

NIFHA Ports

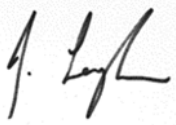
Enforcement and Prosecution Policy

The Duty Holder for NIFHA Ports is responsible under the Ports & Marine Facilities Safety Code (the Code) for the effective enforcement of its regulations, which are adopted in order to assist in managing the safety of navigation within NIFHA Ports limits. In this Policy, enforcement comprises the promulgation of regulation and guidance, effective surveillance, incident investigation, and where appropriate formal warning and prosecution. The policy is based on 'education in the first instance' and would only be escalated to prosecution for repeat offenders, or for offences bringing significant risk of serious injury or loss of life, in circumstances that a successful prosecution appears to be a viable outcome. Where appropriate, and where empowered to do so, NIFHA Ports will consider prosecution of offenders for committing criminal offences, including those set out in the Merchant Shipping Act 1995 and in ancillary regulations.

To this end, it is policy, NIFHA Ports shall:

- Maintain through regular reviews, a regulatory framework, which is integrated with relevant national legislation;
- Maintain effective investigation procedures for use in the event of a navigational incident, which supports the NIFHA enforcement procedures, but also meets the requirements of the Marine Safety Management System in respect of identifying and promulgating any 'lessons learned';
- Ensure that any staff required to conduct incident investigation receive effective and relevant training;
- Respond to breaches of regulation, where justified by the evidence and other circumstances, by the use of formal warnings and legal prosecution; and
- When bringing prosecutions, observe the requirement of the Police and Criminal Evidence act 1984 in so far as appropriate.

Signature of Approval and Authority – Enforcement and Prosecution Policy

Duty Holder	Stephen Welch		20 Mar 2026
Ardglass Harbour Master	James Lenaghan		23 Mar 2026
Kilkeel Harbour Master	Norman Bridges		23 Mar 2026
Portavogie Harbour Master	Neil Warnock		23 Mar 2026

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