



BERMUDA

WATER RESOURCES (PREVENTION OF POLLUTION BY SEWAGE FROM
BOATS) REGULATIONS 2018

BR 83 / 2018

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The Minister responsible for the environment, in exercise of the power conferred by section 39 of the Water Resources Act 1975, makes the following Regulations:

Citation

1 These Regulations may be cited as the Water Resources (Prevention of Pollution by Sewage from Boats) Regulations 2018.

Interpretation

2 In these Regulations, unless the context otherwise requires—

“boat” means any vessel other than any vessel to which the Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2015 applies;

“discharge”, in relation to sewage, means any release howsoever caused from a boat, and includes any escape, disposal, spilling, leaking, pumping, emitting or emptying, and cognate expressions are to be construed accordingly;

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“instruction card” means the instruction card, issued by the Department of Environment and Natural Resources, contained in the Schedule;

“no-discharge zone” means any area, specified in regulation 3(1), in which the discharge of sewage from a boat is prohibited;

“owner”, in relation to a boat that is being used by others when the owner is not on board, includes the person in charge of the boat or, if no person is in charge thereof, all persons using it;

“seacock valve” means a valve that controls the discharge of sewage from an outlet in the boat’s hull and, when the valve is closed, prevents such discharge;

“sewage” means—

- (a) faeces or urine of humans or animals;
- (b) drainage and other waste from a toilet;
- (c) drainage or other waste from any form of sewage treatment system or sewerage holding tank;
- (d) drainage and other waste from spaces containing living animals; or
- (e) other waste waters when mixed with faeces or urine, or when mixed with any drainage referred to in paragraph (b), (c) or (d).

“toilet” includes any form of toilet or urinal;

“Y-valve” means a two-position valve that can switch the flow of sewage from a boat’s toilet either—

- (a) to the holding tank or sewage treatment plant, as the case may be; or
- (b) to the seacock valve or to a deck pump-out fitting.

No-discharge zones

3 (1) The discharge of sewage from a boat into the sea is prohibited in the following areas—

- (a) within 500 metres of the high water mark of the nearest land;
- (b) in the Great Sound, Little Sound, Granaway Deep, Hamilton Harbour, Harrington Sound, Castle Harbour, and St George’s Harbour; and
- (c) in any area declared to be a protected area by paragraph 2 of the Fisheries (Protected Areas) Order 2000,

which areas are in these Regulations referred to as “no-discharge zones”.

(2) The no-discharge zones specified in paragraphs (1)(a) and (1)(b) are shown in the Schedule.

(3) Any person who discharges sewage from a boat into the sea in a no-discharge zone, shall be guilty of an offence.

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Requirements on boat owners when located in no-discharge zone

4 The owner of a boat shall ensure that, while the boat is located within a no-discharge zone—

- (a) any Y-valve is configured to divert sewage to the holding tank or sewage treatment plant, as the case may be; and
- (b) any seacock valve is closed,

and that there is no discharge of sewage into the sea while the boat is so located.

Owner to ensure instruction card clearly visible in vicinity of toilet

5 The owner of a boat registered, or required to be registered, under the Marine Board Act 1962 (or the Fisheries Act 1972) shall ensure that an instruction card is located, and its contents are clearly visible, in the vicinity of any toilet on the boat.

Owner's responsibility for compliance with these Regulations

6 The owner of the boat is responsible for compliance with regulations 4 and 5 and, if any provision of those regulations is not complied with, the owner shall be guilty of an offence, unless he can show that he did everything that he reasonably could to ensure compliance, and that such non-compliance was without his knowledge or consent.

Penalties

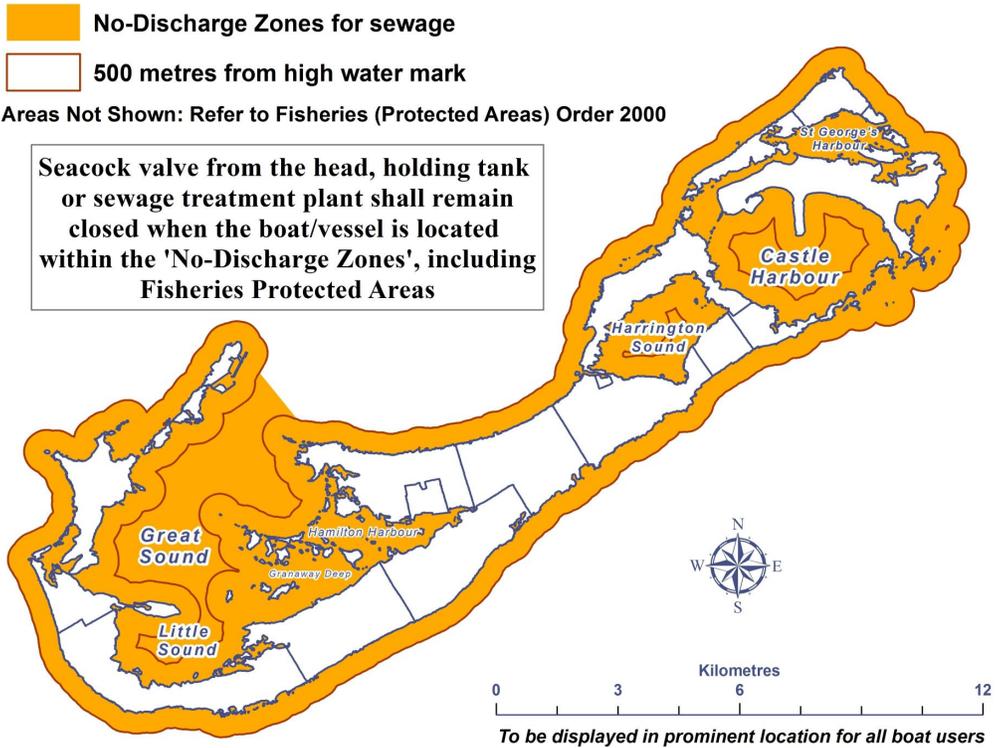
7 A person guilty of an offence under these Regulations shall be liable on summary conviction to a fine of \$5,000 or imprisonment for a period of three months.

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SCHEDULE

(regulations 2 and 3(2))

INSTRUCTION CARD FOR BOAT USERS



Made this 6th day of August 2018

Minister of Home Affairs

[Operative Date: 09 August 2018]