

SAFETY IN PORT AND ON INLAND WATERWAYS

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ABSTRACT

The coordination, supervision and management of vessels in the traffic control area are carried out by the Port Control. Since their entry into the traffic control area, vessels are required to comply with Port Control directives. Port Control directives take precedence over any other provision and they are binding on all vessels in the traffic control area. The restriction or the prohibition of navigation in certain areas will be communicated in due time by notice to navigators. The maneuvers in seaports are performed only with the approval of harbor masters.

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1. SECURITY SERVICES

Security services in ports and on inland waterways are activities related to shipping activities, which, according to art. 19 para. (1). b, Section 1 of Ordinance no. 22/1999 (r1), are referred to as *safety services*, and include: vessels' pilotage into and out of ports, from the berths of the same port and on waterways, towage maneuver of vessels in ports. Security services are services of national interest and are conducted under State control, by the ministry [art. 41 of Ordinance no. 22/1999 (r1)].

The specific rules on how to perform maneuvers in each seaport are set out in Part B of the Regulation on the operation of Romanian Ports "*Specific rules and norms for the operation of Romanian seaports*" [1].

The vessel is required to supervise any maneuver of a vessel, carried out around it, and provide the necessary help when requested.

Vessel masters must ensure and take all the necessary measures in order to be ready to act at any time at the occurrence of events likely to endanger the safety of their vessels, port facilities and other vessels nearby.

The assistance and rescue [2] of vessels in distress at sea or on national navigable waters, of goods, cargo and persons on board is carried out according to national legislation and the international agreements and conventions to which Romania is party.

The access of persons to maritime and river ports is made on the basis of entrance cards (specifying the number of the access gate), issued by port operators or on the basis of the sailor card or passport. Beachcombers [3], scrap iron or waste grain thieves are sanctioned and punished by the port police.

2. PROHIBITIONS APPLIED TO VESSELS IN PORTS

Vessels in ports or roadsteads are prohibited to perform work underwater and other activities likely to endanger the safety of navigation, without the approval of harbor masters. Within Romanian maritime ports, in their access canals and roadsteads, except in cases of force majeure, it is prohibited:

- vessels' maneuvering, with anchors in water, except maneuvers on strong wind;
- vessels' anchoring near the places where the ban is indicated;
- vessels' anchoring in maneuver roadsteads and in the access channel.

According to art. 34 of Ordinance no. 22/1999 (r1), port administrations are entitled to prohibit or stop the loading / unloading of vessels if it finds that:

- a) vessels have water holes in the hull;
- b) the loading / unloading of vessels endangers the security of port facilities and equipment;
- c) the vessel's draft exceeds the maximum allowable draft in the operation berth or in any other cases where it is found that the security of the port infrastructure is endangered;
- d) danger of pollution.

3. ARRIVAL AND DEPARTURE OF VESSELS IN PORTS

Until obtaining the permission for the arrival of maritime navigation vessels, granted by the harbor master, the vessel will stay in the outer port roadstead, in the sector corresponding to its category and to the transported goods, as indicated by the Port Control.

Inland waterway vessels, irrespective of the flag they fly, can arrive / depart from Romanian port only after obtaining the arrival/ departure permit issued by the Captain / office of the captain of the respective port [art. 3. (1) - (3) of MTCT Order no.2473/2006].

In order to obtain the permit for the arrival in a Romanian port, inland waterway vessels, irrespective of the flag they fly, will send to the harbor master / the office of the captain the following documents:

- a) general statement;
- b) crew list;
- c) passenger list, where appropriate;
- d) the departure permit from last port or any other official document which replaces this document and / or documents accompanying the goods, as appropriate.

In order to obtain the permit for the departure from a Romanian port, inland waterway vessels, irrespective of the flag they fly, will send to the harbor master / office of the captain the following documents:

- a) notice of departure;
- b) crew list;
- c) list of passengers and / or documents accompanying the goods, as appropriate.

3.1. Vessels' arrival in ports

Port administrations allocate the berths where vessels are to operate and issue the permit for mooring at these berths based on the acceptance of their arrival into the port, issued by the harbor master [art. 32 para. (1) of Ordinance no. 22/1999 (r1)].

The vessels' arrival in ports is made with the prior special authorization of the harbor master and of the port administration in the following cases:

- when the vessel is in danger of sinking;
- when there is fire on board, a fire is suspected on board or when there is no assurance that, once the fire started, it can be extinguished;
- when, due to their construction, the vessel can threaten the port superstructure or infrastructure;
- when the vessel has sick people on board or persons susceptible to diseases requiring quarantine; this situation will be reported to the Port Control with at least 6 hours before the entry into the traffic control area;
- when the vessel has toxic, radioactive or explosive waste on board or other substances which can endanger lives and public safety; this situation will be reported to the Port Control within at least 24 hours before the vessel enters the traffic control area, and if the vessel has or will have radioactive cargo on board it will require the arrival approval within at least 30 days before the date of the arrival in port;
- when, because of its load or otherwise, it constitutes a danger to public order and safety;
- for the repair, modification or dismantling outside port shipyards;
- when they enter the port for shelter, stay or other activities outside port operations;
- nuclear-powered vessels can enter the port only with the approval of the State authority in the field of shipping; in this case, the date and time of the arrival and the required stay period will be announced at least 30 days before.

At their arrival to the Romanian seaports, vessels are required to use the traffic separation device, according to the navigators' notices.

Any anchorage maneuver, change of anchorage or departure from anchorage, arrival to or departure from the port, as well as the exit to the open sea from the respective area will be made only after obtaining the approval given by the harbor master.

No vessel, irrespective of its flag, can stay or anchor outside the roadstead limits, or in the territorial waters without the approval of the harbor master, except in cases of force majeure, situation which shall be

communicated to the harbor master and the border police, as soon as possible.

3.1.1. The order of vessels' arrival in ports or berths

The decision of ordering the vessels' arrival in ports and the assignment of berths are made according to the demands of the economic agents engaged in shipping activities, in ports [art. 32 section (1) of G.O. no. 22/1999 (r1)].

The arrival of vessels in ports and berths is decided by the Commission which coordinates the vessels' arrival, departure and maneuvering. The vessels' agents will submit to the specialty service in port administration, providing for the Committee Secretariat, the document certifying the vessel within at least 24 hours before its arrival.

The vessels' arrival in ports and berths will be communicated by the Port Control and under the monitoring of the harbor master.

For the vessels' arrival and departure maneuvers or berth change, the vessel agents will necessarily draw up the pilotage card in three copies, which will be approved by the representatives of the harbor master and of the port administration within the daily meetings of the committee coordinating the vessels' movement.

In special cases of general interest or danger for the vessels inside roadsteads, the harbor master may order the entry of vessels in port, even if they are not scheduled for landing.

The vessels arriving into the port leave free access to those which leave the port.

The simultaneous arrival and departure of several vessels in the red light-green light area is prohibited.

4. REFERENCES

- [1] Approved by the Order of Minister nr. 956 din 23/06/2003 for the approval of the Regulation for the portuary operation of Romanian maritime ports, Published in the Official Gazette nr. 470 of 01/07/2003.
- [2] HAISAN, M., is the only Romanian woman that occupied the position of ship master. She commands a rescue and intervention ship (Albatros vesswl), which deals mostly with resue operations and participates in interventions in case of ships that require SOS. PREDESCU, F., Evenimentul Zilei, nr. 4251 (October 22, 2005), p. 14.
- [3] See BIBICESCU, G., TUDORICĂ, A., SCURTU, G., CHIRIȚĂ, M. *Lexicon maritim englez roman, cu termini corespondeti in limbile franceza, germane, sapniola, rusa*. Bucuresti, Ed. Stiintifica, 1971. pag. 63, Beachcomber, unemployed individual, wandering through the ports, earning his/her living from collecting fish debris left on the beach or in fishing piers, and from other expedients