

THE COUNCIL OF THE CITY OF SUNDERLAND

BYELAWS

Made under Section 63 and 65
of the Sunderland Corporation
Act 1972 with respect to the
Port of Sunderland

PORT OF SUNDERLAND BYELAWS – SCHEDULE OF GROUPINGS

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THE COUNCIL OF THE CITY OF SUNDERLAND PORT OF SUNDERLAND AUTHORITY

The Council of the City of Sunderland in exercise of the powers conferred on them by sections 63 and 65 of the Sunderland Corporation Act 1972, sections 236 and 237 of the Local Government Act 1972, section 83 of the Harbours, Docks and Piers Clauses Act 1847 and of all other powers enabling them in that behalf make the following Byelaws:

		<u>PART I</u> <u>Preliminary</u>
TITLE	1.	These Byelaws may be cited as 'The Port of Sunderland Byelaws XXX '
COMMENCEMENT OF BYELAWS	2.	These Byelaws shall come into force 28 days after their confirmation by the Secretary of State for Transport.
APPLICATION OF BYELAWS	3.	These Byelaws apply to all parts of the port and to all port facilities unless an individual Byelaw indicates otherwise.
INTERPRETATION	4.	<p>In these Byelaws:</p> <p>'the Authority' means the Port of Sunderland and the service areas of the Council of the City of Sunderland with responsibility for carrying out the powers and duties attached to the Council's management of the port;</p> <p>'berthed' means secured to a quay or to the bank of the river or a dock or secured to another vessel so secured, or secured to any floating pontoon or similar structure and 'to berth' and 'berthing' will be construed accordingly;</p> <p>'commercial ship' means any vessel other than a recreational craft and which is registered as a ship under the Merchant Shipping Act 1995;</p> <p>'competent' when used in relation to a Master or any other person means a person having such qualifications, training and/or experience that they are capable of properly carrying out the duties required of him in accordance with the law;</p> <p>'the Council' means the Council of the City of Sunderland;</p> <p>'diving operation' means work or other activity performed underwater and includes the use of self-contained underwater breathing apparatus (SCUBA), surface fed diving apparatus or remotely operated underwater vehicles;</p> <p>'dock railways' means the railways, sidings and crane tracks of the Council within the docks as the said railways and sidings are at present laid down, or as may be altered or extended by the Council;</p>

	<p>'the docks' has the meaning assigned to it by the Sunderland Corporation Act 1972 and which for the avoidance of doubt includes the pier known as Roker Pier;</p> <p>'fish' includes shell fish and 'fishing' must be construed accordingly;</p> <p>'the harbour' means the river and includes the docks and the tidal area enclosed by the North East Pier and the South West Breakwater and an imaginary line between the extremities of those piers;</p> <p>'Harbour Master' has the same meaning assigned to it as 'harbour master' in the Sunderland Corporation Act 1972;</p> <p>'house boat' means any floating structure or vessel primarily used for the purpose of human habitation and not for navigational purposes;</p> <p>'locomotive' includes any wheeled motor on a railway line used for the movement of rolling stock or any self-moving crane which is constructed for use on a railway line or railed track;</p> <p>'Master', in relation to a vessel, means any person having or taking command, charge, management or conduct of the vessel for the time being;</p> <p>'moored' when used in relation to a vessel means a vessel:- (a) made fast to a mooring chain or mooring buoy either ahead or astern or both, or (b) secured alongside any vessel so moored; or (c) secured both ahead and astern by anchors; or (d) made fast to a floating pontoon or similar structure; and moored and mooring may also be construed as berthed and berthing;</p> <p>'navigation channel' means the regular course or track of shipping dredged and maintained by the Authority and as shown on current charts maintained by the Authority;</p> <p>'offensive weapon' means any article made or adapted for use to cause injury to the person or intended by the person having it with him for such use;</p> <p>'Authorised officer' means any employee of the Council authorised to act on behalf of the Authority;</p> <p>'oil' means oil as defined in Section 29 of the Prevention of Oil Pollution Act 1971;</p> <p>'owner' includes not only the legal or beneficial owner but the consignor, consignee, shipper, receiver or agent for sale or custody of any goods or articles, and when used in regard to any vessel includes the legal and beneficial owner, the manager and an agent. For the avoidance of doubt this does not include the Receiver of Wreck ;</p>
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	<p>'permission' includes written or verbal permission unless otherwise stated, and further includes any general permission applicable to a specified area or type activity;</p> <p>'personal water craft' means a craft or vessel used for floating on or being submerged in water primarily intended for sport or leisure use fitted with a motor or internal combustion engine powering a water jet pump as the primary means of propulsion and is designed to be operated by a person or persons sitting, standing or kneeling on or in the craft or vessel and includes craft known as jet skis, jet bikes and water scooters;</p> <p>'authorised pilot' means a person holding a licence granted by the Port of Sunderland under the Pilotage Act 1987 (as amended) to pilot vessels in the port;</p> <p>'recreational craft' means any vessel of any type regardless of its means of propulsion which is being used for sports or leisure purposes;</p> <p>'the port' has the same meaning assigned to it by the Sunderland Corporation Act 1972;</p> <p>'the Port Director' means the Head of Service for the Authority and includes his or her authorised deputies, assistants and any other person authorised by him or her or the Council to carry out any function of the Port Director;</p> <p>'Port Control' also known as Local Port Services or any subsequent enhancement of this service means the Authority's Port Information Service;</p> <p>'quays' includes the quays, wharves, river walls and dock walls of the harbour;</p> <p>'the river' has the same meaning assigned to it by the Sunderland Corporation Act 1972;</p> <p>'Security Officer' means a person licensed by the Security Industry Authority or equivalent licensing body as may be in existence at that time;</p> <p>'small vessel' means any vessel, craft or personal water craft of any description of less than 20 metres in length;</p> <p>'smoking' has the same meaning as that contained in the Health Act 2006 and to 'smoke' must be construed accordingly;</p> <p>'train' means a locomotive, rolling stock, crane or any other description of vehicle used on a dock railways;</p> <p>'vehicle' includes any car, carriage, cart, coach, road locomotive, omnibus, lorry, motor, tractor, trailer, truck, van, bicycle, wheeled or tracked plant or equipment;</p> <p>'vessel' has the same meaning assigned to it as in the Sunderland Corporation Act 1972; and</p> <p>'waters of the port' includes all parts of the port below the high water mark.</p>
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		<p><u>PART II</u> <u>Vessels, including navigation, berthing and mooring</u></p>
<p>COMPETENT PERSON TO BE ONBOARD AT ALL TIMES</p>	5.	<p>Except with the permission of the Harbour Master, the Master or owner of a commercial ship must at all times have in attendance on board a person who can, in an emergency situation or upon receiving an order or instruction from the Harbour Master, provide or arrange for persons sufficient to carry out such order or instruction or emergency works as soon as possible.</p>
<p>PERSONS IN CHARGE OF VESSEL</p>	6.	<p>A person under 16 years of age must not be in charge of a vessel propelled by mechanical power without prior permission from the Harbour Master.</p>
<p>MASTER TO REMAIN ON BRIDGE</p>	7.	<p>The Master of every power driven vessel underway must ensure that a competent person capable of taking control of the vessel is on the bridge or is such a position to be able to take control of the vessel and, when an authorised pilot is on board, is capable of understanding the authorised pilot's directions or advice.</p>
<p>VESSELS TO BE NAVIGATED WITH CARE AND CAUTION</p>	8.	<p>Except in an emergency, the Master of a vessel must not use, load, discharge, anchor, navigate or so manoeuvre their vessel within the port in a manner which :-</p> <ul style="list-style-type: none"> (a) endangers or is likely to endanger the safety of any person, any other vessel, buoy or mooring; or (b) impedes or causes damage or is likely to impede or cause damage, to any other vessel, buoy or mooring or to the banks of the harbour or to any other property, infrastructure, sub-sea or underwater apparatus, or cause injury to any person.
<p>SPEED LIMIT OF VESSELS</p>	9.	<p>The Master of a vessel must not proceed at a speed exceeding 6 knots over the ground within the harbour except :-</p> <ul style="list-style-type: none"> (a) in such places which may be so designated by the Harbour Master; or (b) where it is necessary for purposes of safety, rescue, law enforcement, counter pollution, fire-fighting or salvage; or (c) with the Harbour Master's permission. <p>It is a defence to this Byelaw for the Master of a vessel to show that they exceeded the speed limit in order to maintain steerage or for the purpose of safe navigation.</p>

VESSELS TO KEEP TO STARBOARD SIDE OF NAVIGATION CHANNEL OR RIVER	10.	The Master of a vessel being navigated in the harbour must keep the vessel as near as is safe and practicable to the outer limit of the navigation channel or in the absence of a navigation channel, to the river bank, in either case which lies on the starboard side of the vessel except when the vessel is turning in or crossing the navigation channel.
NAVIGATING WHILST UNDER THE INFLUENCE OF DRINK OR DRUGS	11.	A person must not navigate a vessel whilst under the influence of drink, drugs or other substance to such an extent as to be unfit to navigate or take proper charge of the vessel.
WATER-SKIING AND AQUAPLANING	12.	A person must not engage or take part in water-skiing or aquaplaning in the harbour, except with the written permission of the Harbour Master.
SEAWORTHINESS	13.	<p>(1) The Master of a vessel being navigated must ensure that the vessel is seaworthy in all respects, except when it is being moved as permitted by paragraph (2) of this Byelaw.</p> <p>(2) The Master of a vessel which is in such a condition as to affect its seaworthiness or safe navigation or to give rise to danger to persons, other vessels or property, must not move or use the vessel without the permission of the Harbour Master or in contravention of any conditions of that permission, unless for safety reasons it is necessary to do so to clear the navigation channel or to berth, to moor or to anchor the vessel before such permission can be obtained.</p>
LAUNCHING ONLY IN DESIGNATED AREAS	14.	Other than by the authorised use of a privately owned slipway, power driven vessels and personal water craft must only be launched and recovered at a slipway or other means of access designated by the Council for such purpose and the Master, owner or other user of such vessel or water craft must comply with the terms and conditions of the designation by the Council.
BOAT RACES REGATTAS, SWIMMING EVENTS ETC.	15.	A person or organisation must not organise a boat race, regatta, competition, swimming or other floating event, exhibition or demonstration, without giving advance notice to the Harbour Master and that person or organisation must then only act in accordance with the instructions given by the Harbour Master as to the holding of that event.
TOWAGE, SAFETY STANDBY AND SALVAGE VESSELS	16.	The Master or owner of a vessel must not cause it to be operated for purposes in connection with commercial towage, commercial safety standby or commercial salvage without the permission of the Harbour Master and the Master and / or owner must then only act in accordance with any conditions of that permission.

RESTRICTIONS ON TOWING AND PUSHING	17.	The Master of any power driven vessel must not cause or permit their vessel to:- (a) push ahead one or more vessels where the total length of such vessels exceeds 60 metres unless the vessel is constructed for pushing operations and is approved by the Harbour Master; (b) tow a vessel when pushing one or more vessels ahead; (c) push one or more vessels when towing another vessel alongside; and/or (d) tow more than one vessel at any time without the permission of the Harbour Master.
SAFE MEANS OF ACCESS AND EGRESS	18.	The Master of any vessel which is berthed or moored must ensure that there is a secure and safe means of access to or egress from their vessel.
MASTERS TO PROVIDE FENDERS	19.	The Master of any vessel in the harbour must provide sufficient and adequate fendering for their vessel when moored at a quay or lying alongside another vessel.
VESSELS TO BE SECURELY MOORED OR BERTHED	20.	The Master of any vessel which is berthed or moored (including those lying in a tier) must ensure their vessel is securely made fast and that the moorings are adjusted as necessary to allow for the rise and fall of the tide and for the loading and unloading of cargo.
VESSELS BERTHED TO BE LAID CLOSE ALONGSIDE	21.	The Master of any vessel must ensure that their vessel is laid as close as possible alongside the quay, land or premises at which she is berthed and that neither the vessel nor her moorings obstruct other vessels or hamper the use of a dock entrance, pier, wharf or jetty, except in an emergency or otherwise with the permission of the Harbour Master.
MOORING POSTS ETC. TO BE USED	22.	A person must only affix ropes and chains for mooring to the proper mooring posts or appliances affixed on the quays for that purpose, except in an emergency or otherwise with the permission of the Harbour Master.
MOORED VESSELS TO EXHIBIT LIGHTS	23.	The Master of any vessel moored to the buoys in the harbour or of a vessel which is the outside vessel of a tier of vessels moored at any quay in the harbour shall during the hours of darkness clearly exhibit, a bright white light, so as to be visible at a distance of at least one nautical mile. If the Harbour Master shall consider it advisable for the safe navigation of the harbour that such a light be exhibited during the hours of darkness upon any other vessel moored in the harbour, whether one of a tier or not, and shall give an order to that effect, the owner or Master of such vessel shall cause such light to be exhibited accordingly.

<p>PRIVATE MOORINGS OR FLOATING MARKER ETC.</p>	<p>24.</p>	<p>(1) A person must not :- (a) lay down moorings; or (b) position a pontoon or similar thing; or (c) place a floating marker or similar thing to aid navigation or for other purposes; without the permission of the Harbour Master and only then to such specification and in such a position as the Harbour Master may require.</p> <p>(2) Any mooring, pontoon or floating marker must be removed immediately upon the reasonable request of the Harbour Master.</p>
<p>MOORING OF BOATS FOR RESIDENTIAL PUPOSES</p>	<p>25.</p>	<p>A person must not moor a house boat or recreational craft for residential purposes in the port without the written permission of the Harbour Master or Authority.</p>
<p>VESSELS TO COMPLY WITH SIGNALS OR AID TO NAVIGATION</p>	<p>26.</p>	<p>The Master of a vessel must not moor, berth, anchor or cause their vessel to proceed within the port in contravention of any signal or aid to navigation approved by the General Lighthouse Authority.</p>
<p>DISCHARGE OF FIREWORKS OR SIMILAR THINGS</p>	<p>27.</p>	<p>A person must not discharge pyrotechnics, fireworks or other similar devices within the port without the permission of the Harbour Master or in contravention of any conditions of that permission unless for safety or distress purposes.</p>
<p>NOISE AND FUMES ETC.</p>	<p>28.</p>	<p>The Master of a vessel must : (a) take reasonable measures to reduce noise and fumes produced by their vessel whilst in the port; (b) provide and use good and sufficient means of ventilation when necessary; (c) not permit their vessel to be fumigated in any part of the harbour without the permission of the Harbour Master or in contravention of any conditions of that permission; and (d) prevent any toilet or its contents on board such vessel from discharging onto any quay or into vessels alongside or into the waters of the port.</p>
<p>HARBOUR MASTER'S POWERS TO INSPECT VESSELS AND ASK FOR INFORMATION</p>	<p>29.</p>	<p>The Master of a vessel within the harbour or dock or at or near a pier must, when required to do so by the Harbour Master:- (a) stop or so navigate the vessel so as to allow the Harbour Master to board the vessel; (b) afford the Harbour Master access to any part of the vessel for the purpose of ascertaining whether any relevant part of these Byelaws has been or is being duly observed; and (c) provide the Harbour Master with all information concerning their vessel and persons on board as may reasonably be requested.</p>

<p>NOTICE OF MOVEMENT OF VESSEL</p>	<p>30.</p>	<p>(1) The Master of a vessel, must not berth, moor, anchor or cause their vessel to proceed within the port in contravention of any instructions given by the Harbour Master, unless it is in an emergency situation.</p> <p>(2) The Master of any vessel intending to navigate within the harbour must provide Port Control with all information regarding their vessel and it's movements as may be required by the Harbour Master, within such time periods and by such means as the Harbour Master may specify.</p>
<p>NOTICE TO BE GIVEN OF INCIDENTS</p>	<p>31.</p>	<p>The Master of any vessel:-</p> <p>(a) which has been on fire or in a collision, and has sustained damage so as to affect seaworthiness or which has caused damage to other vessels or property within the port, or</p> <p>(b) from which oil or some dangerous or flammable substance is escaping or is likely to escape,</p> <p>must give notice of this to Port Control before entering the port and the vessel must not enter the port without the permission of the Harbour Master or in contravention of any conditions of that permission.</p>
<p>NOTICE TO BE GIVEN OF A VESSEL CARRYING AN EXPLOSIVE OBJECT</p>	<p>32.</p>	<p>The Master of any vessel which is carrying or towing any explosive object must give notice of it to Port Control before entering the port and the vessel must not enter the port without the permission of the Harbour Master or in contravention of any conditions of that permission.</p>
<p>NOTICE TO BE GIVEN OF POSITION OF SUNKEN VESSELS, WRECKS AND OBSTRUCTIONS</p>	<p>33.</p>	<p>The Master or owner of any vessel which has sunk or has grounded, or part of a vessel, wreck or other obstruction which impedes or is likely to impede navigation or dredging in the port must, as soon as practicable :-</p> <p>(a) give notice to Port Control of the position of such vessel or obstruction and such particulars as may be required by the Harbour Master;</p> <p>(b) mark it or cause it to be marked with such signal or be illuminated in such a manner as the Harbour Master may require; and</p> <p>(c) if required, arrange for that vessel to be moved within the period specified by the Harbour Master.</p> <p>Paragraphs (a) and (b) above do not apply to a vessel which has been grounded pursuant to the permission of the Harbour Master.</p>
<p>REGISTRATION AND LICENSING OF VESSELS AND MEANS OF IDENTIFICATION</p>	<p>34.</p>	<p>(1) The owner of a vessel normally kept within the port must ensure that the vessel is registered with the Authority and all information required regarding that vessel must be provided to the Authority upon request.</p> <p>(2) If required by the Authority or Council, the owner of a recreational craft must clearly display a receipt or other proof of payment on their vessel.</p>

		<p>(3) No motor boat which is launched into the harbour or a motor boat which is normally kept in the port shall be used in the harbour, other than in accordance with a licence issued by the Authority and subject to any conditions that licence may impose.</p> <p>(4) On any change in the ownership of a vessel to which paragraph (1) to this Byelaw applies, or in any change in the particulars, all parties to the change of ownership or particulars must ensure that immediate written notice of the change is given to the Authority.</p> <p>(5) The Master or owner of any vessel in the port must ensure that their vessel is clearly marked with the vessel's name or other similar means of identification unless exempted by the Harbour Master.</p> <p>(6) For the avoidance of doubt, paragraphs (1), (3) and (4) of this Byelaw do not apply to :- (a) small vessels used mainly as a tender to ferry persons between the shore and another vessel or between vessels; and (b) any canoe, kayak or small dinghy.</p>
<p>ENGINES NOT TO BE USED</p>	<p>35.</p>	<p>(1) The Master of any vessel, not being a small vessel, must not carry out engine trials without the permission of the Harbour Master. For the purpose of this Byelaw the expression 'trials' does not include the normal warming through of engines preliminary to the moving of vessels.</p> <p>(2) The Master of a vessel, not being a small vessel, must not disable any engine, equipment or other machinery which might prevent the vessel from moving without first notifying Port Control and receiving permission from the Harbour Master to do so.</p>
<p>HOT WORKING AND OVER SIDE OPERATIONS</p>	<p>36.</p>	<p>(1) A person must not carry out, use, cause or permit to be carried out any operation or activity involving burning, welding or the use of fire or naked flames on board vessels or elsewhere within the port, without first obtaining the written permission of the Harbour Master and that person must comply with such safeguards and conditions as the Harbour Master may require. For the avoidance of doubt, domestic cooking arrangements do not require the Harbour Master's permission for the purposes of this Byelaw.</p> <p>(2) The Master of a vessel must not allow any operation involving a person working on or adjacent to the hull of a vessel above the water, to be carried out on the said vessel within the port in contravention of any instructions given by the Harbour Master, except in an emergency situation.</p>

<p>OIL LEAKAGE OR SPILLAGE</p>	<p>37.</p>	<p>Should any spillage or leakage of oil, chemicals or other noxious liquid occur within the port, the person responsible for the thing from which the spillage or leakage has occurred must immediately advise Port Control and carry out such operations as the Harbour Master may reasonably request.</p>
<p>BREAKING UP OF VESSELS</p>	<p>38.</p>	<p>A person must not break up or destroy any vessel within the port without the written permission of the Harbour Master or in contravention of any conditions of that permission.</p>
<p>ABANDONMENT OF VESSELS</p>	<p>39.</p>	<p>(1) A person must not cause a vessel, or any part of a vessel, to be abandoned in the waters of the port.</p> <p>(2) For the purposes of paragraph (1) of this Byelaw, a person who leaves a vessel, or part of a vessel, in such circumstances for a period of 4 weeks or more will be deemed to have abandoned it there unless the contrary intention is shown.</p>
<p>VESSELS NOT TO BE GROUNDED OR REPAIRED WITHOUT PERMISSION OR IN CONTRAVENTION OF ANY INSTRUCTIONS</p>	<p>40.</p>	<p>A person must not :-</p> <p>(a) place a vessel on any land or quay within the docks without the permission of the Harbour Master or in contravention of any conditions of that permission; or</p> <p>(b) repair or de-scale a vessel in the waters of the port in contravention of any instructions given by the Harbour Master.</p>
		<p><u>PART III</u> <u>Cargo Operations</u></p>
<p>FISH</p>	<p>41.</p>	<p>A person must not:-</p> <p>(a) land fish ashore from any vessel in the port for a commercial purpose unless the place where it is being landed is designated for such purpose by the Council or Authority and the landing of fish is carried out in accordance with the conditions of that designation;</p> <p>(b) trans-ship fish between vessels in the port for a commercial purposes without the permission of the Harbour Master or in contravention of any conditions of that permission;</p> <p>(c) gut or clean fish on land in any part of the harbour; and/or</p> <p>(d) sell fish on the docks without the written permission of the Port Director.</p>

HANDLING AND MOVEMENT OF GOODS	42.	The owner of any cargo, goods or any other material or equipment must:- (a) comply with such conditions as the Port Director or Harbour Master may give for regulating the time, place, manner of discharging, loading, placing or storing those cargo, goods or other material or equipment within the docks or otherwise bringing into or removing those goods from the docks; and (b) provide such documentation relating to the cargo, goods, material or equipment as the Port Director or Harbour Master may reasonably request.
CRANES NOT TO BE OPERATED WITHOUT PERMISSION	43.	Cranes, cargo handling appliances or other lifting equipment must not be used, moved or placed on the docks without the written permission of the Port Director or in contravention of any instructions or conditions given by the Port Director or other duly authorised officer.
		<u>PART IV</u> <u>Road, Rail and Air Traffic</u>
SPEED OF VEHICLES WITHIN THE DOCKS	44.	Subject to any speed limit variation pursuant to Byelaw 45 a person must not drive any vehicle within the docks in excess of a speed of 20 miles per hour.
DRIVER OF VEHICLE TO OBEY DIRECTIONS	45.	The driver or person in charge of a vehicle must obey the verbal or written notice, direction or requirement of a duly authorised officer of the Authority with respect to the loading, unloading, securing, placing, moving, stopping, management and removal of such vehicle and/or its load within or from the docks.
SPEED LIMIT OF A TRAIN	46.	Subject to any speed limit variation pursuant to Byelaw 47 a person must not drive or permit or cause to be driven, a train on the dock railways at a speed in excess of 4 miles per hour.
DRIVER OF A TRAIN TO OBEY DIRECTIONS	47.	The driver or owner or operator of a train used on the dock railway must comply with any verbal or written notice, direction or requirement given by the Port Director or a duly authorised officer of the Authority with respect to the loading, unloading, securing, placing, moving, stopping, management and removal of that train and/or its load within or from the docks.

AIRCRAFT	48.	No person shall, start, take, off or land an aircraft on any part of the harbour except — (a) on such part as is designated by the Council for the starting, taking off or landing of aircraft; and is licensed by the Civil Aviation Authority as an aerodrome; (b) with the permission of the Harbour Master and in accordance with any conditions of that permission; or (c) in cases of emergency.
		<u>PART V</u> <u>Security and Safety</u>
NO PERSON TO INTIMIDATE OR OBSTUCT OFFICERS OR EMPLOYEES OF THE AUTHORITY	49.	A person must not intimidate or wilfully obstruct within the port:- (a) any officer or employee of the Authority; (b) any officer or employee of the Council; or (c) any other person contracted to carry out work for or on behalf of the Authority or Council; in the execution of any duties being undertaken within the port on behalf of the Authority or Council; or on behalf of any of their tenants, customers or clients.
PERSONS TO LEAVE DOCKS	50.	A person must not, without reasonable excuse, remain in or on the docks if ordered to leave on reasonable grounds by a duly authorised officer of the Authority or Council or a Security Officer in the execution of duties being undertaken within the port on behalf of the Authority or Council.
PERSONS ABOUT THE DOCKS	51.	(1) A person must not enter or be about the docks or enter into or go upon any building or structure which by notices, barricades or other means is indicated to be closed to access, unless engaged in lawful business or purpose connected with the docks. (2) Any person who enters or is about the docks for lawful business or purpose connected with the docks, must comply with such written and / or verbal conditions of entry as may be imposed by a duly authorised officer of the Authority or Council or Security Officer in the execution of duties being undertaken within the port on behalf of the Authority or Council. (3) A person must not enter the docks other than by a means of access authorised by the Authority.
NO PERSON TO PROCEED ONBOARD	52.	A person must not proceed on board or remain on board a vessel in the harbour, unless they have the permission of the Master of the vessel or their representative, or for an otherwise lawful purpose.

<p>NO PERSON TO FISH FROM THE DOCKS</p>	<p>53.</p>	<p>(1) No person shall, in or from the docks, cast a net or line for the purpose of catching fish or other animals, except in a designated area for fishing.</p> <p>(2) A person must not cast, place or use any fishing pot, net or other similar apparatus intended or adapted for fishing within the harbour without the permission of the Harbour Master and in contravention of any terms of that permission. This sub paragraph (2) does not include fishing lines but for the avoidance of doubt does include a tyre or other similar thing placed below the high water mark for the purpose of fishing.</p>
<p>NO PERSON TO CROSS DOCK GATES AND BRIDGES</p>	<p>54.</p>	<p>A person must not :-</p> <p>(a) attempt to cross any dock gates or bridge during the opening or shutting of it;</p> <p>(b) attempt to pass beyond any barrier during the opening, closing or closure of such barrier;</p> <p>(c) open or close or attempt to open or close any dock gate, bridge or barrier (unless they are a duly authorised officer of the Authority);</p> <p>(d) obstruct any bridge, dock gate or barrier; and</p> <p>(e) go upon any dock gate without the permission of a duly authorised officer of the Authority.</p>
<p>NO PERSON TO CLIMB ANY BUILDING</p>	<p>55.</p>	<p>A person must not:-</p> <p>(a) climb or be upon any Authority building, structure, plant or equipment within the docks, without the permission of a duly authorised officer of the Authority or Council;</p> <p>(b) climb or be upon any building, structure, plant or equipment within the docks belonging to or in the service of any tenant of the port or a contractor of it, unless authorised by the said tenant or contractor; and</p> <p>(c) go beneath the level of any quay or jetty without the permission of a duly authorised officer of the Authority or Council or if the said quay or jetty is within a tenant's control or service, a person must not go beneath the level of that quay or jetty without that tenant's permission.</p>
<p>INTERFERENCE AND OBSTRUCTION ON THE PORT</p>	<p>56.</p>	<p>A person must not intentionally:-</p> <p>(a) interfere or cause interference with the maintenance or operation of any activity being undertaken by or on behalf of the Authority or Council within the port;</p> <p>(b) obstruct, impede or interfere with, cause damage or danger or injury to any person, crane, train, other plant, vehicle, vessel goods, cargo or other thing in the port;</p> <p>(c) obstruct or interfere with machinery, appliances and fittings in any Graving Dock; and/or</p> <p>(d) use or place anything which causes or is likely to cause interference, obstruction, impedance, danger, damage or injury to anything set out at paragraphs (a) to (c) of this Byelaw.</p>

INTERFERENCE WITH EMERGENCY APPARATUS	57.	Other than in an emergency, no person shall remove, displace or otherwise interfere with any lifesaving equipment placed by the Authority or any other competent authority.
INTERFERENCE WITH BUOYS, MARKS AND MOORINGS	58.	A person must not go or be upon or intentionally interfere with any navigation buoy, light, beacon, sea mark, tide gauge or any other apparatus for navigational purposes or for the mooring of commercial vessels, except with the permission of the Harbour Master or any tenant having control of those moorings.
NO PERSON TO BATHE OR SWIM	59.	A person must not bathe or swim in the harbour other than:- (a) in an emergency; or (b) with the written permission of the Harbour Master and in accordance with any conditions of that permission; or (c) in those area(s) designated by the Authority as an area where bathing or swimming may take place.
NO SMOKING ON THE DOCKS	60.	A person must not smoke tobacco or any other substance:- (a) on board any vessel lying alongside any part of the docks and which is discharging or loading any combustible substance; or (b) within the docks, unless it is in a designated smoking area approved by the Port Director or Harbour Master.
NO URINATING OR DEFECATING ON THE DOCKS	61.	No person shall urinate or defecate on or from land in the docks.
PROHIBITION OF FIREARM, OFFENSIVE WEAPON ETC.	62.	(1) A person must not be in possession of any firearm and/or any ammunition, as defined in Section 57 of the Firearms Act, 1968, within the docks, without lawful authority or reasonable excuse. (2) A person must not be in possession of any offensive weapon as defined in Section 1 Prevention of Crime Act 1953 or a bladed or pointed article as defined in Section 139 Criminal Justice Act 1988 within the docks, unless the said weapon or article is for use at work, for religious purposes, as part of a national costume or they otherwise have such weapon or article in their possession for good reason or lawful authority.
DISORDERLY PERSONS	63.	A person must not use any indecent, obscene, profane or offensive language or behave in a disorderly manner in the port.

		<p><u>PART VI</u> <u>General</u></p>
NO PLOUGHING OR GRAPPLING	64.	<p>Ploughing, grappling operations or any other similar operation must not be carried out by any person in the harbour without the permission of the Harbour Master or in contravention of any conditions of that permission, save that grappling may take place in connection with the maintenance of private moorings or to retrieve items that a person has lost overboard from their vessel.</p> <p>This Byelaw will not apply to any ploughing or grappling operations authorised by any other enactment.</p>
REASONABLE PRECAUTIONS TO BE TAKEN TO PREVENT ANY MATERIAL, SUBSTANCE OR OTHER THING FROM ESCAPING	65.	<p>Reasonable precautions must be taken by the person or organisation responsible for :-</p> <p>(a) carrying out any painting, shot blasting or other similar operation, to prevent paint particles, shot blasting material or other thing from escaping the confines of the place where the operation is being carried out; and</p> <p>(b) transporting, storing or loading goods, to prevent such goods, bulk material or other substance from escaping the confines of the transport or from the area where it is being stored, loaded or unloaded.</p>
DIVING OPERATIONS	66.	<p>A person or organisation must not engage in any diving operation within the harbour without first notifying the Harbour Master in writing providing such information about the diving operation as may be required by the Harbour Master and obtaining their permission to carry out the operation. A person must not act in contravention of any conditions of the permission given by the Harbour Master.</p>
		<p><u>PART VII</u> <u>Penalties</u></p>
PENALTY FOR BREACH OF BYELAWS	67.	<p>A person contravening any of these Byelaws or any condition requirement or prohibition imposed by the Harbour Master in the exercise of the powers specifically bestowed upon them by these Byelaws will be guilty of an offence and liable on summary conviction to a fine not exceeding:-</p> <p>(a) level 4 on the standard scale in respect of Byelaw 32; and</p> <p>(b) level 2 on the standard scale in respect of all other Byelaws not covered by (a) above.</p>

DEFENCE	68.	In any proceedings for an offence under these Byelaws it will be a defence for the person charged to prove :- (a) that they took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or (b) that they had a reasonable excuse for their act or failure to act.
		<u>PART VIII</u> <u>Revocations</u>
REVOCATION	69.	The byelaws made by The Council of the Borough of Sunderland on 25 th October 1978 and confirmed by the Minister of Transport on 30 th May 1979 are revoked.

The seal of the Council of the City of Sunderland was affixed to these byelaws in the presence of

Authorised Officer

The Secretary of State confirms the foregoing byelaws.

Signed on behalf of the Secretary of State this day of
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Department for Transport