

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 section 63 and 65 of the Sunderland Corporation Act 1972 and of all other powers enabling them in that behalf hereby make the following Byelaws:

		<u>PART I</u> <u>Preliminary</u>
COMMENCEMENT OF BYELAWS	1.	These Byelaws will come into operation 28 days after their confirmation by the Secretary of State for Transport.
APPLICATION OF BYELAWS	2.	These Byelaws apply to all parts of the Port and to all Port facilities unless otherwise indicated.
TITLE	3.	These Byelaws may be cited as 'The Port of Sunderland Byelaws XXX '
INTERPRETATION	4.	<p>In these Byelaws unless the context otherwise requires it:</p> <p>'the Act' means the Sunderland Corporation Act 1972;</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>'bladed or pointed article' means any article with a blade or sharp point (including a folding pocket knife if the cutting edge of its blade exceeds 7.62cm/3 inches) unless carried with lawful authority or good reason, including as part of a national costume or for lawful work purposes;</p> <p>'chemicals' means a substance having a specific molecular composition, obtained by or used in a chemical process;</p> <p>'Collision Regulations' means regulations for the prevention of collisions made under section 21 of the Merchant Shipping Act 1979;</p> <p>'commercial fishing vessel' means any vessel used for commercial fishing purposes and is registered as a fishing vessel;</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>'commercial vessel' includes any vessel being used for commercial purposes and is appropriately certified as such and includes a "commercial ship" and "commercial fishing vessel" as defined;</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 he or she is capable of properly carrying out the duties required of him;</p> <p>'the Council' means the Council of the City of Sunderland;</p> <p>'dangerous goods' means any goods, including articles and substances which may pose a danger to the health and safety of people, or damage to property or the environment during carriage, except where they have been diluted to such an extent that they no longer have the hazardous properties of those goods. For the avoidance of doubt this will include all those good described or listed as dangerous in the International Maritime Dangerous Goods Code and the agreements on the international carriage of dangerous goods by road and rail (referred to as ADR and RID);</p> <p>'diving operations' 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>'drone' means any unmanned aircraft that is guided remotely;</p> <p>'fish' for the purpose of the Byelaws, includes shell fish and 'fishing' must be construed accordingly;</p> <p>'the Graving Dock' means the graving dock of the Authority;</p> <p>'the harbour ' means the river and includes the docks and for the avoidance of doubt includes the tidal area enclosed by the North Dock, the area enclosed by the North East Pier and the South West Breakwater and an imaginary line between the extremities of those piers but does not include the outward sea area which is the port;</p> <p>'Harbour Master' has the same meaning assigned to it as 'harbour master' in the Sunderland Corporation Act 1972;</p> <p>'hours of darkness' means between sunset and sunrise;</p> <p>'house boat' means any floating structure or vessel primarily used for the purpose of human habitation and not for navigational purposes which is for the time being moored, berthed or anchored;</p>
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	<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' when used in relation to any vessel means any person having lawfully or unlawfully the command, charge, control or management 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 (e) 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>'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 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 agent, Master, manager or other person in charge of such vessel';</p> <p>'permission' includes written and verbal permission unless otherwise stated;</p> <p>'personal water craft' means for the purpose of these Byelaws 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>'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>
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		<u>PART II</u> <u>Vessels, including navigation, berthing and mooring</u>
COMPETENT PERSON TO BE ONBOARD AT ALL TIMES	5.	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 and will, 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.
PERSONS IN CHARGE OF VESSEL	6.	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.
MASTER TO REMAIN ON BRIDGE	7.	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 a pilot is on board, is capable of understanding the pilot's directions or advice.
VESSELS TO BE NAVIGATED WITH CARE AND CAUTION	8.	The Master of a vessel must not use, load, discharge, anchor, navigate or so manoeuvre his or her vessel within the port in a manner which :- (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.
SPEED LIMIT OF VESSELS	9.	The Master of a vessel must not proceed at a speed exceeding 6 knots over the ground within the harbour except :- (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.
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 or where a vessel is not confined to navigating in the navigation channel in the river, 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 incapable of navigating or taking proper charge of the vessel.
VESSELS NOT TO APPROACH ANY VESSEL DISCHARGING OR LOADING DANGEROUS GOODS	12.	The Master of any vessel must not, without the permission of the Harbour Master, cause or permit such vessel to lie alongside of or to approach within 30 metres of any vessel indicating that it is engaged in the discharging or loading of dangerous goods, unless it is for the purpose of trans-shipment.
WATER-SKIING AND AQUAPLANING	13.	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 or in a designated area.
SEAWORTHINESS	14.	(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 allowed by paragraph (2) of this Byelaw. (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 and 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.
VESSELS TO COMPLY WITH HARBOUR MASTER'S REQUIREMENTS	15.	The Master and / or owner of a vessel in the harbour must comply with any requirements of the Harbour Master for ensuring the said vessel is properly maintained, equipped, manned and used only for purposes for which it is capable.
LAUNCHING ONLY IN DESIGNATED AREAS	16.	Power driven vessels and personal water craft must only be launched 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. For the avoidance of doubt, this Byelaw does not apply to privately owned slipways approved by the Authority within the port limits.
ZONING REQUIREMENTS AND RESTRICTED AREAS	17.	A Master or other user of a vessel must not cause that vessel to be used within the port in contravention of any zoning requirements designated by the Council or any other safety zone, excluded or restricted area authorised by the Harbour Master or other zone established under the jurisdiction of any other body.

BOAT RACES REGATTAS, SWIMMING EVENTS ETC.	18.	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 any instructions given by the Harbour Master as to the holding of that event.
TOWAGE, SAFETY STANDBY AND SALVAGE VESSELS	19.	The Master and / 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	20.	(1) The Master of any power driven vessel must not cause or permit his or her vessel to: <ul style="list-style-type: none"> (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 (d) tow more than one vessel at any time without the permission of the Harbour Master.
SAFE MEANS OF ACCESS AND EGRESS	21.	The Master of any vessel which is berthed or moored must ensure where necessary that there is a secure and safe means of access to or egress from the vessel.
MASTERS TO PROVIDE FENDERS	22.	The Master of any vessel in the harbour must provide sufficient and adequate fendering for such vessel when moored at a quay or lying alongside another vessel.
VESSELS TO BE SECURELY MOORED OR BERTHED	23.	The Master of any vessel which is berthed or moored (including those lying in a tier) must ensure that such 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	24.	The Master of any vessel must ensure that the 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 otherwise with the permission of the Harbour Master.
MOORING POSTS ETC. TO BE USED	25.	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 otherwise with the permission of the Harbour Master.

MOORED VESSELS TO EXHIBIT LIGHTS	26.	The Master of any vessel moored, berthed or anchored in the port must during the hours of darkness, or in conditions of restricted visibility, cause to be conspicuously exhibited, light(s), with the characteristics and in such positions as may be required by the Harbour Master.
PRIVATE MOORINGS OR FLOATING MARKER ETC.	27.	(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. (2) Any such mooring, pontoon or floating marker must be so removed upon the request of the Harbour Master.
MOORING OF BOATS FOR RESIDENTIAL PUPOSES	28.	A person must not moor a house boat for residential purposes in the port without the permission of the Harbour Master.
VESSELS TO COMPLY WITH SIGNALS OR NOTICES	29.	The Master of a vessel must not moor, berth, anchor or cause such vessel to proceed within the port in contravention of any signals, signs or notices published or exhibited by the Authority or Harbour Master.
UNNECESSARY SIGNALS	30.	The Master of a vessel must not cause the vessel's whistle or siren to be sounded in the port except to make signals as prescribed in the Collision Regulations or in any of these Byelaws or to attract attention to a state of emergency or otherwise with the permission of or on the instruction of the Harbour Master.
DISCHARGE OF FIREWORKS OR SIMILAR THINGS	31.	A person must not discharge pyrotechnics, fireworks or other similar devices within the port without the permission of the Harbour Master and in contravention of any conditions of that permission. For the avoidance of doubt, this Byelaw does not apply to pyrotechnics being discharged for safety or distress purposes.
NOISE AND FUMES ETC.	32.	The Master of a vessel must : (a) take reasonable measures to reduce noise and fumes produced by his or her 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 and in contravention of any conditions of that permission; and (d) prevent any water closet or its contents on board such vessel from discharging onto any quay or into vessels alongside or into the waters of the port.

RECEIPT FOR DUES	33.	If required by the Authority or Council, the owner of a recreational craft must cause the receipt or other proof of payment of dues to be conspicuously displayed on his or her vessel.
HARBOUR MASTER'S POWERS TO INSPECT VESSELS AND ASK FOR INFORMATION	34.	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 his or her vessel and persons on board as may reasonably be requested.
NOTICE OF MOVEMENT OF VESSEL	35.	(1) The Master of a vessel, must not berth, moor, anchor or cause his or her vessel to proceed within the port in contravention of any instructions given by the Harbour Master, unless it is in an emergency situation. (2) The Master of any vessel intending to navigate within the harbour must provide Port Control with all information regarding the 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. (3) The Master of a vessel must not allow any over side operation to be carried out on the said vessel within the port in contravention of any instructions given by the Harbour Master.
NOTICE TO BE GIVEN OF INCIDENTS	36.	The Master of any vessel which has:- (a) been on fire or in a collision, and has sustained damage or which has caused damage to other vessels or property within the port must give immediate notice of the incident to Port Control, and where the damage to a vessel is such that it affects or is likely to affect her seaworthiness the Master to it must not move the vessel, other than to clear the navigation channel or moor or anchor in safety, without the permission of the Harbour Master and in contravention of any conditions of that permission ; or (b) sustained damage outside the port which affects or is likely to affect her seaworthiness, or from which oil or some dangerous or flammable substance is escaping or is likely to escape, 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 and in contravention of any conditions of that permission.
NOTICE TO BE GIVEN OF A VESSEL CARRYING AN EXPLOSIVE OBJECT	37.	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 and in contravention of any conditions of that permission.

<p>NOTICE TO BE GIVEN OF POSITION OF SUNKEN VESSELS, WRECKS AND OBSTRUCTIONS</p>	<p>38.</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> <ul style="list-style-type: none"> (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; (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 (c) comply with any other requirement as the Harbour Master may request. <p>This Byelaw does not apply to a recreational craft which has been knowingly grounded on the fall of the tide unless it is involved in an emergency situation or impedes or is likely to impede navigation of dredging in the Port.</p>
<p>REGISTRATION OF VESSELS AND MEANS OF IDENTIFICATION</p>	<p>39.</p>	<ul style="list-style-type: none"> (1) The owner of a vessel normally kept within the harbour must ensure that vessel is registered with the Authority and all information required regarding that vessel must be provided to the Authority upon request. (2) 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. (3) The owner of any vessel in the port must ensure that the vessel is conspicuously marked with the vessel's name or other similar means of identification unless exempted by the Harbour Master. <p>For the avoidance of doubt, paragraphs (1) and (2) of this Byelaw do not apply to :-</p> <ul style="list-style-type: none"> (a) small vessels used mainly as a tender to ferry persons between the shore and another vessel or between vessels; or (b) any canoe, kayak, small dinghy or similar thing.
<p>ENGINES NOT TO BE USED</p>	<p>40.</p>	<ul style="list-style-type: none"> (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. (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.

HOT WORKING	41.	Unless exempted by the Harbour Master in writing, 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.
OIL LEAKAGE OR SPILLAGE	42.	Should any spillage or leakage of oil, chemicals or other noxious liquid occur from any vessel, vehicle, from any premises or elsewhere within the port, the Master or owner of such vessel, vehicle or premises or the person responsible for the spillage or leakage or any person who is otherwise aware of the spillage or leakage must immediately advise Port Control and carry out such operations as the Harbour Master may reasonably request.
BREAKING UP OF VESSELS	43.	A person must not break up or destroy any vessel within the port without the written permission of the Harbour Master and in contravention of any conditions of that permission.
ABANDONMENT OF VESSELS	44.	(1) A person must not cause a vessel, or any part of a vessel, to be abandoned in the waters of the port. (2) For the purposes of paragraph (1) of this Byelaw, a person who leaves a vessel, or part of a vessel, in such circumstances or for such period that he may reasonably be assumed to have abandoned it will be deemed to have abandoned it there unless the contrary intention is shown.
VESSELS NOT TO BE REPAIRED WITHOUT PERMISSION	45.	A person must not :- (a) place a vessel on any land or quay within the docks without the permission of the Harbour Master and in contravention of any conditions of that permission; or (b) repair or de-scale a vessel in the waters of the port in contravention of any instructions given by the Harbour Master.
		<u>PART III</u> <u>Cargo Operations</u>
DANGEROUS GOODS	46.	Subject to the provisions of section 59 of the Act, dangerous goods must not be brought into or onto the port by any means by any person without that person first notifying the Harbour Master and obtaining permission to do so. The dangerous goods may then only be brought into or onto the port in accordance with any conditions of that permission.

<p>FISH</p>	<p>47.</p>	<p>A person must not:-</p> <ul style="list-style-type: none"> (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; (b) trans-ship fish between vessels in the port for a commercial purposes without the permission of the Harbour Master and in contravention of any conditions of that permission; (c) gut or clean fish on land in any part of the harbour; and/or (d) sell fish on the docks without the written permission of the Port Director.
<p>HANDLING AND MOVEMENT OF GOODS</p>	<p>48.</p>	<p>(1) Subject to the provisions of Byelaw 46 in relation to dangerous goods, the owner of any cargo, goods or any other material or equipment must :</p> <ul style="list-style-type: none"> (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 dock estate or otherwise bringing into or removing those goods from the dock estate; and (b) provide such documentation relating to the cargo, goods, material or equipment as the Port Director or Harbour Master may reasonably request. <p>(2) The owner of any cargo, goods, material or equipment must not carry out or apply to such cargo, goods, material or equipment any operation, other than those referred to in paragraph (1)(a) of this Byelaw, or any process or treatment in the dock estate without the permission of the Port Director or Harbour Master.</p>
<p>CRANES NOT TO BE OPERATED WITHOUT PERMISSION</p>	<p>49.</p>	<p>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 and in contravention of any instructions or conditions given by the Port Director or other duly authorised officer.</p>
		<p><u>PART IV</u> <u>Road, Rail and Air Traffic</u></p>
<p>SPEED OF VEHICLES WITHIN THE DOCKS</p>	<p>50.</p>	<p>Subject to any speed limit variation pursuant to Byelaw 51 a person must not drive any vehicle within the docks in excess of a speed of 20 miles per hour.</p>
<p>DRIVER OF VEHICLE TO OBEY DIRECTIONS</p>	<p>51.</p>	<p>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.</p>

SPEED LIMIT OF A TRAIN	52.	Subject to any speed limit variation pursuant to Byelaw 53 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	53.	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	54.	A person must not land or take off an aircraft (including a drone or seaplane) in or from within the port without the permission of the Harbour Master and in contravention of any conditions of that permission.
		<u>PART V</u> <u>Security and Safety</u>
NO PERSON TO INTIMIDATE OR OBSTRUCT OFFICERS OR EMPLOYEES OF THE AUTHORITY	55.	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; (c) any Security Officer; or (d) 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	56.	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	57.	(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 the lawful business or purpose, 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; and (3) A person must not enter the docks other than by a means of access authorised by the Authority.

<p>NO PERSON TO PROCEED ONBOARD</p>	<p>58.</p>	<p>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 his or her representative, who will be responsible for the orderly conduct of such person whilst on board, or for an otherwise lawful purpose.</p>
<p>NO PERSON TO FISH FROM THE DOCKS</p>	<p>59.</p>	<p>With the exception that fishing may take place from that section of Roker Pier which is open at that time to the public, a person must not fish in or from the docks without the written permission of the Authority and in contravention of any conditions of that permission.</p>
<p>NO PERSON TO CROSS DOCK GATES AND BRIDGES</p>	<p>60.</p>	<p>(1) No person must attempt to cross any dock gates or bridge during the opening or shutting of it ; (2) No person must attempt to pass beyond any barrier during the opening, closing or closure of such barrier; (3) No person other than a duly authorised officer of the Authority must open or close or attempt to open or close any dock gate, bridge or barrier; (4) No person must obstruct any bridge, dock gate or barrier; and (5) No person must 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>61.</p>	<p>A person must not, :- (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; (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/or (c) go beneath the level of any quay or jetty without the permission of a duly authorised officer of the Authority or Council.</p>
<p>INTERFERENCE AND OBSTRUCTION ON THE PORT</p>	<p>62.</p>	<p>(1) Otherwise than with the permission of a duly authorised officer of the Authority and subject to any conditions of permission imposed by that officer, a person must not:- (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; (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; (c) obstruct or interfere with machinery, appliances and fittings in any Graving Dock; and/or (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. (2) Anything causing or likely to cause interference, obstruction, impedance, danger, damage or injury pursuant to this Byelaw, will be removed by the Harbour Master and detained until the fees for removal and storage are paid.</p>

INTERFERENCE WITH EMERGENCY APPARATUS	63.	No person must use, remove, tamper or otherwise interfere with, or intentionally or recklessly obstruct the use of, any of the medical, life-saving or fire fighting apparatus in the harbour, other than for the purpose for which it is intended.
INTERFERENCE WITH BUOYS, MARKS AND MOORINGS	64.	No person must go or be upon or 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.
NO PERSON TO BATHE OR SWIM	65.	No person must bathe or swim in the harbour other than: (a) for the purpose of saving life or in a man overboard situation; 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	66.	A person must not smoke tobacco or any other substance (a) within the docks; or (b) on board any vessel lying alongside any part of the docks and which is discharging or loading any combustible substance; unless it is in a designated smoking area approved by the Port Director or Harbour Master.
NO URINATING OR DEFECATING ON THE DOCKS	67.	A person must not urinate or defecate within the docks, unless it is in a place designated by the Port Director for such purposes.
PROHIBITION OF FIREARM, OFFENSIVE WEAPON ETC.	68.	(1) A person must not be in possession of any firearm, as defined in Section 57 of the Firearms Act, 1968, within the harbour, unless one of the specified exemptions contained in sections 7 to 15 of the Firearms Act 1968 apply. (2) A person must not be in possession of any offensive weapon, bladed or pointed article or firearms ammunition within the harbour without the permission of the Harbour Master, unless the said weapon, article or ammunition is for use at work, for religious purposes, as part of a national costume or he or she otherwise has such weapon, article or ammunition in his or her possession for good reason or lawful authority.
ANIMALS	69.	A person must not bring any animal into or onto the South Docks Estate, without the permission of the Harbour Master and in contravention of any conditions of that permission.

DISORDERLY PERSONS	70.	A person must not use any indecent, obscene, profane or offensive language or behave in a disorderly manner in the port.
NO FISHING NETS OR POTS TO BE USED	71.	Without prejudice to Byelaw 62, 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 Byelaw does not include fishing lines but for the avoidance of doubt does include tyres placed below the high water mark for the purpose of fishing.
		<u>PART VI</u> <u>General</u>
NO PLOUGHING OR GRAPPLING	72.	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 and 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 person has lost overboard from their vessel. This Byelaw will not apply to any ploughing or grappling operations authorised by any other enactment.
RUBBISH AND WASTE MATERIALS NOT TO BE PUT IN WATERS OF THE PORT	73.	A person must not place any rubbish, waste, article, material, vehicle, substance or other thing whatsoever into the waters of the port or place it in a position that it can fall, flow, drift into or be covered by the waters of the port.
REASONABLE PRECAUTIONS TO BE TAKEN TO PREVENT ANY MATERIAL, SUBSTANCE OR OTHER THING FROM ESCAPING	74.	Reasonable precautions must be taken by the person or organisation responsible for : (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; or (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.
DIVING OPERATIONS	75.	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 his or her permission to carry out the operation. A person must not act in contravention of any conditions of the permission given by the Harbour Master.

		<u>PART VII</u> <u>Penalties</u>
PENALTY FOR BREACH OF BYELAWS	76.	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 him by these Byelaws will be guilty of an offence and liable on summary conviction to a fine not exceeding:- <ul style="list-style-type: none"> (a) level 4 on the standard scale in respect of Byelaws 8(a),11, 12, 14, 15, 37, 42, 46, 54, 55, 62, 63, 64, 67, 68 and 72; and (b) level 3 on the standard scale in respect of all other Byelaws not covered by (a) above.
RESPONSIBILITY	77.	Where the commission by any person of an offence under these byelaws is due to the act or default of some other person, that other person will be guilty of the offence; whether or not proceedings for the offence are taken against the first person.
OFFENCE COMMITTED BY BODY CORPORATE	78.	Where an offence under these Byelaws which is committed by a body corporate is proved to be committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, company secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate will be guilty of that offence and will be liable to be proceeded against and punished accordingly.
DEFENCE	79.	(1) In any proceedings for an offence under these Byelaws it will be a defence for the person charged to prove :- <ul style="list-style-type: none"> (a) that he or she took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or (b) that he or she had a reasonable excuse for his or her act or failure to act. <p>(2) If in any case the defence providing by paragraph (1) (a) of this Byelaw involves the allegation that the commission of the offence was due to the act or default of another person, the person charged must not, without leave of the court, be entitled to rely on that defence unless within a period ending seven clear days before the hearing, he or she has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that person as was then in his or her possession.</p>
		<u>PART VIII</u> <u>Revocations</u>
REVOCATION	80.	The Byelaws relating to the Port of Sunderland referred to in the Schedule below are revoked.

The Secretary of State hereby confirms the foregoing byelaws.

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

SCHEDULE

Date of Byelaws	By Whom Made	Date of Confirmation	By Whom Confirmed
22nd July 1925	River Wear Commissioners	24th July 1925	Minister of transport
21st April 1965	River Wear Commissioners	1st June 1965	Minister of Transport
25 th October 1978	The Council of the Borough of Sunderland	30 th May 1979	Minister of Transport