Subsidiary Legislation made under s.19.

Port Rules

1960.08.11

Commencement **15.8.1960**

Amending enactments	Relevant current provisions	Commencement date
4.10.1960	rr. 11, 172, Sch. 5-6	
6.12.1960	Sch. 6	
14.12.1961	r. 105	
25. 9.1962	rr. 2, 6, 13, 16(2), 19(1), 20(2), 21-26, 32, 38(2), 44, 118, Sch. 3, 5	
17.4.1963	r. 150	
25.2.1964	rr. 9(1), (4), 10, 107-108, Sch. 5	
26.p5.1964	rr. 9(4), 149	
Act. 1965-15	rr. 47(3), 117, 151	
rules of 1.9.1970	–	
LN. 1971/008	–	
1972/103	Sch. 5	
1972/107	*Corrigendum*	
1973/087	r. 12A	
1974/018	rr. 7, 7A, 8-9, 36, 38(2), 63-66, 116-117, 151, 152A, 173, Sch. 7	
1974/022	*Corrigendum*	
1974/024	*Corrigendum*	
1974/064	–	
1974/093	r. 12A	
1976/018	rr. 19, 36A	
1977/053	–	
1977/064	r. 172, Sch. 5	
1978/132	Sch. 4	
1979/114	Sch. 4	
1980/032	Sch. 4-5	
1982/018	rr. 16, 16A	
1982/080	rr. 36, 44, 66, 76(3), 116-117, 151, 152A, 154-155, 159, 170, 170A	
1983/026	Sch. 4-5	
1984/080	Sch. 4	1.10.1984
1986/134	Sch. 4	31.12.1986

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1986/114	rr. 2, 117A-117O, Sch. 2A	1.1.1987
1987/097	rr. 117B(1), (5)-(6), 117J(1), Sch. 2A	4.6.1987
1987/112	rr. 2, 117A-117O, Sch. 2A	16.7.1987
1987/135	Sch. 4	1.1.1988
1988/161	Sch. 4	29.12.1988
1991/033	Sch. 4	1.4.1990
1990/190	rr. 12A, 102A, Sch. 4	1.1.1991
1991/206	rr. 36-37, 47(1A), 49(2), 66, 76, 112, 116, 117, (3), 151, 170, 173.	7.11.1991
1991/221	r. 82	12.12.1991
1992/097	r. 12A(2)(c)	9.7.1992
1992/147	Sch. 4	1.8.1992
"	rr. 31, 110,	19.11.1992
"	Sch. 4	1.1.1993
1995/142	r. 2(2).	29.11.1995
1996/078	Sch. 4	25.7.1996
1996/086	Sch. 6	5.9.1996
1999/004	Sch. 4	14.1.1999
1999/009	r. 20A.	28.1.1999
2000/051	r. 172A, Schs. 4, 5A a	1.8.2000
2000/062	Sch. 5A	7.9.2000
2001/043	Sch. 4	3.5.2001
2002/012	Sch. 4	31.1.2002
2002/038	Sch. 4	16.5.2002
2002/040	Sch. 4	23.5.2002
2004/036	Sch. 4	1.5.2004
2004/044	Sch. 4	3.6.2004
2005/026	Sch. 4	1.4.2005
2005/059	Sch. 4	1.4.2005
2006/024	rr. 7B, 16A, Schs. 5-7	1.4.2005
2005/123	Sch. 4	25.8.2005
2006/024	Schs. 2, 4	1.12.2005
2006/157	Sch. 4	14.12.2006
2007/089	rr. 12A(3), 13	31.5.2007
2009/023	Sch. 4	9.4.2009
2010/072	Sch. 4	1.4.2010
2012/149	r. 7B, Sch. 7	22.10.2012
2012/210	rr. 2(1), 47(1), (1A), (4), (6), 66	6.12.2012
2013/001	r. 42A	10.1.2013
2013/079	rr. 47(2A), (4), (4A)-(4B), (5)	24.5.2013
2013/165	Sch. 4	21.11.2013
2014/020	Sch. 4	27.2.2014
2014/109	Schs. 4, 5A	30.6.2014

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2015/076	rr. 12, 12A(1)-(2)	21.5.2015
2016/016	Sch. 4	28.1.2016
Act. 2016-09	r. 4	10.3.2016
LN. 2019/106	rr. 2(1), 70, Schs. 4, 5	1.4.2018
2021/381	Sch. 4	26.8.2021
2022/182	Sch. 4	1.8.2022
2022/221	Sch. 4	1.4.2023
Act. 2023-11	rr. 2(1), 150, Sch. 4	15.1.2024
LN. 2024/004	Sch. 4	18.1.2024
2024/022	Sch. 4	29.2.2024
2024/175	Sch. 4	1.10.2024
2025/080	Sch. 4	1.5.2025
2025/184	Sch. 4	1.8.2025
2026/312	Schs. 2, 4	6.8.2026

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ARRANGEMENT OF RULES

Rule

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PART I.-PRELIMINARY.

Title.

1. These rules may be cited as the Port Rules.

Interpretation.

2.(1) In these rules, unless the context otherwise requires,–

"Admiralty Waters" has the meaning given in the Admiralty Waters and Naval Base (Gibraltar) Act 2022;

"animals" means animate things of every kind except human beings;

"approved magazine" means a magazine constructed in accordance with the Ministry of Transport and Civil Aviation Regulations governing the carriage of dangerous goods and explosives in ships;

"authorized person" means a person authorized for the purpose by the captain of the Port;

"BGTW" means British Gibraltar Territorial Waters which is the area of sea, the sea bed and subsoil within the seaward limits of the territorial sea adjacent to Gibraltar under British sovereignty and which, in accordance with the United Nations Convention on the Law of the Sea 1982, currently extends to three nautical miles and to the median line in the Bay of Gibraltar;

"boat" means every vessel propelled solely by oars;

"certificate of competency" means a certificate issued. under and in accordance with the provisions of the Merchant Shipping Act;

"dangerous goods" includes any of the goods or substances' listed in Schedule 3, any goods listed in the recommendations for the Carriage of Dangerous Goods and Explosives in Ships as promulgated from time to time by the Ministry of Transport and any other goods which are of a dangerous nature, excepting goods forming part of the normal equipment or stores of the ship in which they are carried; '

"explosives" means –

(a) gunpowder, nitro-glycerine, dynamite, gun cotton, blasting powders, fulminate of mercury, or of other metals, coloured fires and every other substance, whether

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similar to those herein mentioned or not, which is used or manufactured with a view to producing a practical effect by explosion or a pyrotechnic effect;

(b) any fuse, rocket, detonator, cartridge, and every adaptation or preparation of any explosive as herein defined;

(c) any other substance declared to be an explosive under the provisions of any Act for the time being in force in Gibraltar;

"fairway" means the navigable approach to any berth in the port;

"fireworks" includes all signalling rockets and other pyrotechnic articles commonly used in connection with signalling of life saving;

"Licensed Bunker Barge" means a vessel that is licensed by the Gibraltar Port Authority to carry out the supply of oil or petroleum derived fuel to ships;

"petroleum" includes crude petroleum, oil made from petroleum, or from coal, shale, peat or other bituminous substances and other products of petroleum and also includes petroleum spirit as hereinafter defined;

"petroleum vessel" means any vessel having on board a cargo the whole or any part of which consists of petroleum spirit or having discharged petroleum spirit if the holds and tanks have not been rendered free from inflammable vapour to the satisfaction of the Captain of the Port;

"petroleum spirit" means such petroleum as when tested in the manner set forth in Part II of the Second Schedule to the Petroleum (Consolidation) Act, 1928, gives off an inflammable vapour at a temperature of less than 73 degree Fahrenheit;

"pilot" means a person for the time being authorized as a pilot in accordance with the provisions of the Merchant Shipping Act;

"small vessel" means such vessels as normally ply within the limits of the port.

(2) The provisions of these rules shall be additional to, and not in derogation of, the provisions of the Nature Protection Act 1991 and of any subsidiary legislation made thereunder.

PART II.–ARRIVAL, REPORT, MOVEMENT, BERTHING, ETC., OF SHIPS.

Approach and boarding of pilot.

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3.(1) Masters shall, in order to avoid delay or accident, take the way off their ships when the pilot launch is approaching.

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

(3) Ships shall have a boat rope ready rigged.

Signals to be shown by exempted ship.

4. A ship excepted from compulsory pilotage under the provisions of section 4 of the Gibraltar Pilotage Act 2016 shall show the following signals when entering or leaving the port –

(a) by day – the International flag "H" hoisted at the dip, or in case of small vessels, hoisted as high as possible;

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

Removal of vessels anchored in fairway.

5.(1) No vessel shall be anchored in the fairway of the port without the consent of the Captain of the Port.

(2) Any vessel anchoring in the fairway in contravention of this rule shall, in addition to any penalty, be liable to be removed under the control of a pilot, for which full pilotage fees and charges shall be due and payable and, if the use of tugs is considered necessary by the Captain of the Port, towage fees and charges.

Fishing prohibited in certain areas.

6. No vessel shall engage in fishing in the approaches to berths or in any fairway of the port.

Notification of expected arrival of ships.

7. The owners or agents of a ship proposing to call at the port shall, as early as possible, give notice in writing to the Captain of the Port in the form prescribed in Schedule 1 such of the information prescribed therein as is available:

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Provided that the Captain of the Port may, in his discretion, accept oral notice in lieu of notice in writing.

Written report.

7A.(1) Subject to the provisions of subrule (2) the master of every vessel arriving at the Port from outside the territorial waters of Gibraltar, shall supply and deliver to the Captain of the Port a written report containing the information specified in Part I of Schedule 7 if such vessel is other than a yacht and the information contained in Part II of Schedule 7 if such vessel is a yacht.

(2) The provisions of subrule (1) shall not apply if the voyage started from Gibraltar and since leaving Gibraltar the vessel has neither touched land nor had contact with any other vessel.

Crew, Passenger and Store declaration.

7B. A vessel that is a yacht shall make a Crew, Passenger and Store Declaration electronically to the Captain of the Port in a form approved by the Captain of the Port.

Flags and signals.

8. On entering the port every ship shall hoist the following flags and signals:–

(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 by day or a red light over a white light by night until pratique has been granted;

(d) if carrying dangerous goods, the °"B” flag, International Code.

Local traffic signals.

9.(1) The following signals will be displayed from the Port Signal Station when men-of-war are entering or leaving port :–

(a) men-of-war entering by or leaving from the northern entrance:–

by day – a square red flag

by night – a red light;

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(b) men-of-war entering or leaving from the southern entrance: –

by day - a square green flag

by night - a green light.

On the foregoing signals being hoisted all vessels to the north of the southern entrance shall keep to the north of a line drawn due west from a point two cables south of the beacon light exhibited on the northern end of the Detached Mole and all vessels to the south of the southern entrance shall keep to the south of a line drawn due west from the Dockyard Tower flag-staff;

(c) if both entrances are being used the signals prescribed in paragraphs (a) and (b) shall both be displayed vertically.

(2) When a signal specified in subrule (1) is being flown no vessel shall proceed into the areas set out in relation to that signal until the signal has been hauled down.

(3) On any such signal as is specified in subrule (1) being displayed vessels at the North Mole, Western Arm thereof and Detached Mole shall remain alongside,

(4) The following signals will be displayed from the Port Signal Station when vessels other than men-of-war are about to enter or leave the North Mole, Western Arm thereof and Detached Mole :–

(a) incoming vessels–

by day – red square flag over "I" International Code;

by night – 2 red lights horizontally six feet apart;

(b) outgoing vessels –

by day - red square flag over "O" International Code;

by night - 2 green lights horizontally six feet apart.

No vessel shall attempt to proceed outward or leave an alongside berth when no signals or the signals prescribed by paragraph (a) are being displayed and no vessel shall attempt to proceed inward when no signals or the signals prescribed by paragraph (b) are being displayed.

Priority of traffic.

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10. Subject to the provisions of these rules, priority regarding inward and outward traffic shall be directed by the Captain of the Port.

Prohibited anchorage.

11. No person shall anchor or moor any vessel of whatever description in any of the areas set out in Schedule 6 except with the permission of the Captain of the Port.

Speed limit within the Port.

12. Every vessel must proceed at a speed not exceeding the limits of five knots within the inner port area enclosed to landward by–

(a) a line drawn from the southern end of the Western Arm to the northern end of the Detached Mole; and

(b) a line drawn from the southern end of the Detached Mole to the northern end of the South Mole.

Conduct within the port.

12A.(1) A person who drives or navigates a powered vessel without reasonable consideration for other persons or vessels using the port is guilty of an offence.

(2) A person who, without the prior approval of the Captain of the Port, exceeds a speed limit of five knots within any of the following areas of the port –

(a) inshore of a line drawn 100 metres to seaward of, and parallel to, a straight line connecting the north-west corner of the aircraft runway extension and the north-west corner of the Western Arm of the North Mole;

(b) inshore of a line drawn 100 metres to seaward of, and parallel to, the Western Arm of the North Mole for its entire length whether to seaward or landward of the Western Arm, Detached Mole and South Mole;

(c) the area eastwards of the break water at the Runway Windsock Island to a distance of 250 metres from the parallel to the Northern edge of the aircraft runway;

(d) elsewhere, within 100 metres of the shore or within one hundred feet of any small vessel, pleasure boat or yacht at anchor,

is guilty of an offence.

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(3) A person who causes or permits any vessel other than a Police or Customs launch or a Port Department launch engaged on urgent duty to proceed at a speed exceeding five knots within any area prescribed in subrule (2) is guilty of an offence.

Speed limit.

13. A person who causes or permits any vessel other than a Police or Customs launch or a Port Department launch engaged on urgent duty to proceed at a speed exceeding five knots when in the vicinity of ships engaged in embarking or disembarking persons or conducting operations connected with the loading or discharging of cargo is guilty of an offence.

Saving.

13A. Notwithstanding anything contained in rules 12A(3) and 13 it is not an offence to proceed at a speed exceeding five knots where the vessel is taking part in an event which has received the prior approval of the Captain of the Port as one in which vessels may exceed such speed.

Due notice of ship's departure to be given.

14. The master or agent of a ship shall at least one hour before the ship intends leaving, give notice thereof to the Captain of the Port.

Anchors, etc., to be in readiness.

15. Every ship entering or leaving port shall have both bower anchors and cables clear ready for use if required.

Pratique.

16.(1) All ships other than yachts entering port shall await the arrival of the Boarding Officer or Port Health Officer before having any communication with the shore or with any other vessel other than a pilot launch.

(2) No person other than a pilot, a Boarding Officer, or a Port Health Officer, shall without the permission of the Port Health Officer, board or leave the ship until it is free from quarantine control. The master shall take all steps necessary to secure compliance with this provision, Any officer or person so boarding shall submit to vaccination or such other quarantine precaution as the case may require.

(3) No person other than a Port Health Officer, an officer of the Port Department, a revenue officer, an immigration officer or an agent of the shipping line to which the ship belongs shall board any ship until permission to do so has been granted by an immigration officer.

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Reporting of yachts.

16A. Every yacht entering Gibraltar shall–

(a) in the first instance proceed directly to a commercial marina unless the Captain of the Port directs otherwise; and

(b) comply with the requirements of rule 7B.

Master responsible for erroneous information.

17. The master shall be responsible for all damage or consequences resulting from any erroneous information provided by himself or his representative as to the draught of water or dimension of the ship.

Tonnage.

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

Ships to be kept fit to be moved.

19.(1) Every ship entering or leaving and at all times when within the port shall be provided with sufficient hands for moving and navigating the ship and shall be kept in a fit condition for removal unless the prior written permission of the Captain of the Port to dispense with these requirements has been obtained.

(1A) No person shall drop main steam or power on any ship within the port nor carry out any repairs to the main propulsion machinery or steering gear or carry out any repairs affecting the immediate availability of such machinery or steering gear without first obtaining permission from the Captain of the Port.

Captain of the Port to assign berths and control berthing.

20.(1) Every vessel shall occupy the berth assigned to her by the Captain of the Port whether at a quay or elsewhere, and shall be removed to any other berth which the Captain of the Port may direct; and the master or person in charge of any vessel at all times shall obey the directions of the Captain of the Port.

(2) The Captain of the Port, where in his opinion it is necessary for the safety of shipping, may require that the master of any vessel accommodated at any public or private quay, wharf or jetty in the port shall provide and use such additional mooring lines to make his vessel fast to the shore as the Captain of the Port may direct.

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(3) No ship with a list shall proceed alongside a quay or jetty without the prior approval of the Captain of the Port.

(4) The master of a vessel shall not shift or change the berth assigned to his vessel without obtaining the previous sanction of the Captain of the Port.

Restrictions on entering or remaining within Port.

20A. Subject to the provisions of these rules, no merchant or other private vessel shall enter or remain within the Port of Gibraltar or berth therein in circumstances where the Captain of the Port has refused the vessel permission to enter, or has issued instructions for the vessel to leave, as the case may be.

No liability of Government.

21.(1) A vessel shall be berthed by the master and crew. The Captain of the Port, or other officers of the Port Department take no responsibility in the carrying out of any operation and the Government shall not be responsible for any loss or damage caused or attributable to the operation of berthing or unberthing.

(2) The Government shall not be responsible for insecure or improper mooring of a vessel, defective mooring or appliance, nor for any damage or consequence arising therefrom.

Safety of vessels at risk of master, etc.

22. All vessels while using the moles, quays and jetties are in the charge of, and their safety shall be at the sole risk of their master and owners. No instruction or direction given by or act performed by the Government's officers or servants, shall place any responsibility upon the Government with respect to the security or safety of such vessel.

Fenders.

23. Vessels alongside the moles, quays or jetties shall provide and use suitable fenders of such materials that will float.

Projections.

24. The master or officer in charge of any vessel with its boats swung outwards or with anchors or other projections from the deck which may interfere with the vessel or another vessel loading, discharging or berthing, shall remove such projection or other obstruction when required to do so.

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Lights.

25. The gangways of all vessels shall be provided with suitable lanterns or lights at both ends from sunset to sunrise, and also with manropes and such appliances as may be necessary for the convenience and safety of persons passing along the wharf and to the vessel.

Mooring.

26. No vessel shall commence loading or discharging cargo, taking on bunkers, stores or water, or embarking or disembarking passengers until properly moored at the berth allocated for such purpose.

Captain of the Port may detain unseaworthy ship.

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

Vessels not to remain alongside without permission.

28.(1) No vessel shall remain alongside any wharf, quay or jetty in the port on completion of discharging or loading cargo or of bunkering or for any purpose, without the permission of the Captain of the Port.

(2) The owner of any vessel shall not wilfully cause any obstruction with such vessel alongside any wharf or jetty or in any part of the port.

Use of tugs.

29.The Captain of the Port may, where in his opinion this is necessary for the safe movement of shipping, require that any vessel in the port shall carry out any movement with the assistance of a tug approved as suitable for the purpose by the Captain of the Port.

Ship's moorings, etc.

30.(1) Every ship alongside any wharf or jetty or mole in the port 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, buoys, mooring posts, and bollards placed for the purpose, and no wire rope may be used unless the bollard or edge of the coping of the wharf or jetty or mole are protected from chafe to the satisfaction of the Captain of the Port.

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(2) All ships shall anchor, moor and berth to the satisfaction of the Captain of the Port and shall take such additional precautions in severe weather as may be necessary or required by the Captain of the Port.

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

Lights on vessels and collision regulations in port.

31. All vessels whether under way or at anchor, and all hulks shall between the hours of sunset and sunrise exhibit the lights required by the Regulations for Preventing Collisions at Sea made from time to time under the Merchant Shipping Acts and all vessels of every description shall also observe the steering and sailing rules set forth in such regulations.

Working lights.

32. The master of a vessel shall be responsible that proper lights are provided in those parts of the vessel where work is going on in any way connected directly or indirectly with the use of the moles, quays or jetties, or when owing to want of sufficient light, injury might result to life, limb or property from such work being in progress.

Watch to be kept.

33. A watch of at least one man shall be constantly kept upon the open deck of every ship and hulk by day and night.

Inspection.

34. It shall be lawful for any authorized person to board and inspect any vessel in the port at any time of the day or night.

Buoys – mooring astern – and leading marks.

35.(1) No person in charge of any vessel shall make use of any spar as a buoy or shall moor or make fast any boat or raft astern at night without the consent of the Captain of the Port.

(2) No buoy shall be laid down for any purpose whatsoever, and no leading marks shall be erected within the limits of the port without the prior permission of the Captain of the Port.

Offences.

36. The master of any vessel which fails to comply with or contravenes the provisions of this Part or of any orders or directions of the Captain of the Port under this Part and any person

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who fails to comply with or contravenes such provisions or orders or directions are guilty of an offence and are each liable on summary conviction to a fine at level 4 on the standard scale.

Powers of Captain of Port in cases of non-compliance.

36A.(1) Where any ship–

(i) is not provided with sufficient hands for the purposes of rule 19; or

(ii) has not sufficient hands on board for the purposes of rule 30.

the Captain of the Port may place on board such hands as may be necessary and may recover the cost of so doing including the wages of such hands whilst on board from the owner of the ship.

(2) Where any ship–

(i) is not kept in a fit condition for the purposes of rule 19;

(ii) is not provided with lights, manropes or other appliances as required by rule 25,

the Captain of the Port may cause such ship to be put in a fit condition or to be provided with lights, manropes or other appliances as the case may be and may recover the cost of so doing from the owner of the ship.

(3) Where any order or direction which has been given by, or any requirement which has made by, the Captain of the Port under this Part, has not been complied with within such time as may have been specified at the time of the giving of the order or direction or making of the requirement, the Captain of the Port may cause such orders or directions to be carried out or such requirements to be complied with in such manner as he may consider appropriate and may recover the cost of so doing from the owner of the vessel.

Penalties.

37. A person who contravenes any of the provisions of this Part is guilty of an offence and is liable on summary conviction to a fine at level 3 on the standard scale.

PART III.– GENERAL PORT REGULATIONS.

Fire on vessels.

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38.(1) In the event of a fire occurring on board any vessel in port, the master shall at once give the alarm and take immediate steps towards the protection of property as the situation warrants and take any such action as the Captain of the Port may require.

(2) The alarm signal for vessels on fire shall be as follows: vessels shall hoist CB6 of the International Code by day or burn a red flare once every minute by night, and at the same time sound three short blasts and one long blast in quick succession on the whistle or siren. The signal CB6 shall be kept hoisted until the fire on board has been extinguished.

Sanitary arrangements in harbour.

39.(1) When required by the Captain of the Port a vessel's water closets and latrines shall be closed during such periods as the vessel is in port.

(2) The master of any vessel refusing or failing to comply with any direction of the Captain of the Port under this rule is guilty of an offence.

No boarding without permission. etc.

40. A person who boards any vessel, without the permission of the master or remains on board any vessel after he has been ordered to leave by the master, is guilty of an offence.

Boarding or leaving ships under way.

41. A person who; except with the permission of the Captain of the Port, boards or leaves a ship whilst such ship is in motion or leaves or boards a ship except by means of the gangway or an efficient pilot ladder, is guilty of an offence.

Working of lighters.

42. Masters of ships at anchor or at buoys in the port shall not permit more than two cargo lighters to be abreast of each hatch on either side of the ship, nor more than two such lighters to be made fast in the tier astern, and for the purposes of this rule one large pontoon shall be counted as two lighters.

Ship to Ship transfers outside British Gibraltar Territorial Waters.

42A. No person shall allow equipment owned by or in the custody of a port operator used or intended to be used for ship to ship transfers (that is to say a transfer of cargo including, but not limited to, gas, fuel or oil between seagoing ships while alongside each other whether stationary or under way) to be taken outside British Gibraltar Territorial Waters except with the prior written permission of the Captain of the Port and the Minister for the Port.

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Landing or embarking passengers.

43. Whilst passengers are being disembarked from or embarked upon any ship in port, a second gangway shall be provided and one of the crew of the ship shall be in attendance at each gangway.

No vessel ship's gear, cargo etc., to remain on the wharf.

44.(1) A person who allows any vessel, spar, anchor, cable, ship's gear, dunnage, cattle fittings, horse box, cargo, container, machinery or goods of any nature whatsoever or any material or rubbish to remain upon any wharf, jetty or quay or on part of the land area of the port without the permission of the Captain of the Port is guilty of an offence.

(2) Where any person contravenes subrule (1) or any permission to any person granted by the Captain of the Port under that subrule has been revoked, the Captain of the Port may direct that person to remove the thing which is contravening subrule (1) or, as the case may be, in respect of which the permission was given.

Cutting of ropes, etc., of vessels in danger.

45. The Captain of the Port may in case of urgent necessity cut, or cause to be cut, any warp, rope, cable or hawser, endangering the safety of any vessel in the port.

Loss of anchors, etc., to be reported to the Captain of the Port.

46. Where any anchor, chain or cable belonging to any vessel, or any private mooring, shall have parted or shall have been slipped within the port, the master of the vessel or the owner of the mooring shall forthwith report the fact to the Captain of the Port and shall give him the bearings of the position where the anchor or mooring parted or was slipped, and any other such details concerning the matter as may be required and if reasonably possible immediately recover such anchor, chain or cable or, failing such recovery, and if practicable, the Captain of the Port shall do so at the risk and expense of the vessel or owner.

Refuse not to be deposited in the port or foreshore.

47.(1) A person who throws or causes or permits to be thrown or allows to fall or drift any wire rope, hemp rope, dunnage, mats, wood, dirt, ballast, ashes, earth, stone, offal or rubbish of any sort whatsoever into BGTW or the land area thereof except with the permission of the Captain of the Port is guilty of an offence.

(1A) *Deleted*

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(2) The master of any vessel whilst loading or unloading ballast coal, sand, bricks or other loose material, shall take such steps as are necessary to prevent any such material from falling into the water.

(2A) If the master of the vessel fails to comply with subrule (2) he is guilty of an offence.

(3) A person who throws or causes or permits to be thrown any dead animal into BGTW, or off the shores of Gibraltar at any position less than two miles south of Europa Point, is guilty of an offence.

(4) A person who discharges into, or allows escaping into, BGTW oil of any description is guilty of an offence.

(4A) No oil-fuel-burning ship or any other ship conveying oil in bulk shall pump out or clean out its tanks or bilges within three nautical miles to seaward of the port limits.

(4B) Where a ship contravenes subrule (4A), the master and the owner of the ship are each guilty of an offence.

(5) The master and the owner of any vessel from which articles or refuse have been allowed to fall or from which oil has been discharged or allowed to escape into the waters of the port are each guilty of an offence and liable to make good all loss, damage and expense which the Government may sustain or incur in consequence of dealing with such articles, refuse or oil or in any way incidental to such dealing.

(6) A person guilty of an offence under this rule is liable–

(a) on summary conviction to a fine not exceeding £250,000; or

(b) on conviction on indictment to an unlimited fine or imprisonment for a term not exceeding 7 years, or to both.

No timber allowed to float in the port.

48. No person shall cause or permit any timber to float in the port unless permission for that purpose has been obtained from the Captain of the Port and then only subject to the condition that the person to whom permission is given shall be responsible for any damage caused by such timber.

Removal of offensive matter or garbage.

49.(1) The owner of any vessel having on board or landing any cargo or other matter or thing which is or may be injurious to health or offensive or dangerous in any respect shall at the

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request in writing of the Captain of the Port remove forthwith such vessel or cargo as the Captain of the Port may direct.

(2) The master of any vessel in the waters of the Port shall cause any garbage from that vessel to be disposed of-

(a) where the vessel has an agent in Gibraltar in accordance with the arrangements made therefor by that agent;

(b) where the vessel has no agent in Gibraltar in accordance with the instruction of the Captain of the Port and upon payment of such fees as may be required by the Captain of the Port for that purpose.

Naked lights, smoking, etc., on vessel carrying inflammable cargo and provisions relating to inflammable cargo.

50.(1) A person who smokes or allows any naked light in the hold or near any open hatch of any vessel carrying, receiving or discharging any inflammable cargo, is guilty of an offence.

(2) The shipment or discharge of inflammable cargo shall be subject to such restrictions as the Captain of the Port may impose.

Protection of hatchways.

51. Except as provided in rule 52, during the intervals of working cargo, ships in harbour shall have hatches closed or well protected.

Ships laden with coal.

52. 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 port.

Fumigation.

53. No ship may be fumigated in the port except with the written consent of the Captain of the Port and subject to such conditions as the Captain of the Port may impose.

Repair to vessels.

54. Except at places authorized by the Governor or the Captain of the Port for the purpose, it is an offence for any person to carry out any repairs of vessels within the port save with the written permission of the Captain of the Port, and subject to any conditions the Captain of the Port may deem fit to impose.

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Restriction on use of flame apparatus in harbour.

55.(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 vessel in the port without the prior written permission of the Captain of the Port:

Provided that, save in the case of a petroleum vessel, such work may be carried out at any place authorized by the Captain of the Port as a place for the construction, repair and maintenance of ships.

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

Beaching vessel, etc., in the port.

56. A person who, except at any place authorized for the purpose by the Governor or the Captain of the Port beaches, strands, careens or lays any vessel upon the foreshore or any wharf or jetty, shoal or bank within the port for purposes of cleaning, repairs or otherwise, without the written permission of the Captain of the Port and subject to such conditions as he may impose, is guilty of an offence.

Pitch and other combustibles may not be boiled on board a vessel being repaired, etc.

57. Pitch, tar, resin, turpentine, oil and combustibles of similar nature required whilst caulking, repairing or maintaining any vessel in the port, shall be boiled on a stage alongside, or in a vessel alongside.

Explosives may not be used or guns fired.

58.(1) No guns (except for the purposes of salutes) shall be fired, and no mines, torpedoes, or other engines of like nature, shall be exploded in the port. No rocket shall be fired or blue light burned on board any vessel while in the port without the permission of the Captain of the Port, except when such vessel may be in actual distress or in want of assistance.

(2) No blasting shall take place within the port without the prior authority of the Captain of the Port.

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Propellers may not be turned in port without Warning or permission.

59.(1) Ships at anchor, or occupying moorings, or berthed alongside a quay, wharf or jetty, shall not turn their propellers without giving sufficient warning of their intention in the vicinity.

(2) No ships shall turn their propellers for the purpose of carrying out basin trials at any berth not authorized as a repair berth without the prior permission of the Captain of the Port.

Vessels fouling moorings or submarine cables.

60. The master of any vessel hooking or getting foul of any mooring laid by or with the permission of the Captain of the Port or hooking or getting foul of any submarine cable shall not, except in case of emergency, lift the mooring or submarine cable nor the purpose of unhooking or getting clear, but shall immediately report the occurrence to the Captain of the Port and await instructions.

Crews of vessels to take lines.

61.(1) All vessels anchored, moored or berthed in the port shall receive on board, make fast or cast off lines or warps from any other vessel warping in and out of the port when required so to do by the Captain of the Port, or by the pilot, master or other person in charge of such vessel.

(2) No lines or warps shall be stretched across the waters of the port without the permission of the Captain of the Port.

Sound signals not to be used except for navigation.

62. A person who makes use of a steam whistle, siren or foghorn within the limits of the port save for the purpose of navigation, or as a fog or distress signal is guilty of an offence.

Police assistance.

63. Where the assistance of the police is required on board any vessel the following signals shall be hoisted where best seen:-

by day – the International Code flag CB3

by night – signal with Morse lamp CB.

Medical assistance.

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64. Where medical assistance is required on board any vessel the following signals shall be hoisted:-

by day – the International Code flag W or AN

by night – signal with Morse lamp letter W.

Signals for tug.

65. In an emergency the following signals are to be used to obtain the services of a tug-

visual – International Code flag Z or KF

sound – two long blasts followed by two short blasts in succession repeated at intervals until arrival of tug.

Offences.

66. Except as provided for in rule 47, the master of any vessel which fails to comply with or contravenes the provisions of this Part or of any orders or directions of the Captain of the Port and any person who fails to comply with or contravenes such provisions or orders or directions is guilty of an offence and is liable on summary conviction to a fine at level 4 on the standard scale.

67. *Repealed.*

PART IV.–VESSELS USED WITHIN THE PORT- PASSENGERS CERTIFICATES AND LICENCES – CONDITIONS AND REGULATIONS.

Passenger Ship Certificates.

Classification of ships.

68. For the purposes of this Part ships shall be divided into the following classes:

Class I – ships of more than l00 feet in length;

Class II – ships of and over 70 feet but not exceeding 100 feet in length;

Class III – ships of less than 70 feet in length;

and shall not include motor boats.

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Ships carrying passengers to be certificated.

69. A person who uses any ship for the carriage of passengers for hire or reward within the port save under and in accordance with the conditions of a certificate issued by the Captain of the Port under the provisions of these rules is guilty of an offence:

Provided that the provisions of this rule shall not apply to the use of any ship engaged on an ocean-going voyage.

Survey of passenger carrying ships.

70. Every ship used or intended to be used for the carriage of passengers for hire or reward within the port shall be surveyed by a surveyor appointed by the Minister (hereinafter referred to as "the Government surveyor") at least once in each year in the manner provided by these rules:

Provided that–

(a) where a ship has been surveyed under the provisions of the Merchant Shipping Act, a further survey under this rule shrill not be necessary if the particulars required under these rules to he stated in regard to the use of the ship have been included in the declaration of survey delivered in pursuance of the Merchant Shipping Act: and

(b) Where a ship has been exempted from survey under the provisions of section 79(1) of the Merchant Shipping Act, the Captain et the Port may exempt such ship from survey under these rules.

Declaration of survey.

71. The Government surveyor, if satisfied that he can with propriety do so, shall deliver to the Captain of the Port a declaration of survey in such form as the Captain of the Port may approve containing statements of the following particulars :-

(a) that the hull and machinery are sufficient for the service intended and in good condition;

(b) that the boats, life rafts, life buoys, lights, signals and compasses are such and in such condition as required by these rules;

(c) the time (if less than one year) for which the hull, machinery and equipment will be sufficient;

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(d) the number of passengers which the ship is, in the judgment of the surveyor, fit to carry;

(e) that the certificates of the master and engineers are such as required by these rules;

(f) the limits in the port within which the ship is, in the Government surveyor's judgment, fit to ply;

(g) that the safety valve is so constructed as to be out of the control of the engineer when steam is up and is not loaded beyond the pressure permitted by the surveyor; and

(h) that the appliances for the prevention and extinction of fire are such and in such condition as required by these rules.

Passenger certificates for ships.

72.(1) The Captain of the Port shall, on receipt of the declaration herein before mentioned and on payment of the fees prescribed from time to time for the survey of passenger ships under the Merchant Shipping Act issue to the owner of the ship a certificate in the form set out in Schedule 2 (hereinafter referred to as a passenger certificate") and such certificate shall be in force for a period not exceeding twelve months from the date thereof, unless previously revoked.

(2) Where a ship has been surveyed under the provisions of the Merchant Shipping Act and a valid and subsisting passenger certificate has been issued in pursuance of that Act, and the matters prescribed to be contained in a passenger certificate issued under these rules are also contained therein the certificate shall for all purposes be deemed to be a passenger certificate issued in accordance with these rules.

(3) Where a ship hits been exempted from survey under the provisions of these rules and there is in force in respect of such a ship a certificate issued by or under the authority of the Government of the country to which the ship belongs, which under the provisions of section 79(2) of the Merchant Shipping Act, has effect as a passenger carrying certificate under that Act such certificate shall for all purposes be deemed to be a passenger certificate issued under these rules.

Production of certificate.

73. Where any ship is being used or is intended to be used for carriage of passengers for hire or reward within the port, any member of the Port Department may detain such ship until such time as a valid passenger certificate relating to such ship is produced to him or any other member of the Port Department.

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Revocation and suspension of certificate.

74.(1) The Captain of the Port may revoke a passenger certificate granted under this Part or may suspend the validity within the waters of the port of any certificate deemed to be equivalent to such passenger certificate in any case in which there is reason to believe–

(a) that the declaration of the sufficiency and good condition of the hull, machinery and equipment of any ship has been fraudulently or erroneously made; or

(b) that such certificate has been otherwise issued upon false or erroneous information; or

(c) that since the making of such declaration the hull, machinery or equipment have sustained any injury or are otherwise insufficient.

(2) In every such case the Captain of the Port may, if he thinks fit, require the owner to have the ship surveyed, and shall require from the Government surveyor a declaration of the sufficiency and good condition thereof before issuing a new certificate under these rules or accepting as equivalent thereto a certificate referred to in subrules (2) and (3) of rule 72.

(3) A person who uses a ship for the carriage of passengers for hire or reward at any time when the passenger certificate issued in respect thereof is suspended or has been revoked is guilty of an offence.

Master and engineer.

75.(1) Every ship shall carry at least one duly qualified master and one duly qualified engineer,

(2) A person shall be deemed to be qualified within the meaning of this rule if he is the holder of a valid and subsisting certificate of competency as a coxswain or engine driver, as the case may be, granted under the Merchant Shipping Act, or any certificate recognized by the Captain of the Port to be of equivalent or higher grade to such certificate or if he has on examination satisfied the Captain of the Port as to his competency.

Only certificated officers to be employed.

76.(1) A person who serves as a master or an engineer of a ship to which this Part applies without being duly certificated in that behalf in accordance with the provisions of these rules, is guilty of an offence.

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(2) A person who employs as a master or engineer any person who is not so certificated, is guilty of an offence.

(3) The Captain of the Port or any duly authorized member of the Port Department may require any person acting as master or engineer of any ship to produce his certificate for inspection and any person being the holder of a certificate who fails to produce his certificate for inspection when so required is guilty of an offence and is liable on summary conviction to a fine at level 3 on the standard scale.

Measurement of passenger accommodation of ships.

77.(1) For the purposes of the issue of passenger certificates under this Part in respect of ships the clear area of the deck in square feet of passenger accommodation occupied by baggage or quotient shall be the number of passengers and crew allowed to be carried, one passenger to be deducted for every three square feet of passenger accommodation occupied by baggage or cargo.

(2) In no case may. the number of passengers exceed the number of persons for which life saving appliances are required under these rule.

(3) "Clear area" means the space after all incumbrances, such as hatchways, skylights, companion ways, machinery casings, wheel windlass, binnacles, masts, ventilators, navigating spaces, dunnage for luggage, boats carried inboard, etc., are deducted.

78. Marking. Every ship shall have her name legibly painted on her stern. and on each bow.

Life-saving appliances, etc.

79.(1) Every ship used to carry passengers for hire or reward within the port shall carry the following equipment:–

(a) one life-jacket for every person on board;

(b) sufficient buoyant deck seats or other similar buoyant apparatus to accommodate 60 per cent of the total number of persons carried;

(c) four life-buoys and two life-buoy lights;

(d) three rockets, three blue lights, and such number of fog signals, distress signals, anchors, cables and compasses as the Government surveyor deems necessary:

Provided that–

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(a) in the case of ships classified under Classes II and III, it shall be deemed to be sufficient compliance with sub-paragraph (b) of subrule (1) if the number of buoyant deck seats or other similar buoyant apparatus provided is sufficient to accommodate not less that 25 per cent of the total number of persons which the ship is certified to carry; and

(b) in the case of ships classified under Class III, eight life buoys may be carried in lieu of buoyant deck seats or other buoyant apparatus.

(2) All equipment to which this rule relates shall be of such pattern and make as are approved by the Ministry of Transport under the powers conferred by the Merchant Shipping Acts.

Fire appliances.

80. Every ship used or intended to be used for the carriage of passengers for hire or reward within the port shall be provided with such appliances for the prevention and extinction of fires as the Government surveyor shall in each case deem necessary.

Licensing of Vessels.

Vessels to be licensed.

81.(1) No person shall keep or use any vessel or hulk within the port save under and in accordance with the conditions of a licence issued by the Captain of the Port: -- Provided that the provisions of this rule shall not apply to any vessel duly licensed under the provisions of the Licensing and Fees Act.

(2) The Captain of the Port shall not issue a licence under the terms of which a vessel may be used for the carriage of passengers for hire or reward unless the vessel has first been examined by the Government surveyor or other officer duly authorized in that behalf by the Captain of the Port and such Government surveyor or other officer has certified that the hull, equipment, boilers and machinery of the vessel are in suitable condition and fitted for the purpose and work for which they are intended.

(3) A person who uses a vessel or hulk in the port in contravention of the provisions of this rule is guilty of an offence.

Licensed vessels to be numbered, etc.

82.(1) All vessels and hulks licensed under this Part shall be numbered and the licence registered at the Port Office.

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(2) Every licensed vessel and hulk shall have its registered number legibly painted on both sides of the bow and in the case of a lighter the tonnage on each bow and the owner's name or initials on the stern, and such letters or figures shall be not less than four inches in height and in breadth.

(3) A person who defaces the name or number painted on any vessel or hulk or unlawfully substitutes any other name or number in the place thereof is guilty of an offence.

Limit on passengers, etc.

83. The master of any vessel shall not carry more passengers than the number of persons such vessel is licensed to carry.

Power to inspect.

84.(1) The Government surveyor or any member of the Port Department authorized for the purpose by the Captain of the Port may at any time during the currency of the licence inspect and examine the hull, equipment and machinery of any vessel or hulk licensed and if the hull, equipment and machinery are found to be in a condition unsuitable or unfitted for the purpose for which they are being used the Captain of the Port shall give written notice to the holder of the licence to cease to use the vessel or hulk unless it is rendered fit for the purpose for which it is being used to the satisfaction of the Captain of the Port.

(2) A person who obstructs, hinders or prevents a surveyor or authorized person, attempting to carry out his duties under this rule or uses any vessel or hulk after the holder of the licence of the vessel or hulk has been notified in accordance with the provisions of this rule to cease to use such vessel or hulk is guilty of an offence.

Open Motor Boats.

Number of passengers of open motor boats.

85. For the purpose of ascertaining the maximum number of passengers to be carried in any open motor boat licensed to carry passengers under these rules the clear area of the spaces available for their accommodation measured in square feet shall be divided by four:

Provided that–

(a) the number allowed shall not exceed the number for which seating accommodation is available and such number shall be ascertained by dividing the total length in feet of the fixed seats by 1.5; and

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(b) the full number of passengers, as determined above, shall not be allowed unless a Government surveyor is satisfied that the boat has sufficient stability to carry this number safely.

Open motor boatmen in charge.

86. At least two persons shall be employed in open motor boats licensed for carrying passengers for hire or reward. The man in charge shall be a person who has had sea experience and understands how to handle the boat in a seamanlike manner. The engine driver whether he be the man in charge or not shall be experienced in his work and able to satisfy the Government surveyor that he is competent to take charge of an oil engine by starting, running the engine, stopping, reversing and slowing down.

Person in charge to be capable.

87. Any holder of a licence to carry passengers who permits an open motor boat to be used without it being sufficiently manned, or without a competent person in charge to manage her, is guilty of an offence.

Petrol tanks.

88. The petrol tank of every open motor boat shall be well and substantially constructed of suitable material. The tank shall be oil tight, and so arranged that no petrol which may be spilled while filling can drop below the deck of the boat. Every such tank shall be of sufficient size to obviate the necessity of carrying loose cans of petrol.

Fire appliances.

89. Every open motor boat shall, as a means of extinguishing fire, carry two fire extinguishers of an approved pattern, a box of sand of not less than one cubic foot capacity and a suitable scoop.

Markings.

90. Every open motor boat shall have the number of the licence together with the number of passengers she is licensed to carry legibly painted on each bow in letters and figures of not less than four inches in height.

Life saving and other appliances.

91.(1) Every open motor boat plying for hire for the carriage of passengers shall be provided with at least three oars and rowlocks (or a mast and sail), anchor and cable, boat hook, painter, heaving line and bailer or bilge pump.

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(2) Each open motor boat shall carry the following life-saving equipment–

if the boat is 30 feet in length or under	2 life buoys
if the boat is over 30 feet but under 50 feet	4 life buoys
if the boat is 50 feet in length or over	6 life buoys

(3) The machinery in every motor boat shall be cased in.

Water Boats.

Water boats to be kept in repair and inspected.

92. The owner of any vessel employed as a water boat, on carrying for sale water intended for human consumption, shall keep his vessel and the water receptacles therein in a proper state of repair and in a clean condition, and shall not carry for sale or distribute any water which is liable to be injurious to health. Such vessel may be inspected at any time by any duly authorized person or any health officer.

Hulks and Lighters.

Hulks to dowse lights.

93. The owner of any hulk shall, at night on such occasions and during such hours as the Captain of the Port shall direct keep the regulation and other lights properly dowsed to the satisfaction of the Captain of the Port.

Hulks to be provided with boats.

94.The owner of any hulk shall provide such hulk with a good and sufficient boat fully equipped and at least one lifebuoy ready for immediate use.

Overloading and defective lighters.

95. The owner of any lighter or like craft shall not use or cause or permit to be used such lighter or like craft when through the defective condition of its hull or equipment or by reason of overloading or improper loading or undermanning property or human life is likely to be endangered.

General Regulations as to Vessels in Port.

Equipment of boats.

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96. The owner of every licensed boat shall provide such boat with a chain and anchor or grapnel, a painter, a set of oars and rowlocks and an efficient bailer.

Master not to refuse hire.

97. No master of any empty or disengaged motor boat plying for hire for the carriage of passengers or cargo licensed under this Part to carry passengers or cargo shall, without reasonable cause, neglect or refuse to receive passengers or cargo either from the shore or from any vessel but shall on demand carry the same to the shore or to any vessel within the port at the usual or authorized rates.

Supply of tarpaulin.

98. The owner of any boat licensed to carry merchandise shall provide such boat with a good tarpaulin for the protection of the cargo and with an anchor and cable for mooring.

Boats not to approach or make fast to ships without permission.

99.(1) No master of any boat used for the purpose of trading shall cause or suffer such boat to approach within two hundred feet of any ship entering or lying in the port without the consent first obtained of the master of the ship.

(2) A boatman or other person who makes fast or holds on to, or goes on board of any vessel or hulk without permission being first obtained from the master thereof is guilty of an offence.

Boatman to obey orders.

100. A boatman who when approaching any vessel or hulk for the embarkation or disembarkation of passengers or goods or for any other purpose neglects or fails to comply with the directions of any member of the Port Department is guilty of an offence.

Small vessels not to go alongside ships under way.

101. No small vessels shall go alongside a ship until such ship is at anchor or made fast alongside and has been boarded and granted pratique.

Supply of liquor to persons on board.

102. A person in any vessel who supplies, conveys or delivers any intoxicating liquor to any person on board any vessel in the port except such liquors as may be purchased with the consent of the master of the last mentioned vessel from a person duly licensed to sell the same,

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or as may be lawfully removed from a bonded store for exportation beyond the limits of the port or for ship's stores, is guilty of an offence.

Supply of stores.

102A. A person in any vessel other than a vessel licensed by the Captain of the Port who supplies, conveys or delivers any stores to any vessels in the Port is guilty of an offence:

Provided that the Captain of the Port may, in his discretion permit a vessel not so licensed to deliver stores or any category of stores where he is satisfied that no vessel so licensed is available for the purpose.

Hawking and trading.

103. A person who hawks or trades on board any vessel within the port without the written consent of the master of such vessel is guilty of an offence.

Employment of persons on trading vessels, etc.

104. The master of any vessel shall not employ or carry therein, whilst engaged in trading as a bumboat or ship-chandler or whilst fishing, any person whose name has not been registered on the licence.

Offences by bum-boatmen.

105.(1) No person in or connected with any bumboat shall–

(a) bring a bumboat alongside any vessel which may be alongside any wharf or jetty in the port;

(b) sell anything to any person on any wharf or jetty in the port; or

(c) sell anything to any person on board a vessel which may be alongside any wharf or jetty in the port.

(2) A person who contravenes the provisions of this rule is guilty of an offence, and, in addition to any other penalty that may be imposed, the licence in respect of the bumboat in question shall be forfeited.

No movement at night without permission.

106. A person who pulls, sails, tows, moves, or allows to drift any boat whether belonging to any sea-going vessel or not, at night, except whilst entering to take up a berth or leaving the

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port in the prosecution of a bona tide voyage or except with the permission in writing of the Captain of the Port is guilty of an offence.

Small craft to give way.

107.(1) Small craft of all descriptions and harbour craft, including harbour tugs engaged in towing, shall keep out of the way of sea-going ships in the approaches to berths and fairways of the port.

(2) Nothing in this rule shall relieve the pilot or master of a sea-going ship from his duty to take all possible steps to avoid a collision.

Small vessels to keep clear of harbour tugs.

108. Small vessels shall keep out of the way of harbour tugs engaged in towing.

Row boats to give way to sailing boats.

109. When two vessels are being propelled, one by sails, and the other by oars, and are proceeding on a course, which if continued, would involve risk of collision, the vessel propelled by oars shall keep out of the way of the other; and the vessel 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.

110. *revoked*.

Approaches to wharves, landing places and ships ladders to be kept clear.

111. Free passage shall be kept to all jetties, landing places, wharves and moorings, and small vessels shall move when required to clear such passage.

Mooring of small vessels.

112.(1) No small vessels shall, except with the permission of the Captain of the Port be secured to any Government wharf, jetty, mooring post, pile, bollard or buoy in the port.

(2) Where-

(a) a vessel is secured other than with the permission of the Captain of the Port and he has given an order or a direction in respect of that vessel; and

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(b) any order or direction which has been given by the Captain of the Port under this rule has not been complied with within such time as may have been specified at the time of the giving of the order or direction,

the Captain of the Port may cause such orders or directions to be carried out in such a manner as he may consider appropriate and may recover the cost of so doing from the owner of the vessel.

Small vessels sunk in the port.

113. The sinking of any small vessels in the port shall be reported by the master or owner to the Captain of the Port as early as possible after the occurrence and such master or owner shall raise or remove the same with the least possible delay.

Liability of the Captain of the Port.

114. Nothing in these rules contained shall be deemed to impose any liability or responsibility upon the Captain of the Port for any loss or injury caused by acts or negligence of any owner or person in charge of any vessel.

Suspension of licence for misconduct.

115.(1) The Captain of the Port may suspend or revoke the licence of any vessel on being satisfied that any member of its crew has at any time been guilty of misconduct or a breach or neglect of any of these rules, or of any lawful order of the Captain of the Port or who is of bad character and such suspension or revocation shall be endorsed upon the licence which shall be produced to the Captain of the Port for the purpose.

(2) A person aggrieved by any suspension or revocation under the provisions of subrule (1) may, within fourteen days thereof, appeal to the Governor, who may confirm or revoke the suspension or revocation and whose decision shall be final.

Offences by owners and masters.

116. The owner and master of any vessel who uses the vessel or causes or permits the vessel to be used in contravention of any of the provisions of this Part or uses the vessel or causes or permits the vessel to be used without the vessel being equipped with life-saving equipment, fire-fighting appliances or other equipment or marked as required under the provisions of this Part is guilty of an offence and is liable on summary conviction to a fine of at level 5 on the standard scale.

Penalties.

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117. A person who contravenes any of the provisions of this Part is guilty of an offence and liable on summary conviction to a fine at level 5 on the standard scale.

PART V.–DANGEROUS GOODS OR EXPLOSIVES.

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

118.(1) The master or agent of every vessel having on board any explosives or dangerous goods shall, not less than twenty-four hours before arrival, give notice thereof to the Captain of the Port, and such cargo shall not be landed without the written permission of the Captain of the Port. If any such goods are landed the Captain of the Port may order the same to be placed on board the vessel whence they came, or otherwise deal with them or destroy them as he considers necessary, at the risk and expense of the vessel from which they were discharged. Such goods shall, if required, be discharged at such a time as will enable them to be disposed of or otherwise removed from the port during working hours of the same day.

(2) The notice required under subrule (1) shall include a certification by the master or owner's agent that the labelling, packing and stowage of the explosives or dangerous goods is strictly in accordance with the Report of the Ministry of Transports Standing Advisory Committee on the Carriage of Dangerous Goods and Explosives in Ships or such other recommendation as maybe approved by the Governor.

Exemption.

119. Every vessel having only the following explosives on board shall, except where expressly specified in any of the following rules contained in this Part, be exempt from the provisions of such rules and such explosives shall be similarly exempt and may be landed and dealt with at such places and under such conditions as the Captain of the Port may direct:–

(a) safety cartridges, safety fuses, percussion caps, fireworks, and any other explosive which may be specially exempted by the Governor by notice in the Gazette;

(b) any other explosive not exceeding fifty pounds in weight properly stored in an approved magazine.

Berthing of vessels carrying explosives.

120. Every vessel carrying or about to carry explosives shall be anchored or berthed only in the position assigned to her by the Captain of the Port and shall not be moved therefrom, except for the purpose of leaving the port, without the written permission of the Captain of the Port.

Bunkering of vessels carrying explosives.

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121. Vessels with explosives on board in approved magazines well forward and aft requiring bunker fuel may at the discretion of the Captain of the Port be brought alongside a wharf or jetty specified by the Captain of the Port and the bunkering shall be carried out as expeditiously as possible.

Discharge of vessels carrying explosives.

122.(1) Vessels with explosives on board for discharge at the port may, at the discretion of the Captain of the Port be brought alongside a wharf or jetty specified by the Captain of the Port and there discharged as expeditiously as possible.

(2) Such vessels when berthed alongside shall make ready suitable fire wires both fore and aft to be used by tugs in case of emergency.

Notice of loading and unloading of explosives.

123. Before any explosives are transshipped from any vessel or are loaded into, or unloaded from any vessel, notice shall be given to the Captain of the Port informing him of the nature and quantity of such explosives.

Hulk or lighter.

124.(1) Any hulk or lighter on board of which explosive is intended to be stored shall be moored or anchored in such place as directed by the Captain of the Port and shall display by day a red flag and by night a red light, and such flag or light shall be at least five feet above the deck of the hulk or lighter.

(2) No such explosive shall be transferred to or shipped from any hulk or lighter without the permission of the Captain of the Port.

Red flag to be exhibited.

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

Fires and use of radar prohibited.

126.(1) No fires or artificial lights shall be allowed near the open hatches or in the holds in which explosives are stored, or at the place of discharge or shipment:

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Provided that this rule–

(i) shall not prevent the use of an electric lighting installation or a safety lamp of a construction approved by the Captain of the Port or of ship's riding or signal lights so disposed as to prevent risk of fire or explosion, and

(ii) shall not apply to engine room fires when the same have been previously carefully banked.

(2) While a vessel is loading or unloading explosives, no radar shall be transmitted from such vessel.

Smoking and certain wearing apparel prohibited.

127. No person shall smoke or be allowed to smoke at or near the place where explosives are being handled nor shall any person, whilst engaged in handling, carry matches or any other means of producing ignition, or be allowed to wear boots or shoes with steel or iron heels, tips, or exposed nails of any kind, unless such boots or shoes are covered with leather, India rubber, felt or other suitable materials in the form of overshoes or otherwise.

Drunkenness.

128. No person under the influence of drink shall go or be allowed on board any vessel into or from which explosive is being loaded or unloaded, nor shall he approach or be permitted to approach such explosive whilst in the course of being loaded or unloaded.

Explosives to be covered.

129. All explosives on board which are not in the magazine shall, whilst the hatches are open, be carefully covered over and due care taken to prevent sea water or rain obtaining access to the packages or content.

Escaping explosives.

130. If any explosive escapes from the package in which it is contained, or be spilt, such explosive shall be immediately carefully collected and safely destroyed.

Method of handling explosives.

131. Packages containing explosives shall not, if practicable, be dragged or rolled, but shall be passed from hand to hand when the ship's discharging gear is not available; and, when dragging, or rolling cannot be avoided, the surface over which the packages are moved shall first be covered with suitable canvas; cloth or material. Packages shall be carefully lifted,

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deposited or stowed, and shall not be thrown or dropped when handled. All vessels and stevedoring gear used shall be of a suitable nature for the safe handling and discharging of explosives.

Only explosives to be handled at one time.

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

(2) Persons other than those actually engaged in or superintending the work of discharge shall not be allowed access to the vessel, and may, at the discretion of a police officer or authorized person, be ordered to a reasonable distance from the place of discharge.

General precautions to be observed.

133.(1) While the loading, or unloading of explosives is being carried out all persons engaged in handling explosives shall–

(a) take all due precautions to prevent–

(i) accidents by fire or explosion, and

(ii) unauthorized persons from obtaining access to explosives;

(b) abstain from any act whatever which tends to cause a fire or explosion and is not reasonably necessary for the purpose of such loading or unloading; and shall use every reasonable endeavour to prevent other persons from committing any such act.

(2) The loading or unloading of explosives shall cease during a thunderstorm, from the time of the first thunder clap until the risk of lightning in port is past.

Supervision.

134. Explosives shall be landed, shipped or transshipped under such supervision as may be deemed necessary by the Captain of the Port and all directions given under this rule shall be implicitly obeyed.

Permits to land explosives.

135. Explosives shall not be landed except on production of one of the following certificates or permits :–

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(a) if shipped from the United Kingdom, the certificate on oath of a duly qualified chemist to the effect that the explosives have been shipped in good order and condition properly packed and labelled, and safe to be shipped through the tropics and handled in 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) of this rule.

Special permit when Abel test applied.

136. In the case of explosives of a nature requiring the application of the "Abel heat test" the certificate required under rule 135 shall further state that no ingredient capable of making such test is present in the explosives.

Hours during which explosives may be handled.

137. Except with the permission of the Captain of the Port and subject to such conditions as the Captain of the Port may impose, explosives shall not be loaded or unloaded or handled except between the hours of sunrise and sunset.

Control of quantity of explosives.

138. The quantity of explosives to be conveyed to and allowed on a landing place at any one time shall be regulated by the Captain of the Port and such regulated quantity shall not be exceeded.

Detonators, etc.

139. Detonators, percussion caps, fireworks, ammunition or other packages having exposed iron or steel, shall not be conveyed in the same vessel as dynamite, blasting gelatine, or similar explosives, except under such precautions and conditions as may be prescribed by the Captain of the Port.

Liability for expenses.

140. Any expense incurred in superintendence, the provision of firemen or other facility in connection with the handling and discharge of explosives shall, except where otherwise provided in these rules, be borne by the consignee, consignor or agent as the case may be.

Notice to be given to the Captain of the Port.

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141. Before any explosive is brought into the port for shipment or is loaded into or unloaded from any vehicle, notice in writing shall be given to the Captain of the Port informing him of the nature and quantity of such explosive.

Control by Captain of the Port of places where explosives may be loaded, etc.

142. No explosive shall be loaded from, brought into or deposited upon any quay, wharf, jetty, landing stage, shed, warehouse, building or other place except at such place as the Captain of the Port shall from time to time direct.

Vessels to be ready to receive explosives.

143. No explosive shall be placed on any wharf, quay or jetty until the vessel by which the same is to be removed shall be at the place in readiness to receive the same.

Inspection and examination.

144. Every person in control of any explosive or of any vessel or vehicle containing explosives shall, when so required by the Captain of the Port, show all explosives under his control or upon his vessel and shall afford every reasonable facility to enable inspection and examination of such explosive and to ascertain whether these rules are being duly observed.

Petroleum.

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

Carbide.

146. In the case of carbide of calcium the following special rules, shall apply in addition to the other provisions of these rules–

(a) the owner or master of every vessel, 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 vessel shall be removed without unnecessary delay to some duly licensed place of storage or beyond the limits of the port;

(c) no carbide of calcium shall be brought into or landed within the port unless packed in hermetically closed metal containers of such strength and construction or so

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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 container containing carbide of calcium shall be opened within the port except in some licensed or authorized place of storage or in such place as the Captain of the Port may approve in writing;

(e) every reasonable precaution shall be taken by the owner and master of every vessel 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;

(f) the owner and master of a vessel carrying carbide of calcium and the owner and any person in charge of carbide of calcium shall, when so required by the Captain of the Port show all carbide of calcium upon the vessel or under his control respectively, and shall afford every reasonable facility to enable the Captain of the Port to inspect and examine such vessel or such carbide of calcium respectively so as to ascertain whether these rules are being duly observed.

Bunkering.

147. Vessels arriving in Gibraltar having on board as part of their cargo any explosive shall, if such explosive is not stowed in properly constructed magazines, be anchored in the north end of the Bay of Gibraltar and shall bunker from lighters:

Provided always that the Captain of the Port in such cases where he is furnished by the master, owner or agent of any such vessel with a certificate by a surveyor at the port of shipment to the effect that the magazines of such vessel are constructed according to the regulations for the time being in force in the United Kingdom, may allow such vessel to go alongside a hulk or wharf or jetty for the purpose of taking on bunker fuel and, in the absence of such certificate, the Government surveyor or a duly authorized person shall inspect such magazines in order to ascertain that the magazines are properly constructed before the bunkering is allowed to take place.

Permission to be in writing.

148. Any permission granted by the Captain of the Port under this Part shall be in writing and subject to such conditions as may therein be mentioned.

Bunkering prohibited while vessel loading or discharging explosives.

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149. While a vessel is engaged in loading or discharging explosives–

(a) the vessel shall not bunker;

(b) no petroleum shall be transferred to, from or on the vessel by internal or external pipelines or otherwise;

(c) no bunkering or movement of petroleum shall take place within 100 feet of the vessel.

Rules not to apply to vessels in Admiralty waters.

150. These rules shall not apply to any vessels in Admiralty Waters.

Offences.

151. The master of any vessel which fails to comply with or contravenes the provisions of this Part or of any orders or directions of the Captain of the Port and any person who fails to comply with or contravenes such provisions or orders or directions is guilty of an offence and is liable on summary conviction to a fine at level 5 on the standard scale.

PART VI.–CONTROL OF PORT AREAS

Closing roads, wharves, etc.

152. The Captain of the Port may, when he considers it desirable so to do, within the port, close any road and wharf, jetty, quay, or any part thereof, and may permit or prohibit the use thereof subject to such conditions as he may think fit to impose.

Vehicles.

152A.(1) The Captain of the Port may, by notice in writing displayed in such area, prohibit any vehicle or trailer or any class of vehicle or trailer from parking in any area in the port.

(2) The Captain of the Port may allocate areas of the port for the parking of any vehicle or trailer or any class of vehicle or trailer and if he shall so do no vehicle or trailer other than such vehicle or trailer or a vehicle or trailer of such class shall park in that area.

(3) No person shall park any vehicle or trailer in a part of the port in which the Captain of the Port has prohibited the parking of such vehicle or trailer or class of vehicle or trailer, and where the Captain of the Port has allocated an area under the provisions of subrule (2) park any other vehicle or trailer or vehicle or trailer of a different class in that area.

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Trespassers on certain property.

153. No unauthorized person may climb upon the roof of any shed or upon any crane, lighthouse, signal station or navigation mark within the port.

Vehicles to take place assigned.

154. Vehicles or trailers within the port shall take the position or place assigned to them by a police officer or any authorized person.

Vehicles to move when required.

155. Persons in charge of vehicles or trailers within the port shall move their vehicles or trailers when required to do so by the Captain of the Port or any authorized person.

Dangerous driving.

156. No person shall drive a vehicle on any thoroughfare within the port so as to be a danger to the public.

Behaviour of driver of vehicle.

157. Every driver or person in charge of arty vehicle shall, at all times while in or entering or leaving the port conduct himself in an orderly manner and shall comply with such orders as may, from time to time, be issued by the Captain of the Port, and with the terms of any notice or sign exhibited by or under the authority of the Captain of the Port.

Danger signals.

158. No person in the port shall disregard a danger signal or refuse to stop when called upon to do so by a police officer or authorized person.

Fire hydrants.

159. No vehicle or trailer shall be parked over or near any fire hydrant.

Fire-fighting operations.

160. No person in the port shall disregard the directions of the firemaster, police officer or authorized person in the event of an outbreak of fire, or obstruct or in anyway interfere with the fire- fighting operations.

Entering or leaving port.

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161. All persons entering or leaving the port shall do so through the port entrances or exits provided for the purpose; and, while in the port shall be subject to the lawful orders and directions of the Captain of the Port and any authorized person.

Exemption of Government from all liability.

162. Any person who enters the port does so on the condition that Government shall not be liable for personal injury, whether fatal or otherwise, loss, damage, delay or detention of, or to, any such person or his property howsoever caused.

Hawking and trading.

163. No hawkers or pedlars shall trade within the port save with the permission of the Captain of the Port.

Advertising on harbour property.

164. No person may, without having been previously authorized to do so by the Governor, advertise or cause any advertisement to be exhibited on any premises or property of Government within the port.

Bathing.

165. No person may bathe within the port except at such places as are authorized by the Captain of the Port.

Dogs and wild animals.

166. All dogs, reptiles or wild animals found at large in the port may be destroyed by an authorized person. Those on board any vessel shall be properly secured by the master.

Ballast permits.

167. No stone or sand shall be removed from any part of the shore, up to the spring tide high-water mark, within the limits of the port without the permission in writing of the Captain of the Port.

Smoking prohibited.

168. No person shall smoke within any shed, or within any section of the port wherein "No Smoking" notices are exhibited. Any person committing a breach of this rule, may, without

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prejudice to any other penalty incurred under these rules or any other law, be forthwith removed from the port.

Vagrants.

169.(1) No person shall enter or remain in the port except on lawful business.

(2) Any person entering, or who has entered, the port shall, whenever required to do so by any authorized person, truthfully inform such authorized person of the business in respect of which such person claims to be entitled to be in the port.

(3) A person committing a breach of this rule may, without prejudice to his liability to any other penalty under any other law, be forthwith removed from the port and excluded therefrom.

Offence and penalty.

170. A person who contravenes any of the provisions of this Part is guilty of an offence and is liable on summary conviction to a fine at level 4 on the standard scale.

Powers of the Captain of the Port in case of non-compliance.

170A. Where the owner, driver or person in charge of a vehicle or trailer does not comply with any notice, order or direction made by the Captain of the Port or by an authorized person under the provisions of this Part, within such time as may have been specified at the time of the giving of the notice, order or direction, the Captain of the Port may cause the requirements of the notice, order or direction to be complied with in such manner as he may consider appropriate and may recover the cost of so doing from the owner, driver or person in charge of the vehicle or trailer.

PART VII.–PORT CHARGES.

Port charges.

171. The charges specified in Schedule 4 shall be paid in respect of the several matters to which they are applicable.

Exemption.

172. The vessels specified in Schedule 5 are exempted from the payment of the tonnage dues specified in paragraph 1 of Schedule 4.

Partial exemptions.

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172A. The vessels specified in specified in Schedule 5A are partially exempted to the extent stated therein from the payment of the tonnage dues specified in paragraph 1 of Schedule 4.

PART VIII.–CONTINUING OFFENCES.

Continuing offences.

173. A person who has been convicted of an offence under these rules is liable to a fine of one tenth of the amount at level 3 on the standard scale for each day wherein such offence continues after conviction.

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SCHEDULE 1.

Rule 7.

To the Captain of the Port

Notice of expected Arrival of ship.

1. Name of ship .....

2. Nationality .....

3. Last port of call.....

4. Date and time expected.....

5. Registered tonnage of ship-Gross ..... Net .....

6. Dimensions-Length..... Draft Fore .....

Aft.....

7. B. of L. Cargo to be landed tons .....

Shipped tons ..... Nature of cargo .....

8. Bunkers Gas Oil tons .....Fuel Oil tons .....

Coal tons .....

9. Approximate number of passengers to be disembarked .....
embarked .....

10. Any other purpose for call .....

11. Remarks .....

Port of

20 . Agents.

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SCHEDULE 2.

Rule 72

In Duplicate.

GIBRALTAR.

PASSENGER CERTIFICATE

under rule 72 of the Port Rules, for a ship plying in the waters of the port :

Name of ship: .....

Owners: .....

Port of Registry	Official Number	Gross Tonnage

LIMITS WITHIN WHICH THE SHIP IS FIT TO PLY:

that area of water lying to the east of an imaginary straight line drawn due south (180°) from San Roque bounded on the North by an imaginary straight line drawn due west (270°) from Punta Mala and on the south by an imaginary straight line drawn due west (270°) from the northern end of Rosia Mole, but not including the waters known as the Admiralty Waters.

NUMBER OF PASSENGERS AND CREW.

Passengers	Crew	Total

NOTE. – One passenger to be deducted for every three square feet of passenger accommodation occupied by baggage or cargo.

LIFE-SAVING APPLIANCES.	
apparatus capable of supporting	persons.

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Life-bouys	
Life-jackets	

THIS IS TO CERTIFY that the provisions of the Port Rules, relating to the survey of passenger ships have been complied with, and that this ship is fit to ply within the limits and with the number of passengers stated above.

This certificate will remain in force, unless previously revoked, until the ..... day of ..... 20 .

Issued at the Port Office, Gibraltar, this..... day of ....., 20 . Captain of the Port.

1. One of these duplicate certificates is to be put up in a conspicuous part of the ship where it will be legible to all persons on board.

2. If the number of passengers carried exceeds the number stated on this certificate, the owner is liable on summary conviction to a fine of £500.

3. In case of any accident occasioning loss of life, or serious injury to any person, or any material damage affecting the seaworthiness or efficiency of the ship, either in the hull or in any part of the machinery, a written report, signed by the owner is to be forwarded to the Captain of the Port as soon as possible after the happening of
the accident or damage.

4. A similar report is to be forwarded as soon as possible after any alteration or renewal in the ship's hull equipment or machinery which affects the efficiency thereof or the seaworthiness of the ship.

5. A fee of £61.50 shall be charged for a passenger certificate issued pursuant to rule 72.

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SCHEDULE 3

DANGEROUS OR INFLAMMABLE GOODS.

Acetic acid glacial.
Acetone and other inflammable organic compounds.
Aniline oil.
Acetylene, compressed or liquid, in cylinders filled with a porous substance.
Alcohol.
Ammonia.
Acids, in bulk or otherwise.
Carbide of calcium.
Celluloid and its compounds.
Chlorate of potash and other chlorates.
Collodion.
Chloroform, in bulk or otherwise.

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.

Gases, compressed and liquid.
Hydrofluoric acid.
Matches.
Motor spirit and all other inflammable liquids, including turpentine.
Petroleum.
Potassium cyanide and other poisonous compounds.
Phosphorous.
Radioactive substances.
All inflammable solids, such as resin, sulphur, camphor, naphthalene, and any others. All solids liable to spontaneous combustion, such as coal, hay, cotton waste, and any others.
Solids which take up water with production of heat, such as caustic soda, caustic potash, zinc chloride, unslaked 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.
Vitriol.

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SCHEDULE 4

Rule 171

1. Tonnage dues.

(a) Subject to subparagraphs (b), (bb), (c) and (d), the following tonnage dues shall be payable by all vessels except passenger vessels, arriving at, touching at, or having communication with Gibraltar, or the anchorage, port or harbour thereof in respect of each period of forty eight hours or part thereof that a vessel remains at Gibraltar–

GRT	**£**
Vessels up to 1,000 GRT	47.50
Vessels 1,001 GRT and up to 5,000	92.50
Vessels 5,001 GRT and up to 10,000	208.50
Vessels 10,001 GRT and up to 15,000	257.00
Vessels 15,001 GRT and up to 30,000	505.00
Vessels 30,001 GRT and up to 50,000	950.50
Vessels 50,001 GRT and up to 70,000	1,723.00
Vessels 70,001 GRT and up to 100,000	2,063.50
Vessels 100,001 GRT and up to 150,000	2,306.50
Vessels greater than 150,001 GRT	3,075.00

(b) The tonnage dues set out in subparagraph (a) include any costs involved in connection with the provision of port security.

(bb) In addition to the tonnage fees set out in subparagraph (a), the charges set by the Minister with responsibility for the Port and Shipping for the purpose of regulation 14 of the Gibraltar Merchant Shipping (Port Waste Reception Facilities) Regulations 2002 are payable by all vessels, arriving at, touching at or having communication with Gibraltar, or its anchorage, port or harbour;

(c) the component of tonnage that relates to charges or costs referred to in sub-paragraph (b) above shall only be paid once in respect of each call at Gibraltar by a vessel;

(d) except in the case of the component of tonnage that relates to charges or costs referred to in sub-paragraph (b) above, the following discounts on the standard rates of tonnage shall apply to the specified classes of vessel–

Vessels calling to discharge/load containers	30%
Bunker calls	75%

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Vessels calling at the Eastern Anchorage in order to take on provisions, spares or stores, or to carry out crew changes, for a maximum of 48 hours,	75%
Vessels within dry dock	100%

2. Passenger ships: tonnage dues.

The following tonnage dues shall be payable by all passenger vessels arriving or touching at Gibraltar or the anchorage, port or harbour –

GRT	**£**
Vessels up to 10 GRT	17.00
Vessels 10 GRT and up to 50	19.50
Vessels 50 GRT and up to 200	25.50
Vessels 200 GRT and up to 1,000	36.50
Vessels 1,000 GRT and up to 1,500	45.00
Vessels 1,500 GRT and up to 2,000	53.50
Vessels 2,000 GRT and up to 5,000	84.50
Vessels 5,000 GRT and up to 7,000	90.00
Vessels 7,000 GRT and up to 10,000	98.50
Vessels 10,000 GRT and up to 15,000	101.50
Vessels 15,000 GRT and up to 20,000	110.00
Vessels 20,000 GRT and up to 30,000	118.50
Vessels 30,000 GRT and up to 40,000	127.00
Vessels 40,000 GRT and up to 50,000	135.50
Vessels 50,000 GRT and up to 70,000	152.00
Vessels 70,000 GRT and up to 100,000	169.00
Vessels greater than 100,000 GRT	225.50

3. Passenger charges.

(a) there shall be paid in respect of every fare-paying passenger on departure from or upon arrival in Gibraltar by ferry, nil;

(b) subject to sub-paragraph (c), there shall be paid in respect of every fare-paying passenger on arrival £1 and departure £1 in Gibraltar by cruise ship;

(c) the sum to be paid under sub-paragraph (b) shall be reduced according to the following table below.

Number of calls at Gibraltar in a calendar year	**Reduction**

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2 to 4	10%
5 to 10	35%
11 to 19	50%
20 or More	75%
Ship Commencing and Terminating a Cruise at Gibraltar	100%
Transatlantic repositioning call, i.e. where the cruise ship calls at Gibraltar when repositioning across the Atlantic from a North or South American, or Caribbean, port to Europe, or vice versa, according to the season.	100%

In addition to the above reductions, a further reduction will apply as follows, depending on the total number of passengers brought to Gibraltar during a calendar year.

10,000 – 20,000 passengers	Additional 10% off the first discount
20,001 – 40,000 passengers	Additional 20% off the first discount
40,001 – 60,000 passengers	Additional 30% off the first discount
60,001 – 90,000 passengers	Additional 40% off the first discount
Over 90,001 passengers	Additional 50% off the first discount

(d) For the purposes of calculating the number of calls made in sub-paragraph (c), call made by any cruise ship which is–

(a) operated by the same company; and/or

(b) marketed under the same company brand,

shall be aggregated, and the relevant reduction shall apply in respect of each such cruise ship.

(e) there shall be paid in respect of every fare-paying passenger on arrival in Gibraltar by cruise ship an environmental levy of an additional £1.

4. Non-touching Tonnage Dues (Off Port Limit A and B).

Operations which do not require the vessel to anchor or touch upon Gibraltar are charged at the rate of £256.50.

5. Berthing Charges.

In addition to the tonnage dues payable under paragraph 1 of this Schedule, berthing charges shall be payable by every vessel which is berthed at, or alongside, any quay, wharf or jetty in the port or harbour of Gibraltar at the following rates–

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(a) Home trade vessels not exceeding 1000 Tons Gross other than vessels detailed under (i) 9p

(b) Home trade vessels over 1000 Tons Gross other than vessels detailed under (d) (e) (f) (g) or (i) 11p
Full Rate

(c) Foreign going vessels other than vessels detailed under (d) (e) (f) (g) (h) or (i)
11p
Full Rate

(d) For every vessel berthing at the detached mole solely and exclusively for repairs or for underwater cleaning 7p

(e) For every vessel berthing anywhere in the port other than the detached mole solely and exclusively for repairs or for underwater cleaning 16p

(f) For every vessel berthing solely and exclusively for bunkers or to take on supplies of fresh water or discharging slops while alongside a berth whilst so bunkering or taking on supplies of fresh water or discharging slops while alongside a berth 4p
Bunkers

(g) For every cruise ship 1p
Cruise

(h) Home trade and foreign going vessels laid up or under Admiralty arrest 9p

(i) All vessels the master, owner or agents of which the time of berthing express the intention of remaining in Gibraltar for a period in excess of three months and remain for such period At such rate as may be agreed with the
Captain of the Port

(j) For every vessel discharging any Cargo at the Port 11p
Full Rate

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(k)	For every passenger ferry registered in Gibraltar and operating a regular service within a distance of 50 miles from Gibraltar	4p
(l)	For every pure car carrier over 20,000 Tons Gross discharging at the Port	9p
(m)	Any other category not listed above	11p

The above rates for vessels under all sub-paragraphs are chargeable from the time of arrival alongside with a minimum charge per vessel of £7.50 per 24 hours of part thereof – charges are per 24 hour period supplement 1p per GRT beyond.

Vessels chargeable under sub-paragraph (f)–

(i) may take on ship's stores for consumption on board without becoming liable to be charged under any other sub-paragraph but shall, if passengers (whether fare paying or not) embark or disembark or if cargo (whether freight earning or not) is loaded or discharged, cease to be chargeable under that sub-paragraph and be charged under sub-paragraph (a) (b) (c) (d) (e) (g) (h) (i) (j) (k) (l) or (m) whichever may be appropriate;

(ii) may, in the discretion of the Captain of the Port, be allowed to be berthed for a period not exceeding 4 hours whilst such vessel is not bunkering or taking on supplies of fresh water: provided that if the vessel stays longer for whatever reason it shall be charged under sub-paragraph (a) (b) or (c) as appropriate.

Berthing charges shall run continuously, irrespective of changes of berth during any one call, except where berthing is discontinued for a period exceeding three hours when berthing charges shall be payable afresh on reberthing.

Harbour craft which are exclusively used within the port of Gibraltar and do not proceed to sea and which are licensed by the Captain of the Port under these Rules or under the Licensing and Fees Act, shall be exempt from berthing charges.

A vessel shall be deemed to be berthed until the last mooring rope is cast off.

6. Small Boat Moorings.

Length of Boat	Yearly Rate

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Up to 15 feet	£25.00
Over 15 feet but not exceeding 20 feet	£49.50
Over 20 feet but not exceeding 25 feet	£99.00
Over 25 feet but not exceeding 30 feet	£148.50
Over 30 feet but not exceeding 40 feet	£247.00
Over 40 feet but not exceeding 50 feet	£396.00
Over 50 feet	£593.50

7. Boat, Licensed Bunker Barge and Pontoon Licences for use within the Port.

The following fees are payable annually in advance on January each year-

For a motor boat or launch	£62.00
For a licenced bunker barge-	
(i) 0……3,000grt	£6,334.50
(ii) 3,001……5,000grt	£12,669.00
(iii) 5,001……7,500grt	£15,836.00
(iv) 7,501grt onwards	£19,003.50
For a pontoon of any description	£12.50
For a pleasure boat over 10 feet in length (excluding surfboards and sailboats)	£31.50
For jet skis	£12.50
For a workboat under 50 tons gross	£309.50
For a workboat over 50 tons gross	£1236.50

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For a pilot launch used only for embarking and disembarking by pilots and running ships mooring lanes.	Free

8. Guards.

The following charges shall be payable for the services of guards supplied by the Captain of the Port for any purposes of the Quarantine Rules, the Port Rules, the Admiralty Waters and Naval Base (Gibraltar) Act 2022 or any regulations made thereunder:

Per guard per hour or part thereof	£18.50

9. Hire.

The following hire charges shall be payable-

(a) Port Launch	
Weekdays (excluding public holidays) between 8.00am and 5.00pm	£136.50 per hour
Weekdays (excluding public holidays) between 5.00 pm and 8.00 am	£271.50 per hour
Weekends and public holidays	£271.50 per hour
(b) floating fender	
For the first 30 days hire	£37.00 per day or part of a day
Thereafter	£18.50 per day or part thereof
(c) Safety berth	
For the first 24 hours	Free
Thereafter	£102.50 per day or part thereof

9A. Charges for port operations.

Part 1

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(a) Registration as Port employer for an entity first registered after 3 May 2001	£1,237.00
(b) Annual re-registration as a Port employer	£123.50
(c) Annual fee for a-	
(i) Bunkering Licence (renewal)	£63,345.00
(ii) Stevedoring Licence	£3,710.00
(iii) Ship Repair Licence	£1,237.00
(iv) Ship Agency Licence	£1,237.00
(v) Ship Chandlery Licence	£1,237.00
(vi) Tug Operator Licence (renewal)	£63,345.00
(vii) Service Craft Operator Licence	£1,237.00
(viii) Waste Operator Licence	£1,237.00
(ix) Commercial Diving Licence	£1,237.00
(x) Dock Work Licence	£1,237.00
(xi) Ancillary Licence	£309.50
(xii) Any other commercial or Industrial Licence	£1,237.00
(xiii) LNG Licence (Renewal)	£63,345.00

Part 2

Fees for registration and re-registration of port workers:

1.	Annual fee for registration of a port worker	£3.00
2.	Annual fee for re-registration of a port worker	£3.00

Part 3

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Fees for certificates and licences:

1.	Fees for the issue or renewal of a certificate of registration as a port operator	£6.50
2.	Fees for the issue or renewal of a certificate of registration as a port worker	£6.50
3.	Fee for the issue of a duplicate certificate	£6.50
4.	Fee for the endorsement of a certificate of registration	£6.50
5.	Fee for the amendment of a certificate of registration	£6.50

Part 4

Fees for inspection and copies:

1.	Fee for inspection of a licence	£12.50
2.	Fee for a certified copy of a licence or certificate	£6.50
3.	Fee for inspection of an application	£6.50
4.	Fee for a copy of an application	£6.50

10. Bunkering charges.

Charge in respect of the first grant of bunkering Licence £307,500

In addition to any other charges payable under these Rules there shall be payable in respect of every vessel that takes on board bunker fuel for its own use or for export, a bunkering charge at the following rate per tonne of bunker fuel supplied. £0.30

Ship to ship operations:

(a) Deleted

(b) Commercial STS operations excluding delivery of Fuel Oil to Motherships:

Tonnage transferred	
Less than 50,000 metric tonnes	£7,687.50
50,001-100,000 metric tonnes	£11,275.00

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100,001-150,000 metric tonnes	£15,375.00
150,001-200,000 metric tonnes	£23,062.50

(c) Charge in respect of the first grant of an LNG Bunkering Licence £307,500

In addition to any other charges payable under these Rules, there shall be payable in respect of every vessel that takes on board LNG fuel for its own use or for export, an LNG bunkering levy charge at the following rate per tonne of LNG fuel supplied £0.20

Under a Green Initiative Scheme, there will be a discount of 50% applied at the discretion of the Captain of the Port.";

11. Miscellaneous charges.

Overland containers unloading at Port	£62.00
Issue of what is commonly known as a Suez Canal Certificate	£512.50
Pratique certificates for yachts	£512.50
Issue of harbour craft passenger certificates	£124.00
Petroleum Licence	£1,288.50
Pleasure boat licence	£25.00
Issue of a duplicate pleasure boat licence	£12.50
Amendment of a pleasure boat licence	£6.50
Any other certificate	£124.00
Admin fee for incomplete Annex II waste form	£248.00
Temporary fast launch licence	£124.00

12. Space for storage.

A person who wishes to use any space for the storage of oil drums or anything else within the confines of the Port at a location approved by the Captain of the Port shall be liable to pay a fee @ £3.50 per sq.ft.

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13. Portacabins.

An operator wishing to have a portacabin shall be liable to pay a fee @ £3.50 per sq. ft.

14. Super Yacht Tariff Card

DESCRIPTION	RATE
Berthing Fees (including at anchor)	(i) Set at £6.50/m per day (ii) *Deleted*
Discounts for visits of more than 4 days shall also apply on a case by case basis	(i) 5 to 7 days @ 2%. (ii) Up to 14 days @ 3.5%. (iii) Up to 30 days @ 5%. (iv) Up to 60 days @ 7.5%. (v) Up to 90 days @10%. (vi) For over 90 days at such rate as may be determined by the Captain of the Port on his discretion.

15. Tug Operations.

Charge in respect of the first grant of a Tug Operator Licence - £307,500

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SCHEDULE 5.

Rule 172

VESSELS WHICH MAY BE EXEMPTED FROM PAYMENTS OF TONNAGE DUES.

1. Vessels returning to Gibraltar for the purpose of completing their call after temporarily shifting to the Algeciras side of the Bay for shelter.

2. Vessels returning to port after proceeding to a vessel in distress for the purpose of saving life, without remuneration.

3. Vessels entering solely for any of the following purposes:-

(a) to land survivors, with an option to replenish provisions or water;

(b)-(e) *Deleted.*

(f) for shelter due to stress of weather;

(g) to cast out a tow of any vessel found in distress and brought to Gibraltar without remuneration;

(h) to land a pilot overcarried from a previous port due to stress of weather;

(i) degaussing ranging.

4. Vessels when making a second call within any twenty-four hour period, not having in the meantime called at any foreign port.

5. Cable vessels returning to port after effecting repairs to cables provided they have not called at any other port meanwhile.

6. All locally licensed lighters, waterboats, tenders and launches plying within the Bay of Gibraltar north of a line joining Europa Point and Carnero Point.

7. Ships belonging to Her Majesty, the Government, or to a Commonwealth or foreign government other than any such ship carrying cargo or passengers for freight or fares.

8. Yachts which are not used for any commercial purpose.

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9. Any vessel which enters the Port for being used only as a floating storage and that vessel is issued with a safety certificate and a petroleum licence.

10. Any vessel which has previously paid dues on 100 occasions in a calendar year from lst January to 31st December.

10A. Licensed Bunker Barge including on return trips.

11. Any other vessel or class of vessel specifically exempted by the Minister.*

* Notice of Governor's exemptions under Schedule 5 paragraph 11 listed at end of these Rules.

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SCHEDULE 5A

Rule 172A

VESSELS WHICH MAY BE PARTIALLY EXEMPTED FROM PAYMENTS OF TONNAGE DUES

	% Reduction in Fees
1. Ships loading or discharging containers	30%
2. Cruise ships carrying, embarking or disembraking fare-paying passangers	50%
3. *revoked*	
4. Ships whose main purpose of call is to take on bunkers, provided the ship leaves no later than 6 hours after completion of bunkers	75%
Vessels calling at the Eastern Anchorage in order to take on provisions, spares or stores, or to carry out crew changes, for a maximum of 48 hours	75%

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SCHEDULE 6.

Rule 11

PROHIBITED ANCHORAGE AREAS.

1. An area 225 feet wide on either side of the aircraft runway, the width being measured outwards from the edges of the paved area.

2. An area known as the over-run area 1,200 feet wide and 1,000 feet long at the western end of the runway, that is, 600 feet on either side of a line drawn in a 268° direction from a position 035° 3,700 feet from "C" Head Light for a distance of 1,000 feet.

3. An area bounded on the East by the Western limit of the over-run area in 2 above; on the North by a line drawn in a 276° direction from the North-West Corner of the over-run area in 2 above to meet the meridian of 5° 23' 24" W.; on the West by the meridian of 5° 23' 24" W, and on the South by a line drawn in a 260 direction from the South-West Corner of the over-run area to meet the meridian of 5° 23' 24" W.

4. An area bounded by a line drawn in a 358° direction from the North-West Corner of the over-run area in 2 above for a distance of 300 feet, thence in a 276° direction to meet the meridian 5° 22" W., thence in a 180° direction to meet the Northern boundary of the area in 3 above.

5. An area bounded on the South and West by a line drawn in a 260° direction from a position 015° 1,650 feet from "C" Head Light for a distance of 2,175 feet thence in a 350° direction to meet the Southern Light of the Approach area in 3 above.

Note: Areas 1, 2 and 3 above are more particularly delineated and coloured red on the map marked P.F. 24 and deposited with the Captain of the Port

Areas 4 and 5 are more particularly delineated and coloured blue on the said map.

6. An area bounded by the following co-ordinates between Rosia Bay and Great Europa Point:

A. 36° 07' 423N 005° 21' 167W
B. 36° 07' 423N 005° 21' 507W
C. 36° 06' 919N 005° 21' 347W
D. 36° 06' 447N 005° 21' 633W
E. 36° 06' 184N 005° 21 040W

7. The entire area lying to the East of the Longitude of "E" Head.

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SCHEDULE 7.

Rule 7A.

PART I.

INFORMATION TO BE SUPPLIED IN RESPECT OF VESSELS OTHER THAN YACHTS ON ARRIVAL IN PORT.

SHIP MASTER'S REPORT.

Hour and date of arrival..... hrs....., 20.....

Hour and date of boarding..... hrs....., 20.....

Nationality and description of vessel.....

Name of vessel .....

Port of registry .....

Name of master .....

Registered owners .....

Agents .....

Length..... Draught; fore ..... aft ..... Berth allotted .....

Maximum loaded draught: Winter ..... Summer .....

Tonnage: Gross ..... Net ..... Crew(all told) .....

Gross..... Net ..... Tonnage for ship
assigned tonnage
mark when tonnage
mark NOT
submerged.

Load Line Certificate (issuing Authority) .....

Load Line certificate Date of expiry .....

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Name of pilot..... No. of tons per .....
inch immersion

First loading port and departure date .....

Last port and departure date .....

Purpose of call .....
Type of cargo ..... No, of Passengers (Landing .....
(Transit .....

Speed .....

Destination .....

State of health on board .....

Cargo to discharge..... tons. Probable stay in Port..... days/hrs

Bunkers required–

Fuel oil .....tons. Gas oil ..... tons

Casualties, accidents, deaths, stowaways, etc. .....

Arms, explosives and dangerous goods on board .....

Animals on board .....

(Sgd) .....
Master of Vessel.

PART II.

Rule 7A.

INFORMATION TO BE SUPPLIED IN RESPECT OF YACHTS ON ARRIVAL IN PORT.

YACHT MASTER'S REPORT.

Hour and date of arrival..... hrs....., 20.....

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Nationality and description of vessel .....

Name of vessel .....

Port of registry .....

Name of master .....

Registered owners .....

Agents .....

Length..... Draught fore..... aft..... Berth.....

Tonnage: Gross..... Net..... Crew(all told) .....

First port and departure date .....

Last port and departure date .....

Whether locally based or visiting :.....

No. of persons on board in addition to crew:

(Landing .....

(Transit.....

Speed .....

Destination .....

State of health on board .....

Probable stay in port .....days/hrs.

Casualties, accidents, deaths, stowaways, etc. .....

Arms and explosives on board .....

Animals on board .....

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NOTICES ISSUED UNDER SCHEDULE 5 OF THE PORT RULES

LN. Number	Date of Exemption From	To	Remark
1991/034	1.4.1990	–	Gibline 1 exempted
1992/046	1.1.1983	–	All vessels who's main purpose of call to Gibraltar is to take on bunkers.
2000/052	1.7.2000	–	(a) specifically exempts from a liability for payment of tonnage dues, vessels in drydocks; (b) revokes the specific exemption from a liability for payment of tonnage dues, granted under 1992/042, to vessels whose main purpose of call to Gibraltar is to take on bunkers.

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