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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 308**

**The Port of Cairnryan Harbour Empowerment Order 2007**

**PART 2**

**PORT REGULATION**

**General byelaws**

**21.**—(1) The Company may from time to time make byelaws for the efficient management and regulation of the port and of the undertaking.

(2) Without prejudice to the generality of paragraph (1) above, byelaws made under this article may provide for—

- (a) regulating the use, operation and superintendence of the port and the berths, quays, piers, warehouses, sheds, landing places, equipment, works and conveniences (including moorings) in the port;
- (b) regulating the admission to, and the movement within, and the departure of vessels from, the port, or the removal of vessels, and for the good order and government of vessels whilst within the port;
- (c) regulating the shipping and unshipping, landing, warehousing, stowing, depositing and removing of goods within the port;
- (d) regulating the navigation, berthing and mooring of vessels within the port and their speed and the use of tugs within the port;
- (e) preventing damage or injury to any vessel, goods, vehicle, plant, machinery, property or person within the port;
- (f) regulating the conduct of all persons within the port not being members of a police force or officers or servants of the Crown or officers of the Scottish Ministers including the holder of any office in the Scottish Administration or any member of staff of the Scottish Administration whilst in the execution of their duties;
- (g) regulating the placing and maintenance of moorings within the port;
- (h) preventing and removing obstructions or impediments within the port;
- (i) prohibiting or regulating the discharge or deposit of ballast, ashes, refuse, rubbish or other material (including any polluting liquid) in or into the port;
- (j) regulating the use of ferries within the port;
- (k) regulating in the port the use of yachts, sailing boats, sailboards, rowing boats, rowing punts, pleasure craft and other small craft;
- (l) regulating or prohibiting the activities in the port of divers, surfers, water skiers and other persons engaged in similar recreational pursuits but not so as to prohibit the use for navigation of the vessels referred to in paragraph (k) above;
- (m) regulating the launching of vessels within the port;

- (n) prohibiting persons working or employed in or entering the port, or any part thereof, from smoking therein;
  - (o) regulating the use of fires and lights within the port, and within any vessel within the port;
  - (p) regulating the movement, speed and parking of vehicles within the port;
  - (q) regulating the exercise of the powers vested in the harbour master;
  - (r) making the carrying out of specified port operations, or the conduct of persons in the port, subject to the approval (with or without conditions), control or direction of the harbour master, and for authorising him to take such action as may be reasonably required in default of compliance with any such condition, control or direction.
- (3) Byelaws made under this article may—
- (a) provide for imposing upon persons offending against them, or against any condition, requirement or direction imposed, made or given thereunder, fines not exceeding level 3 on the standard scale;
  - (b) relate to the whole of the port or to any part thereof;
  - (c) make different provisions for different parts of the port or in relation to different classes of vessels or vehicles.
- (4) The powers of this article are in addition to the powers conferred by section 83 of the Act of 1847.