

2. REGULATIONS

2.1 CRUISING FORMALITIES

Before your annual cruise check that Yacht and Personal documents are in-date. It saves time, especially abroad, if all documents are in transparent files for easy inspection.

Yacht documents

Registration certificate (2.1.1). Marine insurance valid for the intended cruising area, including adequate third-party cover (2.1.2). Proof of VAT status (2.4). Ship's radio licence (5.2.3). Ship's Log, itinerary and a crew list.

Personal documents

Valid passports and European health insurance card (8.2). Radio Operator's certificate of competence (5.2.3).

International Certificate of Competence

An International Certificate of Competence (ICC) (Pleasure Craft), valid for 5 years, is required in most European countries, especially those whose inland waterways are to be cruised. It can be endorsed for power or sail, inland or coastal waters, or all four.

The inland waterways endorsement requires a short, written test on CEVNI (ColRegs and buoyage in European inland waterways), but this does not apply to UK inland waterways. If evidence of Competence (eg Day Skipper or above) is not held, a practical test must be passed before the ICC is issued. E-mail certification@rya.org.uk or call 0845 345 0376.

Health regulations

Comply with health regulations (eg report any infectious disease); check if vaccination certificates are needed.

2.1.1 Registration

The Merchant Shipping Act 1995 and related Merchant Shipping (Registration of Ships) Regulations govern the registration of British ships in the UK.

The Register of British Ships is in 4 parts, covering:

Part I merchant ships and pleasure vessels.

Part II fishing vessels.

Part III small ships (Small Ships Register).

Part IV bareboat charter ships.

- Registration under Part I is a relatively complex and expensive business (£124), since a yacht has to be surveyed and follows the same procedure as a large merchant vessel. It costs £49 to renew for 5 years. The certificate establishes the ship's nationality and tonnage. Details of registered ownership and mortgages can be obtained from the RSS at Cardiff.
- Part III, *The Small Ships Register (SSR)*, is for owners who want a simple registration, to prove the yacht's nationality and meet registration requirement for a privileged ensign, but it registers neither 'Title' nor mortgages. A small ship is defined as < 24m LOA. The cost is £25 for five years, and measurement only requires taking the boat's LOA.

Application forms and the online SSR registration service are at www.ukshipregister.co.uk.

For further details contact the UK Ship Register-RSS, Anchor Court, Keen Road, Cardiff CF24 5JW, tel 029 2044 8800; fax 029 2044 8820. rss@mcga.gov.uk

2.1.2 Insurance

Every cruising boat should be adequately insured against loss or damage. The insured value should be the cost of replacing the boat and all equipment. Third-party cover for up to £3,000,000 is also needed. The cruising area must be adjusted and paid for if cruising beyond the usual limits. Failure to disclose all relevant facts may invalidate a policy.

2.2 HM REVENUE & CUSTOMS (HMRC)

2.2.1 The European Union (EU)

EU yachtsmen can move freely within the EU, provided Customs duty, VAT, or any other Customs charges, have been paid in an EU country. Most nations make random checks on yachts and you may be asked for evidence that VAT, or its equivalent, has been paid on your vessel. See 2.3 for notes on using UK-bought red diesel overseas. See also 2.3.1.

EU members are listed in Notice No 8. The Channel Islands and the Canary Islands do not operate a VAT system under EU rules, and are therefore treated as outside the EU.

2.2.2 Customs Notice No 8 (Dec 2002)

This Notice '*Sailing your pleasure craft to and from the UK*' (with Update 2 of April 2004) is the UK's interpretation of what the law says about pleasure craft and compliance with HM Revenue & Customs requirements, as summarised below; it is a good idea to have a copy aboard.

This Notice and further information may be obtained from the National Advice Service, tel 0845 010 9000 or +44 208 929 0152, which is open M-F, 0800-2000. Or visit HM Revenue & Customs website at: www.hmrc.gov.uk

Yachtsmen are warned that a boat may be searched at any time. Penalties are severe for non-declaration of prohibited or restricted goods, and the carriage and non-declaration of prohibited drugs and firearms. If goods are smuggled the vessel may be seized and the persons concerned may be liable to prosecution, a heavy fine and/or prison sentence.

2.2.3 Duty-free stores

Duty-free stores may be allowed on vessels going south of Brest or north of the N bank of the R. Eider (Denmark), by prior application to a Customs office. Duty-free stores cannot be taken to the Republic of Ireland nor to the Channel Islands. Contact the National Advice Service for details of how to embark stores and of the conditions to be satisfied. For more information read Notice 69A *Duty free ship's stores*.

2.2.4 C1331 Pleasure craft departing the UK

To another EU country

No report is needed, unless a Customs Officer asks for one.

To a country which is outside the EU:

You must notify HM Customs of your departure on Form C1331, Part 1 '*Leaving the UK*', available from most YCs, marinas, Customs offices, the National Advice Service or via the hmr&c website.

Before you expect to leave the UK, return the completed Part 1 to a Customs Officer, put it in a Customs post box or take/post it to a Customs office. C1331 is valid for 48 hrs from the stated time of departure. If departure is not notified, delay, inconvenience and possible prosecution may result on return. Keep Part 2 '*Arriving in the UK*' on board for use on your return. If your voyage is abandoned, Part 2, marked 'voyage abandoned', should be returned to where the original form was sent.

2.2.5 Arrival from an EU country

If arriving directly from another EU country there is no need to fly flag 'Q', complete any paperwork, or contact Customs. You must, however, contact the Customs 'Yachtline' on 0845 723 1110 if you have goods to declare, or have non-EU nationals on board. You must also declare animals or birds; prohibited or restricted goods, eg controlled drugs, firearms, radio transmitters not accepted in the UK; counterfeit goods; duty-free stores; or the boat itself if duty and VAT are owed on it. Further details are in *Notice No 1*.

2.2.6 Arrival from a non-EU country

If arriving directly from a non-EU country (including the Channel Islands), yachts are subject to Customs control. When inside the 12-mile limit, ie UK Territorial Waters, fly flag 'Q' where most easily seen (lowering it when formalities are complete); and fill in Part 2 of Form C1331.

On arrival, call the Customs 'Yachtline' 0845 723 1110 and inform them if: VAT has not been paid on the vessel; goods in excess of your allowances as detailed in Notice 1, or duty-free stores are on board; you have prohibited or restricted goods; a crew has a notifiable illness or needs immigration clearance; repairs or modifications (not running repairs) have been made since leaving the EU.

Comply with any instructions from the Customs Officer; failure to do so may incur a penalty. Do not land anybody or goods or transfer them to another vessel until a Customs Officer says you may.

2.2.7 Immigration

In most yachting centres the Customs Officer also acts as the Immigration Officer. The skipper is responsible for ensuring that any non-EU national aboard gets an Immigration Officer's permission to enter the UK from any country except the Isle of Man, the Channel Islands or ROI.

2.2.8 Customs telephone numbers

The National Yachtline (tel 0845 723 1110) must only be used by yachtsmen wishing to clear Customs on return to the UK from a non-EU country (2.2.6). Use the National Advice Service (tel 0845 010 9000) for all other customs queries and requests for forms and notices.

2.2.9 Drug smuggling

The prevention of drug smuggling is a key role for HMR&C. Public support is very important. If you see a suspicious incident or know of suspicious activity, call 0800 595000. This is a 24-hour, 7/7 free and anonymous hotline. There may be a reward.

2.3 FOREIGN CUSTOMS

Other EU countries should apply the regulations outlined in 2.2.1 to 2.2.6 above, and any Customs formalities are likely to be minimal. If boarded by Customs, stay polite and helpful at all times. Before departure, skippers are recommended to check the procedures in force in their destination country.

Diesel: Keep receipts for red diesel bought in the UK and stored in main fuel tank (marked 'duty paid' if possible); also log engine hours.

2.3.1 The Schengen Treaty

In 1985 France, Germany, Luxembourg, Netherlands and Belgium signed a Convention which abolished internal border controls, establishing a single external border, around what is sometimes called 'Schengen-land'. Today all 27 EU members, except the UK, Ireland, Romania, Bulgaria and Cyprus, are signatories to Schengen and the decisions taken since 1985 are now part of EU law.

Those travelling from the UK to a Schengen country, or vice versa, are crossing the external border and may be subject to additional checks. Thus, Belgium and the Netherlands require a vessel to report on arrival *even if coming from another EU country*. The RYA has forms available for download from their website (www.rya.org.uk/infoadvice/boatingabroad/Pages/customsformalities.aspx), are simply a crew list (DoB, place of birth, passport No, nationality) and brief itinerary (last/next ports, dates etc).

In practice these forms are not always requested, but if you have them aboard you may avoid fines which can legally be imposed for not observing Schengen/EU law. On arrival check with the

HM whether any Customs or Immigration forms need to be completed.

2.4 VAT AND THE SINGLE MARKET

An EU resident can move a yacht between member states without restriction, providing VAT has been paid. Documentary evidence supporting a vessel's VAT status should be carried at all times.

A leaflet *UK guide for Yachts*, available on the Customs website, gives further advice; see also *Notice 8*, section 6.

2.4.1 Temporary Importation (TI)

TI is a complex process likely to affect few yachtsmen. The maximum stay in the EU is 18 months. See *Notice 8*, Section 5 and Notice 308, available on the customs website or from the National Advice Service. On arrival in the UK fill in Form C108 as well as the usual Form C1331.

2.5 e-BORDERS

This is a UK Border Agency (UKBA) border management programme, intended to improve national security by strengthening the UK government's ability to combat activities such as illegal immigration, terrorism and serious crime.

e-Borders will require those arriving/departing by yacht on non-domestic voyages to pre-submit information electronically (ie, online). We are told by UKBA that the information that will be required is biographical data such as that contained in a passport or ID card, for all those on board, along with a 'unique identifier' for the voyage. UKBA will use the submitted information to try to prevent those participating, or intending to participate in the activities in the previous paragraph, from doing so.

As this edition of Reeds goes to press in summer 2010, e-Borders is being implemented, with a planned completion date of 2014. It is expected that recreational yachtsmen will be required to participate from 2011 onwards.

UKBA assures us that they will seek to make the process of electronic submission of data as straightforward as possible and that they will listen to recreational yachtsmen to ensure "as far as possible that the burden of compliance with the legislation will be minimised".

However, detailed implementation plans have yet to be confirmed to us so we are unsure what practical impact the e-Borders programme is likely to have on yachtsmen from 2011. Subscribers to the Update service (www.reedsalmanac.co.uk) will be advised automatically, as and when we learn more, or readers may wish to visit the UKBA website (www.ukba.homeoffice.gov.uk) for more information.

2.6 INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA

The 1972 International Regulations for Preventing Collisions at Sea (IRPCS) are also referred to as the Colregs or Rule of the Road. They should be read as an entity, with the explanatory notes and associated diagrams below. See also *learning the Rule of the Road* (Basil Mosenthal/ACN), the RYA booklet G2 and *The Mariner's Handbook* NP 100.

Because the exact wording of certain Rules is very important, Rules 2, 3 (in part), 5–10, 12–19 and 25 are quoted verbatim in blue italics and then briefly discussed – especially those of specific interest to yachtsmen. This does not imply that this chapter should be consulted in the heat of the moment – since all mariners must have a sound working knowledge of the Rules – but an aide-memoire is sometimes handy.

2.6.1 Part A: General

Rule 1 (*Application*) is mainly introductory and therefore not quoted verbatim, but note that many harbours have their own local rules – which must be obeyed.

Rule 2 (*Responsibility*).

(a) Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to comply with these Rules or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

(b) In construing and applying these Rules due regard shall be had to all dangers of navigation and collision and to all special circumstances, including the limitations of the vessels involved, which may make a departure from these Rules necessary to avoid immediate danger.

The rules must be interpreted in a seamanlike way. No vessel has a 'right of way' over another regardless of special circumstances – eg other vessels under way or at anchor, shallow water, poor visibility, TSS, fishing fleets, etc – or the handling characteristics of the vessels concerned in the prevailing conditions. Sometimes vessels may need to depart from the Rules to avoid immediate danger (2b).

Rule 3 (Definitions). The following are selected extracts:

(c) 'Sailing vessel' means any vessel under sail provided that propelling machinery, if fitted, is not being used.

(f) 'Vessel not under command' means one which through some exceptional circumstance is unable to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel.

(g) 'Vessel restricted in her ability to manoeuvre' means one which from the nature of her work is thus restricted ... (6 examples are given)

(h) 'Vessel constrained by her draught' means a power-driven vessel which, because of her draught in relation to the available depth and width of navigable water is severely restricted in her ability to deviate from her course.

(i) 'Underway' means that a vessel is not at anchor, or made fast to the shore, or aground. (Note: 'Making way' means progressing through the water, rather than drifting.)

(l) 'Restricted visibility' means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms or any other similar causes.

(m) A 'Wing-in-Ground (WIG) craft' means a multimodal craft which, in its main operational mode, flies in close proximity to the surface by utilising surface-effect action.

2.6.2 Part B: Steering and Sailing Rules Section I – In any condition of visibility

Rule 4 (Application) is self-explanatory. In complying with Rules 4–18 ask yourself, and answer, the following three questions and take action if so required:

- Is there a risk of collision?
- If there is, am I the give-way vessel?
- If I am, what action must I take?

This is not part of the IRPCS, but it concentrates the mind.

Rule 5 (Look-out).

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

Look-out means not only by eyes and ears, but also by radar and VHF, especially at night or in low visibility. Do not neglect blind arcs, eg look below the genoa and directly to windward. Rule 5 is arguably the most important Rule of all.

Rule 6 (Safe speed).

Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision. In determining a safe speed the following factors are among those taken into account:

(a) By all vessels:

- (i) the state of visibility;
- (ii) the traffic density including concentrations of fishing vessels or any other vessels;
- (iii) the manoeuvrability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions;
- (iv) at night the presence of background light such as from shore lights or from back scatter of her own lights;
- (v) the draught in relation to the available depth of water;
- (b) Additionally, by vessels with operational radar:
 - (i) the characteristics, efficiency and limitations of the radar equipment;
 - (ii) any constraints imposed by the radar range scale in use;
 - (iii) the effect on radar detection of the sea state, weather and other sources of interference;
 - (iv) the possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range;
 - (v) the number, location and movement of vessels detected by radar;
 - (vi) the more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.

The conditions which determine what is a safe speed are clearly listed. Excessive speed gives less time to assess the situation and take avoiding action, and produces a worse collision if such action fails. Even 4 knots may be too fast in a crowded river.

Rule 7 (Risk of collision).

- (a) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.
- (b) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.
- (c) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.
- (d) In determining if risk of collision exists the following considerations shall be among those taken into account:
 - (i) such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change;
 - (ii) such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

A yacht should take a series of compass bearings on a closing ship. Unless the bearings change appreciably, a risk of collision exists; see Fig 2(1). If in doubt, assume that there is a risk. Radar, properly used, offers early warning of risk of collision, but careful systematic plotting of contacts is needed to obtain maximum collision-avoidance data.

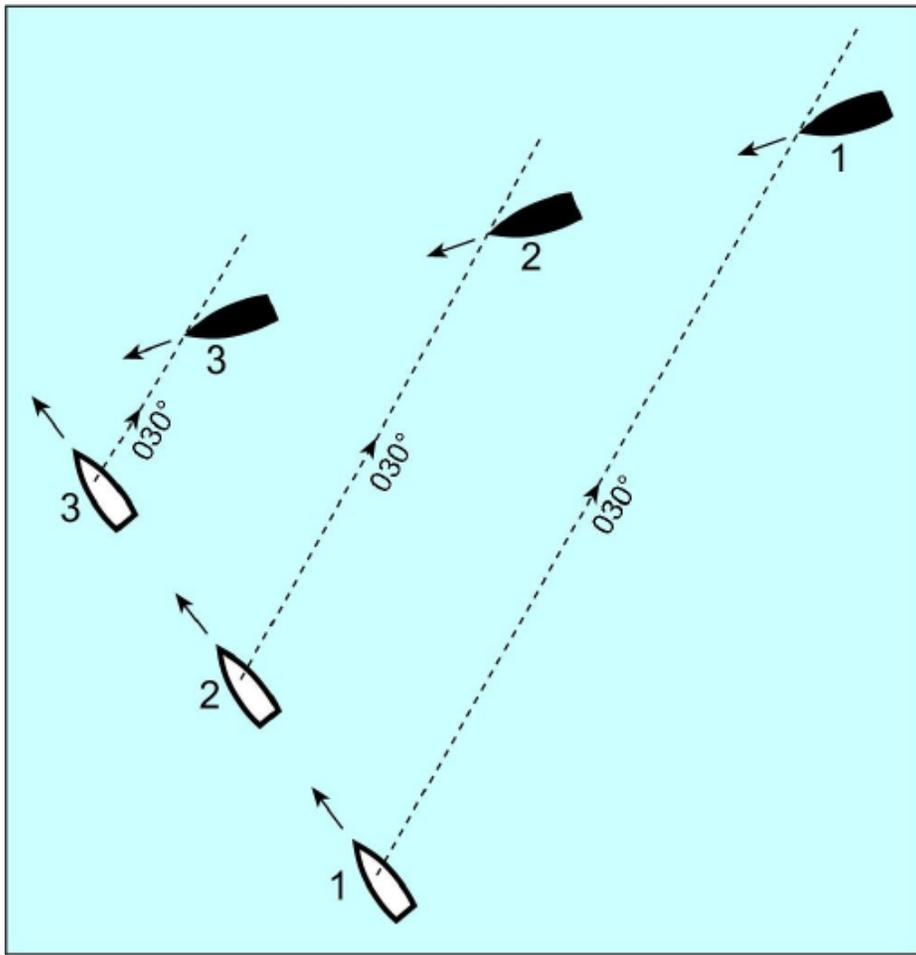


Fig 2(1) Rule 7. The bearing of black from white is steady on 030°. Well before reaching position 2, white should have altered to starboard by at least 45° to pass astern of black.

Rule 8 (Action to avoid collision).

- (a) Any action taken to avoid collision shall be taken in accordance with the Rules of this Part and shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.
- (b) Any alteration of course and/or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually or by radar; a succession of small alterations of course and/or speed should be avoided.
- (c) If there is sufficient sea room, alteration of course alone may be the most effective action to avoid a close-quarters situation provided that it is made in good time, is substantial and does not result in another close-quarters situation.
- (d) Action taken to avoid collision with another vessel shall be such as to result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.
- (e) If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken her speed or take all way off by stopping or reversing her means of propulsion.
- (f) (i) A vessel which by any of these Rules is required not to impede the passage or safe passage of another vessel shall, when required by the circumstances of the case, take early action to allow sufficient sea room for the safe passage of the other vessel.

(ii) A vessel required not to impede the passage or safe passage of another vessel is not relieved of this obligation if approaching the other vessel so as to involve risk of collision and shall, when taking action, have full regard to the action which may be required by the Rules of this Part.

(iii) A vessel the passage of which is not to be impeded remains fully obliged to comply with the Rules of this Part when the two vessels are approaching one another so as to involve risk of collision.

Any such actions must be positive, seamanlike and taken early. Large alterations of course and/or speed are more obvious to the other vessel, especially at night or on radar. Turn away (even through 180°), slow down, stop (or go astern). In avoiding one vessel, watch out for others.

Rule 9 (Narrow channels).

(a) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on her starboard side as is safe and practicable.

(b) A vessel of less than 20 metres in length or a sailing vessel shall not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway.

(c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.

(d) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within such channel or fairway. The latter vessel may use the sound signal prescribed in Rule 34 (d) if in doubt as to the intention of the crossing vessel.

(e) (i) In a narrow channel or fairway when overtaking can take place only if the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in Rule 34 (c) (i). The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in Rule 34 (c) (ii) and take steps to permit safe passing. If in doubt she may sound the signals prescribed in Rule 34 (d).

(ii) This Rule does not relieve the overtaking vessel of her obligation under Rule 13.

(f) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in Rule 34 (e).

(g) Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

Rule 9 (a) requires a vessel ... to keep as near to the starboard side of a narrow channel as is safe and practicable. Yachts and other small craft can often keep outside the channel altogether, thus ensuring even greater safety.

Rule 10 (Traffic Separation Schemes).

(a) This Rule applies to traffic separation schemes adopted by the Organization (IMO) and does not relieve any vessel of her obligation under any other Rule.

(b) A vessel using a traffic separation scheme shall:

(i) proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;

(ii) so far as practicable keep clear of a traffic separation line or separation zone;

(iii) normally join or leave a traffic lane at the termination of the lane, but when joining or leaving from either side shall do so at as small an angle to the general direction of traffic flow as practicable.

(c) A vessel shall so far as practicable avoid crossing traffic lanes, but if obliged to do so shall cross on a heading as nearly as practicable at right angles to the general direction of traffic flow.

(d) (i) A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 metres in length, sailing vessels and vessels engaged in fishing may use the inshore traffic zone.

(ii) Notwithstanding sub-paragraph (d) (i) a vessel may use an inshore traffic zone when en route to or from a port, offshore installation or structure, pilot station or any other place situated within the traffic zone, or to avoid immediate danger.

(e) A vessel other than a crossing vessel or a vessel joining or leaving a lane shall not normally enter a separation zone or cross a separation line except:

- (i) in cases of emergency to avoid immediate danger;
- (ii) to engage in fishing within a separation zone.
- (f) A vessel navigating in areas near the terminations of traffic separation schemes shall do so with particular caution.
- (g) A vessel shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations.
- (h) A vessel not using a traffic separation scheme shall avoid it by as wide a margin as is practicable.
- (i) A vessel engaged in fishing shall not impede the passage of any vessel following a traffic lane.
- (j) A vessel of less than 20 metres in length or a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane.
- (k) A vessel restricted in her ability to manoeuvre when engaged in an operation for the maintenance of safety of navigation in a traffic separation scheme is exempted from complying with this Rule to the extent necessary to carry out the operation.
- (l) A vessel restricted in her ability to manoeuvre when engaged in an operation for the laying, servicing or picking up of a submarine cable, within a traffic separation scheme, is exempted from complying with this Rule to the extent necessary to carry out the operation.

TSS are essential to the safety of larger vessels and are shown in Chapter 9 and on most charts. Whilst inconvenient for yachtsmen, TSS shall be avoided where possible, or accepted as another element of passage planning. All vessels, including yachts, must comply with Rule 10.

Fig 2(2) illustrates how to cross a TSS (10c). Note well that craft <20m LOA, and any sailing yacht, shall not impede a power vessel using a traffic lane (10j). However, when two vessels meet or converge in a TSS with a risk of collision, Rule 10 does not modify any other provisions of the IRPCS.

Yachts should use inshore traffic zones (ITZ). It is unusual and certainly undesirable for yachts to use TSS lanes, due to the substantial speed difference between yachts and large vessels. Yachts using TSS lanes may be told by the monitoring radar station (eg Dover CG, CROSS Corsen) to leave asap.

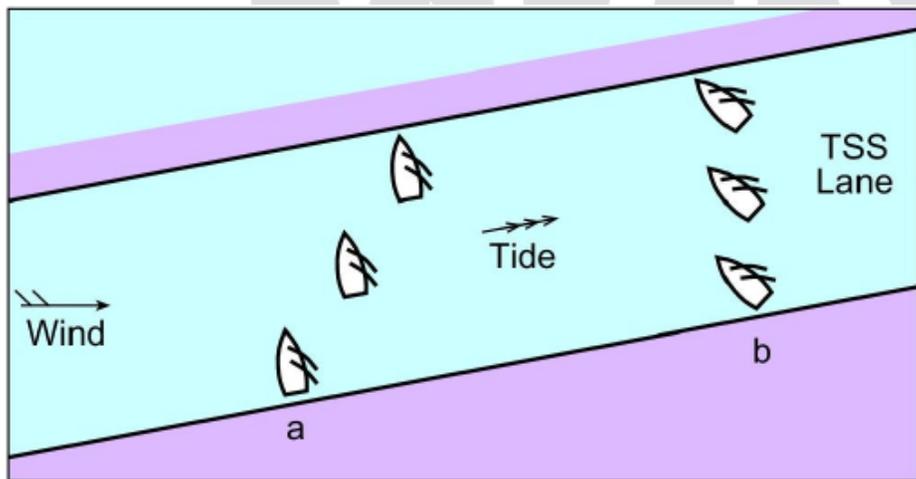


Fig 2(2) Rule 10c. A yacht crossing a TSS lane shall head at right angles to the lane axis, as in (a), regardless of the course made good as a result of wind or tidal streams. Yacht (b) is not heading at right angles and is therefore contravening Rule 10(c).

2.6.3 Section II – Vessels in sight of one another

Rule 11 (Application) is self explanatory.

Rule 12 (Sailing vessels).

(a) When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

(i) when each has the wind on a different side, the vessel which has the wind on the port side shall keep out of the way of the other;

(ii) when both have the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward;

(iii) if a vessel with the wind on the port side sees a vessel to windward and cannot determine with certainty whether the other vessel has the wind on the port or on the starboard side, she shall keep out of the way of the other.

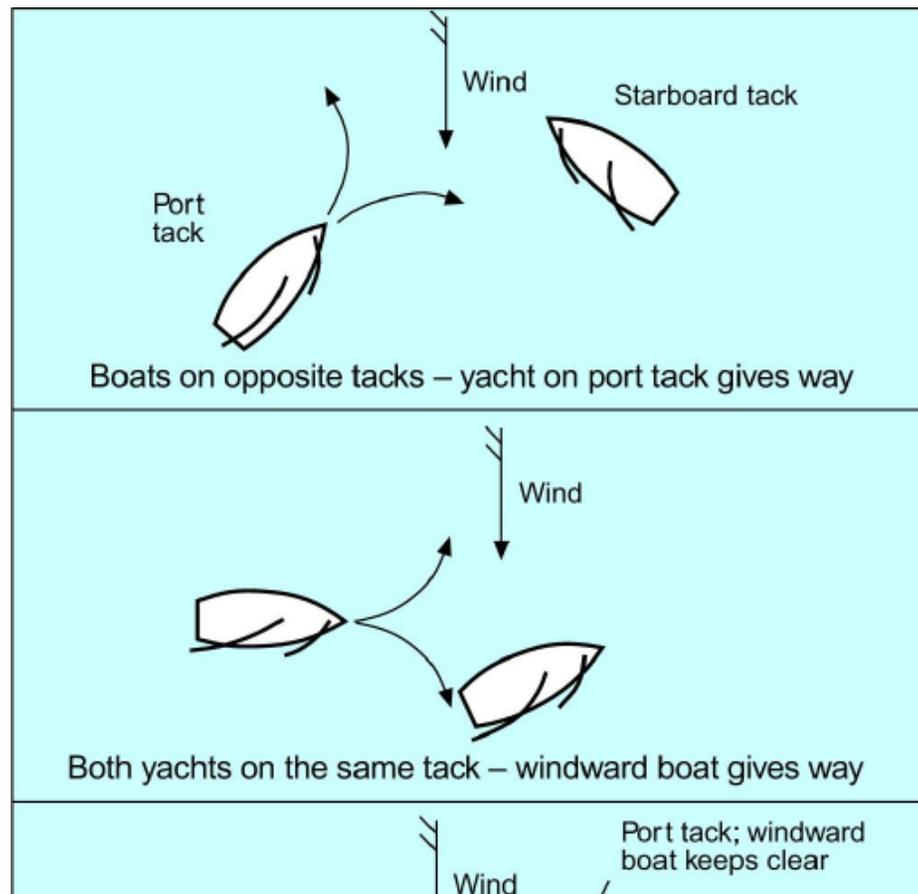
(b) For the purposes of this Rule the windward side shall be deemed to be the side opposite to that on which the mainsail is carried or, in the case of a square-rigged vessel, the side opposite to that on which the largest fore-and-aft sail is carried.

Rule 12 does not apply if either yacht is motor sailing. When two yachts under sail are at risk of collision, (a) (i) and (ii) are clear.

(a) (iii) applies where it is unclear which tack a windward yacht is on. Fig 2(3) illustrates the practical application of Rule 12 in these three cases.

Rule 12 (a) (iii) might also cause doubt in 2 other practical situations:

- The windward side is deemed, Rule 12 (b), to be the side opposite to that on which the mainsail is set or would be set, if sailing under a headsail alone. When sailing under spinnaker alone, windward would be the side on which its boom is set.
- When hove-to, windward is determined by the side on which the mainsail is set, or would be set if not hoisted.



WINDPOINT

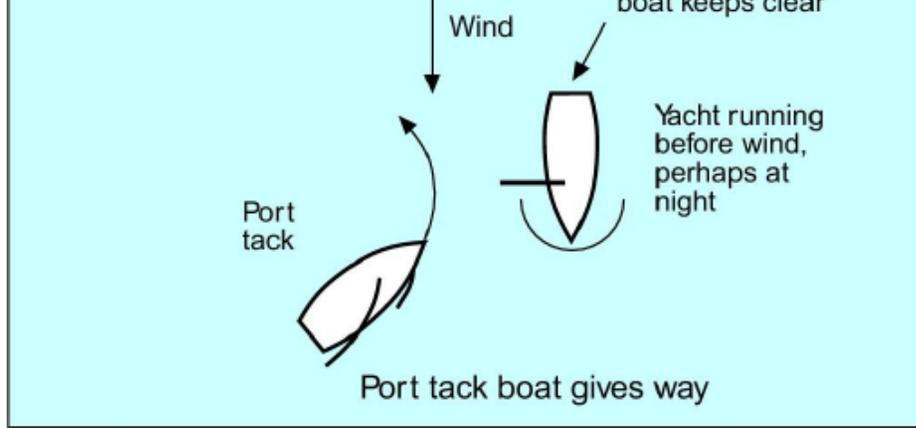


Fig 2(3) Rule 12. A port tack yacht keeps clear. If both yachts are on the same tack the windward boat keeps clear. If in doubt, port tack always keeps clear.

Rule 13 (Overtaking).

- (a) Notwithstanding anything contained in the Rules of Part B, Sections I & II any vessel overtaking any other shall keep out of the way of the vessel being overtaken.
- (b) A vessel shall be deemed to be overtaking when coming up with another vessel from a direction more than $22\frac{1}{2}^\circ$ abaft her beam, that is, in such a position with reference to the vessel she is overtaking, that at night she would be able to see only the sternlight of that vessel but neither of her sidelights.
- (c) When a vessel is in any doubt as to whether she is overtaking another, she shall assume that this is the case and act accordingly.
- (d) Any subsequent alteration of the bearing between the two vessels shall not make the overtaking vessel a crossing vessel within the meaning of these Rules or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

An overtaking vessel, whether power or sail, shall keep clear of the vessel being overtaken. It is courteous, but not in the IRPCS, for an overtaking yacht under sail to pass to leeward of the yacht being overtaken.

Rule 14 (Head-on situation).

- (a) When two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision each shall alter her course to starboard so that each shall pass on the port side of the other.
- (b) Such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night she could see the masthead lights of the other in a line or nearly in a line and/or both sidelights and by day she observes the corresponding aspect of the other vessel.
- (c) When a vessel is in any doubt as to whether such a situation exists she shall assume that it does exist and act accordingly.

When two power-driven vessels approach head-on, or nearly so, with risk of collision, each must alter course to starboard, to pass port to port. The alteration should be large enough as to be obvious to the other vessel, sounding one short blast, if in audible range, to make intentions clear.

Rule 15 (Crossing situation).

When two power-driven vessels are crossing so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessel.

The give-way vessel would normally alter to starboard to pass astern of the other. A yacht with limited power and speed should, if possible, avoid crossing ahead of the other. Exceptionally, an alteration to port may be justified (eg shoal water to starboard), in which case a large alteration may be needed to avoid crossing ahead of the other.

Rule 16 (Action by give-way vessel).

Every vessel which is directed to keep out of the way of another vessel shall, so far as possible, take early and substantial action to keep well clear.

'Early ... substantial ... well clear' are the key words, ie don't dither, nibble or get into a close-quarters situation.

Rule 17 (Action by stand-on vessel).

(a) (i) Where one of two vessels is to keep out of the way, the other shall keep her course and speed.

(ii) The latter vessel may however take action to avoid collision by her manoeuvre alone, as soon as it becomes apparent to her that the vessel required to keep out of the way is not taking appropriate action in compliance with these Rules.

(b) When, from any cause, the vessel required to keep her course and speed finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, she shall take such action as will best aid to avoid collision.

(c) A power-driven vessel which takes action in a crossing situation in accordance with sub-paragraph (a) (ii) of this Rule to avoid collision with another power-driven vessel shall, if the circumstances of the case admit, not alter course to port for a vessel on her own port side.

(d) This Rule does not relieve the give-way vessel of her obligation to keep out of the way.

This Rule describes a deteriorating sequence of events (1–3 below) and the actions that a stand-on vessel may or shall (ie must) take if it appears that the give-way vessel is failing to keep clear.

1. At least in the initial stages, the stand-on vessel should maintain her course/speed (17a. i) for fear of inducing a collision by needless avoiding action of her own.
2. The stand-on vessel may manoeuvre to avoid collision (17a. ii) if it appears that the give-way vessel is failing to keep clear. In so manoeuvring a power-driven vessel shall, if possible, not alter course to port for a vessel on her own port side (17c). Usually she would alter substantially to starboard, to reduce the risk of both vessels turning towards each other.
3. When the stand-on vessel finds herself so close that collision cannot be avoided by the action of the give-way vessel alone, the stand-on vessel shall take such action (17b), as will best aid to avoid collision. This is likely to be drastic, eg Full astern and/or helm hard over.

Rule 18 (Responsibilities between vessels).

Except where Rules 9, 10 and 13 otherwise require:

(a) A power-driven vessel underway shall keep out of the way of:

- (i) a vessel not under command;
- (ii) a vessel restricted in her ability to manoeuvre;
- (iii) a vessel engaged in fishing;

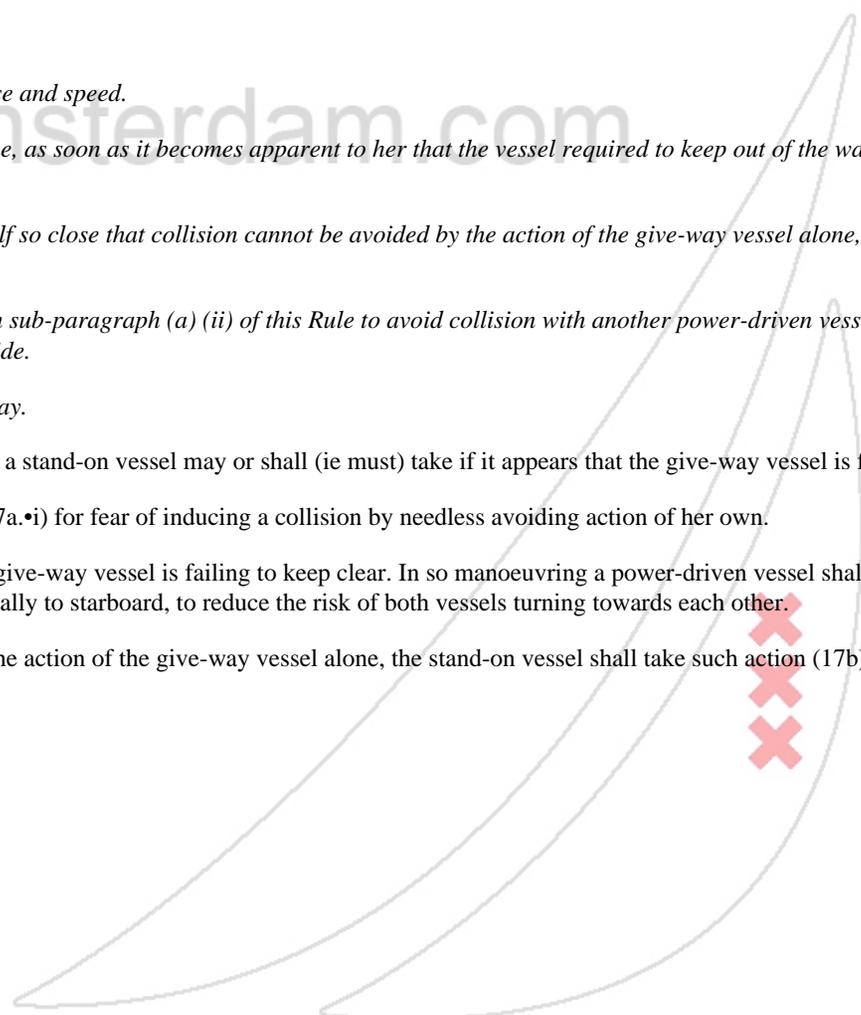
(iv) a sailing vessel.

(b) A sailing vessel underway shall keep out of the way of:

- (i) a vessel not under command;
- (ii) a vessel restricted in her ability to manoeuvre;
- (iii) a vessel engaged in fishing.

(c) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of:

- (i) a vessel not under command;
- (ii) a vessel restricted in her ability to manoeuvre.



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(d) (i) Any vessel other than a vessel not under command or a vessel restricted in her ability to manoeuvre shall, if the circumstances of the case admit, avoid impeding the safe passage of a vessel constrained by her draught, exhibiting the signals in Rule 28.

(ii) A vessel constrained by her draught shall navigate with particular caution having full regard to her special condition.

(e) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with the Rules of this Part.

(f) (i) A WIG craft shall, when taking off, landing and in flight near the surface, keep well clear of all other vessels and avoid impeding their navigation.

(ii) A WIG craft operating on the water surface shall comply with the Rules of this Part as a power-driven vessel.

Rule 18 states priorities according to manoeuvrability. The hierarchy is clear and logical: (b) applies to yachts. New para (f) includes Wing in Ground (WIG) craft, defined in Rule 3 (m). These air-cushion vehicles are more aircraft than vessel.

2.6.4 Section III – Vessels in restricted visibility

Rule 19 (Restricted visibility).

(a) This Rule applies to vessels not in sight of one another when navigating in or near an area of restricted visibility.

(b) Every vessel shall proceed at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility. A power-driven vessel shall have her engines ready for immediate manoeuvre.

(c) Every vessel shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with the Rules of Section I of this Part.

(d) A vessel which detects by radar alone the presence of another vessel shall determine if a close-quarters situation is developing and/or risk of collision exists. If so, she shall take avoiding action in ample time, provided that when such action consists of an alteration of course, so far as possible the following shall be avoided:

(i) an alteration of course to port for a vessel forward of the beam, other than for a vessel being overtaken;

(ii) an alteration of course towards a vessel abeam or abaft the beam.

(e) Except where it has been determined that a risk of collision does not exist, every vessel which hears apparently forward of her beam the fog signal of another vessel, or which cannot avoid a close-quarters situation with another vessel forward of her beam, shall reduce her speed to the minimum at which she can be kept on her course. She shall if necessary take all her way off and in any event navigate with extreme caution until danger of collision is over.

This rule can cause difficulty due to misunderstanding and/or the negative nature of para (d). Stand-on and give-way vessels, as in Section II of the Rules, no longer exist in fog. Every vessel is simply trying to avoid other unseen vessels whose presence, ie fog signal, is only heard or detected by radar. Safe speed (b) is commonsense, but is sometimes ignored by commercial ships. Slowing down to maintain steerage way for a fog signal forward of the beam (e) has limited application to an already slow-moving yacht.

Radar can save your life, but only if it is efficiently used and correctly interpreted by an experienced operator. Rule 7c warns against making assumptions based on scanty information, especially radar information. AIS, if fitted and switched on in both vessels, may resolve such assumptions.

If a vessel is detected by radar alone (d), decide whether a collision risk exists and/or a close-quarters situation is developing. If so, take early action to avoid collision.

(d) (i) and (ii) tell you what you should avoid doing. Try to envisage the situations which these two clauses address. It may help to transpose their words into more positive terms:

- Turn to starboard in all cases except for a vessel on or abaft your starboard beam, or for a vessel being overtaken.

Safety dictates that you should: sound the appropriate fog signal, keep a good look-out, deploy an efficient radar reflector and use radar if fitted. Consider also using the engine to assist manoeuvrability, especially in light winds. In thick fog it is best to anchor in shallow water; not easy if you are crossing a TSS in mid-Channel. Heaving to in the central separation zone to await

better visibility might be an option, but see Rule 10 (b) and (e).

2.6.5 Part C: Lights and shapes

Many of the Rules (20–31) in Part C are semi-technical, not relevant to yachts or can be studied in short time. The verbatim text is therefore only included for rule 25 (Lights and shapes for sailing vessels underway).

Rule 20 (Application).

Part C Rules must be complied with in all weathers. All lights and shapes must comply with Annex I. The required lights must be shown from sunset to sunrise, and by day in low visibility. The required shapes must be displayed by day.

Rule 21 (Definitions).

Six types of navigation lights are defined, see Fig 2(4). A vessel <20m LOA may combine her side lights into 1 lantern on the fore and aft centreline, Rule 21 (b). A masthead light, aka steaming light, is rarely at the masthead; see Annex 1, para 2.

Rule 22 (Visibility of lights).

This Rule gives the minimum visibility range of lights shown by vessels of different LOAs. If <12m: masthead, stern and all-round 2M; side 1M. 12–50m: masthead 5M (but 3M if <20m); stern, side and all-round 2M. See Fig 2(4).

Rule 23 (Power-driven vessels underway).

(a) specifies a masthead light forward and a second, higher light aft if >50m LOA; plus sidelights and sternlight.

(b) refers to the all-round Fl Y light on an air-cushion vessel.

(c) a WIG craft must show a high-intensity all-round Fl R light.

(d) (i) A power-driven vessel <12m LOA may combine her masthead and sternlights into one all-round light.

Rule 24 (Towing and pushing).

This Rule is lengthy and detailed and need not concern yacht owners. However all mariners should know the lights shown by tugs and their tows; see Fig 2(5).

Rule 25 (Sailing vessels underway and vessels under oars).

(a) A sailing vessel underway shall exhibit: (i) sidelights; (ii) a sternlight.

(b) In a sailing vessel <20m LOA, the lights prescribed in paragraph (a) of this Rule may be combined in one lantern at or near the top of the mast where it can best be seen.

(c) A sailing vessel underway may, in addition to the lights prescribed at (a) of this Rule, exhibit at or near the top of the mast where they can best be seen two all-round lights, in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by paragraph (b) of this Rule.

(d) (i) A sailing vessel <7m LOA shall, if practicable, exhibit the lights prescribed in paragraphs (a) or (b) of this Rule, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(ii) A vessel under oars may exhibit the lights prescribed in this Rule for sailing vessels, but if she does not, she shall have ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision.

(e) A vessel proceeding under sail when also being propelled by machinery shall exhibit forward where it can best be seen a conical shape, apex downwards.

The tricolour light at (b) shall not be switched on at the same time as the normal side and stern lights, and must never be used when under power. It gives max brilliance for minimum battery drain,

but note that LED lights easily out-perform conventional lights in power consumption and brilliance, but cost much more. In congested waters or where there are shore lights in the background, the normal side and stern lights are deemed much easier to see from the bridge of a large ship than a masthead tricolour.

Rule 26 (Fishing vessels).

All mariners should know the lights shown by fishing vessels; see Fig 2(5).

Rule 27 (Vessels not under command, or restricted in their ability to manoeuvre).

All mariners should know the lights shown by such vessels. They do not apply to vessels <12m LOA. If engaged in diving operations exhibit a rigid replica of flag 'A' at least 1m high.

Rule 28 (Vessels constrained by their draught).

All mariners should know the lights shown by such vessels; see Fig 2(5).

Rule 29 (Pilot vessels).

All mariners should know the lights shown by such vessels; see Fig 2(5).

Rule 30 (Vessels anchored or aground).

Yachts at x like other vessels, shall show an x light or ball; see Fig 2(5). This stipulation warns other mariners and has safety and insurance implications. Abroad, especially in the Netherlands and Germany, the ball requirement is often strictly enforced. Rules 30e and 30f grant 2 minor exemptions for yachts <7m LOA and <12m LOA.

Rule 31 (Seaplanes).

This Rule applies to WIG craft as well as seaplanes.

2.6.6 Part D: Sound and light signals

Rule 32 (Definitions).

A whistle in a yacht effectively means a foghorn.

- A short blast on a foghorn lasts about 1 second.
- A prolonged blast lasts four to six seconds.

Rule 33 (Equipment for sound signals).

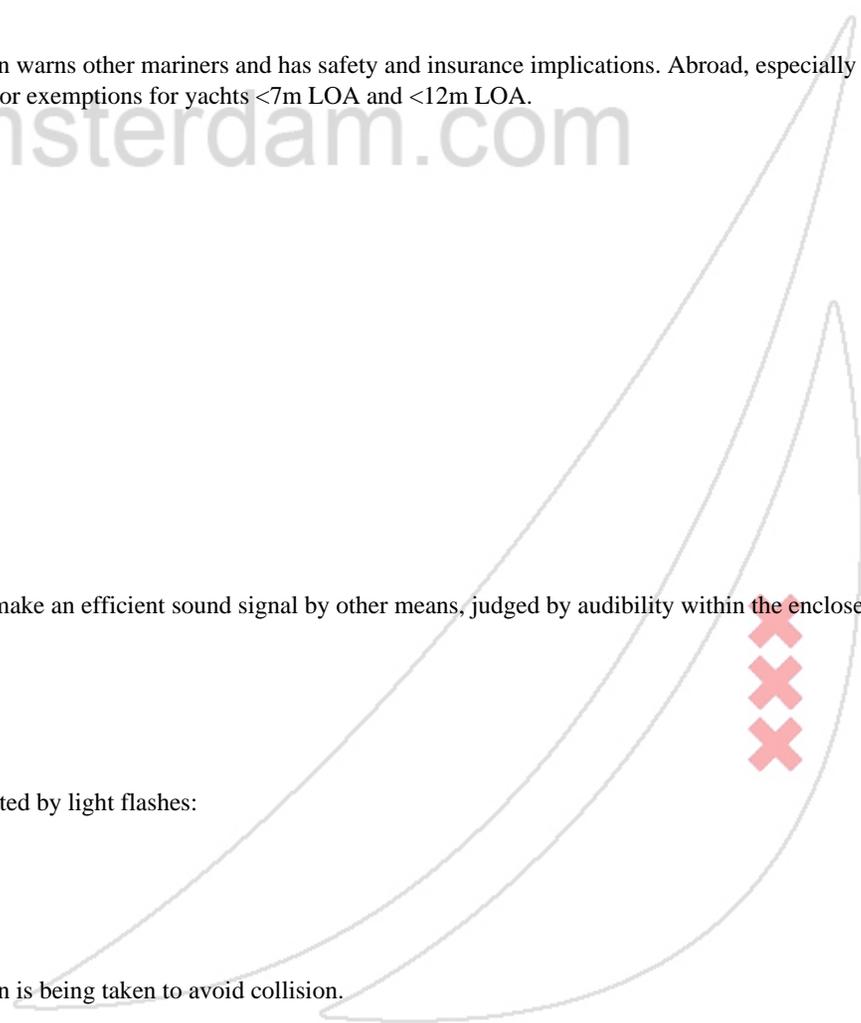
Vessels >12m LOA must have a whistle; plus a bell if >20m. A boat <12m LOA may make an efficient sound signal by other means, judged by audibility within the enclosed bridge of a large ship and against conflicting background noises.

Rule 34 (Manoeuvring and warning signals).

Power-driven vessels in sight of each other:

The following sound signals (short or long blasts on a foghorn) may also be supplemented by light flashes:

- I am altering course to starboard.
- I am altering course to port.
- I am operating astern propulsion.
- I do not understand your intentions/actions or I doubt if sufficient action is being taken to avoid collision.



In a narrow channel:

- · · I intend to overtake on your starboard side.
- · · · I intend to overtake you on your port side.
- · · · I agree with your overtaking signal.
- Warning by vessel nearing a bend where other vessels may not be visible.

Rule 35 (Sound signals in restricted visibility).

- Power-driven vessel making way.
- - Power-driven vessel underway, but stopped and not making way.
- · · Vessel not under command; restricted in her ability to manoeuvre; constrained by her draught; or engaged in fishing, towing or pushing; or a sailing vessel.
- · · · Vessel being towed, or if more than one vessel is towed, the last vessel in the tow.
- · · · Pilot vessel engaged on pilotage duties.

The maximum interval between sound signals for vessels underway in restricted visibility is two minutes, but more frequently if other craft are near.

For flag and sound signals which have a special meaning under IRPCS, see the asterisked items in Fig 5(1).

Bell rung rapidly for about 5 seconds, every minute. = Vessel at anchor.

After the above signal, gong rung rapidly for about 5 seconds every minute; the bell being sounded in the fore part of the vessel and the gong aft
= Vessel of 100m or more in length at anchor.

· · · Vessel at anchor (optional extra sound signal).

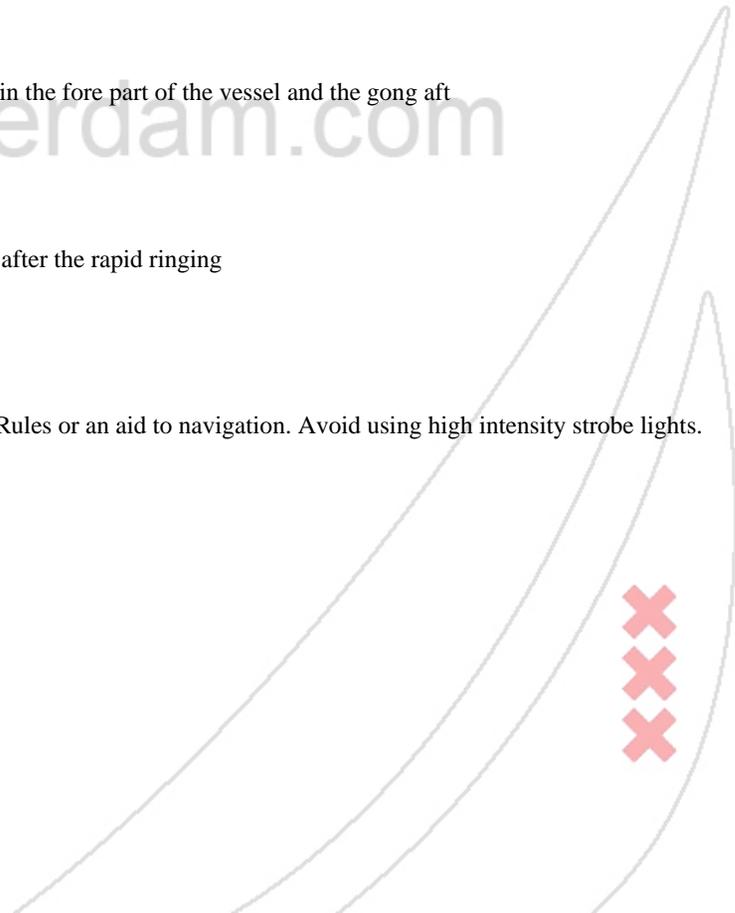
Bell rung rapidly for about 5 seconds, with three separate and distinct strokes of the bell before and after the rapid ringing
= Vessel aground.

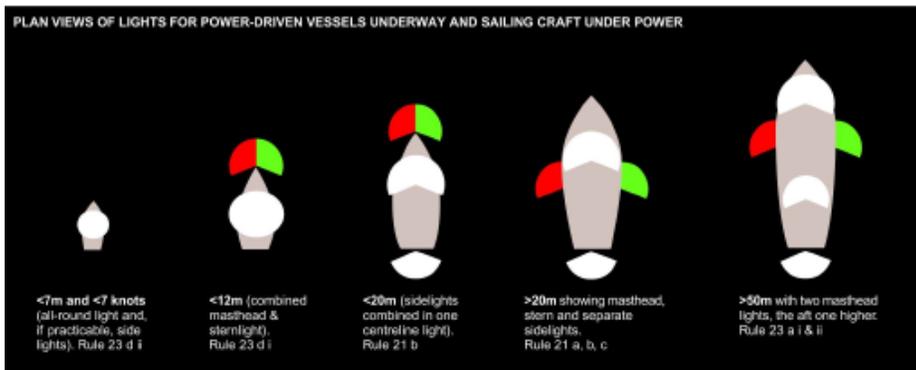
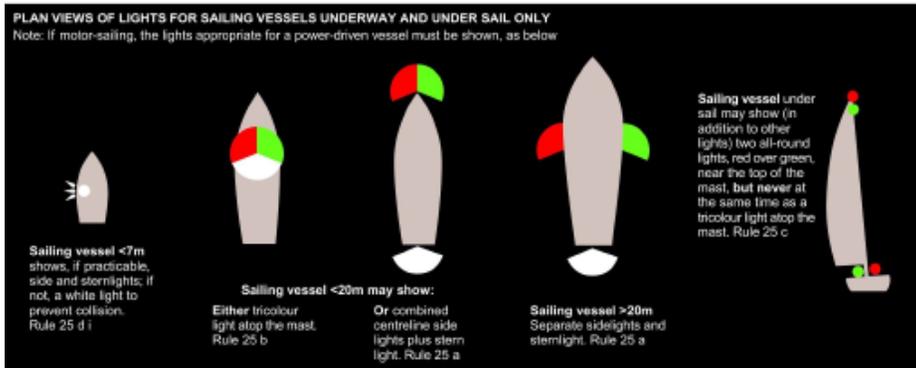
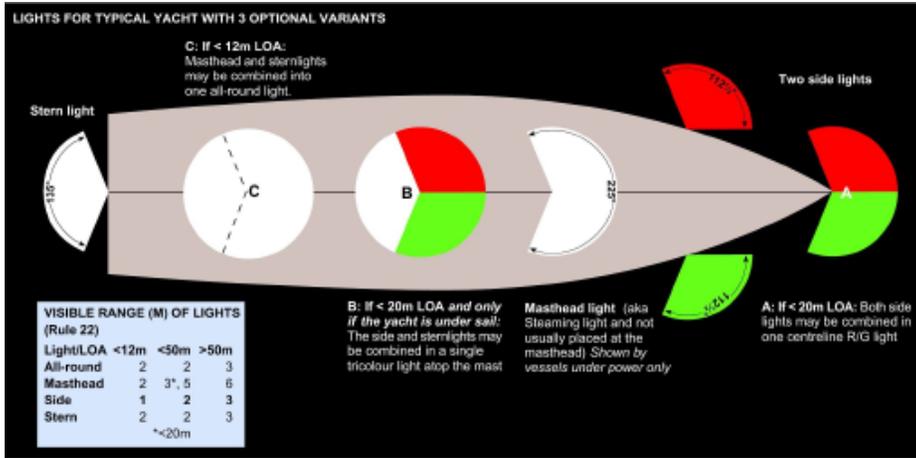
Rule 36 (Signals to attract attention).

These signals, whether sound or light, must be such as not to be mistaken for other signals in these Rules or an aid to navigation. Avoid using high intensity strobe lights.

Rule 37 (Distress signals).

See Annex IV and Chapter 7, Fig 7(1).



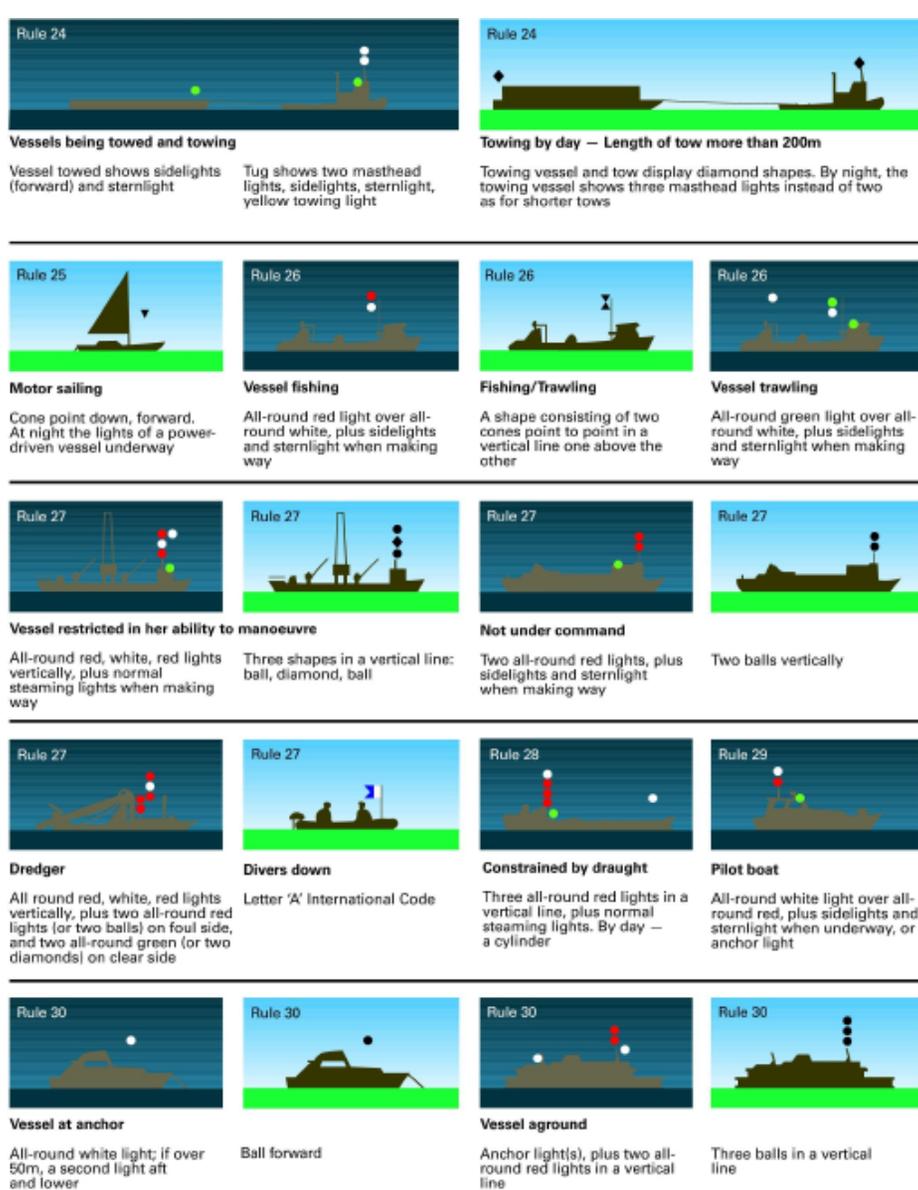


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Fig 2(4) Navigation lights





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Fig 2(5) Principal navigation lights and shapes. (Note: All vessels seen from starboard side)

2.6.7 Annexes I to IV

Annex I: vertical/horizontal positioning and technical details of lights and shapes in various vessels.

Annex II: lights which may be shown by fishing vessels working close together.

Annex III: technical details of frequencies, audibility and directional properties of sound signals.

Annex IV: distress signals; see also Chapter 7, Fig 7(1).



2.6.8 Learning the Collision Regulations

Most of this chapter deals with the vitally important Rules of the Collision Regulations (ColRegs). To many people learning these is a chore; something to be swotted up, often parrot-fashion, so as to pass an exam – and then be forgotten. This is not learning, it is simply a memory test without understanding of the subject.

Remember the ColRegs are written by seamen for seamen, unambiguously and in language which leaves little room for misunderstandings. Every word or sentence reflects a real life situation which has occurred at sea. They are steeped in practicality and hard won experience. Above all they exist to prevent collisions and hence save lives.

If we can adopt a better way of learning then what seemed like a chore may turn out to be a pleasure. Start from the Known and move with growing interest towards the Unknown. Grasp the big picture, in this case a site map below, showing how the ColRegs consist of five Parts (A-E), sub-divided, as required, into Sections; thence into the 38 individual Rules; finally 4 Annexes with technical minutiae.

Now for the details: As you study each Rule envisage the scenario which is being described. Ask yourself ‘Do I fully understand this Rule?’ ‘What would I do in this situation?’ This is the best way of gaining a sound working knowledge of the Rules – and disposing of that parrot.

PARTS		RULES
A:	GENERAL	1–3
B:	STEERING & SAILING	I In any visibility 4–10 II In sight of each other 11–18 III In restricted visibility 19
C:	LIGHTS & SHAPES	20–31 Annexes I/II
D:	SOUND & LIGHT SIGNALS	32–37 Annexes III/IV
E:	EXEMPTIONS	38