

FISHGUARD HARBOUR BYELAWS 1996

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FISHGUARD HARBOUR BYELAWS 1996

Fishguard and Rosslare Railways and Harbours Company in exercise of its powers contained in section 83 of the Harbours Docks and Piers Clauses Act 1847 and Stena Line Ports Limited (a wholly-owned subsidiary of Stena Line Limited which is a wholly-owned subsidiary of Stena Line (UK) Limited) in exercise of its powers contained in section 83 of the Harbours Docks and Piers Clauses Act 1847 (as applied by the British Railways (No.2) Act of 1975) and section 18 of the said Act of 1975 and all other powers it enabling, all of which powers are vested in Stena Line Ports Limited by virtue of the British Rail Shipping and Harbours Scheme 1979, the Sealink Harbours Scheme 1981 and the Sealink (Fishguard Harbour) Scheme 1981, hereby make the following byelaws.

PART I

Preliminary

1. Citation, commencement and extent

1.1 These byelaws, which may be cited as the Fishguard Harbour Byelaws 1996, shall come into operation on the expiration of twenty-eight days after their confirmation by the Secretary of State and shall apply to the Harbour (as defined in byelaw 4 below).

2. Division of byelaws into Parts

2.1 These byelaws are divided into six Parts as follows:-

Part I	-	Preliminary
Part II	-	Navigation
Part III	-	Berthing and Mooring
Part IV	-	Vehicles and Animals
Part V	-	Fire Safety
Part VI	-	General

3. Repeal

3.1 Upon the coming into force of these byelaws any byelaws previously made under section 83 of the said Act of 1847 or any other enactment giving power to make harbour byelaws in respect of the Harbour (in so far as the same may still be in force) shall be and the same are hereby revoked without prejudice however to the validity of anything done thereunder or to any liability incurred in respect of any act or omission before the date of coming into force of these byelaws.

4. Interpretation

4.1 In these byelaws unless the context otherwise requires the following words or expressions have the meanings hereby respectively assigned to them:-

"appropriate traffic signs": means any object or device (whether fixed or portable) of the size, colour and type specified in regulations made by the Secretaries of State acting jointly in pursuance of their powers

contained in section 54 of the Road Traffic Regulation Act 1967 for conveying to traffic on roads the appropriate requirements, restrictions or prohibitions and erected in conformity with and subject to any General Directions given to highway authorities by the Secretaries of State acting jointly, or such other Directions as may be given by the Secretary of State;

"authorised person": means any officer, employee or agent of the company acting in the execution of his duty or in connection with the Harbour;

"the Collision Regulations": means regulations for the prevention of collisions made under Section 21 of the Merchant Shipping Act 1979;

"the company": means Stena Line Ports Limited;

"constable": means any constable acting in the execution of his duty in or in connection with the Harbour;

"dangerous goods": means any of the classes of goods specified in article 1(2) of the Merchant Shipping (Dangerous Goods) Regulations 1981;

"the excluded portion": means those areas of the Harbour and the harbour limits lying to the south and east of an imaginary line running from the shore along the east breakwater to a point 240 metres south westwards of the flashing red light and thence in a direction of 094o (True);

"fire brigade": means the fire brigade provided under section 1 of the Fire Services Act 1947 for the area in which the Harbour is situated;

"foreign-going ship": has the meaning assigned to that expression by section 742 of the Merchant Shipping Act 1894;

"goods": includes fish, livestock and animals of all descriptions;

"the Harbour": means the harbour at Fishguard under the jurisdiction of the Fishguard and Rosslare Railways and Harbours Company but worked and managed by the company and includes all docks, quays, wharves, jetties, piers, roads, lands, buildings, machinery, apparatus, works and conveniences now or hereafter forming part thereof or held or used by the company in connection therewith;

"the harbour limits": means so much of the shore water of Fishguard Bay below high water mark as is comprised within an imaginary straight line drawn from Saddle Point in a direction of 022o true for a distance of 1655 metres, thence in a direction of 293o true for a distance of 991 metres, thence in a direction of 210o true to the nearest point of the main land at Pen Cw a distance of 220 metres as delineated on the attached plan and shown edged in green;

"harbour master": means the harbour master of the Harbour for the time being appointed by the company and includes his authorised deputies and

assistants and any person authorised by the company to act in that capacity;

"harbour road": means any road quay wharf jetty pier work or land (excluding land let or leased to parties other than the company) which is situate within the harbour (not being a road as defined by section 196 of the Road Traffic Act 1972);

"infectious disease": has the meaning assigned to that expression by the Public Health (Ships) Regulations 1979;

"master": when used in relation to any vessel means any person lawfully or wrongfully having or taking the command charge or management of the vessel for the time being;

"owner": when used with reference to any vessel includes the owner agent or charterer of the vessel and where used with reference to goods includes the owner, agent, consignor, consignee, shipper or other person in charge of the goods and their respective agents in relation thereto;

"power driven vessel": means any vessel propelled by machinery;

"the prohibited anchorage": means the area enclosed by an imaginary line drawn along the northern breakwater and thence from the green light thereon in a direction of 193.5o (True) for 370 metres to the admiralty buoy thence in a direction 233o (True) for 790 metres to the red light on the east breakwater and thence in a direction 324o (True) for 620 metres to the end loading ramp tower;

"prolonged blast": means a blast of from four to six seconds' duration;

"rubbish": includes ballast, ashes, filth, cinders, chalk and other waste materials and substances;

"sail board": means a vessel in the form of a flat raft or float, propelled by sail navigated by an occupant;

"small vessel": means any vessel the overall length of which does not exceed 14 metres and the draught of which does not exceed 1.5 metres;

"vehicle": means every kind of vehicle (and where the context so admits, includes hovercraft within the meaning of the Hovercraft Act 1968) and every means of conveyance on wheels however propelled or drawn for carrying any person or thing but does not include railway locomotives or railway rolling stock of any description;

"vessel": means every description of vessel however propelled or moved, including hovercraft within the meaning of the Hovercraft Act 1968, a hydrofoil vessel and anything constructed or used to carry persons or goods by water and for the purposes of byelaw 15 an aircraft of any description (whether designed to manoeuvre on water or not);

"whistle": means any sound-signalling appliance capable of producing a prolonged blast and which complies with the specifications of the Collision Regulations;

- 4.2 These byelaws shall only apply to the excluded portion at any time when there are not in existence byelaws relating thereto made by the Preseli District Council under the powers of the Pier and Harbour Order (Fishguard and Goodwick Harbour) Confirmation Act 1975.

PART II

NAVIGATION

Vessels to report before entry into Harbour

5. The master of a foreign-going ship or any other vessel (other than a small vessel) shall not knowingly cause or permit his vessel:-
- (a) to enter the Harbour unless he has notified the harbour master of its entry into the harbour limits and has obtained the permission of the harbour master for the vessel to enter the harbour; or
 - (b) to leave or to manoeuvre within the Harbour unless he has obtained the permission of the harbour master so to do.

Vessel to be carefully navigated

6. The master shall navigate his vessel with care and caution and so as not knowingly to cause obstruction to any other vessel or property within the Harbour or the harbour limits.

Prohibited anchorage

7. The master shall not knowingly cause or permit his vessel to be anchored in the prohibited anchorage unless the circumstances are such as to render it unavoidable in which case the earliest opportunity shall be taken to move the vessel clear of the prohibited anchorage. While anchored anywhere within the Harbour or the harbour limits vessels shall exhibit the lights or shapes prescribed in the Collision Regulations for a vessel at anchor.

Speed of vessels within Harbour

8. The master of any vessel, when navigating within the Harbour or the harbour limits, shall not without the permission of the harbour master cause or permit such vessel to proceed at a greater speed than five knots.

Vessels not to be made fast to navigation buoys

9. The master of a vessel shall not without reasonable excuse knowingly cause or permit his vessel to be made fast to or to lie at any

navigational marks whether buoys or beacons in the Harbour or the harbour limits.

Precautions during bad weather

10. During high winds or storms the master of a vessel in the Harbour or the harbour limits shall take proper precautions to secure the vessel and ease her at her anchors by letting go a second anchor (if the vessel carries a second anchor) and veering to a proper scope of cable.

Disabled vessels

11. The master of a vessel disabled from loss of sails power anchors cables or otherwise shall not knowingly cause or permit his vessel to enter the harbour limits except for the purposes of effecting necessary repairs and with the proper permission of the harbour master but the prohibition in this byelaw shall not apply if such permission cannot reasonably be obtained due to stress of weather and the master reports its entry to the harbour master as soon as possible thereafter.

Removal of vessels

12. Any vessel or small vessel in the Harbour or harbour limits which:-
- (a) is causing an obstruction; or
 - (b) is on fire; or
 - (c) has sunk or capsizes; or
 - (d) is in danger of sinking or capsizing;
- may be removed by or under the direction of the company and the cost thereof shall be recoverable by the company from the master or owner as a civil debt.

Signal to be displayed by vessels fitted with bow rudder when navigated stern foremost

13. The master of a vessel fitted with a bow rudder which is being navigated stern foremost within the Harbour or harbour limits shall display the following signal:

Two balls, each two feet (0.61 metres) in diameter carried at the ends of a horizontal jackyard on the mast. The jackyard should be placed in a thwart ship direction, at least six feet (1.83 metres) higher than the funnel top, and should project at least four feet (1.22 metres) on either side of the mast so that the distance between the centres of the two balls shall be at least eight feet (2.44 metres).

The master of a vessel exhibiting the aforesaid signal within the Harbour or harbour limits shall follow and obey the Collision Regulations as if such vessel were being navigated bow foremost and for

this purpose the starboard side shall be regarded as the port side and vice versa.

Power driven vessels leaving dock wharf or jetty to give five short blasts

14. The master of a power driven vessel leaving dock wharf or jetty shall signal this movement by sounding five short blasts on her whistle except that in the case of a vessel under tow or about to be towed the master of the tug in attendance shall make the foregoing signal.

Notice to be given of position of vessel sunk in harbour limits

15. The master of a vessel which has sunk or grounded within the harbour limits shall as soon as reasonably practicable give to the harbour master notice thereof, together with the position of such vessel and such particulars as he may require for ensuring safe navigation and use of the Harbour. The master of a vessel which is attached to another vessel for the purpose of towing or manoeuvring the same shall give the notice required by this byelaw in the event of such other vessel sinking through accident or other cause.

Use of vessel by persons under 16 years of age

16. No person under the age of sixteen years shall be in charge of, and no person shall knowingly cause or permit such a person to be in charge of, a vessel navigating within the Harbour of the harbour limits.

Collision and damage to be reported

17. The master of a vessel shall as soon as reasonably practicable report to the harbour master any collision within the Harbour or harbour limits in which the said vessel is involved and in which injury or damage shall have been caused to any other vessel or property including any navigation mark buoy or mooring buoy or to any person.

PART III

BERTHING AND MOORING

Provision of proper fenders

18. The master of a vessel shall provide proper fenders for such vessel and when berthing laying or lying at a quay, wharf, jetty or landing place or against other vessels shall fend off or cause such vessel to be fended off from such quay wharf jetty or landing place or other vessels so as to prevent damage being occasioned thereto.

Vessels to be properly moored

19. The master of a vessel shall at all times ensure that it is kept properly and effectively moored when at any public or private mooring place or at any public or private quay wharf jetty or landing place in the Harbour.

No anchor to be put down except in emergency etc.

20. The master of a vessel shall not cause or permit the anchor to be put down from the vessel whether at moorings or in any other place in the Harbour or the harbour limits, except:-
- (a) in recognised anchorages outside the prohibited anchorage;
 - (b) in case of emergency;
 - (c) for the purpose of swinging; or
 - (d) with the previous sanction of the harbour master.

Where the anchor is put down in a case of emergency the master shall cause it to be taken up as soon as reasonably practicable. The master of a vessel which has slipped, parted from or lost any anchor, chain or cable within the Harbour or the harbour limits shall, as soon as reasonably practicable, give notice thereof to the harbour master and of the position of such anchor, chain or cable and if the harbour master so directs in writing shall cause such anchor, chain or cable to be recovered as soon as practicable.

Attendance on board

21. Except by permission of the harbour master the master of any vessel which normally trades to sea shall ensure that sufficient responsible persons who are competent to shift or move the vessel and attend to the moorings of the vessel as the harbour master directs or as may be necessary remain on board throughout the period that a vessel is afloat in the Harbour. Such persons shall carefully attend to the moorings of the vessel and to the sufficiency thereof and shall cause them to be slackened or hove in from time to time as may be necessary on the rise and fall of the water to prevent damage being done to that or to any other vessel or property within the Harbour.

Laying down moorings

22. No person shall lay down any moorings, buoys or other tackle within the Harbour or the harbour limits for the purpose of establishing a mooring, without the written consent of the harbour master.

Such consent may be subject to such reasonable conditions as the harbour master in his discretion thinks fit.

In default or if any person to whom consent shall have been given shall fail to comply with any of the conditions of such consent or with any direction of the harbour master given thereunder, the harbour master may remove or cause to be removed the said moorings, buoys or tackle.

No power driven vessel to have engines in motion except for the purposes of navigation

23. Except for the purpose of navigating to or from a berth the master of a power driven vessel shall not, without the written authority of the harbour master, carry out engine trials within the Harbour by operating her propeller, paddle or other propulsion system when the vessel is attached to any post, dolphin, jetty or landing place.

Vessels etc. not to be improperly made fast to posts etc.

24. No person shall without reasonable excuse:-
- (a) make fast a vessel by any rope chain or tackle to any post jetty quay ring fender or other thing or place in the Harbour not assigned for the purpose; or
 - (b) make fast a vessel to any mooring buoy in the Harbour without the consent of the harbour master.

Small vessels using Harbour

25. The master of a small vessel shall not moor within the Harbour or harbour limits except at places approved by the harbour master.

PART IV

VEHICLES AND ANIMALS

Prevention of obstruction by vehicles

26. (1) No driver, conductor or person in charge of any vehicle within the Harbour shall leave or place any such vehicle (unless necessary to do so because of mechanical break-down or other emergency):-
- (i) at or upon any docks, quays, wharves, jetties, piers or roads except where the vehicle is engaged in the business of the loading, unloading or carriage of goods but then only in accordance with the following provisions of this byelaw;
 - (ii) in any manner or place so as to cause an intentional obstruction or hindrance to the company or other person using the Harbour;
 - (iii) in contravention of any reasonable direction of the harbour master or any constable or authorised person;
 - (iv) where waiting or parking is prohibited; or
 - (v) unattended except in an authorised parking space or other place expressly authorised by the company.

- (2) Any vehicle left or placed in breach of paragraph (1) of this byelaw may be removed by or under the direction of the harbour master or any constable and the cost thereof shall be paid to the company by the said driver, conductor or person in charge of the vehicle and without prejudice to any penalty incurred by the contravention of this byelaw.

Lights on vehicles

27. Every person who shall use or cause or permit to be used any vehicle within the Harbour shall cause such vehicle to be lighted and kept lighted with the same lamps and in the same manner as if the vehicle were on a public highway.

Loads on vehicles

28. The driver of a vehicle or trailer within the Harbour shall at all times ensure that it is so secured or in such a position that danger is not likely to be caused to any person or property by reason of the load or any part thereof falling from the vehicle or by reason of any other movement of the load or any part thereof.

Duty to comply with traffic signs

29. All persons in charge of vehicles within the Harbour shall unless they have a reasonable excuse comply with such requirements restrictions or prohibitions of the description specified in regulations made from time to time by the Secretaries of State for such traffic signs as are erected on any harbour road which:-
- (a) require vehicles to proceed in a specified direction;
 - (b) prohibit vehicles from proceeding in a specified direction;
 - (c) prohibit or restrict the waiting or parking of vehicles;
 - (d) prohibit cycling; or
 - (e) prohibit the driving of vehicles or classes of vehicles on roads or parts of roads;

Provided that no person shall be guilty of an offence and subject to any penalty under this byelaw unless appropriate traffic signs have been provided on such harbour road.

Hackney carriages, cabs, taxis etc.

30. No driver of a hackney carriage cab taxi hire car or other vehicle shall knowingly cause his vehicle to stand or ply for hire within the Harbour except with the permission of the company and in accordance with the reasonable terms thereof.

Removal of railway engines and rolling stock

31. No unauthorised person shall without reasonable excuse move a railway engine truck wagon van carriage or trolley on any of the railway lines or cargo and passenger appliances in or on any part of the Harbour.

Inspection of vehicles

32. Any constable or authorised person who has reasonable grounds to suspect that a vehicle is not lawfully in the Harbour may request the person in charge of that vehicle to stop.

Dangerous animals

33. No person shall have any ferocious or vicious animal or bird or poisonous or dangerous reptile on board any vessel, or upon the harbour premises, unless properly secured to the satisfaction of the constable.

Control of Animals

34. No person shall, without reasonable excuse, permit a dog to enter or remain in the Harbour unless the dog is held on a lead and is restrained from behaviour giving reasonable grounds for annoyance.

Fouling of footways etc.

35. (a) Every person in charge of a dog (other than a registered blind person in charge of a dog) who permits the dog to foul a footway, gangway, passage, or other way within the Harbour which is used by or set aside for the convenience of pedestrians by depositing its faeces thereon shall be guilty of an offence.

Provided that in proceedings for an offence against this byelaw it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(b) For the purpose of these byelaws the keeper of the dog shall be deemed in charge thereof, unless the court is satisfied that at the time when the dog fouled the footway, gangway, passage or other way within the Harbour, it had been placed in or taken into the charge of some other person.

(c) In paragraph (b) above "the keeper" shall include the owner of the dog or any person who habitually has it in his possession.

PART V

FIRE SAFETY

No smoking or fires

36. No person shall smoke or carry a lighted pipe, cigar or cigarette within the Harbour or the harbour limits:-
- (a) where smoking is expressly prohibited by the company by a notice exhibited in a conspicuous position in such part of the Harbour or the harbour limits;
 - (b) if requested by the harbour master or any constable or authorised person not to do so in or upon any part of the Harbour or harbour limits where smoking or carrying a lighted pipe, cigar or cigarette may in their opinion be dangerous;
 - (c) near to or amongst any goods in or on any of the docks, quays, wharves, jetties, piers or buildings within the Harbour.

Heating pitch etc.

37. No person within the Harbour or the harbour limits shall without the written permission of the harbour master knowingly heat any pitch, tallow, tar, or any other substance or flammable matter, or have or allow any fire naked light or flame in any place other than for the immediate ignition of any authorised fire, light or flame or, subject to byelaw 36, for the purpose of smoking.

No dangerous fires on vessels

38. No person shall without reasonable excuse burn or heat any flammable matter or have or permit any fire or flame on any vessel in the Harbour:-
- (a) in such manner as to cause danger of fire; or
 - (b) without due precautions to prevent danger of fire on or to such vessel or elsewhere.

Destroying or setting fire to vessels

39. No person shall intentionally or recklessly set fire to destroy or break up any vessel or wreck within the Harbour or harbour limits except with the prior permission of the harbour master and in such a position within the Harbour or harbour limits as may be approved by the harbour master in writing.

Watchmen for fires on vessels

40. Whilst any fire or flame shall be used on board any vessel at or alongside any dock quay wharf jetty or pier the master of such vessel

shall provide and keep at least one person continually on board who shall be specially charged with the care of such fire or flame.

Notification of fires

41. In the event of an outbreak of fire on board any vessel within the Harbour, the person in charge of such vessel shall inform the harbour master as soon as possible of such outbreak and the fire brigade shall be summoned to the fire.

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PART VI

GENERAL

Occupation of berths only with harbour master's permission

42. (a) No master of any vessel shall permit such vessel to occupy a berth or move from one berth to another at the quay without permission of the harbour master.
- (b) The master of a vessel clearing from the quay shall give notice to the harbour master of his intention to vacate the berth or anchorage occupied by his vessel.

Vessels to be kept in moveable condition

43. The master of a sea-going vessel in the Harbour or harbour limits when not lying aground shall cause it to be kept at all times so loaded or ballasted or in such condition as to be capable of being safely moved.

Refuse etc. in Harbour

44. Save with the prior permission of the harbour master no person shall without reasonable excuse leave any boat or any gear or materials on or in any part of the Harbour except at an approved mooring.

Drift or trawling nets not to obstruct navigation

45. No person shall cast or place any drift trawl or other net in such a position so as to be or be likely to become an obstruction or danger to vessels navigating the Harbour or harbour limits.

Vessels to have their names etc. marked on them

46. The owner of any vessel in the Harbour or the harbour limits shall cause it to be conspicuously marked with its name and the port or place at which the vessel is usually kept or, in the case of a yacht and yacht tender, the name or initials of the yacht club to which the owner belongs: Provided that this byelaw shall not apply to any vessel which is otherwise required to be marked by any statute or regulation or order made thereunder.

Dredging or grappling without permission not to take place

47. No person shall dredge or grapple for any article or thing within the Harbour or the harbour limits without the previous written permission of the harbour master.

Prevention of obstruction

48. No person shall (without reasonable excuse) without the permission of the company place or leave or permit to be placed or left any goods or article of any description upon any part of the Harbour.

Without prejudice to the generality of the foregoing the approach to the docks, quays, wharves, jetties and piers forming part of the Harbour shall at all times be kept clear and free from obstruction so as to permit the mooring and unmooring of vessels and the loading and unloading of vehicles or vessels.

Display of printed matter

49. No person shall while in or upon the Harbour or harbour limits otherwise than with the express permission of the company or the harbour master (which shall not be unreasonably withheld):-
- (a) display or exhibit any printed written or pictorial matter or any article for the purpose of advertising or publicise or distribute any book leaflet or other printed matter or any sample or other article;
 - (b) sell or expose or offer for sale any article or goods whatsoever; or
 - (c) tout, ply for, or solicit alms, reward or custom or employment of any description.

Offensive behaviour and language

50. No person shall without reasonable excuse at any time while within the Harbour or the harbour limits:-
- (a) intentionally obstruct or impede the harbour master or any constable or authorised person in the performance of his duty or in the execution of any of the work, matters or things to be done by him; or
 - (b) spit upon, at, or against any waiting room, public room, hall, office or public passage forming part of the Harbour.

Entry into premises

51. No person shall refuse to open the doors of any shed, office, hut, warehouse or other building or structure on or about the Harbour or in any way intentionally obstruct or prevent any authorised person or constable in or from getting into any such shed, office, hut, warehouse

or other building or structure for the purpose of ascertaining whether these byelaws have been or are being complied with.

Unauthorised entry and exit

52. Except in an emergency no person shall enter or leave the Harbour otherwise than by an authorised route.

Misuse of property

53. No unauthorised person shall intentionally or recklessly misuse or, except in the case of an emergency, handle any navigation light or signal or any life saving appliance or any apparatus machines, equipment or thing comprised in or forming part of or used in connection with the Harbour.

Prohibition of sports and games

- 54.1 No person shall within the Harbour use any pleasure boat, sailboard or other personal watercraft, swim, fish or water-ski or, subject to the provisions of paragraph 2 hereof, engage in or play any sport or game of any kind without the permission of the harbour master.
- 54.2 No person shall skate on rollers skateboards scooters wheels or other mechanical contrivances in the Harbour.

Disclosure of name and address

55. Any person who is reasonably suspected of committing, or attempting to commit or who has committed any offence against these byelaws shall give his name and address to any constable or authorised person when requested to do so.

Removal of shingle

56. No person shall remove any boulders, shingle, sand or other material from any place within the Harbour or harbour limits without the prior sanction of the harbour master.

Silencing noise of exhaust of engines of vessels

57. No master of a vessel propelled by means of an internal combustion engine which can reasonably be fitted with a silencer or other contrivance suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of the exhaust gases from the engine shall without reasonable excuse navigate or operate such vessel in the Harbour unless such engine is so fitted with a silencer.

Saving of harbour masters and other powers etc.

58. Nothing in any of these byelaws contained shall be construed or read as in any way limiting or restricting the harbour master's lawful powers under any statute independent of these byelaws, nor to relieve any person of any statutory liability for not complying with any directions

given by the harbour master in pursuance of such powers nor to limit or restrict the exercise by the company through their servants or agents of any right in which they have as owners of the harbour or under any statute.

Saving of Crown and other rights

59. Nothing contained in any of the foregoing byelaws shall be deemed to be or shall operate as a grant by or on behalf of the Crown as owner of the foreshore below high water mark of any estate or interest in or right over such foreshore, or any part thereof, nor shall anything contained in or done under any of the provisions of the foregoing byelaws in any respect prejudice or injuriously affect the rights and interests of the Crown in such foreshore, or prevent the exercise thereon of any public rights or prejudice or injuriously affect any right, power or privilege legally exercisable by any person in over and in respect of the seashore.

Penalties

60.1 Any person offending against:-

- (a) any of the following byelaws numbered 6-11, 13-31, 33-41, 43-45, 47, 48, 52, 53, 56 and 57 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale;
- (b) any other of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

60.2 Where the commission by any person of an offence under these byelaws is due to the act or default of some other person that other person shall be guilty of the offence; and a person may be charged with and convicted of an offence by virtue of this byelaw whether or not proceedings for the offence are taken against any other person.

60.3 In any proceedings under byelaws 6, 10, 19 and 28 it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence and in any proceedings for an offence under byelaws 5, 13, 16, 24, 25, 43 and 48 it shall be a defence for the person charged to prove that he had a reasonable excuse for his act or failure to act.

THE COMMON SEAL of STENA LINE)
PORTS LIMITED was hereunto affixed)
in the presence of:)


Director


Secretary

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THE COMMON SEAL of FISHGUARD AND)
ROSSLARE RAILWAYS AND HARBOURS)
COMPANY was hereunto affixed)
in the presence of:)

W. Hoey Director

W. Thompson Secretary

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THE SECRETARY OF STATE HEREBY CONFIRMS the foregoing byelaws

Signed by authority of the Secretary of State





