
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 156

**The Lochboisdale and Gasay Port
(Harbour Empowerment) Order 2016**

PART 3

PORT REGULATION

General byelaws

14.—(1) The Company may from time to time make byelaws for the efficient management and regulation of the Port, for conservation of the natural beauty of all or any part of the Port or of any of the fauna, flora or geological or physiographical features in the Port, and the conservation, preservation or redevelopment of any buildings, plant or other artificial features of the Port.

(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 Port and the docks, berths, wharves, quays, piers, jetties, warehouses, sheds, landing places, locks, sluices, equipment, works and conveniences (including moorings) in the Port;
- (b) regulating the shipping and unshipping, landing, warehousing, stowing, depositing and removing of goods within the Port;
- (c) regulating the berthing and mooring of Vessels within the Port and the use of tugs within the Port;
- (d) preventing damage or injury to any goods, vehicles, plant, machinery, property or persons within the Port;
- (e) regulating the hours during which any gates, entrances or outlets to or from the Port or any part of the Port shall be open;
- (f) regulating the conduct of all persons in the Port not being members of a police force or officers or servants of the Crown;
- (g) regulating the placing and maintenance of moorings within the Port;
- (h) preventing and removing obstructions or impediments within the Port (including but not limited to abandoned Vessels, fish farm equipment and wind farm or tidal power equipment); and requiring any person, persons, organisations or undertakings to seek and secure the prior written approval of the Harbour Master before placing any such obstructions or impediments within the Port;
- (i) prohibiting or regulating the discharge or deposits of ashes, refuse, rubbish or other material (including any polluting liquid) into or upon the Port;
- (j) regulating the use of cranes, weighing machines, weights and measures belonging to the Company, and the duties and conduct of weighers and meters employed by the Company;
- (k) regulating the use of ferries within the Port;

- (l) regulating the use in the Port of Vessels intended for sports or leisure purposes, including yachts, sailing boats, sailboards, rowing boats, pleasure craft and other small craft;
 - (m) regulating the holding of regattas and other public events in the Port;
 - (n) regulating or prohibiting the activities in the Port of divers, surfers, water skiers and other persons engaged in similar pursuits whether for recreation or otherwise; and requiring that such operations within the Port must seek and secure the prior written approval of the Harbour Master;
 - (o) regulating the launching of Vessels within the Port;
 - (p) prohibiting persons working or employed in or entering the Port, or any part thereof, from smoking in open spaces of the Port;
 - (q) regulating or preventing the use of fires and lights within the Port;
 - (r) regulating the movement, speed and parking of vehicles on private roads within the Port;
 - (s) regulating the exercise of the powers vested in the Harbour Master, and
 - (t) 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.
- (3) Before making byelaws under this article the Company shall consult with the Inner Harbour Authority.
- (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 in them on summary conviction, fines not exceeding level 3 on the standard scale;
 - (b) relate to the whole of the Port or to any part;
 - (c) make different provisions for different parts of the Port or in relation to different classes of Vessels.