods were imported until the date fixed by the management as the loading date of the on-carrying ship, or the date of presentation of the relevant shipping documents, whichever is the later.

(2) Whilst awaiting reshipment, transshipment goods shall not leave the possession of the Authority and shall not be subject to manipulation, otherwise ordinary import and export charges will be applied.

Passengers' baggage.

190. Passengers' baggage not removed from the Customs examination location at a harbour within 24 hours after clearance shall be removed and warehoused and charged for at the ordinary import storage rate prescribed in the Tariff Book.

Claims for refund of overcharges and under charges.

191. (1) Claims for refund of overcharges in respect of harbour dues and charges shall, subject to the provisions of section 49¹ of the Act, reach the management within 6 months after the goods were accepted by the Authority, and shall be supported by such documents as the management may require. Unless the provisions of this regulation are complied with, the Authority will not be responsible for any liability for the overcharge nor will the claim be considered.

(2) Subject to the provisions of section 49¹ of the Act, claims for the payment of undercharges may be raised by the management not later than 6 months after the goods were accepted by the Authority.

¹ See section 62 of the Barbados Port Authority Act.

PART XI

Control of Harbours

192. The General Manager may, when he considers it desirable so to do, within any harbour area cause to be closed any road, wharf, jetty, quay, warehouse or any part thereof, and may permit or prohibit the use thereof subject to such conditions as he may think fit to impose.

Closing roads, wharves, etc.

193. No unauthorised person may climb upon the roof of any shed or upon any crane, lighthouse, signal station or navigation mark, or cut or remove any timber, wood, vegetation, or growth from any land of the Authority used by or for the purposes of the Authority.

Trespassers.

193A. No person shall throw, put or allow to drift into the waters of the harbour or the Carenage anything likely to cause damage to a ship's propellers.

Protection of ships from damage. 1970/95.

194. Vehicles within a harbour area shall take the position or place assigned to them by an authorised employee or member of the Police Force acting under the direction of the management or the provisions of any Act or subsidiary legislation made thereunder.

Vehicles to take place assigned.

195. (1) Persons in charge of vehicles within a harbour area shall move their vehicles when required to do so by an authorised employee or member of the Police Force.

Vehicles to move when required.

(2) Where any vehicle is parked within a harbour and the driver of such vehicle is not present in attendance thereon or after having been requested to remove such vehicle fails so to do, the management may remove such vehicle at the risk and expense of the driver thereof.

(3) The management may remove any object which causes obstruction within a harbour area at the risk and expense of the owner of such object.

(4) The management may recover from the driver of any vehicle or the owner of any object removed by it under the provisions of paragraph (2) or of paragraph (3) the reasonable expenses of such removal as a civil debt due to the Crown before a Magistrate for District A.

Dangerous driving. L.N. 98/1962. **196.** No person shall drive a vehicle within a harbour area recklessly or at a speed or in a manner dangerous to the public or to property.

Behaviour of drivers of vehicles. **197.** Every driver or person in charge of a vehicle shall, at all times while in or entering or leaving a harbour area, conduct himself in an orderly manner and shall comply with the terms of any notice or sign exhibited by or under the authority of the management.

Danger signals. **198.** No person in a harbour area shall disregard a danger signal or refuse to stop when called upon to do so by an authorised employee or member of the Police Force.

Fire hydrants. **199.** No vehicle shall be parked over or near any fire hydrant.

Fire-fighting operations. **200.** No person in a harbour area shall disregard the directions of an authorised employee or member of the Police Force in the event of an outbreak of fire, or obstruct or in any way interfere with the fire-fighting operations.

Power to exclude public if major fire. **201.** The management may, in the event of a major outbreak of fire within a harbour area, exclude the public from the vicinity of the fire and may close the whole or any section of a harbour area as it shall think fit.

Entering or leaving a harbour area. **202.** All persons entering or leaving a harbour area shall do so through the harbour entrances or exits provided for the purpose.

203. (1) Every person employed within or visiting a harbour area shall,

- (a) on entering or leaving such harbour area; or
- (b) while he is within such harbour area,

Persons employed in or visiting harbour to carry identification cards. 1969/62.

be in possession of an identification card or ticket issued by the General Manager for the purpose of these Regulations and produce the same at the request of any authorised employee.

(2) Identification cards or tickets issued by the General Manager for the purpose of these Regulations shall be in such form as may be approved by the Minister responsible for communications; and different forms of such cards or tickets may be issued to different persons or classes of persons and for different occasions and purposes.

(3) An identification card or ticket issued under paragraph (1) shall be issued free of charge and shall be valid for the period stated therein but may be renewed free of charge on the expiry of such period.

(4) A fee of one dollar shall be paid to the Management for the replacement (for any reason other than renewal) of an identification card or ticket issued under paragraph (1).

204. (1) No person shall take or attempt to take out of the harbour area any parcel, package, or article of any kind except on production and delivery at the harbour gate to an authorised employee or member of the police force of a pass-out check authorising such person to be in possession of such a parcel, package, or article.

Parcels etc. to be examined.

(2) Pass-out checks in respect of manifested goods, passengers' baggage and unmanifested goods ex ship, shall not be issued until all Customs requirements have been complied with and all harbour dues, rents, rates and charges in respect thereof have been paid or secured.

- (3) Any authorised employee or member of the Police Force may
 - (a) examine any parcel, package or article in possession or charge of any person producing a pass-out check pursuant to paragraph (1); and

L.N. 98/1962.

- (b) arrest without a warrant any such person (and any other person accompanying him) who is found in possession or charge of any parcel, package or article not mentioned in such pass-out check; and
- (c) seize any such parcel, package or article, not mentioned in such pass-out check of any parcel, package or article found in the possession or charge of such person.
- (4) Any parcel, package, or article seized pursuant to paragraph (3) shall,
 - (a) where proceedings are brought against any person for any contravention of paragraph (3) aforesaid, be disposed of in accordance with any order to be made by the court in which such proceedings are brought; and
 - (b) in any other case, be disposed of in such manner as the General Manager may determine.

Harbour
gates to be
closed at
night.

205. The harbour gates shall be closed to commercial traffic between the hours of 6 p.m. and 6 a.m. daily except when a ship is berthed after 6 p.m., in which case such traffic may enter or leave subject to the provisions of regulation 206.

Persons
wishing to
enter
harbour area
at night.

206. Any person who wishes to enter a harbour area for a legitimate purpose between the hours of 6 p.m. and 6 a.m. may do so subject to the provisions of regulation 205 and to the condition that the Authority shall not be liable for personal injury, whether fatal or otherwise, loss, damage, delay or detention of or to any such person and or his property however caused.

Vagrants.

207. (1) No person shall, except with the permission of the management, enter or remain in any harbour area except on lawful business.

(2) Any person entering, or who has entered, a harbour area shall, whenever required to do so by any authorised employee or member of the Police Force, truthfully inform such employee or member of the business in respect of which such person claims to be entitled to be in such harbour area.

(3) Any person committing a breach of this regulation may, without prejudice to his liability to any other penalty, at law, be forthwith removed from the harbour area and excluded therefrom by an authorised employee or member of the Police Force.

208. No person may, without having been previously authorised to do so by the management, advertise or cause any advertisement to be exhibited on any premises or property used by or for the purposes of the Authority within a harbour area. Advertising on harbour property.

209. (1) Subject to paragraph (2), no person shall bathe within the limits of any harbour unless clothed in a bathing costume or other garment sufficient for purposes of decency or to prevent indecent exposure of his person. Bathing. 1978/151.

(2) No person shall bathe within the Deep Water Harbour or the Carenage.

(3) A person who contravenes this regulation may, without prejudice to his liability to any other penalty under the Act, be immediately removed from the Deep Water Harbour, the Carenage or any other harbour, as the case may be, by an authorised employee or a member of the Police Force.

210. (1) No dead body of any kind shall be buried within a harbour area. Burials.

(2) The body of a dead person shall not be buried at sea within 3 nautical miles seaward of the limits of a harbour.

211. All dogs found at large on harbour premises may be destroyed by the management. Those on board any ship shall be properly secured by the master or other person in charge. Dogs and wild animals.

212. No steam siren, whistle or foghorn shall, save with the permission of the management, be sounded within a harbour area except for the purpose of navigation or of giving a fire alarm. Use of sirens.

Spitting
prohibited.

213. No person shall spit within, upon or against any part of any premises used by or for the purposes of the Authority. Any person continuing so to spit after having been requested to desist by any authorised employee or member of the Police Force may be removed from any harbour area by or under the direction of any such employee or member, without prejudice to any other penalty incurred under these Regulations.

Prohibition
of sales of
articles to
persons
aboard or
alongside
ships in a
harbour.

214. No person may sell, exchange, offer for sale or exchange any article to any person on board or alongside a ship in a harbour: but a person registered under the *Hawkers Act* may, subject to the provisions of regulation 97, sell, exchange, offer for sale or exchange any article to any person aboard or alongside a ship in any harbour other than the Deep Water Harbour.

Power of
search by
authorised
employees
and Police.
L.N.98/
1962.

214A. (1) Without prejudice to the provisions of regulation 204 any authorised employee or member of the Police Force may, subject to the provisions of paragraphs (2) and (3) of this regulation, stop and search any person or vehicle found in, or entering or leaving the harbour area.

(2) Before any person is searched pursuant to paragraph (1), he may require to be taken as soon as possible to the officer in charge of the nearest police station or to the General Manager, who if he sees no reasonable cause for the search, shall discharge such person, but if otherwise, direct that he be searched.

(3) A female shall be searched only by a female.

Penalty on
unauthorised
persons
found in
harbour
area. L.N.
98/1962.

214B. Without prejudice to the provisions of regulation 207, any person found in the harbour area who is unable to give a satisfactory account for his presence in such area may, in addition to his liability under the provisions of regulation 221 be arrested without a warrant by any authorised employee or member of the Police Force.

Definition of
"harbour
area".
L.N. 98/
1962.

214C. For the purposes of regulations 214A and 214B, "the harbour area" means the enclosed wharf area and waterfront of the Deep Water Harbour and the Esso Berthing Jetty and its moorings in Carlisle Bay.

PART XII

Miscellaneous

215. (1) The Authority may cancel any certificate, licence or badge granted under these Regulations whenever it may think fit, or may refuse to renew or endorse the same. Licences generally.

(2) Whenever the Authority considers it necessary to cancel any certificate, licence or badge of any person employed by any other person within a harbour area, or shall consider it necessary to refuse to renew or endorse the same, the Authority shall before doing so give to such first- mentioned person an opportunity to be heard by a committee comprising a representative of the management and representatives of such other organisations as the General Manager considers appropriate in the circumstances. Pending such inquiry the management may suspend the certificate, licence or badge of the person in question.

216. The granting under these Regulations of a licence, authorisation, certificate or permit for any purpose shall not impose any liability or responsibility upon the Authority for any accident to the person so authorised or to the holder of such licence, certificate or permit while on premises used by or for the purposes of the Authority due to the working of cranes or any other cause whatsoever. Licences etc.

217. No person shall in a harbour area undertake the stevedoring, that is to say, the landing or loading of goods, the clearing or forwarding of baggage from a harbour area, otherwise than by agreement with the Authority, without a licence granted or endorsed by the management for the purpose and on payment of such fees as may be prescribed in the Tariff Book; and the management is hereby authorised to grant and endorse such licence. Licensing of agents and others.

Ship
chandlers
and other
dealers.

218. (1) No person shall carry on in a harbour area the business of a dealer in marine or other stores or articles without a licence from the management, which is hereby authorised to issue such licence; and no person shall go on board any ship for, or take away from any ship, any marine stores, sweeping, dunnage, coal, wood or other articles whatsoever without the written permission of the master thereof.

(2) No such articles obtained from a ship may be removed from the ship or harbour until the person proposing to remove the same has reported to the management that he proposes to remove the same and has obtained a Customs pass to remove the goods.

Exclusive
powers of
the
manage-
ment.

219. Save where otherwise expressly provided or save with the written permission of the management specifically in that regard obtained, no person shall in any harbour perform or cause to be performed any work, service or facility, or suffer any obstruction or nuisance to remain.

Regulations
relating
only to the
Careenage.
Fifth
Schedule.

220. The regulations contained in the *Fifth Schedule* shall have effect solely in respect of the harbour known as the Careenage.

Copies of
Part VII to
be posted
up.
1969/32.

220A. Copies or summaries of Part VII and of other regulations relating to the protection of workers against accidents shall be posted up in prominent positions at every dock, wharf, quay or similar place which is in frequent use for the processes.

Application
of moneys
of Authority.
1978/227.

220B. (1) The moneys of the Authority for any financial year shall be applied in paying

- (a) salaries, wages, fees, allowances, pensions and gratuities to persons employed or formerly employed by the Authority;
- (b) the following:
 - (i) working and establishment expenses;

- (ii) expenditure incurred in the maintenance of the property and of any of the works of the Authority;
- (iii) insurance premiums in respect of property and works,
- (c) interest on any debenture or debenture stock, or other security issued, and on any loan raised by, the Authority;
- (d) contributions to a sinking fund or other sums to be set aside for the purpose of making provision for the redemption of debentures or debenture stock or other security or the repayment of other borrowed money;
- (e) such sums as are necessary to be set aside for the purpose of providing for depreciation on and replacement of the property of the Authority;
- (f) any other expenditure authorised by the Authority and properly chargeable to revenue account.

(2) Any moneys remaining after making the payments referred to in this regulation shall be applied by the Authority to the creation of reserve funds for the purpose of financing any future development and expansion.

(3) For the purposes of this regulation, the certificate of the auditor of the Authority's accounts shall take into account any variation approved by resolution of the Authority, and shall be conclusive as to

- (a) the amount of revenue earned in respect of the financial year under review; and
- (b) the expenditure which for purposes of paragraph (b)(iv) and (f) of subsection (1) is properly chargeable to revenue account.

Penalty for
contraven-
tion of
regulations.

220C. (1) All moneys of the Authority accruing from its operations under the Act shall be paid into such banks as the Authority by resolution appoints, and such moneys shall, as far as practicable, be paid into the banks daily, excluding those moneys which the accountant is authorised by rules made under this Act to retain in his hands for the purpose of making petty disbursements or immediate payments.

(2) All payments out of the Fund, other than petty disbursements not exceeding such amounts as may be fixed by the rules, shall be made by the accountant, or on his behalf by an officer appointed by the Authority under the rules for the purpose.

(3) Cheques drawn on any banking account or withdrawals from any savings account of the Authority shall be signed by the accountant or, in his absence, by any other officer or employee duly authorised by the Authority appointed by resolution of the Authority for the purpose; and a copy of any such resolution shall be certified by the Chairman and secretary and forwarded to the bank concerned.

Cash
deposits and
payments.
1978/227.

221. (1) Every person doing anything prohibited by any of the regulations contained in Part XI or in the *Fifth Schedule* or omitting to do anything required by any of them to be done or otherwise contravening any of the said regulations shall be guilty of an offence and liable on conviction by a court of summary jurisdiction to a fine not exceeding \$200 or to imprisonment for a term not exceeding 3 months or to both such fine and imprisonment.

(2) Except in the case of any regulation contained in these Regulations under which any less penalty is expressly provided, every person doing anything prohibited by any of these Regulations or omitting to do anything required by any of them to be done or otherwise contravening any of the said regulations shall be guilty of an offence and liable on conviction by a court of summary jurisdiction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 3 months or to both such fine and imprisonment.

FIRST SCHEDULE

(Regulation 2(2))

PART I

BOUNDARIES OF HARBOURS

1. The Port of Bridgetown.

All the waters enclosed on the West, North and South by the imaginary lines described in Part II of this Schedule and on the East by the foreshore. The Oil and Molasses Berth and its moorings off Needham's Point in Carlisle Bay. The Esso Berth jetty and its moorings in Carlisle Bay. The Careenage from the seaward entrance up to the Charles Duncan O'Neal Bridge together with all piers, jetties, wharves and landing places with their water frontage, buildings and structures. The enclosed wharf area and waterfront of the Deep Water Harbour and the shallow draft facility as well as the bulk handling facilities together with all the static facilities in connection therewith, the Oil berth and moorings of the Spring Garden Anchorage. 1978/227.

2. Speightstown Bay.

All that area of water enclosed:

On the East by the foreshore;

On the West by a North-south imaginary line drawn from a point 6 cables to the West of St. Peter's Church;

On the North by an East-West imaginary line drawn from a point 6 cables North of St. Peter's church; and

On the South by an East-West imaginary line drawn from a point 6 cables South of St. Peter's Church.

2002/47. 3. Port St. Charles

All the waters enclosed by a line drawn from a point on the high water mark (as determined on the 2nd day of November, 1995) and on the southern boundary of Port St. Charles with Barbados Grid coordinates 20732.38m East, 83919.59m North thence for a distance of 800.00m due West to the point with Barbados Grid coordinates 19932.38m East, 83919.59m North thence for a distance of 550.00m due North to the point with Barbados Grid coordinates 19932.38m East, 84469.59m North thence for a distance of 703.28m due East to the point with Barbados Grid coordinates 20635.66m East, 84469.59m North thence for a distance of 168.56m on Barbados Grid bearing 114 degrees 15 minutes to the point on the high water mark and on the Northern boundary of Port St. Charles with Barbados Grid coordinates 20789.35m East, 84400.36m North and thence along the high water mark back to the commencement point on the high watermark.

1987/43.

PART II

BOUNDARIES OF COMPULSORY PILOTAGE HARBOURS

1. All the waters enclosed by an imaginary line drawn from Needham's Point Light Tower to a position with the said Light Tower bearing 100° (T) distant 0.64 Kilometres thence to a position with the South-west corner of the breakwater of the Deep Water Harbour bearing 057° (T) distant 0.46 Kilometres thence to a position with the breadwater Light Tower bearing 140° (T) distant 1.98 Kilometres and thence from that position in a true North direction for a distance of 1.75 Kilometres and thence in a true East direction to the foreshore with the exception of all the anchorages in Carlisle Bay.

2. All the water enclosed at Oistins Bay by an imaginary line formed on the seaward side by a radius of 3 Kilometres from South Point Light House and on the North and East by the shoreline at Mean High Water Ordinary Spring Tides.

3. All the waters enclosed at the Arawak jetty by an imaginary line formed on the seaward side by a radius of 2 Kilometres from the end of the jetty and on the East by the Shoreline at Mean High Water Ordinary Spring Tides.

SECOND SCHEDULE

(Regulation 12)

FORM A

Barbados Port Authority

NOTICE OF EXPECTED ARRIVAL OF A SHIP

1. Name of Ship..... Voyage No.....
2. Nationality..... Length Overall.....
3. Date & Time expected..... Arrived.....
4. Registered Tonnage: (a) Gross..... (b) Net
5. Last Port of Call.....Date of Departure.....
6. Draft Arriving: (a) Forward..... (b) Aft.....
7. Name of Master.....Number of Crew.....
8. No. of Passengers for Barbados.....Cabin.....Deck.....
9. No. of Bags of Mail for Barbados.....
10. Tonnage of Cargo for Barbados.....B/L Tons.
11. General Description of Cargo.....
.....
12. No. of Passengers Intransit Barbados (approx.).....
13. Tonnage of Cargo to be transhipped in Barbados.....B/L Tons
14. Description of Cargo to be transhipped in Barbados.....
.....
15. No of Passengers joining from BarbadosCabin.....Deck.....

- 16. No. of Bags of Mail from Barbados.....
- 17. Tonnage of Cargo to be shipped from Barbados.....B/L Tons
- 18. Description of Cargo to be shipped from Barbados.....
- 19. Next Port of Call.....
- 20. Owner.....
- 21. The following Dangerous/Hazardous/Poisonous Goods are carried on board
(Nil return required).....
-

of which the following are to be landed in Barbados (Nil return required).....

Signed (AGENT).....

Agent's Name (in print).....

NOTE: Master's corrections to be inserted in red ink, and this form to be handed to the berthing master before he leaves the ship. Should this be impracticable, the document must be handed in at the office of the Authority within one hour of the ship's arrival.

Ship's windlass, winches & capstans are in good order.

Signed (MASTER).....

Bill No.

FORM A

To be filled in by Port Authority

Date & Time of Sailing.....

Deck Cargo loaded.....c. ft. Livestock.....

Shipped: Passengers.....No. of Mail Bags.....

Cargo.....B/L Tons.

Date Shipping Return Received.....

Berth.....

Harbour Dues on.....N.R.T. Reduction Allowed.....
\$ ¢

Tonage Dues on

Deck Cargo Inwards.....N.R.T. " "

Deck Cargo Outwards.....N.R.T. " "

Deck Cargo Transhipped.....N.R.T. " "

TotalB/L Tons.....

Pilotage In & Out.....

Shifts.....

Extra Fees.....

Detention.....

Towage In & Out.....

Shifts.....

Mooring & Unmooring.....

Shifts.....



\$ ¢

Telephone.....

Garbage.....

Fresh Water.....

Electric Power.....

Miscellaneous.....

.....

.....

.....

TOTAL

FORM B

(Regulation 13)

Barbados Port Authority

Port Authority (Marine Section)

Port of



SHIPPING RETURN

Name of Ship..... Nationality.....

Tons: Gross..... Net.....

Name of Master..... Number of Crew.....

Arrived from..... Date.....

Cargo imported: Bill of Lading..... Packages.....

Tons.....

Number of Passengers Arrived.....

Bound to

Cargo exported: Bill of Lading Packages

Tons.....

Deck Cargo Outwards: Tons c. ft..... Animals

Number of Mail bags shipped

Number of Passengers embarked

..... 19

.....

Owners/Agents.

THIRD SCHEDULE

(Regulation 2(1))

DANGEROUS, HAZAROUS AND POISONOUS GOODS

NOTE: In general, the Port Authority will follow the classification of such goods as listed in the I.M.D.G. CODE, and procedure here will be guided by the procedure of that Code.
The following lists are therefore given as a guide only.

1. Dangerous Goods

The following types of goods are classed as Dangerous, and must not be brought into any harbour area without permission of the management.

Acetylene, compressed or liquid, in cylinders filled with a porous substance.

Ammonia Nitrate.

Celluloid and its compounds (including Excelloid).

Dinitrophenol.

All explosives which include

- (a) gunpowder, nitro-glycerine, dynamite, gun cotton, blasting powders, fulminates, coloured fires, fireworks or any other substance used or manufactured to produce an explosive or pyrotechnic effect;
- (b) fog signals, fireworks, fuses rockets, percussion caps, detonators, cartridges, ammunition and every adaptation or preparation of an explosive as above defined;
- (c) compressed or liquid acetylene in cylinders not filled with a porous substance;
- (d) any other substance, whether similar to the foregoing or not, declared to be an explosive under the provisions of any law for the time being in force in Barbados.

2. Hazardous Goods

The following goods are classed as hazardous, and must be dealt with strictly in accordance with the orders of the management.

Acetone and other inflammable organic compounds.

Aniline oil.

Alcohol.

Acids, in bulk or otherwise.

Carbide of calcium.

Chlorate of potash and other chlorates.

Collodion.

Chloroform, in bulk or otherwise.

Gases, compressed and liquid.

Matches of all kinds, safety or lucifer.

Motor Spirit and all other inflammable liquid, including turpentine and benzine.

Naphtha.

Paints other than non-inflammable paints.

Petroleum.

Phosphorus.

All inflammable solids, such as resin, sulphur, camphor, naphthaline, and any others.

All solids liable to spontaneous combustion, such as coal, hay, cotton waste, sawdust, wood shavings and any others.

Solids which take up water with production of heat, such as caustic soda, caustic potash, zinc chloride, unslacked lime, etc. These must be either in metal drums or protected from water. Solids giving off highly inflammable gases in contact with moisture, such as carbides and mixtures containing the same.

3. **Poisonous Goods**

If possible, the management will make special storage arrangements for these goods if the consignee cannot take direct delivery *ex ship*. But there will be no obligation to provide correct storage space.

Aconite Root and Powder	Antimony Trichloride
Ammonium Fluoride	Arsenates
Ammonium Bifluoride	Arsenic
Ammonium Sulphocyanide	Arsenic sulphide
Ammonium Thioglycolate	Barium Carbonate
Aniline Salt	Barium chloride
Antimony Salts	Barium Hydrate
Barium Hydroxide	Potassium Cyanide
Barium Oxide	Potassium Ferrocyanide (Red Prussiate)
Barium Sulphocyanide	Potassium Oxalate
Belladonna Root	Potassium Prussiate
Calcium Sulphocyanide	Santonin
Cobalt Acetate	Sodium Arsenate
Copper Precipitate	Sodium Cyanide
Copper Sulphate	Sodium Ferrocyanide
Corrosive Sublimate	Sodium Prussiate
Kollamin	Sodium Sulphocyanide
Lead Arsenate	Strontium Oxalate
Lead Carbonate (White Lead)	Strychnine
Lead Chloride	Sugar of Lead
Lead Nitrate	Tartar Emetic
Lead Sulphate	Theobromine
Mercuric Chloride	Zinc Chloride
Oxalic Acid	Zinc Fluorarsenate
Paris Green (Copper Aceto-Arsenite)	

FOURTH SCHEDULE

*(Regulations 132, 133)*MANNER OF TEST AND EXAMINATION BEFORE TAKING LIFTING
MACHINERY INTO USE

- (a) Every winch with the whole of the gear accessory thereto (including derricks, goose necks, eye bolts, or other attachments) shall be tested with a proof load which shall exceed the safe working load as follows:-

<i>Safe Working Load</i>	<i>Proof Load</i>
Up to 20 Tons	25% in excess
20 - 50 Tons	5 Tons in Excess
Over 50 Tons	10% in excess

The proof load shall be applied either (i) by hoisting movable weights or (ii) by means of a spring or hydraulic balance or similar appliance with the derrick at an angle to the horizontal which shall be stated in the certificate of the test. In the former case, after the movable weights have been hoisted, the derrick shall be swung as far as possible in both directions. In the latter case, the proof load shall be applied with the derrick swung as far as practicable first in one direction and then in the other.

- (b) Every crane and other hoisting machine with accessory gear shall be tested with a proof load which shall exceed the safe working load as follows:-

<i>Safe Working Load</i>	<i>Proof Load</i>
Up to 20 Tons	25% in excess
20 - 50 Tons	5 Tons in excess
Over 50 Tons	10% in excess

The said proof load shall be hoisted and swung as far as possible in both directions. In case of a jib-crane, if the jib has a variable radius it shall be tested with a proof load as defined above at the maximum and minimum radii of the jib.

- (c) Every article of loose gear (whether it is accessory to a machine or not) shall be tested with a proof load at least equal to that shown against the article in the following table:-

<i>Article of Gear</i>	<i>Proof Load</i>
Chain	} Twice the safe working load
Ring	
Hook	
Shackle.. ..	
Swivel	
 <i>Pulley Blocks</i>	
Single Sheave Block	Four times the safe working load
Multiple Sheave Block with safe working load up to and including 20 tons	Twice the safe working load
Multiple Sheave Block over 20 tons up to 40 tons	20 tons in excess of the safe working load
Multiple Sheave Block with safe working load over 40 tons	one and a half times the safe working load

- (d) After being tested as aforesaid all machines with the whole of the gear accessory thereto and all loose gear shall be examined, the sheaves and the pins of the pulley blocks being removed for the purpose, to see that no part is injured or permanently deformed by the test.
- (e) Wire rope samples shall be tested to destruction, and the safe working load shall not exceed one-fifth of the breaking load of the sample tested.

Certificate

BARBADOS PORT AUTHORITY

Certificate of Test, Examination, Inspection or Treatment of Appliances

I hereby certify that the appliances shown here-under have been tested, examined, inspected or treated by me in accordance with the Barbados Harbours Regulations, 1961.

Description of appliance	Quality	Name of Owner	Date of latest test	Date examined tested or inspected	Method of test examination or inspection and any treatment given	Remarks

Date

.....

Signature of Examiner

FIFTH SCHEDULE

(Regulation 220)

REGULATIONS APPLYING SOLELY TO THE CAREENAGE

- | | |
|--|---|
| Meaning of heavy draught and light draught ships. | 1. For the purposes of the regulations in this Schedule contained, a ship whose draught is 11 feet or over shall be deemed to be a ship of heavy draught and a ship whose draught is under 11 feet shall be deemed to be a ship of light draught. |
| Rights of way of heavy draught ships. | 2. Ships of heavy draught entering or leaving the Careenage shall have the right of way over all other ships. Ships about to enter the Careenage shall give way to ships leaving the Careenage. |
| Responsibility in respect of heavy draughts. | 3. No ship of heavy draught shall leave the Careenage until the berthing master or the master of the ship has satisfied himself that no heavy draught ship is entering or is about to enter the Careenage under power or sail or in tow. |
| Light draught ships to keep clear of deep water channel. | 4. Ships of light draught, lighters and boats shall keep clear of the deep water channel when ships of heavy draught are entering or leaving the Careenage. On other occasions they shall keep to that side of the Careenage which lies on their own starboard hand. |
| Signals required of ships which by reason of their draught etc. cannot comply with the Rule of the Road. | 5. Ships which by reason of their draught or for any other cause are unable to comply with the Rule of the Road or to alter course to avoid collision shall, when entering or leaving the Careenage by day, carry, in a vertical line, at the mast head or where they can best be seen, 2 black balls or shapes 6 feet apart. At night 2 all round red lights are to be displayed in place of the 2 black balls or shapes by day. If such ship be in tow by a tug, the tug shall, if necessary, sound 4 short blasts on her siren to draw attention to this signal. |
| Navigation of sweep or oar propelled boats. | 6. Lighters, boats or any other craft propelled by sweeps or oars shall not cross from one side of the Careenage to the other, nor shall they cross that part of the deep water channel which lies to seaward of the molehead unless the coxswain or other person in charge is satisfied that he can clear any ship entering or leaving under power or sail or in tow. |

-
7. Every ship which is directed by the regulations contained in this Schedule or by the Rules of the Road to keep out of the way of another ship shall, if the circumstances of the case admit, avoid crossing ahead of the other. Crossing ahead of other ships to be avoided.
8. Nothing in the regulations contained in this Schedule shall absolve the master or person in charge of any ship from making every endeavour to avoid collision. Duty to avoid collision.
9. (1) Notwithstanding anything contained in the regulations in this Schedule, the management shall have the right to allocate any berth in the Careenage to any ship and to direct that a ship shall shift its berth. Masters or other persons in charge of ships shall promptly comply with any directions of the management as to the berthing or shifting of their ships. Allocation of berths.
- (2) Should the master or person in charge of a ship refuse or neglect to remove her when so ordered by the management, the management may cause such ship to be removed at the expense and at the risk of the master and /or owner; and until the expense incurred by the management shall have been paid by the master or owner, the management may withhold clearance of the ship.
10. Consignees shall be responsible for the removal within 12 hours of any sweeping, washing, empty cases, drums, barrels, casks, cartons, and rubbish of any kind whatsoever thrown from or let out from any kind of ship except where special permission otherwise has been granted by the management. Cleanliness of wharves.
11. (1) Lighters when not in use for loading or discharging goods shall be berthed in the Inner Basin. Lighters.
- (2) During meal hours when loading or discharging operations are in progress, lighters may remain berthed alongside the wharf or quay where the work is in progress.
- (3) In the Careenage west of the Chamberlain Swing Bridge, lighters shall not be berthed more than 3 abreast.
- (4) In the narrower parts of the Careenage, that is east of the Challenor Steps, more than 2 lighters shall not be berthed abreast.
12. (1) During meal hours, launches licensed for the carriage of goods or passengers may be berthed close alongside the lighters with which they are working. Commercial and passenger launches.
- (2) Launches shall not lie alongside any landing steps save when embarking or disembarking passengers, goods or baggage.

-
- Permit for fishing boats. 13. (1) Subject to the provisions of regulation 15 in this Schedule, no fishing boats, other than a motor fishing boat for which a permit signed by the management has been issued, shall be permitted to use the Inner Basin or the Careenage. Application for permits may be made at the Harbour Office, Careenage House.
- (2) Any permit issued by the management under paragraph (1) of this regulation may be issued on such terms and conditions as the management thinks fit.
- Operation of Swing Bridge in 14. The Chamberlain Swing Bridge shall not be operated for motor fishing boats. A motor fishing boat which is unable to get under the Chamberlain Swing Bridge shall not remain in the Careenage.
- Hours of fuelling of motor fishing boats. 15. Motor fishing boats requiring fuel from DaCosta & Co.'s fuelling point on the south side of the Careenage shall, so far as practicable, fuel between the hours of 3 p.m. and 4 p.m. and between 8 a.m. and 9 a.m., and shall clear the berth as soon as fuelling is completed.
- Landing of fish. 16. Fish may only be landed in the Careenage at the place appointed by the management for the landing of fish.
- Fouling with fish. 17. No fishing boat shall foul the Careenage with the remains of any fish or part thereof.
- Navigation lights of motor fishing boats. 18. No motor fishing boat shall move in the Careenage during the hours of darkness without showing bow navigation lights or, if not so fitted, a white light visible all round.
- No Careening. 19. No careening of ships shall be undertaken within the Careenage without the permission of the management.
- Loading and discharge of ships. 20. No ships shall remain alongside any berth in the Careenage longer than is necessary to load or discharge goods and passengers without the permission of the management.
- Removal of empty crates and drums etc. discharged from or to be loaded on a ship. 21. (1) Horse boxes, empty crates, barrels and drums discharged from or to be loaded on a ship shall not be stacked or placed on any wharf or quay in the Careenage otherwise than for the purpose of loading or discharge and shall at the cost of the owner, consignee or consignor, as the case may be, be removed by the owner, consignee or consignor, as the case may be within 12 hours of the completion of the loading or discharge unless the management permits otherwise.

(2) If any owner, consignee or consignor shall fail to comply with the provisions of paragraph (1) of this regulation relating to the removal of any article mentioned therein, such article may be removed by the management and the cost of the removal recovered from such owner, consignee or consignor. The Authority shall not be responsible for any loss or damage occasioned by such removal.

22. (1) The management shall be responsible for the operation of the Chamberlain Swing Bridge, and shall cause to be published a notice specifying the routine hours at which the Bridge may be swung. Chamberlain Swing Bridge.

(2) No charge shall be levied for swinging the Chamberlain Swing Bridge at the routine hours where the application made to the management by the person desirous of having the Bridge swung is made not less than 12 hours before a routine hour for the swinging of the Bridge. Where the application for swinging the Bridge at a routine hour is made to the management less than 12 hours before such hour, the fee prescribed in the Tariff Book shall be levied unless the case is one of emergency.

(3) Should it be required, otherwise than in the case of an emergency, for the Chamberlain Swing Bridge to be swung at hours other than the routine hours for the swinging of the Bridge so as to enable a ship to pass in or out of the Inner Basin, the fees prescribed in the Tariff Book shall be paid by the master of such ship to the management.

(4) When the Chamberlain Swing Bridge is swung open to allow a ship to pass, no person shall, without the permission of the management, take or attempt to take any other ship through the passage.

(5) Whilst the red flag is hoisted on the Chamberlain Swing Bridge, no person shall cross or attempt to cross the Bridge.

(6) The swinging of the Chamberlain Swing Bridge shall be at the discretion of the management.

23. (1) The normal stacking area for lumber shall be on the North, East and South sides of the Inner Basin, in that order. Lumber.

(2) Stacking of lumber on the South side of the Inner Basin may be permitted subject to such conditions concerning the cranes on site and the Carenage berth as the management may think fit.

(3) The space West of the Chamberlain Swing Bridge shall not be used for the stacking of lumber unless the management is satisfied that full use has been made of the wharves round the Inner Basin.

- Scrap iron. 24. No scrap iron shall be stacked in the Carenage area without the permission of the management.
- General cargo. 25. (1) General cargo shall not be placed on the wharves of the Carenage without the permission of the management nor remain thereon for more than 24 hours without such permission, and shall be removed by and at the cost of the consignor or consignee, as the case may be.
- (2) If any consignee or consignor shall fail to comply with the provisions of paragraph (1) of this regulation relating to the removal of general cargo, such cargo may be removed by the management and the cost of the removal recovered from such consignee or consignor. The Authority shall not be responsible for any loss or damage occasioned by such removal.
- Loose coal. 26. Loose coal in bulk shall not be deposited on the wharves and quays in the Carenage.
- Use of Government crane. 27. (1) The charges for use of the crane (the property of the Authority) in the Carenage shall be those prescribed in the Tariff Book.
- (2) Where a confirmed booking for use of the crane (the property of the Authority) in the Carenage has been made in favour of any person and the crane is not commenced to be used at the agreed time, the person in whose favour such booking was made may, at the discretion of the management, forfeit his allocation.
- Small craft on wharves. 28. (1) No small craft of any description may be placed on the wharves in the Carenage without the permission of the management.
- (2) Where small craft are placed on the wharf under the crane (the property of the Authority) the charge prescribed in the Tariff Book shall be paid.
- Speed boats. 29. Speed boats shall not enter the Carenage without the permission of the management, nor move in the Carenage other than at slow speed.
- Saving. 30. (1) The provisions of the regulations contained in this Schedule shall be in addition to and not in derogation of or substitution for the Regulations of which this Schedule forms a part.
- (2) Any expression employed in the regulations contained in this Schedule which is an expression defined in the Regulations of which this Schedule forms a part shall have the same meaning in these regulations as is assigned to it by such Regulations.