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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 361**

**The Whiteness Marina Harbour Revision Order 2008**

**PART 2**

**MARINA REGULATION**

**General byelaws**

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

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

- (a) regulating the use, operation and superintendence of the marina and the berths, quays, piers, warehouses, sheds, landing places, equipment, works and conveniences (including moorings) in the marina;
- (b) regulating the admission to, and the movement within, and the departure of vessels from, the marina, or the removal of vessels, and for the good order and government of vessels whilst within the marina;
- (c) regulating the shipping and unshipping, landing, warehousing, stowing, depositing and removing of goods within the marina;
- (d) regulating the navigation, berthing and mooring of vessels within the marina and their speed and the use of tugs within the marina;
- (e) preventing damage or injury to any vessel, goods, vehicle, plant, machinery, property or person within the marina;
- (f) regulating the conduct of all persons within the marina not being members of a police force or officers or servants of the Crown whilst in the execution of their duties;
- (g) regulating the placing and maintenance of moorings within the marina;
- (h) preventing and removing obstructions or impediments within the marina;
- (i) prohibiting or regulating the discharge or deposit of ballast, ashes, refuse, rubbish or other material (including any polluting liquid) in or into the marina;
- (j) regulating the use of ferries within the marina;
- (k) regulating in the marina 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 marina 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);
- (m) regulating the launching of vessels within the marina;
- (n) prohibiting persons working or employed in or entering the marina, or any part thereof, from smoking therein;

- (o) regulating the use of fires and lights within the marina, and within any vessel within the marina;
  - (p) regulating the exercise of the powers vested in the harbour master;
  - (q) making the carrying out of specified marina operations, or the conduct of persons in the marina, 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;
  - (r) the conservation of the fauna, avifauna and flora in the marina.
- (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 on summary conviction not exceeding level 3 on the standard scale;
  - (b) relate to the whole of the marina or to any part thereof;
  - (c) make different provisions for different parts of the marina or in relation to different classes of vessels or vehicles.