



Jersey

**BOATS AND SURF-RIDING (CONTROL)
(JERSEY) REGULATIONS 1969**

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Jersey

BOATS AND SURF-RIDING (CONTROL) (JERSEY) REGULATIONS 1969¹

THE STATES, in exercise of the powers conferred upon them by the Order in Council of 26th December 1851,² Article 92 of the Road Traffic (Jersey) Law 1956,³ and Article 4 of the Harbours (Administration) (Jersey) Law 1961,⁴ have made the following Regulations

Commencement [[see endnotes](#)]

PART 1

PROVISIONS AS TO SURF-RIDING

1

In this Part –

“Hawaiian-type surf board” means a board measuring more than 5 feet in length or a board to which is attached a fin (commonly known as a “skeg”) or fins for steering purposes;⁵

“Minister” means the Minister for Economic Development;

“registered” means registered under this Part of these Regulations.

2

- (1) No person shall ride the surf in any boat or in or on any other thing, between the hours of 10 am and 7 pm on any day during the period of the year beginning on 30th April and ending on 1st October, except in or on a –
- (a) boat or thing measuring not more than 5 feet in length and 2 feet in width to which no fin (commonly known as a “skeg”) or fins is or are attached for steering purposes;

- (b) board, not being an Hawaiian type surf-board, measuring not more than 5 feet in length and 2 feet in width; or
 - (c) thing made mainly of inflatable material to which no fin (commonly known as a “skeg”) or fins is or are attached for steering purposes.⁶
- (2) Notwithstanding the provisions of paragraph (1), it shall not be unlawful to ride the surf within such areas as shall be determined by the Minister, and which shall be marked in such manner as the Harbour Master may direct.⁷
 - (3) A determination under paragraph (2) shall authorize the Harbour Master at the Harbour Master’s discretion from time to time to extend any of the areas so determined.⁸
 - (4) In exercising discretion under paragraph (3) the Harbour Master shall take into account prevailing weather conditions and the number of other persons in or on, or likely to be in or on, the sea in that area.⁹
 - (5) An area extended by the Harbour Master pursuant to paragraph (3) shall be marked in the manner provided by paragraph (2).¹⁰
 - (6) No person shall use or cause or permit any other person to use, for the purpose of riding the surf, a boat, board or thing, other than a boat, board or thing exempt by virtue of paragraph (1) from the provisions of that paragraph, unless it is registered with the Minister and bears the appropriate registration number assigned under paragraph (10).¹¹
 - (7) An application for registration shall be in such form as the Minister may require and shall be accompanied by a fee of £14.50 and by evidence that there is in force in relation to the boat, board or thing a policy of insurance which, subject to any restrictions and conditions specified, insures, in an amount not less than that which may from time to time be fixed by the Minister, the owner of the boat, board or thing against all liability which may be incurred by any person using the boat, board or thing for the purpose of riding the surf in respect of the death of, or bodily injury to, any other person caused by, or arising out of, such use of the boat, board or thing, and the Minister shall not register a boat, board or thing until such evidence as aforesaid is produced.¹²
 - (8) The Minister may from time to time require the owner of a boat, board or thing to produce such evidence as aforesaid and where any such evidence required to be produced is not produced within the time specified in the requirement, the Minister shall cancel the registration.¹³
 - (9) On the sale or other change of ownership of a registered boat, board or thing, the registration shall become void and the transferee shall, within 7 days of the sale or other change of ownership, register the boat, board or thing with the Minister.¹⁴
 - (10) Subject to the foregoing provisions of this Regulation, the Minister shall, on receipt of an application for registration, assign a registration number to the boat, board or thing and shall register the name and address of the owner and the registration number so assigned in a register to be kept by the Minister for the purpose, and shall issue a certificate of registration and an adhesive disc, of such form and colour as the Minister may

determine, bearing the registration number so assigned:

Provided that, in a case to which paragraph (9) applies, the Minister shall not assign to the boat, board or thing a registration number other than that assigned immediately before the sale or other change of ownership.¹⁵

- (11) A registration, unless this previously becomes void, shall remain in force until 31st January next following the day on which it is granted.¹⁶
- (12) The owner of a registered boat, board or thing shall cause the registration number assigned to it under paragraph (10) to be affixed to it by means of the adhesive disc issued by the Minister in accordance with that paragraph.¹⁷
- (13) The foregoing provisions of this Regulation shall not prohibit the use of any boat, board or other thing in any life-saving operation.

3

If any person acts in contravention of this Part of these Regulations he or she shall be liable to a fine not exceeding £200.¹⁸

PART 2¹⁹

REGISTRATION OF SAIL BOARDS

4

In this Part –

“Minister” means the Minister for Economic Development;

“registered” means registered under this Part of these Regulations;

“sail board” means a board –

- (a) propelled by means of a sail fixed to a hand-held mast which is attached to the board by a universal joint; and
- (b) equipped with a fin or fins for steering purposes.

5

- (1) No person shall use, or cause or permit any other person to use, a sail board unless the board is registered with the Minister and bears the appropriate registration number assigned to it under paragraph (5).
- (2) An application for registration shall be in such form as the Minister may require and shall be accompanied by a fee of £14.50 and by evidence that there is in force in relation to the sail board a policy of insurance which, subject to any restrictions and conditions specified, insures, in an amount not less than that which may from time to time be fixed by the Minister, the owner of the sail board against all liability which may be incurred by any person using the board in respect of the death of, or bodily injury to,

any other person caused by, or arising out of, such use of the board, and the Minister shall not register a sail board until such evidence as aforesaid is produced.²⁰

- (3) The Minister may from time to time require the owner of a sail board to produce such evidence as aforesaid and, where any such evidence required to be produced is not produced within the time specified in the requirement, the Minister shall cancel the registration.
- (4) On the sale or other change of ownership of a registered sail board, the registration shall become void and the transferee shall, within 7 days of the sale or other change of ownership, register the sail board with the Minister.
- (5) Subject to the previous paragraphs of this Regulation, the Minister shall, on receipt of an application for registration, assign a registration number to the sail board and shall register the name and address of the owner and the registration number so assigned in a register to be kept by the Minister for the purpose, and shall issue a certificate of registration and an adhesive disc, of such form and colour as the Minister may determine, bearing the registration number so assigned:

Provided that, in a case to which paragraph (4) applies, the Minister shall not assign to the sail board a registration number other than that assigned immediately before the sale or other change of ownership.

- (6) The owner of a registered sail board shall cause the registration number assigned under paragraph (5) to be affixed to the board by means of the adhesive disc issued by the Minister in accordance with that paragraph.
- (7) Subject to paragraphs (3) and (4), a registration shall remain in force until 31st January next following the day on which it is granted.²¹
- (8) The foregoing provisions of this Regulation shall not prohibit the use of a sail board in any life-saving operation.
- (9) No person shall sail or operate a sail board recklessly or in a manner which is dangerous to other persons in or on the sea.²²
- (10) No person shall sail or operate a sail board without due care and attention or without reasonable consideration for other persons in or on the sea.²³

6

Any person who acts in contravention of this Part shall be liable to a fine not exceeding £200.²⁴

PART 3

REGISTRATION OF BOATS

7

In this Part –

“boat” means every description of vessel of 8 feet or over in overall length used or intended to be used in navigation by whatever means propelled, but excludes –

- (a) any boat registered under Part 6;
- (b) any canoe;

“Minister” means the Minister for Economic Development;

“registered” means registered under this Part.

8

- (1) Every boat owned by a person ordinarily resident in Jersey shall be registered with the Minister.
- (2) An application for registration shall be in such form as the Minister may require and shall be accompanied by a fee of £14.50.²⁵
- (3) The Minister shall, on receipt of an application for registration, register the name and address of the owner or owners and if there are more owners than one, the proportion of their respective shareholdings, and the name of the boat in a register to be kept by the Minister for that purpose, and shall issue a certificate of registration.
- (4) The owner of a registered boat shall cause the name of the boat to be painted or affixed on a conspicuous part of the exterior of the boat and shall cause the same to be kept plainly and distinctly visible and legible at all times while the boat is at sea.

9

On the sale or other change of ownership of a registered boat, the registration shall become void and the transferee shall, within 7 days of the sale or other change of ownership, make application for registration, in accordance with the provisions of Regulation 2 and shall submit with the application a written notification signed by the transferor of the change of ownership of the boat.²⁶

10

If any person contravenes the provisions of this Part, he or she shall be liable to a fine not exceeding £200.²⁷

PART 4

CONTROL OF BOATS PLYING FOR HIRE

11

In this Part –

“beach” means a sea beach and includes a slipway;

“boat” includes –

- (a) every description of vessel used or intended to be used in navigation by whatever means propelled; and
- (b) floats,

but excludes a passenger boat as defined in Part 5;

“licence” means a licence granted by the competent authority under this Part.

12

No person shall let any boat on hire or carry passengers for hire in any boat, unless he or she is the holder of a licence authorizing him or her to do so.

13

- (1) An application for a licence shall be in such form as the Minister may require and shall be delivered to the Harbour Master who shall cause the boat to which the application relates to be surveyed.
- (2) The fees payable for each inspection of a boat for the purposes of survey under this Regulation shall be calculated in the following manner –
 - (a) for each person who is engaged on the inspection, a fee at the rate of £39.06 per hour shall be payable; and
 - (b) the time spent by a person on an inspection shall be calculated to the nearest hour.²⁸

14

- (1) If the report of the survey is satisfactory, the Minister may grant a licence to the applicant but in so doing shall take into account any recommendation made by the Harbour Master in the matter.
- (2) A fee of £16.75 shall be payable on the grant of a licence.²⁹

15

Any licence may be granted subject to such conditions as the Minister thinks fit to impose and every licence shall, in particular, specify the date on which the licence is to come into force, the number of boats to which the licence relates and the place from which and the area within which they may operate and the number of persons (including the crew, if any) who may be carried on each boat.³⁰

16

- (1) A licence may be revoked, suspended or varied by the Minister at any time and, unless revoked, shall remain in force until 31st January next following the date on which it is granted.³¹

- (2) Before revoking, suspending or varying a licence, the Minister shall give the holder of the licence an opportunity to be heard.³²

17³³

- (1) Where the Minister refuses to grant a licence, grants a licence subject to conditions or revokes, suspends or varies a licence, he or she shall notify the applicant for or holder of the licence of the reasons for the Minister's decision.
- (2) An applicant for a licence shall have a right of appeal to the Royal Court against –
 - (a) a refusal to grant a licence; or
 - (b) the conditions subject to which a licence is granted.
- (3) The holder of a licence shall have a right of appeal to the Royal Court against the revocation, suspension or variation of his or her licence.
- (4) An appeal may only be made within 28 days of the applicant for or holder of the licence being notified by the Minister of the reasons for the Minister's decision.
- (5) Upon hearing an appeal, the Royal Court may uphold the decision of the competent authority or substitute its own decision.

18

The holder of a licence shall cause his or her own name, the name of the boat and the number of persons (including the crew, if any) who may be carried on the boat, as specified in the licence, to be painted or marked on a conspicuous part of the boat and shall cause the same to be kept plainly and distinctly visible at all times while the boat is at sea.

19

The holder of a licence shall not employ any person to act as a member of the crew of a boat to which the licence relates unless the Harbour Master is satisfied that such person is competent to act in that capacity.

20

The holder of a licence shall not use, nor cause or permit to be used, any fuel other than paraffin or diesel oil for the propulsion of a boat to which the licence relates if it is propelled by an in-board engine.

21

- (1) If any person –
 - (a) acts in contravention of this Part; or

- (b) being the holder of a licence, acts in contravention of, or fails to comply with, the conditions of the licence,
he or she shall be liable to a fine not exceeding £200.³⁴
- (2) Where any person is convicted of an offence against this Part, the court may order that person to be disqualified for holding or obtaining a licence for such period (not exceeding 6 months) as the court thinks fit and any licence held or obtained by that person while so disqualified shall be of no effect.
- (3) Where an offence for which the holder of a licence is liable under this Part has, in fact, been committed by some manager, agent, servant or other person, the manager, agent, servant or other person, as well as the holder of the licence shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

22

Nothing in this Part shall be deemed to repeal or affect the provisions of any other enactment.

PART 5**CONTROL OF PASSENGER BOATS PLYING FOR HIRE BETWEEN PLACES IN JERSEY****23**

- (1) In this Part—
“beach” means a sea beach and includes a slipway;
“licence” means a licence granted by the Minister under this Part;
“passenger boat” means a boat designed to carry more than 12 passengers.³⁵
- (2) Where a passenger boat carries passengers and returns to its place of departure without putting in at any other place during its voyage, it shall, for the purposes of this Part, be deemed to be carrying passengers between places in Jersey.

24

No person shall carry passengers for hire in a passenger boat between any places in Jersey unless he or she is the holder of a licence authorizing him or her to do so.

25

An application for a licence shall be in such form as the Minister may require and shall be accompanied by the passenger ship's certificate in relation to the passenger boat.³⁶

26

- (1) Any licence may be granted subject to such conditions as the Minister thinks fit to impose, and every licence shall, in particular, specify the date on which the licence is to come into force and the places between which, or the area within which, the passenger boat may operate.³⁷
- (2) A fee of £16.75 shall be payable on the grant of a licence.³⁸

27

- (1) A licence may be revoked, suspended or varied by the Minister at any time, and, unless revoked, shall remain in force until 31st January next following the date on which it is granted.³⁹
- (2) Before revoking, suspending or varying a licence, the Minister shall give the holder of the licence an opportunity to be heard.⁴⁰

28⁴¹

- (1) Where the Minister refuses to grant a licence, grants a licence subject to conditions or revokes, suspends or varies a licence, he or she shall notify the applicant for or holder of the licence of the reasons for the Minister's decision.
- (2) An applicant for a licence shall have a right of appeal to the Royal Court against –
 - (a) a refusal to grant a licence; or
 - (b) the conditions subject to which a licence is granted.
- (3) The holder of a licence shall have a right of appeal to the Royal Court against the revocation, suspension or variation of his or her licence.
- (4) An appeal may only be made within 28 days of the applicant for or holder of the licence being notified by the competent authority of the reasons for its decision.
- (5) Upon hearing an appeal, the Royal Court may uphold the decision of the Minister or substitute its own decision.

29

- (1) If any person –
 - (a) acts in contravention of this Part; or

- (b) being the holder of a licence, acts in contravention of, or fails to comply with, the conditions of the licence,
he or she shall be liable to a fine not exceeding £200.⁴²
- (2) Where any person is convicted of an offence against this Part, the court may order him or her to be disqualified for holding or obtaining a licence for such period (not exceeding 6 months) as the court thinks fit, and any licence held or obtained by that person while so disqualified shall be of no effect.
- (3) Where an offence for which the holder of a licence is liable under this has, in fact, been committed by some manager, agent, servant or other person, the manager, agent, servant or other person, as well as the holder of the licence, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

30

Nothing in this Part shall be deemed to repeal or affect the provisions of any other enactment.

PART 6**REGISTRATION AND MARKING OF SPEED BOATS****31**

- (1) In this Part, unless the context otherwise requires –
“Minister” means the Minister for Economic Development;
“registered” means registered under this Part of these Regulations;
“speed boat” means a vessel which –
- (a) is mechanically propelled;
- (b) is under 30 feet in overall length; and
- (c) is designed for or capable of travelling on the sea at a speed in excess of 12 knots.⁴³
- (2) Where a speed boat has been hired out for any period exceeding 14 days to any other person by the owner and no employee of the owner is an operative member of the crew of the boat, this Part shall have effect as if for references to the owner there were substituted references to the person to whom the boat has been so hired out.

32

- (1) No person shall use, or cause or permit any other person to use, in the territorial waters of Jersey, any speed boat unless the boat is registered with the Minister.

- (2) If any person contravenes the provisions of paragraph (1), he or she shall be liable, in the case of a first offence, to a fine not exceeding £300, and in the case of a second or subsequent offence, to a fine not exceeding £500.⁴⁴
- (3) Where any person is convicted of a second or subsequent offence against the provisions of paragraph (1), the court may order that he or she be disqualified for driving a speed boat for such period as the court thinks fit, and if any person drives a speed boat whilst so disqualified, he or she shall be liable to a fine not exceeding £1,000 or to imprisonment for a term not exceeding 6 months or to both such fine and such imprisonment.⁴⁵

33

- (1) An application for registration shall be in such form as the Minister may require and shall be accompanied by a fee of £14.50 and by the evidence referred to in Regulation 35(3).⁴⁶
- (2) Subject to the provisions of Regulation 35(4) the Minister shall, on receipt of an application for registration, assign a number to the speed boat named and register the name and address of the owner or owners, and if there are more owners than one the proportions of their respective shareholdings, the name of the speed boat and the number so assigned in a register to be kept by the Minister for that purpose and shall issue a certificate of registration.
- (3) A registration unless this previously becomes void, shall remain in force until 31st January next following the day on which it is granted.⁴⁷

34

- (1) On the sale or other change of ownership of a registered speed boat, the registration shall become void and the transferee shall, within 7 days of the sale or other change of ownership, make application for registration in accordance with the provisions of Regulation 33(1) and shall submit with the application a written notification signed by the transferor of the change of ownership of the boat.⁴⁸
- (2) If any person fails to comply with the requirements of this Regulation he or she shall be liable to a fine not exceeding £200.⁴⁹

35

- (1) No person shall use or cause or permit any other person to use, in the territorial waters of Jersey any speed boat unless there is in force in relation to the user of that boat by that person or that other person, as the case may be, a policy of insurance issued by a person or body of persons carrying on marine insurance business in Great Britain or the Channel Islands, the policy being one which, subject to any restrictions or conditions specified therein, insures in an amount not less than that which

may from time to time be fixed by the Minister the owner of the boat against all liability which may be incurred by any person in respect of loss or damage caused to persons or property in or on the water, while the boat is at sea, including any liability to or incurred by any person engaged in water skiing, aquaplaning, parasailing or similar sport while being towed by the boat, or preparing to be towed.⁵⁰

- (2) A person, or as the case may be, his or her estate shall not be entitled to benefit from the provisions of paragraph (1) in relation to any claim made in respect of such loss or damage as aforesaid, against the person who at the time of the happening of the event giving rise to the claim was the owner of the boat, or his or her estate, if it can be shown that at that time the boat was in the possession or control of some other person without the authority or permission of the owner.
- (3) Every application for registration shall be accompanied by evidence that such a policy of insurance as is referred to in paragraph (1) is in force, and the Minister may from time to time require the owner of a registered speed boat to produce such evidence as aforesaid within such time as may be specified in the requirement.
- (4) The Minister shall not register a speed boat until such evidence as aforesaid is produced and where any such evidence required to be produced in relation to a registered speed boat is not produced within the time specified in the requirement, the Minister shall cancel the registration.
- (5) If any person acts in contravention of paragraph (1), he or she shall be liable to a fine not exceeding £500 or to imprisonment for a term not exceeding 3 months or to both such fine and such imprisonment.⁵¹
- (6) Where any person is convicted of an offence against this Regulation, the court may order that he or she be disqualified for driving a speed boat for such period as the court thinks fit, and if any person drives a speed boat whilst so disqualified, he or she shall be liable to a fine not exceeding £1,000 or to imprisonment for a term not exceeding 6 months or to both such fine and such imprisonment.⁵²

36

- (1) The owner of a registered speed boat shall cause the number assigned to the boat in accordance with Regulation 33(2) to be painted or marked on the outer surface of each side of the hull in a place where it will be visible at all times when the boat is under way and in conformity with the requirements of the Schedule and shall cause the same to be kept plainly and distinctly visible and legible at all times while the boat is at sea.⁵³
- (2) If any person fails to comply with any of the requirements of this Regulation he or she shall be liable to a fine not exceeding £100.⁵⁴

PART 7**RESTRICTIONS ON SPEED, DRIVING AND NOISE****37**

- (1) Except under the authority of a permit granted by or on behalf of the Minister and in accordance with any conditions attaching thereto, no person shall cause or permit any boat to proceed at a speed in excess of 5 knots –
 - (a) within any harbour, at any time;
 - (b) in any bay at any time in any case where the boat is being used to tow a person engaged in parascending;
 - (c) within 200 yards of the water's edge in any bay between the hours of 10 am and 7 pm on any day during the period of the year beginning on 1st May and ending on 31st October; or
 - (d) within 200 yards of the water's edge in any bay at any other time except in any case where the boat is being used to tow a person engaged in water skiing, and then only at the start of such tow.⁵⁵
- (2) Whether or not a person has the authority of a permit referred to in paragraph (1), he or she shall not cause or permit a jet-ski or surf jet or any similar kind of boat to proceed at a speed of more than 5 knots in any of the following waters that are territorial waters of Jersey–
 - (a) any waters in or around Les Écréhous that are 10 metres or less in depth (as indicated on the Admiralty Chart numbered 3655 published on 18th December 1987 under the superintendence of the Hydrographer of the Navy);
 - (b) any waters in or around Les Dirouilles that are 10 metres or less in depth (as indicated on that chart);
 - (c) any waters in or around Les Minquiers that are 5 metres or less in depth (as indicated on the Admiralty Chart numbered 3656 published on 9th January 1987 under the superintendence of the Hydrographer of the Navy);
 - (d) any waters of St. Aubin's Bay that lie generally to the west of a line that is drawn from the south end of La Haute Slip straight to Platte Rock beacon (being the beacon at that Platte Rock which lies north-east of Grosse Rock) and from there straight to Point de Bût;
 - (e) any waters of Bouley Bay that lie to the southern side of the shortest line drawn between Vicard Point and La Tour de Rozel;
 - (f) any waters of St. Brelade's Bay that lie to the northern side of the shortest line drawn between Grosse Tête and La Cotte Point.⁵⁶
- (3) This Regulation shall not apply to any boat while it is being used on any life-saving operation.

- (4) If any person acts in contravention of this Regulation, he or she shall be liable to a fine not exceeding £500 or to imprisonment for a term not exceeding 3 months or to both such fine and such imprisonment.⁵⁷
- (5) Where any person is convicted of an offence against this Regulation the court may order him or her to be disqualified for driving a speed boat for such period as the court thinks fit and if any person drives a speed boat whilst so disqualified, he or she shall be liable to a fine not exceeding £1,000 or to imprisonment for a term not exceeding 6 months or to both such fine and such imprisonment.⁵⁸

38

- (1) No person shall drive a speed boat recklessly or at a speed or in a manner which is dangerous to other persons in or on the sea.
- (2) No person shall drive a speed boat without due care and attention or without reasonable consideration for other persons in or on the sea.
- (3) No person shall drive a speed boat which is towing a person engaged in water skiing, aquaplaning, parascending or other similar sport unless he or she is accompanied in the boat by another person with experience of the particular sport whose function is to watch over the person being towed.⁵⁹
- (4) No person shall when operating a jet-ski or surf jet or any similar type of craft tow a person for the purpose of water-skiing, aquaplaning, parascending or other similar sport.⁶⁰
- (5) If any person acts in contravention of this Regulation he or she shall be liable –
 - (a) in the case of an offence against paragraph (1) or (3) to a fine not exceeding £500 or to imprisonment for a term not exceeding 4 months or to both such fine and such imprisonment;
 - (b) in the case of an offence against paragraph (2), to a fine not exceeding £300 or to imprisonment for a term not exceeding 3 months or to both such fine and such imprisonment.⁶¹
- (6) Where any person is convicted of an offence against this Regulation the court may order that he or she be disqualified for driving a speed boat for such period as the court thinks fit, and if any person drives a speed boat whilst so disqualified, he or she shall be liable to a fine not exceeding £1,000 or to imprisonment for a term not exceeding 6 months or to both such fine and such imprisonment.⁶²

39

In Regulations 37 and 38 “speed boat” has the same meaning as in Part 6.

40

- (1) No person shall use, or cause or permit any other person to use, any boat engine –

- (a) unless it is fitted with a silencer, expansion chamber or other contrivance suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of exhaust gases;
- (b) which causes any excessive noise either directly or indirectly as a result of any defect (including a defect in design or construction), lack of repair or faulty adjustment in the engine or any part or accessory of the engine; or
- (c) in such manner as to cause any excessive noise which would have been avoided by the exercise of reasonable care:

Provided that it shall be a good defence to proceedings taken under subparagraph (b) –

- (i) to prove that the noise or continuance of the noise in respect of which the proceedings are taken was due to some temporary or accidental cause and could not have been prevented by the exercise of due diligence and care on the part of the owner or person in charge of the boat,
 - (ii) in the case of proceedings against the person in charge of the boat who is not the owner, to prove that the noise arose through a defect in design or construction of the engine or through the negligence or fault of some other person, whose duty it was to keep the boat in proper condition or in a proper state of repair or adjustment, as the case may be, and could not have been prevented by the exercise of reasonable diligence and care on the part of such person in charge of the boat.
- (2) If any person acts in contravention of any of the provisions of this Regulation, he or she shall be liable to a fine not exceeding £100.⁶³
 - (3) In this Regulation, “boat engine” means an engine used for the propulsion of a boat.

41

In this Part, “boat” means every description of vessel used in navigation by whatever means propelled.

PART 8

GENERAL

42

Any register required to be kept by virtue of these Regulations shall be available for inspection by the public at all reasonable hours.

43

Nothing in these Regulations shall be deemed to apply to any boat belonging to Her Majesty or any department of Her Majesty's Government, or the States or any administration of the States.

44 Exemptions

The Minister may at his or her absolute discretion exempt any person or thing from any of the provisions of these Regulations subject to the conditions that the Minister thinks fit.

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The power conferred on any authority to suspend a licence under these Regulations may be exercised by the Harbour Master, or by any person authorized by him or her to exercise such power and where the Harbour Master or any such person suspends a licence, he or she shall report the fact to that authority within 48 hours, which authority shall consider the matter within 7 days of the receipt of the report and the suspension shall remain in force until removed by that authority.

46

These Regulations may be cited as the Boats and Surf-Riding (Control) (Jersey) Regulations 1969.

SCHEDULE

(Regulation 36)

REQUIREMENTS AS TO NUMBERS ON REGISTERED SPEED BOATS⁶⁴

1. Every number shall be preceded by the letters "JY".
2. The letters and number shall be in black on a white ground.
3. Every letter and numeral shall be 6 inches high and every part thereof shall be 1¼ inches broad.
4. Except in the case of the numeral "1", the total width of the space taken by each letter or numeral shall be 3 inches.
5. The space between the nearest part of any letter or numeral and the nearest part of another letter or numeral shall be one inch.
6. There shall be a margin of at least 3 inches between the nearest part of any letter or numeral and the top or bottom of the white ground on which the letters and number appear and of at least 2 inches between the nearest parts of any letter or numeral and the sides of such ground.

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement
Boats and Surf-riding (Control) (Jersey) Regulations 1969	R&O.5239	5 July 1969
Boats and Surf-riding (Control) (Amendment) (Jersey) Regulations 1971	R&O.5550	10 July 1971
Boats and Surf-riding (Control) (Amendment No. 2) (Jersey) Regulations 1972	R&O.5634	22 March 1972
Boats and Surf-riding (Control) (Amendment No. 3) (Jersey) Regulations 1976	R&O.6352	3 November 1976
Boats and Surf-riding (Control) (Amendment No. 4) (Jersey) Regulations 1984	R&O.7268	1 April 1984
Boats and Surf-riding (Control) (Amendment No. 5) (Jersey) Regulations 1987	R&O.7649	29 July 1987
Boats and Surf-riding (Control) (Amendment No. 6) (Jersey) Regulations 1987	R&O.7688	28 October 1987
Boats and Surf-riding (Control) (Amendment No. 8) (Jersey) Regulations 1991	R&O.8312	1 January 1992
Boats and Surf-riding (Control) (Amendment No. 10) (Jersey) Regulations 1994	R&O.8674	27 April 1994
Boats and Surf-Riding (Control) (Amendment No. 13) (Jersey) Regulations 1996	R&O.8951	4 July 1996
Boats and Surf-riding (Control) (Amendment No. 15) (Jersey) Regulations 1997	R&O.9049	1 March 1997
Boats and Surf-riding (Control) (Amendment No. 18) (Jersey) Regulations 1999	R&O.9417	11 July 1999
Boats and Surf-riding (Control) (Amendment No. 21) (Jersey) Regulations 2001	R&O.176/2001	1 January 2002
Boats and Surf-riding (Control) (Amendment No. 22) (Jersey) Regulations 2002	R&O.3/2002	1 February 2002
Boats and Surf-Riding (Control) (Amendment No. 23) (Jersey) Regulations 2002	R&O.113/2002	8 October 2002

Legislation	Year and No	Commencement
Boats and Surf-Riding (Control) (Amendment No. 24) (Jersey) Regulations 2002	R&O.174/2002	1 January 2003
Boats and Surf-Riding (Control) (Amendment No. 25) (Jersey) Regulations 2003	R&O.152/2003	1 January 2004
Boats and Surf-Riding (Control) (Amendment No. 26) (Jersey) Regulations 2004	R&O.41/2004	1 June 2004
States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 2005	R&O.50/2005	9 December 2005
States of Jersey (Amendments and Construction Provisions No. 12) (Jersey) Regulations 2005	R&O.133/2005	9 December 2005

Table of Renumbered Provisions

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41	spent, omitted from this revised edition
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SECOND SCHEDULE	spent, omitted from this revised edition

Table of Endnote References

- ¹ *These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 2005 and the States of Jersey (Amendments and Construction Provisions No. 12) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*
- ² *chapter 23.350*
- ³ *chapter 25.550*
- ⁴ *chapter 19.060*
- ⁵ *Regulation 1 definition “Hawaiian-type surfboard” substituted by R&O.5550*
- ⁶ *Regulation 2(1) amended by R&O.5550, R&O.8674*
- ⁷ *Regulation 2(2) amended by R&O.7268, R&O.8674*
- ⁸ *Regulation 2(3) inserted by R&O.8674*
- ⁹ *Regulation 2(4) inserted by R&O.8674*
- ¹⁰ *Regulation 2(5) inserted by R&O.8674*
- ¹¹ *Regulation 2(6) amended by R&O.5550, R&O.8674*
- ¹² *Regulation 2(7) amended by R&O.6352, R&O.7688, R&O.8674, R&O.176/2001, R&O.174/2002, R&O.152/2003*
- ¹³ *Regulation 2(8) amended by R&O.8674*
- ¹⁴ *Regulation 2(9) amended by R&O.8674*
- ¹⁵ *Regulation 2(10) amended by R&O.5550, R&O.8674*
- ¹⁶ *Regulation 2(11) amended by R&O.8312*
- ¹⁷ *Regulation 2(12) amended by R&O.5550, R&O.8674*
- ¹⁸ *Regulation 3 amended by R&O.7688*
- ¹⁹ *Part 2 inserted by R&O.7268*
- ²⁰ *Regulation 5(2) amended by R&O.7688, R&O.176/2001, R&O.174/2002, R&O.152/2003*
- ²¹ *Regulation 5(7) amended by R&O.8312*
- ²² *Regulation 5(9) inserted by R&O.8312*
- ²³ *Regulation 5(10) inserted by R&O.8312*
- ²⁴ *Regulation 6 amended by R&O.7688*
- ²⁵ *Regulation 8(2) amended by R&O.6352, R&O.7688, R&O.176/2001, R&O.174/2002, R&O.152/2003*
- ²⁶ *Regulation 9 substituted by R&O.5634*
- ²⁷ *Regulation 10 amended by R&O.7688*
- ²⁸ *Regulation 13(2) substituted by R&O.174/2002; original paragraph amended by R&O.6352, substituted by R&O.7688, R&O.176/2001, R&O.152/2003*
- ²⁹ *Regulation 14(2) amended by R&O.7688, R&O.176/2001, R&O.174/2002, R&O.152/2003*
- ³⁰ *Regulation 15 amended by R&O.5550*
- ³¹ *Regulation 16(1) amended by R&O.5550, R&O.8312*
- ³² *Regulation 16(2) inserted by R&O.113/2002*
- ³³ *Regulation 17 inserted by R&O.113/2002*
- ³⁴ *Regulation 21(1) amended by R&O.7688*
- ³⁵ *Regulation 23(1) amended by R&O.41/2004*
- ³⁶ *Regulation 25 amended by R&O.41/2004*
- ³⁷ *Regulation 26(1) amended by R&O.5550*
- ³⁸ *Regulation 26(2) amended by R&O.7688, R&O.176/2001, R&O.174/2002, R&O.152/2003*
- ³⁹ *Regulation 27(1) amended by R&O.5550, R&O.8312*
- ⁴⁰ *Regulation 27(2) inserted by R&O.113/2002*
- ⁴¹ *Regulation 28 inserted by R&O.113/2002*
- ⁴² *Regulation 29(1) amended by R&O.7688*

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- ⁴³ Regulation 31(1) definition "speed boat" substituted by R&O.41/2004; former definition amended by R&O.7268, R&O.9049, substituted by R&O.3/2002
- ⁴⁴ Regulation 32(2) substituted by R&O.5634, amended by R&O.7688
- ⁴⁵ Regulation 32(3) substituted by R&O.5634, amended by R&O.7688
- ⁴⁶ Regulation 33(1) amended by R&O.6352, R&O.7688, R&O.176/2001, R&O.174/2002, R&O.152/2003
- ⁴⁷ Regulation 33(3) amended by R&O.8312
- ⁴⁸ Regulation 34(1) substituted by R&O.5634
- ⁴⁹ Regulation 34(2) amended by R&O.7688
- ⁵⁰ Regulation 35(1) amended by R&O.7649
- ⁵¹ Regulation 35(5) amended by R&O.7688
- ⁵² Regulation 35(6) amended by R&O.7688
- ⁵³ Regulation 36(1) amended by R&O.5634, R&O.8312
- ⁵⁴ Regulation 36(2) amended by R&O.7688
- ⁵⁵ Regulation 37(1) amended by R&O.7649
- ⁵⁶ Regulation 37(2) substituted by R&O.9417; former paragraph inserted by R&O.8951
- ⁵⁷ Regulation 37(4) amended by R&O.7688
- ⁵⁸ Regulation 37(5) amended by R&O.7688
- ⁵⁹ Regulation 38(3) inserted by R&O.6352, amended by R&O.7649
- ⁶⁰ Regulation 38(4) inserted by R&O.8312
- ⁶¹ Regulation 38(5) amended by R&O.6352, R&O.7688
- ⁶² Regulation 38(6) amended by R&O.7688
- ⁶³ Regulation 40(2) amended by R&O.7688
- ⁶⁴ Schedule substituted by R&O.5634