



Broads Authority Act 2009

2009 CHAPTER i

PART 2

REGULATIONS AND MANAGEMENT OF NAVIGATION AREA

Safety of vessels, etc.

16 Exemption of certain vessels

(1) In this section—

“medium size unpowered vessel” means any unpowered vessel, not being a small unpowered vessel, having a block area of less than 13 square metres;

“small unpowered vessel” means any unpowered vessel having a block area of less than 6 square metres;

“the specified provisions” means—

- (a) any byelaws made or deemed to be made under section 11;
- (b) section 12 (construction and equipment standards);
- (c) section 14 (vessels: insurance requirements).

(2) For the purposes of this section, the block area of a vessel means the area of the vessel in square metres calculated by multiplying the length of the vessel by the breadth of the full beam of the vessel at its widest part, both figures including the length or breadth (as the case may be) of any fixed fendering attached to the vessel.

(3) Nothing in this Act or the 1988 Act, or in any byelaws made or deemed to be made under section 11—

- (a) shall require the registration of any small unpowered vessel on adjacent waters which does not enter into the navigation area;
- (b) shall entitle the Authority to require the payment of any toll, due or other similar charge in respect of any small unpowered vessel or any medium size unpowered vessel for the time being on adjacent waters.

*Status: This is the original version (as it was originally enacted). This
item of legislation is currently only available in its original format.*

- (4) The Authority shall not exercise the powers of section 14 so as to designate any category of small unpowered vessels on adjacent waters.
- (5) Subject to subsection (4) the Authority shall not designate under section 14 any category of small unpowered vessels except in accordance with a resolution of the navigation committee.
- (6) Nothing contained in or in force or done under the specified provisions shall apply to any vessel which—
 - (a) is not for the time being in use for the purposes of navigation, or for residential or commercial purposes;
 - (b) is moored on waters occupied or customarily used by a person carrying on a business; and
 - (c) is so moored for the purposes of being serviced, repaired or stored by that person or of being sold or offered or exposed for sale by that person (whether acting as principal or agent).