

CAP. 294.

CYPRUS

PORT REGULATION

CHAPTER 294 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

*[Appointed by the Government of Cyprus the Government Printers of this Edition
of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.]*

1959

CHAPTER 294.

PORT REGULATION.

ARRANGEMENT OF SECTIONS.

<i>Section</i>	<i>Page</i>
1 Short title ...	2
2 Interpretation ...	2
3 Power to make Regulations as to pilots ...	2
4 Pilot boats how to be approved ...	3
5 Characteristics of pilot boat ...	3
6 Qualified pilot to display flag though not in pilot boat...	4
7 Penalty on ordinary boat displaying pilot flag ...	4
8 Registering of pilot licence... ..	4
9 Copies of Regulations to be furnished to pilot and to be produced by him	4
10 Pilot to produce licence to employer ...	4
11 Licence to be delivered up when required and to be returned on death	4
12 Penalty on qualified pilots receiving improper rate ...	5
13 Penalties on pilots for certain offences ...	5
14 Penalty on pilot endangering ship, life or limb ...	6
15 Powers of Superintendent of port ...	6
16 Penalty on masters not complying with directions of Superintendent of port ...	7
17 Penalty for bribery ...	7
18 Power to police to board vessels ...	7
19 List of passengers to be supplied to port authorities ...	7
20 As to ballast ...	8
21 Penalty for not putting out fires and hoisting red flag when explosive materials on board ...	8
22 Penalty for burning combustible materials ...	8
23 Authority to appoint pilots ...	8
24 Power to Comptroller to compound offences ...	8

AS TO PORT REGULATION.

1949
Cap. 275.

[16th April, 1879.]

Short title.

1. This Law may be cited as the Port Regulation Law.

Interpreta-
tion.

2. In this Law—

“vessel” includes ship, boat, lighter, and craft of every kind, whether navigated by steam or otherwise.

Power to
make Regu-
lations as to
pilots.

3. Subject to the provisions contained in this Law, the Governor in Council may from time to time do all or any of the following things—

- (a) determine the qualifications to be required from persons applying to be licensed as pilots;
- (b) make Regulations as to the approving and licensing of pilot boats;

- (c) make Regulations for the government of pilots and ensuring their good conduct and their effectual performance of their duty;
- (d) fix the terms and conditions of granting licences to pilots and make Regulations for punishment of any breach of such Regulations committed by pilots, by the withdrawal or suspension of their licences or by the infliction of penalties not exceeding in amount the sum of ten pounds;
- (e) fix the fees to be paid by vessels in respect of pilotage. 2 of 6/35.

4. All pilot boats regularly employed in the pilotage service of the Colony shall be approved and licensed by the Comptroller. Pilot boats how to be approved.
2 of 5/25.

5. (1) Every pilot boat shall be distinguished by the following characteristics— Characteristics of pilot boat.

- (a) a black colour painted or tarred outside, with the exception of such names and numbers as are hereinafter mentioned, or such other distinguishable colour or colours as the Comptroller directs; 3 of 5/25.
- (b) on the stern the name of the owner of the boat and the port to which she belongs painted in white letters at least one inch broad and three inches long, and inside of the bow the number of the licence of the boat;
- (c) when afloat a flag at the masthead, or sprit, or staff, or in some other equally conspicuous situation; the flag to be of large dimensions compared with the size of the boat or the ship carrying it, and to be of two colours, the upper horizontal half white, and the lower horizontal half red.

(2) It shall be the duty of the pilot to attend to the following particulars—

- (a) that the boat or ship possesses all the above characteristics;
- (b) that the aforesaid flag is kept clean and distinct so as to be easily discerned at a proper distance; and
- (c) that the names and numbers before mentioned are not at any time concealed,

if default is made in any of the above particulars he shall be liable to a fine not exceeding ten pounds for each default.

Qualified pilot to display flag though not in pilot boat.

6. Whenever any qualified pilot is carried off in a boat or ship not in the pilotage service he shall exhibit a flag of the above description in order to show that such boat has a qualified pilot on board, and if he fails to do so without reasonable cause he shall be liable to a fine not exceeding twenty pounds.

Penalty on ordinary boat displaying pilot flag.

7. If any boat or ship not having a licensed pilot on board displays a flag of the above mentioned description the owner or master shall be liable for every such offence to a fine not exceeding fifty pounds.

Registering of pilot licence.

1 of 5 25.

8. Every qualified pilot on his appointment shall receive a licence containing his name and usual place of abode, together with a description of his person and a specification of the limits within which he is qualified to act; and it shall be the duty of the Comptroller upon any qualified pilot's request to register his licence; and no qualified pilot shall be entitled to act as such until his licence is so registered; and any qualified pilot so acting beyond the limits for which he is qualified by his licence shall be considered an unqualified pilot.

Copies of Regulations to be furnished to pilot and to be produced by him.

9. Every qualified pilot shall, upon receiving his licence, be furnished with a copy of such part of this Law as relates to pilotage, together with a copy of the Regulations made thereunder; and he shall produce the copies to the master of any ship or other person employing him when required to do so, under a penalty in case of default not exceeding five pounds.

Pilot to produce licence to employer.

10. Every pilot while acting in that capacity shall be provided with his licence and produce it to every person by whom he is employed, or to whom he tenders his services as pilot; and if he refuses to do so at the request of such person he shall be liable for each offence to a fine not exceeding ten pounds, and shall be subjected to suspension or dismissal by the pilotage authority by whom he is licensed.

Licence to be delivered up when required and returned on death.

11. Every pilot, when requested by the pilotage authority who appointed him, shall produce and deliver up his licence; and on the death of any pilot, the person into whose hands his licence happens to fall shall transmit it to the pilotage authority who appointed the deceased pilot; and any pilot or other person failing to comply with the provisions of this section shall be liable to a fine not exceeding ten pounds.

12. Any pilot demanding or receiving any other rate in respect of pilotage service, whether greater or less than the rate demandable by law, shall for such offence be liable to a fine not exceeding ten pounds.

Penalty on qualified pilots receiving improper rate.

13. If any pilot commits any of the following offences, that is to say—

Penalties on pilots for certain offences.

- (a) keeps himself or is interested in keeping by any agent, servant, or other person, any public house or place of public entertainment, or sells or is interested in selling any wine, spirituous liquors or tobacco;
- (b) commits any fraud or other offence against the revenues of customs or excise, or the Laws relating thereto;
- (c) is in any way directly or indirectly concerned in any corrupt practices relating to ships, their tackle, furniture, cargoes, crews, or passengers, or to persons in distress at sea or by shipwreck, or to their moneys, goods, or chattels;
- (d) lends his licence;
- (e) acts as pilot while suspended;
- (f) acts as pilot whilst in a state of intoxication;
- (g) employs or causes to be employed on board any ship of which he has the charge, any boat, anchor, cable, or other store, matter or thing, beyond what is necessary for the service of the ship, with the intent to enhance the expenses of pilotage for his own gain or for the gain of any other person;
- (h) refuses or wilfully delays, when not prevented by illness or other reasonable cause, to take charge of any ship within the limits of his licence upon the signal for a pilot being made by the ship, or upon being required to do so by the master, owner, agent, or consignee thereof, or by any officer of the pilotage authority by whom the pilot is licensed, or by any Principal Officer of Customs;
- (i) unnecessarily cuts or slips, or causes to be cut or slipped, any cable belonging to any ship;
- (j) refuses on the request of the master to conduct the ship of which he has the charge into any port or place into which he is qualified to conduct it, except on reasonable ground of danger to the ship;

(k) quits the ship of which he has the charge without the consent of the master, before the service for which he was hired has been performed, he shall for each such offence, in addition to any liability for damages at the suit of the person aggrieved, be liable to a fine not exceeding one hundred pounds, and be liable to suspension or dismissal by the pilotage authority by whom he is licensed; and every person who procures, abets or connives at the commission of any such offence shall likewise, in addition to any such liability for damages as aforesaid, be liable to a fine not exceeding one hundred pounds, and if a qualified pilot, shall be liable to suspension or dismissal by the pilotage authority by whom he is licensed.

Penalty on
pilot
endangering
ship, life, or
limb.

14. If any pilot, when in charge of any ship, by wilful breach of duty or by neglect of duty, or by reason of drunkenness does any act tending immediately to endanger the life or limb of any person on board the ship; or if any pilot by wilful breach of duty or by neglect of duty or by reason of drunkenness, refuses or omits to do any lawful act proper and requisite to be done by him for preserving the ship from loss, destruction, or serious damage, or for preserving any person belonging to or on board of the ship from danger to life or limb; he shall for each offence be liable to imprisonment for a period not exceeding twelve months; and if a qualified pilot shall also be liable to suspension or dismissal by the authority by which he is licensed.

Powers of
Superinten-
dent of port.

15. The Superintendent of any port in Cyprus may give directions for all or any of the following purposes—

- (a) 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 or pier, and its position, mooring or unmooring, placing and removing whilst therein;
- (b) 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;
- (c) for regulating the manner in which any vessel entering the harbour or coming to the pier shall be dismantled, as well for the safety of the

vessel or for preventing injury to other vessels, and to the harbour or pier and the moorings thereof;

- (d) for removing unserviceable vessels and other obstructions from the harbour or pier and keeping the same clear;
- (e) for regulating the quantity of ballast or dead weight in the hold which each vessel in or at the harbour or pier shall have during the delivery of her cargo, or after having discharged it:

Provided that nothing in this Law shall authorize the Superintendent of the port 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 regulations of the Comptroller.

16. The master of every vessel within the harbour or within the prescribed limits, if any, shall regulate the vessel according to the directions of the Superintendent of the port, made in conformity with this Law; and every master of a vessel who, after notice of any such direction by the Superintendent served upon him shall not forthwith regulate the vessel according to such directions shall be liable to a fine not exceeding twenty pounds.

Penalty on masters not complying with directions of Superintendent of port.

17. If any person give or offer any sum of money or anything whatsoever by way of reward or bribe to any Superintendent of a port or any officer employed in or about the harbour or pier, for the purpose of gaining an undue preference in the execution of his office, or for the purpose of inducing such Superintendent or other officer to do or omit to do anything relating to his office, or if such Superintendent or other officer receive any such reward or bribe as aforesaid every person so offending shall be liable for every such offence to a fine not exceeding twenty pounds.

Penalty for bribery.

18. Any police officer may board any vessel arriving in any port in Cyprus on its arrival or at any time thereafter, and may stay on board until the vessel has completely discharged her cargo or departs from the Colony, and visit and inspect any part of the vessel.

Power to police to board vessels.

19. The master of every vessel on his arrival in the Colony shall immediately declare at the office of the Superintendent of the port all passengers on board his vessel, and to the best of his knowledge specify the number, names,

List of passengers to be supplied to port authorities.

rank, calling and nationality of each of such passengers. The said list shall not include sailors actually employed in the navigation of the vessel.

Any master failing to deliver such list or delivering one which to his knowledge is false in any particular shall be liable to a fine not exceeding one hundred pounds.

As to ballast.

20. It shall be unlawful to ship, carry, or discharge ballast in any boat not licensed thereto, or in any place except those appointed by the Superintendent of the port; and masters of vessels discharging or receiving ballast shall be bound to provide tarpaulin or other safeguard which shall be secured to the ships' side so as to protect the ballast from falling into the sea; and any master failing to comply with the directions in this section shall be liable to a fine not exceeding ten pounds.

Penalty for not putting out fires and hoisting red flag when explosive materials on board.

21. Every master of a vessel any part of whose cargo shall consist of gunpowder or other explosive material shall immediately on arrival in harbour extinguish the fires and hoist a red flag at the main; and if he fails to comply with the directions of this section he shall be liable to a fine not exceeding one hundred pounds.

Penalty for burning combustible materials.

22. Every person who shall boil or heat any pitch, resin turpentine, oil or other combustible matter on any vessel lying within any harbour of Cyprus except in such manner as shall be specially authorized by the Superintendent of the port shall be liable to a fine not exceeding ten pounds.

Authority to appoint pilots.

23. The Governor may from time to time nominate any person or persons as authority for the appointment of pilots to be qualified under this Law.

Power to Comptroller to compound offences.
2 of 21/25.

24. The Comptroller may compromise and compound any action or proceeding which shall at any time hereafter be necessary or commenced by his authority or under his control against any person for the recovery of penalties incurred under the provisions of this Law or any amendment thereof on such terms and conditions as he shall in his absolute discretion think proper with full power for him or any of his officers or agents by him duly authorized in that behalf to accept the penalties so incurred or alleged to have been incurred or any part thereof without action or other proceedings brought or commenced for the recovery thereof.