

## DESPATCHES FROM THE SECRETARY OF STATE.

No. 576.

CIRCULAR.

DOWNING STREET,

22nd May, 1906.

SIR,—At the instance of the Board of Trade, I have the honour to transmit to you, for the information of your Government, and for such publication as may be deemed advisable, the accompanying copies of an Order in Council which has been made with respect to the lights and signals of Fishing Vessels.

I have, etc.,

ELGIN.

*The Officer Administering the Government of*

HONGKONG.

AT THE COURT AT ST. JAMES'S,

THE 4TH DAY OF APRIL, 1906.

PRESENT,

LORD CHANCELLOR PRIME MINISTER LORD PRESIDENT  
LORD PRIVY SEAL EARL CARRINGTON MR. SINCLAIR.

WHEREAS His Majesty was pleased, by His Commission dated the second day of March, 1906, to nominate and appoint the Lord High Chancellor of Great Britain, the Prime Minister, and the Lord President of the Council, in His Majesty's absence from His Realm in Foreign Parts, to hold, on His Majesty's behalf, His Privy Council, and to signify thereat His approval of any matter or thing whereunto they should be so authorized by writing under His Majesty's Sign Manual, and to do further on His behalf any matter or thing for the purposes of the said Commission whereunto they should be authorized in manner aforesaid:

And whereas by Section 418 of the Merchant Shipping Act, 1894, His Majesty is empowered from time to time on the joint recommendation of the Admiralty and the Board of Trade by Order in Council to make regulations for preventing collisions at sea:

And whereas by an Order in Council dated the 11th day of August, 1884, Her late Majesty was pleased to direct that the regulations contained in the First Schedule thereto (being regulations for preventing collisions at sea) should be substituted for the regulations in that behalf then existing:

And whereas by Article 10 of the said regulations provision was made as to the lights and signals of fishing vessels and boats:

And whereas by Orders in Council dated respectively the 30th day of December, 1884, and the 24th day of June, 1885, Her late Majesty was pleased to direct among other things that the said regulations contained in Article 10 as above mentioned should as regards British fishing vessels and boats be modified as is in the said Orders respectively mentioned:

And whereas by an Order in Council dated the 27th day of November, 1896, Her late Majesty was pleased to direct that on and after the 1st day of July, 1897, the said regulations scheduled to the said Order of the 11th August, 1884, except the said Article numbered 10 in such regulations should be annulled and that the regulations for Preventing Collisions at Sea contained in the First Schedule to the said Order of the 27th day of November, 1896, should be substituted therefor (with the exception aforesaid) and come into operation as regards British ships and boats:

And whereas by an Order in Council dated the 23rd day of October, 1905, His Majesty was pleased to direct that the said regulations contained in the said Article 10 of the said regulations of the 11th day of August, 1884, should be amended as in the said Order mentioned:

And whereas the Admiralty and the Board of Trade have jointly recommended to His Majesty that as regards British ships and boats the provisions herein-after set forth referring to lights and signals of fishing vessels shall be substituted for the provisions of the said Article 10 in the Schedule to the said Order in Council dated the 11th day of August, 1884, contained as modified and amended as aforesaid:

And whereas the provisions of Section one of the Rules Publication Act, 1893, have been complied with:

NOW, THEREFORE, The Lord Chancellor, The Prime Minister, and The Lord President being authorised in that behalf by writing under His Majesty's Sign Manual, by virtue of the powers vested in His Majesty by the said recited Act and by and with the advice of His Privy Council, do hereby, on His Majesty's behalf, direct that on and after the 1st day of May, 1906, the provisions of the said Article 10 in the Schedule to the said Order in Council dated the 11th day of August, 1884, contained, and also the Regulations scheduled to the said Orders in Council of 30th day of December, 1884, the 24th day of June, 1885, and the 23rd day of October, 1905, so far as the same affected the provisions in the said Article 10, shall be annulled and the provisions with regard to lights and signals of fishing vessels contained in the Schedule hereto annexed shall be substituted therefor and come into operation as regards the British ships and boats therein mentioned.

A. W. FITZROY.

#### SCHEDULE.

ART. 9.—Fishing-vessels and fishing-boats, when under way and when not required by this Article to carry or show the lights herein-after specified shall carry or show the lights prescribed for vessels of their tonnage under way.

- (a.) Open boats, by which is to be understood boats not protected from the entry of sea water by means of a continuous deck, when engaged in any fishing at night with outlying tackle extending not more than 150 feet horizontally from the boat into the seaway, shall carry one all-round white light.

Open boats, when fishing at night, with outlying tackle extending more than 150 feet horizontally from the boat into the seaway, shall carry one all-round white light, and in addition, on approaching or being approached by other vessels, shall show a second white light at least 3 feet below the first light and at a horizontal distance of at least 5 feet away from it in the direction in which the outlying tackle is attached.

- (b.) Vessels and boats, except open boats as defined in sub-division (a), when fishing with drift nets, shall, so long as the nets are wholly or partly in the water, carry two white lights where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than 6 feet and not more than 15 feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than 5 feet and not more than 10 feet. The lower of these two lights shall be in the direction of the nets, and both of them shall be of such a character as to show all round the horizon, and to be visible at a distance of not less than 3 miles.

Within the Mediterranean Sea and in the seas bordering the coasts of Japan and Korea sailing fishing vessels of less than 20 tons gross tonnage shall not be obliged to carry the lower of these two lights; should they, however, not carry it, they shall show in the same position (in the direction of the net or gear) a white light, visible at a distance of not less than one sea mile, on the approach of or to other vessels.

- (c.) Vessels and boats, except open boats as defined in sub-division (a), when line-fishing with their lines out and attached to or hauling their lines, and when not at anchor or stationary within the meaning of sub-division (b), shall carry the same lights as vessels fishing with drift-nets. When shooting lines, or fishing with towing lines, they shall carry the lights prescribed for a steam or sailing vessel under way respectively.

Within the Mediterranean Sea and in the seas bordering the coasts of Japan and Korea sailing fishing vessels of less than 20 tons gross tonnage shall not be obliged to carry the lower of these two lights; should they, however, not carry it, they shall show in the same position (in the direction of the lines) a white light, visible at a distance of not less than one sea mile on the approach of or to other vessels.

- (d.) Vessels, when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

1. If steam-vessels, shall carry in the same position as the white light mentioned in Article 2 (a), a tricoloured lantern so constructed and fixed as to show a white light from right ahead to two

points on each bow, and a green light and a red light over an arc of the horizon from two points on each bow to two points abaft the beam on the starboard and port sides respectively; and not less than 6 nor more than 12 feet below the tricoloured lantern a white light in a lantern, so constructed as to show a clear uniform and unbroken light all round the horizon.

2. If sailing-vessels, shall carry a white light in a lantern, so constructed as to show a clear uniform and unbroken light all round the horizon, and shall also, on the approach of or to other vessels, show where it can best be seen a white flare-up light or torch in sufficient time to prevent collision.

All lights mentioned in sub-division (d) 1 and 2 shall be visible at a distance of at least 2 miles.

- (e.) Oyster dredgers and other vessels fishing with dredge-nets shall carry and show the same lights as trawlers.
- (f.) Fishing-vessels and fishing-boats may at any time use a flare-up light in addition to the lights which they are by this Article required to carry and show, and they may also use working lights.
- (g.) Every fishing-vessel and every fishing-boat under 150 feet in length, when at anchor, shall exhibit a white light visible all round the horizon at a distance of at least one mile.

Every fishing-vessel of 150 feet in length or upwards, when at anchor, shall exhibit a white light visible all round the horizon at a distance of at least one mile, and shall exhibit a second light as provided for vessels of such length by Article 11.

Should any such vessel, whether under 150 feet in length, or of 150 feet in length or upwards, be attached to a net or other fishing gear, she shall on the approach of other vessels show an additional white light at least 3 feet below the anchor light, and at a horizontal distance of at least 5 feet away from it in the direction of the net or gear.

- (h.) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall in daytime haul down the day-signal required by sub-division, (k); at night show the light or lights prescribed for a vessel at anchor; and during fog, mist, falling snow, or heavy rain-storms make the signal prescribed for a vessel at anchor. (See sub-division d, and the last paragraph, of Article 15.)
- (i.) In fog, mist, falling snow, or heavy rain-storms, drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag-net, and vessels line fishing with their lines out, shall, if of 20 tons gross tonnage or upwards, respectively, at intervals of not more than one minute make a blast; if steam-vessels, with the whistle or siren, and if sailing-vessels with the fog-horn; each blast to be followed by ringing the bell. Fishing vessels and boats of less than 20 tons gross tonnage shall not be obliged to give the above-mentioned signals; but if they do not, they shall make some other efficient sound signal at intervals of not more than one minute.
- (k.) All vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket or other efficient signal where it can best be seen. If vessels or boats at anchor have their gear out, they shall, on the approach of other vessels, show the same signal on the side on which those vessels can pass.

The vessels required by this Article to carry or show the lights hereinbefore specified shall not be obliged to carry the lights prescribed by Article 4 (a), and the last paragraph of Article 11.

This Article shall be read and construed as part of the Regulations contained in Schedule I. to the Order in Council, under Section 418 of the Merchant Shipping Act, 1894, made the 27th day of November 1896, and as if it had formed one of such Regulations and been numbered 9 among the Articles containing the same.