

**FREEPORT (MARINA AND INLAND WATERWAYS)  
BYE-LAWS**

(SECTION 8)

*[Commencement 25th April, 1968]*

Title.                   **1.** These Bye-laws may be cited as the Freeport  
(Marina and Inland Waterways) Bye-laws.

Interpretation.       **2.** In these Bye-laws, unless the context otherwise  
requires —

“dock master” means any person appointed by the  
Port Authority or any lessee thereof to be in

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charge of any marina constructed and used for the accommodation of vessels in an inland waterway and includes any other person so appointed to act on his behalf;

“the Harbour” means the area for the time being declared by the Governor-General to comprise the private port at Freeport in pursuance of the provisions of paragraphs (16) and (17) of Clause 2 of the Agreement between the Port Authority and the Governor of the Colony dated the 4th day of August, 1955;

“inland waterway” means any area of water in any marina or canal constructed within the Port Area by or under the authority of the Port Authority but does not include any area within the limits of the Harbour;

“master”, when used in relation to any vessel, means the person (other than a licensed pilot) having the command or charge of the vessel for the time being;

“Port Authority” means the Grand Bahama Port Authority Limited;

“vessel” means any craft of any kind, however propelled;

“water-ski” includes an aqua plane or similar device and the verb “to water-ski” and its participles shall be construed accordingly.

**3.** The master of a vessel shall comply with any requirement relating to the use of navigation of vessels in an inland waterway which is legibly inscribed on any sign or notice board erected in or near such waterway by or under the authority of the Port Authority.

Observance of signs.

**4.** In any inland waterway, any vessel going out from any marina or dock shall have the right of way over any incoming vessel and, except as otherwise provided by these Bye-laws or by any navigational requirement prescribed by any sign or notice board erected under the provisions of bye-law 3 hereof, the master of every vessel lying or proceeding in such waterway shall obey the rules prescribed by the Regulations for Preventing Collisions at Sea.

Rule of the road.

Limitation on speed.

**5.** The speed of any vessel proceeding in any inland waterway shall be so governed as not to create a wash (sometimes referred to as a “wake”) and, except in the case of a vessel lawfully towing a water skier, no vessel shall so proceed at a speed exceeding five knots.

Age limitation for power-driven vessels.

**6.** No person under the age of seventeen years shall be in charge of or navigate in any inland waterway any power-driven vessel having a rating of over five horse power:

Provided that the provisions of this bye-law shall not apply to a person under the age of seventeen years who is in possession of a valid and subsisting licence as a master of a boat under the provisions of the Boat Registration Act.

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Compliance with directions of dock master.

**7.** (1) A dock master in charge of a marina or dock situated in any inland waterway may, subject to any law in force relating to customs, immigration or quarantine, give directions to the master of any vessel entering, leaving or using such marina or dock for —

- (a) regulating the time at which and the manner in which such vessel shall moor, unmoor, anchor or move its position; and
- (b) any other purpose as the dock master may deem necessary for the proper and orderly administration of the marina or dock or for securing the comfort or safety of persons or vessels lawfully therein.

(2) A master of a vessel shall promptly and efficiently regulate his vessel according to any directions of a dock master given in conformity with paragraph (1) of this bye-law and the master of any vessel who after due notice of such direction shall not forthwith comply with the same and regulate such vessel accordingly shall be guilty of an offence against these Bye-laws.

Restriction on handling of cargoes outside harbour limits.

**8.** No master of a vessel shall discharge, load or tranship any cargo whilst his vessel is in any inland waterway without first having obtained the permission of the person appointed by the Port Authority to be in charge of the Harbour in addition to any permission which it may be necessary to obtain from the customs or immigration authorities.

**9.** (1) Except in case of emergency no person shall anchor any vessel in any position in an inland waterway which is likely to constitute a danger to navigation.

Obstructing an inland waterway.

(2) No person shall sink or place in any inland waterway any object which is likely to form an obstruction to navigation.

**10.** No person shall deposit, place or discharge into any inland waterway any offal, garbage, cans, dead animal or fish, gaseous liquid, oil, gasoline, calcium carbide, tar, trade waste, untreated sewage or any other refuse or matter which is liable to pollute such waterway or to cause scum to form on its surface, or sediment on its bottom or to create the odour or gases of putrefaction.

Discharging oil or refuse, etc. in inland waterways.

**11.** No person may participate in any way in water skiing in or on any inland waterway save in such area or areas thereof as may be designated by signs exhibited by or under the authority of the Port Authority and subject to such conditions as are prescribed by bye-law 12 hereof and any such sign.

Limitation on water skiing.

**12.** In an inland waterway where water skiing is permitted, it shall not be lawful for any person to participate in any way in water skiing unless the following conditions are observed —

Safety measures for water skiing.

- (a) a person water skiing shall wear an efficient safety flotation device;
- (b) there shall be a minimum of two persons of or over the age of seventeen in the towing vessel when towing a water skier; and
- (c) water skiing shall not take place during the hours of darkness except for public entertainment purposes when specially permitted by or under the authority of the Port Authority.

**13.** No person shall navigate a vessel for the purpose of water skiing or manipulate any water ski or any tow rope or other device for affecting or controlling a water skier in any inland waterway —

Reckless operation of vessels for water skiing prohibited.

- (a) in wilful or wanton disregard for the safety of any other person or property; or
- (b) without due caution and circumspection; or
- (c) at a speed or in a manner likely to endanger life or limb, or to damage the property of or injure any person.

Liability of Port Authority.

**14.** It shall be a condition of any permission for the use of any inland waterway for navigation or water skiing given or impliedly given by the Port Authority or any other person deriving any title or interest in any inland waterway from the Port Authority that no liability shall attach to the Port Authority or such other person by reason only of having given or impliedly given such permission.

Penalty.

**15.** Any person who contravenes or fails to comply with any provision of these Bye-laws shall be guilty of an offence against the Act and shall be liable on summary conviction to a fine not exceeding one hundred and forty Bahamian dollars (B\$140.00) or imprisonment not exceeding three months.

Saving.

**16.** These Bye-laws shall be without prejudice to the operation of any other laws in force in the Port Area and in particular shall not be deemed to exempt any boat plying, offered or let for hire in any inland waterway or any master thereof from compliance with the requirements of the Boat Registration Act.