



PORTLAND HARBOUR AUTHORITY LIMITED

By virtue of section 16 of the Portland Harbour Revision Order 1997
Portland Harbour Authority Limited as the Harbour Authority
gives the following Direction:



GENERAL DIRECTION

No 1 of 2022

PORTLAND HARBOUR TRANSFER OF OIL, LIQUID AND LIQUID GAS CARGOES BETWEEN VESSELS

1. Preliminary

- 1.1 **Purpose** These Directions are given for the purpose of promoting or securing conditions conducive to the ease, convenience, and safety of navigation and the safety of persons and property in the Harbour.
- 1.2 **Application to the Harbour** These General Directions apply to the whole of the harbour at all times.
- 1.3 **Application to vessels** Save for paragraph 14 of these General Directions, these General Directions apply to Visiting Vessels. Paragraph 14 applies to all Vessels.
- 1.4 **Best practice** These General Directions are not intended to replace or contradict any International or Industry best practice.
- 1.5 **Priority** In the event of any conflict arising between the provisions of these General Directions and the documents annexed to these General Directions or any Special Directions:
 - 1.5.1 Special Directions shall take priority over all others.
 - 1.5.2 General Directions shall take priority over the annexed documents.

In the event of any conflict arising between the provisions of these General Directions and the procedures of Visiting Vessels, the matter shall be referred to the Harbour Master whose decision shall be final.

- 1.6 **Offence** Pursuant to article 19 of the Portland Harbour Revision Order 1997:
 - 1.6.1 the Master of a Vessel who fails to comply with a general direction shall be guilty of an offence.
 - 1.6.2 in proceedings for such an offence, it is a defence for the person charged to prove that he had reasonable grounds for believing that non-compliance with the direction in question was necessary to secure the safety of any Vessel or to prevent injury to any

person or damage to any Vessel or cargo, or that in the circumstances compliance was impracticable.

2. Definitions

In these General Directions the following words and expressions shall have the following meanings:

Alongside Berth

A position at which a Visiting Vessel may moor alongside for the purpose of a Transfer Operation described in paragraph 5(g) of this Direction.

Anchorage

A position at which a Visiting Vessel may anchor for the purpose of a Transfer Operation as described in paragraph 5(g) of this Direction.

Approved Service provider

A person (being a body corporate or otherwise) approved in writing by the Harbour Authority to organise, facilitate and provide for Transfer Operations of the liquid cargoes described in the certificate of approval issued to the Approved Service Provider by the Company and to provide the Person in Overall Advisory Control (“POAC”) as described in these Directions

the Company

Portland Harbour Authority Limited (a company registered in England and Wales with the number 3002686).

Dangerous Cargo or Dangerous Cargoes

Goods or cargo classified in the International Maritime Dangerous Goods Code or in any other International Maritime Organisation (“IMO”) publication referred to in these regulations as dangerous for carriage by sea, and any other substance or article that the shipper has reasonable cause to believe might meet the criteria for such classification.

Harbour

The limits of Portland Harbour within which the Company exercises jurisdiction as Harbour Authority and within which the powers of the harbour master are exercisable as defined in the Portland Harbour Revision Order 1997 as amended, extended or re-enacted from time to time.

Harbour Master

Any person appointed as such by the Company, and includes his duly authorised deputies and assistants and any other person for the time being authorised by the Company to act, either generally or for a specific purpose, in the capacity of harbour master.

IMO Instruments and Guidelines

Any and all IMO instruments, guidelines and codes as amended, extended or re-enacted from time to time insofar as they are applicable to Transfer Operations.

International Codes and Guides

Any and all internationally recognised codes and guides relevant to the transport and handling of Dangerous Cargoes in port areas as amended, extended or re-issued from time to time.

Joint Plan of Operation

A plan of operation which shall be developed by the POAC and agreed between the POAC and the Visiting Vessels involved in the Transfer Operation. The format of the Joint Plan of Operation shall be in line with the Ship to Ship Transfer Guide, the Approved Service Providers' standard operation procedures and the Visiting Vessels' STS Operations Plan.

Liquid Cargoes :

Refers to liquid cargoes other than oil and liquid gas and means any substance indicated in chapters 17 or 18 of the International Bulk Chemical Code ("IBC Code") or provisionally assessed under the provisions of MARPOL Annex II as falling into Categories X,Y,Z or Other Substances (OS).

Liquefied Gas Cargoes

Liquefied gases are products having a vapour pressure exceeding 0.28 MPa absolute at a temperature of 37.8 C and other products listed in chapter 19 of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gasses in Bulk.

Manoeuvring

When a Visiting Vessel is either making her final approach to another Visiting Vessel for the purpose of mooring alongside the other to perform a Transfer Operation; or separating from another Visiting Vessel following an unmooring operation until both Visiting Vessels are safely clear of each other.

MARPOL

The International Convention for the Prevention of Pollution from Ships 1973 as modified by the Protocol of 1978, including its Annexes (or as amended, extended or re-enacted from time to time).

Master

In relation to a Vessel or a Visiting Vessel, means any person having or taking command, charge, management or conduct of the Vessel or the Visiting Vessel for the time being.

Oil Cargoes

Petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products that fall under the provisions of MARPOL Annex I (and not including those petrochemicals which are subject to the provisions of Annex II of MARPOL) and including without limitation, as per the definition of "oil" in the Merchant Shipping (Ship to Ship Transfers) Regulations 2020, oil of any description and includes spirit produced from oil of any description, and also includes coal tar (or as amended, extended or re-enacted from time to time).

Person in Overall Advisory Control ("POAC")

A nominated person from an Approved Service Provider agreed to be in overall advisory control of a Transfer Operation who has the qualifications and experience set out in the Ship to Ship Transfer Guide. For the avoidance of doubt, this term shall be

used in these Directions to apply in relation to Oil Cargoes, Liquid Cargoes and Liquefied Gas Cargoes, notwithstanding that other industry terms such as STS Superintendent (or STSSI) may be used in relation to certain cargoes, and the same standard of qualifications and experience shall be required for POACs regardless of what type of cargo is involved in the Transfer Operation. Neither the Master nor the crew of any Visiting Vessel shall act as the POAC in respect of a Transfer Operation.

Pollution Incident

Any spillage or discharge into, onto, over or under the waters of the Harbour by any person, including without limitation, the presence in, on, under or over any part of the Harbour (whether land or water) of any Hazardous Material or waste or cargo, including without limitation Dangerous Cargo whether or not connected with the Transfer Operations. For these purposes Hazardous Material means any substance, material or organism, whether in solid, liquid or gaseous form, which is capable of causing harm to human health or to the Environment whether on its own or in combination with any other substance.

Ship to Ship Transfer Guide

Ship to Ship Transfer Guide (for Petroleum, Chemicals and Liquefied Gases) produced jointly by the Chemical Distribution Institute (CDI), the International Chamber of Shipping (ICS), the Oil Companies' International Marine Forum (OCIMF) and the Society Of International Gas Tanker & Terminal Operators Ltd (SIGTTO).

STS Operations Plan

The obligatory flag state approved STS Operations Plan for oil tankers pursuant to MARPOL Annex 1 and the equivalent ISM Code or other applicable procedures for other vessel types.

Transfer Operation or Transfer Operations

A transfer of liquid cargoes (whether Oil Cargoes, Liquid Cargoes or Liquefied Gas Cargoes) between Visiting Vessels moored side-by-side (also known as a ship-to-ship transfer).

Vessel

Any ship, boat, raft or watercraft of any description, however propelled or moved including non-displacement craft, personal watercraft, a seaplane on the surface of the water, a flying inflatable boat, a hydrofoil vessel, a hovercraft or any amphibious vehicle and any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily).

Visiting Vessel

A Vessel, being the mother ship or the daughter ship which is engaged in a Transfer Operation, or whose presence in the Harbour arises from or is in connection with a Transfer Operation or an intended Transfer Operation.

Wind Speed

As measured and recorded by the nearest shoreside fixed anemometer.

Weather Condition Report Form

The Form at Annex III of this General Direction which shall be completed by both vessels in cooperation with the POAC when requested by the Harbour Master. Details should be passed on to Portland Harbour Radio VHF 74.

Vapour Balancing

A technique used to avoid the release of cargo vapours to the atmosphere by interconnecting the vapour systems of the receiving and discharging ships, in effect provides volumetric replacement of tank gasses and vapours (including inert gas) to the discharging vessel throughout the operation.

3. General rules applicable to Transfer Operations

3.1 **Transfer Operations** No Transfer Operation shall be carried out unless carried out in compliance with paragraphs 4 – 13 of these General Directions.

3.2 **Compliance with legislation, etc** Visiting Vessels shall at all times comply with the IMO Instruments and Guidelines, International Codes and Guides and applicable national legislation. In particular, but without limitation, Visiting Vessels shall comply with:

3.2.1 the most recent editions of the following:

- a. The Ship to Ship Transfer Guide;
- b. Manual on Oil Pollution, produced by the IMO; and
- c. Manual on Chemical Pollution, produced by the IMO.

3.2.2 the Visiting Vessel's procedures, STS Operations Plan and arrangements manual.

3.2.3 MARPOL Annex I or Annex II (as applicable), as amended, extended or re-enacted from time to time.

3.2.4 Merchant Shipping (Prevention of Pollution from Noxious Liquid Substances in Bulk) Regulations 2018 for the management of cargo residues and pre-wash requirements, as amended, extended or re-enacted from time to time.

3.2.5 Merchant Shipping (Prevention of Oil Pollution) Regulations 2019, as amended, extended or re-enacted from time to time.

4. **General requirements for Transfer Operations** Transfer Operations shall only be carried out:

4.1 under the supervision of a POAC as defined in these Directions

4.2 With the prior written approval of the Harbour Master.

4.3 In accordance with a Joint Plan of Operation agreed in advance between the Visiting Vessels and the POAC .

- 4.4 In the English language by officers in charge of operations who are fluent in spoken English and nominated by the Masters of their respective Visiting Vessels to be in charge of operations in respect of that Visiting Vessel. All communications relating to the Transfer Operation shall be conducted in English.
- 4.5 Between Visiting Vessels that are securely moored or anchored. Vessels engaged in Transfer Operations at anchor shall maintain a constant anchor watch, monitor VHF Ch 74 and have engines at immediate notice.
- 4.6 With adequate and sufficient lighting to illuminate the working deck of the Visiting Vessel.
- 4.7 In the following designated locations only:
- | | |
|---------------------------|-----------------------|
| Outer Harbour Anchorages: | G6 |
| Inner Harbour Anchorages: | M6 |
| Alongside Berths: | Queens Pier (5,6,7,8) |
- All such Anchorages and Alongside Berths being marked on Admiralty Chart 2268.
- 5. Restrictions on Transfer Operations** No Transfer Operation shall be carried out [or continued]:
- 5.1 Without the written approval of that Transfer Operation by the Harbour Master.
- 5.2 Against the express instructions of the Harbour Master, whether by special direction or otherwise.
- 5.3 Otherwise than under the supervision of a POAC (as applicable).
- 5.4 When the wave height at the Anchorage or Berth exceeds 1.5m, as reasonably determined by the Harbour Master.
- 5.5 At an Outer Harbour Anchorage if the sustained upper Wind Speed (as reasonably determined by the Harbour Master) exceeds 17 knots (or 25 knots in the event that either or both Visiting Vessels exceeds 200m LOA [and / or] has a draught exceeding 10m) or any other wind speed criteria as may be prescribed by the Visiting Vessel's STS Operations Plan, if lower than set out herein.
- 5.6 At any Alongside Berth or Inner Harbour Anchorage if the sustained upper Wind Speed (as reasonably determined by the Harbour Master) exceeds 27 knots, or any other wind speed criteria as may be prescribed by the Visiting Vessel's STS Operations Plan, if lower than set out herein.
- 5.7 If visibility is less than a clear view of 500m, or any other distance as may be prescribed by the Visiting Vessel's STS Operations Plan if lower than that set out herein, from any Visiting Vessel engaged in the Transfer Operation.

- 5.8 Concurrently with any other operation (including without limitation bunkering, stores transfers or underwater inspections) without the prior approval of the Harbour Master.
- 6. Information to be provided to Harbour Master** Visiting Vessels shall provide any information and documentation requested by the Harbour Authority or the Harbour Master in connection with a Transfer Operation without delay.
- 7. Compliance with procedure for Transfer Operations** Visiting Vessels shall comply with, and wherever required (whether by the Harbour Master and / or the Approved Service Provider and / or the POAC), shall provide all information and documents requested to assist the Harbour Master and / or the Approved Service Provider and / or POAC (as applicable) to comply with, the procedure for Transfer Operations as published by the Company and set out in [the Company's safety management system] as may be amended and updated from time to time.
- 8. Ballast water** The Master of a Visiting Vessel that is required to discharge ballast water for safe operation shall comply with any and all applicable regulations and procedures of the port relating to the discharge of ballast water, including but not limited to the submission of a ballast water request form, in the prescribed form, to the Harbour Master. Such Visiting Vessels must be able to provide evidence of compliance with the requirements of The International Convention for the Control and Management of Ships' Ballast Water and Sediments 2004 (as amended, extended or re-enacted from time to time. In particular but without limitation, Visiting Vessels shall be required to evidence compliance with Regulation B-4 of the Annex, Section B Management and Control Requirements for Ships.
- 9. Safety** Transfer Operations shall not be conducted in such a way that may cause damage or nuisance to, or endanger the safety of, other persons, Vessels, property or the environment.
- 10. Vapour Balancing**
- 10.1 Visiting Vessels engaged in any Transfer Operation must have Vapour Balancing procedures in place.
- 10.2 Visiting Vessels must take all reasonable steps to keep any emissions of noxious and odorous vapour to an absolute minimum.
- 11. Pollution**
- 11.1 Visiting Vessels shall not discharge, nor allow to be discharged, into the waters of the Harbour, any cargo or any Dangerous Cargo.
- 11.2 Visiting Vessels shall neither cause nor allow to be caused a Pollution Incident which arises from or in connection with any Transfer Operation.
- 12. Signals** Vessels engaged in carrying or transferring Dangerous Cargo must by day display the International Code of Signals flag "Bravo" and by night an all-round red light.

13. **Bunkering** If a Pollution Incident occurs, then all transfers and any other operations must cease immediately upon the Master of the Vessel becoming aware of the Pollution Incident. The Master of a Visiting Vessel shall immediately notify the Harbour Master of the Pollution Incident and shall not resume the Transfer Operation without the approval of the Harbour Master.
14. **Perimeter** No Vessel shall approach closer than 500m from the centre of any Anchorage or Alongside Berth while a Transfer Operation is taking place without the express written agreement of the Harbour Master.
15. General Directions No 1, No 2 and No 3 of 2020 are hereby revoked.

Chief Executive
Portland Harbour Authority Limited
09 February 2022

Owners, Operators, Agents, Masters, Yacht club and recreational sailing organisations are requested that this Direction is made known to all persons that use Portland Harbour