

# NIGERIAN PORTS AUTHORITY (PORT) REGULATIONS

[L.N. 134 of 1955. 154 of 1956.]

under section 45

[Commencement: 22nd December, 1955]

## 1. Short title

These regulations may be cited as the Nigerian Ports Authority (Port) Regulations and shall, with the exception of regulations 58 to 73, apply to all ports.

## 2. Interpretation

(1) In these Regulations, unless the context otherwise requires—

“**the Act**” means the Ports Act;

“**Authority**” means the Nigerian Ports Authority established under the provisions of the Act;

“**by day**” means between sunrise and sunset;

“**by night**” means between sunset and sunrise;

“**cargo**” includes all kinds of movable personal property other than animals;

“**Collision Regulations**” means the International Regulations for Preventing Collisions at Sea, 1948;

“**dangerous goods**” includes explosives, compressed, liquified and dissolved gases, corrosives, poisons, substances giving off inflammable vapours, substances which become dangerous by interaction with water or air, strong oxidising agents, and substances which are liable to spontaneous combustion;

“**master**” when used in relation to any ship means the master or other person for the time being in charge of such ship but does not include a pilot;

“**oil**” means oil of any description and includes spirit produced from oil of any description and also includes coal tar;

“owner”, when used in relation to a ship, includes any part-owner, charterer, consignee, or mortgagee in possession thereof;

“pilot” means a person not belonging to a ship who has the conduct thereof;

“port” means each of the places specified in the First Schedule to the Act and a place declared to be a port in pursuance of section 6 of the Act within the limits declared for the port in pursuance of paragraph (b) of subsection (1) of the said section 6;

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

“prolonged blast” means a blast of from 4 to 6 seconds’ duration;

“ship” includes any ship, vessel, tug, lighter, canoe or boat of any kind whatsoever whether propelled by steam or otherwise or towed, not being a ship propelled by oars, paddles or poles;

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

“small craft” includes barges, lighters, boats or canoes;

“steam whistle” includes any whistle or siren sounded by steam or other means;

“under way” when used in relation to a ship means when the ship is not at anchor, or moored, or made fast to the shore or aground and includes a ship dropping up or down a port with her anchor on the ground;

“quay” includes any quay, wharf, pier, breakwater or other landing place belonging to or operated by the Authority.

(2) In relation to any port—

“approach to a port” means any navigable channel declared to be an approach to that port under section 6 of the Act;

“dock superintendent” means a dock superintendent duly appointed by the Authority for that port and shall include his duly authorised deputies and assistants;

“harbour master” means a harbour master duly appointed by the Authority for that port under section 44 of the Act and shall include his duly authorised deputies and assistants.

### *Entrance of ships and their management while in a port*

### **3. Application of Regulations and Collision Regulations**

The master of a ship navigating in a port or in an approach to a port shall observe and obey these Regulations and the Collision Regulations so far as consistent therewith.

**4. Harbour master to be notified of expected time of arrival of a ship**

The owner or agent of a ship shall give as long notice as possible in writing to the harbour master of the expected date and time of arrival of a ship at a port.

**5. Ships not to obstruct free passage**

The master of a ship shall not cause or permit the ship to manoeuvre, come to anchor or be moored or placed so as to obstruct in any manner whatsoever the free passage of any part of a port.

**6. Speed of ships**

The master of a ship shall navigate the ship in a port at a moderate speed.

**7. Draught of ships**

The master of a ship within a port shall comply with any instructions of the harbour master regulating the draught of the ship.

**8. Use of steam whistles prohibited**

The master of a ship shall not cause or permit a steam whistle or other sound signal on the ship to be operated within a port, except as may be otherwise provided in these Regulations or the Collision Regulations.

**9. Silencers to be fitted to mechanically propelled ships**

No person shall navigate in a port any ship fitted with an internal combustion engine unless the ship is fitted with an efficient silencer to the satisfaction of the harbour master.

**10. Emission of smoke**

The master of a ship shall not cause or permit smoke in volume to be emitted from the ship within a port.

**11. Ship's national colours in a port**

The master of a ship shall cause the national colours of the country to which the ship belongs to be carried at the stern or at the gaff of the ship whenever the ship is under way in a port during the hours of daylight.

**12. Ships in narrow channels**

The master of a power-driven vessel navigating against the tide in a narrow channel in a port shall ease her speed, and if necessary, stop and allow another ship navigating with the tide to pass clear of her.

**13. Ship not under command**

Where a ship under way in a port or in the approach to a port becomes not under command the master of the ship shall, until such time as the lights or signals prescribed by the Collision Regulations have been exhibited, warn any approaching ship by sounding at intervals of not more than one minute three blasts of the whistle in succession, namely one prolonged blast followed by two short blasts.

**14. Turning short round**

The master of a power-driven vessel which is under way in a port and about to turn through 180 degrees shall warn an approaching ship by sounding four short blasts of the whistle in rapid succession followed after a short interval by one short blast if turning to starboard and two short blasts if turning to port.

**15. Ships to keep clear when Flag "N" is exhibited**

The master of a ship shall cause the ship to keep clear of any buoy, beacon, ship or place on which by day the letter "N" over "first substitute" of the International Code of Signals is hoisted and by night there is exhibited three lights in a vertical line one over the other, not less than six feet apart, the highest and lowest of the lights being red and the middle light white.

**16. Signals for dredgers**

Where a passage between a dredger when moored or in a dredging position or when engaged in mobile dredging in a channel or fairway and the side of the channel or fairway is obstructed by the moorings or operations of the dredger, the master of the dredger shall cause to be carried where it can best be seen a black ball or shape on the side of the dredger on which the channel or fairway is obstructed to indicate that the channel or fairway is obstructed on that side, or a black ball or shape on both sides of the dredger to indicate that the channel or fairway is obstructed on both sides.

**17. Ships to pass other ships engaged on survey or underwater operations slowly**

The master of a ship approaching another ship engaged in survey, underwater operations or dredging, shall sound three prolonged blasts of the whistle and shall not attempt to pass the other ship except at dead slow speed and on the side indicated as being safe to pass.

**18. Navigation of small craft**

(1) The master of a small craft shall not anchor in any channel or fairway within a port in such a way as to obstruct or interfere with ships navigating such channel or fairway.

(2) All small craft when passing or being passed in any channel or fairway within a port, whether by day or night, shall keep out of the way of ships navigating such channel or fairway; and before attempting to cross or enter waters usually navigated by ships the master of a small craft shall stop and observe that no ships are approaching.

**19. Master to give notice of explosives etc., to harbour master**

(1) The master of a ship, other than one of the ships of the Government of the Federation, loaded with explosives, petroleum or other inflammable liquids, or dangerous goods, shall on arriving at a port give notice thereof to the harbour master.

(2) The master of such a ship shall whilst the ship is within a port cause to be carried by day a red flag at the foremast and by night a red light visible all round for a distance of not less than two miles and at a height of not less than twenty feet above the deck.

**20. Ship's guns to be unloaded on entering a port**

The master of a ship other than one of the ships of the Government of the Federation, shall on the ship entering a port cause any loaded guns on board to be unloaded and to remain unloaded during the time the ship is in a port and except when a ship is in distress or in want of assistance the master shall not cause or permit a gun or rocket to be fired or blue light to be burned on board the ship while in a port without the permission of the harbour master.

**21. Discharging firearms**

No person shall keep or discharge a firearm loaded with ball or shot within a port.

**22. Master to make declaration (if requested) on arriving at a port**

The master of a ship arriving at a port shall (if requested by the harbour master) make, subscribe and deliver to the harbour master as soon as is practicable a declaration in the form to be obtained from him giving a true statement of—

- (a) the name and description of the ship;
- (b) the tonnage of the ship;
- (c) the name of the master;
- (d) the place from which the ship has arrived;
- (e) the port or place to which the ship belongs;
- (f) the draught of water of the ship;
- (g) particulars of the cargo;
- (h) the name and address of the owner and agent.

**23. Master to deliver account of ballast. Ballast not to be discharged without permission**

The master of a ship entering a port in ballast (other than water) shall, within twelve hours after the arrival of the ship, deliver to the harbour master a true account in writing of the quantity of such ballast and shall not discharge or cause or allow to be discharged any such ballast from the ship without the permission of the harbour master, or at any place within a port other than a place specially appointed for that purpose.

**24. No ship to enter or leave port without permission of the harbour master and then only in proper order**

No person shall take or attempt to take any ship other than one owned by any of the armed forces of the Federation, Federal or State Government, into or out of a port without the permission of, or in disobedience to the directions of the harbour master and then only in the proper order and succession appointed by the harbour master, having regard to other ships about to enter or leave the port.

**25. Ships not to berth alongside another ship**

The master of a ship shall not cause or permit the ship to be berthed alongside another ship at a mooring maintained by the Authority or at a quay except with the consent of the harbour master.

**26. Harbour master may board ships**

The harbour master and any person duly authorised by the Authority may at any time board any ship entering or being within a port.

**27. Master to provide ropes and men for mooring ship and to have projecting gear turned in, etc.**

(1) The master of a ship entering, leaving or mooring in a port shall have men in attendance to run check ropes to the pierheads, quays, buoys or dolphins, and shall also have sufficient men in attendance for mooring purposes. All boats shall be lowered or turned in board, all projecting gear shall be got in and both anchors shall be ready for letting go. At least one anchor shall be lowered clear of the hawse pipe.

(2) In the case of ships not being suitably found with the necessary gear, check ropes or moorings may be supplied by the harbour master at the expense of the ship.

**28. Ships to be moored, etc., as directed and not to be moved without permission**

(1) The master and crew of a ship in a port shall moor, anchor, place, load, unload or move, and shall cease to moor, anchor, place, load, unload or move, such ship in accordance with the directions of the harbour master; and when any such ship has been moored, anchored or placed in any berth or place, no person shall move or attempt to move or cause the ship to be moved therefrom, except in case of emergency, without the permission of or contrary to the directions of the harbour master.

(2) No person shall cast off a warp or other mooring except with the permission of the harbour master.

**29. Ropes, etc., to be fastened to mooring buoys, etc.**

No master or member of the crew of a ship, or other person, shall, without the permission of the harbour master, make fast any rope, chain or tackle from the ship to any property of the Authority, or to anything on land within a port other than the mooring buoys, dolphins, bollards or rings provided by the Authority for that purpose.

**30. Competent person to be left in charge of ship and moorings to be carefully attended to**

(1) The owner or master of a ship in a port shall not absent himself from such ship unless he shall leave in charge thereof some person who shall continue in attendance of the ship while the ship shall be afloat, and shall be qualified and competent to shift or move the ship and attend to the moorings of the ship as the harbour master shall direct, or as may be necessary.

(2) Such person shall carefully attend to the moorings of the ship, and to the sufficiency thereof, and shall cause them to be slackened or hove in from time to time as may

be necessary on the rise and fall of the water to prevent damage being done to that or to any other ships or to the port.

**31. Adequate fire watch to be kept on dangerous goods**

(1) The master of a power-driven vessel, other than one of the ships of the Government of the Federation having explosives or petroleum or other inflammable liquids or dangerous goods on board and the master of a power-driven vessel in attendance on small craft having similar substances on board shall, when such vessel or small craft is in a port, at all times have a sufficient crew on board and a proper watch kept so that the vessel may be adequately manned to ensure immediate action to move the power-driven vessel or small craft if so required in an emergency and to provide for the operation of the fire appliances of the power-driven vessel, including portable emergency fire pumps.

(2) For the purpose of this regulation “**explosives**” and “**petroleum**” have the same meaning as is given to those terms in the Explosives Act and Petroleum Act respectively.

[L.F.N. 2004 Cap. E18. L.F.N. 2004 Cap. P10.]

**32. Outbreak of fire**

In case of an outbreak of fire on board a ship within a port the master of the ship shall take immediate action with the ship’s fire fighting equipment and ensure that the harbour master, dock superintendent and the fire brigade are notified at the earliest possible moment and shall also give warning by the continuous sounding of the ship’s whistle and by day hoisting the letters “NQ” of the International Code of Signals.

**33. Watchmen to be provided for lights or fires on ships**

Whilst any open light or fire shall be used on board a ship at or alongside a wharf, the master of such ship shall provide and keep at least one person continually on board who shall be specially charged with the care of such light or fire.

**34. Gangways to be provided, securely placed and fastened**

(1) The master of a ship shall cause all gangways or accommodation ladders used for the purposes of access to or egress from the ship to be provided and placed in a safe position, duly protected and securely fastened and to be so maintained at all times when in use.

(2) All such gangways or passage ways shall be so constructed as to give a passage width of not less than 22 inches and shall be provided with a lifebuoy having attached to it a lifeline of not less than fifteen fathoms in length and a Holmes or equivalent light.

(3) The master of a ship in a port shall cause a member of the crew of the ship to be in attendance at each gangway during such time as the ship is embarking or landing passengers.

**35. The master of a ship in a port shall, between sunset and sunrise—**

- (a) provide a sufficient light over any headway at which work of loading or discharging is proceeding;

- (b) provide two sufficient lights at any gangway, one light to be fixed at the ship end of the gangway and the other light to be fixed at the quay end of the gangway; and
- (c) cause each gangway to be attended by a watchman.

**36. Restrictions on landing cargo**

The master of a ship shall not cause or permit any cargo to be landed from the ship in a port except at a quay or elsewhere with the permission of the dock superintendent.

**37. Superintendence during loading and discharging**

The master of a ship in a port shall during all the time she is engaged in loading or discharging, remain or leave some other person on board competent to superintend the loading or discharging.

**38. Sanitary arrangements whilst ship in port**

The master of a ship shall keep such closets and urinals on board as may be directed by the harbour master closed and locked during the time the ship is in a port.

**39. Ship's side discharges to be covered when alongside a quay**

The master of a ship shall cause all the side discharges of the ship to be covered to the satisfaction of the harbour master before the ship is made fast to a quay and during the period the ship is berthed at a quay.

**40. Ships at quay not to draw fires or dismantle engines**

The master of a ship lying alongside a quay or another ship which is alongside a quay shall maintain his ship in readiness to move at two hours' notice if so required, unless he shall have received permission in writing from the harbour master to remain longer.

**41. Engines not to be worked alongside a quay**

No person shall work the engines of a power-driven vessel for trial or cause the same to be so worked without the permission of the harbour master. For the purpose of this regulation the expression "trial" does not include the normal warming through of engines prior to moving.

**42. Repairs to ships**

The master of a ship shall not cause or permit any works for the noisy repair or scraping of the ship to be carried out during the time the ship is alongside a quay, except with the written permission of the harbour master and shall take such precautions as the harbour master may direct to prevent dirt and other heavy materials from falling into the water.

**43. No refuse, etc., to be deposited in the water**

No person shall deposit or discharge or allow to be deposited, discharged or escape into the waters of a port from a ship or place on land any ballast, dirt, ashes, bottles, baskets, rubbish, oil, animal or vegetable matter or any dangerous or offensive liquid.



#### **44. Cargo and ship's gear falling into the water to be reported**

The master of a ship from which any cargo or ship's gear falls into the water shall report the occurrence immediately to the harbour master and shall recover the same as soon as is practicable.

#### **45. Damage by ships to property of the Authority**

The master of a ship which causes damage to a quay or other harbour works, plant, machinery or property of the Authority shall forthwith report the occurrence to the harbour master.

#### **46. Fouling of moorings or cables**

If at any time the anchor of a ship hooks any moorings or any electric cables within a port the master of the ship shall not proceed to unhook the same but shall forthwith give notice thereof to the harbour master in order that aid may be given for clearing such moorings or cables without doing damage to the same.

#### **47. Lost anchors and cables to be reported**

(1) The master of a ship shall report the loss, by parting or slipping, of any anchor chain or cables within a port to the harbour master and shall inform him of the correct bearings of the point where such anchor chain or cable was buoyed and if the harbour master so directs, the master of the ship shall cause such anchor chain or cable to be recovered immediately.

(2) The master of a ship shall report to the harbour master any collision in which the ship is involved occurring in a port and the position of any ship sunk as a result of a collision.

#### *Removal of obstructions*

#### **48. Removal of obstructions**

(1) Any person being the owner or in charge of or responsible for causing any obstruction, whether floating or submerged, within a port, shall if so directed by the harbour master, remove such obstruction within such time as the harbour master may specify.

(2) If such person fails to remove the obstruction within the specified time the harbour master may cause it to be removed and may recover the expense of removal from such person or if no such person can be found, the obstruction when removed by the harbour master may be sold to defray the expense of such removal.

#### **49. Breaking up and removing wrecks in a port**

No person being the owner of any wrecked or stranded ship or his duly authorised agent or servant, shall attempt to salve or break up such wrecked or submerged ship without the written permission of the harbour master first being obtained and if so required by the harbour master providing such security as the harbour master may consider reasonable and sufficient to ensure the effective removal of such ship, or any portion thereof from the waters of the port.