

L.N. 54 of 1963

MONEYLENDERS ACT (CHAPTER 124)

The Independence Finance Limited (Exemption) Order, 1963

Commencement : 11th May, 1963

In exercise of the powers conferred by section 2A of the Moneylenders Act as amended by the Moneylenders (Amendment) Act, 1960, the Minister of Internal Affairs hereby makes the following Order—

1. This Order may be cited as the Independence Finance Limited (Exemption) Order, 1963.

2. The Independence Finance Limited, a Limited Company, incorporated under the provisions of the Companies Act, whose registered office is situate at 117 Broad Street, Lagos, shall be exempt from the provisions of the Moneylenders Act as amended by the Moneylenders (Amendment) Act, 1960.

MADE at Lagos this 11th day of May, 1963.

H. O. OMENAI,
*Permanent Secretary,
Ministry of Internal Affairs*

EXPLANATORY NOTE

This Order will enable the Independence Finance Limited to implement its scheme of offering Nigerians opportunity of investments in certain Nigerian Industries in the Federal Territory of Lagos.

MIA/1463/Vol. III

L.N. 55 of 1963

LABOUR CODE ACT (CHAPTER 91)

The Labour Code (Trade Union Contributions) Order, 1963

Commencement : 1st June, 1963

In exercise of the powers conferred by section 27A (2) of the Labour Code Act, the Federal Minister of Labour hereby makes the following Order :—

1. This Order may be cited as the Labour Code (Trade Union Contributions) Order, 1963 and shall be of Federal application.

2. The trade unions specified in the first column of the Schedule are hereby approved for the purpose of subsection (1) of section 27A of the Labour Code Act with effect from the date specified in the second column of the Schedule.

Citation and application.

Trade Unions approved by Minister pursuant to section 27A (2), Cap. 91 Schedule. Section 2.

SCHEDULE

<i>Name of Trade Union</i>	<i>Date</i>
A. G. Leventis and Associated Companies African Workers' Union, Nigeria	1st June, 1963
The Amalgamated Union of Lagos Municipal Bus Workers	1st June, 1963
Nigeria Civil Service Union	1st June, 1963

DATED at Lagos this 28th day of May, 1963.

ML.Ic/102/2

J. M. JOHNSON,
Federal Minister of Labour

L.N. 56 of 1963

MERCHANT SHIPPING ACT, 1962
(1962, No. 30)

Merchant Shipping (Transitional Provisions) Order, 1963

Commencement : 13th June, 1963

In exercise of the powers conferred by subsection (3) of section 428 and section 433 of the Merchant Shipping Act, 1962 and of all other powers enabling him in that behalf, the Minister of Transport hereby makes the following Order—

1. This Order may be cited as the Merchant Shipping (Transitional Provisions) Order, 1963.

2. Until such time as various Rules and Regulations which are required to be made under the Merchant Shipping Act, 1962 are in fact made the following United Kingdom legislation shall apply with such alterations therein as local circumstances may render necessary to merchant shipping in Nigeria as though they were made under the said Act—

(a) The Hydrogen Cyanide (Fumigation of Ships) Regulations, 1951.

(b) The Merchant Shipping (Crew Accommodation) Rules, 1953.

(c) The Merchant Shipping (Crew Accommodation) (Amendment) Regulations, 1954.

(d) The Anchor and Chain Cables Order, 1930.

MADE at Lagos this 13th day of June, 1963.

R. A. NJOKU,
Minister of Transport

EXPLANATORY NOTE

These transitional provisions are to ensure that Nigeria's merchant ships particularly those ships engaged on international voyages, adhere to the accepted international standards of equipment and safety laid down in the various international conventions relating to merchant shipping.

MERCHANT SHIPPING (NAVIGATION OF INLAND WATERS)
REGULATIONS, 1963

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L.N. 57 of 1963

MERCHANT SHIPPING ACT, 1962
(1962, No. 30)

Merchant Shipping (Navigation of Inland Waters) Regulations, 1963

Commencement : 13th June, 1963

In exercise of the powers conferred by section 427 of the Merchant Shipping Act, 1962, the Federal Minister of Transport hereby makes the following regulations—

PART I—GENERAL

- Short title and extent. 1. These Regulations may be cited as the Merchant Shipping (Navigation of Inland Waters) Regulations, 1963, and shall apply throughout the Federation to all inland waters in respect of which the Federal Legislature has power to make laws in connection with shipping and navigation.
- Interpretation. 2. In these Regulations—
 “Collision Regulations” means the International Regulations for Preventing Collision at Sea ;
 “master” when used in relation to any vessel means master or other person for the time being in charge of such vessel ;
 “owner” when used in relation to any vessel includes any owner, charterer, consignee or mortgagee in possession thereof ;
 “power driven small craft” means any small craft propelled by one or more outboard engines each not exceeding thirty horsepower ;
 “power driven vessel” means any vessel propelled by mechanical power other than a power driven small craft ;
 “small craft” means any vessel not exceeding fifteen tons burden other than a power driven vessel.

PART II.—RULE OF THE ROAD

- Vessels to keep to starboard. 3. Every power driven vessel shall, so far as is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.
- Vessels meeting. 4. When two power driven vessels are meeting in a channel or fairway, each shall alter her course to starboard so that each may pass on the port side of the other, and shall indicate such alteration with one short blast on the whistle or siren.
- Vessels meeting at sharp bends. 5. When two power driven vessels are meeting in narrow channels or on or near sharp bends, the vessel proceeding against the stream shall slacken her speed and, if necessary, stop and wait to allow the vessel proceeding with the stream to pass clear.
- Vessels overtaking. 6. When one power driven vessel is overtaking another such vessel going in the same direction, the overtaking vessel shall keep clear of the other until she is finally past and clear. Where the channel is too narrow to permit of such overtaking, the overtaking vessel shall slacken her speed until a part of the channel is reached where it is safe and practicable to overtake.

7.—(1) Every vessel being navigated on inland waters shall be so navigated, proceeding at slow speed if necessary, as not to cause obstruction, injury or danger to any other vessel under way, at anchor or lying alongside a mooring place or other vessel, or tied up to or on a bank or to any wharf, pier, jetty or other moorings.

Safe navigation.

(2) The master of any vessel which causes or is in any way involved in any accident shall, as soon as practicable, make a factual report of the circumstances in writing to the officer of the Inland Waterways Department in charge of the area in which the accident took place; or, if the accident took place within the limits of a port or its approaches, to the Harbour Master of that port.

8. Notwithstanding anything contained in these regulations, power driven small craft shall always keep out of the way of other power driven vessels which are navigating the deepest channel.

Power driven small craft.

9. Every small craft, launch or other vessel solely employed on inland waters shall keep out of the deepest channel when it is being navigated by sea-going vessels or power driven vessels towing or pushing other vessels.

Small craft not to interfere with sea-going vessels.

10. No small craft, launch or other vessel solely employed on inland waters shall cross a fairway or channel normally used by sea-going vessels or power driven vessels towing or pushing other vessels, unless it can do so without causing an obstruction.

Obstruction of fairway or channel.

PART III.—NAVIGATION LIGHTS AND SIGNALS

11.—(1) A power driven vessel when under way at night shall exhibit the lights required by Rules 2 (a), 7 (a) or 7 (b) of the Collision Regulations and the white stern light required by Rule 10 (a) of the Collision Regulations.

Navigation lights for power driven vessels, under way.

(2) A power driven vessel, towing or pushing other vessels, when under way at night, shall, in addition to the lights required under paragraph (1) of this regulation exhibit an additional white masthead light required by Rule 3 (a) of the Collision Regulations.

(3) A vessel being towed astern of another vessel shall exhibit the same lights as those prescribed for a power driven vessel under way under paragraph (1) of this regulation except the white masthead lights which shall never be shown by such vessel.

(4) A vessel being pushed ahead at night shall exhibit at the forward end, the red and green side lights required by Rule 5 (b) of the Collision Regulations except that any number of vessels being pushed ahead in a group may be lit as one vessel.

(5) A vessel being towed alongside another vessel at night and in contact with the towing vessel, shall not be required to exhibit the side lights required by paragraph (3) of this regulation if the lights of the towing vessel are not obscured. If she does not carry them, however, she shall have at hand ready for use a green light, if being towed on the starboard side, or a red light, if being towed on the port side, and, on the approach of another vessel, such lights shall be shown forward on the side away from the towing vessel in sufficient time to prevent collision: provided that if more than one vessel is being towed alongside, only the vessel on the outside shall be required to carry such lights.

12.—(1) Every vessel when at anchor at night in or near a fairway or channel shall exhibit the white anchor light or lights visible all round the horizon as required by Rule 11 (a) and (b) of the Collision Regulations.

Lights for vessels at anchor.

(2) Between sunrise and sunset, every vessel when at anchor in or near a fairway or channel shall carry in the fore part of the vessel one black ball as required by Rule 11 $\frac{1}{2}$ (c) of the Collision Regulations.

(3) Small craft when at anchor at night in or near a fairway or channel shall not be required to exhibit the light required by paragraph (1) of this regulation. If, however, they do not exhibit such light, they shall have at hand a white light which, on the approach of another vessel, shall be flashed or shown in sufficient time to prevent collision.

Lights for
vessels not
under com-
mand.

13.—(1) A power driven vessel which from any cause becomes unmanageable when under way at night shall exhibit in lieu of the masthead lights required for vessels under way by regulation 11, the two red not-under-command lights as required by Rule 4 (a) of the Collision Regulations. When not making way she shall not show the side lights.

(2) A power driven vessel which from any cause becomes unmanageable during the hours of daylight shall carry the two black balls or shapes as required by Rule 4 (a) of the Collision Regulations.

(3) A power driven vessel aground in or near a fairway or channel at night shall exhibit the lights required for a vessel at anchor and also the two red not-under-command lights required by paragraph (1) of this regulation.

(4) A power driven vessel aground in or near a fairway or channel during the hours of daylight shall show the three black balls or shapes as required by Rule 11 (e) of the Collision Regulations.

(5) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, when, from the nature of her work, is unable to get out of the way of approaching vessels at night, shall exhibit in lieu of the masthead lights required for vessels under way by regulation 11, two red and one white light as required by Rule 4 (c) of the Collision Regulations. When not under way she shall not show the side lights. By day she shall show the three shapes required by Rule 4 (c) of the Collision Regulations. Such vessel when at anchor shall show the lights and shapes required by this paragraph in addition to those required for a vessel at anchor by regulation 12.

Lights for
small craft.

14. Every small craft (including power driven small craft) when under way at night shall not be required to carry or show the lights required by this Part of these regulations, but if they do not, they shall have at hand a lantern showing a white light which shall be exhibited to an approaching vessel in sufficient time to prevent collision.

Seaplanes
on the water.

15. Every seaplane manoeuvring, lying or at anchor, on any of the inland waters of Nigeria shall comply with the provisions of these regulations and with those of the Collision Regulations as though a seaplane were a power driven vessel as defined in regulation 3 of these regulations.

Signalling on
approaching
bends.

16.—(1) A power driven vessel proceeding with the stream by day or night shall, on approaching turning points or bends, sound one prolonged blast on her whistle or siren at short intervals and shall continue to do so until the point or bend has been passed.

(2) A power driven vessel proceeding against the stream shall, on hearing the signal referred to in paragraph (1) of this regulation, slow down, and if necessary stop and anchor and at the same time indicate her action by sound signals on her whistle or siren as follows—

(a) if she has slowed down only—Three long blasts ; and

(b) if she has stopped or anchored—Four short blasts.

17.—(1) In fog, mist, heavy rainstorms or any other condition restricting visibility, whether by day or by night, power driven vessels shall give the following signals—

Fog signals.

(a) When making way through the water, shall sound at intervals of not more than 2 minutes a prolonged blast.

(b) When under way but stopped and making no way through the water, shall sound at intervals of not more than 2 minutes two prolonged blasts.

(c) When towing or engaged in any work the nature of which prevents her from manoeuvring or keeping out of the way of other vessels, shall sound at intervals of not more than one minute one prolonged blast followed by two short blasts.

(d) When at anchor shall at intervals of not more than one minute ring a bell rapidly for about 5 seconds. Every vessel may in addition, when being approached by another vessel, sound three blasts in succession, namely, one short, one long, and one short blast.

(e) When aground, shall give the signal referred to in sub-paragraph (d) and shall, in addition, give three separate and distinct strokes on the bell immediately before and after each such signal.

(2) Small craft (including power driven small craft) shall not be required to give the signals referred to in paragraph (1) of this regulation, but if they do not, they shall make some other efficient sound signal at intervals of not more than one minute if they are navigating in or near fairways or channels normally used by power driven vessels.

(3) A power driven vessel proceeding against the stream shall, on hearing any of the fog signals referred to in the sub-paragraphs (a) or (b) of paragraph (1) of this regulation from another vessel approaching, proceed at dead slow or stop and anchor if necessary, and indicate her action in the manner specified in paragraph (2) of regulation 16 of these regulations.

18. Every power driven vessel and power driven small craft when approaching any neighbourhood where it is customary for canoes to ply or where it is likely that canoes may be found, shall give timely warning of her approach by a succession of short blasts, (not less than six) on her whistle or siren, or if the vessel carries no whistle or siren, by some other suitable method, and shall if necessary slacken speed so as to avoid accident or distress to any canoe that may be passed :

Warnings to canoes.

Provided that nothing in this regulation shall be construed to giving to any canoe the right to cause obstruction to or interference with, any other vessel in a channel or fairway normally used by power driven vessels.

PART IV—RAFTING OF LOGS AND CASKS

19. No logs of timber or casks of oil (hereinafter in this Part referred to in either case as "a raft") shall be floated on any inland waters to which these Regulations apply except in accordance with the provisions of this Part of these regulations.

Rafting of logs and casks.

20.—(1) In the creeks and rivers between Atijere in the West and Gwato Creek in the East—

Sizes of rafts.

(a) a raft not towed by mechanical power shall not consist of more than ninety-six logs or one hundred and sixty casks as the case may be or exceed eighteen feet in width ; and

(b) a raft towed by mechanical power shall not exceed twenty-seven feet in width and in a raft consisting of logs, the number of logs shall be related to the power of the towing tug or vessel in the proportion of seventeen logs or thirty-four half logs (a half log being defined as a log not exceeding sixteen feet in length) for every ten brake horse-power of the tug or vessel but no such raft shall contain more than one hundred and ninety-two logs or three hundred and eighty-four half logs or a combination of the two exceeding one hundred and ninety-two logs or three hundred and eighty-four half logs.

(2) In any other inland waters—

(a) a raft not towed by mechanical power shall not consist of more than one hundred and sixty-four logs or three hundred and sixty casks as the case may be, or exceed twenty-seven feet in width ; and

(b) a raft towed by mechanical power shall not exceed thirty-six feet in width and in a raft consisting of logs, the number of logs shall be related to the power of the towing tug or vessel in the proportion laid down in sub-paragraph (b) of paragraph (1) of this regulation.

(3) A tug or vessel towing a raft shall possess a valid certificate of survey and the crew or persons in charge of such tug or vessel shall at all times comply with the conditions stipulated in the certificate.

Manning of
rafts.

21. Crew at the rate of one man for every twenty logs or forty half logs or fractions thereof or for every fifty casks or fractions thereof as the case may be shall be carried on each raft and no raft shall have a crew of less than two men except that in the case of a raft towed by mechanical power, the crew of the towing tug or vessel may be included in the total number of the raft crew required by this regulation.

Lights to
be carried by
rafts.

22. Every raft whether under way or not, shall at night exhibit a red light visible all round the horizon from each end of the raft at a point equidistant from each side of the raft.

Lashing of
rafts.

23. The owner of every raft shall ensure that the lashings binding the units of the rafts together are adequate and of sufficient strength so that there is no danger of the raft breaking up under the normal stresses which may be expected on the voyage. The crew of every raft shall be supplied with a reasonable quantity of spare lashings in order that repairs may be made *en route*.

Detention
and forfei-
ture of logs
and casks
found adrift.

24. Any log of timber or cask of oil, whether forming part of a raft or not, found adrift or unattended, shall be seized by any officer of the Inland Waterways Department, any Harbour Master, police or forestry officer and may be detained by him for a period of one month from the date of seizure and thereafter such log or cask shall be forfeited to the Government of the Federation, if no claim is made to it.

Provided that—

(a) the owner of such a log or cask may within the said period of one month redeem the same on payment of a penalty of one pound for each log and ten shillings for each cask, whether such log or cask forms part of a raft or not, and on payment of the expenses (if any) incurred by any such officer in removing such raft, log or cask to a place of safety to avoid danger to navigation and to preserve it ; and

(b) any such payment shall be in addition to any penalty that may be imposed in respect of a contravention of these regulations.

PART V—MISCELLANEOUS

25.—(1) When under way every vessel shall be sufficiently manned to enable her to be kept under control at all times.

Manning of craft.

(2) No vessel shall be left at anchor in or near a channel or fairway unless she is sufficiently manned. It shall be the responsibility of the master to ensure that the watch remaining onboard understands what action to take on the approach of another vessel and in thick weather.

26.—(1) Any vessel employed on fishing in routes or channels through which power driven vessels are likely to pass shall carry on its operation either by day or by night in such a manner as not to obstruct or interfere with the safe navigation of such routes or channels.

Fishing boats.

(2) No person shall set nets or erect fishing stakes or traps in or across any fairway or channel on such routes.

27.—(1) Save as provided by paragraph (2) of this regulation, no person on board any vessel shall throw overboard or jettison or cause to be thrown overboard or jettisoned, any ballast, dirt, ashes, bottles, baskets, rubbish, animal or vegetable matter or anything of a like nature.

No refuse, etc., to be thrown overboard.

(2) The substances referred to in paragraph (1) of this regulation may be thrown overboard or jettisoned from a vessel if such action is carried out for the purpose of preventing or minimising any possible damage to the vessel or cargo therein or for the purpose of saving life.

28.—(1) The owner or master of any vessel in respect of which any of the provisions of regulations 3 to 6, 7 (1), 8 to 18, 25, 26 and 27, are contravened, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding fifty pounds or four months imprisonment.

Penalties.

(2) The owner of any log or cask or the master or owner of any vessel towing such logs or casks who fails to comply with the requirements of Regulations 20 to 23 shall be guilty of an offence and shall on conviction therefor be liable to a fine not exceeding one hundred pounds or six months imprisonment and any person in charge of such log or cask if not in tow of a powered vessel shall also be guilty of an offence and shall on conviction therefor be liable to a fine of five pounds or one month imprisonment.

(3) The master of any vessel who fails to comply with the requirements of regulation 7 (2) shall be guilty of an offence and shall on conviction therefor be liable to a fine not exceeding five pounds or one month imprisonment.

(4) Any person convicted for an offence under these regulations shall, in addition to any penalty that may be imposed, be liable to pay any expenses incurred in the inspection and repair of any damage caused by such offence.

29. Nothing in these regulations shall affect the operation of regulations made under the provisions of the Ports Act relating to navigation within the limits of any port or its approaches. Provided that where no such regulations are made or in operation, these regulations shall apply.

Savings for Ports regulations.

30. The Navigation of Inland Waters Regulations, 1959, the Navigation of the Munshi Narrows Regulations, 1926, and the Navigation of the Cross River Regulations, 1926, are hereby repealed.

Repeal. L.N. 165 of 1959. 15 of 1926 and 32 of 1926 and 18 of 1927.

MADE at Lagos this 13th day of June, 1963.

R. A. NJOKU,
Federal Minister of Transport

EXPLANATORY NOTE

These Regulations replace the Navigation of Inland Waters Regulations, 1959, made under section 46 of the Shipping and Navigation Act which has been repealed.

L.N. 58 of 1963

MERCHANT SHIPPING ACT, 1962

(1962, No. 30)

Merchant Shipping (Manning) Regulations, 1963

Commencement : 13th June, 1963

In exercise of the powers conferred by section 427 of the Merchant Shipping Act, 1962, and of all other powers enabling him in that behalf, the Minister of Transport hereby makes the following regulations—

Citation,
commence-
ment and
application.

1.—(1) These regulations may be cited as the Merchant Shipping (Manning) Regulations, 1963 and shall come into force on a date to be appointed by the Minister by Notice in the Gazette.

(2) These regulations shall apply to all Nigerian ships and other Commonwealth ships whilst they are in Nigerian ports and to foreign ships carrying passengers between ports in Nigeria, other than :

- (a) ships not propelled by mechanical means ;
- (b) pleasure yachts ;
- (c) any ships exempted under section 424 of the Act.
- (d) fishing boats.

(3) These regulations shall also apply in respect of ships belonging to the Government of the Federation or of the Regions.

PART I.—SEA-GOING SHIPS

2.—(1) Every ship to which these regulations apply and going to sea from any place in Nigeria shall have on board for service—

(i) in any case a duly certificated Master ;

(ii) in the case of a ship of 100 tons net or upwards she must also carry at least one other officer who holds a certificate not lower than that of Mate (Home Trade) in the case of a Home Trade Ship, or First Mate (Foreign-going) in the case of a foreign going ship ;

(iii) if a foreign-going ship carries more than one mate, then at least the First and Second Mates must each hold a certificate of a grade not lower than that of First Mate (Foreign-going) and Second Mate (Foreign-going) respectively.

(2) Every ship to which these regulations apply, and going to sea from any place in Nigeria shall have on board for service—

(i) if it is foreign-going and of 100 nominal horsepower or upwards, at least two Engineers, one of whom must hold a First Class, and the other at least a Second Class Certificate of Competency ;

(ii) if it is foreign-going and of less than 100 nominal horsepower, at least one Engineer who holds at least a Second Class certificate of competency ;

(iii) if it is Home Trade ship of 100 nominal horsepower or over, one Engineer who holds at least a Second Class certificate of competency ;

(iv) if it is a Home Trade ship of less than 100 nominal horsepower, which does not carry passengers, one Engineer who holds at least a Third Class Certificate of Competency ; but if it carries passengers, one Engineer holding at least a Second Class Certificate of Competency.

Deck
Officers,
Engineers,
Radio
Officers,
Medical
Officers,
Cooks and
Deck
Ratings.

(3) Every Sea-going ship shall carry Radio Officers in accordance with the scale specified in any rules made under section 159 of the Act.

(4) Every foreign-going ship which proceeds from Nigeria and has more than 100 persons on board shall, as required by subsection (1) of section 102 of the Act carry as a member of the crew a duly qualified medical practitioner.

(5) Every foreign-going ship to which these regulations apply, and any Home Trade ship of 1,000 gross tons or upwards shall carry a certificated Ship's Cook.

(6) Every foreign-going ship to which these regulations apply, of 700 gross tons and over and proceeding to sea from any port in Nigeria shall have on board for service deck ratings in accordance with the following scale—

(i) Ships of over 700 but not exceeding 2,500 gross tons,—a Boatswain and 5 able seamen. Provided that one able seaman may be replaced, if desired, by a senior ordinary seaman and one other able seaman may be replaced by 2 senior ordinary seamen or by 1 senior ordinary seaman and 1 junior ordinary seaman.

(ii) Ships of over 2,500 but not exceeding 5,500 gross tons,—a Boatswain and 7 able seamen. Provided that two able seamen may be replaced if desired by senior ordinary seamen and a third able seaman by 2 senior ordinary seamen or by 2 junior ordinary seamen or by 1 senior ordinary seaman and 1 junior ordinary seaman.

(iii) Ships of over 5,500 gross tons—a Boatswain and 9 able seamen, provided that two able seamen may be replaced, if desired, by senior ordinary seamen and a third and fourth able seaman may be replaced by 2 senior ordinary seamen or 2 junior ordinary seamen or by 1 senior and 1 junior ordinary seaman in each case.

(iv) In this scale Efficient Deck Hands may be substituted for able seamen, and Deck boys may be substituted in the following manner—

for 1 junior ordinary seaman—2 Deck boys
for 2 junior ordinary seamen—3 Deck boys

(v) Apprentices or Cadets may be classified in the minimum deck manning scale as follows—

Fourth year apprentice—Able Seaman
Third year apprentice—Senior Ordinary Seaman
Second year apprentice—Junior Ordinary Seaman.

(vi) For the purposes of this scale the following definitions shall apply—

(a) Boatswain—A certificated able seaman at least 20 years of age who can prove that he has had not less than four years service at sea on deck ;

(b) Able Seaman—The holder of a certificate of competency as able seaman issued by, or recognised by, the Minister ; or a person who has served for a period not less than three years at sea in a deck capacity ;

(c) Efficient Deck Hand—The holder of a certificate of competency as Efficient Deck Hand.

(d) Senior Ordinary Seaman—A seaman not less than 17½ years of age who has served for at least 18 months at sea on deck ;

(e) Junior Ordinary Seaman—A seaman not less than 16½ years of age who has had at least 9 months service at sea on deck or as a carpenter ;

(f) Deck Boy—A boy who has served at sea for less than 9 months.

PART II—INLAND WATERS VESSELS

Interpretation.

3. In this Part—

“ship” means a power driven vessel exceeding 200 tons loaded displacement ;

“launch” means a power driven vessel not exceeding 200 tons loaded displacement other than a power driven small craft ;

“power driven small craft” means a craft propelled by one or more outboard engines, each not exceeding thirty brake horsepower.

Persons in charge on deck, and in the engine room.

4. (1) A ship plying exclusively on the inland waters of Nigeria shall have for service on board—

(i) one person holding a certificate of competency as Rivermaster ;

(ii) one person holding a certificate of competency as Third Class Engineer, or two persons each holding a certificate of competency as Engineering Assistants ;

(iii) one person holding a certificate of competency as Quartermaster ; and

(iv) four deckhands.

(2) (a) A launch operating in tidal waters or a launch exceeding 50 feet in length operating in non-tidal waters only shall have on board for service—

(i) one person holding a certificate of competency as Quartermaster ;

(ii) one person holding a certificate of competency as Engineering Assistant ; and

(iii) two deckhands.

(b) A launch less than 50 feet in length, operating in non-tidal waters only, shall have on board for service—

(i) one person holding a certificate of competency as Riverman ;

(ii) one person holding a certificate of competency as Motorman ; and

(iii) one deckhand.

Provided that where a launch specified in (b) is specially designed and fitted for one-man control, one man qualified as both Riverman and Motorman will suffice.

(3) A power driven small craft operating in any of the inland waters of Nigeria shall have on board for service—

(i) one person holding a certificate of competency as a Power Driven Small Craft Operator ; and

(ii) one deckhand.

5. Subject to such conditions as he may think fit, the Government Inspector of Shipping may exempt from any or all of the requirements of these regulations, any ship which does not proceed beyond fifteen miles from the shore.

Exemption.

6. The fact that these regulations make no provision, other than for the master, for the manning of sea-going craft under 100 tons net, shall not exempt such ships from the provisions of Chapter 51 of the Act, if the Government Inspector of Shipping has reason to believe they are unseaworthy by reason of undermanning.

Ship
under 100
tons net
not exempt
from
detention.

MADE at Lagos this 13th day of June, 1963.

R. A. NJOKU,
Minister of Transport

EXPLANATORY NOTE

These regulations implement section 427 (d) of the Merchant Shipping Act, 1962 and bring the manning of Nigerian Ships into line with the manning of Ships of other Commonwealth Countries.

L.N. 59 of 1963

MERCHANT SHIPPING ACT, 1962
(1962, No. 30)

**Merchant Shipping Collision (Ships and Seaplanes on the Water)
Rules, 1963**

Commencement : 13th June, 1963

WHEREAS subsection (1) of section 230 of the Merchant Shipping Act, 1962 provides that the Minister of Transport may make collision rules with respect to ships and to aircraft on the surface of the water, for the prevention of collisions which shall contain such requirements as appear to the Minister to be necessary to implement the provisions of such international treaties, agreements and regulations for the prevention of collisions at sea as are for the time being in force.

AND WHEREAS there is in force some Regulations known as the International Regulations for Preventing Collisions at Sea which were approved by the International Conference on Safety of Life at Sea, held in London from 23rd April, 1948 to 10th June, 1948 and are set forth in the First Schedule to these Rules.

AND WHEREAS it appears to the Minister to be necessary to make Collision Rules to implement these Regulations.

NOW THEREFORE in exercise of the powers conferred by subsection (1) of section 230 of the Merchant Shipping Act, 1962 and of all other powers enabling him in that behalf the Minister of Transport hereby makes the following Rules—

Citation.

1. These Rules may be cited as the Merchant Shipping Collisions (Ships and Seaplanes on the Water) Rules, 1963.

Rules and Application.

2. These Rules are as set out in the First Schedule hereto and they shall apply to all ships and to all seaplanes on the surface of the water which are ships or seaplanes of the foreign countries included in the countries specified in the Second Schedule hereto.

FIRST SCHEDULE

INTERNATIONAL REGULATIONS FOR PREVENTING
COLLISIONS AT SEA, 1948

PART A.—PRELIMINARY AND DEFINITIONS

Rule 1

(a) These Rules shall be followed by all vessels and seaplanes upon the high seas and in all waters connected therewith navigable by seagoing vessels, except as provided in Rule 30. Where, as a result of their special construction, it is not possible for seaplanes to comply fully with the provisions of Rules specifying the carrying of lights and shapes, these provisions shall be followed as closely as circumstances permit.

(b) The Rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such times no other lights shall be exhibited, except such lights as cannot be mistaken for the prescribed lights or impair their visibility or distinctive character, or interfere with the keeping of a proper look-out.

(c) In the following Rules, except where the context otherwise requires:—

(i) the word "vessel" includes every description of water craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water;

(ii) the word "seaplane" includes a flying boat and any other aircraft designed to manoeuvre on the water;

(iii) the term "power-driven vessel" means any vessel propelled by machinery;

(iv) every power-driven vessel which is under sail and not under power is to be considered a sailing vessel, and every vessel under power, whether under sail or not, is to be considered a power-driven vessel;

(v) a vessel or seaplane on the water is "under way" when she is not at anchor, or made fast to the shore, or aground;

(vi) the term "height above the hull" means height above the uppermost continuous deck;

(vii) the length and breadth of a vessel shall be deemed to be the length and breadth appearing in her certificate of registry;

(viii) the length and span of a seaplane shall be its maximum length and span as shown in its certificate of airworthiness, or as determined by measurement in the absence of such certificate;

(ix) the word "visible," when applied to lights, means visible on a dark night with a clear atmosphere;

(x) the term "short blast" means a blast of about one second's duration;

(xi) the term "prolonged blast" means a blast of from four to six seconds' duration;

(xii) the word "whistle" means whistle or siren;

(xiii) the word "tons" means gross tons.

PART B.—LIGHTS AND SHAPES

Rule 2

(a) A power-driven vessel when under way shall carry:—

(i) On or in front of the foremast, or if a vessel without a foremast then in the forepart of the vessel, a bright white light so constructed as to show an unbroken light over an arc of the horizon of 20 points of the compass (225 degrees), so fixed as to show the light 10 points ($112\frac{1}{2}$ degrees), on each side of the vessel, that is, from right ahead to 2 points ($22\frac{1}{2}$ degrees) abaft the beam on either side, and of such a character as to be visible at a distance of at least 5 miles.

(ii) Either forward of or abaft the white light mentioned in sub-section (i) a second white light similar in construction and character to that light. Vessels of less than 150 feet in length, and vessels engaged in towing, shall not be required to carry this second white light but may do so.

(iii) These two white lights shall be so placed in a line with and over the keel that one shall be at least 15 feet higher than the other and in such a position that the lower light shall be forward of the upper one. The horizontal distance between the two white lights shall be at least three times the vertical distance. The lower of these two white lights or, if only one is carried, then that light, shall be placed at a height above the hull of not less than 20 feet, and, if the breadth of the vessel exceeds 20 feet 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 40 feet. In all circumstances the light or lights, as the case may be, shall be so placed as to be clear of and above all other lights and obstructing super-structures.

(iv) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass ($112\frac{1}{2}$ degrees), so fixed as to show the light from right ahead to 2 points ($22\frac{1}{2}$ degrees) abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(v) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of 10 points of the compass ($112\frac{1}{2}$ degrees), so fixed as to show the light from right ahead to 2 points ($22\frac{1}{2}$ degrees) abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

(vi) The said green* and red sidelights shall be fitted with inboard screens projecting at least 3 feet forward from the light, so as to prevent these lights from being seen across the bows.

(b) A seaplane under way on the water shall carry:—

(i) In the forepart amidships where it can best be seen a bright white light, so constructed as to show an unbroken light over an arc of the horizon of 220 degrees of the compass, so fixed as to show the light 110 degrees on each side of the seaplane, namely, from right ahead to 20 degrees abaft the beam on either side and of such a character as to be visible at a distance of at least 3 miles.

(ii) On the right or starboard wing tip a green light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least 2 miles.

(iii) On the left or port wing tip a red light, so constructed as to show an unbroken light over an arc of the horizon of 110 degrees of the compass, so fixed as to show the light from right ahead to 20 degrees abaft the beam on the port side, and of such a character as to be visible at a distance of at least 2 miles.

Rule 3

(a) A power-driven vessel when towing or pushing another vessel or seaplane shall, in addition to her sidelights, carry two bright white lights in a vertical line one over the other, not less than 6 feet apart, and when towing more than one vessel shall carry an additional bright white light 6 feet above or below such lights, if the length of the tow, measuring from the stern of the towing vessel to the stern of the last vessel or seaplane towed, exceeds 600 feet. Each of these lights shall be of the same construction and character and one of them shall be carried in the same position as the white light

mentioned in Rule 2 (a) (i), except the additional light, which shall be carried at a height of not less than 14 feet above the hull. In a vessel with a single mast, such lights may be carried on the mast.

(b) The towing vessel shall also show either the stern light specified in Rule 10 or in lieu of that light a small white light abaft the funnel or after mast for the tow to steer by, but such light shall not be visible forward of the beam. The carriage of the white light specified in Rule 2 (a) (ii) is optional.

(c) A seaplane on the water, when towing one or more seaplanes or vessels, shall carry the lights prescribed in Rule 2 (b) (i), (ii) and (iii); and, in addition, she shall carry a second white light of the same construction and character as the white light mentioned in Rule 2 (b) (i), and in a vertical line at least 6 feet above or below such light.

Rule 4

(a) A vessel which is not under command shall carry, where they can best be seen, and, if a power-driven vessel, in lieu of the lights required by Rule 2 (a) (i) and (ii), two red lights in a vertical line one over the other not less than 6 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, two black balls or shapes each not less than 2 feet in diameter.

(b) A seaplane on the water which is not under command may carry, where they can best be seen, two red lights in a vertical line, one over the other, not less than 3 feet apart, and of such a character as to be visible all round the horizon at a distance of at least 2 miles, and may by day carry in a vertical line one over the other not less than 3 feet apart, where they can best be seen, two black balls or shapes, each not less than 2 feet in diameter.

(c) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations when from the nature of her work she is unable to get out of the way of approaching vessels, shall carry in lieu of the lights specified in Rule 2 (a) (i) and (ii), three lights in a vertical line one over the other not less than 6 feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all round the horizon at a distance of at least 2 miles. By day, she shall carry in a vertical line one over the other not less than 6 feet apart, where they can best be seen, three shapes each not less than 2 feet in diameter, of which the highest and lowest shall be globular in shape and red in colour, and the middle one diamond in shape and white.

(d) The vessels and seaplanes referred to in this Rule, when not making way through the water, shall not carry the coloured sidelights, but when making way they shall carry them.

(e) The lights and shapes required to be shown by this Rule are to be taken by other vessels and seaplanes as signals that the vessel or seaplane showing them is not under command and cannot therefore get out of the way.

(f) These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in Rule 31.

Rule 5

(a) A sailing vessel under way and any vessel or seaplane being towed shall carry the same lights as are prescribed by Rule 2 for a power-driven vessel or a seaplane under way, respectively, with the exception of the white

lights specified therein, which they shall never carry. They shall also carry stern lights as specified in Rule 10, provided that vessels towed, except the last vessel of a tow, may carry, in lieu of such stern light, a small white light as specified in Rule 3 (b).

(b) A vessel being pushed ahead shall carry, at the forward end, on the starboard side a green light and on the port side a red light, which shall have the same characteristics as the lights described in Rule 2 (a) (iv) and (v) and shall be screened as provided in Rule 2 (a) (vi), provided that any number of vessels pushed ahead in a group shall be lighted as one vessel.

Rule 6

(a) In small vessels, when it is not possible on account of bad weather or other sufficient cause to fix the green and red sidelights, these lights shall be kept at hand lighted and ready for immediate use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor if practicable, more than 2 points ($22\frac{1}{2}$ degrees) abaft the beam on their respective sides.

(b) To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted outside with the colour of the lights they respectively contain, and shall be provided with proper screens.

Rule 7

Power-driven vessels of less than 40 tons, vessels under oars or sails of less than 20 tons, and rowing boats, when under way shall not be required to carry the lights mentioned in Rule 2, but if they do not carry them they shall be provided with the following lights:—

(a) Power-driven vessels of less than 40 tons, except as provided in section (b), shall carry:—

(i) In the forepart of the vessel, where it can best be seen, and at a height above the gunwale of not less than 9 feet, a bright white light constructed and fixed as prescribed in Rule 2 (a) (i) and of such a character as to be visible at a distance of at least 3 miles.

(ii) Green and red sidelights constructed and fixed as prescribed in Rule 2 (a) (iv) and (v), and of such a character as to be visible at a distance of at least 1 mile, or a combined lantern showing a green light and a red light from right ahead to 2 points ($22\frac{1}{2}$ degrees) abaft the beam on their respective sides. Such lantern shall be carried not less than 3 feet below the white light.

(b) Small power-driven boats, such as are carried by seagoing vessels, may carry the white light at a less height than 9 feet above the gunwale, but it shall be carried above the sidelights or the combined lantern mentioned in sub-section (a) (ii).

(c) Vessels of less than 20 tons, under oars or sails, except as provided in section (d), shall, if they do not carry the sidelights, carry where it can best be seen a lantern showing a green light on one side and a red light on the other, of such a character as to be visible at a distance of at least 1 mile, and so fixed that the green light shall not be seen on the port side, nor the red light on the starboard side. Where it is not possible to fix this light, it shall be kept ready for immediate use and shall be exhibited in sufficient time to prevent collision and so that the green light shall not be seen on the port side nor the red light on the starboard side.

(d) Small rowing boats, whether under oars or sail, shall only be required to have ready at hand an electric torch or a lighted lantern showing a white light, which shall be exhibited in sufficient time to prevent collision.

(e) The vessels and boats referred to in this Rule shall not be required to carry the lights or shapes prescribed in Rules 4 (a) and 11 (e).

Rule 8

(a) (i) Sailing pilot-vessels, when engaged on their station on pilotage duty and not at anchor, shall not show the lights prescribed for other vessels, but shall carry a white light at the masthead visible all round the horizon at a distance of at least 3 miles, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed 10 minutes.

(ii) On the near approach of or to other vessels they shall have their sidelights lighted ready for use and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

(iii) A sailing pilot-vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead and may, instead of the sidelights above mentioned, have at hand ready for use a lantern with a green glass on the one side and a red glass on the other to be used as prescribed above.

(b) A power-driven pilot-vessel when engaged on her station on pilotage duty and not at anchor shall, in addition to the lights and flares required for sailing pilot-vessels, carry at a distance of 8 feet below her white masthead light a red light visible all round the horizon at a distance of at least 3 miles, and also the sidelights required to be carried by vessels when under way. A bright intermittent all round white light may be used in place of a flare.

(c) All pilot-vessels, when engaged on their stations on pilotage duty and at anchor, shall carry the lights and show the flares prescribed in sections (a) and (b), except that the sidelights shall not be shown. They shall also carry the anchor light or lights prescribed in Rule 11.

(d) All pilot-vessels, whether at anchor or not at anchor, shall, when not engaged on their stations on pilotage duty, carry the same lights as other vessels of their class and tonnage.

Rule 9

(a) Fishing vessels when not fishing shall show the lights or shapes prescribed for similar vessels of their tonnage. When fishing they shall show only the lights or shapes prescribed by this Rule, which lights or shapes, except as otherwise provided, shall be visible at a distance of at least 2 miles.

(b) Vessels fishing with trolling (towing) lines, shall show only the lights prescribed for a power-driven or sailing vessel under way as may be appropriate.

(c) Vessels fishing with nets or lines, except trolling (towing) lines extending from the vessel not more than 500 feet horizontally into the seaway shall show, where it can best be seen, one all round white light and in addition, on approaching or being approached by another vessel, shall show a second white light at least 6 feet below the first light and at a horizontal distance of at least 10 feet away from it (6 feet in small open boats) in the direction in which the outlying gear is attached. By day such vessels shall indicate their occupation by displaying a basket where it can best be seen; and if they have their gear out while at anchor, they shall, on the approach of other vessels, show the same signal in the direction from the anchor ball towards the net or gear.

(d) Vessels fishing with nets or lines, except trolling (towing) lines, extending from the vessel more than 500 feet horizontally into the seaway shall show, where they can best be seen, three white lights at least 3 feet apart in a vertical triangle visible all round the horizon. When making way through the water, such vessels shall show the proper coloured sidelights, but when not making way they shall not show them. By day they shall show a basket in the forepart of the vessel as near the stern as possible not less than 10 feet above the rail; and, in addition, where it can best be seen, one black conical shape, apex upwards. If they have their gear out while at anchor they shall, on the approach of other vessels, show the basket in the direction from the anchor ball towards the net or gear.

(e) Vessels when engaged in trawling, by which is meant the dragging of a dredge net or other apparatus along or near the bottom of the sea, and not at anchor:—

(i) If power-driven vessels, shall carry in the same position as the white light mentioned in Rule 2 (a) (i) a tri-coloured lantern, so constructed and fixed as to show a white light from right ahead to 2 points ($22\frac{1}{2}$ degrees) on each bow, and a green light and a red light over an arc of the horizon from 2 points ($22\frac{1}{2}$ degrees) on each bow to 2 points ($22\frac{1}{2}$ degrees) abaft the beam on the starboard and port sides, respectively; and not less than 6 nor more than 12 feet below the tri-coloured lantern a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all round the horizon. They shall also show the stern light specified in Rule 10 (a).

(ii) 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 in sufficient time to prevent collision.

(iii) By day, each of the foregoing vessels shall show, where it can best be seen, a basket.

(f) In addition to the lights which they are by this Rule required to show vessels fishing may, if necessary in order to attract attention of approaching vessels, show a flare-up light. They may also use working lights.

(g) Every vessel fishing, when at anchor, shall show the lights or shape specified in Rule 11 (a), (b) or (c); and shall, on the approach of another vessel or vessels, show an additional white light at least 6 feet below the forward anchor light and at a horizontal distance of at least 10 feet away from it in the direction of the outlying gear.

(h) If a vessel when fishing becomes fast by her gear to a rock or other obstruction she shall in daytime haul down the basket required by sections (c), (d) or (e) and show the signal specified in Rule 11 (c). By night she shall show the light or lights specified in Rule 11 (a) or (b). In fog, mist, falling snow, heavy rainstorms or any other condition similarly restricting visibility, whether by day or by night, she shall sound the signal prescribed by Rule 15 (c) (v), which signal shall also be used, on the near approach of another vessel, in good visibility.

NOTE.—For fog signals for fishing vessels, see Rule 15 (c) (ix).

Rule 10

(a) A vessel when under way shall carry at her stern a white light, so constructed that it shall show an unbroken light over an arc of the horizon of 12 points of the compass (135 degrees), so fixed as to show the light 6 points

(67½ degrees) from right aft on each side of the vessel, and of such a character as to be visible at a distance of at least 2 miles. Such light shall be carried as nearly as practicable on the same level as the sidelights.

NOTE.—For vessels engaged in towing or being towed, see Rules 3 (b) and 5.

(b) In a small vessel, if it is not possible on account of bad weather or other sufficient cause for this light to be fixed, an electric torch or a lighted lantern shall be kept at hand ready for use and shall, on the approach of an overtaking vessel, be shown in sufficient time to prevent collision.

(c) A seaplane on the water when under way shall carry on her tail a white light, so constructed as to show an unbroken light over an arc of the horizon of 140 degrees of the compass, so fixed as to show the light 70 degrees from right aft on each side of the seaplane, and of such a character as to be visible at a distance of at least 2 miles.

Rule 11

(a) A vessel under 150 feet in length, when at anchor, shall carry in the forepart of the vessel, where it can best be seen, a white light in a lantern so constructed as to show a clear, uniform, and unbroken light visible all round the horizon at a distance of at least 2 miles.

(b) A vessel of 150 feet or upwards in length, when at anchor, shall carry in the forepart of the vessel, at a height of not less than 20 feet above the hull, one such light, and at or near the stern of the vessel and at such a height that it shall be not less than 15 feet lower than the forward light, another such light. Both these lights shall be visible all round the horizon at a distance of at least 3 miles.

(c) Between sunrise and sunset every vessel when at anchor shall carry in the forepart of the vessel, where it can best be seen, one black ball not less than 2 feet in diameter.

(d) A vessel engaged in laying or in picking up a submarine cable or navigation mark, or a vessel engaged in surveying or underwater operations, when at anchor, shall carry the lights or shapes prescribed in Rule 4 (c) in addition to those prescribed in the appropriate preceding sections of this Rule.

(e) A vessel aground shall carry by night the light or lights prescribed in sections (a) or (b) and the two red lights prescribed in Rule 4 (a). By day she shall carry, where they can best be seen, three black balls, each not less than 2 feet in diameter, placed in a vertical line one over the other, not less than 6 feet apart.

(f) A seaplane on the water under 150 feet in length, when at anchor, shall carry, where it can best be seen, a white light, visible all round the horizon at a distance of at least 2 miles.

(g) A seaplane on the water 150 feet or upwards in length, when at anchor, shall carry, where they can best be seen, a white light forward and a white light aft, both lights visible all round the horizon at a distance of at least 3 miles; and, in addition, if the seaplane is more than 150 feet in span, a white light on each side to indicate the maximum span, and visible, so far as practicable, all round the horizon at a distance of 1 mile.

(h) A seaplane aground shall carry an anchor light or lights as prescribed in sections (f) and (g), and in addition may carry two red lights in a vertical line, at least 3 feet apart, so placed as to be visible all round the horizon.

Rule 12

Every vessel or seaplane on the water may, if necessary in order to attract attention, in addition to the lights which she is by these Rules required to carry, show a flare-up light or use a detonating or other efficient sound signal that cannot be mistaken for any signal authorised elsewhere under these Rules.

Rule 13

(a) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for ships of war, for vessels sailing under convoy, or for seaplanes on the water; or with the exhibition of recognition signals adopted by shipowners, which have been authorised by their respective Governments and duly registered and published.

(b) Whenever the Government concerned shall have determined that a naval or other military vessel or waterborne seaplane of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to the number, position, range or arc of visibility of lights or shapes, without interfering with the military function of the vessel or seaplane, such vessel or seaplane shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes as her Government shall have determined to be the closest possible compliance with these Rules in respect of that vessel or seaplane.

Rule 14

A vessel proceeding under sail, when also being propelled by machinery, shall carry in the daytime forward, where it can best be seen, one black conical shape, point upwards, not less than 2 feet in diameter at its base.

Rule 15

(a) A power-driven vessel shall be provided with an efficient whistle, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog-horn, to be sounded by mechanical means, and also with an efficient bell. A sailing vessel of 20 tons or upwards shall be provided with a similar fog-horn and bell.

(b) All signals prescribed by this Rule for vessels under way shall be given :—

- (i) by power-driven vessels on the whistle ;
- (ii) by sailing vessels on the fog-horn ;
- (iii) by vessels towed on the whistle or fog-horn.

(c) In fog, mist, falling snow, heavy rainstorms, or any other condition similarly restricting visibility, whether by day or night, the signals prescribed in this Rule shall be used as follows :—

(i) A power-driven vessel making way through the water, shall sound at intervals of not more than 2 minutes a prolonged blast.

(ii) A power-driven vessel under way, but stopped and making no way through the water, shall sound at intervals of not more than 2 minutes two prolonged blasts, with an interval of about 1 second between them.

(iii) A sailing vessel under way shall sound, at intervals of not more than 1 minute, when on the starboard tack one blast, when on the port tack two blasts in succession, and when with the wind abaft the beam three blasts in succession.

(iv) A vessel when at anchor shall at intervals of not more than 1 minute ring the bell rapidly for about 5 seconds. In vessels of more than 350 feet in length the bell shall be sounded in the forepart of the vessel, and in addition there shall be sounded in the afterpart of the vessel, at intervals of not more than 1 minute for about 5 seconds, a gong or other instrument, the tone and sounding of which cannot be confused with that of the bell. Every vessel at anchor may in addition, in accordance with Rule 12, sound three blasts in succession, namely, one short, one prolonged, and one short blast, to give warning of her position and of the possibility of collision to an approaching vessel.

(v) A vessel when towing, a vessel engaged in laying or in picking up a submarine cable or navigation mark, and a vessel under way which is unable to get out of the way of an approaching vessel through being not under command or unable to manoeuvre as required by these Rules shall, instead of the signals prescribed in sub-sections (i), (ii) and (iii) sound, at intervals of not more than 1 minute, three blasts in succession, namely, one prolonged blast followed by two short blasts.

(vi) A vessel towed, or, if more than one vessel is towed, only the last vessel of the tow, if manned, shall, at intervals of not more than 1 minute, sound four blasts in succession, namely, one prolonged blast followed by three short blasts. When practicable, this signal shall be made immediately after the signal made by the towing vessel.

(vii) A vessel aground shall give the signal prescribed in sub-section (iv) and shall, in addition, give three separate and distinct strokes on the bell immediately before and after each such signal.

(viii) A vessel of less than 20 tons, a rowing boat, or a seaplane on the water, shall not be obliged to give the above-mentioned signals, but if she does not, she shall make some other efficient sound signal at intervals of not more than 1 minute.

(ix) A vessel when fishing if of 20 tons or upwards, shall at intervals of not more than 1 minute, sound a blast, such blast to be followed by ringing the bell; or she may sound, in lieu of these signals, a blast consisting of a series of several alternate notes of higher and lower pitch.

Rule 16

Speed to be moderate in fog, &c.

(a) Every vessel, or seaplane when taxi-ing on the water, shall, in fog, mist, falling snow, heavy rainstorms or any other condition similarly restricting visibility, go at a moderate speed, having careful regard to the existing circumstances and conditions.

(b) A power-driven vessel hearing, apparently forward of her beam, the fog-signal of a vessel the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

PART C.—STEERING AND SAILING RULES

Preliminary

1. *In obeying and construing these Rules, any action taken should be positive, in ample time, and with due regard to the observance of good seamanship.*

2. *Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.*

3. *Mariners should bear in mind that seaplanes in the act of landing or taking off, or operating under adverse weather conditions, may be unable to change their intended action at the last moment.*

Rule 17

When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows—

(a) A vessel which is running free shall keep out of the way of a vessel which is close-hauled.

(b) A vessel which is close-hauled on the port tack shall keep out of the way of a vessel which is close-hauled on the starboard tack.

(c) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(d) When both are running free, with the wind on the same side, the vessel which is to windward shall keep out of the way of the vessel which is to leeward.

(e) A vessel which has the wind aft shall keep out of the way of the other vessel.

Rule 18

(a) When two power-driven vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other. This Rule only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other. The only cases to which it does apply are when each of two vessels is end on, or nearly end on, to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the sidelights of the other. It does not apply, by day, to cases in which a vessel sees another ahead crossing her own course; or, by night, to cases where the red light of one vessel is opposed to the red light of the other or where the green light of one vessel is opposed to the green light of the other or where a red light without a green light or a green light without a red light is seen ahead, or where both green and red lights are seen anywhere but ahead.

(b) For the purposes of this Rule and Rules 19 to 29 inclusive, except Rule 20 (b), a seaplane on the water shall be deemed to be a vessel, and the expression "power-driven vessel" shall be construed accordingly.

Rule 19

When two power-driven vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Rule 20

(a) When a power-driven vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, except as provided in Rules 24 and 26, the power-driven vessel shall keep out of the way of the sailing vessel.

(b) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with these Rules.

Rule 21

Where by any of these Rules one of two vessels is to keep out of the way, the other shall keep her course and speed. When, from any cause, the latter vessel finds herself so close that collision cannot be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision (*see* Rules 27 and 29).

Rule 22

Every vessel which is directed by these Rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Rule 23

Every power-driven vessel which is directed by these Rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Rule 24

(a) Notwithstanding anything contained in these Rules, every vessel overtaking any other shall keep out of the way of the overtaken vessel.

(b) Every vessel coming up with another vessel from any direction more than 2 points ($22\frac{1}{2}$ degrees) abaft her beam, *i.e.* in such a position, with reference to the vessel which she is overtaking, that at night she would be unable to see either of that vessel's sidelights, shall be deemed to be an overtaking vessel; and no subsequent alteration of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these Rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

(c) If the overtaking vessel cannot determine with certainty whether she is forward of or abaft this direction from the other vessel, she shall assume that she is an overtaking vessel and keep out of the way.

Rule 25

(a) In a narrow channel every power-driven vessel when proceeding along the course of the channel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

(b) Whenever a power-driven vessel is nearing a bend in a channel where a power-driven vessel approaching from the other direction cannot be seen, such vessel, when she shall have arrived within one-half mile of the bend, shall give a signal by one prolonged blast of her whistle, which signal shall be answered by a similar blast given by any approaching power-driven vessel that may be within hearing around the bend. Regardless of whether an approaching vessel on the farther side of the bend is heard, such bend shall be rounded with alertness and caution.

Rule 26

All vessels not engaged in fishing shall, when under way, keep out of the way of any vessels fishing with nets or trawls. This Rule shall not give to any vessel engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels.

Rule 27

In obeying and construing these Rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances, including the limitations of the craft involved, which may render a departure from the above Rules necessary in order to avoid immediate danger.

PART D.—MISCELLANEOUS

Rule 28

(a) When vessels are in sight of one another, a power-driven vessel under way, in taking any course authorised or required by these Rules, shall indicate that course by the following signals on her whistle, namely :—

One short blast to mean "I am altering my course to starboard."

Two short blasts to mean "I am altering my course to port."

Three short blasts to mean "My engines are going astern."

(b) Whenever a power-driven vessel which, under these Rules, is to keep her course and speed, is in sight of another vessel and is in doubt whether sufficient action is being taken by the other vessel to avert collision, she may indicate such doubt by giving at least five short and rapid blasts on the whistle. The giving of such a signal shall not relieve a vessel of her obligations under Rules 27 and 29 or any other Rule, or of her duty to indicate any action taken under these Rules by giving the appropriate sound signals laid down in this Rule.

(c) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any nation with respect to the use of additional whistle signals between ships of war or vessels sailing under convoy.

Rule 29

Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, 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.

Rule 30

Reservation of Rules for Harbours and Inland Navigation

Nothing in these Rules shall interfere with the operation of a special rule, duly made by local authority relative to the navigation of any harbour, river, lake, or inland water, including a reserved seaplane area.

Rule 31

Distress Signals

When a vessel or seaplane on the water is in distress and requires assistance from other vessels or from the shore, the following shall be the signals to be used or displayed by her, either together or separately, namely :—

(a) A gun or other explosive signal fired at intervals of about a minute.

- (b) A continuous sounding with any fog-signal apparatus.
- (c) Rockets or shells, throwing red stars fired one at a time at short intervals.
- (d) A signal made by radiotelegraphy or by any other 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 or anything resembling a ball.
- (h) Flames on the vessel (as from a burning tar barrel, oil barrel, etc.).
- (i) A rocket parachute flare showing a red light.

The use of any of the above signals, except for the purpose of indicating that a vessel or a seaplane is in distress, and the use of any signals which may be confused with any of the above signals is prohibited.

Note.—A radio signal has been provided for use by vessels in distress for the purpose of actuating the auto-alarms of other vessels and thus securing attention to distress calls or messages. The signal consists of a series of twelve dashes, sent in 1 minute, the duration of each dash being 4 seconds, and the duration of the interval between two consecutive dashes 1 second.

Rule 32

All orders to helmsmen shall be given in the following sense; right rudder or starboard to mean "put the vessel's rudder to starboard"; left rudder or port to mean "put the vessel's rudder to port".

SECOND SCHEDULE

LIST OF THE COUNTRIES WHICH HAVE ACCEPTED THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1948

Argentina	Colombia
Australia	Cuba
Belgium	Czechoslovakia
Brazil	Denmark
Bulgaria	Dominican Republic
Burma	Ecuador
Cambodia	Egypt
Canada	Finland
Chile	France

Federal Republic of Germany	Panama
Greece	Peru
Hayti	Philippines
Hungary	Poland
Iceland	Portugal
India	Roumania
Iraq	South Africa
Irish Republic	Spain
Israel	Sweden
Italy	Thailand
Japan	Turkey
Liberia	Union of Soviet Socialist Republics
Mexico	United Kingdom
Netherlands	United States
New Zealand	Uruguay
Nigeria	Venezuela
Nicaragua	Vietnam
Norway	Yugoslavia
Pakistan	

MADE this 13th day of June, 1963.

R. A. NJOKU,
Minister of Transport

EXPLANATORY NOTE

These Rules make regulations for preventing collisions at sea, including collisions involving seaplanes on the waters. The Rules give effect to the International Regulations for Preventing Collisions at Sea, 1948 which were approved by the International Conference on Safety of Life at Sea, 1948.

L.N. 60 of 1963

MERCHANT SHIPPING ACT, 1962
(1962, No. 30)

Merchant Shipping (Signals of Distress) Rules, 1963

Commencement : 13th June, 1963

In exercise of the powers conferred by section 237 of the Merchant Shipping Act, 1962 and of all other powers enabling him in that behalf, the Minister of Transport hereby makes the following Rules—

1.—(1) These Rules may be cited as the Merchant Shipping (Signals of Distress) Rules, 1963.

Citation and application.

(2) These Rules shall apply to—

(a) Nigerian ships ; and

(b) Other ships when within the jurisdiction of Nigeria.

2. In these Rules—

“Collision Regulations” means the International Regulations for Preventing Collision at Sea as set forth in the First Schedule to the Merchant Shipping Collision (Ships and Seaplanes on the Water) Rules, 1963.

Interpretation.

3. When a vessel or seaplane on the water is in distress and requires assistance from other vessels or from the shore she shall make the signals and comply with the provisions of Rule 31 of the Collision Regulations.

Distress signals.

4.—(1) No signal of distress shall be used by any ship or seaplane on the water unless the master or the pilot thereof so orders.

Use of distress signals.

(2) The said master or pilot shall not order any signal of distress to be used unless he is satisfied—

(i) that his ship or aircraft is in serious and imminent danger, or that another ship or aircraft is so endangered and cannot of itself send that signal ; and

(ii) that a ship or an aircraft in danger (whether his own or another ship or aircraft) requires immediate assistance in addition to any assistance then available to her.

(3) The master or pilot of every ship or aircraft to which these Rules apply, being a ship or aircraft which has sent any signal of distress by means of radio, shall cause that signal to be revoked as soon as he is satisfied that the ship or aircraft to which the signal relates is no longer in need of assistance as aforesaid.

MADE at Lagos this 13th day of June, 1963.

R. A. NJOKU,
Minister of Transport

EXPLANATORY NOTE

These Rules prescribe what signals shall be used by ships and seaplanes on the water when they are in distress and require assistance and describe the circumstances in which such signals are to be used. These Rules implement the provisions of the International Convention for the Safety of Life at Sea, 1948, relating to the misuse of signals of distress.

L.N. 61 of 1963

MERCHANT SHIPPING ACT, 1962
(1962, No. 30)

Merchant Shipping (Musters) Rules, 1963

Commencement : 13th June, 1963

In exercise of the powers conferred by section 153 of the Merchant Shipping Act, 1962 and of all other powers enabling him in that behalf, the Minister of Transport hereby makes the following Order—

Citation
and
Application.

1.—(1) These Rules may be cited as the Merchant Shipping (Musters) Rules, 1963.

(2) These Rules shall apply in respect of the following Classes of ships:—

(a) Nigerian ships ; and

(b) Other ships while they are within any port in Nigeria. But they shall not apply to a ship by reason of her being in a port in Nigeria if she would not have been in any such port but for stress of weather or any other circumstance that neither the master nor the owner nor the charterer, if any, of the ship could have prevented or forestalled.

Interpreta-
tion.

2. In these Rules, unless the context otherwise requires, the expression "muster" includes a boat-drill and a fire-drill.

Classifica-
tion of
ships.

3. For the purposes of these Rules ships shall be arranged in the same Classes in which they are arranged for the purposes of the Merchant Shipping (Lifesaving Appliances) Rules, 1963.

Preparation
of muster
list.

4.—(1) The Master of every ship of Classes I, II, III, V, VI and VII shall prepare a muster list showing in respect of each member of the crew the special duties which are allotted to him and the station to which he shall go in the event of an emergency, including duties and stations applicable for extinguishing fire.

(2) The muster list shall specify definite signals for calling all the crew to their boat and fire stations in an emergency, and for indicating when the ship is to be abandoned.

(3) The muster list shall assign duties to the different members of the crew in connection with—

(a) The closing of the watertight doors, valves and closing mechanism of scuppers, ash-shoots, etc.

(b) The equipment of the boats and buoyant apparatus generally ;

(c) The launching of the boats attached to davits ;

(d) The general preparation of any other boats and buoyant apparatus ;

(e) The muster of the passengers, if any ;

(f) The extinction of fire.

(4) The duty of seeing that the boats and buoyant apparatus and other lifesaving apparatus are at all times ready for use shall be assigned by the muster list to one or more officers.

(5) The muster list shall assign to the members of the stewards' department their several duties in relation to the passengers at a time of emergency. These duties shall include—

(a) Warning the passengers ;

(b) Seeing that they are suitably clad and have put on their lifejackets in a proper manner ;

- (c) Assembling the passengers at muster stations;
 - (d) Keeping order in the passages and on the stairways and, generally, controlling the movements of the passengers;
 - (e) Seeing that a supply of blankets is taken to the lifeboats.
- (6) The muster list shall be prepared or, if a new list is not necessary, revised after the Agreement with the crew has been signed and before the ship proceeds to sea, and shall be dated and signed by the Master.
- (7) If, after the muster list has been prepared, any change takes place in the crew which necessitates an alteration in the muster list, the Master shall either revise the list or prepare a new list.
- (8) Copies of the muster list shall be posted in several parts of the ship and, in particular, in the crew's quarters, before the ship proceeds to sea and shall be kept so posted while the ship is at sea.

5.—(1) Assembly stations for all passengers shall be appointed in the event of an emergency and the positions of those stations and the meaning of all signals affecting passengers shall be clearly stated in English and such other languages as are appropriate on cards posted in their cabins and in conspicuous places in other passenger quarters.

Emergency
signal for
passengers.

(2) The emergency signal for summoning passengers to the assembly stations shall be a succession of more than six short blasts followed by one long blast on the whistle or siren.

6.—(1) In ships of Class I a muster of the crew shall be held before the ship leaves her final port of departure in Nigeria and a muster of the passengers shall be held within twenty-four hours after leaving such port.

Training.

(2) In ships of Classes I, II and III musters of the crew shall take place at intervals of not more than seven days, when practicable, to ensure that the crew understand and are drilled in the duties assigned to them in the event of an emergency.

(3) In ships of Classes V, VI and VII musters of the crew shall take place at intervals of not more than fourteen days to ensure that the crew understand and are drilled in the duties assigned to them in the event of an emergency.

(4) In ships of Classes IV and VIII the Master shall take steps to ensure that the crew understand the uses of the life-saving equipment and fire appliances carried on board and know where they are kept.

(5) Different groups of boats shall be used in turn at successive boat drills. The drills and inspections shall be so arranged that the crew thoroughly understand and are practised in the duties they have to perform, and that all lifesaving appliances and fire appliances with the gear appertaining to them are always ready for immediate use.

MADE at Lagos this 13th day of June, 1963.

R. A. NJOKU,
Minister of Transport

EXPLANATORY NOTE

These Rules provide for the assignment of the duties to members of the crew in case of emergency, for training in those duties, and for the emergency signal for passengers. These duties include such provisions as appear to the Minister to be necessary to implement the provisions of the International Convention for the Safety of Life at Sea, 1948, relating to musters.