

HARBOUR AND PORT OF MANCHESTER

**NAVIGATION
BYE-LAWS**

1982

THE MANCHESTER SHIP CANAL COMPANY

TABLE OF CONTENTS

NOTICE

The Manchester Ship Canal Company do not take any charge of or assume any responsibility whatever in respect of any vessel in 'The Harbour' (which includes the Harbour and Port of Manchester and the Manchester Ship Canal and other waters and works of the Company as defined in the Company's Bye-laws), every vessel being at the sole risk of the owners, who alone are responsible for the safety and security of their vessels and moorings and also for any damage done by their vessels or servants to the premises or property of the Company or to vessels or goods in or upon any part of the Company's premises.

	Page
NOTICE –	2
INDEX to BYE-LAWS	4
BYE-LAWS	7-22
EXTRACTS FROM HARBOURS CLAUSES ACT 1847 and THE MANCHESTER SHIP CANAL ACTS, 1950, 1956, and 1960	23-27

Further copies of these Bye-laws can be obtained from the Harbour Master's Department, The Manchester Ship Canal Company, Eastham Locks, Queen Elizabeth II Dock, Wirral, Cheshire L62 0BB.

INDEX

The references are to Bye-laws

Aground, Vessels	50.
Anchors to be stowed	12.
Ballast	41.
Berths, Vessels leaving	44.
Bridges, Fixed, Vessels approaching	26.
Bridges, Swing	6(c), 31, Sched. (1) (22) (23) (24)
Casting off of Tower Craft	30.
Collisions at Sea, Regulations for Preventing	3, 6.
Commencement and Revocation	1.
Competent Person to be on board	42.
Confirmation of Orders to Engine Room	17.
Damage	9, 49, 51.
“Dead Slow” Boards	13.
Declaration of Defects, &c. in Vessels	8.
Declaration of Draught, Cargo, &c.	11.
Defects, &c. on Vessels, Declaration of	8.
Definitions	3.
Disabled, Vessels	8, 50.
Discharge of Material	47, 48.
Draught of Water, Declaration of	11.
Dredgers	9, 22.
Eastham, Locks, Signals at	33 Sched. (19).
Eastham, Queen Elizabeth II Dock, Signals at	33 Sched. (20).
Emergency Signals	Sched. (8) (24).
Estuary Locks, Access to, Mooring in	36.
Ferries, Vessels Approaching	27.
Fog, Mist or Falling Snow	9 Sched. (1).
Following, Vessels	19.
Harbour, Definition of	3.
Harbour Master, Definition of	3.
Harbour Master may inspect Vessels	7.
Ince Tying Up Berth, Signal at	24 Sched. (18).
Interpretation	3.
Lights, Use of Signal	6, 10, 33, 37, 38 Sched. II.
Loading, Regulation of	41.
Locking, Order of, to be determined by Lock Master	32.
Locks, Passage of	9, 16, 32–35 (19) (20) (21) Sched. (1).
Locks, Signals at	33 Sched. (1) (19) (20) (21)
Locks, Use of Engines in	35.
Lock Master, Directions of	32.
Masting Crane at Eastham	21.
Material falling into the Harbour, Steps to prevent	46, 47.
Measures required by Special Circumstances	4.
Meeting, Vessels	18.
Mersey, River or Estuary, Mooring in	36.
Mishap to or Damage by Vessels to be Reported	51.

The references are to Bye-laws

Mooring Lights	37 Sched. (15).
Mooring Signals	37 Sched. (15).
Mooring, Regulations for Vessels at	38.
Mooring, Use of Engines at	39.
Moving of Vessels	43, 44
Navigation, Special Exigencies of	4.
Obstructions in Canal to be reported	49.
Orders to Engine Room, Confirmation of, in emergency,	17.
Out-of-Control, Vessel temporarily	Sched. (8).
Overtaking, Vessels	20, Sched. (1) (7).
Partington Basin, Vessels approaching	28.
Penalties	5.
Projections over side of Vessels	12.
Queen Elizabeth II Dock, Entrance Lock to, Signals at	33, Sched. (20).
Repair of Vessels	47.
Revocation	1.
Ropes and Fenders, Vessels to use their own	40.
Runcorn Docks	3, 24.
Sculling, Sailing, Small Boats &c.	45.
Signal at Ince Tying Up Berth	24, Sched. (18).
Signals, Sound and Light	Sched.
Signals, Compliance With	10.
Signals to Engine Room, Confirmation of	17.
Signals Dredgers	22.
Signals at Ferries	27.
Signals at Locks	33, Sched. (1), (19) (20) (21).
Signals at Queen Elizabeth II Dock, Entrance Lock to	33, Sched. (20).
Signals at Swing Bridges	31, Sched. (1) (22), (23) (24).
Signals to Tugs Assisting or Towing Vessels	Sched. I
Signals by Vessel Overtaking	20, Sched. (1) (7).
Signals by Vessel Moored	37, Sched. (15).
Signals by Vessel Temporarily Out-of-Control	Sched. (8).
Small Craft	9, 15, 45.
Special Circumstances, Measures required by	4.
Speed	9, 13, 21, 23, 25.
Stanlow Docks	23.
Sunken Vessels	50.
Swinging of Vessels	14.
Timber, Floating	46.
Towing, Regulation of	29, 30.
Towing Signals	Sched. I & (16).
Traffic Moving, Duty to Ascertain	16.
Vessel, definition	3.
Vessels, following	19.
Vessels Leaving Berth	44.
Watchmen on vessels	42.
Water, Waste, Discharge of	52.
Weston Point Docks	25.

HARBOUR AND PORT OF MANCHESTER NAVIGATION BYE-LAWS 1982

The Manchester Ship Canal Company, in exercise of its powers under:—

(a) section 83 of the Harbours, Docks and Piers Clauses Act 1847 as incorporated with the Manchester Ship Canal Acts 1885 to 1966 and as modified and extended in their application to the Company by section 3 of the Manchester Ship Canal Act 1960, section 19(2) of the Manchester Ship Canal Act 1966 and article 4 of the Manchester Ship Canal Revision Order 1970;

(b) section 198 of the Manchester Ship Canal Act 1885 as extended by section 37 of the Manchester Ship Canal Act 1896 and amended by section 19(1) of the Manchester Ship Canal Act 1966

and all other powers enabling them in that behalf, hereby make the following bye-laws.

PART I—GENERAL

1.

Title and
commencement

These bye-laws may be cited as the Harbour and Port of Manchester Navigation Bye-laws 1981 and shall come into operation on the expiration of 28 days from the date of confirmation thereof by the Minister of Transport from which date the Harbour and Port of Manchester Bye-laws 1963 numbered 3 to 51 inclusive and the schedule of signals thereto are hereby revoked.

2.

Applications

These bye-laws shall unless otherwise stated herein, apply to all and any parts of the harbour as defined in bye-law 3 hereof.

3.

Interpretation

In these bye-laws the following words and expressions have the following meanings (except where the subject or the context requires otherwise):—

“barge” includes barge, lighter, flat, float, keel, narrow boat and all craft of similar kind;

“canal” means that part of the harbour comprising the Manchester Ship Canal and so much of the River Irwell as lies to the westward of Hunt’s Bank in the City of Manchester, and includes the locks and docks;

“Collision Regulations” has the meaning assigned to that expression by section 418 of the Merchant Shipping Act 1894;

“the company” means the Manchester Ship Canal Company;

“the harbour” means the harbour and port of Manchester as constituted by the Manchester Ship Canal Act, 1885, and extended by the Manchester Ship Canal Act, 1949, and the Manchester Ship Canal Act 1960 which said harbour and port comprises the Manchester Ship Canal, all works constructed under the powers of the said Act of 1949, including Queen Elizabeth II Dock, so much of the Eastham Channel and of the banks and foreshore thereof as is situated between the Eastham Locks and an imaginary straight line from the foreshore at right-angles to the line of the dolphins on the east side of the said Eastham Channel such line being drawn at a distance of 491.9 metres from the seaward extremity of the large lock to the canal at Eastham measured in a direction parallel to the line of the said dolphins and so much of the navigable waters of the rivers Mersey and Irwell as lie between Hunt’s Bank in the City of Manchester and Warrington Bridge in the County of Cheshire and all channels, canals, cuts, wharves, berths, lay-byes, jetties, docks and works within those limits and Runcorn Docks;

“harbour master” means the officer appointed by the company from time to time to execute the office of harbour master, and includes his assistants and subordinates in so far as such assistants and subordinates are, or may be, duly authorised to act on his behalf and any permission or instruction of the harbour master includes any permission or instruction communicated by his assistants and subordinates orally or by V.H.F. radio;

“lock master” includes the assistants and subordinates of each such officer in so far as such assistants and subordinates are, or may be, duly authorised to act on his behalf;

“master” when used in relation to any vessel, means the person lawfully or unlawfully having the command or charge or management of a vessel for the time being;

“navigating” includes moving, or coming to or departing from a mooring or berth;

“vessel” includes any vessel, ship, lighter, keel, barge, boat, raft, pontoon and craft of any kind howsoever propelled or moved

Measures required by special circumstances

4.

In obeying and construing any of the following bye-laws under the heading of Navigation due regard shall be had to special exigencies of navigation and dangers of collision which may render a departure from such bye-laws necessary in order to avoid immediate danger.

5.

Penalties

(a) Any person who offends against any of these bye-laws shall be liable for every offence to a penalty not exceeding £20 provided that a person who offends against bye-law 36 shall be liable for every offence to a penalty not exceeding £50.

(b) Where the commission by any person or an offence under these bye-laws is due to the act or default of some other person, that other person shall be guilty of the offence; and a person may be charged with and convicted of the offence by virtue of this bye-law whether or not proceedings for the offence are taken against any other person.

(c) In any proceedings for an offence under these bye-laws, it shall be a defence for the person charged to prove:—

(i) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or

(ii) that he had a reasonable excuse for his act or failure to act.

(d) If in any case the defence provided by paragraph (c) (i) of this bye-law involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that person as was then in his possession.

PART II – NAVIGATION

6.

Application of Collision Regulations and compliance with bye laws

(a) Insofar as the rules contained in the First Schedule to the Collision Regulations and Distress Signals Order 1977 do not apply within the harbour by virtue of Rule 1(a) of the said First Schedule, the like rules shall so apply as part of these bye-laws but subject to the other provisions of these bye-laws and references in these bye-laws to the Collision Regulations shall include references to the said rules as applied by this bye-law.

(b) Without prejudice to any bye-law which expressly imposes a duty on the master of a vessel the masters of vessels shall obey these bye-laws and if any master fails to do so he shall be guilty of an offence.

(c) Notwithstanding the rules concerning lights contained in the Collision Regulations whenever vessels have to lower their masts in order to pass under the swing bridges the masthead light may, during this process but no longer than is necessary therefor, be

exhibited at the highest convenient part of the vessel above and in line with the stem.

7.

Power of harbour master to inspect

The master of any vessel in the harbour shall when so required by the harbour master afford him every reasonable facility to enable him to examine the state of repair and condition of that vessel.

8.

Declaration of defects etc.

(a) No vessel shall enter the harbour having in her any defect condition or state of affairs which might affect the safe navigation of such vessel within the harbour or endanger other vessels or property therein unless (i) her master shall have first declared to the harbour master such defect condition or state of affairs in her and (ii) the harbour master shall have thereafter granted permission for such vessel to enter.

(b) If in any vessel within the harbour any defect condition or state of affairs arises which might affect the safe navigation of the vessel or endanger other vessels or property the master shall forthwith give notice thereof to the harbour master.

(c) The master of any vessel in which such defect condition or state of affairs exists shall observe and carry into effect such precautions as may then or thereafter in respect of that particular vessel be prescribed by the harbour master for the purpose of safety and no such vessel shall proceed from a safe position in the harbour except with the permission of the harbour master and under such conditions as he may prescribe.

9.

Vessels to be navigated with care

(a) Vessels shall at all times be navigated with care and caution and in such manner as will not involve risk of collision or endanger other vessels or their moorings or cause damage thereto, or to the banks of the canal or to any part of the company's property.

(b) The master of a vessel, when approaching a lock or when approaching or abreast of small craft, floating cranes or elevators, vessels moored or employed in dredging or special work, or any point within or on the banks of the canal where construction, repair or salvage work is in progress or in preparation, shall exercise special care and caution and reduce speed to dead slow or if necessary stop altogether.

10.

Signals

All vessels within the harbour shall carry, use, observe and comply with signals in accordance with these bye-laws and the schedule hereto.

11.

Declaration of draught, cargo etc.

(a) The master of every vessel, whether in the harbour or intending to enter it, shall when requested by the harbour master

declare her draught, the height of her masts and funnels above water level, the nature of her cargo, and the number of passengers on board, and give such other particulars as the harbour master may require for the purpose of ensuring safe navigation.

(b) No vessel shall alter her draught while on passage in the harbour without prior notice to the harbour master.

12.

Projections over side of vessels

Except so far as may be necessary for the purpose of the loading or discharging of cargo or the embarkation or disembarkation of persons all vessels shall have their anchors hove up close into the hawse pipes and all boats, derricks, booms, ladders, and other movable projections swung inboard so that nothing projects over the vessel's side except fenders.

13.

Speed

Masters of vessels shall observe and comply with all "Dead Slow" notices displayed at various points along the canal.

14.

Swinging of vessels

(a) No vessel shall be swung when or where such action may involve danger by reason of the approach of an oncoming vessel.

(b) Before swinging his vessel in sight of an oncoming vessel the master shall signal in the manner prescribed in part 1 of the schedule hereto.

15.

Small craft

Wherever the slopes of the canal will permit, barges and other small craft shall be kept entirely out of the track of sea-going vessels.

16.

Duty to ascertain what traffic will be encountered

No vessel (except tugs assisting) shall leave any lock until the master has ascertained from the lock master what traffic is moving in the next section of the canal.

17.

Confirmation of orders telegraphed to engine-room in emergency

In any case of emergency every order telegraphed to the engine room shall be confirmed forthwith by telephone or other means of communication direct from bridge to engine-room.

18.

Vessels meeting

When two vessels proceeding in opposite directions and about to meet are approaching a dredger or stationary vessel at any place in the canal where it is not prudent or seamanlike for them to attempt to pass each other, the inward-bound vessel shall give way until passed by the outward-bound vessel, except that in the tidal portion of the canal when the stream is running up the canal the outward-bound vessel shall give way until passed by the vessel inward-bound.

19.
Vessels following
When one vessel is following another without the intention of passing she shall not approach nearer to the leading vessel than two hundred metres.

20.
Vessels overtaking
(a) No vessel shall attempt to overtake another vessel before that vessel has signalled her agreement to being overtaken.
(b) Except with the permission of the harbour master no vessel shall overtake another within four hundred metres of any lock or swing bridge which she is approaching or when another vessel is approaching in the opposite direction or near any place where it is not prudent or seamanlike to overtake.
(c) Without prejudice to bye-law 6 every vessel when being overtaken shall keep to her own starboard side and the overtaking vessel shall pass on the port side of the vessel being overtaken.

21.
Vessels approaching masting crane at Eastham
Whenever the signal prescribed in the schedule hereto is exhibited at the masting crane berth at Eastham all approaching vessels shall proceed at the minimum speed practicable and shall be brought to a standstill if so instructed by the company's servant in charge of the operation of the masting crane.

22.
Vessels approaching dredger
Every vessel approaching a dredger at work or in a position for working shall give timely notice by signalling in the manner prescribed in the schedule hereto and no vessel shall attempt to pass a dredger on the side where an obstruction exists.

23.
Vessels approaching Stanlow and Ince
Vessels approaching and passing the oil docks and wharves at Stanlow and Ince shall proceed at dead slow speed through the water and shall stop altogether if so directed by the harbour master.

24.
Signal at Ince Tying-up Berth
Vessels outward bound shall not proceed past Ince Tying-up Berth when the Ince signal, as prescribed in the schedule hereto, is exhibited.

25.
Vessels approaching Runcorn or Weston Point Docks
(a) All vessels when entering or leaving or when approaching or passing the entrances to Runcorn and Weston Point Docks shall proceed with caution and at dead slow speed through the water and if necessary stop.
(b) The master of every vessel shall be prepared to receive instructions from the harbour master when passing Ellesmere Port, Stanlow Oil Docks, Weston Point and each swingbridge and lock.

26.
Vessels approaching fixed bridges
(a) To avoid risk of the masts or funnels of his vessel fouling the fixed bridges or overhead wires, the master of every vessel shall satisfy himself that there is clear headroom beneath them.

(b) No vessel shall hoist any mast spar derrick or crane while navigating the canal between Manchester Docks and Runcorn railway viaduct.

27.
Vessels approaching ferries
Vessels shall approach the ferries at Stanlow, Thelwall, Cadishead, Partington and Hulme's bridge with caution and at dead slow speed through the water.

28.
Vessels approaching Partington Basin
All vessels when approaching or passing Partington Basin shall proceed at dead slow speed through the water and shall be prepared at all times to stop or to tie up if so directed by the harbour master.

29.
Regulation of towing
(a) Except with the permission of the harbour master, tow lines shall not exceed 15 metres in length in the canal. When more than one vessel is being towed the stern of the hindmost shall not be distant more than 150 metres from the bow of the vessel towing when between Eastham and Mode Wheel Locks, or more than 120 metres when above Mode Wheel Locks.

(b) Trains of vessels towed abreast shall not exceed 12 metres in width and shall be properly secured by breast ropes.

(c) When vessels are towed in single line the tow rope shall, whenever safe and practicable, be made fast on the port bow of the vessels towed.

(d) When forming part of a train, vessels with masts shall be in front of vessels without masts, and vessels with fixed masts, if any, shall be nearest to the vessel towing, so that the closing of swing bridges may be expedited.

30.
Casting off of vessels in tow
Except to meet sudden exigencies of navigation or when the harbour master so permits or directs:-

(i) no person shall cast off any barge which is being towed unless instructed to do so by the master of the vessel towing;

(ii) no barge shall be cast off when it is not in a proper position to make a safe berth, or when traffic is passing or is likely to pass while it is still under way; and

(iii) no person shall cast off from a tug any vessel other than a barge unless instructed to do so by the master of such vessel.

Signals at swing bridges

31.

Vessels approaching a swing bridge which is required to be swung open for their passage shall give timely notice by signalling in the manner prescribed in part I of the schedule hereto.
Note The signals at the swing bridges are those given in part II (c) of the schedule.

32.

Order of locking etc. to be determined by Lock Master

(a) Vessels shall enter and leave and take up positions in any lock or alongside any lock wall in accordance with the directions of the lock master.

(b) Except with the permission of the harbour master no vessel shall remain in any lock without reasonable cause.

33.

Signals at locks

(a) No vessel shall make to enter any lock unless signalled so to do in accordance with the schedule hereto. When signalled to enter a vessel shall then proceed to enter the lock which has signalled her.

(b) A vessel intending to enter a lock in the harbour and finding the signal against her shall signal in accordance with the schedule hereto.

34.

Vessels not to impede lock entrances

Except with the permission of the harbour master no vessel shall approach so near any lock as to impede the entrance to or departure from such lock of any other vessel.

35.

Use of locks

(a) When entering a lock every vessel, other than tugs assisting, shall be brought up before her bows have reached the appropriate "stop" notice board on the lock wall. For the purpose of this by-law a vessel shall be deemed to be brought up if her speed is such that she can be brought safely to a standstill at any moment by means of her own ropes, with her propeller either stopped or in neutral.

(b) When a vessel has a tug ahead she may be assisted by it in proceeding along the lock after being brought up, but only at such speed as will permit her to be brought safely to a standstill at any moment by means of her own ropes. When a vessel has no tug ahead she shall, if possible, be warped into position along the lock or if necessary may use her engine, but only so that the speed of the vessel shall permit of her being brought safely to a standstill at any moment by means of her own ropes, with her propeller either stopped or in neutral.

(c) In the case of an outward bound vessel entering the large lock at Barton, Irlam or Latchford Locks, the leading jetty on the north side of the canal shall, so far as practicable, be made use of for the purpose of bringing up.

Note The appropriate "Stop" notice board is, at the large locks, situated approximately 90 metres and, at the small locks,

approximately 60 metres from the pierhead which the vessel passes on entering the lock.

The notice boards are marked "90 metres Stop" and "60 metres Stop" respectively in red figures and letters on a white background.

36.

Mooring in River Mersey or estuary thereof

Except with the permission of the harbour master, vessels shall not moor or anchor in any part of the River Mersey or the estuary thereof which forms the access to any of the entrance locks to the harbour at Eastham.

37.

Mooring signals

Every vessel moored in the canal at a place where traffic passes shall signal as prescribed in part II of the schedule hereto.

38.

Regulations for vessels at moorings

(a) Every vessel moored in the harbour shall be well and sufficiently moored and the moorings shall be carefully attended during the passing of any other vessel.

(b) A vessel moored in the canal at a place where traffic passes shall not, except with the permission of the harbour master, use floodlighting on the side of the vessel adjacent to the fairway or display any other illumination of such a character or in such manner as to interfere with the safe navigation of other vessels along the fairway.

(c) No rope, chain or other tackle shall be made fast from any vessel to the pillars or other part of any shed or to the rails, railway wagons, cranes or any other property within the company's premises except the proper bollards, mooring posts or rings.

39.

Use of engines at moorings

When a vessel is moored, her propeller shall not be set in motion for the purpose of an engine trial except with the written permission of the harbour master and on such conditions as he may impose. Suitable lookouts shall be maintained forward and aft. When a propeller has been set in motion, it shall be stopped on the approach of another vessel and shall remain stopped until such vessel has passed and is clear.

40.

Vessels to use their own ropes and fenders

When navigating within the harbour all vessels shall provide and use good and sufficient ropes or warps of their own, with heaving lines ready bent on their check or mooring ropes, which shall be kept ready to send ashore when required. Such fenders as may be necessary shall be provided by the vessel and shall be of such material as will not sink if lost overboard.

Vessels to be properly ballasted

41.

The master of every vessel shall regulate loading or ballasting of his vessel so that the vessel shall be kept at all times so loaded or ballasted as to be safely navigated or moored in the harbour.

Competent person to be on board

42.

Except with the permission of the harbour master every vessel moored in the harbour shall have a competent watchman on board both day and night and in addition every sea-going vessel shall have on board a responsible officer in charge.

Vessels to be kept in a moveable condition

43.

Except with the permission of the harbour master to the contrary the master of every vessel shall keep such vessel in such condition as to be capable of being safely moved at any time by means of its own propulsion machinery.

Vessels leaving berth

44.

(a) No vessel shall leave her berth in the harbour without the permission of the harbour master and the master of every vessel shall give reasonable notice to the harbour master of the time when his vessel is intending to leave her berth.

(b) As shortly as is practicable before leaving the berth the master shall inform the harbour master that he is about to leave and shall ascertain from him what traffic is expected to be moving along that length of the canal which the vessel is to navigate.

(c) Notwithstanding any permission which may be given by the harbour master no vessel shall leave her berth at a time when such action is likely to involve danger by reason of the approach of an on-coming vessel or the proximity of any other vessel under way or getting under way.

Sculling, sailing, small boats, etc. prohibited

45.

No person shall scull, sail or row any small boat or gig or other similar vessel in the harbour except with the permission of the harbour master.

Timber not to be floated without consent

46.

Timber or other merchandise shall not be discharged into the waters of the harbour without the permission of the harbour master.

Steps to be taken to prevent material from falling into the harbour

47.

If, during the loading, discharge, or repair of a vessel (or any part of her), material is liable to fall into the harbour, the master shall throughout provide canvas or other protection of such a kind and so secured from and to the vessel's side as effectually to prevent such fall.

Material discharged by accident etc. to be reported

48.

When by accident or otherwise any rope or fender or any material of any kind whatever falls overboard or is discharged into the harbour, the circumstances and the position, nature, and quantity of the material shall be immediately reported to the harbour master, or at the first lock or swing bridge passed.

Obstruction or other danger in the canal to be reported

49.

An efficient look-out shall be kept on board all vessels navigating the canal, and any obstruction or danger to navigation, such as timber or other articles observed in the canal, or damaged buoys or perches, shall be reported at the first lock or swing bridge passed.

Sunken vessels

50.

The master of any vessel which sinks or runs aground or becomes disabled in the harbour shall immediately notify the harbour master.

Mishap to or damage by a vessel to be reported

51.

If any vessel does or receives damage of any kind while in the harbour or is involved in any accident therein in which damage may have been received or caused the master shall immediately notify the harbour master.

Waste water

52.

Condensing or waste water from vessels shall not be discharged onto the dock quays or onto the top of lock walls or jetties.

THE COMMON SEAL of the MANCHESTER SHIP CANAL COMPANY was hereunto affixed on the 7th day of JUNE, 1982, in the presence of :-

R. K. JONES *Assistant Secretary*

The foregoing Bye-laws are here-by confirmed by the Secretary of State for Transport.

Signed by authority of the Secretary of State this 21st day of September, 1982.

J. R. FELLOWS

The schedule hereinbefore referred to:—

SCHEDULE OF SIGNALS

I. SOUND SIGNALS

Number of Blasts	Meaning of Signal
1. One Prolonged (When inward bound)	To call attention generally, e.g. when i. Approaching another vessel; ii. Approaching or passing a lock; iii. Approaching a swing bridge which is required to be opened;
One Prolonged and one Short (When outward bound)	iv. Approaching a bend; or v. At intervals of not more than two minutes when navigating in or near an area of restricted visibility.
2. One Prolonged and Two Short	(To stern tug) — “Pull on port quarter”
3. One Prolonged and Three Short	(To stern tug) — “Pull on starboard quarter”
4. One Very Short ($\frac{1}{2}$ second duration)	(To forward tug when getting under way) — “Ready, go ahead”. (To stern tug) — “Cancel last signal”. (To stern tug) — “Pull astern”. (a) (To tugs) — “Hold ship in position”. (b) “Am holding ship in position”.
5. Three Short	
6. Four Short	
7. One Prolonged, One Short and One Prolonged	(To stern tug) — “Am about to pass another vessel”.
8. Four Short and One Prolonged	“Vessel temporarily out of control”.
9. One Prolonged, Two Short and One Prolonged	“About to swing”.
10. One Very Long of not less than 8 seconds duration	“Have completed swing”.
11. Three Prolonged and Three Short	“Attendance of boatman is required”.

The following signals shall be given by means of MOUTH WHISTLE:—

Number of Blasts	Meaning of Signal
12. One Prolonged and Two Short	(To forward tug) — “Pull on port bow”.
13. One Prolonged and Three Short	(To forward tug) — “Pull on starboard bow”.
14. One Short	(To forward tug) — “Cancel last signal”.

II. OTHER SIGNALS

(a) General

BY DAY (i.e. Between Sunrise and Sunset)	MEANING OF SIGNAL	BY NIGHT (i.e. Between Sunset and Sunrise)
15. Pennant half-mast	Vessel moored in the canal where traffic passes	(a) Two white lights on off side, one forward and one aft where best seen (b) On craft less than 50 metres long — one white light on off side where best seen
16.	Tug engaged in towing	As prescribed by rule 24 of the Collision Regulations except that no towing light need be shown above the stern light
17. Blue flashing light at Eastham crane berth	Masting Crane operations in progress (see bye-law 21)	Blue flashing light at Eastham crane berth
18. One white flashing light over one red flashing light at Ince	Outward bound vessels shall not proceed beyond Ince tying-up berth (see bye-law 24)	One white flashing light over one red flashing light at Ince

BY DAY (i.e. Between Sunrise and Sunset)	MEANING OF SIGNAL	BY NIGHT (i.e. Between Sunset and Sunrise)
19. AT EASTHAM LOCKS Vessels inward bound (a) White light occulting every two seconds	Lock available	White light occulting every two seconds
(b) Red light occulting every two seconds	Lock not available	Red light occulting every two seconds
(c) Green light occulting every two seconds	Lock gates open. Water in the Mersey and the canal on the same level	Green light occulting every two seconds
(d) Two white circular shapes 1.2 metres in diameter spaced 2.4 metres apart in a horizontal plane at a height of 15.7 metres above Mean High Water Springs	Emergency signal to inward bound vessels: large lock inoperative	One amber flashing light visible from seaward (two seconds flash, four seconds lapse) at a height of 17.5 metres above Mean High Water Springs and having a visibility of five miles
Vessels outward bound		
(e) White flashing light	Lock available	White flashing light
(f) Red flashing light	Lock not available	Red flashing light
(g) Green fixed light	Lock gates open. Water in the Mersey and the canal on the same level	Green fixed light

BY DAY (i.e. Between Sunrise and Sunset)	MEANING OF SIGNAL	BY NIGHT (i.e. Between Sunset and Sunrise)
20. AT QUEEN ELIZABETH II LOCK		
(a) Three fixed green lights in triangular form on outer bullnose	Lock available	Three fixed green lights in triangular form on outer bullnose
(b) Three fixed red lights in triangular form on outer bullnose	Lock not available	Three fixed red lights in triangular form on outer bullnose
(c) Three flashing red lights in triangular form on outer bullnose	Lock not available and lock sluicing in operation	Three flashing red lights in triangular form on outer bullnose
21. AT LOCKS OTHER THAN EASTHAM AND QUEEN ELIZABETH II LOCK		
(a) White flashing light	Lock available	White flashing light
(b) Red flashing light	Lock not available	Red flashing light

(c) Swingbridges**22. BRIDGE CLOSED**

A red fixed light exhibited from the side structure of the bridge and positioned immediately over the centre of the fairway.

When the red fixed light is shown over the centre of the fairway no vessel shall approach except small craft able to pass safely under the bridge.

23. BRIDGE OPEN

In addition to the red fixed light (section 22) which will appear at the side of the fairway to which the bridge is swung an additional red fixed light showing in one direction and a green flashing light showing in the opposite direction.

This additional light is positioned at the top centre of the bridge structure at all swing bridges except Barton Road Swingbridge where it is displayed from a post at each extremity of the bridge island.

When two red fixed lights are shown at the side of the fairway the bridge is swung for another vessel proceeding in the opposite direction and the vessel signalled by two red fixed lights shall not attempt to pass the bridge but shall keep a reasonable distance away from it and make room for the safe passage of the vessel proceeding in the opposite direction.

When the red fixed light and the green flashing light are shown at the side of the fairway the bridge is open for the passage of the vessel signalled thereby and she may proceed.

No vessel shall proceed to pass a swingbridge until the bridge is seen to be completely swung open and the green flashing light is seen in addition to the red fixed light, whereupon she may proceed with caution.

24. EMERGENCY

A red flashing light in addition to or in place of signals 22 and 23 to indicate a bridge failure or other emergency.

The red flashing light indicates that the bridge cannot be fully opened due to mechanical fault or other cause and no vessel shall approach from either direction until the signal is cancelled whereupon a vessel may proceed with caution when signalled accordingly.

BRIDGE CLOSED (Do not approach)	BRIDGE OPEN (Do not approach)	BRIDGE OPEN (Proceed with caution)
RED FIXED LIGHT over centre of fairway	RED FIXED LIGHT and RED FIXED LIGHT at side of fairway	GREEN FLASHING LIGHT and RED FIXED LIGHT at side of fairway
EMERGENCY SIGNAL in any position – RED FLASHING LIGHT		

Note: Except in time of flood or high tide or with the permission of the harbour master no swingbridge will be swung for vessels which are fitted with appliances for lowering their masts and/or funnels to enable them to pass safely under the bridges.

Extracts from the Harbours, Docks, and Piers Clauses Act, 1847 and from The Manchester Ship Canal Acts, 1950, 1956 and 1960.

The Harbours Clauses Act, 1847:—

Powers of
Harbour, Dock
or Pier Master.

52. — The Harbour Master may give directions for all or any of the following purposes: (that is to say) —

For regulating the time at which and the manner in which any vessel shall enter into, go out of, or lie in or at the Harbour, Dock, or Pier, and within the prescribed limits, if any, and its position, mooring or unmooring, placing and removing, whilst therein;

For regulating the position in which any vessel shall take in or discharge its cargo or any part thereof, or shall take in or land its passengers, or shall take in or deliver ballast within or on the Harbour, Dock, or Pier;

For regulating the manner in which any vessel entering the Harbour or Dock or coming to the Pier shall be dismantled, as well for the safety of such vessel as for preventing injury to other vessels, and to the Harbour, Dock, or Pier, and the moorings thereof;

For removing unserviceable vessels, and other obstructions from the Harbour, Dock, or Pier, and keeping the same clear;

For regulating the quantity of ballast or dead weight in the hold which each vessel in or at the Harbour, Dock, or Pier shall have during the delivery of her cargo, or after having discharged the same;

Provided always that nothing in this or the Special Act contained shall authorise the Harbour Master to do or cause to be done any act in any way repugnant to or inconsistent with any Law relating to the Customs, or any Regulation of the Commissioners of Her Majesty's Customs.

The Harbours Clauses Act, 1847:—

Penalty on
Shipmasters
not complying
with Directions
of the Harbour
Master.

53. — The Master of every vessel within the Harbour or Dock, or at or near the Pier, or within the prescribed limits, if any, shall regulate such vessel according to the directions of the Harbour Master, made in conformity with this and the Special Act; and any Master of a vessel, who, after notice of any such direction by the Harbour Master served upon him, shall not forthwith regulate such vessel according to such direction, shall be liable to a penalty not exceeding Twenty Pounds.

Directions of
Harbour
Master.

The Manchester Ship Canal Act, 1950:—

26. Section 52 of the Harbours Act 1847 in its application to the Company and the Harbour Master:—

- (a) shall extend to empower the Harbour Master to give directions prohibiting the mooring of vessels in any particular part or parts of the Harbour;
- (b) shall not be construed to require the Harbour Master in emergency to give particular directions in the case of every vessel in respect of which it is desired to exercise any of the powers of that section but in pursuance of that section for all or any of the purposes thereof the Harbour Master shall be entitled in emergency to give general directions applicable to all vessels or to particular classes of vessels.

The Manchester Ship Canal Act, 1950:—

Orders of the
Harbour
Master need not
be in writing.

27. Section 53 of the Harbours Act 1847 in its application to the Company and the Harbour Master shall not be construed to require the Harbour Master to serve a notice in writing of his directions upon the Master of a vessel but such directions may be given verbally or otherwise communicated to such master but a notice which is not in writing shall not be deemed to be sufficient unless in the opinion of the court before whom any case may be heard it was not reasonably practicable to serve a written notice on the Master of the vessel.

The Manchester Ship Canal Act, 1956:—

Extension of
powers of
Harbour
Master.

51. Section 52 of the Harbours Act 1847 in its application to the Company and the Harbour Master shall extend so as to empower the Harbour Master to prohibit the entry into the Harbour of vessels designed to carry liquid cargo in bulk if the entry is only for the purpose of cleaning their tanks.

The Manchester Ship Canal Act, 1956 as amended by The Manchester Ship Canal Act, 1962:—

Estuarial
vessels,
tugs, and barges
not to use
harbour unless
registered.

53.—(1) On and after the first day of January nineteen hundred and (sixty-three) it shall not be lawful without the written permission of the Company for any estuarial vessel tug or barge to enter or use the Harbour or to be worked or navigated therein unless it is for the time being registered by the Company.

(2) The Company shall as soon as practicable after the receipt of an application in a form prescribed by them register any estuarial vessel tug or barge —

- (i) which is classed by Lloyds Register of Shipping the British Corporation Register of Shipping and Aircraft or the British Committee of the Bureau Veritas; or
- (ii) in respect of which there shall be produced to the Company a certificate in a form prescribed by the Company and made by any surveyor of shipping for the time

being approved by the Company that the estuarial vessel tug or barge is seaworthy and suitable for the purpose for which the same is built designed or fitted or intended or likely to be used.

(3) If at any time it shall appear to the Company that any estuarial vessel tug or barge which has been registered pursuant to subsection (2) of this section may have become unseaworthy or unsuitable for the purpose for which the same is used or for which it is built designed or fitted or intended or likely to be used the Company may after sending by registered post addressed to the owner of such estuarial vessel tug or barge at the address of such owner last notified to the Company notice of their intention so to do cancel the registration of the estuarial vessel tug or barge unless within one month from the sending of such notice there shall be produced to the Company —

- (i) a certificate that the estuarial vessel tug or barge has remained classed by Lloyds Register of Shipping the British Corporation Register of Shipping and Aircraft or the British Committee of the Bureau Veritas; or
- (ii) a certificate in a form prescribed by the Company and made by any surveyor of shipping for the time being approved by the Company that the estuarial vessel tug or barge is seaworthy and suitable for the purpose for which the same is used or for which it is built designed or fitted or intended or likely to be used.

(4) If any estuarial vessel tug or barge shall enter or use the Harbour or be worked or navigated therein in contravention of the provisions of subsection (1) of this section the owner of such estuarial vessel tug or barge shall for every such offence be liable to a penalty not exceeding fifty pounds.

(5) All offences against this section and all penalties imposed or recoverable under this section may be prosecuted or recovered in a summary manner.

(6) In this section —

“barge” includes a lighter flat or other like vessel;

“estuarial vessel” means a vessel having a carrying capacity not exceeding one thousand two hundred and fifty tons which does not normally go to sea but does not include a pleasure craft as defined in Section 2 (Interpretation) of the (Manchester Ship Canal) Act, 1960;

“tug” means any vessel built designed or fitted for the purpose of towing ships or barges and includes a tender;

“surveyor of shipping” includes a surveyor or builder of tugs or barges.

The Manchester Ship Canal Act, 1960:—

8.—(1) Section 52 of the Harbours Clauses Act 1847 as incorporated with the Manchester Ship Canal Acts 1885 to 1960 in its application to the Company and the Harbour Master shall notwithstanding the provisions of section 33 of the Harbours Clauses Act 1847 as also so incorporated extend so as to empower the Harbour Master to prohibit a pleasure craft from entering the Harbour unless the following conditions have been or will be complied with:—

- (a) notice in writing of the date and time on which it is proposed to enter the Harbour and of the intended movement of the pleasure craft in the Harbour has been given to the Harbour Master not less than forty-eight hours before the time of entry;
- (b) on or before the giving of the said notice there has been produced to the Harbour Master —
 - (i) (A) a passenger steamer's certificate issued by the Ministry of Transport under Part III of the Merchant Shipping Act 1894 or a certificate showing that the pleasure craft is for the time being classed by Lloyds Register of Shipping or some other classification society approved by the Company; or (B) a certificate given within the previous twelve months by a surveyor of shipping who is either a member or an associate member of the Institute of Naval Architects or is approved by the Company or by a boat builder who is either a member of the Ship and Boat Builders' National Federation or is approved by the Company that the pleasure craft is seaworthy and suitable for navigation on the Canal; and
 - (ii) a certificate that the owner is insured in respect of the pleasure craft with an insurer approved by the Company against third party liability in a sum of not less than fifty thousand pounds;
- (c) during such time as the pleasure craft is in the Harbour it is —
 - (i) equipped with the articles specified in the Third Schedule to this Act; and
 - (ii) in charge of a person over twenty-one years of age who has such experience of navigation as will enable him to navigate in the Harbour with reasonable competence.

(2) Notwithstanding the provisions of subsection (1) of this section if the Harbour Master is of the opinion that the entry into or movement of the pleasure craft in the Harbour at the date and time specified in a notice given under paragraph (a) of subsection (1) of this section would or would be likely to cause such interference with commercial traffic in the Harbour as to make it necessary for such entry or movement not to take place

at the date and time so specified he may postpone such entry or movement for such period as he considers to be necessary to avoid interference with commercial traffic and shall thereupon notify the Master of the pleasure craft of a date and time as soon thereafter as is reasonably practicable when the pleasure craft may enter the Harbour or move within it.

(3) Subsection (1) of this section shall not apply to a pleasure craft requiring to enter the Harbour from the river Mersey owing to stress of weather or other emergency.

Schedule

1. An adequate anchor and cable.
2. At least two warps each being not less than fifty feet in length and of sufficient strength.
3. Such navigation lights and equipment for signalling by sound as will enable the pleasure craft to comply with the International Regulations for Preventing Collisions at Sea and with the Company's byelaws.
4. At least two fire extinguishers of a foam type approved by the Ministry of Transport and maintained in accordance with the Ministry's recommendations.
5. Sufficient life-saving apparatus for as many passengers and crew as the pleasure craft is designed to carry.
6. An Admiralty chart or other chart approved by the Company for the Harbour and adjacent waters.
7. A copy of the Company's byelaws for the time being in force.
8. A current tidal almanac.