



Virgin Islands Shipping Registry

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SAFETY ALERT **NOTICE TO MARINERS No.1 - 2020**

**OWNERS, MANAGERS, OPERATORS, SKIPPERS AND MASTERS OF
ALL VESSELS OPERATING IN THE WATERS OF BRITISH VIRGIN
ISLANDS**

RECREATIONAL WATER USERS AND BOATS

Recently there have reports of boats running over divers and snorkelers in the waters of the Virgin Islands. This safety alert has been produced to inform the general public and boat operators on the safe practices to be followed to avoid recurrence of such incidents.

Caution diver below

The vessel operators are reminded of the rules that apply to operating vessels near divers – and the diving signal(s) that may be displayed from a vessel, float or buoy indicating that a diver is below.

Recreational vessel operators are sometimes subject to complaints about operating their vessel at a dangerous speed and in close proximity to divers.

Rules are in place to protect the safety of divers in the water by regulating the operation of other vessels in the vicinity of divers.

A vessel with divers working from it must display the appropriate day or night signals.

It is important that vessel operators know what warning signals may be displayed when divers are in the water, and the rules that apply to vessels operating in the vicinity.

Penalties apply for failure to obey the rules.

Knowing and obeying the rules will enable you to operate your vessel in a safe and legal manner and help save divers from harm.

Safe operation

As the operator of a vessel you are responsible for the safety of the vessel, of your passengers and those around you.

This includes obligations to observe and follow the rules. Whether you are boating in a familiar or unfamiliar area, you must keep a proper lookout (by sight and hearing) for potential hazards and travel at a safe speed so that you are able to take appropriate action to avoid collisions.

Be aware that while some commercial divers may operate in specific areas, commercial and recreational divers may operate in any waters during the day or night. Also please be aware that there may be persons engaged in water based recreational activities such as swimming, snorkeling, diving etc. There may be instances when they do not deploy any warning signals of their presence.

Vessels to keep clear

The operator of a vessel navigating in the vicinity of a vessel, float or buoy displaying a signal indicating the presence of a diver below, **must navigate so as to avoid injury to the diver or interference with the vessel, float or buoy.**

Further, it is legally mandated in the Virgin Islands that the operator of a boat **must slow to less than 5 knots within 100 yards of the shore and must not operate the boat in such a fashion as to create nuisance to other water users.**

When operating in areas where they may be personal engaged in recreational water based activities, it is of particular importance to slow down and maintain a sharp lookout for persons in water and proceed with due caution until well clear.

A person who fails to obey the rules is guilty of an offence with a maximum penalty of one month in prison, or may be considered as operating carelessly or dangerously which incurs far higher penalties.

It is also recommended, however, that you stay well clear of the area as a diver may be operating quite some distance from the vessel, float or buoy that is displaying the diving signal.

Careless operation

A person who operates a vessel without due care for the safety of any person or property is guilty of an offence.

A person who operates a vessel impaired by drugs or alcohol is guilty of an offence.

Diving signals

During daylight hours, the signal displayed to indicate that a diver is in the water is the International Code Flag A which means *'I have a diver below – keep well clear at slow speed'*.

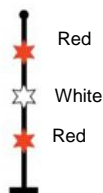
Where the regulations require the International Code Flag A or a replica to be displayed the flag must be illuminated during the hours of darkness.

At night, a vessel (depending on its size) may display the required navigation lights and three all-round lights in a vertical line (top and bottom red and the middle white), or a rigid replica of the flag not less than 1 metre in height, visible all-round.

The diver below signals may be a combination of:



International Code Flag A



Navigation lights

A vessel that is over 10m in length will display, in a conspicuous position on the vessel, the International Code Flag A.

A vessel 10 metres or less, when a diver is operating from the vessel, will display in a conspicuous position on the vessel, a rigid replica of this flag, at least 750mm by 600mm in size.



Diving recommendation

Although the regulations do not require a diving signal to be displayed when a diver is not using a vessel and not diving in a harbor, or when a person is snorkeling, you should assess the risks to your safety posed by vessels operating in the vicinity.

At a minimum you should consider displaying the diver below flag, particularly when diving or snorkeling from the shore or in areas of high boating traffic. The rigid replica may be displayed on a float and either attached to a weighted line enabling you to pull it along with you or anchored close by.



Further safety information can be obtained from the Virgin Islands Shipping Registry on phone + 1 (284) 468 9499 and e-mail vishipping@gov.vg

This notice has been issued in accordance with section 163 of the Merchant Shipping Act 2001.

Director of Shipping
Virgin Islands Shipping Registry
3rd January 2020