

13 June 2024

Explanatory Note

Shannon Navigation Bye-Laws 2024

Bye-Law 1 – Citation and Commencement and Revocation

1. The existing Shannon Navigation Bye-Laws 1992 to 1998 are revoked and are replaced by one new Statutory Instrument titled Shannon Navigation Bye-Laws 2024.

Bye-Law 2 – Interpretation

2. The definitions and interpretation are taken consistent with Primary Legislation in Ireland.
3. Bye-law 2(4) provides a list of boats that are exempted from the bye-laws.

Bye-Law 3 – Powers of authorised officers

4. Bye law 3 provides the powers of authorised officers in relation to ensuring compliance with and enforcement of the Bye-Laws.

Bye-Law 4 - Powers of Waterways Ireland

5. This Bye-Law states the authority of Waterways Ireland to give instructions to the owner of a boat and the owner shall comply with said instructions.

Bye-Law 5 – Prohibition of unregistered boats

6. Bye-law 5 requires that all boats on the Shannon Navigation shall be registered with Waterways Ireland.

Bye-Law 6 – Registration of Boats

7. Bye-law 6 provides the process for registration of boats on the Shannon Navigation.
8. Bye-law 6(9) introduces an annual registration requirement and annual registration fee for boats using the Shannon Navigation. The annual registration fee will provide equity with the Canals Bye-Laws where boat owners shall purchase as annual canals permit or annual houseboat permit.
9. Bye-law 6(9)(b) provides a list of the boats exempted from the annual registration fee requirement.
10. Bye-law 6(10) provides that a boat in possession of a valid Waterways Ireland annual canals permit or houseboat permit shall not be required to obtain a Shannon Navigation annual registration to navigate on the Shannon navigation.

11. Bye-Law 6(11) introduces a 60 consecutive day visitor's pass for boats visiting the Shannon Navigation through the Shannon Erne Waterway or being lifted into the navigation for up to 60 consecutive days or from the sea at Limerick.
12. Bye-Law 6(12) provides that one powered open boat may be registered at no additional fee as a tender to a boat that holds a Shannon Navigation annual registration. The boat and tender must be owned by the same person and the tender must have the registration number displayed.
13. Bye-Law 6(13) states that boat registration is for 12 months and must be renewed annually.

Bye-Law 7 - Liability of master for contraventions of Bye-laws by a boat

14. Bye-law 7 states that where there is a contravention of the Bye-Laws the person shall be deemed to be liable for the contravention under section 3(5) of the Act.

Bye-Law 8 – Maximum draft

15. Bye-Law 8(1) states the maximum draft of boats permitted to navigate on the Shannon Navigation, Shannon Erne Waterways and Ulster Canal.
16. Bye-Law 8(2) states the maximum air draft (height above the water) for yachts on the canal and river sections. This is a safety provision based on accidents occurring where yacht masts have hit the overhead power lines at Portumna and other locations along the Shannon Navigation. The ESB has provided Waterways Ireland with a standard air draft of 12 metres / 40 feet over Ordinary Summer Levels for their overhead powerlines.

Bye-Law 9 – Crew of boats

17. Bye-Law 9 sets out the crewing requirement for boats using the Shannon Navigation.
18. Bye-Laws 9(3)(a, b, c, d) sets out the age restrictions for persons using various types of powered craft on the navigation. These age limits are consistent with the provisions of Maritime Safety legislation (SI 921 of 2005).

Bye-Law 10 - Alcohol and drugs

19. This Bye-Law prohibits the use of alcohol and drugs when in control of a boat on the Shannon or when using any equipment installed by Waterways Ireland.

Bye-Law 11 – Movable bridges

20. This Bye-Law states the powers of Waterways Ireland to impose restrictions on the use of movable bridges for repairs. This Bye-Law also states the requirements of users in relation to the use of movable bridges.

Bye-Law 12 – Navigation

21. Bye-Law 12 provides the rules for navigation of boats on the Shannon Navigation.
22. Bye-Law 12(11) is intended to ensure the safe use of seaplanes on the Shannon Navigation.

23. Bye-Law 12(12) provides Waterways Ireland with the power to designate areas for specific activities / type of craft. This will enhance water safety by the avoidance of multiple user types in a congested location. For example, boats could be prohibited from using designated swim zones during the summer months.
24. Bye-Law 12(13) sets out the requirements for using the Ardnacrusha headrace and tailrace and the river area within 100 metres of Parteen weir. This is a water safety matter. Boats can become trapped against the power generation turbine intake screens. Similarly, the flow of water under the opened Weir and Canal gates at Parteen Weir, creates the danger of unpowered boats becoming trapped against those gates, endangering them and their occupants, and potentially causing damage to the gates which may impact the safety of the dam. Prohibiting unpowered boats from a short distance upstream of those gates is a precautionary safety measure.

Bye-Law 13 – Speed Restrictions

25. Bye-Law 13 sets out the conduct of boats regarding speed and provides speed limits in the vicinity of bridges, locks, jetties and moored boats.
26. Bye-Law 13(3) sets speed restrictions on narrow river and canal sections of the Shannon Navigation for safety reasons. These river and canal areas are narrow, winding and frequently used by canoeists, paddlers and other such type of craft.

Bye-Law 14 – Boats under sail

27. Bye-Law 14 sets out the rules to be observed by boats under sail on the Shannon Navigation.

Bye-Law 15 - Lights to be carried by boats at night

28. Bye-Law 15 sets out the Lights to be carried by boats at night on the Shannon Navigation.

Bye-Law 16 – Passage through locks and bridges

29. Bye-Law 16 provides the requirements for boats passing through locks and bridges on the Shannon navigation.
30. Bye-Law 16(5)(g) requires persons to wear suitable flotation devices when operating lock gates and on the deck of a boat approaching a lock / in a lock. This is intended to improve water safety.
31. Bye-Law 16(5)(h) prohibits persons passing through locks while onboard canoes, paddleboards etc. This is intended to improve water safety.

Bye-Law 17 - Mooring and use of harbours

32. Bye-Law 17 sets out the rules and time limits for mooring of boats at Waterways Ireland facilities on the Shannon Navigation.
33. Bye-Law 17(3)(b) introduces a winter mooring provision from 1st November to 31st March at a cost of €300. In the winter of 2023-2024 a total of 150 boats remained on Waterways Ireland facilities over the winter period.

Bye-Law 18 – Grounding etc. of boats

34. Bye-Law 18 provides the protocols when a boat goes aground, sinks, goes on fire or explodes on the Shannon navigation.

Bye-Law 19 – Placing of Objects

35. Bye-Law 19 prohibits the placing of objects in the navigation without permission from Waterways Ireland.
36. Bye-Law 19(3) states that Waterways Ireland may give permission for the installation of swing moorings and may set such conditions as it deems fit.

Bye-Law 20 – Parking of Vehicles

37. Bye-Law 20 sets out the requirements for the parking of vehicles on Waterways Ireland property, including introducing a one week in any calendar month time limit for the parking of a vehicle at a place in the navigation or within 500 metres of that place.

Bye-Law 21 – Caravans and temporary structures.

38. Bye-Law 21 sets out the regulations for the use of caravans and temporary structures on Waterways Ireland property. This Bye-Law introduces a one week in any calendar month time limit for the parking of a Caravan and temporary structures at a place or within 5km of that place.

Bye-Law 22 - Removal of objects from navigation.

39. Bye-Law 22 provides the authority to Waterways Ireland to remove objects that are interfering with the use of the navigation.

Bye Law 23 - Commercial operations in navigation.

40. Bye-Law 23(1)(a) states that Waterways Ireland may set conditions for commercial operations on the Shannon Navigation.
41. Bye-Law 23(1)(b) states that all Passenger Ship & Passenger Boats operating on the Shannon navigation shall be certified in accordance with the Merchant Shipping Acts (1894-2022).
42. Bye-Law 23(1)(c) states that a commercial endorsement is required for the Master of all commercial boats in accordance with Maritime Safety legislation.

Bye-Law 24 - Conditions of permissions.

43. Bye-Law 24 states that Waterways Ireland can set out conditions at it deems fit regarding permissions that it may provide to individuals.

Bye-Law 25 - Removal, etc., of articles from navigation property

44. Bye-Law 25 sets out the process for the notification, removal and disposal of articles etc from the navigation.

Bye-Law 26 - Animals on the navigation.

45. Bye-Law 26 prohibits wandering or straying animals on the navigation. This Bye-Law provides the process for the removal of wandering or straying animals and the recovery of costs incurred.

Bye-Law 27 - Access of vehicles to the navigation.

46. Bye-Law 27 provides Waterways Ireland with the powers to prohibit or restrict vehicles from the navigation property.

Bye-Law 28 - Protection of wildlife, water quality, invasive species, waste, heritage, events, diving and underwater activities, prohibited activities.

47. Bye-Law 28 provides provisions in relation to important aspects for the preservation of the Shannon navigation for future generations.

48. Bye-Law 28(1) provides provisions for protection of wildlife.

49. Bye-Law 28(2) provides provisions for protection of Water Quality.

50. Bye-Law 28(3) provides provisions for protection against spread of Invasive species.

51. Bye-Law 28(4) provides provisions for prevention of waste.

52. Bye-Law 28(5) provides provisions for protection heritage.

53. Bye-Law 28(6) provides provisions for the holding of events on the Shannon navigation.

54. Bye-Law 28(7) provides provisions for diving and underwater activities.

55. Bye-Law 28(8) provides provisions regarding prohibited activities on Waterways Ireland property.

Bye-Law 29 - Appeals

56. Bye-Law 29 provides an Appeals mechanism. This Bye-Law provides the process to Appeal to the District Court against decisions made by Waterways Ireland.

57. In addition to the Appeals mechanism described in this bye-law, complaints against Waterways Ireland can be made to and investigated by the Ombudsman.

Bye-Law 30 - Charges

58. Bye-Law 30 sets out the requirement to pay the charges listed at Schedule 1.

Bye-Law 31 - Service of notices

59. Bye-Law 31 provides the options available to Waterways Ireland for the Serving of Notices.

Bye-Law 32 - Reversing.

60. Bye-Law 32 requires that a mechanically propelled boat shall be fitted with an effective means of reversing. This is a safety requirement.

Bye-Law 33 - Anchors, mooring lines and fenders

61. Bye-Law 33 provides the type of anchor and mooring equipment required for boats on the Shannon navigation.

Bye-Law 34 - Life-saving equipment

62. Bye-Law 34 provides the life-saving equipment to be carried onboard boats on the Shannon navigation.

63. Bye-Law 34 sets out the requirement to wear a suitable personal flotation device on boats, vessels and Personal Watercraft in accordance with Pleasure Craft (Personal Flotation Devices and Operation) (Safety) Regulations 2005 (S.I. No. 921 of 2005) as amended by Pleasure Craft (Personal Flotation Devices and Operation) (Safety) (Amendment) Regulations 2012 (S.I. No. 349 of 2012) and further amended by S.I. 400 of 2018.

Bye-Law 35 - Inboard engines.

64. Bye-Law 35 provides the technical and safety requirements for inboard engines on boats on the Shannon navigation. These requirements are for safety reasons.

Bye-Law 36 - Outboard engines.

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Bye Law 37 – Fire Extinguishers

66. Bye-Law 37 sets out the number and type of fire extinguisher / fire protection equipment that shall be carried on a boat. For standardisation reasons, the same requirements apply for boats on the canals and Shannon Navigation.

Bye Law 38 – Liquid petroleum gas

67. Bye Law Bye-Law 38 sets out the safety requirements for the use of Liquid Petroleum Gas on boats, including the requirement that LPG systems are fitted in accordance with the International Standards Organisation (ISO) 10239:2014 Small Craft Liquefied Petroleum Gas (LPG) systems.

Bye-Law 39 - Cooking and heating appliances.

68. This Bye-Law details the safety protocols to be employed when using cooking and heating appliances on boats.

Bye-Law 40 – Toilets

69. Bye Law 40 states that toilets fitted onboard boats shall be fitted to prevent pollutant matter from discharging into the navigation.

Bye-Law 41 – European Union Recreational Craft Regulations

70. Bye-Law 41 requires that boats on the Shannon Navigation are required to comply with European Union Directive 2013/53/EU which was transposed into Irish legislation by SI 65 of 2017 (EU Recreational Craft and Personal Watercraft Regulations 2017) and Statutory Instrument No 217 of 2017 - European Union (Recreational Craft and Personal Watercraft) (Procedures for Watercraft Identification) Regulations 2017 and Statutory

Instrument No 288 of 2023 - European Union (Recreational Craft and Personal Watercraft) (Amendment) Regulations 2023. This is an important safety requirement.

Bye-Law 42 - Extension of limits of the Shannon navigation – River Finn and Ulster Canal

71. Bye-Law 42 brings the River Finn and Ulster Canal under the remit of the Shannon navigation bye-laws.
72. The simplest method of introducing Bye Laws for these two navigations is to extend the Shannon navigation Bye-Laws to cover the River Finn and Ulster Canal. This Bye-law extends the limits of the navigation along the river Finn and Ulster canal from Castlesaunders Demense, Co Cavan to Clones Co Monaghan and so brings this section of the river and canal within the limits of the Shannon Navigation.
73. Section 3 (3) of the Shannon Navigation Act, 1990 empowers the Waterways Ireland to make Bye-laws extending the limits of the Navigation which are determined by the Act of the British Parliament 2 and 3 Vict., c. 61, as amended.

Bye-Law 43 - Extension of limits of the Shannon navigation – Inny River

74. Bye-Law 43 extends the limits of the navigation to include the Inny River from Lough Ree to the Red Bridge.
75. Section 3 (3) of the Shannon Navigation Act, 1990 empowers the Waterways Ireland to make Bye-laws extending the limits of the navigation.

Bye-Law 44 - Extension of limits of the Shannon navigation – To Dowra, Co Cavan

76. Bye Law 44 extends the limits of the Shannon navigation from Lough Allen to the downstream face of the R207 road bridge situated in Dowra in the county of Cavan.
77. Section 3 (3) of the Shannon Navigation Act, 1990 empowers the Waterways Ireland to make Bye-laws extending the limits of the navigation.

Bye-Law 45 - Limits of Shannon Navigation

78. Bye-Law 45 brings together all previous extensions of the Shannon navigation from 1990 to 1998 into one set of limits of the Shannon Navigation. The previous Bye-Law amendments are revoked accordingly.
79. Bye Law 45(1) brings the River Suck extension to Ballinasloe into this set of bye-laws. SI 127 of 1991 is revoked.
80. Bye Law 45(2) brings the Boyle River extension of navigation into this set of bye-laws. SI 314 of 1994 is revoked.
81. Bye Law 45(3) brings the extension of the southern limit of the Shannon navigation in Limerick into this set of bye-laws. SI 175 of 1998 is revoked.
82. Bye Law 45(4) brings the inclusion of the Shannon Erne Waterway, the Erne and Lough Oughter navigation into this set of bye-laws. SI 209 of 1990 is revoked.

Bye-Law 46 – Fixed Payment Notice

83. Bye-Law 46 introduces a Fixed Payment Notice with the form set forth in Schedule 2.
84. The Appeal mechanism against a Fixed Payment Notice is described in Section 57 of the Maritime Safety Act 2005.

Schedule 1 - Setting forth charges

85. Schedule 1 lists the charges for the use of the Shannon Navigation including annual registration fee, drydocks, winter mooring, ancillary charges.
86. The Annual registration fee of €200 is at the same level as the annual canals permit fee.
87. Boats visiting the Shannon Navigation may obtain a 60 consecutive day visitor's pass for €40. This is the same fee as for visiting boats on the canals.
88. A winter mooring fee of €300 is proposed for boats remaining on Waterways Ireland property from 01 November to 01 April.
89. Removal of lock and bridge passage fees will provide a financial saving to boaters on the Shannon Navigation.
90. SI 66 of 1994 amending the charges on the Shannon Navigation is revoked.

Schedule 2 – Form of Fixed Payment Notice

91. The publishing of this form and the amount of the Fixed Payment Notice is required by Section 57 of the Maritime Safety Act 2005 which amends Section 3 of the Shannon Navigation Act 1990.