

BERMUDA

MARINE BOARD (CONTROL OVER MARITIME TRAFFIC)
(AMERICA'S CUP DOCKYARD AREA RESTRICTIONS) NOTICE 2017

BR 48 / 2017

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The Minister responsible for marine and ports services, in exercise of the power conferred by section 10(1)(a), (aa) and (b) of the Marine Board Act 1962 issues the following Notice:

Citation

1 This Notice may be cited as the Marine Board (Control Over Maritime Traffic) (America's Cup Dockyard Area Restrictions) Notice 2017.

Interpretation

2 In this Notice—

“AC race yachts” means the yachts competing in any of the 35th America's Cup Events;

“boat” includes ship and personal watercraft (jet-ski);

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“harbour entrance control manager” means a police officer, an officer of the Department of Marine and Ports or a member of the Royal Bermuda Regiment, who has been authorised by the Minister responsible for marine and ports services to implement and supervise the Dockyard Harbour Entrance Control Plan issued by ACBDA;

and any expression used in this Notice and in the America's Cup Act 2015 shall have the meaning given in that Act.

Purpose of restrictions in Dockyard area

3 The restrictions in this Notice are required due to the increased volume of marine traffic expected in the Dockyard area before, during and after the 35th America's Cup Events in May and June 2017.

Duration of restrictions

4 The restrictions in this Notice apply at all times from 21 May 2017 to 30 June 2017.

No wake zone

5 A five-knot no wake restriction shall apply to all boats in the area from Lodge Point to buoy #36 to buoy #34 to buoy #40A to marker stake (Lat 32° 20.210' N, Long 64° 50.082' W) then perpendicular to the shoreline near Commissioner's Point, shown on the plan in Schedule 1.

Restricted area - South Basin

6 The area of the South Basin shown on the plan in Schedule 2 shall be closed to all boats.

Dockyard Harbour entrance traffic separation scheme

7 (1) All boats entering or exiting the Dockyard Harbour (North and South Basins) must comply with the traffic separation scheme indicated on the plan in Schedule 2, and must in particular—

- (a) keep to the right of the separation scheme marker buoys; and
- (b) comply with any instructions given by the harbour entrance control manager (call sign “Dockyard Traffic”).

(2) All boats are required to monitor VHF Channel 77—

- (a) when approaching the separation scheme marker buoys in Grassy Bay inbound until they have docked in the North or South Basin; and
- (b) when leaving the docks in the North or South Basin until they have passed the separation scheme marker buoys in Grassy Bay outbound.

Caution to be exercised by mariners

8 All mariners, pilots and boatmen within the no wake zone, restricted area and Dockyard Harbour (North and South Basins) must exercise extreme caution at all times.

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Patrol of marine traffic

9 For the purpose of enforcement of this Notice, marine police and marshal boats will patrol the no wake zone, restricted area and Dockyard Harbour (North and South Basins).

Offence

10 It is an offence under section 10(3)(a) of the Marine Board Act 1962 for the master of a ship or boat to fail to observe the requirements of this Notice, punishable on summary conviction in accordance with section 112 of that Act.

Exemptions for certain boats

11 (1) Paragraph 5 does not apply to—

- (a) the AC 35 race yachts;
- (b) the Regatta Officials;
- (c) marine police and marshal boats;
- (d) fireboats and boats operated by officers of the Department of Marine and Ports (other than ferries, tugs and general work boats);
- (e) any vessel operated in response to an emergency situation;
- (f) cruise ships and cargo ships under the direction of a branch pilot,

and such other boats as ACEA may authorise to exceed the five-knot no wake restriction, provided that ACEA notify the marine police and marshal boats accordingly.

(2) Paragraph 6 does not apply to—

- (a) the AC 35 race yachts;
- (b) the Regatta Officials and boundary marker boats;
- (c) marine police and marshal boats;
- (d) fireboats and boats operated by officers of the Department of Marine and Ports (other than ferries, tugs and general work boats);
- (e) any vessel operated in response to an emergency situation;
- (f) any boats permitted by ACEA to moor in the South Basin,

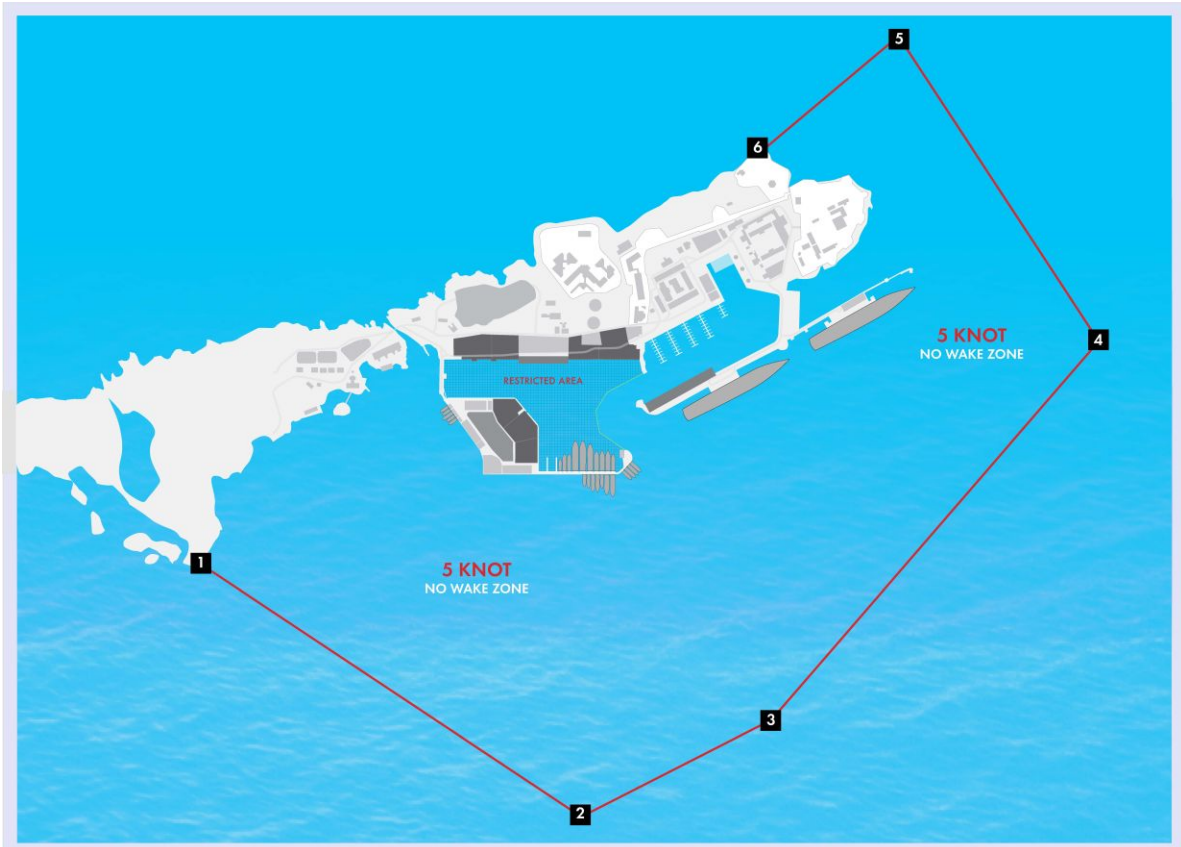
and such other boats as ACEA may authorise to access the South Basin restricted area, provided that ACEA notify the marine police and marshal boats accordingly.

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SCHEDULE 1

(Paragraph 5)

NO WAKE ZONE

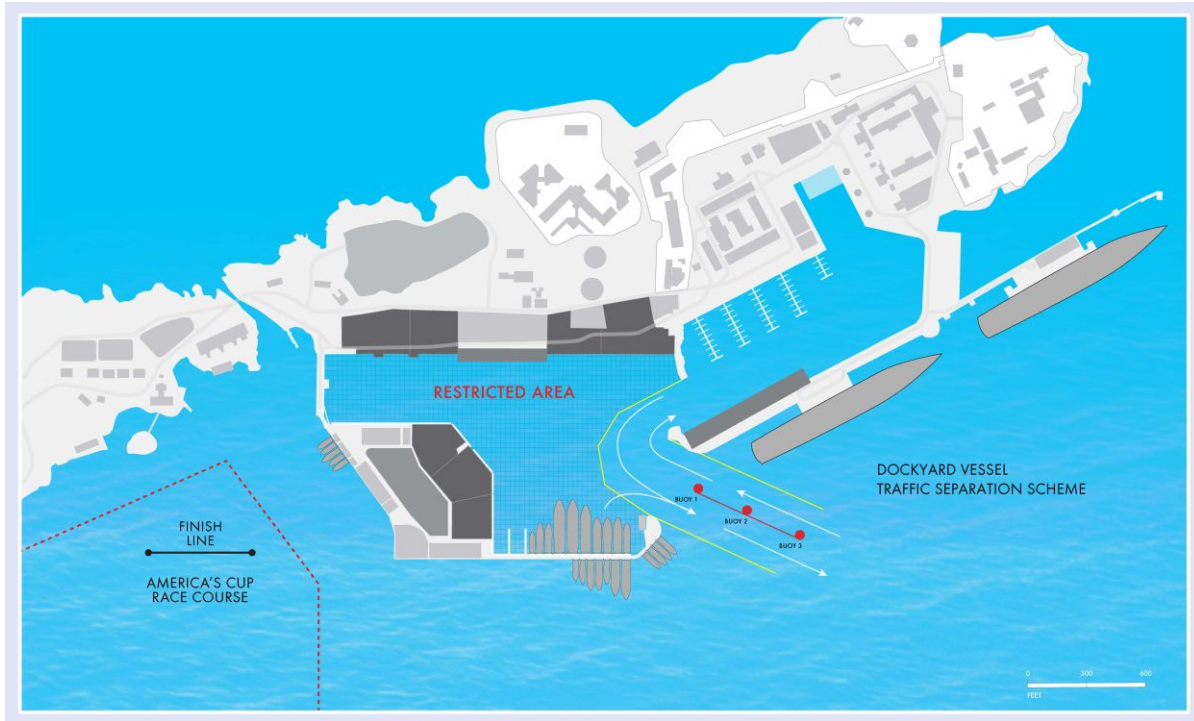


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SCHEDULE 2

(Paragraphs 6 and 7)

DOCKYARD HARBOUR



Made this 11th day of May 2017

Minister of Tourism, Transport and Municipalities