

Subsidiary Legislation made under s.118, read with s.119 and the Schedule.

GIBRALTAR MERCHANT SHIPPING (DISTRESS SIGNALS AND PREVENTION OF COLLISIONS AT SEA) REGULATIONS 2017

(LN. 2017/181)

Commencement **7.9.2017**

Amending enactments	Relevant current provisions	Commencement date
LN. 2018/162	rr. 7(2), 8(2), (4), 9(5), 10(5), 15(2)(b), 19(1)(b)(iii), 20(5)-(7), 21(2)(i), 35(3)(b), 36(4)(e), (f), Sch. 1 & 4	12.7.2018

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In exercise of the powers conferred on it by section 118, read with section 119 and the Schedule of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993, and all other powers enabling, the Government, for the purposes of implementing the International Regulations for Preventing Collisions at Sea, 1972, has made the following Regulations:

**PART 1
PRELIMINARY****Title and commencement.**

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Distress Signals and Prevention of Collisions at Sea) Regulations 2017 and come into operation on the day of publication.

Interpretation.

2.(1) In these Regulations, unless the context otherwise requires-

“Act” means the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993;

“Administration” means the Maritime Administrator in the case of Gibraltar, and in other cases the person in the relevant flag State holding equivalent responsibilities;

“audit” means a systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which audit criteria are fulfilled;

“audit scheme” means the IMO Member State Audit Scheme established by the IMO and taking into account the guidelines developed by it;

“audit standard” means the Code for Implementation;

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

“Code for Implementation” means the IMO Instruments Implementation Code (III Code) adopted by the IMO by Resolution A. 1070(28);

“Gibraltar ship” means a ship registered in Gibraltar under the provisions of the Gibraltar Merchant Shipping (Registration) Act, 1993;

“High Speed Craft Code” or “HSC Code” means the “International Code for Safety of High Speed Craft” contained in IMO Resolution MSC 36 (63) of 20 May 1994, or the International Code for Safety of High-Speed Craft, 2000 (2000 HSC Code), contained in IMO Resolution MSC.97(73) of December 2000, and amendments thereto in their up-to-date versions as in force at the time of reference;

“IMO” means the International Maritime Organization;

“International Regulations” means the International Regulations for Preventing Collisions at Sea, 1972 including amendments thereto in their up-to-date versions as in force at the time of reference;

“length” and “breadth” of a ship mean its length overall and greatest breadth;

“Maritime Administrator” means the person appointed under section 3 of the Act;

“master” includes every person, except a pilot, having command or charge of a ship and, in relation to a fishing vessel, means the skipper;

“mile” means a nautical mile of 1,852 metres;

“Minister” means the Minister with responsibility for maritime services;

“power-driven ship” means any ship propelled by machinery;

“restricted visibility” means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms or any other similar causes;

“sailing ship” means any ship under sail where propelling machinery, if fitted, is not being used;

“seaplane” includes any aircraft designed to manoeuvre on the water;

“ship” includes every description of water craft, including non-displacement craft, WIG craft and seaplanes, used or capable of being used as a means of transportation on water;

“ship engaged in fishing” means any ship fishing with nets, lines, trawls or other fishing apparatus which restrict manoeuvrability, but does

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not include a ship fishing with trolling lines or other fishing apparatus which do not restrict manoeuvrability;

“ship not under command” means a ship which through some exceptional circumstance is unable to manoeuvre as required by these Regulations and is therefore unable to keep out of the way of another ship;

“ship restricted in its ability to manoeuvre” means a ship which from the nature of its work is restricted in its ability to manoeuvre as required by these Regulations and is therefore unable to keep out of the way of another ship;

“ships restricted in their ability to manoeuvre” shall include but not be limited to-

- (a) a ship engaged in laying, servicing or picking up a navigation mark, submarine cable or pipeline;
- (b) a ship engaged in dredging, surveying or underwater operations;
- (c) a ship engaged in replenishment or transferring persons, provisions or cargo while underway;
- (d) a ship engaged in the launching or recovery of aircraft;
- (e) a ship engaged in mine clearance operations;
- (f) a ship engaged in a towing operation such as severely restricts the towing ship and its tow in their ability to deviate from their course;

“ship constrained by its draught” means a power-driven ship which, because of its draught in relation to the available depth and width of navigable water, is severely restricted in its ability to deviate from the course it is following;

“underway” means that a ship is not at anchor, or made fast to the shore, or aground;

“Wing-in-Ground (WIG) craft” means a multimodal craft which, in its main operational mode, flies in close proximity to the surface by utilizing surface-effect action.

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(2) Ships shall be deemed to be in sight of one another only when one can be observed visually from the other.

(3) The diagram mentioned in paragraph 7 of Schedule 1 is the diagram specified in the Chromaticity Chart (1975) published by the International Illumination Commission (CIE).

(4) The reference to the International Code of Signals in paragraph 3 of Schedule 4 is a reference to the International Code of Signals (1985) published by the IMO, and the reference to the Merchant Ship Search and Rescue Manual in that paragraph is a reference to the manual of that name published in 1986 by the IMO; and such references include reference to any document amending either of those publications which is considered by the Minister to be relevant from time to time.

Application of these Regulations.

3.(1) These Regulations apply to -

- (a) Gibraltar ships wherever they may be, and other ships while within the BGTW; and
- (b) hovercrafts and seaplanes on the surface of the water, wherever they may be, being hovercraft or seaplanes registered in Gibraltar, and to other hovercraft and other seaplanes on the surface of the water while they are within BGTW.

(2) These Regulations shall apply to all ships referred to in sub-regulation (1) upon the high seas and in all waters connected herewith navigable by seagoing ships.

(3) Nothing in these Regulations shall interfere with the operation of any special Rules or Regulations made by the Government with respect to additional station or signal lights, shapes or whistle signals for ships of war and ships proceeding under convoy, or with respect to additional station or signal lights or shapes for fishing ships engaged in fishing as a fleet.

(4) The additional station or signal lights, shapes or whistle signals referred to in sub-regulation (3) shall, so far as possible, be such that they cannot be mistaken for any light, shape or signal authorised elsewhere under these Regulations.

(5) Whenever the Maritime Administrator determines that a ship of any special construction or purpose cannot comply with any provisions of these Regulations with respect to -

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- (a) the number, position, range or arc of visibility of lights or shapes; and
- (b) the disposition and characteristics of sound-signalling appliances,

that ship shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, as the Maritime Administrator shall have determined to be the closest possible compliance with these Regulations in respect of that ship.

(6) In this regulation “hovercraft” means a vehicle which is designed to be supported when in motion wholly or partly by air expelled from the vehicle to form a cushion of which the boundaries include the ground, water or other surface beneath the vehicle.

Exoneration as to negligence.

4.(1) Nothing in these Regulations shall exonerate any ship, or the owner, master or crew of that ship, from the consequences of any neglect to comply with these Regulations 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.

(2) In construing and complying with these Regulations due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the ships involved, which may make a departure from these Regulations necessary to avoid immediate danger.

**PART 2
STEERING AND SAILING REGULATIONS****Chapter I
Conduct of ships in any condition of visibility****Application of the regulations in Chapter I.**

5. Regulations 6 to 11 of Chapter I shall apply to ships referred to in regulation 3(1) in any condition of visibility.

Look-out.

6. Every ship shall, at all times, maintain a proper look-out by –
- (a) sight and hearing; and

- (b) 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.

Safe speed.

7.(1) At all times, every ship shall proceed at a safe speed so that the ship can-

- (a) take proper and effective action to avoid collision; and
- (b) be stopped within a distance appropriate to the prevailing circumstances and conditions.

(2) In determining a safe speed referred to in sub-regulation (1), the master of the ship shall take into account the following factors-

- (a) for all ships-
 - (i) the state of visibility,
 - (ii) the traffic density including concentrations of fishing ships or any other ships,
 - (iii) the manoeuvrability of the ship 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 its own lights,
 - (v) the state of wind, sea and current, and the proximity of navigational hazards, and
 - (vi) the draught in relation to the available depth of water; and
- (b) for ships 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,

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- (iv) the possibility that small ships, ice and other floating objects may not be detected by radar at an adequate range,
- (v) the number, location and movement of ships detected by radar, and
- (vi) the more exact assessment of the visibility that may be possible when radar is used to determine the range of ships or other objects in the vicinity.

Risk of collision.

8.(1) Every ship shall use all available means appropriate to the prevailing circumstances and conditions to determine if –

- (a) risk of collision exists;
- (b) there is any doubt that such risk shall be deemed to exist.

(2) If fitted and operational, proper use shall be made of radar equipment, including-

- (a) Long-range scanning to obtain early warning of risk of collisions; and
- (b) Radar plotting or equivalent systematic observation of detected objects.

(3) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.

(4) In determining if risk of collision exists, the following considerations shall be among those taken into account-

- (a) such risk shall be deemed to exist if the compass bearing of an approaching ship does not appreciably change; or
- (b) such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large ship or a tow or when approaching a ship at close range.

Action to avoid collision.

9.(1) Any action taken to avoid collision shall –

- (a) be taken in accordance with the provisions of this Part; and
 - (b) if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.
- (2) If the circumstances of the case admit, any alteration of course or speed to avoid collision or both shall be—
- (a) large enough to be readily apparent to another ship observing visually or by radar; and
 - (b) a succession of small alterations of course or speed or both, be avoided.
- (3) If there is sufficient sea-room, alteration of course alone may be the most effective action to avoid a close-quarters situation if it is—
- (a) made in good time; and
 - (b) substantial and does not result in another close-quarters situation.
- (4) An action taken to avoid collision with another ship shall be such as to result in passing at a safe distance and the effectiveness of the action shall be carefully checked until the other ship is finally past and clear.
- (5) If necessary to avoid collision or allow more time to assess the situation, a ship shall —
- (a) slacken its speed; or
 - (b) take all way off by stopping or reversing its means of propulsion.
- (6) Where a ship which is required under these Regulations not to impede the passage or safe passage of another ship, the master of the ship shall, when required by the circumstances of the case, take early action to allow sufficient sea-room for the safe passage of the other ship.
- (7) Where a ship which is required under these Regulations not to impede the passage or safe passage of another ship, that ship—
- (a) is not relieved of this obligation if approaching the other ship so as to involve risk of collision; and

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- (b) shall, when taking action, have full regard to the action which may be required by the provisions of this Part.

(8) When two ships are approaching one another so as to involve risk of collision, the ship the passage of which is not to be impeded must remain fully obliged to comply with the provisions of this Part

Narrow channels.

10.(1) Where a ship is proceeding along the course of a narrow channel or fairway, the master of the ship shall keep the ship as near to the outer limit of the channel or fairway which lies on that ship's starboard side as is safe and practicable.

(2) Where a ship is of less than 20 metres in length or a sailing ship, that ship shall not impede the passage of a ship which can safely navigate only within a narrow channel or fairway.

(3) No ship engaged in fishing shall impede the passage of any other ship navigating within a narrow channel or fairway.

(4) No ship shall cross a narrow channel or fairway if such crossing impedes the passage of a ship which can safely navigate only within such channel or fairway and the latter ship may use the sound signal prescribed by regulation 35(3) if in doubt as to the intention of the crossing ship.

(5) In a narrow channel, or fairway, when overtaking can take place only when the ship to be overtaken has to take action to permit safe passing, the ship intending to overtake shall indicate its intention by sounding the appropriate signal prescribed.

(6) The ship to be overtaken as referred to in sub-regulation (5) shall-

- (a) if in agreement, sound the appropriate signal prescribed by regulation 35(2)(d)(ii); and

- (b) take steps to permit safe passing,

and if in doubt the ship may sound the signals prescribed by regulation 35(3).

(7) This regulation does not relieve the overtaking ship of its obligation under regulation 14.

(8) Every ship nearing a bend or an area of a narrow channel or fairway where other ships may be obscured by an intervening obstruction shall-

- (a) navigate with particular alertness and caution; and
- (b) sound the appropriate signal prescribed by regulation 35(4).

(9) Every ship shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.

Traffic separation schemes.

11.(1) This regulation –

- (a) applies to traffic separation schemes adopted by the IMO; and
- (b) does not relieve any ship of its obligation under any other provisions of these Regulations.

(2) Every ship using a traffic separation scheme shall-

- (a) proceed in the appropriate traffic lane in the general direction of traffic flow for that lane;
- (b) so far as practicable keep clear of a traffic separation line or separation zone; and
- (c) 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.

(3) The master of every ship 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.

(4) No ship shall use an inshore traffic zone when it can safely use the appropriate traffic lane within the adjacent traffic separation scheme.

(5) Despite sub-regulation (4), every ship of less than 20 metres in length, a sailing ship and a ship engaged in fishing may use the inshore traffic zone.

(6) Notwithstanding sub-regulations (4) and (5), a ship 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 inshore traffic zone, or to avoid immediate danger.

(7) No ship other than a crossing ship or a ship joining or leaving a lane shall normally enter a separation zone or cross a separation line except-

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- (a) in cases of emergency to avoid immediate danger; or
- (b) to engage in fishing within a separation zone.

(8) Every ship-

- (a) navigating in areas near the terminations of traffic separation schemes, shall do so with particular caution;
- (b) shall so far as practicable avoid anchoring in a traffic separation scheme or in areas near its terminations; and
- (c) not using a traffic separation scheme, shall avoid it by as wide a margin as is practicable.

(9) No ship engaged in fishing shall impede the passage of any ship following a traffic lane.

(10) No ship of less than 20 metres in length or a sailing ship shall impede the safe passage of a power-driven ship following a traffic lane.

(11) A ship restricted in its ability to manoeuvre is exempted from complying with this regulation to the extent necessary to carry out the operation when engaged in an operation for the-

- (a) maintenance of safety of navigation in a traffic separation scheme; and
- (b) laying, servicing or picking up of a submarine cable, within a traffic separation scheme.

**Chapter II
Conduct of ships in sight of one another**

Application of the regulations in Chapter II.

12. Regulations 13 to 19 of Chapter II shall apply to ships in sight of one another.

Sailing Ships.

13.(1) When two sailing ships are approaching one another, so as to involve risk of collision, the master of one of the ships shall keep out of the way of the other ship as follows-

- (a) when each has the wind on a different side, the ship which has the wind on the port side, the master of the ship shall keep out of the way of the other ship;
- (b) when both have the wind on the same side, the ship which is to windward, the master of the ship shall keep out of the way of the ship which is to leeward; and
- (c) if the master of a ship with the wind on the port side sees a ship to windward and he cannot determine with certainty where the other ship has the wind on the port or on the starboard side, the master of the ship shall keep the ship out of the way of the other ship.

(2) For the purposes of this regulation, 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 ship, the side opposite to that on which the largest fore-and-aft sail is carried.

Overtaking.

14.(1) Notwithstanding anything contained in the provisions of Part 2 and Chapters I and II, when any ship overtaking any other ship, the master shall keep the ship out of the way of the ship being overtaken.

(2) Every ship shall be deemed to be overtaking when coming up with another ship from a direction more than 22.5 degrees abaft its beam, that is, in such a position with reference to the ship it is overtaking, that at night it would be able to see only the stern light of that ship but neither of its sidelights.

(3) When the master of the ship is in any doubt as to whether the ship is overtaking another, the master shall assume that this is the case and act accordingly.

(4) Any subsequent alteration of the bearing between the two ships shall not –

- (a) make the overtaking ship a crossing ship within the meaning of these Regulations; or
- (b) relieve the master of the ship of the duty of keeping clear of the overtaken ship

until his ship is finally past and clear.

Head-on situation.

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15.(1) When two power-driven ships are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision, the master of each ship shall alter its course to starboard so that each ship shall pass on the port side of the other.

(2) A situation referred to in sub-regulation (1) shall be deemed to exist when the master of a ship-

- (a) sees the other ship ahead or nearly ahead;
- (b) by night he sees –
 - (i) the masthead lights of the other ship in a line or nearly in a line; and/or
 - (ii) both sidelights; and
- (c) by day he observes the corresponding aspect of the other ship.

(3) When the master of the ship is in any doubt as to whether a situation referred to in sub-regulation (1) exists he must assume that it does exist and act accordingly.

Crossing situation.

16. When two power-driven ships are crossing so as to involve risk of collision, the master of the ship which has the other ship on its own starboard side-

- (a) shall keep out of the way; and
- (b) shall, if the circumstances of the case admit, avoid crossing ahead of the other ship.

Action by give-way ship.

17. The master of every ship which is directed to keep out of another ship shall, so far as possible, take early and substantial action to keep well clear.

Action by stand-on ship.

18.(1) Where one of two ships is to keep out of the way, the master of the other ship shall keep its course and speed.

(2) The master of other ship referred to in sub-regulation (1) may, however take action to avoid collision by its manoeuvre alone, as soon as it

becomes apparent to him that the ship required to keep out of the way is not taking appropriate action in compliance with these Regulations.

(3) When, from any cause, the master of the ship required to keep its course and speed finds the ship so close that collision cannot be avoided by the action of the give-way ship alone, he must take such action as will best aid to avoid collision.

(4) The master of a power-driven ship which takes action in a crossing situation in accordance with sub-regulation (2) to avoid collision with another power-driven ship shall, if the circumstances of the case admit, not alter course to port for a ship on its own port side.

(5) This regulation does not relieve the master of the give-way ship of its obligation to keep out of the way.

Responsibilities between ships.

19.(1) Except where regulations 10, 11 and 14 otherwise require, the master of -

- (a) a power-driven ship underway shall keep out of the way of-
 - (i) a ship not under command,
 - (ii) a ship restricted in its ability to manoeuvre,
 - (iii) a ship engaged in fishing, and
 - (iv) a sailing ship;
- (b) a sailing ship underway shall keep out of the way of-
 - (i) a ship not under command, and
 - (ii) a ship restricted in its ability to manoeuvre; and
 - (iii) a ship engaged in fishing; and
- (c) a ship engaged in fishing when underway shall, so far as possible, keep out of the way of-
 - (i) a ship not under command, and
 - (ii) a ship restricted in its ability to manoeuvre.

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(2) The master of any ship other than a ship not under command or a ship restricted in its ability to manoeuvre shall, if the circumstances of the case admit, avoid impeding the safe passage of a ship constrained by its draught, exhibiting the signals referred to in regulation 29.

(3) The master of every ship constrained by its draught shall navigate with particular caution having full regard to its special condition.

(4) Every seaplane on the water shall, in general, keep well clear of all ships and avoid impeding their navigation.

(5) Despite sub-regulation (4), in circumstances, however, where risk of collision exists, the pilot of the seaplane referred to in sub-regulation (4) shall comply with the provisions of this Part.

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

(7) A WIG craft operating on the water surface shall comply with the provisions of this Part as a power-driven ship.

**Chapter III
Conduct of ships in restricted visibility**

Conduct of ships in restricted visibility.

20.(1) This regulation applies to ships not in sight of one another when navigating in or near an area of restricted visibility.

(2) The master of every ship shall proceed with his ship at a safe speed adapted to the prevailing circumstances and conditions of restricted visibility.

(3) A power-driven ship shall have its engines ready for immediate manoeuvre.

(4) Every ship shall have due regard to the prevailing circumstances and conditions of restricted visibility when complying with the provisions of Chapter I of this Part.

(5) The master of a ship which detects, by radar, alone the presence of another ship shall determine if-

- (a) a close-quarters situation is developing; and/or

- (b) risk of collision exists.

(6) If any of the situation or risk referred to in sub-regulation (5) so exists, the master of the ship 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-

- (a) an alteration of course to port for a ship forward of the beam, other than for a ship being overtaken; and
- (b) an alteration of course towards a ship abeam or abaft the beam.

(7) Except where it has been determined that a risk of collision does not exist, the master of every ship-

- (a) which hears apparently forward of its beam the fog signal of another ship; or
- (b) which cannot avoid a close-quarters situation with another ship forward of its beam,

shall reduce the speed of the ship to the minimum at which it can be kept on its course and in that case the master of the ship shall, if necessary, take all way off and in any event navigate with extreme caution until danger of collision is over.

PART 3 LIGHTS AND SHAPES

Application of Part 3.

21.(1) The master of every ship shall comply with the provisions of this Part in all weather.

(2) The master of every ship shall comply with the provisions of this Part concerning lights-

- (a) from sunset to sunrise; and
- (b) during that times no other lights shall be exhibited, except such lights –
 - (i) that cannot be mistaken for the lights specified in these Regulations,
 - (ii) which do not impair their visibility or distinctive character, or

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(iii) which do not interfere with the keeping of a proper look-out.

(3) The lights prescribed by these Regulations –

- (a) shall, if carried, also be exhibited from sunrise to sunset in restricted visibility; and
- (b) may be exhibited in all other circumstances when it is deemed necessary.

(4) The master of every ship shall comply with the provisions of this Part concerning shapes by day.

(5) The provisions of these Regulations with regard to lights and shapes as specified in Schedule 1 must be complied with.

Definitions for Part 3.

22.(1) In this Part, unless the context otherwise requires-

“masthead light” means a white light placed over the fore and aft centreline of the ship showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on either side of the ship;

“sidelights” means a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5 degrees and so fixed as to show the light from the right ahead to 22.5 degrees abaft the beam on its respective side. In a ship of less than 20 metres in length the sidelights may be combined in one lantern carried on the fore and aft centreline of the ship;

“stern light” means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees from right aft on each side of the ship;

“towing light” means a yellow light having the same characteristics as the “stern light” defined in this regulation;

“all-round light” means a light showing an unbroken light over an arc of the horizon of 360 degrees; and

“flashing light” means a light flashing at regular intervals at a frequency of 120 flashes or more per minute.

Visibility of lights.

23. The lights prescribed by these Regulations shall have an intensity as specified in Paragraph 8 of Schedule 1 so as to be visible at the following minimum ranges-

- (a) in ships of 50 metres or more in length-
 - (i) a masthead light, 6 miles,
 - (ii) a sidelight, 3 miles,
 - (iii) a stern light, 3 miles,
 - (iv) a towing light, 3 miles, and
 - (v) a white, red, green or yellow all-round light, 3 miles;
- (b) in ships of 12 metres or more in length but less than 50 metres in length-
 - (i) a masthead light, 5 miles; except that Where the length of the ship is less than 20 metres, 3 miles,
 - (ii) a sidelight, 2 miles,
 - (iii) a sternlight, 2 miles,
 - (iv) a towing light, 2 miles, and
 - (v) a white, red, green or yellow all-round light, 2 miles;
- (c) in ships of less than 12 metres in length-
 - (i) a masthead light, 2 miles,
 - (ii) a sidelight, 1 mile,
 - (iii) a sternlight, 2 miles,
 - (iv) a towing light, 2 miles, and
 - (v) a white, red, green or yellow all-round light, 2 miles; and

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- (d) in inconspicuous, partly submerged ships or objects being towed-a white all-round light, 3 miles.

Power-driven ships underway.

24.(1) Every power-driven ship underway shall exhibit-

- (a) a masthead light forward;
- (b) a second masthead light abaft of and higher than the forward one, except that a ship of less than 50 metres in length shall not be obliged to exhibit such light but may do so;
- (c) sidelights; and
- (d) a sternlight.

(2) Every air-cushion ship when operating in the non-displacement mode shall, in addition to the lights prescribed by sub-regulation (1), exhibit an all-round flashing yellow light.

(3) A WIG craft only when taking off, landing and in flight near the surface shall, in addition to the lights prescribed by sub-regulation (1), exhibit a high intensity all-round flashing red light.

(4) Every power-driven ship of less than 12 metres in length may in lieu of the lights prescribed by sub-regulation (1) exhibit an all-round white light and sidelights.

(5) Every power-driven ship of less than 7 metres in length whose maximum speed does not exceed 7 knots may in lieu of the lights prescribed by sub-regulation (1), exhibit an all-round white light and shall, if practicable, also exhibit sidelights.

(6) The masthead light or all-round white light on a power-driven ship of less than 12 metres in length may be displaced from the fore and aft centre line of the ship if –

- (a) centreline fitting is not practicable; and
- (b) the sidelights are combined in one lantern which-
 - (i) shall be carried on the fore and aft centre line of the ship, or
 - (ii) are located as nearly as practicable in the same fore and aft line as the masthead light or the all-round white light.

Towing and pushing.

25.(1) Every power-driven ship when towing shall exhibit-

- (a) instead of the light prescribed by regulation 24(1)(a) or (b), two masthead lights in a vertical line and when the length of the tow, measuring from the stern of the towing ship to the after end of the tow exceeds 200 metres, three such lights in a vertical line;
- (b) sidelights;
- (c) a sternlight;
- (d) a towing light in a vertical line above the sternlight; and
- (e) when the length of the tow exceeds 200 metres, a diamond shape where it can best be seen.

(2) When a pushing ship and a ship being pushed ahead are rigidly connected in a composite unit they-

- (a) shall be regarded as a power-driven ship; and
- (b) must exhibit the lights prescribed by regulation 24.

(3) A power-driven ship when pushing ahead or towing alongside, except in the case of a composite unit, shall exhibit-

- (a) instead of the light prescribed by regulation 24(1)(a) or (b), two masthead lights in a vertical line;
- (b) sidelights; and
- (c) a sternlight.

(4) A power-driven ship to which sub-regulation (1) or (3) applies shall also comply with regulation 24(1) (b).

(5) A ship or object being towed, other than those mentioned in sub-regulation (7), shall exhibit-

- (a) sidelights;
- (b) a sternlight; and

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- (c) when the length of the tow exceeds 200 metres, a diamond shape where it can best be seen.

(6) If any number of ships being towed alongside or pushed in a group shall be lighted as one ship-

- (a) a ship being pushed ahead, not being part of a composite unit, shall exhibit at the forward end sidelights; and
- (b) a ship being towed alongside shall exhibit a sternlight and at the forward end, sidelights.

(7) An inconspicuous, partly submerged ship or object, or combination of such ships or objects being towed, shall exhibit-

- (a) if it is less than 25 metres in breadth, one all-round white light at or near the forward end and one at or near the after end except that dracones need not exhibit a light at or near the forward end;
- (b) if it is 25 metres or more in breadth, two additional all-round white lights at or near the extremities of its breadth;
- (c) if it exceeds 100 metres in length, additional all-round white lights between the lights prescribed by paragraphs (a) and (b) so that the distance between the lights shall not exceed 100 metres; and
- (d) a diamond shape at or near the aftermost extremity of the last ship or object being towed and if the length of the tow exceeds 200 metres an additional diamond shape where it can best be seen and located as far forward as is practicable.

(8) Where from any sufficient cause it is impracticable-

- (a) for a ship or object being towed to exhibit the lights or shapes prescribed by sub-regulation (6) or (7), all possible measures shall be taken to light the ship or object towed or at least to indicate the presence of such ship or object; and
- (b) for a ship not normally engaged in towing operations to display the lights prescribed by sub-regulation (1) or (3), such ship shall not be required to exhibit those lights when engaged in towing another ship in distress or otherwise in need of assistance.

(9) In a situation under sub-regulation (8), all possible measures shall be taken to indicate the nature of the relationship between the towing ship and the ship being towed as authorised by regulation 37, in particular by illuminating the towline.

Sailing ships underway and ships under oars.

26.(1) A sailing ship underway shall exhibit-

- (a) sidelights; and
- (b) a sternlight.

(2) In a sailing ship of less than 20 metres in length the lights prescribed by sub-regulation (1) may be combined in one lantern carried at or near the top of the mast where it can best be seen.

(3) A sailing ship underway may, in addition to the lights prescribed by sub-regulation (1), 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 sub-regulation (2).

(4) A sailing ship of less than 7 metres in length shall, if practicable, exhibit the lights prescribed by sub-regulation (1) or (2), but if it does not, it 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.

(5) A ship under oars may exhibit the lights prescribed by this regulation for sailing ships, but if it does not, it 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.

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

Fishing ships.

27.(1) A ship engaged in fishing, whether underway or at anchor, shall exhibit only the lights and shapes prescribed by this regulation.

(2) A ship when engaged in trawling, by which is meant the dragging through the water of a dredge net or other apparatus used as a fishing appliance, shall exhibit-

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- (a) two all-round lights in a vertical line, the upper being green and the lower white, or a shape consisting of two cones with their apexes together in a vertical line one above the other;
 - (b) a masthead light abaft of and higher than the all-round green light; a ship of less than 50 metres in length shall not be obliged to exhibit such a light but may do so; and
 - (c) when making way through the water, in addition to the lights prescribed by this sub-regulation, sidelights and a stern light.
- (3) A ship engaged in fishing, other than trawling, shall exhibit-
- (a) two all-round lights in a vertical line, the upper being red and the lower white, or a shape consisting of two cones with apexes together in a vertical line one above the other;
 - (b) when there is outlying gear extending more than 150 metres horizontally from the ship, an all- round white light or a cone apex upwards in the direction of the gear; and
 - (c) when making way through the water, in addition to the lights prescribed by this sub-regulation, sidelights and a sternlight.
- (4) The additional signals described in Schedule 2 apply to a ship engaged in fishing in close proximity to other ships engaged in fishing.
- (5) A ship when not engaged in fishing shall not exhibit the lights or shapes prescribed by this regulation, but only those prescribed for a ship of its length.

Ships not under command or restricted in their ability to manoeuvre.

28.(1) A ship not under command shall exhibit-

- (a) two all-round red lights in a vertical line where they can best be seen;
 - (b) two balls or similar shapes in a vertical line where they can best be seen; and
 - (c) when making way through the water, in addition to the lights prescribed by this sub-regulation, sidelights and a stern light.
- (2) A ship restricted in its ability to manoeuvre, except a ship engaged in mine-clearance operations, shall exhibit-

- (a) three all-round lights in a vertical line where they can best be seen and the highest and lowest of these lights shall be red and the middle light shall be white;
- (b) three shapes in a vertical line where they can best be seen and the highest and lowest of these shapes shall be balls and the middle one a diamond;
- (c) when making way through the water, a masthead light or lights, sidelights and a sternlight, in addition to the lights prescribed by paragraph (a); and
- (d) when at anchor, in addition to the lights or shapes prescribed by paragraphs (a) and (b), the light, lights or shape prescribed by regulation 31.

(3) A power-driven ship engaged in a towing operation such as severely restricts the towing ship and its tow in their ability to deviate from their course shall, in addition to the lights or shapes prescribed by regulation 25(1), exhibit the lights or shapes prescribed by sub-regulations (1) and (2).

(4) A ship engaged in dredging or underwater operations, when restricted in its ability to manoeuvre, shall-

- (a) exhibit the lights and shapes prescribed by sub-regulation (2) (a) (b) and (c); and
- (b) in addition, when an obstruction exists, exhibit-
 - (i) two all-round red lights or two balls in a vertical line to indicate the side on which the obstruction exists;
 - (ii) two all-round green lights or two diamonds in a vertical line to indicate the side on which another ship may pass; and
 - (iii) when at anchor, the lights or shapes prescribed by this sub-regulation instead of the lights or shape prescribed by regulation 31.

(5) Whenever the size of a ship engaged in diving operations makes it impracticable to exhibit all lights and shapes prescribed by sub-regulation (4), the following shall be exhibited-

- (a) three all-round lights in a vertical line where they can best be seen and the highest and lowest of these lights shall be red and the middle light shall be white; and

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- (b) a rigid replica of the International Code flag “A” not less than 1 metre in height and measures shall be taken to ensure its all-round visibility.

(6) A ship engaged in mine-clearance operations shall in addition to the lights prescribed for a power-driven ship by regulation 24 or to the lights or shape prescribed for a ship at anchor by regulation 31 as appropriate, exhibit three all-round green lights or three balls.

(7) One of the lights or shapes referred to in sub-regulation (6), shall be exhibited near the foremast head and one at each end of the fore yard and these lights or shapes indicate that it is dangerous for another ship to approach within 1000 metres of the mine clearance ship.

(8) Ships of less than 12 metres in length, except those engaged in diving operations, shall not be required to exhibit the lights and shapes prescribed by this regulation.

(9) The signals prescribed by this regulation are not signals of ships in distress and requiring assistance and such signals are contained in Schedule 4 to these Regulations.

Ships constrained by their draught.

29. A ship constrained by its draught may, in addition to the lights prescribed for power-driven ships by regulation 24, exhibit where they can best be seen three all-round red lights in a vertical line, or a cylinder.

Pilot ships.

30.(1) A ship engaged on pilotage duty shall exhibit-

- (a) at or near the masthead, two all-round lights in a vertical line, the upper being white and the lower red;
- (b) when underway, in addition, sidelights and a sternlight; and
- (c) when at anchor, in addition to the lights prescribed by paragraph (a), the light, lights or shape prescribed by regulation 31 for ships at anchor.

(2) A pilot ship when not engaged on pilotage duty shall exhibit the lights or shapes prescribed for a similar ship of its length.

Anchored ships and ships aground.

31.(1) A ship at anchor shall exhibit where it can best be seen-

- (a) in the fore part, an all-round white light or one ball; and
- (b) at or near the stern and at a lower level than the light prescribed by paragraph (a), an all-round white light.

(2) A ship of less than 50 metres in length may exhibit an all-round white light where it can best be seen instead of the lights prescribed by sub-regulation (1).

(3) A ship at anchor may, and a ship of 100 metres and more in length shall, also use the available working or equivalent lights to illuminate its decks.

(4) A ship aground shall exhibit the lights prescribed by sub-regulation (1) or (2) and in addition, where they can best be seen-

- (a) two all-round red lights in a vertical line; and
- (b) three balls in a vertical line.

(5) A ship of less than 7 metres in length, when at anchor, not in or near a narrow channel, fairway or anchorage, or where other ships normally navigate, shall not be required to exhibit the lights or shape prescribed by sub-regulations (1) and (2).

(6) A ship of less than 12 metres in length, when aground, shall not be required to exhibit the lights or shapes prescribed by sub-regulation (4).

Seaplanes.

32. Where it is impracticable for a seaplane or a WIG craft to exhibit lights and shapes of the characteristics or in the positions prescribed by this Part, it shall exhibit lights and shapes as closely similar in characteristics and position as is possible.

PART 4 SOUND AND LIGHT SIGNALS

Definitions for Part 4.

33. In this Part, unless the context otherwise require-

“whistle” means any sound signalling appliance capable of producing the prescribed blasts and which complies with the specifications by Schedule 3;

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“short blast” means a blast of about one second’s duration; and

“prolonged blast” means a blast of from four to six seconds’ duration.

Equipment for sound signals.

34.(1) A ship of –

- (a) 12 metres or more in length must be provided with a whistle;
- (b) 20 metres or more in length shall be provided with a bell in addition to a whistle; and
- (c) 100 metres or more in length shall, in addition, be provided with a gong, the tone and sound of which cannot be confused with that of the bell.

(2) The whistle, bell and gong referred to in sub-regulation (1) shall comply with the specifications prescribed by Schedule 3 and the bell or gong or both may be replaced by other equipment having the same respective sound characteristics, if manual sounding of the prescribed signals shall always be possible.

(3) A ship of less than 12 metres in length shall not be obliged to carry the sound signalling appliances prescribed by sub-regulation (1) but if it does not, it shall be provided with some other means of making an efficient sound signal.

Manoeuvring and warning signals.

35.(1) When ships are in sight of one another, a power-driven ship underway, when manoeuvring as authorised or required by these Regulations, shall indicate that manoeuvre by the following signals on its whistle-

- (a) one short blast to mean “I am altering my course to starboard”;
- (b) two short blasts to mean “I am altering my course to port”; and
- (c) three short blasts to mean “I am operating astern propulsion”.

(2) Any ship may supplement the whistle signals prescribed by sub-regulation (1) by light signals, repeated as appropriate, whilst the manoeuvre is being carried out-

- (a) these light signals shall have the following significance-

- (i) one flash to mean “I am altering my course to starboard”,
 - (ii) two flashes to mean “I am altering my course to port”,
 - (iii) three flashes to mean “I am operating astern propulsion”;
- (b) the duration of each flash shall be about one second, the interval between flashes shall be about one second, and the interval between successive signals shall be not less than ten seconds; and
- (c) the light used for this signal shall, if fitted, be an all-round white light, visible at a minimum range of 5 miles, and shall comply with the provisions of Schedule 1.
- (d) when in sight of one another in a narrow channel or fairway-
- (i) a ship intending to overtake another shall in compliance with regulation 10(5) and (6) indicate its intention by the following signals on its whistle-
 - (A) two prolonged blasts followed by one short blast to mean “I intend to overtake you on your starboard side”; and
 - (B) two prolonged blasts followed by two short blasts to mean “I intend to overtake you on your port side”.
 - (ii) the ship about to be overtaken when acting in accordance with regulation 10(7) shall indicate its agreement by the following signal on its whistle one prolonged, one short, one prolonged and one short blast, in that order.
- (3) When ships in sight of one another are approaching each other and for any reason either ship-
- (a) fails to understand the intentions or actions of the other; or
 - (b) is in doubt as to whether sufficient action is being taken by the other to avoid collision,

the ship in doubt shall immediately indicate such doubt by giving at least five short, and rapid blasts on the whistle. Such signal may be supplemented by a light signal of at least five short and rapid flashes.

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(4) A ship nearing a bend or an area of a channel or fairway where other ships may be obscured by an intervening obstruction shall sound one prolonged blast and such signal shall be answered with a prolonged blast by any approaching ship that may be within hearing around the bend or behind the intervening obstruction.

(5) If whistles are fitted on a ship at a distance apart of more than 100 metres, one whistle only shall be used for giving manoeuvring and warning signals.

Sound signals in restricted visibility.

36.(1) In or near an area of restricted visibility, whether by day or night, the signals prescribed by this regulation shall be used in accordance with sub-regulations (2) to (12).

(2) A power-driven ship –

- (a) making way through the water shall sound at intervals of not more than 2 minutes one prolonged blast; and
- (b) underway but stopped and making no way through the water shall sound at intervals of not more than 2 minutes two prolonged blasts in succession with an interval of about 2 seconds between them.

(3) Every ship specified in sub-regulation (4) shall, instead of the signals prescribed by sub-regulation (2)(a) or (2)(b) sound at intervals of not more than 2 minutes three blasts in succession, namely one prolonged followed by two short blasts.

(4) For the purposes of sub-regulation (3), the ships are specified-

- (a) a ship not under command;
- (b) a ship restricted in its ability to manoeuvre;
- (c) a ship constrained by its draught;
- (d) a sailing ship;and
- (e) a ship engaged in fishing; and
- (f) a ship engaged in towing or pushing another ship.

(5) A ship engaged in fishing, when at anchor, and a ship restricted in its ability to manoeuvre when carrying out its work at anchor, shall instead of

the signals prescribed by sub-regulation (8) sound the signal prescribed by sub-regulation (3).

(6) A ship towed or if more than one ship is towed the last ship of the tow, if manned, shall at intervals of not more than 2 minutes sound four blasts in succession, namely one prolonged followed by three short blasts and when practicable, this signal shall be made immediately after the signal made by the towing ship.

(7) When a pushing ship and a ship being pushed ahead are rigidly connected in a composite unit they shall be regarded as a power-driven ship and shall give the signals prescribed by sub-regulation (2)(a) or (2)(b).

(8) A ship at anchor-

- (a) shall at intervals of not more than one minute ring the bell rapidly for about 5 seconds and in a ship of 100 metres or more in length the bell shall be sounded in the forepart of the ship and immediately after the ringing of the bell the gong shall be sounded rapidly for about 5 seconds in the after part of the ship; and
- (b) may in addition sound three blasts in succession, namely one short, one prolonged and one short blast, to give warning of its position and of the possibility of collision to an approaching ship.

(9) A ship aground-

- (a) shall give the bell signal and if required the gong signal prescribed by sub-regulation (8);
- (b) shall, in addition, give three separate and distinct strokes on the bell immediately before and after the rapid ringing of the bell; and
- (c) may in addition sound an appropriate whistle signal.

(10) A ship of 12 metres or more but less than 20 metres in length shall not be obliged to give the bell signals prescribed by sub-regulations (8) and (9) but, if it does not, it shall make some other efficient sound signal at intervals of not more than 2 minutes.

(11) A ship of less than 12 metres in length shall not be obliged to give the above-mentioned signals referred to in sub-regulation (9) but, if it does not,

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shall make some other efficient sound signal at intervals of not more than 2 minutes.

(12) A pilot ship when engaged on pilotage duty may in addition to the signals prescribed by sub-regulation (2)(a),(2)(b) or (8) sound an identity signal consisting of four short blasts.

Signals to attract attention.

37.(1) If necessary to attract the attention of another ship any ship may-

- (a) make light or sound signals that cannot be mistaken for any signal authorised elsewhere in these Regulations; or
- (b) direct the beam of its searchlight in the direction of the danger, in such a way as not to embarrass any ship.

(2) Any light to attract the attention of another ship shall be such that it cannot be mistaken for any aid to navigation.

(3) For the purpose of this regulation the use of high intensity intermittent or revolving lights, such as strobe lights, shall be avoided.

Signals of distress.

38.(1) The signals of distress which shall be used by ships to which regulation 3(1)(a) of these Regulations apply are those set out in Schedule 4.

(2) No signal of distress shall be used by any ship unless the master of the ship so orders.

(3) The master of a ship shall not order any signal of distress to be used by his ship unless he is satisfied that-

- (a) his ship is in serious and imminent danger, or that another ship or an aircraft or person is in serious and imminent danger and cannot send that signal; and
- (b) the ship in danger (whether his own ship or another ship) or the aircraft or person in danger requires immediate assistance in addition to any assistance then available.

(4) The master of a ship who has sent any signal of distress by means of radio or other means shall cause that signal to be revoked by all appropriate means as soon as he is satisfied that the ship or aircraft to which or the

person to whom the signal relates is no longer in need of assistance as referred to in sub-regulation (3).

**PART 5
MISCELLEANEOUS**

Exemptions.

39.(1) Where a ship or class of ships complies with the requirements of the International Regulations for Preventing Collisions at Sea, 1960 the keel of which is laid or which is at a corresponding stage of construction before the entry into force of the International Regulations may be permanently exempted from compliance therewith as follows-

- (a) the repositioning of lights as a result of conversion from Imperial to metric units and rounding off measurement figures, permanent exemption;
- (b) the repositioning of masthead lights on ships of less than 150 metres in length, resulting from the prescriptions of paragraph 3(1) of Schedule 1, permanent exemption; and
- (c) the repositioning of all-round lights resulting from the prescription of paragraph 9(2) of Schedule 1, permanent exemption.

(2) Except as provided for in sub-regulation (1), the Minister may exempt any ship or description of ships from all or any of the provisions of these Regulations which relate to the number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances if he is satisfied that compliance with such provision is either impractical or unreasonable in the case of that ship or description of ships in such terms, if any, as he may specify and may, subject to giving reasonable notice, alter or cancel any such exemption.

Code for Implementation.

40. The Government shall use the provisions of the Code for Implementation in the execution of its obligations and responsibilities contained in these Regulations.

Verification of compliance.

41.(1) The Gibraltar Maritime Administration and the Gibraltar Port Authority shall be subject to periodic audits by the IMO in accordance with

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the audit standard to verify compliance with and implementation of these Regulations.

(2) The Gibraltar Maritime Administration and the Gibraltar Port Authority shall have responsibility for facilitating the conduct of the audit and implementation of a programme of actions to address the findings, based on the guidelines developed by the IMO.

(3) An audit under this regulation shall be-

- (a) based on an overall schedule developed by the IMO taking into account the guidelines developed by it; and
- (b) conducted at periodic intervals, taking into account the guidelines developed by it.

(4) The guidelines developed under sub-regulation (3) referes to the Framework and Procedures for the IMO Member State Audit Scheme, adopted by the IMO by Resolution A. 1067 (28).

Offences and penalties.

42.(1) Where a ship fails to comply with any obligation imposed by any provisions of these Regulations, the owner of ship, the master of the ship and any person for the time being responsible for the conduct or operation of the ship shall each be guilty of an offence, punishable on conviction on indictment by imprisonment for a term not exceeding two years and a fine not exceeding level 5 on the standard scale.

(2) Where the Administration is of the view that a ship or the master of the ship has failed to comply with any of the requirements of these Regulations, it may-

- (a) in the case of a Gibraltar ship, withdraw or cancel any certificate, permit or document, and in addition, the owner and the master of the ship shall each be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 5 on the standard scale; and
- (b) in the case of a ship other than a Gibraltar ship in BGTW, detain the ship and regulation 20 of the Merchant Shipping (Port State Control) Regulations 2011 shall apply.

(3) It shall be a defence for any person charged under these Regulations to show that he took all reasonable precautions to avoid the commission of the offence.

SCHEDULE 1

Regulations 2(3), 21(5), 23, 35(2)(c)
and 39(1) (b) & (c)

Positioning and technical details of lights and shapes

Definition.

1. The term “height above the hull” means height above the uppermost continuous deck. This height shall be measured from the position vertically beneath the location of the light.

Vertical positioning and spacing of lights.

2.(1) On a power-driven ship of 20 metres or more in length the masthead lights shall be placed as follows-

- (a) the forward masthead light, or if only one masthead light is carried, then that light, at a height above the hull of not less than 6 metres, and, if the breadth of the ship exceeds 6 metres, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 12 metres; and
- (b) when two masthead lights are carried the after one shall be at least 4.5 metres vertically higher than the forward one.

(2) The vertical separation of masthead lights of power-driven ships shall be such that in all normal conditions of trim the after light will be seen over and separate from the forward light at a distance of 1,000 metres from the stem when viewed from sea-level.

(3) The masthead light of a power-driven ship of 12 metres but less than 20 metres in length shall be placed at a height above the gunwale of not less than 2.5 metres.

(4) A power-driven ship of less than 12 metres in length may carry the uppermost light at a height of less than 2.5 metres above the gunwale. When however a masthead light is carried in addition to sidelights and a sternlight or the all-round light is carried in addition to sidelights and a sternlight or the all-round light prescribed by regulation 24(4) is carried in addition to sidelights, then such masthead light or all-round light shall be carried at least 1 metre higher than the sidelights.

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(5) One of the two or three masthead lights prescribed for a power-driven ship when engaged in towing or pushing another ship shall be placed in the same position as either the forward masthead light or the after masthead light; provided that, if carried on the after masthead, the lowest after masthead light shall be at least 4.5 metres vertically higher than the forward masthead light.

(6) The masthead light or lights prescribed by regulation 24(1) shall be so placed as to be above and clear of all other lights and obstructions except as described in sub-paragraph (7).

(7) When it is impracticable to carry the all-round lights prescribed by regulation 28(2)(a) below the masthead lights, they may be carried above the after masthead light(s) or vertically in between the forward masthead light(s) and the after masthead light(s) provided that in the latter case the requirement of paragraph 3(3) of this Schedule shall be complied with.

(8) The sidelights of a power-driven ship shall be placed at a height above the hull not greater than three-quarters of that of the forward masthead light and they shall not be so low as to be interfered with by deck lights.

(9) The sidelights, if in a combined lantern and carried on a power-driven ship of less than 20 metres in length, shall be placed not less than 1 metre below the masthead light.

(10) When the Regulations prescribe two or three lights to be carried in a vertical line, they shall be spaced as follows-

- (a) on a ship of 20 metres in length or more such lights shall be spaced not less than 2 metres apart, and the lowest of these lights shall, except Where a towing light is required, be placed at a height of not less than 4 metres above the hull;
- (b) on a ship of less than 20 metres in length such lights shall be spaced not less than 1 metre apart and the lowest of these lights shall, except Where a towing light is required, be placed at a height of not less than 2 metres above the gunwale;
- (c) when three lights are carried they shall be equally spaced.

(11) The lower of the two all-round lights prescribed for a ship when engaged in fishing shall be at a height above the sidelights not less than twice the distance between the two vertical lights.

(12) The forward anchor light prescribed by regulation 31(1)(a), when two are carried, shall not be less than 4.5 metres above the after one. On a ship

of 50 metres or more in length this forward anchor light shall be placed at a height of not less than 6 metres above the hull.

Horizontal positioning and spacing of lights.

3.(1) When two masthead lights are prescribed for a power-driven ship, the horizontal distance between them shall not be less than one-half of the length of the ship but need not be more than 100 metres. The forward light shall be placed not more than one-quarter of the length of the ship from the stem.

(2) On a power-driven ship of 20 metres or more in length the sidelights shall not be placed in front of the forward masthead lights. They shall be placed at or near the side of the ship.

(3) When the lights prescribed by regulation 28(2)(a) or 29 are placed vertically between the forward masthead light(s) and the after masthead light(s) these all-round lights shall be placed at a horizontal distance of not less than 2 metres from the fore and aft centreline of the ships in the athwart ship direction.

(4) When only one masthead light is prescribed for a power-driven ship, this light shall be exhibited forward of amidships; except that a ship of less than 20 metres in length need not exhibit this light forward of amidships but shall exhibit it as far forward as is practicable.

Details of location of direction-indicating lights for fishing ships, dredgers and ships engaged in underwater operations.

4.(1) The light indicating the direction of the outlying gear from a ship engaged in fishing as prescribed by regulation 27(3)(b) shall be placed at a horizontal distance of not less than 2 metres and not more than 6 metres away from the two all-round red and white lights. This light shall be placed not higher than the all-round white light prescribed by regulation 27(3)(a) and not lower than the sidelights.

(2) The lights and shapes on a ship engaged in dredging or underwater operations to indicate the obstructed side and or the side on which it is safe to pass, as prescribed by regulation 28(4)(a) or (b) shall be placed at the maximum practical horizontal distance, but in no case less than 2 metres, from the lights or shapes prescribed by regulation 28(2)(a) and (b). In no case shall the upper of these lights or shapes be at a greater height than the lower of the three lights or shapes prescribed by regulation 28(2)(a) and (b).

Screens for sidelights.

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5. The sidelights of ships of 20 metres or more in length shall be fitted with inboard screens painted matt black, and meeting the requirements of Section 9 of this Schedule. On ships of less than 20 metres in length the sidelights, if necessary to meet the requirements of Section 9 of this Schedule, shall be fitted with inboard matt black screens. With a combined lantern, using a single vertical filament and a very narrow division between the green and red sections, external screens need not be fitted.

Shapes.

6.(1) Shapes shall be black and of the following sizes-

- (a) a ball shall have a diameter of not less than 0.6 metre;
- (b) a cone shall have a base diameter of not less than 0.6 metre and a height equal to its diameter;
- (c) a cylinder shall have a diameter of at least 0.6 metre and a height of twice its diameter
- (d) a diamond shape shall consist of two cones as defined in (ii) above having a common base.

(2) The vertical distance between shapes shall be at least 1.5 metres.

(3) In a ship of less than 20 metres in length shapes of lesser dimensions but commensurate with the size of the ship may be used and the distance apart may be correspondingly reduced.

Colour specification of lights.

7.(1) The chromaticity of all navigation lights shall conform to the following standards, which lie within the boundaries of the area of the diagram specified for each colour by the International Commission on Illumination (CIE).

(2) The boundaries of the area for each colour are given by indicating the corner co-ordinates, which are as follows-

(i) White

x	0.525	0.525	0.452	0.310	0.310	0.443
y	0.382	0.440	0.440	0.348	0.283	0.382

(ii) Green

x	0.028	0.009	0.300	0.203
y	0.385	0.723	0.511	0.356

(iii) Red

x	0.680	0.660	0.735	0.721
y	0.320	0.320	0.265	0.259

(iv) Yellow

x	0.612	0.618	0.575	0.575
y	0.382	0.382	0.425	0.406

8. Intensity of lights.

- (a) The minimum luminous intensity of lights shall be calculated by using the formula:

$$I = 3.43 \times 10^6 \times T \times D^2 \times K^{-D}$$

Where,

I is luminous intensity in candelas under service conditions,

T is threshold factor 2×10^{-7} lux,

D is range of visibility (luminous range) of the light in nautical miles,

K is atmospheric transmissivity.

For prescribed lights the value of K shall be 0.8, corresponding to a meteorological visibility of approximately 13 nautical miles.

- (b) A selection of figures derived from the formula is given in the following table:

Range of visibility (luminous range) of light in nautical miles	Luminous intensity of light in candelas for K=0.8
D	I

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1	0.9
2	4.3
3	12
4	27
5	52
6	94

NOTE: The maximum luminous intensity of navigation lights should be limited to avoid undue glare. This shall not be achieved by a variable control of the luminous intensity.

Horizontal sectors.

9.(1) In the forward direction, sidelights as fitted on the ship shall show the minimum required intensities. The intensities shall decrease to reach practical cut-off between 1 degree and 3 degrees outside the prescribed sectors.

(2) For stern lights and masthead lights at 22.5 degrees abaft the beam for sidelights, the minimum required intensities shall be maintained over the arc of the horizon up to 5 degrees within the limits of the sectors set out in the definitions prescribed by regulation 22. From 5 degrees within the prescribed sectors the intensity may decrease by 50 per cent up to the prescribed limits: it shall decrease steadily to reach practical cut-off at not more than 5 degrees outside the prescribed sectors.

(3) All-round lights shall be so located as not to be obscured by masts, topmasts or structures within angular sectors of more than 6 degrees, except anchor lights prescribed by regulation 31. which need not be placed at an impracticable height above the hull.

(4) If it is impracticable to comply with sub-paragraph (3) of this paragraph by exhibiting only one all-round light, two all-round lights shall be used suitably positioned or screened so that they appear, as far as practicable, as one light at a distance of one mile.

Vertical sectors.

10.(1) The vertical sectors of electric lights as fitted, with the exception of lights on sailing ships underway shall ensure that-

- (a) at least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal; and

- (b) at least 60 per cent of the required minimum intensity is maintained from 7.5 degrees above to 7.5 degrees below the horizontal.

(2) In the case of sailing ships underway the vertical sectors of electric lights as fitted shall ensure that:

- (a) at least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal;
- (b) at least 50 per cent of the required minimum intensity is maintained from 25 degrees above to 25 degrees below the horizontal.

(3) In the case of lights other than electric these specifications shall be met as closely as possible.

Intensity of non-electric lights.

11. Non-electric lights shall so far as practicable comply with the minimum intensities, as specified in the table given in Paragraph 8 of this Schedule.

Manoeuvring light.

12.(1) Notwithstanding the provisions of paragraph 2(6) and 2(7) of this Schedule the manoeuvring light described in regulation 35(2) shall be placed in the same fore and aft vertical plane as the masthead light or lights and, where practicable, at a minimum height of 2 metres vertically above the forward masthead light, where it shall be carried not less than 2 metres vertically above or below the after masthead light.

(2) On a ship where only one masthead light is carried the manoeuvring light, if fitted, shall be carried where it can best be seen, not less than 2 metres vertically apart from the masthead light.

High Speed Craft.

13.(1) The masthead light of high-speed craft may be placed at a height related to the breadth of the craft lower than that prescribed by paragraph 2(1)(a) of this Schedule, provided that the base angle of the isosceles triangles formed by the sidelights and masthead light, when seen in end elevation, is not less than 27°.

(2) On high-speed craft of 50 metres or more in length, the vertical separation between foremast and mainmast light of 4.5 metres required by paragraph 2(1)(b) of this Schedule may be modified provided that such

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distance shall not be less than the value determined by the following formula-

$$Y = \frac{(a + 1.5Y)C}{1} + 2$$

where:

y is the height of the mainmast light above the foremast light in metres;

a is the height of the foremast light above the water surface in service condition in metres;

Y is the trim in service condition in degrees;

C is the horizontal separation of masthead lights in metres.

Approval.

14. The construction of lights and shapes and the installation of lights on board the ship shall be to the satisfaction of the appropriate authority of the State whose flag the ship is entitled to fly.

SCHEDULE 2

Regulation 27(4).

Additional signals for fishing ships fishing in close proximity

General.

1. The lights mentioned herein shall, if exhibited in pursuance of regulation 27(4), be placed where they can best be seen. They shall be at least 0.9 metre apart but at a lower level than lights prescribed by regulation 27(2) (a) and 27(3)(a). The lights shall be visible all-round the horizon at a distance of at least 1 mile but at a lesser distance than the lights prescribed by these Regulations for fishing ships.

Signals for trawlers.

2.(1) Ships of 20 metres or more in length when engaged in trawling, whether using demersal or pelagic gear, shall exhibit-

- (a) when shooting their nets, two white lights in a vertical line;
- (b) when hauling their nets, one white light over one red light in a vertical line;
- (c) when the net has come fast upon an obstruction, two red lights in a vertical line.

(2) Each ship of 20 metres or more in length engaged in pair trawling shall exhibit:

- (a) by night, a searchlight directed forward and in the direction of the other ship of the pair;
- (b) when shooting or hauling their nets or when the nets have come fast upon an obstruction, the lights prescribed by (a) above.

(3) A ship of less than 20 metres in length engaged in trawling, whether using demersal or pelagic gear or engaged in pair trawling, may exhibit the lights prescribed by sub-paragraph (1) or (2) of this paragraph, as appropriate.

Signals for purse seiners.

3. Ships engaged in fishing with purse seine gear may exhibit two yellow lights in a vertical line. These lights shall flash alternately every second and

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with equal light and occultation duration. These lights may be exhibited only when the ship is hampered by its fishing gear.

SCHEDULE 3

Regulations 33 and 34(2).

Technical details of sound signal appliances**Whistles.**

1.(1) **Frequencies and range of audibility** - The fundamental frequency of the signal shall lie within the range 70 - 700 Hz. and the range of audibility of the signal from a whistle shall be determined by those frequencies, which may include the fundamental or one or more higher frequencies or both, which lie within the range 180 - 700 Hz (+/-1%) for a ship of 20 metres or more in length, or 180-2100Hz (+/-1%) for a ship of less than 20 metres in length and which provide the sound pressure levels specified in subparagraph (3) below.

(2) **Limits of fundamental frequencies**- To ensure a wide variety of whistle characteristics, the fundamental frequency of a whistle shall be between the following limits-

- (a) 70 - 200 Hz, for a ship 200 metres or more in length;
- (b) 130 - 350 Hz, for a ship 75 metres but less than 200 metres in length; and
- (c) 250 - 700 Hz, for a ship less than 75 metres in length.

(3) **Sound signal intensity and range of audibility**- A whistle fitted in a ship shall provide, in the direction of maximum intensity of the whistle and at a distance of 1 metre from it, a sound pressure level in at least one 1/3rd-octave band within the range of frequencies 180 - 700 Hz (+/-1%) for a ship of 20 metres or more in length, or 180-2100Hz (+/-1%) for a ship of less than 20 metres in length, of not less than the appropriate figure given in the table below.

Length of vessel in metres	1/3rd-octave band level at 1 metre in	Audibility range in nautical miles
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	dB referred to 2x10⁻⁵N/m²	
200 or more	143	2
75 but less than 200	138	1.5
20 but less than 75	130	1
Less than 20	120 *	0.5
	115 †	
	111 ‡	

* When the measured frequencies lie within the range 180-450Hz

When the measured frequencies lie within the range 450-800Hz

When the measured frequencies lie within the range 800-2100Hz

The range of audibility in the table above is for information and is approximately the range at which a whistle may be heard on its forward axis with 90 per cent probability in conditions of still air on board a ship having average background noise level at the listening posts (taken to be 68 dB in the octave band centered on 250 Hz and 63 dB in the octave band centered on 500Hz).

In practice the range at which a whistle may be heard is extremely variable and depends critically on weather conditions; the values given can be regarded as typical but under conditions of strong wind or high ambient noise level at the listening post the range may be much reduced.

(4) **Directional Properties-** The sound pressure level of a directional whistle shall be not more than 4 dB below the prescribed sound pressure level on the axis at any direction in the horizontal plane within ± 45 degrees of the axis. The sound pressure level at any other direction in the horizontal plane shall be not more than 10 dB below the prescribed sound pressure level on the axis, so that the range in any direction will be at least half the range on the forward axis. The sound pressure level shall be measured in that 1/3rd-octave band which determines the audibility range.

(5) **Positioning of whistles-** When a directional whistle is to be used as the only whistle on a ship, it shall be installed with its maximum intensity directed straight ahead. A whistle shall be placed as high as practicable on a ship, in order to reduce interception of the emitted sound by obstructions and also to minimize hearing damage risk to personnel. The sound pressure

level of the ship's own signal at listening posts shall not exceed 110 dB (A) and so far as practicable should not exceed 100 dB (A).

(6) **Fitting of more than one whistle-** If whistles are fitted at a distance apart of more than 100 metres, it shall be so arranged that they are not sounded simultaneously.

(7) **Combined whistle systems-** If due to the presence of obstructions the sound field of a single whistle or one of the whistles referred to in paragraph 1(6) above is likely to have a zone of greatly reduced signal level, it is recommended that a combined whistle system be fitted so as to overcome this reduction. For the purposes of these Regulations a combined whistle system is to be regarded as a single whistle. The whistles of a combined system shall be located at a distance apart of not more than 100 metres and arranged to be sounded simultaneously. The frequency of any one whistle shall differ from those of the others by at least 10 Hz.

Bell or gong.

2.(1) **Intensity of signal -** A bell or gong, or other device having similar sound characteristics shall produce a sound pressure level of not less than 110 dB at a distance of 1 metre from it.

(2) **Construction-**Bells and gongs shall be made of corrosion-resistant material and designed to give a clear tone. The diameter of the mouth of the bell shall be not less than 300 mm for ships of 20 metres or more in length. Where practicable, a power-driven bell striker is recommended to ensure constant force but manual operation shall be possible. The mass of the striker shall be not less than 3 per cent of the mass of the bell.

Approval.

3. The construction of sound signal appliances, their performance and their installation on board the ship shall be to the satisfaction of the appropriate authority of the State whose flag the ship is entitled to fly.

SCHEDULE 4

Regulation 38.

Distress signals

1. The following signals, used or exhibited either together or separately, indicate distress and need of assistance-

- (a) a gun or other explosive signal fired at intervals of about a minute;
- (b) a continuous sounding with any fog-signalling apparatus;
- (c) rockets or shells, throwing red stars fired one at a time at short intervals;
- (d) a signal made by any signalling method consisting of the group "...-----" in the Morse Code;
- (e) a signal sent by radiotelephony consisting of the spoken word "MAYDAY";
- (f) the International Code Signal of distress indicated by N.C.;
- (g) a signal consisting of a square flag having above or below it a ball anything resembling a ball;
- (h) flames on the ship (as from a burning tar barrel, oil barrel, etc.);
- (i) a rocket parachute flare or a hand flare showing a red light;
- (j) a smoke signal giving off orange-coloured smoke;
- (k) slowly and repeatedly raising and lowering arms outstretched to each side;
- (l) a distress alert by means of digital selective calling (DSC) transmitted on-
 - (i) VHF channel 70, or
 - (ii) MF/HF on the frequencies 2187.5 kHz, 8414.5 kHz, 4207.5 kHz, 6312 kHz, 12577 kHz or 16804.5 kHz;

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- (m) a ship-to-shore distress alert transmitted by the ship's Inmarsat or other mobile satellite service provider ship earth station;
- (n) signals transmitted by emergency position-indicating radio beacons;
- (o) approved signals transmitted by radio communication systems, including survival craft radar transponders.

2. The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

3. Attention is drawn to the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual and the following signals:

- (a) a piece of orange-coloured canvas with either a black square and circle or other appropriate symbol (for identification from the air);
- (b) a dye marker.