

Uniform Shipping Laws Code 2008

**Section 16: Collision Regulations
(CTH, NSW, NT, QLD, SA, TAS, VIC & WA)**

This is not the official version of the Uniform Shipping Laws Code.

The official version is that last published by the Australian Government Publishing Service, Canberra, copies of which can be obtained from the National Marine Safety Committee.

1. This Section is divided into Parts as follows:

Part 1 – Preliminary (Clauses 2-5)

The Schedule–The International Regulations for Preventing Collisions at Sea 1972.

PART 1–PRELIMINARY

2. This Section should be read in conjunction with the Introduction, Definitions and General Requirements Section, and shall apply to all vessels, both new and existing.

(Amendment dated 15 August 1995)

3. An obligation should be placed on the master, mate or the person concerned with the navigation, management or working of a vessel to comply with the International Collision Regulations as set out in the Schedule.

4. In this Section the definition of ‘vessel’ shall be that set out in The Schedule. *

* In any case where the International Collision Regulations are applied to air cushion vehicles, seaplanes, etc. by the other legislation, it would not be desirable to extend the definition of vessel as envisaged in this clause.

THE SCHEDULE

INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

PART A–GENERAL

RULE 1

Application

- (a) These Rules shall apply to all vessels upon the high seas and in all waters connected therewith navigable by seagoing vessels.
- (b) Nothing in these Rules shall interfere with the operation of special rules made by an appropriate authority for roadsteads, harbours, rivers, lakes or inland waterways connected with the high seas and navigable by seagoing vessels. Such special rules shall conform as closely as possible to these Rules.
- (c) Nothing in these Rules shall interfere with the operation of any special rules made by the Government of any State with respect to additional station or signal lights, shapes or additional station or signal lights or shapes for fishing vessels engaged in fishing as a fleet. These additional station or signal lights, shapes or whistle signals shall, so far as possible, be such that they cannot be mistaken for any light, shape or signal authorised elsewhere under these Rules.
- (d) Traffic separation schemes may be adopted by the Organisation for the purpose of these Rules.
- (e) Whenever the Government concerned shall have determined that a vessel 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, as well as to the disposition and characteristics of sound-signalling appliances, such vessel shall comply with such other provisions in regard to the number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, as her Government shall have determined to be the closest possible compliance with these Rules in respect to that vessel.

RULE 2

Responsibility

- (a) Nothing in these Rules shall exonerate any vessel, or the owner, master or crew thereof, from the consequences of any neglect to comply with these Rules or of the neglect of any precaution which may be required by the ordinary practice of seaman, or by the special circumstances of the case.

- (b) In construing and complying with these Rules due regard shall be had to all dangers of navigation and collision and to any special circumstances, including the limitations of the vessels involved, which may make a departure from these Rules necessary to avoid immediate danger.

RULE 3

General Definitions

For the purpose of these Rules, except where the context otherwise requires:

- (a) The word *vessel* includes every description of water craft, including non-displacement craft and seaplanes, used or capable of being used as a means of transportation on water.
- (b) The term *power-driven vessel* means any vessel propelled by machinery.
- (c) The term *sailing vessel* means any vessel under sail provided that propelling machinery, if fitted, is not being used.
- (d) The term *vessel engaged in fishing* means any vessel fishing with nets, lines, trawls or other fishing apparatus which restrict manoeuvrability, but does not include a vessel fishing with trolling lines or other fishing apparatus which do not restrict manoeuvrability.
- (e) The word *seaplane* includes any aircraft designed to manoeuvre on the water.
- (f) The term *vessel not under command* means a vessel which through some exceptional circumstances is unable to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel.
- (g) The term *vessel restricted in her ability to manoeuvre* means a vessel which from the nature of her work is restricted in her ability to manoeuvre as required by these Rules and is therefore unable to keep out of the way of another vessel.

The term *vessels restricted in their ability to manoeuvre* shall include but not be limited to:

- (i) a vessel engaged in laying, servicing or picking up a navigation mark, submarine cable or pipeline;
- (ii) a vessel engaged in dredging, surveying or underwater operations;
- (iii) a vessel engaged in replenishment or transferring persons, provision or cargo while underway;
- (iv) a vessel engaged in the launching or recovery of aircraft;
- (v) a vessel engaged in mineclearance operations;
- (vi) a vessel engaged in a towing operation such as severely restricts the towing vessel and her tow in their ability to deviate from their course.
- (h) The term *vessel constrained by her draught* means a power-driven vessel which because of her draught in relation to the available depth and width of navigable water, is severely restricted in her ability to deviate from the course she is following.
- (i) The word *underway* means that a vessel is not at anchor, or made fast to the shore, or aground.
- (j) The words *length* and *breadth* of a vessel mean her length overall and greatest breadth.
- (k) Vessels shall be deemed to be in sight of one another only when one can be observed visually from the other.
- (l) The term *restricted visibility* means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms or any other similar causes.

PART B—STEERING AND SAILING RULES

SECTION I—CONDUCT OF VESSELS IN ANY CONDITION OF VISIBILITY

RULE 4

Application

Rules in this Section apply in any condition of visibility.

RULE 5**Look-out**

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

RULE 6**Safe speed**

Every vessel shall at all times proceed at a safe speed so that she can take proper and effective action to avoid collision and be stopped within a distance appropriate to the prevailing circumstances and conditions.

In determining a safe speed the following factors shall be among those taken into account:

- (a) By all vessels:
 - (i) the state of visibility;
 - (ii) the traffic density including concentrations of fishing vessels or any other vessels;
 - (iii) the manoeuvrability of the vessel with special reference to stopping distance and turning ability in the prevailing conditions;
 - (iv) at night the presence of background light such as from shore lights or from back scatter of her own lights;
 - (v) the state of wind, sea and current, and the proximity of navigational hazards;
 - (vi) the draught in relation to the available depth of water.
- (b) Additionally, by vessels with operational radar:
 - (i) the characteristics, efficiency and limitations of the radar equipment;
 - (ii) any constraints imposed by the radar range scale in use;
 - (iii) the effect on radar detection of the sea state, weather and other sources of interference;
 - (iv) the possibility that small vessels, ice and other floating objects may not be detected by radar at an adequate range;
 - (v) the number, location and movement of vessels detected by radar;
 - (vi) the more exact assessment of the visibility that may be possible when radar is used to determine the range of vessels or other objects in the vicinity.

RULE 7**Risk of Collision**

- (a) Every vessel shall use all available means appropriate to the prevailing circumstances and conditions to determine if risk of collision exists. If there is any doubt such risk shall be deemed to exist.
- (b) Proper use shall be made of radar equipment if fitted and operational, including long-range scanning to obtain early warning of risk of collision and radar plotting or equivalent systematic observation of detected objects.
- (c) Assumptions shall not be made on the basis of scanty information, especially scanty radar information.
- (d) In determining if risk of collision exists the following considerations shall be among those taken into account:
 - (i) such risk shall be deemed to exist if the compass bearing of an approaching vessel does not appreciably change;
 - (ii) such risk may sometimes exist even when an appreciable bearing change is evident, particularly when approaching a very large vessel or a tow or when approaching a vessel at close range.

RULE 8**Action to avoid collision**

- (a) Any action taken to avoid collision shall, if the circumstances of the case admit, be positive, made in ample time and with due regard to the observance of good seamanship.
- (b) Any alteration of course and/or speed to avoid collision shall, if the circumstances of the case admit, be large enough to be readily apparent to another vessel observing visually or by radar; a succession of small alterations of course and/or speed should be avoided.
- (c) If there is sufficient sea room, alteration of course alone may be the most effective action to avoid a close-quarters situation provided that it is made in good time, is substantial and does not result in another close-quarters situation.
- (d) Action taken to avoid collision with another vessel shall be such as the result in passing at a safe distance. The effectiveness of the action shall be carefully checked until the other vessel is finally past and clear.
- (e) If necessary to avoid collision or allow more time to assess the situation, a vessel shall slacken her speed or take all way off by stopping or reversing her means of propulsion.
- (f) (i) A vessel which, by any of these rules, is required not to impede the passage or safe passage of another vessel shall, when required by the circumstances of the case, take early action to allow sufficient sea room for the safe passage of the other vessel.
- (ii) A vessel required not to impede the passage or safe passage of another vessel is not relieved of this obligation if approaching the other vessel so as to involve risk of collision and shall, when taking action, have full regard to the action which may be required by the rules of this part.
- (iii) A vessel the passage of which is not to be impeded remains fully obliged to comply with the rules of this part when the two vessels are approaching one another so as to involve risk of collision.

RULE 9**Narrow channels**

- (a) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway which lies on her starboard side as is safe and practicable.
- (b) A vessel of less than 20 metres in length or a sailing vessel shall not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway.
- (c) A vessel engaged in fishing shall not impede the passage of any other vessel navigating within a narrow channel or fairway.
- (d) A vessel shall not cross a narrow channel or fairway if such crossing impedes the passage of a vessel which can safely navigate only within such channel or fairway. The latter vessel may use the sound signal prescribed in Rule 34 (d) if in doubt as to the intention of the crossing vessel.
- (e) (i) In a narrow channel or fairway when overtaking can take place only if the vessel to be overtaken has to take action to permit safe passing, the vessel intending to overtake shall indicate her intention by sounding the appropriate signal prescribed in Rule 34 (c) (i). The vessel to be overtaken shall, if in agreement, sound the appropriate signal prescribed in Rule 34 (c) (ii) and take steps to permit safe passing. If in doubt she may sound the signals prescribed in Rule 34 (d).
- (ii) This Rule does not relieve the overtaking vessel of her obligation under Rule 13.
- (f) A vessel nearing a bend or an area of a narrow channel or fairway where other vessels may be obscured by an intervening obstruction shall navigate with particular alertness and caution and shall sound the appropriate signal prescribed in Rule 34 (e).
- (g) Any vessel shall, if the circumstances of the case admit, avoid anchoring in a narrow channel.