

# Maritime Rules

## Part 53: Pilot Transfer Arrangements and Ship– Helicopter Pilot Transfers

MNZ Consolidation

22 December 2022

ISBN 978-1-99-001650-9

Published by

Maritime New Zealand, PO Box 25620, Wellington 6146, New Zealand

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## **Part objective**

Part 53 prescribes requirements in respect of the provision, design, construction, securing, testing and operation of transfer arrangements fit for the purpose of enabling pilots to embark and disembark safely on either side of a ship at sea.

Part 53 gives effect to standards for pilot transfer arrangements set out in regulation 23 of chapter V of SOLAS 1974, and International Maritime Organization Assembly resolution A.1045(27).

Part 53 replaces the regulations entitled the *Shipping (Pilot Ladders) Rules 1974*, which will be deemed to be revoked on 1 February 2001 as a consequence of the operation of sections 204 and 205 of the Maritime Transport Act 1994.

Authority for making Part 53 is found in sections 36(1)(b), (f), (g), (k), and (u)(ii) of the Maritime Transport Act 1994.

Maritime Rules (rules) are secondary legislation under the Legislation Act 2019. Under that Act, the rules are required to be tabled in the House of Representatives. The House of Representatives may, by resolution, disallow any rule. The Regulations Review Committee is the select committee responsible for considering the rules under that Act.

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## History of Part 53

Part 53 first came into force on 1 February 2001 and now incorporates the following amendments:

<b>Amendment</b>	<b>Effective date</b>
Amendment 1	1 April 2011
Amendment 2	1 July 2014
Amendment 3	1 January 2015
Amendment 4	1 April 2015
Amendment 5	1 April 2015
Amendment 6	1 July 2016
Amendment 7	1 November 2016
Amendment 8	22 December 2022

### Summary of amendments

#### **Amendment 1**

Maritime Rules Various Amendments 2011 53.6(2)(b), 53.20(5)

#### **Amendment 2**

Parts 19 and 44: Consequential Amendments 53.2

#### **Amendment 3**

Maritime Rules Various Amendments 2014 Part Objective, 53.2

#### **Amendment 4**

Maritime Rules Various Amendments 2015 Part Objective

#### **Amendment 5**

Maritime Rules Various IMO-related Amendments 2015 53.2, 53.4, 53.5, 53.6, 53.7(2), 53.8(3), 53.10, 53.11, 53.12, deleted rules 53.13 to 53.20

#### **Amendment 6**

Various SOLAS- related Amendments 2016 Part Objective, 53.2, 53.4, 53.21

#### **Amendment 7**

Maritime Rules Various Amendments 2016 53.5

#### **Amendment 8**

Maritime Rules (Parts 23 and 53) Amendment 2022 *Part Objective, 53.4, 53.5, 53.7, 53.8, 53.9, 53.11, 53.5*

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## General

### 53.1 Entry into force

Part 53 comes into force on 1 February 2001.

### 53.2 Definitions

**actinic degradation**, in relation to rope, means its chemical breakdown by solar radiation:

**Certificate of Surveyor Recognition—**

- (a) has the same meaning as in Part 44; and
- (b) includes any document that is deemed under Part 44 to be a valid Certificate of Surveyor Recognition:

**current**, in relation to a document means that it is valid, has not expired, and, in the case of a maritime document, has not been suspended or revoked by the Director:

**date of build** means the date on which the keel is laid or on which the ship is at a similar stage of construction or on which a ship undergoes modifications of a major character:

**Director** means the person who is for the time being the Director of Maritime Safety under section 439 of the Maritime Transport Act 1994:

**foreign ship** means any ship that is not a New Zealand ship:

**heaving line** means a light line of sufficient length to reach the water from a position on deck near the transfer arrangement:

**master** means any person (except a pilot) having command or charge of any ship:

**New Zealand ship** means a ship that is registered under the Ship Registration Act 1992; and includes a ship that is not registered under that Act but is required or entitled to be registered under that Act:

**offshore installation** includes any artificial structure (including a floating structure other than a ship) used or intended to be used in or on, or anchored or attached to, the seabed for the purpose of the exploration for, or the exploitation or associated processing of, any mineral; but does not include a pipeline:

**offshore terminal** means any place in the sea where cargo is loaded and unloaded:

**owner—**

- (a) in relation to a ship registered in New Zealand under the Ship Registration Act 1992, means the registered owner of the ship:
- (b) in relation to a ship registered in any place outside New Zealand, means the registered owner of the ship:
- (c) in relation to a fishing ship, other than one to which paragraph (a) or paragraph (b) of this definition applies, means the person registered as the owner under section 57 of the Fisheries Act 1983:
- (d) in relation to a ship to which paragraph (a) or paragraph (b) or paragraph (c) of this definition applies, where, by virtue of any charter or demise or for any other reason, the registered owner is not responsible for the management of the ship, includes the charterer or other person who is for the time being so responsible:
- (e) in relation to an unregistered ship or a registered ship that does not have a registered owner, means the person who is for the time being responsible for the management of the ship:

**pilot**, in relation to any ship, means any person not being the master or a member of the crew of the ship who has the conduct of the ship:

**pilot transfer arrangement** or **transfer arrangement** means—

- (a) a pilot ladder; and
- (b) an accommodation ladder used in conjunction with a pilot ladder; and
- (c) any other arrangement equivalent to those specified in paragraphs (a) and (b) that is approved in accordance with rule 53.5(1):

**port** includes place and harbour:

**proof load** means the total load that any equipment is subjected to under test:

**recognised organisation** means an organisation that has entered into a memorandum of agreement with the Director in compliance with the International Maritime Organization's Code for Recognized Organizations (RO Code) whereby that organisation may carry out surveys and issue convention certificates on behalf of the Director in respect of the International Convention for the Safety of Life at Sea 1974:

**surveyor** means—

- (a) a surveyor employed by a recognised organisation; or
- (b) a person who holds a current Certificate of Surveyor Recognition.

### 53.3 Application

Part 53 applies to—

- (a) any New Zealand ship that is engaged on any voyage in the course of which a pilot is required to be engaged or is likely to be engaged; and
- (b) any foreign ship that is within, approaching or leaving
  - (i) any port in New Zealand; or
  - (ii) any offshore installation located in the internal waters of New Zealand or New Zealand marine waters; or
  - (iii) any offshore terminal located in the internal waters of New Zealand or New Zealand marine waters—

where a pilot is required to be engaged or is likely to be engaged.

### 53.4 Duties in respect of pilot transfer arrangement

- (1) The owner and the master of any ship must ensure that—
  - (a) the ship is provided with a pilot transfer arrangement fit for the purpose of enabling pilots to embark and disembark safely on either side of the ship;<sup>1</sup> and
  - (b) the pilot transfer arrangement is—
    - (i) kept clean; and
    - (ii) properly maintained and that a record of that maintenance is kept on board the ship; and
    - (iii) properly stowed, including being stowed clear of any bunkering arrangements; and
    - (iv) regularly inspected to ensure that it is safe to use; and
  - (c) *Reserved*

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<sup>1</sup> Part 53 sets standards for pilot ladders and accommodation ladders used in conjunction with pilot ladders. The Director may, in accordance with rule 53.5(1), approve other arrangements that are equally safe, including equivalent arrangements that are required due to the unusual design features of a ship. Under rule 53.5(2) the Director may also approve the shipside requirements for ship - helicopter pilot transfers.

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- (d) all persons engaged in rigging and operating any mechanical equipment are instructed in the safe procedures as set out in the approved manual; and
- (e) all mechanical equipment related to the pilot transfer arrangement is tested prior to use; and
- (f) *Reserved*
- (g) an officer is designated with the responsibility of supervising the rigging and testing of the pilot transfer arrangement and embarkation and disembarkation of the person transferred by that arrangement; and
- (h) the officer designated in accordance with rule 53.4(g)—
  - (i) supervises the rigging and testing of the pilot transfer arrangement and the embarkation and disembarkation of any person transferred by that arrangement; and
  - (ii) has adequate and immediate means of communicating with the navigation bridge during the rigging and testing of the pilot transfer arrangement and the embarkation and disembarkation of any person transferred by that arrangement; and
- (i) there is adequate means for communication between—
  - (i) the operator; and
  - (ii) the officer designated in accordance with rule 53.4(g); and
- (j) the officer designated in accordance with rule 53.4(g)—
  - (i) advises the pilot when it is safe to use the transfer arrangement; and
  - (ii) arranges for the escort by a safe route to and from the navigation bridge of the pilot using the transfer arrangement; and
- (k) the pilot transfer arrangement is used solely for the embarkation and disembarkation of persons; and
- (l) the following associated equipment is kept at hand at a position on deck near the transfer arrangement, ready for immediate use when persons are being transferred—
  - (i) two man-ropes that are—
    - (aa) not less than 28 mm and not more than 32 mm in diameter; and
    - (bb) made of manila or a material of equivalent strength, durability and grip; and
    - (cc) kept free of knots; and
  - (ii) a lifebuoy equipped with a self-igniting light; and
  - (iii) a heaving line; and
- (m) where the man-ropes referred to in rule 53.4(l)(i) are required by the pilot, the ropes are:
  - (i) properly secured to the ship at a position—
    - (aa) sufficiently above the point where the ladder is secured to enable the ropes to be grasped without stooping prior to standing on the ladder when disembarking; and
    - (bb) immediately adjacent to the pilot ladder so that the man-ropes fall alongside the side ropes of the ladder; and
  - (ii) bowsed to the ship's side at a point not less than one metre and not more than two metres above the lower platform of the accommodation ladder in

- any case where an accommodation ladder is used in conjunction with a pilot ladder; and
- (iii) fixed at the rope end to the ring plate fixed on deck and either—
  - (aa) ready for use when the pilot disembarks; or
  - (bb) upon request from a pilot approaching to board; and
- (iv) the man-ropes shall reach the height of the stanchions or bulwarks at the point of access to the deck before terminating at the ring plate on deck; and
- (n) lighting is provided to illuminate the following—
  - (i) the transfer arrangement overside from a light positioned aft of that arrangement; and
  - (ii) the position on deck where a person embarks or disembarks; and
- (o) if a tripping rope is required to retrieve a pilot ladder, the rope is—
  - (i) secured to the ladder no lower than the half length of that ladder; and
  - (ii) tended throughout the transfer.
- (2) Subject to rule 53.4(3), whenever a pilot is required to board or leave a ship by means of a pilot transfer arrangement that the pilot believes on clear grounds does not comply with the requirements of Part 53, the pilot must—
  - (a) advise the master of the ship of the deficiency; and
  - (b) report the circumstances of each such case to the Director as soon as practicable.
- (3) Rule 53.4(2) applies only in the case of a ship within, approaching or leaving—
  - (a) any port in New Zealand; or
  - (b) any offshore installation located in the internal waters of New Zealand or New Zealand marine waters; or
  - (c) any offshore terminal located in the internal waters of New Zealand or New Zealand marine waters.
- (4) For ships with a date of build on or after 1 January 2016, pilot ladders must—
  - (a) be certified by the manufacturer as complying with Chapter V of the International Convention for the Safety of Life at Sea 1974 or a standard accepted by the IMO; and
  - (b) be inspected in accordance with the requirements of Chapter I of the International Convention for the Safety of Life at Sea 1974; and
  - (c) be clearly identified with tags or other permanent marking so as to enable identification of each appliance for the purposes of survey, inspection and record keeping; and
  - (d) have records on the ship showing the date of service for each pilot ladder and any repairs effected.

**53.5 Approval of equivalent pilot transfer arrangement and ship-helicopter transfer**

- (1) The Director or a recognised organisation may approve in writing, subject to such conditions as the Director or recognised organisation considers necessary in the interests of safety, a pilot transfer arrangement other than—
  - (a) a pilot ladder; or
  - (b) an accommodation ladder used in conjunction with a pilot ladder;if the Director or the organisation is satisfied, taking into account, as appropriate, the views of pilots and organisations that represent pilots, that—

- (c) the arrangement is as safe as the arrangements specified in subrules (a) and (b); and
  - (d) approval of the arrangement will not breach New Zealand's obligations under any convention.
- (2) The Director may approve in writing a proposal in respect of shipside requirements to conduct ship-helicopter pilot transfers, subject to such conditions as the Director considers necessary, having regard to the best practice guidelines set out in the Australian Code of Practice for Ship-Helicopter Transfers and the International Chamber of Shipping Guide to Helicopter/Ship Operations.
- (3) The owner and the master of any ship in respect of which approval in writing has been issued by the Director or a recognised organisation under rule 53.5(1) or by the Director under rule 53.5(2) must ensure that all the requirements and conditions contained in that approval are met.

## **Pilot ladders**

### **53.6 Construction – steps**

- (1) The steps of a pilot ladder must meet the following requirements—
- (a) any steps made of hardwood must be made of a single piece of hardwood that is free of knots; and
  - (b) any steps made of material other than hardwood must be made of material that the Director or a recognised organisation, or in the case of a foreign ship, the administration of the flag state, is satisfied is of equivalent strength, stiffness and durability to hardwood; and
  - (c) the four lowest steps must be—
    - (i) made of rubber or other material with similar properties to rubber; and
    - (ii) of a strength and stiffness to the satisfaction of the Director or a recognised organisation, or in the case of a foreign ship, the administration of the flag state; and
  - (d) the steps, excluding any non-slip device or grooving, must not be less than—
    - (i) 400 mm between the side ropes; and
    - (ii) 115 mm wide; and
    - (iii) 25 mm in depth; and
  - (e) the steps must—
    - (i) have an effective non-slip surface; and
    - (ii) be equally spaced; and
    - (iii) be not less than 300 mm apart or more than 380 mm apart; and
    - (iv) when in use, be secured in such a manner that each step will remain horizontal.<sup>2</sup>
- (2) Any pilot ladder with more than five steps must have—
- (a) a spreader step that is not less than 1.80 m long as the fifth step from the bottom of the pilot ladder; and

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<sup>2</sup> See Part 53 advisory circular for diagrammatic illustration of dimensions.

- (b) additional spreader steps that are not less than 1.80 m long at intervals not exceeding nine steps.<sup>3</sup>
- (3) A pilot ladder must not have more than two replacement steps that are secured in position by a method different from that used in the original construction of the pilot ladder.
- (4) Any step secured in position by a method different to that used in the original construction of the pilot ladder must be replaced as soon as reasonably practicable by a step secured in position by the method used in the original construction of the pilot ladder.
- (5) When any replacement step is secured to the side ropes of the pilot ladder by means of grooves in the sides of the step, such grooves must be in the longer sides of the step.

**53.7 Construction – ropes**

- (1) The side ropes of the pilot ladder must—
  - (a) consist of two uncovered ropes on each side; and
  - (b) be continuous with no joins below the top step; and
  - (c) be made of—
    - (i) manila of not less than 18 mm in diameter; or
    - (ii) a material, approved in accordance with rule 53.7(2), of not less than 18 mm in diameter; and
  - (d) not be joined one side to the other under the bottom tread.<sup>4</sup>
- (2) Material for side ropes other than manila must be approved by the Director or a recognised organisation, or in the case of a foreign ship, by the administration of the flag state.
- (3) The Director may approve material for side ropes if the Director is satisfied that the material is—
  - (a) of a strength, durability and grip that is equivalent to manila; and
  - (b) protected against actinic degradation.
- (4) If side ropes of a ladder are made of a material other than manila, a copy of the approval required by rule 53.7(2) must be carried on board the ship.

**53.8 Position, reach and securing arrangement**

- (1) A pilot ladder must be positioned and secured so that—
  - (a) it is clear of any possible discharges from the ship; and
  - (b) it is within the parallel body length of the ship so as to ensure that a pilot launch can safely and freely manoeuvre alongside the hull clear of any flare, curvature, projection or other feature that may present a hazard to the launch or the person using the ladder; and
  - (c) as far as practicable, it is within the midship half-length of the ship; and
  - (d) each step rests firmly against the ship's side.
- (2) Where constructional features<sup>5</sup> prevent a step from resting firmly against the ship's sides, special arrangements must be made to ensure that the ladder can be used safely.
- (3) The special arrangements referred to in rule 53.8(2) must be approved by the Director or a recognised organisation, taking into account, as appropriate, the views of pilots and

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<sup>3</sup> See Part 53 advisory circular for diagrammatic illustration of dimensions.

<sup>4</sup> See Part 53 advisory circular.

<sup>5</sup> Such as rubbing bands.

organisations that represent pilots, or in the case of a foreign ship, by the administration of the flag state.

- (4) A single length of pilot ladder must:
  - (a) be capable of reaching the water from the point of access to the ship; and
  - (b) allow for—
    - (i) all conditions of loading; and
    - (ii) all conditions of trim; and
    - (iii) an adverse list of 15°.
- (5) A pilot ladder must not require a climb of more than nine metres above the surface of the water.
- (6) The securing strongpoints, shackles and securing ropes for a pilot ladder must be at least as strong as the 18 mm side ropes referred to in rule 53.7.<sup>6</sup>

## **Shipside doors and ports used in conjunction with pilot ladders**

### **53.9 Shipside doors and ports**

- (1) Shipside doors used in conjunction with a pilot ladder must—
  - (a) not open outwards from the ship; and
  - (b) be sited so as to enable the pilot ladder to be positioned and secured in accordance with the requirements of rule 53.8(1); and
  - (c) have the following characteristics and features—
    - (i) a height sufficiently above the level of the sea to provide safe access, taking into account the requirements of rules 53.8(4) and 53.8(5); and
    - (ii) a height of not less than 2 m and a width of not less than 1.5 m, provided that these minimum dimensions may, in the case of retrofitted doors, be reduced marginally in order to conform with the space between principal strength members.
- (2) The point at which the pilot embarks or disembarks from the shipside door must be fitted with two handhold stanchions that are:
  - (a) rigidly secured to the ship's structure at or near the stanchion's base and also at a higher point; and
  - (b) not less than 32 mm in diameter and extending not less than 1.2 metres above the top step of the ladder; and
  - (c) not less than 0.7 metres or more than 0.8 metres apart; and
  - (d) fitted with an eye of a diameter that permits a man-rope to be passed through it, unless equally secure strongpoints for this purpose are provided in the deckhead directly above the ladder side ropes.
- (3) The securing strongpoints, shackles and securing ropes for a pilot ladder used in conjunction with a shipside door must be at least as strong as the 18 mm side ropes referred to in rule 53.7, taking into account that the side ropes are doubled.

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<sup>6</sup> The minimum strength of the pilot ladder securing arrangement must take into account that side ropes are doubled.

## Accommodation ladders used in conjunction with pilot ladders

### 53.10 Accommodation ladders – design and construction

- (1) Intermediate platforms, if fitted, must be self-levelling.
- (2) Treads and steps of the accommodation ladder must be designed so that there is an adequate and safe foothold at the operative angles.
- (3) The ladder and platforms must be equipped on both sides with—
  - (a) stanchions; and
  - (b) rigid handrails or handropes at a vertical height of 1000 mm above the stringers of the ladder or the platform, as applicable.
- (4) The handropes referred to in rule 53.10(3)(b) must be tight and properly secured.
- (5) The vertical space between the handrail or handrope and the stringers of the ladder must be securely fenced.
- (6) Where a trapdoor is fitted in the lower platform to allow access from and to the pilot ladder—
  - (a) the aperture of the trapdoor must not be less than 750 mm by 750 mm; and
  - (b) the pilot ladder must extend above the lower platform to the height of the handrail or handrope; and
  - (c) the vertical space that is equivalent to the interval between the handrail or handrope and the stringers of the ladder must be securely fenced; and
  - (d) the trapdoor must be—
    - (i) sited in a position on the platform that enables the user of the accommodation ladder to move to and from the pilot ladder without having to lean outboard; and
    - (ii) capable of being secured.
- (7) For ships with a date of build on or after 1 January 2016, accommodation ladders used in conjunction with pilot ladders must—
  - (a) be provided with means to secure the pilot ladder and man-ropes to the ship's side at a point of nominally 1.5 metres above the bottom platform of the accommodation ladder; and
  - (b) where there is an accommodation ladder with a trapdoor in the bottom platform, be arranged so that the pilot ladder and man-ropes are rigged through the trapdoor and extend above the platform to the height of the handrail.

### 53.11 Position and reach

- (1) The accommodation ladder must be sited leading aft.
- (2) When in use, the lower end of the accommodation ladder must—
  - (a) be clear of discharges from the ship; and
  - (b) be within the parallel body length of the ship and within the midship half-length of the ship; and
  - (c) be secured firmly to the ship's side; and
  - (d) for ships with a date of build on or after 1 January 2016, be provided with means to secure the lower platform of the accommodation ladder to the ship's side.
- (3) The length of the accommodation ladder must be such that the angle of the accommodation ladder does not exceed 45°.

- (4) The lower platform of the accommodation ladder must be in a horizontal position when in use.
- (5) The pilot ladder must be—
  - (a) rigged immediately adjacent to the lower platform of the accommodation ladder; and
  - (b) secured directly to the ship's structure and not to the accommodation ladder; and
  - (c) bowsed to the ship's hull at a point adjacent to the lower platform of the accommodation ladder.
- (6) The upper end of the pilot ladder must extend at least 2 m above the lower platform.
- (7) If a pilot transfer arrangement comprising an accommodation ladder used in conjunction with a pilot ladder is installed on a ship, the arrangement must be carried on each side of the ship, unless the equipment is capable of being transferred for use on either side of the ship.

## **Mechanical pilot hoists**

### **53.12 General prohibition**

Mechanical pilot hoists must not be used.

## **Access to deck and navigating bridge**

### **53.21 Access to deck**

- (1) Means must be provided to ensure safe, convenient and unobstructed passage for any person embarking on, or disembarking from, the ship between the head of the pilot ladder, or the head of the accommodation ladder, and the ship's deck.
- (2) Where the passage referred to in rule 53.21(1) is by means of a gateway in the rails or bulwark, adequate handholds must be provided.
- (3) Where the passage referred to in rule 53.21(1) is by means of a bulwark ladder,—
  - (a) the bulwark ladder must be securely attached to the ship to prevent overturning; and
  - (b) two handhold stanchions must be fitted at the point where the pilot embarks or disembarks from the ship on each side.
- (4) Each stanchion referred to in rule 53.21(3)(b) must be—
  - (a) rigidly secured to the ship's structure at or near the stanchion's base and also at a higher point; and
  - (b) not less than 32 mm in diameter and must extend not less than 1.2 metres above the top of the bulwark; and
  - (c) not less than 0.7 metres nor more than 0.8 metres apart; and
  - (d) fitted with an eye having a diameter that permits a man-rope to be passed through it.
- (5) Stanchions and handrails must not be attached to the bulwark ladder.
- (6) A clear deck area of not less than 1.2 square metres must be maintained in way of the transfer arrangement in order to ensure that there is sufficient room to rig and secure the arrangement and position safety equipment.

### **53.22 Access to navigating bridge – deck cargoes**

If a ship carries a deck cargo of timber or logs which obstructs normal access between the transfer arrangement and the navigating bridge, means must be provided to ensure

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safe, convenient and unobstructed passage between these points using properly constructed, fenced, secured, and illuminated walkways, gangways and ladders.