



# Appendix 3: Proposed Loch Lomond Byelaws 2023

## Agenda Item 3

### National Park Authority Special Board Meeting

Monday 18 July 2022

---

#### 1. GENERAL

##### 1.1 TITLE

These Byelaws may be cited as The “Loch Lomond Byelaws **2023/4**”.

##### 1.2 APPLICATION

1.2 (1) These Byelaws shall be applicable to: (a) the waters of Loch Lomond and its tributaries, distributaries and navigable rivers; and, (b) where the context so admits or requires, the **Shoreline**, the banks and the **Islands** of Loch Lomond within Loch Lomond & The Trossachs National Park all within the area delineated in red on plan 1 annexed (together the features and areas referred to in Byelaw 1.2 (1) (a) and 1.2 (1) (b) are referred to in these Byelaws as **the Loch**).

1.2 (2) Nothing in these Byelaws shall prevent a riparian or other proprietor as **Owner** of land in **the Loch** or adjacent thereto from exercising a right vested in him as **Owner** of that land. Riparian and other proprietors shall otherwise be subject to these Byelaws to the same manner and extent as all other users of **the Loch**.

1.2 (3) Except for each of Byelaws 2.2(1), 2.2(2), 3.6 and **3.13 (2)** these Byelaws shall not apply in respect of any **Vessel** being a passenger ship of Class IV, Class V or Class VI as specified in Regulation 2 of the Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 (SI 1998/1011). Where exempt from these Byelaws such **Vessels** shall be regulated in all other matters covered by these Byelaws by the Maritime and Coastguard Agency.

##### 1.3 DEFINITIONS AND INTERPRETATIONS

In these Byelaws, the following words, phrases and expressions are printed in bold wherever they appear and they have the interpretation and meaning hereby assigned to them

respectively. Any reference in these Byelaws to the singular shall be deemed to include the plural and vice versa.

1.3 (1) **“Adult”** means any person of 18 years of age or over.

1.3 (2) **“Annual Mark”** means a mark of the size, colour and shape prescribed by **the Authority** in its registration documents for the purpose of indicating that a **Power-Driven Vessel** has been registered in any year.

1.3 (3) **“the Authority”** means Loch Lomond **and** The Trossachs National Park Authority.

1.3 (4) **“Damage”** means death or **Injury** to **any human being or Wildlife** or any loss or **physical harm** to any property, including land.

1.3 (5) **“Drug”** means any intoxicant other than alcohol.

1.3 (6) **“Fairway”** means a navigable channel running between two areas of shallow water.

1.3 (7) **“Injury”** means any permanent or temporary impairment of physical or mental condition and/or any disease.

1.3 (8) **“Islands”** means all of the islands of **the Loch**.

1.3 (9) **“Master”** means the person aboard having the control or charge of a **Vessel**, and in the case of any **Young person** in control or charge of a **Power-Driven Vessel** it shall mean the **Adult** on the **Power-Driven Vessel** supervising the **Young person** in terms of Byelaw 3.5(4).

1.3 (10) **“Making way”** in respect of a **Vessel** means a **Vessel being propelled by any means** through the water of **the Loch**.

1.3 (11) **“Nuisance”** means any act or omission which causes or is likely to cause **Injury**, annoyance, disturbance, or **Damage** to other users of **the Loch**.

1.3 (12) **“Owner”** means the person, firm or body corporate **having the use or management** of a **Vessel**.

1.3 (13) **“Personal Water Craft”** means every description of personal water craft, including, without limitation, **any Power-Driven Vessel designed to be operated by a person or persons sitting, standing or kneeling on rather than within the confines of a hull**.

1.3 (14) **“Power-Driven Vessel”** means any **Vessel** fitted with propelling machinery. **A Vessel under mechanical power, whether also under sail or not, shall be deemed for the purposes of these Byelaws to be a “Power-Driven Vessel.”**

1.3 (15) **“Public Rescue Equipment”** means lifebuoys, lifebelts, throw lines and other similar equipment intended to aid in the rescue of human beings or other living beings.

1.3 (16) **“Recreational towing activities”** means the activities of towing or being towed **for recreation, pleasure or sport including without limitation Water skiing**, wake boarding, knee boarding, parascending or being towed in or towing inflatable structures including without limitation bananas, biscuits and ringos.

1.3 (17) **“Registered Owner”** means the person, firm or body corporate that has registered the **Power-Driven Vessel** for use on **the Loch** from time to time.

1.3 (18) **“Registered User”** means a person registered with **the Authority** in accordance with Byelaw 2.1

1.3 (19) “**Registration number**” means the number allocated by **the Authority** to the **Registered Owner** of any **Power-Driven Vessel**, and being of a size, design and colour as may be prescribed by **the Authority** in its registration documents from time to time.

1.3 (20) “**Restricted visibility**” means any condition in which visibility is restricted by fog, mist, smoke, falling snow, heavy rain, restricted light, or any other similar causes.

1.3 (21) “**Sailing Vessel**” means any **Vessel** under sail provided that propelling machinery, if fitted, is not being used.

1.3 (22) “**Seaplane**” means every description of aircraft capable of landing and taking off from water.

1.3 (23) “**Shoreline**” means any land, both mainland and **Island**, that immediately adjoins any of the waters of **the Loch**, including, without limitation, the banks of **the Loch**, both mainland and **Island**.

1.3 (24) “**Sunrise**” means the time of day when the sun first appears above the eastern horizon as specified from time to time by the UK Met Office for **the Loch**’s area.

1.3 (25) “**Sunset**” means the time of day when the sun disappears below the western horizon as specified from time to time by the UK Met Office for **the Loch**’s area.

1.3 (26) “**Trolling**” means to fish by trailing a lure or baited line along behind a **Vessel**.

1.3 (27) “**Trolling shape**” means a round, orange coloured ball approximately 200mm in diameter fixed to a pole or rod .75 metres long and positioned in an appropriate part of the **Vessel** where it is clearly visible.

1.3 (28) “**Underway**” means a **Vessel** on the water of **the Loch** that is not at anchor, made fast to the **Shoreline** or aground.

1.3 (29) “**Vessel**” means any **structure**, craft or **board** used or capable of being **navigated or used** on, in or under or landing on water, whether or not capable of carrying any person and whether or not self-propelled.

1.3 (30) “**Water skiing**” means the activity of being towed with an independent means of directional control where the participant uses either a single ski (mono ski) or a pair of skis (combination skis) or a board designed or manufactured for that purpose, including without limitation **Water skiing**, wake boarding and knee boarding and “**Water skier**” shall be construed accordingly.

1.3 (31) “**Wildlife**” means any species of animal or bird which is on or in **the Loch** in a wild state and any species of plant which grows on **the Loch** in a wild state.

1.3 (32) “**Young person**” means any person under the age of 16 years.

## 2 REGISTRATION

2.1 No person shall be **Master** of a **Power-Driven Vessel** unless they have first registered with **the Authority** as a **Registered User** by submitting to **the Authority** an application for registration, or renewal of registration, on a form supplied by **the Authority** containing such information and accompanied by such evidence and documentation as may from time to time be prescribed by **the Authority** and then receiving from **the Authority** confirmation that they are registered as a **Registered User**.

## 2.2 REGISTRATION – POWER-DRIVEN VESSELS

Subject to the provisions contained in Byelaw 2.6 no **Owner of a Power-Driven Vessel** shall knowingly, cause it to be brought on to, kept, let for hire, or used on **the Loch** unless it is registered with **the Authority** as provided by Byelaw 2.3. **In order to register a Power driven Vessel an Owner must be at least 18 years of age.**

### 2.3 METHOD OF REGISTRATION

A **Power-Driven Vessel** shall be registered by its **Owner** with **the Authority** in the following manner:

#### 2.3 (1) Application Form

An application for registration, or renewal of registration, shall be made on a form supplied by **the Authority** and shall contain such information **and shall be accompanied by such evidence and documentation** as may from time to time be prescribed by **the Authority**.

#### 2.3 (2) Registration number

Upon **acceptance** of the form of application, **the Authority** shall allocate to the **Power-Driven Vessel** a **Registration number**, and it shall notify the same to the **Registered Owner**.

#### 2.3 (3) Annual Marks

Upon registering the **Power-Driven Vessel** in the manner specified in this Byelaw 2.3, **the Authority**, **may if it so chooses**, also issue in respect of the **Power-Driven Vessel** two **Annual Marks**.

#### 2.3 (4) Display of Registration number

The **Registered Owner** shall cause the **Registration number** allocated to the **Power-Driven Vessel** to be displayed on both sides of the **Power-Driven Vessel** in such a manner as may be prescribed by **the Authority** and in such a position as to be clearly visible.

#### 2.3 (5) Display of Annual Marks

**If the Authority has issued Annual Marks** then the **Registered Owner** shall cause the **Annual Marks** to be displayed on both sides of the **Power-Driven Vessel** without obscuring the **Registration number** referred to in Byelaw 2.3 (4) and so as to be clearly visible.

#### 2.3 (6) Display by Master

In the absence of the **Registered Owner**, the **Master** of a **Power-Driven Vessel** shall ensure that the **Power-Driven Vessel** is displaying the **Registration number** and (if issued) **Annual Marks** in such a manner as may be prescribed by **the Authority** and in such a position as to be clearly visible.

## 2.4 EFFECTIVE DATE OF REGISTRATION

Except as stated in Byelaw 2.5 (1) below, registration shall take place when the allocated **Registration number** is notified to the applicant, together with the supply of the **Annual Marks if issued** and shall lapse on the 31st of January following.

## 2.5 TRANSFER OF OWNERSHIP

### 2.5 (1) Transfer of Ownership etc.

In the event that the **Registered Owner** transfers **Ownership** of a **Power-Driven Vessel** which is registered with **the Authority** or otherwise determines that such **Power-Driven Vessel** will no longer be used on **the Loch** then the **Registered Owner** shall within fourteen days of the date of transfer or such determination notify **the Authority** in writing in such manner as may be determined by **the Authority** in which event the **Power-Driven Vessel** shall cease to be registered for use on **the Loch**.

2.5 (2) No **Registration number** or **Annual Mark** shall be transferred to another **Power-Driven Vessel** without the prior written consent of **the Authority**.

## 2.6 INSPECTION OF VESSELS

**The Authority** shall have the right to inspect a **Power-Driven Vessel** prior to registration and at any other time to confirm the details given on the registration application form.

## 2.7 FALSE INFORMATION

No person shall knowingly provide **the Authority** with false information or fail to disclose any material information when making an application for registration or renewal of registration as provided in Byelaws 2.1 or 2.3 or when notifying **the Authority** of a transfer of **Ownership** or determination that such **Power-Driven Vessel** will no longer be used on **the Loch** as provided in Byelaw 2.5 (1).

## 2.8 EXEMPTION FROM REGISTRATION

2.8 (1) Any police or fire officer or other member of the emergency services or member of the armed forces in circumstances necessary to the proper execution of their duty, shall be exempt from the need to register in accordance with this Byelaw 2.

2.8 (2) **Registered owners of Seaplanes and the Masters of Seaplanes** shall be exempt from the need to comply with registration Byelaws 2.1, 2.3 (4), 2.3 (5), 2.3 (6) and 2.6

## 3.1 RULES OF NAVIGATION

Any person being the **Master** of a **Vessel** from time to time shall be responsible for ensuring compliance with the Rules of Navigation contained in Byelaw 3 and where any **Power-Driven Vessel** is under the control or charge of a **Young person**, the **Adult** supervising that **Young person** in terms of Byelaw 3.5 (4) shall be responsible for ensuring compliance with the requirements of Byelaw 3.

## 3.2 LIGHTS – ALL VESSELS

The provisions of Byelaw 3.2 shall not apply to seaplanes.

3.2 (1) The **Master** of every **Vessel** shall comply with the provisions of Byelaw 3.2. concerning lights in all weathers from **Sunset** to **Sunrise**. The lights prescribed by said Byelaw shall also be exhibited from **Sunrise** to **Sunset** in **Restricted visibility**.

(a) "**Masthead light**" means a white light placed over the fore and aft centre line of the **Vessel** showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on either side of the **Vessel**.

(b) "**Sidelights**" means a green light on the starboard side and a red light on the port side each showing an unbroken light over an arc of the horizon of 112.5 degrees and so fixed as to show the light from right ahead to 22.5 degrees abaft the beam on its

respective side. In a **Vessel** of less than 20 metres in length the **Sidelights** may be combined in one lantern carried on the fore and aft centreline of the **Vessel**.

(c) “**Sternlights**” means a white light placed as nearly as practicable at the stern showing an unbroken light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees from right aft on each side of the **Vessel**.

(d) “**All-round light**” means a light showing an unbroken light over **an arc of the horizon of** 360 degrees.

3.2 (2) A **Power-Driven Vessel** of 12 metres or more in length, when **Underway**, shall **exhibit** lights of an intensity so as to be visible at the following minimum ranges:

(a) A **Masthead light**, **5.56** kilometres, 2.5 metres above **Sidelights**.

(b) **Sidelights**, **3.70** kilometres.

(c) A **Sternlight**, **3.70** kilometres.

3.2 (3) A **Power-Driven Vessel** of less than 12 metres in length, when underway, shall **exhibit** lights of an intensity so as to be visible at the following minimum ranges:

(a) A **Masthead light**, **3.70** kilometres.

(b) **Sidelights**, **1.85** kilomet1res.

(c) A **Sternlight**, **3.70** kilometres.

(d) In lieu of the foregoing, an all- round white light and **Sidelights**, minimum visibility **3.70** kilometres and **1.85** kilometres respectively.

3.2 (4) A **Power-Driven Vessel** of less than 7 metres in length whose maximum speed does not exceed 13 kilometres per hour may, in lieu of the lights prescribed in Byelaw 3.2(3) exhibit an white **all-round light** and shall, if practicable, also exhibit **Sidelights**, minimum visibility **3.70** kilometres and **1.85** kilometres respectively.

3.2 (5) the **Masthead light** or white **all-round light** on a **Power-Driven Vessel** of less than 12 metres in length may be displaced from the fore and aft centre line of the **Vessel** if centreline fitting is not practicable, provided that the **Sidelights** are combined in one lantern which shall **be carried on the fore and aft centre line of the Vessel or located as nearly as practicable in the same fore and aft line as the Masthead light or the white all-round light.**

3.2 (6) A **Power-Driven Vessel** when towing another **Vessel** shall **exhibit**, in addition to the lights prescribed in Byelaws 3.2 (2) to 3.2 (5) (as the case may be) an additional **Masthead light** of similar intensity in a vertical line above or below that light. Where from any sufficient cause it is impracticable for a **Vessel** not normally engaged in towing operations to display the lights prescribed by this Byelaw 3.2 (6), such **Vessel** shall not be required to exhibit those lights when engaged in towing another **Vessel** in distress or otherwise in need of assistance. All possible measures shall be taken to indicate the nature of the relationship between the towing **Vessel** and the **Vessel** being towed, in particular by illuminating the towline.

3.2 (7) A **Vessel** being towed shall exhibit:

(i) **Sidelights**, minimum intensity **1.85** kilometres.

(ii) A **Sternlight**, minimum intensity **3.70** kilometres.



3.2 (8) A **Sailing Vessel** Underway shall exhibit:

(i) **Sidelights**, minimum intensity 1.85 kilometres.

(ii) A **Sternlight**, minimum intensity 3.70 kilometres.

3.2 (9) In a **Sailing Vessel** of less than 20 metres in length, the lights prescribed in Byelaw 3.2 (8) may be combined in one lantern carried at or near the top of the mast where it can best be seen.

3.2.(10) A **Sailing Vessel** underway may, in addition to the lights prescribed in Byelaw 3.2(8), exhibit at or near the top of the mast, where they can best be seen, two **All-round lights** in a vertical line, the upper being red and the lower green, but these lights shall not be exhibited in conjunction with the combined lantern permitted by Byelaw 3.2(9).

3.2 (11) A **Sailing Vessel** of less than 7 metres in length or a **Vessel** under oars or paddles or any other form of non-motorised propulsion shall, if practicable, exhibit the lights prescribed in Byelaw 3.2 (8), 3.2 (9) or 3. 2 (10) but, if not, an electric torch or lighted lantern showing a white light, which shall be exhibited in sufficient time to prevent collision.

3.2 (12) A **Vessel** at anchor in or near a **Fairway** shall exhibit forward, where it can best be seen, a white **all-round light**, as prescribed in Byelaw 3.2(1)(d), with a minimum range of at least 1.85 kilometres. This Byelaw 3.2 (12) shall not apply to **Vessels** when at their permanent recognised moorings if those moorings are out of the **Fairway**.

3.2 (13) Between **Sunset** and **Sunrise** no **Vessel** shall exhibit lights, other than those specified in Byelaws 3.2(2) to 3.2(12) inclusive, which are liable to be confused or mistaken for lights so specified.

### 3.3 CONDUCT IN RESTRICTED VISIBILITY

#### 3.3 (1) Safe Speed – all **Vessels**

The **Master** of a **Vessel** shall, in **Restricted visibility**, only proceed at such speed as appropriate to the circumstances and necessary to ensure the safety of the **Vessel**, all persons on the **Vessel**, and all other persons using **the Loch** and shall, if necessary, slacken speed or stop or reverse in order to avoid risk of collision, or **Injury**.

#### 3.3 (2) Sound Signal – all **Vessels**

The **Master** of a **Vessel** shall ensure that, if practicable, at all times the **Vessel** carries a horn, whistle or other means of making an efficient sound signal.

#### 3.3 (3) Sound Signal – **Power-Driven Vessels**

The **Master** of a **Power-Driven Vessel Making way in Restricted visibility**, shall sound or cause to be sounded, at intervals **not exceeding** two minutes, one prolonged blast of its sound signal of at least five seconds duration.

3.3 (4) The **Master** of a **Power-Driven Vessel** Underway but stopped and making no way through the water in **Restricted visibility** shall sound or cause to be sounded at intervals **not exceeding** two minutes two prolonged blasts of its sound signal each of at least five seconds duration in succession with an interval of approximately two seconds between them.

#### 3.3 (5) **Vessel** aground – all **Vessels**

The **Master** of a **Vessel** at anchor or aground in a **Fairway**, a **Vessel** restricted in its ability to manoeuvre, a **Sailing Vessel** or a **Vessel** engaged in towing shall, instead of the signals prescribed in Byelaws 3.3 (3) and 3.3 (4) sound or cause to be sounded at intervals **not exceeding** two minutes, three blasts of its sound signal in succession, namely one prolonged blast, of at least five seconds duration, followed by two shorter blasts.

### 3.3 (6) Steering and Sailing – all **Vessels**

The **Master** of a **Vessel** shall, in **Restricted visibility**, **exhibit** the lights required to be carried on a **Vessel** of that type by virtue of Byelaw 3.2.

## 3.4 STEERING AND SAILING BYELAWS

### 3.4 (1) Avoiding Risk of Collision – all **Vessels**

The **Master** of a **Vessel** shall navigate in accordance with this Byelaw 3.4 relating to steering and sailing and shall at all times maintain a proper lookout by sight and hearing as well as by all available means appropriate in the prevailing circumstances.

### 3.4 (2) Avoiding Risk of Collision – **Sailing Vessels**

When two **Sailing Vessels** are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows:

- (a) When each has the wind on a different side, the **Sailing Vessel** which has the wind on the port side shall keep out of the way of the other.
- (b) When both have the wind on the same side, the **Sailing Vessel** which is to windward shall keep out of the way of the **Sailing Vessel** which is to leeward.
- (c) If a **Sailing Vessel** with the wind on the port side sees a **Sailing Vessel** to windward and cannot determine with certainty whether the other **Sailing Vessel** has the wind on the port or on the starboard side, the **Sailing Vessel** with the wind on the port side shall keep out of the way of the other. For the purpose of this Byelaw, the windward side shall be deemed to be the side opposite to that on which the mainsail is carried.

### 3.4 (3) Avoiding Risk of Collision - **Power-Driven Vessel**

When two **Power-Driven Vessels** are meeting head on, or nearly head on, so as to involve risk of collision, each shall alter its course to starboard so that each may pass on the port side of the other.

3.4 (4) When two **Power-Driven Vessels** are crossing so as to involve risk of collision, the **Power-Driven Vessel** which has the other on her own starboard side shall keep out of the way and shall, if the circumstances of the case admit, avoid crossing ahead of the other **Power-Driven Vessel**.

3.4 (5) When a **Power-Driven Vessel** and a **Sailing Vessel** are proceeding in such directions as to involve risk of collision, the **Power-Driven Vessel** shall keep out of the way of the **Sailing Vessel**.

### 3.4 (6) Under Oars

When two **Vessels**, one of which (whether or not fitted with propelling machinery or carrying sails) is being manually propelled solely by the use of oars or paddles and proceeding in such direction as to involve risk of collision, the **Vessel** which is not under oars or paddles shall keep out of the way of the other.



#### 3.4 (7) Avoiding Risk of Collision – all **Vessels**

Where, by any of the provisions of this Byelaw 3.4 one of the two **Vessels** is to keep out of the way, the other shall keep its course and speed. When, from any cause the **Master** of the latter **Vessel** finds himself so close that collision cannot be avoided by the action of the giving-way **Vessel** alone, he shall also take such action as will best avert a collision.

3.4 (8) A **Vessel** which is directed by any of the said provisions to keep out of the way of another **Vessel** shall, so far as possible, take positive early action so as to ensure a safe passing distance.

3.4 (9) A **Power-Driven Vessel** which is directed by any of the said provisions to keep out of the way of another **Vessel** shall, on approaching the other **Vessel**, if necessary, slacken speed, stop or reverse or take such other actions as would avoid a collision.

#### 3.4 (10) Avoiding Risk of Collision – Seaplanes

Seaplanes landing and taking off from **the Loch** must do so in a manner designed to ensure that the seaplane keeps clear of all other users of **the Loch**. Other users of **the Loch** must exercise vigilance and ensure that they use all reasonable endeavours to remain clear of seaplanes which are landing and taking off from **the Loch**.

#### 3.4 (11) Inability to Manoeuvre – all **Vessels**

If a **Power-Driven Vessel** is in any circumstances unable to manoeuvre in compliance with any of the said provisions the **Master** shall sound the letter 'D' in Morse Code (that is to say one long blast followed by two short blasts of its sound signal) to indicate 'I am unable to give way'. It shall then be the duty of the other **Vessel** to keep clear.

3.4 (12) Notwithstanding anything contained in any of the said provisions, every **Vessel** overtaking any other **Vessel** shall keep out of the way of the overtaken **Vessel**.

3.4 (13) When two **Power-Driven Vessels** are approaching from approximately northerly and southerly directions respectively of a pier or landing stage preparatory to going alongside it and both **Power-Driven Vessels** are at nearly equal distance therefrom, the **Power-Driven Vessel** which is to the northward of the other shall give way and allow the other **Power-Driven Vessel** to go alongside first.

3.4 (14) If necessary to attract attention in the interests of safety, one prolonged blast of its sound signal shall be sounded by a **Power-Driven Vessel** when starting from any pier or landing stage.

#### 3.4 (15) **Vessel** Engaged in **Trolling** – all **Vessels**

No **Vessel** shall approach within 100 metres astern of a fishing **Vessel** engaged in **Trolling** and displaying a "**Trolling shape**".

3.4 (16) When navigating in a channel or area where there is less than 150 metres between any one area of **Shoreline** and another area of **Shoreline**, the **Master** shall navigate the **Vessel** so as to be on the starboard (right) side of mid channel so as to permit **Vessels** to pass port (left) side to port side.

3.4 (17) In a channel or area where there is less than 150 metres between any one area of **Shoreline** and another area of **Shoreline**, so as to avoid the likelihood of collision, **Masters** of **Vessels** shall keep on special lookout and be prepared to stop and go astern.

3.4 (18) No **Vessel** shall impede the passage or block any channel for **Vessels** passing through.

### 3.5 GENERAL BYELAWS RELATING TO NAVIGATION AND BEHAVIOUR

#### 3.5 (1) Reckless or Negligent Navigation or Use – all **Vessels**

No **Master** of any **Vessel** shall: knowingly, **recklessly, or negligently** navigate or otherwise use or permit any **Vessel** to be navigated or otherwise used in a manner which causes a **Nuisance** or danger to any other **Vessel** or any other person using **the Loch**.

#### 3.5 (2) Navigation whilst under the influence of alcohol or **Drugs** – all **Vessels**

(a) No **Master** of any **Vessel** or any other person shall navigate or attempt to navigate a **Vessel** on **the Loch** while under the influence of alcohol or **Drugs**.

(b) No person being towed by a **Vessel** who is able to exercise directional control independently of that **Vessel**, including without limitation **Water skiers** or wake boarders, shall be towed while that person is under the influence of alcohol or **Drugs**.

#### 3.5 (3) Navigating Without Due Care and Attention – all **Vessels**

No **Master** of any **Vessel** shall navigate or permit the **Vessel** to be navigated without due care and attention or without reasonable consideration for other **Vessels** or persons using **the Loch**.

#### 3.5 (4) **Young persons** – **Power-Driven Vessels**

(a) **Except with the written approval of the Authority and complying with any conditions therein** no **Power-Driven Vessel** with a greater engine power than 5 horsepower (3.7 kilowatts) shall be under the control or charge of a **Young person** unless supervised by an **Adult** who is present on the **Power-Driven Vessel** at the same time.

(b) **In the event that a Power-Driven Vessel with a greater engine power than 5 horsepower (3.7 kilowatts) is under the control or charge of a Young person who is not supervised by an Adult who is present on the Power-Driven Vessel at the same time the Registered Owner (or, in the event that the Power-Driven Vessel is not registered, the Owner) shall be guilty of an offence.**

(c) **In the event that a Power-Driven Vessel with an engine power of 5 horse power (3.7 kilowatts) or less is under the control or charge of a Young person and that Young person acts in such a way that if that Young person was an Adult they would have committed an offence then the Registered Owner (or, in the event that the Power-Driven Vessel is not registered, the Owner) shall be guilty of an offence.**

#### 3.5 (5) Securing a **Vessel** and tying up, anchoring, and mooring – all **Vessels**

(a) Except in an emergency, no **Master** shall moor, anchor, or tie up a **Vessel** in any part of **the Loch**, including without limitation piers, pontoons, and jetties where it is likely to cause **Nuisance, Injury or Damage**.

(b) Except in an emergency, no **Master** shall tie or otherwise secure a **Vessel** to any buoy, beacon or pole marking a navigation hazard or instruction.

### 3.5 (6) Lifejackets – all **Vessels**

The provisions of this Byelaw 3.5 (6) shall not apply to seaplanes or to the **Master** of any **Vessel** who has received a prior written exemption from **the Authority** complying with any **conditions therein**, in relation to the carrying of lifejackets or buoyancy aids in accordance with the terms of this Byelaw 3.5 (6).

- (a) (i) The **Master** of a **Vessel** (other than a **Personal Water Craft** ) shall ensure that, at all times, the **Vessel** is carrying sufficient **and appropriate** lifejackets or buoyancy aids of the standard specified in Byelaw 3.5 (6) (e) **for every person on board**;
- (ii) **and that every Young person is wearing a sufficient and appropriate lifejacket or buoyancy aid at all times when the Vessel is Under way unless that Young person is in a cabin or other space which is enclosed on all four sides and covered by a roof.**
- (b) The **Master** of a **Vessel** shall ensure that a person wears a **sufficient and appropriate** lifejacket or buoyancy aid at all times when being towed by that **Vessel** or wake surfing behind that **Vessel** without being connected to the **Vessel** by a tow line, except where a person:
- (i) is being towed whilst bare foot skiing and is wearing an adapted wet suit which aids buoyancy; or
- (ii) is being towed whilst wake boarding or **Water skiing** or **wake surfing behind that Vessel without being connected to the Vessel by a tow line** and is wearing an appropriate impact vest of the standard specified in Byelaw 3.5 (6) (e).
- (c) Every person on a Personal Watercraft shall wear a **sufficient and appropriate** lifejacket, buoyancy aid or **impact vest** of the type described at Byelaw 3.5 (6) (e) at all times while on board the Personal Watercraft.
- (d) **In the event that any Young Person is on a Vessel, that is not a Power-driven vessel, which is under way, and they are not accompanied by an Adult who is also on-board, each Young Person shall ensure that they are wearing a sufficient and appropriate life jacket of the standard specified in Byelaw 3.5 (6) (e).**
- (e) "Sufficient **and appropriate** life jackets, buoyancy aids or impact vest" respectively, means any lifejacket or buoyancy aid or impact vest complying with relevant standards issued from time to time by the International Standards Organisation and/or the British Standards Institute or of an equivalent or higher standard which is of an appropriate size **for the weight of each person** and of an appropriate condition. **An impact vest shall have no less than 50 Newtons inherent buoyancy.**

### 3.6 SPEED LIMITS – ALL VESSELS

3.6 (1) Subject to Byelaw 3.6 (2), and except with the written approval of **the Authority** complying with any conditions therein, the maximum speed of any **Vessel** using **the Loch** shall be 90 kilometres per hour or such lower speed as is consistent with the safety of the **Vessel**, its passengers and other users of **the Loch** considering the conditions prevailing on **the Loch** from time to time.

3.6 (2) Notwithstanding Byelaw 3.6 (1), and except with the prior written approval of the **Authority**, the **Master** of a **Power-Driven Vessel** shall not permit their **Power-Driven Vessel** to travel at a speed greater than 11 kilometres per hour in any of the following areas all as shown dark blue on plan 1 annexed:

- (a) The whole area of water lying on the south side of an imaginary line drawn from Rhu point (OS GR NS 3608 9382) at Luss camp site to the most westerly point on Inchlonaig (OS GR NS 37389303);
- (b) The whole area of water lying on the south side of an imaginary line drawn from the most south westerly point on Inchlonaig (OSGR NS 3744 9286) to a point 150 metres north of the northerly point of Ceardach island (OS GR NS 3911 9198);
- (c) The whole area of water lying on the south side of an imaginary line drawn from the peninsula on the eastern **Shoreline** of Inchcruin (OS GR NS 3902 9122) to the most northerly point on the western **Shoreline** of Inchfad (OS GR NS 3947 9090);
- (d) The whole area of water lying on the north side of an imaginary line drawn from Rossdhu House point (OS GR NS 3625 8972) to the most southerly point of Inchgalbraith (OS GR NS 3691 9031)
- (e) The whole area of water lying on the north side of an imaginary line drawn from the most southerly point of Inchgalbraith (OS GR NS 3691 9031) to the most southerly point of Inchmoan (OS GR NS 3757 9037).
- (f) The whole area of water lying on the north side of an imaginary line drawn from the most south easterly point of Inchmoan (OS GR NS 3820 9048) to the most south westerly point of Ellanderroch (OS GR NS 3948 9040)
  
- (g) The whole area of water lying on the south side of an imaginary line drawn from Cameron House Marina Clubhouse (OS GR NS 3788 8275) to the boat house on the east **Shoreline** at Balloch Castle Country Park (OS GR NS 3867 8299);
- (h) The whole area of water lying on the east side of an imaginary line drawn from Ross Priory jetty (OS GR NS 4145 8776) to the most southerly point of Inchcailloch (OS GR NS 4068 8963);
- (i) The whole area of water lying on the east side of an imaginary line drawn from the most north westerly point of Inchcailloch (OS GR NS 4080 9069) to the most northerly point of Inchfad (OS GR NS4048 9141); and
- (j) The whole area of water lying on the east side of an imaginary line drawn from the most northerly point of Inchfad (OS GR NS 40489141) to Strathcashell Point (OS GR NS 3929 9310);
- (k) Within 150 metres off all **Shorelines**, both mainland and Island, the distance to be measured at right angles from the water's edge other than in the following areas:
  - (i) from Cameron House Marina Clubhouse (OS GR NS 37888275) to a point fifty metres south of the peninsula from the north end of Cameron House estate (OS GR NS 3765 8334);
  - (ii) from the South Lodge of Lomond Castle (OS GR NS 3677 8398) to Burnfoot Boathouse (OS GR NS 3628 8483);

- (iii) from Culag Farm (OS GR NS 3535 9524) to the southern bank of Inverbeg Holiday Park Harbour (OS GR NS 3493 9832);
- (iv) from a point on the **Shoreline** 160 metres from Inverbeg Holiday Park north shore (OS GR NS 3455 9843) to 160 metres south of Rubha Mor Point (OS GR NS 3466 9992);
- (v) from north of Tarbet Isle (OS GR NN 3292 0559) to 200 metres south of Inveruglas camp site jetty (OS GR NN 3216 0884);
- (vi) from Pulpit Rock (OS GR NN 3267 1371) to Stuckendroin, south of Ardlui Bay (OS GR NN 3239 1443).
- (vii) from Strathcashell point (OS GR NS 3929 9310) to 200 metres southeast of Carraig Rock (OS GR NS 3870 9496);
- (viii) from the most southerly point on the east **Shoreline** of Inchlonaig (OS GR NS 3850 9327) to the most northerly point of the east **Shoreline** of Inchlonaig (OS GR NS 3833 9394); and
- (ix) from the most south easterly pier on Inchmurrin Island (OS GR NS 3777 8638) proceeding north-easterly to a point on the most northern tip of Inchmurrin (OS GR NS 3861 8822)."

"3.6 (3) "Except with the prior written approval of the **Authority**, the **Master of a Power-Driven Vessel** shall not permit his **Power-Driven Vessel** with an engine sized greater than 15 hp (11.2kw) to travel in any of the following areas all as shown [ Colour] on plan [ No. ] annexed:

a) Balloch Castle Country Park

The whole area of water bounded by an imaginary line drawn from the most westerly point at Moat Wood (OS GR NS 3864 8270) to a point on the water 150 metres from the eastern shore on an imaginary line drawn between Cameron House Marina Clubhouse and the boat house on the east shore at Balloch Castle Country Park (OS GR NS 3854 8295) then running northwards, 150m offshore to a point on the water 150m west of the most westerly point of Horsehouse Wood (OS GR NS 3847 8330) to the most westerly point of Horsehouse Wood (OS GR NS 3862 8330)

b) Duck Bay

The whole area of water bounded by an imaginary line drawn from the point where the fence 50m to the southeast of the entrance to Lomond Castle crosses the shore line (OS GR NS 3680 8394) to a point on the water 150m from the shore (OS GR NS 3690 8407) then running south eastwards, 150m offshore to a point on the water opposite the stone wall to the north west of Duck Bay Hotel (OS GR NS 3742 8361) to a point where the stone wall to the northwest of the Duck Bay Hotel meets the shore (OS GR NS 3733 8349)

c) Luss

The whole of the area of water bounded by an imaginary line drawn from a point on the shore adjacent to the fence to the south of the Lodge on the Loch (OS GR NS 3599 9328) to a point on the water 150m from the shore (OS GR NS 3614 9328) then running southwards 150m offshore to a point on the water 40m northwest of the centreline of Luss pier (OS GR NS 3619 9316) then running south-westwards, parallel to the centreline of the pier to a point on the water 25m

from the shore (OS GR NS 3608 9310) then running south eastwards, 25m from the shore to a point on the water 40m southeast of the centreline of Luss pier (OS GR NS 3612 9303) then running north eastwards, parallel to the centreline of Luss pier to a point on the water 150m from the loch shore (OS GR NS 3623 9309) then running south eastwards, 150m from the shore to a point on the water 32m southeast of the centreline of the slipway at the rescue boat station (OS GR NS 3631 9298) then running south to the most easterly point of the island in the mouth of Luss Water (OS GR NS 3631 9287) then running westwards to a point on the shore 75m south east of the centreline of the slipway at the rescue boat station (OS GR NS 3623 9287)

d) Manse Bay

The whole area of water lying on the east side of an imaginary line drawn from a point 95m north of the northwest end of metal bridge at Craigie Fort (OS GR NS 4151 9096) to a point 140m northwest of the point where the burn crossing the northern most ford at the northern end of Manse Bay meets the loch (OS GR NS 4138 9146).

e) Milarrochy

The whole area of water lying on the east side of an imaginary line drawn from the most westerly point of Arrochymore Point (OS GR NS 4091 9178) to a point on the shore at the north end of the layby on the B837 at the northern end of Milarrochy Bay beach (OS GR NS 4095 9257).

f) Sallochay

The whole area of water bounded by an imaginary line drawn from a point at the mouth of Allt a' Mhorair (OS GR NS 3814 9559) to a point on the water 150m from the lochshore (OS GR NS 3798 9555) then running westwards, 150m offshore to a point on the water opposite the northwest end of the bay at Sallochay Wood (OS GR NS 3769 9562) to a point on the shore at the northwest end of the bay at Sallochay Wood (OS GR NS 3775 9575).

g) Rowardennan

The whole area of water bounded by an imaginary line drawn from the northern edge of Rowardennan Pier where it meets the shore line (OSGR NS 3587 9866) to a point on the water 150m west of Creaga Caorach point (OSGR NS 3578 9899) and to a point on the shore at the southern edge of the mouth of Ardess Burn (OS GR NS 3593 9916).

3.6 (4) "Byelaws 3.6 shall not apply in respect of any **Vessel** operated by any employee of **the Authority**, any police officer, fire officer or other member of the emergency services or any member of the armed forces in circumstances necessary to the proper execution of his or her duty"

### 3.7 RECREATIONAL TOWING

3.7 (1) The **Master** of a **Power-Driven Vessel** shall not knowingly cause or permit it to be used for the purposes of **Recreational towing activities** except in accordance with the following paragraphs:

#### Observer

(a) When towing a person engaged in a Recreational towing activity, the **Power-Driven Vessel** shall carry at least two competent persons, one of whom shall navigate the **Power-Driven Vessel** and the other of whom shall watch the person being towed and relay his signals to the navigator.



Mirror

(b) The **Power-Driven Vessel** shall be equipped with a mirror so constructed and fixed as to enable the navigator of the **Power-Driven Vessel** to observe the person being towed and **Vessels** to the rear of his **Power-Driven Vessel**.

### 3.7 (2) Paddle

No **Power-Driven Vessel** shall be used for a Recreational towing activity unless it has a paddle or other alternative means of propulsion in the event of engine failure so as to enable the retrieval of a person being towed from **the Loch**.

3.7 (3) The **Master** of a **Vessel** shall not knowingly cause or permit it to tow at any time more than two **Water skiers** or wake boarders where the towed **Water skier(s)** or wake boarder(s) has or have no means of independent propulsion, but is or are capable of being directionally controlled independently of the towing **Vessel**, provided that this Byelaw 3.7 (3) shall not apply to any person who has first obtained **prior written exemption from the Authority complying with any conditions therein**.

3.7 (4) The **Master** of a **Vessel** shall not knowingly cause or permit it to tow at any time more than one structure which is not capable of being directionally controlled independently of the towing **Vessel**, including without limitation inflatable structures such as bananas, biscuits and ringos.

3.7 (5) No **Vessel** shall tow at a speed above 30 kilometres per hour any structure or **Vessel** which has no directional control.

### 3.8 PARASCENDING

No person shall knowingly cause or permit to be used any **Vessel** for the purposes of parascending **or for the towing of any object designed or intended to become airborne** unless the prior written approval of **the Authority** has first been obtained.

### 3.9 NOISE AND SILENCERS – ALL VESSELS

3.9 (1) The **Master** of a **Power-Driven Vessel** propelled by an internal combustion engine shall comply with Byelaws 3.9 (2), (3) and (4) relating to the emission of noise and the fitting of silencers.

3.9 (2) A **Power-Driven Vessel** propelled by an internal combustion engine shall be fitted with a silencer expansion chamber or other contrivance suitable and sufficient to prevent the occurrence of noise amounting to a **Nuisance** caused by the escape of the exhaust gases from the engine.

3.9 (3) A **Power-Driven Vessel** propelled by an internal combustion engine shall be used on **the Loch** so that the exhaust gases from the engine do not escape into the atmosphere without first passing through the silencer, expansion chamber or other contrivance required by these Byelaws to be fitted.

3.9 (4) Every such silencer expansion chamber or other contrivance shall at all times, while the **Power-Driven Vessel** is used on **the Loch**, be maintained in good and efficient working order and shall not have been altered in such a way that the noise caused by the escape of the exhaust gases is made greater by the alteration.

### 3.10 GENERAL RULES RELATING TO VESSELS

### 3.10 (1) General Rules Relating to **Vessels**

No person shall navigate, or cause to be navigated any **Vessel** which, by reason of its construction, fitting out, **modification or condition** could be liable to cause a hindrance to free navigation, **Damage to the Loch** or danger to persons, other **Vessels** or property.

### 3.10 (2) Drifting or Unattended **Vessel**

Where a **Vessel** has been found drifting or abandoned, whether or not it is for the time being a hazard to navigation, it **may** be taken to the nearest suitable safe place at the discretion of an authorised officer of **the Authority**. **The Authority may** levy such charges on the **Owner** of the **Vessel** necessary to cover cost thereby incurred, and in the case of a **Power-Driven Vessel** the **Registered Owner** shall be liable for such charges. No responsibility of any kind whatsoever can be attached to **the Authority** for any **Damage** to or loss of any **Vessel** or for inconvenience caused when such action has been taken.

### 3.11 NOTIFICATION OF ACCIDENTS – ALL VESSELS

3.11 (1) If in any case owing to the presence of a **Vessel** in or on **the Loch** an accident occurs whereby a **Vessel** is **Damaged** or personal **Injury** is caused to any person, each and every **Vessel** involved shall stop as soon as is practicable and the **Master** of each **Vessel** shall, if required to do so by any person having reasonable grounds for so requesting, give **their** name, address and **email address (if any)**, and also the name, address and **email address (if any)** of the **Owner** and if a **Power-Driven Vessel**, **Registration number** of the **Power-Driven Vessel** involved.

3.11(2) The **Registered Owner** (or in the event that the **Vessel** is not registered, the **Owner**) of a **Vessel** which through accident or other cause has sunk or is stranded in **the Loch** shall at the earliest reasonable opportunity give notice to **the Authority** and to the Police of the position of such **Vessel**.

### 3.12 INVESTIGATION – ALL VESSELS

3.12 Responsibility of **Owner**, **Registered Owner** and **Master** to co-operate with investigation

The **Owner**, **Registered Owner** (whether or not he was the **Master** of the **Vessel**), and the **Master** (where the **Owner** or **Registered Owner** was not the **Master** at the time) of a **Vessel** shall each co-operate in any investigation that is carried out into any accident or incident involving that **Vessel** at the time of such accident or incident.

### 3.13 GENERAL BYELAWS RELATING TO THE LOCH

#### 3.13 (1) Trade or Business

No person shall conduct any activity by way of trade or business with, or in expectation of, personal reward from members of the public, on **the Loch** (except for the interior of the **Islands**), **in such a manner as to constitute a Nuisance**.

#### 3.13 (2) **Damage** to natural and cultural heritage

A person is guilty of an offence under these Byelaws if that person without lawful **Authority**, wilfully or recklessly **causes Damage to the Wildlife**, the amenity or any of the physical features on or forming part of **the Loch**.

#### 3.13 (3) **Damage** to Property

No person, other than an authorised officer of **the Authority**, shall remove or **Damage** a pillar, post, stone, mound, bunding or any other structure, erected by or with the permission of the landowner to prevent vehicular access to **the Loch**.

3.13 (4) No person, other than an authorised officer of **the Authority**, shall, or shall attempt to, overcome, circumvent, circumnavigate, or otherwise avoid any such structure as described in Byelaw 3.13 (3) above by any means, for the purposes of launching or navigating a **Power-Driven** boat on **the Loch**.

3.13 (5) No person shall remove or **Damage** a sign or instruction erected by **the Authority**.

3.13 (6) **No person shall Damage any Public Rescue Equipment or remove any Public Rescue Equipment from its existing location for any purpose other than to aid in the rescue of human beings or other living beings.**

### 3.14 INTERFERENCE WITH VESSELS

3.14 (1) Except in an emergency no person other than an authorised officer of **the Authority** or a Police Officer **or other emergency services, in the execution of their duties**, shall cast off the mooring line or lines of any secured **Vessel** without the consent of the **Owner, Registered Owner** or the **Master** of the **Vessel**.

3.14 (2) No person shall start the engine or in any way interfere with the machinery, equipment, or accessories of a **Vessel** without the permission of the **Owner, Registered Owner**, or **Master** of the **Vessel**.

### 3.15 TROLLING

3.15 (1) When **Trolling**, the **Master** of the **Vessel** shall ensure that a **Trolling shape** is displayed to indicate that the **Vessel** has a troll line or lines behind it.

3.15 (2) Notwithstanding any provision made elsewhere all **Trolling Vessels** must conform to Byelaw 3.2.

### 3.16 DIRECTION OF AUTHORITY PERSONNEL OR POLICE

#### Enforcement of Byelaws

3.16 (1) A person shall obey and conform to the directions of **an officer of the Authority**, Police Officer or any other person authorised by **the Authority** and identified as such on matters relating to provisions in these Byelaws.

3.16 (2) Any person suspected of being in breach of these Byelaws shall provide their full name, address, date and place of birth, occupation, **telephone number and email address (if any)**, to **an officer of the Authority**, Police **Officer** or other authorised person when asked to do so.

3.16 (3) Where it is suspected that there has been a breach of the Rules of Navigation in Byelaw 3 the **Owner or Registered Owner** of a **Vessel** shall provide, **within 28 days of being asked to do so by an officer of the Authority, Police Officer or other authorised person**, the full name, address, date and place of birth, occupation, **telephone number and email address (if any)**, of the **Master** of the **Vessel** where such person was not the **Owner or Registered Owner** at the material time.

3.16 (4) Where a request for the information specified in Byelaw 3.16 (2) or Byelaw 3.16 (3) is refused, or the person gives a name, address, or date and / or place of birth and / or occupation which is false or misleading that person shall be guilty of an offence.

3.16 (5) No person shall obstruct an officer of **the Authority**, or any other person authorised in writing by **the Authority** in the proper execution of their duties.

### 3.17 PENALTIES

Any person contravening any of the provisions of these Byelaws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding Level 2 on the Standard Scale.