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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 224**

**The Port of Ardersier Harbour Revision Order 2014**

**PART 2**

**HARBOUR REGULATION**

**General byelaws**

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

(2) Without prejudice to the generality of paragraph (1), in constructing byelaws made under this article the Company must establish a management plan defining protocols between the Company and the Ministry of Defence in respect of the Fort George Ranges Byelaws and the rights retained by the Secretary of State for Defence to make bye-laws relating to the area used for military firing practices.

(3) 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 harbour and the berths, quays, piers, warehouses, sheds, landing places, equipment, works and conveniences (including moorings) in the harbour;
- (b) regulating the admission to, and the movement within, and the departure of vessels from, the harbour, or the removal of vessels, and for the good order and government of vessels whilst within the harbour;
- (c) regulating the shipping and unshipping, landing, warehousing, stowing, depositing and removing of goods within the harbour;
- (d) regulating the navigation, berthing and mooring of vessels within the harbour and their speed and the use of tugs within the harbour;
- (e) preventing damage or injury to any vessel, goods, vehicle, plant, machinery, property or person within the harbour;
- (f) regulating the conduct of all persons within the harbour 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 harbour;
- (h) preventing and removing obstructions or impediments within the harbour;
- (i) prohibiting or regulating the discharge or deposit of ballast, ashes, refuse, rubbish or other material (including any polluting liquid) in or into the harbour;
- (j) regulating the use of ferries within the harbour;
- (k) regulating in the harbour 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 harbour 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 harbour;
  - (n) prohibiting persons working or employed in or entering the harbour or any part thereof, from smoking therein;
  - (o) regulating the use of fires and lights within the harbour and within any vessel within the harbour;
  - (p) making the carrying out of specified harbour operations, or the conduct of persons in the harbour, subject to the approval (with or without condition), 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;
  - (q) the conservation of the fauna, avifauna and flora in the harbour.
- (4) 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 harbour or to any part thereof;
  - (c) make different provisions for different parts of the harbour or in relation to different classes of vessels or vehicles.