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STATUTORY INSTRUMENTS

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**2005 No. 1470**

**HARBOURS, DOCKS, PIERS AND FERRIES**

**The Dockyard Port of Portsmouth Order 2005**

<i>Made</i>	- - - -	<i>7th June 2005</i>
<i>Laid before Parliament</i>		<i>9th June 2005</i>
<i>Coming into operation</i>		<i>10th June 2005</i>

Her Majesty, in pursuance of sections 3, 5, 6 and 7 of the Dockyard Ports Regulation Act 1865(1) and, in so far as section 7 of the Act is concerned, on the joint recommendation of the Secretary of State for Defence and the Secretary of State for Transport(2), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows—

**Commencement and Citation**

1. This Order shall come into operation on the 10th day of June 2005 and may be cited as the Dockyard Port of Portsmouth Order 2005.

**Interpretation**

2. In this Order unless the context otherwise requires—

“the Act” means the Dockyard Ports Regulation Act 1865;

“approach channel” means the dredged limits of the approach channel to the Harbour from and including the Harbour entrance to Outer Spit Buoy, marked by buoys shown for the time being on Admiralty chart BA2625, and within the entrance to the Harbour the channel as bounded on both sides by the limits of the dredged channel as shown for the time being on Admiralty chart BA2629;

“auxiliary” means any government vessel operating in support of naval or military forces;

“Collision Regulations” means the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996(3);

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- (1) 1865 (c. 125); section 6 was amended by Schedule 3 to the Criminal Justice Act 1967 (c. 80) and sections 40 and 46 of the Criminal Justice Act 1982 (c. 48) and Part 1 of Schedule 1 to the Statute Law (Repeals) Act 1993 (c. 50); section 7 was amended by sections 1(1)(a), 1(2), 3(2) and 3(6) of the Defence (Transfer of Functions) Act 1964 (c. 15) and Part XIII of Schedule 1 to the Statute Law (Repeals) Act 1986 (c. 12).
- (2) The function under the said section 7 of the Board of Trade is now vested in the Secretary of State for Transport by virtue of section 2(1) (repealed) of the Ministry of Transport Act 1919 (c. 50), S.R. & O. 1919/1440, S.I. 1965/145, S.I. 1970/1537, S.I. 1974/692, S.I. 1983/1127, S.I. 1997/2971, S.I. 2001/2568 and S.I. 2002/2626.
- (3) S.I. 1996/75, amended by S.I. 2004/302.

“Crown Establishment” means any land or property which is for the time being owned or occupied by the Crown;

“Dockyard Port” means the Dockyard Port of Portsmouth as it is described in Article 3;

“Harbour” means Portsmouth Harbour, bounded on the south by a line joining the easternmost point of Fort Blockhouse and Round Tower (Old Portsmouth);

“line of mean low-water springs” means the continuous line of mean low-water springs contiguous to the mainland and the continuous line of mean low-water springs contiguous to the Isle of Wight;

“main navigable channels” means all the waters of the Harbour south of a line joining the north end of Shell Pier head (Priddy’s Hard) and the south west tip of Whale Island and south of Whale Island Bridge but excluding the waters above Haslar Bridge and Forton Bridge;

“Master” means the person for the time being having command or charge of a vessel;

“Naval Base” means the land in the vicinity of the Harbour occupied by the Secretary of State or his operator lessees and known as HM Nelson, HM Naval Base Portsmouth (including the buildings from time to time erected thereon, the basins, quays and docks therein);

“parascending” means an activity whereby a parachute is towed by cable in such a manner as to make it airborne;

“power-driven” in relation to a vessel means a vessel propelled by machinery;

“Queen’s Harbour Master” means the person for the time being appointed under the Act to be Queen’s Harbour Master for the Dockyard Port and any person having authority to act as Queen’s harbour master;

“small boat” means a vessel of an overall length of less than 20 metres;

“Small Boat Channel” means the channel within the approach channel shown on Admiralty charts whose northern extremity is at the Ballast and southern extremity is at No 4 Bar Buoy;

“underway” in relation to a vessel means that such vessel is not at anchor, made fast to the shore or aground;

“VHF” in relation to radiotelephony equipment or radio channels, means very high frequency.

### **Description of Limits**

3. For the purposes of the Act and of this Order the limits of the Dockyard Port of Portsmouth shall be as follows—

- (a) on the east and south, a line from a point on the line of mean high-water springs at Eastney Point in latitude 50° 47' 12" north longitude 01° 01' 47" west on a true bearing of 120° for a distance of 2.50 nautical miles to a point in latitude 50° 45' 57" north longitude 00° 58' 22" west, thence on a true bearing of 187 1/2° for a distance of 7.83 nautical miles to a point in latitude 50° 38' 12" north longitude 01° 00' 00" west, thence on a true bearing of 270° for a distance of 6.40 nautical miles to a point on the line of mean high-water springs in Sandown Bay in latitude 50° 38' 12" north longitude 01° 10' 03" west;
- (b) on the south west, the line of mean high-water springs along the eastern and northern shores of the Isle of Wight from the aforementioned point in Sandown Bay to a point at Old Castle Point in latitude 50° 45' 56.3" north longitude 01° 16' 28.0" west with all bays, creeks, lakes, pools and rivers as far as the tide flows between those points except that between Bembridge Point and Old St. Helen’s Church the limit of the Dockyard Port shall be the outer limit of Bembridge Harbour;
- (c) on the west, a line from the aforementioned point at Old Castle Point on a true bearing of 000° for a distance of 0.14 nautical miles to a point in latitude 50° 46' 04.7" north longitude 01° 16' 28.0" west, thence on a true bearing of 022° for a distance of 3.15 nautical miles to

a point on the line of mean high-water springs at Hillhead in latitude 50° 48' 59.5" north longitude 01° 14' 35.9" west; and

- (d) on the north, the line of mean high-water springs from the aforementioned point at Hillhead to the aforementioned point at Eastney Point in latitude 50° 47' 12" north longitude 01° 01' 47" west with all bays, creeks, lakes, pools and rivers as far as the tide flows between those points except that in Ports Creek the north east limit of the Dockyard Port shall be the western side of the railway bridge in approximately latitude 50° 50' 00" north longitude 01° 03' 10" west.

#### **Delineation of Limits**

4. The limits of the Dockyard Port of Portsmouth are drawn on the chart annexed to this Order.

#### **Regulations and Rules**

5. The Regulations contained in Schedule 1 and the Rules contained in Schedule 2 shall operate within the limits (as described in Article 3) of the Dockyard Port and if any inconsistency shall arise between the said Rules and the Collision Regulations, the said Rules shall prevail.

#### **Penalties**

6. (1) The Master of every vessel shall observe and cause to be observed the Regulations contained in Schedule 1, so far as they relate to his vessel, and any such Master or any other person who—

- (a) infringes any provision of those Regulations,
- (b) fails to cause the same to be observed,
- (c) fails to observe any direction given under those Regulations,
- (d) fails to comply with any condition or directions attached to a licence or permission granted under those Regulations, or
- (e) fails to comply with any notice issued under those Regulations,

is guilty of an offence and shall for every such offence be liable to a fine not exceeding level 3 on the standard scale.

(2) The Master of every vessel shall comply with the Rules contained in Schedule 2 hereto and any such Master or any other person, who by his wilful default infringes any of the said Rules, is guilty of an offence and shall in respect of each offence be liable to a fine not exceeding level 3 on the standard scale.

#### **Revocation**

7. The Dockyard Port of Portsmouth Order 1978(4) is hereby revoked.

*A. K. Galloway*  
Clerk of the Privy Council

## SCHEDULE 1

### REGULATIONS

#### **General**

1. (1) The Master of every vessel and every other person within the limits of the Dockyard Port shall comply with any specific or general direction given by the Queen's Harbour Master for the purposes of the proper protection of the Dockyard Port, Her Majesty's vessels, dockyards or property, or for the requirements of Her Majesty's Naval service.

(2) The Master of every vessel and every other person within the limits of the Dockyard Port to whom any licence or permission has been granted by the Queen's Harbour Master in accordance with the provisions of the Act, these Regulations or the Rules contained in Schedule 2, shall comply with any directions or conditions attached to them.

(3) The Queen's Harbour Master may attach such directions or conditions to any such licence or permission as he considers necessary.

#### **Moorings for Her Majesty's Ships, etc**

2. Moorings for Her Majesty's vessels, buoys, lights, marks, marker buoys, and other aids to navigation, and such other buoys as may be required for any purpose in connection with naval, military or air force operations, may be placed by the Queen's Harbour Master in such positions as may be considered necessary for the requirements of Her Majesty's service.

#### **Merchant or Private Moorings**

3. (1) No person shall lay moorings for any merchant or private vessel, hulk, raft, pontoon, bathing stage, house boat, timber or any floating structure in the Dockyard Port, save with the permission of the Queen's Harbour Master.

(2) All such moorings shall be in such positions as the Queen's Harbour Master shall deem fit.

(3) Any such moorings anywhere in the Dockyard Port shall be removed forthwith on the specific direction of the Queen's Harbour Master.

#### **Clearing Anchors and Moorings**

4. If at any time the anchor of any vessel hooks any Crown moorings, or any under-sea cable, or moorings of buoys, or any pipe, the Master of such vessel shall forthwith give notice thereof to the Queen's Harbour Master and shall, if it is safe and practicable, await his direction before proceeding to clear the same.

#### **Anchoring and Mooring—General**

5. No vessel shall anchor on the line of any under-sea cable or pipe laid down in the Dockyard Port when such a line is indicated by posts or other discernible marks on shore or is shown for the time being on Admiralty charts as an area in which anchorage is prohibited except with the permission of the Queen's Harbour Master.

6. No vessel, or barge, hulk, raft, pontoon or other floating structure shall—

- (a) make fast to, or lie at, any of the buoys or beacons placed by the Queen's Harbour Master to mark channels or shoals in the Dockyard Port;

- (b) be moored or fastened to any of Her Majesty's naval moorings, buoys, breakwaters, boom defences, dolphins, jetties, piles or vessels in the Dockyard Port, save with the permission of the Queen's Harbour Master;
- (c) be moored or except in an emergency anchored within 100 metres of any of Her Majesty's naval jetties, floating docks, dolphins, vessels, hulks, installations or armaments depots, or within 150 metres of the centre of any naval moorings, save with the permission of the Queen's Harbour Master;
- (d) lie or be moored so as to impede the free approach to any pier in the Dockyard Port used for the purposes of regular passenger traffic, or when buoys are placed by the Queen's Harbour Master to mark an approach to such pier, lie within the space so marked;
- (e) lie or be moored, anchored, grounded, deposited or run on shore in the fairways of the Harbour, the main navigable channels or the approach channel; or
- (f) except in an emergency, drop anchor in water of greater than 10 metres in depth save with the permission of the Queen's Harbour Master.

#### **Vessels at anchor**

7. No vessel of an overall length of 20 metres or more, compelled or allowed to anchor in or near any of the navigable channels of the Dockyard Port, shall be left at any time without a person having command or charge of it.

#### **Fishing**

8. (1) Any person fishing in the Dockyard Port is required to comply with any directions given to him by the Queen's Harbour Master.

(2) No fishing from any vessel or by persons swimming under the water shall be carried on within the limits of the Dockyard Port either within—

- (a) 100 metres of the walls, slipways or boundaries of any Crown Establishment; or
- (b) 150 metres of any of Her Majesty's vessels,

save with the licence in writing of the Queen's Harbour Master.

(3) No fishing shall at any time be carried out either within—

- (a) the approach channel; or
- (b) the main navigable channels.

(4) The use of any form of static fishing gear is prohibited in—

- (a) Fareham Creek, as far as Town Quay;
- (b) Portchester Lake;
- (c) the Approaches to Port Solent;
- (d) Tipner Lake;
- (e) Haslar Creek;
- (f) Weevil Lake;
- (g) Brick Kiln Lake; and
- (h) Wootton Creek.

(5) South of the Harbour entrance in any area not shown on Admiralty Charts as an area within which fishing is prohibited, unattended fishing gear in respect of which a surface mark is employed must show a dan buoy or container with flag, which must be fitted with a radar reflector and have the identity of the laying vessel clearly displayed.

(6) All lines used in connection with lobster, whelk or crab pots or similar devices shall be non-buoyant.

(7) No fishing of any description shall be carried on in any area for the time being shown on Admiralty Charts as an area within which fishing is prohibited.

(8) No person shall store live fish or shellfish within the waters of the Dockyard Port save with the licence in writing of the Queen's Harbour Master.

### **Swimming Underwater and Diving**

9. Save with the permission of the Queen's Harbour Master, no person who is wearing or equipped with clothing or apparatus designed or adapted for swimming underwater or diving shall swim underwater or dive or fish—

- (a) within the Harbour or in any of the creeks or lakes adjoining the Harbour; or
- (b) elsewhere in the Dockyard Port—
  - (i) within 100 metres of the walls, slipways, or boundaries of a Crown Establishment;
  - (ii) within 150 metres of any of Her Majesty's vessels; or
  - (iii) where anchorage is prohibited.

### **Swimming**

10. Save with the permission of the Queen's Harbour Master or, in the case of paragraph (c), in an area from time to time designated for such activity by him, no person shall swim on the surface or underwater within—

- (a) 100 metres of the walls, slipways or boundaries of a Crown Establishment;
- (b) 150 metres of any of Her Majesty's vessels; or
- (c) any area where anchorage is prohibited.

### **Water-skiing, etc.**

11. (1) Save with licence in writing of the Queen's Harbour Master no water-skiing, jet-skiing or windsurfing is permitted within the Harbour.

(2) No water-skiing or jet-skiing is permitted within the Dockyard Port outside the Harbour except—

- (a) with licence in writing of the Queen's Harbour Master;
- (b) beyond 0.5 of a nautical mile from the line of mean low-water springs; or
- (c) within 0.5 of a nautical mile of the line of mean low-water springs in any area which may be designated for such activity from time to time by the Queen's Harbour Master and marked with buoys.

### **Parascending and Similar Activities**

12. Save with permission of the Queen's Harbour Master, or in areas designated for such activity from time to time by him and marked with buoys, no person shall engage or take part in parascending or other activity involving the towing of a kite or other thing, from land or water, in such a manner as to cause it to become airborne in any part of the Dockyard Port.

### **Dumping of Rubbish, etc.**

13. No person shall unload, cast or allow to fall—

- (a) into the waters of the Dockyard Port, or
- (b) upon the banks or any portion of the shores of the Dockyard Port where the same may be able to be washed into the said waters by rain, tide or otherwise,

any ballast, stones, earth, clay, refuse or any other substance or object which is or might become a hazard to navigation.

### **Reserved and Recreational Areas**

14. The Secretary of State or the Queen's Harbour Master may, where he considers it necessary to reserve any area for mining, gunnery or dredging operations or experiments, or other naval purposes, or to ensure the safe navigation of vessels both naval and civilian, direct by notice published as a general or local notice to mariners, which shall continue in force until 31st December of the year in which it was issued, unless revoked earlier, that no person shall—

- (a) cause or permit a vessel to enter into or remain in that area, unless compelled to do so by stress of weather or to avoid accident;
- (b) enter into or remain in that area, or cause or permit any vessel, animal or thing to enter into or remain in that area, except with the permission of the Queen's Harbour Master or the officer in charge of such operations, experiments or purposes; or
- (c) take part in any recreational activities specified in the notice in such parts of that area as may be so specified, save for the purposes of avoiding danger or accident.

### **Warship Anchorage**

15. (1) No merchant or private vessel shall anchor within the area reserved for warships save with the permission of the Queen's Harbour Master.

(2) The area reserved for warships is bounded by lines joining the following four points designated by bearing and distance from Spit Sand Fort Light—

- (a) 276° (true) 1.04 nautical miles,
- (b) 154° (true) 0.55 nautical miles,
- (c) 182° (true) 1.11 nautical miles,
- (d) 249° (true) 1.40 nautical miles.

### **Firearms, Weapons and Explosives**

16. (1) Subject to the exceptions in paragraph (2), within the limits of the Dockyard Port, no gun or explosive shall be carried on board any merchant or private vessel.

(2) The exceptions referred to in paragraph (1) are where—

- (a) the Queen's Harbour Master has given his licence in writing;
- (b) the sole design of the gun or explosive is for the purpose of giving an internationally recognised signal of distress; or
- (c) the sole purpose of the gun is to control water based racing activities and only blank ammunition rounds are fired.

(3) No gun or explosive shall be discharged from any such vessel or from the shore over the waters of the Harbour except—

- (a) with the licence in writing of the Queen's Harbour Master;
- (b) as a signal of distress; or
- (c) as a signal in connection with the conduct of such racing activities.

### **Navigational Marks**

17. No person shall trespass on, damage or without authority interfere with any radar head, light, beacon, sea-mark, tideboard, tide gauge, buoy, sign or notice of any description in the Dockyard Port.

### **Dredging for Lost Objects**

18. Save with the licence in writing of the Queen's Harbour Master, no person shall dredge in the Dockyard Port with drags, hooks, nets or other apparatus for property dropped or thrown therein.

## SCHEDULE 2

### RULES

#### **Port Radio Telephone Communication**

1. (1) Save with the permission of the Queen's Harbour Master, all vessels of an overall length of 20 metres or more, and, when engaged in any type of commercial activity, small boats navigating within the Dockyard Port shall carry fixed or portable VHF radiotelephony equipment.

(2) The Queen's Harbour Master from time to time may by notice published as a general or local notice to mariners direct that the provisions of Rule 1(1) be extended to small boats when necessary for safety within the Dockyard Port.

(3) Port radio telephone communications shall be conducted in accordance with any direction issued by the Queen's Harbour Master from time to time.

#### **Vessels not to approach Vessels carrying Royal or other Standard at Masthead**

2. No vessel when underway in the waters of the Dockyard Port outside the Harbour, shall unnecessarily approach within 400 metres of any vessel carrying the Royal or any other Standard at the Masthead.

#### **Vessels constrained by their draught**

3. (1) Subject to paragraph (2), within the limits of the Dockyard Port vessels constrained by their draught (as defined in the Collision Regulations) shall show the signals laid down for such vessels in the Collision Regulations.

(2) A submarine navigating on the surface within the Dockyard Port shall be deemed to be a vessel constrained by its draught but shall not be required to show such signals.

#### **Shipping Movement Control**

4. (1) Vessels restricted in their ability to manoeuvre and vessels constrained by their draught within the meaning of the Collision Regulations shall not operate in the Dockyard Port without the permission of the Queen's Harbour Master.

(2) Vessels of 20 metres or more in overall length shall—

- (a) enter or leave the Harbour only under the direction of the Queen's Harbour Master;
- (b) obtain permission from the Queen's Harbour Master to sail or move within the Harbour before leaving their mooring or berth or weighing anchor; and
- (c) when inward bound obtain permission from the Queen's Harbour Master to enter the Harbour before passing the Saddle Buoy or entering the Swashway across Spit Sand.



- (3) No vessel shall, without the permission of the Queen's Harbour Master, navigate—
- (a) save as provided for in sub-paragraph (c) below, within 50 metres of any of Her Majesty's vessels or foreign warships or auxiliaries alongside any Crown Establishment or which is at anchor, a buoy or a mooring within the Dockyard Port;
  - (b) within 50 metres of the walls, slipways and boundaries of any Crown Establishment; or
  - (c) within 100 metres of any submarine alongside in any Crown Establishment or which is at anchor, a buoy or a mooring within the Dockyard Port.

### **Exclusion Zones**

5. (1) The Queen's Harbour Master, on any occasion when it is necessary to facilitate or ensure a clear passage for any of Her Majesty's vessels or vessels under the charge of Her Majesty's Officers in the Dockyard Port may direct immediately before and once she becomes underway that there be an exclusion zone of up to 250 metres radius in the water around the vessel.

(2) The vessel which is to be given clear passage shall display—

- (a) (by day) two diamond shapes vertically disposed where best seen; or
- (b) (by night) two flashing red lights at the masthead horizontally disposed.

(3) Where a direction specified in paragraph (1) above has been given and whilst the shapes or light signals specified in paragraph (2) above are displayed—

- (a) no vessel underway in the Dockyard Port, save any vessel authorised to escort the vessel to be given clear passage, shall enter the exclusion zone; and
- (b) vessels alongside, at anchor, at a buoy or at a mooring within the exclusion zone shall remain in such a position whilst the exclusion zone remains in force.

(4) The exclusion zone shall remain in force until either—

- (a) the vessel which is to be given clear passage leaves the limits of the Dockyard Port; or
- (b) the Queen's Harbour Master countermands the direction which promulgated the zone.

(5) A direction shall be given and countermanded using VHF Channel 11 or 13 and where practicable by the movements signal.

### **Temporary restrictions on movements within the Dockyard Port**

6. (1) The Queen's Harbour Master shall when necessary make arrangements for the safe passage of vessels in accordance with the following subsections of this Rule.

(2) Such arrangements may include a Harbour closure (which may include closure of an area of the Harbour specified by the Queen's Harbour Master) or a channel closure.

(3) A closure will be promulgated using VHF Radio Channel 11 or 13 and where practicable by the movements signal.

(4) When a Harbour closure is in force no vessel of any description may move in or enter the Harbour or area of the Harbour specified by the Queen's Harbour Master save under direction given by the Queen's Harbour Master.

(5) A channel closure may be promulgated by the Queen's Harbour Master in respect of the approach channel and the main navigable channels in relation to a vessel which the Queen's Harbour Master determines requires a clear passage.

(6) Each of the following channel closures promulgated for a vessel movement shall have the effect ascribed to it—

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(a)	Channel closure for inbound and outbound vessels.	No vessel other than the one in whose favour the channel is closed shall enter the approach channel or the main navigable channels of the Harbour.
(b)	Channel closure for inbound vessels.	No vessel other than the one in whose favour the channel is closed shall enter the approach channel or the main navigable channels of the Harbour from seaward, but outgoing vessels from Portsmouth may proceed.
(c)	Channel closure for outbound vessels.	No vessel other than the one in whose favour the channel is closed shall leave the Harbour but incoming vessels may use the approach channel or the main navigable channels of the Harbour in order to enter the Harbour.

(7) The vessel which is to be given a clear passage and any tugs in attendance on such vessel shall display the International Code Pennant superior to Pennant ZERO by day (no signal being displayed at night) while underway in the area.

(8) Notwithstanding a channel closure being in force, small boats may continue to operate provided that they do so with caution and that they do not impede the safe passage of the vessel for which the channel closure is implemented.

### **Small Boats in the Harbour**

7. Power-driven small boats and all cross harbour ferries shall, when inside the Harbour, keep out of the way of all seagoing vessels, Isle of Wight car and passenger ferries and tugs conducting towing operations.

### **Speed of Vessels navigating the Dockyard Port**

8. (1) All vessels shall comply with any direction which the Queen's Harbour Master may issue for speed limits from time to time and which may be published in a general or local notice to mariners.

(2) Subject to paragraph (1) above, no vessel, when navigating within the Harbour or (except for water-skiers and jet-skiers in an area for the time being designated by the Queen's Harbour Master and marked by buoys) when within 0.5 nautical miles of the line of mean low-water springs in any part of the Dockyard Port outside the Harbour shall proceed at a greater speed than 10 knots through the water save for the purpose and subject to the conditions specified in a licence in writing given by the Queen's Harbour Master.

### **Vessels to be navigated with care and caution**

9. The Master of a vessel navigating the Dockyard Port shall navigate the vessel with care and caution and in such a manner as shall not cause annoyance to the occupants of any other vessel or cause damage or danger to any other vessel or to any moorings or other property.

### **Navigation in the Harbour Entrance and Small Boat Channel**

**10.** (1) Small boats flying official flags or discs which are pilot boats, police launches, HM Customs and Excise craft, Her Majesty's vessels or Royal Maritime Auxiliary Service craft, and tugs engaged in towing operations or escorting a vessel under instruction from a pilot, may use the approach channel and the main navigable channels of the Harbour when the exercise of their duties requires it.

(2) Subject to paragraph (1), small boats must:

- (a) use the designated Small Boat Channel when entering or leaving the Harbour;
- (b) if fitted with an engine, use it when in the Small Boat Channel and when crossing between Ballast and Gunwharf Quays or the Town Camber;
- (c) not loiter in the Small Boat Channel;
- (d) obey any directions in respect of traffic separation which the Queen's Harbour Master may from time to time issue by local or general notice to mariners in respect of the entrance to the Swashway and the Inner Swashway; and
- (e) not, without the permission of the Queen's Harbour Master, cross the harbour between Ballast and Gunwharf Quays or the Town Camber.

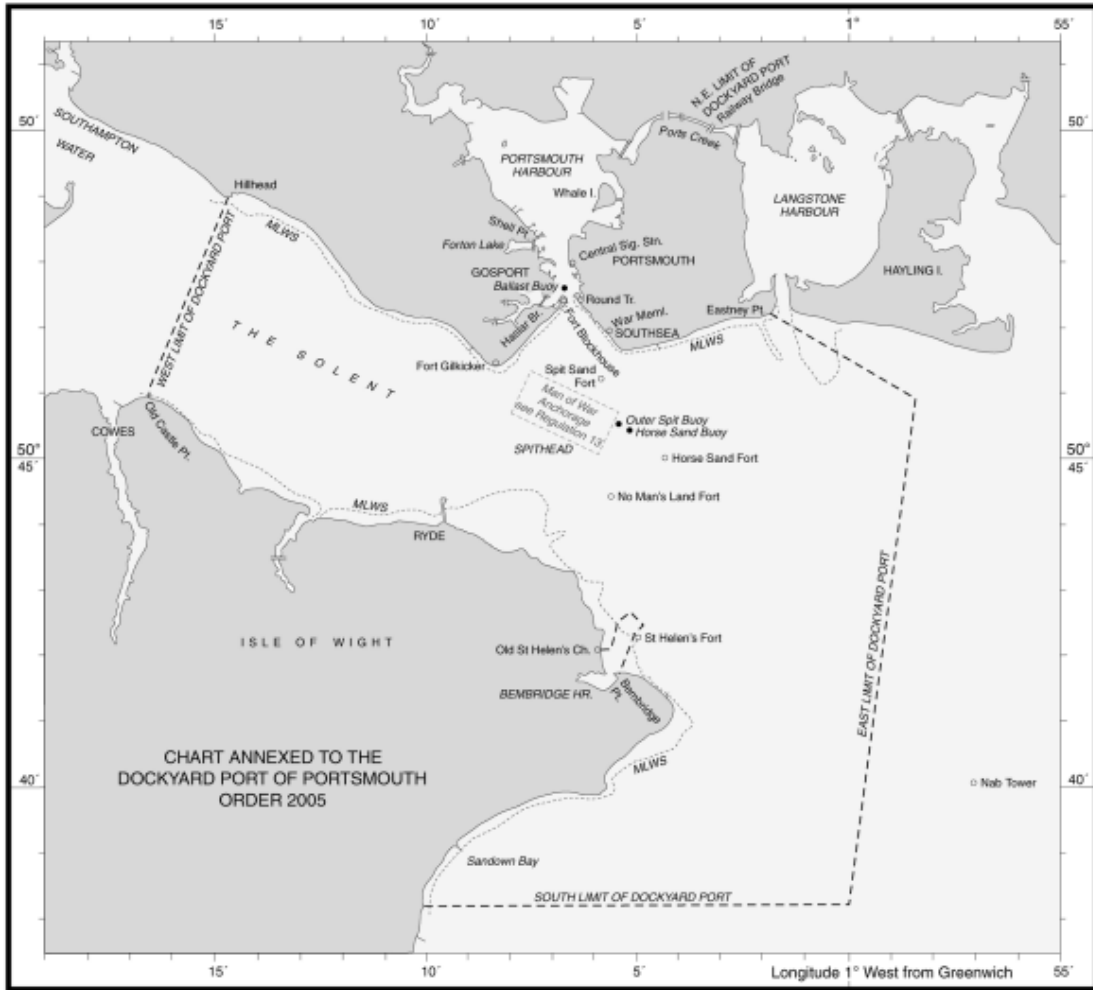
### **Movements of Vessels in the Harbour and its approach channel during poor visibility**

**11.** (1) At any time when the visibility in the Harbour or approach channel is less than 0.25 of a nautical mile the Queen's Harbour Master may declare fog routine to be in force. Whilst the routine is in force no vessel of an overall length of more than 20 metres shall enter the Harbour or approach channel or leave her berth or mooring therein or weigh anchor, except with the permission of the Queen's Harbour Master.

(2) Small boats may proceed at the Master's discretion with caution and must keep clear of the main navigable channels and the approach channel.

(3) The Queen's Harbour Master will direct that the routine is in force and when it has ended by broadcasts on VHF radio Channels 11 or 13.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

1. This Order is made under the Dockyard Ports Regulation Act 1865, which provides for defining the limits of a dockyard port, the appointment of a Queen’s harbour master for the port and the making of rules concerning the lights or signals to be carried or used and the steps for avoiding collisions by vessels navigating the waters of the port.

2. The Order supersedes the Dockyard Port of Portsmouth Order 1978. The Order makes provision for—

- (a) an increase in the maximum penalty for offences from £50 to level 3 on the standard scale;
- (b) controls on jet-skiing, parasailing and windsurfing; and movement of small boats; and

- (c) changes to rules on anchoring and mooring; fishing; swimming and diving; water-skiing; speed limits; reserved and recreational areas; firearms, weapons and explosives; Port radio communication; shipping movement control; restriction of movement in poor visibility; and temporary restrictions on movement within the Dockyard Port.

**3.** Admiralty charts relating to the Dockyard Port area are issued by the Hydrographer of HM Navy and can be bought from authorised suppliers; details of these suppliers can be obtained from the United Kingdom Hydrographic Office, Admiralty Way, Taunton, Somerset TA1 2DN (telephone number 01823 337900; fax number 01823 284077).