

Harbour Bye-Laws

The Northern Ireland Fishery Harbour Authority in exercise of the powers conferred upon it by Article 9(1) of the Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973 hereby make the following Bye-Laws for the harbours of Ardglass, Kilkeel and Portavogie.

The Harbour Bye-Laws made under the Common Seal of the Northern Ireland Fishery Harbour Authority on 24th Day of December, 1974 and confirmed by the Department of Agriculture for Northern Ireland on the 2nd Day of January, 1975 are hereby revoked.

1. Interpretation

In these Bye-Laws the following words and expressions shall have the several meanings hereby assigned to them respectively, viz:-

“Harbour” means those areas at Ardglass, Kilkeel and Portavogie respectively within which the Harbour Authority has authority by virtue of Article 24 of the Northern Ireland Fishery Harbour Authority Order (Northern Ireland) 1973.

“Harbour Authority” means the Northern Ireland Fishery Harbour Authority.

“Harbour Master” means the person appointed by the Harbour Authority to perform the duties of Harbour Master and Collector of Rates and shall include any of his Assistants.

“Harbour Property” means the land, quays, wharfs, buildings, machinery, life-buoys, lamp posts, railings, lights, slipways and other property and structures at the harbour provided by and under the control of the Harbour Authority.

“Vehicle” includes Motor Car, Motor Lorry, Horse drawn Lorry, Car, Cart, Carriage, Caravan, Trailer and Motor Cycle.

“Master” when used in relation to any vessel, means the person having the command or charge of the vessel for the time being.

“Owner” when used in relation to Goods, includes Consignor, Consignee, Shipper or Agent for sale or custody of any goods or articles, and when used in regard to a vessel, includes the Owner, Agent, Master, Manager or other person in charge of such vessel.

“Goods” includes wares and merchandise of every description and fish, animals and livestock of all descriptions.

“Vessel” includes ship, boat, lighter and craft of every kind whether navigated by sail or steam or otherwise.

2. **Obstruction of Officers & Workmen**

No person while in the Harbour shall obstruct, impede, molest, threaten or interrupt the Harbour Master or any other officer, workman, agent or person whosoever employed by the Harbour Authority in the pursuance of his duties or in the execution of any works or use offensive or obscene language to the annoyance of any person.

3. **Compliance with Orders and Directions**

All persons in or at the Harbour shall obey the lawful orders and directions of the Harbour Master and every person having charge of any vehicle while on Harbour Property shall at all times comply with any directions of the Harbour Master with respect to the Loading, discharging, maneuvering and removal thereof and shall not, without the permission of the Harbour Master, leave the vehicle unattended anywhere within the Harbour.

4. **Speed of Vehicles**

No person having charge of a vehicle shall allow that vehicle to proceed on Harbour Property at a speed greater than 20 miles per hour.

5. **Trading**

Any person who shall purchase, sell, convey or deal in goods in, or across the Harbour, shall report the total gross value of such transaction to the Harbour Master when required for the purpose of calculation the amount of any such charges as may be due to the Harbour Authority.

6. **Payment of Harbour Dues, etc.**

The rates, tolls, dues and charges payable to the Harbour Authority shall be paid on demand to the Collector of Rates and in such manner as the Harbour Authority may direct.

7. **Dumping Prohibited**

No person shall deposit or discharge any oil, rubbish, garbage, offal or other waste material whatsoever or permit or allow such material to be deposited or thrown, dropped, pumped, discharged, shoveled, or to flow onto harbour property or into the waters of the harbour.

8. **Placing Gear on Harbour Property**

No person shall place ropes, nets, trawls, machinery or any other type of vessel's equipment on Harbour Property or allow such gear to remain on Harbour Property without the prior consent of the Harbour Master. Any property so placed without permission may be removed by the Harbour Master at the cost of the owner and if not claimed within two months of such removal will be

considered abandoned and may be disposed of as the Harbour Master thinks fit.

9. **Obstruction of Quays, Roads and Slips**

The roads, quay, slipways and other approaches on Harbour Property shall at all times be kept entirely free from every obstruction that may in any way affect free passage thereon.

10. **Interfering with Harbour Property**

No person shall misuse, interfere, deface, disfigure or tamper with any Harbour Property nor unless for a legitimate purpose remove from its place any life buoy, ladder, chain, lifeline, or apparatus for saving life.

11. **Access to Buildings**

No person shall enter any building provided by the Harbour Authority unless he has lawful business therein.

12. **Accident to be reported**

Any person involved in an accident whilst in the Harbour whereby injury is caused to any person or property shall immediately report the accident to the Harbour Master.

13. **Removal of material**

No unauthorised person shall remove rocks, stones, sand, gravel or other material from the harbour.

14. **Laying moorings and other tackle**

No person shall cast any net, line, creel, mooring buoy, stake or other tackle in the waters of the harbour without the prior consent of the Harbour Master.

15. **Bathing in Harbour**

Bathing shall not take place in any part of the waters of the Harbour without the consent of the Harbour Master.

16. **Meetings**

No part of the Harbour shall be used for the purpose of demonstrations or meeting for political or other purposes or amusement without the sanction in writing of the Harbour Authority.

17. **Launching Vessels**

No ship builder or other person shall launch or allow to be launched any vessel into the Harbour without giving to the Harbour Master three days previous notice and obtaining his permission to launch such vessel at such time and place

as the Harbour Master shall determine.

18. **Refuelling**

When a vessel is taking on liquid fuel of any description, smoking or the use of naked flame either on board or in the immediate vicinity is strictly prohibited and the Master of such vessel shall provide suitable and efficient fire extinguishers on board and ready for immediate use.

19. **Fires and use of Naked Flame**

Every person who shall have, or cause to be had, any Fire or Naked Flame of any description on Harbour Property or on board any vessel in the Harbour shall cause such fire or Naked Flame to be tended at all times by a responsible person who must have suitable and efficient fire extinguishing equipment readily available for immediate use.

20. **Storage**

No person shall, except with the written licence or permission of the Harbour Authority, store or allow to be stored any Goods or other commodity or thing whatsoever on Harbour Property.

21. **Gutting, Curing and Packing of Fish**

No person shall, except with written licence of the Harbour Authority gut, pack, or cure fish of any kind on Harbour Property, or allow to be placed thereon empty packages except for the purpose of being, and unless they shall be instantly, filled and taken away.

22. **Control of Animals**

No person shall allow any animal belonging to him or under his control to cause a nuisance on Harbour Property.

23. **Discharge and Shipment of Goods**

The Master of any vessel and the Consignees and Consignors of any cargo shall use proper and effective means for preventing any goods from falling into the waters of the Harbour and shall not allow goods for shipment or discharge to remain on the quays for a longer period than 24 hours unless permitted to do so by the Harbour Master.

24. **Depth of Water**

No vessel shall attempt to enter or leave the Harbour or navigate within the Harbour unless there shall be sufficient depth of water for the draught of such vessel.

25. **Movement of Vessels**

A vessel shall not be propelled, towed or moved within the Harbour at a greater speed than three nautical miles per hour and such vessel shall regulate its propeller in such a manner as not to endanger any other vessel or displace the harbour bottom or quay foundations.

26. **Availability of Crew**

The Master of a seagoing vessel whilst in the Harbour shall cause a competent person to be readily available at all times to receive any order or direction from the Harbour Master and shall immediately on receiving such order or direction find sufficient men to carry it into effect.

27. **Sufficiency of Crew**

Except with the permission of the Harbour Master, the Master of a vessel shall at all times when his vessel is alongside the Fish Market in any Harbour have sufficient crew or other competent persons onboard to comply with any directions of the Harbour Master for unmooring, mooring or moving of the vessel.

28. **Harbour Master may remove Vessel**

Where the Master of any vessel shall, after being directed by the Harbour Master, refuse or delay to remove his vessel from the berth or lying place at which it may be for the time, to any other berth or lying place within the Harbour, the Harbour Master may remove such vessel, and the Master and Owners shall be liable in the expense of such removal, and that without prejudice to the liability of all concerned for the penalty for such refusal or delay.

29. **Willfully cutting Moorings**

Every person other than the Harbour Master, or other person authorised by him, who shall willfully cut, break, destroy, or cast off or loose the mooring or fastening of any vessel lying in the Harbour, shall forfeit and pay for the damage thereby occasioned, in addition to any fine on conviction.

30. **Access and Egress for Vessels**

The Master of every vessel shall allow free passage across or over the deck of such vessel for discharging or loading the cargo of any other vessel or vessels lying further off from the quay, and for conveying to and from such other vessel or vessels all articles or things for ballasting, refueling, storing or repairing the same; and shall, for any of the said purposes, give on such vessel of which he is the Master, every facility for the placing by the Master of such other vessel or vessels of gangways, planks, or ladders, and also, if required by the Harbour Master, for the rigging on any tackle.

31. **Vessels to be properly berthed**

Every vessel shall be berthed and moored by the Master to the satisfaction of the Harbour Master and the Master shall ensure that the said vessel is securely moored and provided with proper fenders so as to prevent damage to Harbour Property and to persons, vessels or goods within the Harbour.

32. **Not to make fast to unauthorised objects**

No vessel shall make fast any rope, chain, or tackle to any lamp-post, ladder or to anything on Harbour Property other than the bollards, mooring posts, or rings provided for the purpose.

33. **Repair of Vessels**

A vessel shall not be repaired, dismantled or broken up in the Harbour except in such position as the Harbour Master may appoint for that purpose and subject to such terms and conditions as he shall impose.

34. **Abandonment of vessels prohibited**

Any vessel which in the opinion of the Harbour Master is laid by, neglected or abandoned as unfit for sea service, in the Harbour, shall be removed or dealt with as directed by the Harbour Master and the expense of removal may be recovered from the Owner.

35. **Vessels to be kept in moveable condition**

The Master of a vessel shall not, except where his vessel is lying aground, take any action to render his vessel incapable of movement without first notifying the Harbour Master and giving him any further information which the Harbour Master may reasonably require.

36. **Inspection Facilities**

The Master of a vessel shall so far as may be required by the Harbour Master in the exercise of his duties, afford the Harbour Master access to any part of the vessel and provide all reasonable facilities for its inspection and examination.

37. **Reporting address etc.**

The owner of any unmanned vessel in the Harbour will furnish the Harbour Master with the name, address and telephone number of a competent person readily available at all times to receive any order or direction from the Harbour Master.

38. **Vessels not to cause obstruction**

No vessel shall lie or moor in the entrance to the harbour or in the entrance to any basin dock or slipway in such manner as to cause obstruction to any other

vessel or impede the free passage of any lifeboat station in the Harbour.

39. **Placing of Posters, etc.**

No person shall fix, display, exhibit or paint any placard, poster, notice, banner, flag, decoration, emblem or sign whatsoever on or in Harbour Property without the previous consent in writing of the Harbour Authority.

FOR REGULATING THE USE OF THE SLIPWAYS

40. **Booking of Slipway by vessels regularly landing fish**

For all vessels for which the composition rate of Harbour Dues apply and has been paid a booking list of vessels wishing to make use of the slipway will be compiled by the Harbour Master. The Master of the vessel should inform the Harbour Master of the approximate date he wishes to make use of the slipway, the period he wishes to use thereof and the nature of work to be undertaken.

41. **Booking of Slipway by other vessels**

For all vessels for which the composition rate of Harbour Dues does not apply a separate booking list of vessels wishing to make use of the slipway will be compiled by the Harbour Master. Such vessels may be called for slipping only in the event of the slipway not being booked for use by vessels under Bye-Law 40.

42. **Change of booking list**

Masters of vessels may by mutual agreement exchange places on the booking list by informing the Harbour Master accordingly.

43. **Neglect to come forward when called**

Should a vessel neglect to come forward for slipping when called it will be at the discretion of the Harbour Master to rearrange its position on the booking list by taking into account all the relevant facts.

44. **Repairs to be expedited**

No vessel shall be slipped other than for the purpose of being examined, graved or repaired, and the work, whatever it may be, shall be commenced immediately after the vessel is placed in position on the slipway, and if it is not so, and another vessel is placed in position on the slipway, and if it is not so, and another vessel has been booked and is awaiting use of the slipway, the vessel that is on it shall not be allowed to remain, but shall be removed there from by the Owners, or by the Harbour Master at their expense, so as to allow the vessel next in turn to be taken on the Slipway; and in every case the work shall be done with proper dispatch.

45. **Delays in repairing vessel**

If at any time it shall appear to the Harbour Master that graving or repairs shall take longer than was originally estimated for, the Harbour Master shall have the power to order the Owners or Master to effect such temporary repairs as shall make the vessel watertight and to remove the vessel from the Slipway within twenty-four hours of such order being given or such longer period as the Harbour Master may allow.

46. **Urgent and essential repairs**

Where it can be demonstrated to the Harbour Master's satisfaction that a vessel requires to be slipped for urgent and essential repairs affecting its sea-going qualities such slipping will take priority over all bookings.

47. **Clearing rubbish**

The Owners or Master of all vessels taken onto the Slipway shall be bound to remove from it the rubbish occasioned by the repairing of such vessel.

48. **Replacement of cut timber shores and blocks**

If all or any timbers for supporting vessels on the Slipway, supplied by the Harbour Authority, are cut, lost or destroyed, the Owners of the vessel using the Slipway at the time shall be liable for such loss and shall be charged replacement costs of such timber.

49. **Ebbing-out and obstructing slipway**

No vessel shall ebb-out on the slipway works or in any way obstruct the operations or use of the slipway.

50. **Fuelling**

No vessel shall refuel whilst on the slipway works.

FOR REGULATING THE USE OF THE FISHMARKET

51. **Vessels to be ready to land**

No fishing vessel shall, without the permission of the Harbour Master approach the Fish Market for the purpose of discharging its catch until the catch is in all respects ready for landing.

52. **Unloading**

The Master of every fishing vessel, after his vessel is berthed at the Fish Market, shall cause the unloading of his vessel to commence immediately and be carried on continuously unless the Harbour Master may allow or permit the goods to be discharged otherwise. The Master of every such vessel shall also cause the vessel to be removed from the Fish Market immediately after discharge has ceased unless permitted by the Harbour Master to remain there.

53. **Articles not to be left in Fish Market**

No person shall leave on any part of the Fish Market or quay, any fish or any box, barrel, tub or other article for a longer period than permitted by the Harbour Master.

54. **Animals not allowed in Fish Market**

No person shall allow any dog or other animal belonging to him, or under his control to enter into or remain in the Fish Market.

55. **Conduct in the Fish Market**

No person shall throw fish, ice or any other missiles, or hinder any officer of the Fish Market or employee of the Harbour Authority while in the execution of his duties or otherwise behave in a disorderly manner.

56. **Preserving Order**

Every person using the Fish Market shall promptly obey the directions of the Harbour Master for the purpose of preserving order and regularity and facilitating the dispatch of business of the Fish Market.

57. **Not to interfere with lighting, doors, etc.**

No person shall deface or disfigure any part of the Fish Market or interfere in any way with the lighting arrangements, doors, locks or other things provided at the Fish Market.

58. **Prevention of litter and contamination**

Except with the permission of the Harbour Master no person shall bring into the Fish Market, nets, creels, oils or fuels of any description.

Given under the common seal of the Northern Ireland Fishery Harbour Authority on the fourteenth day of December 1988.

F. LEDWIDGE
CHAIRMAN

R. FITZSIMONS
CHIEF EXECUTIVE / SECRETARY

The Department of Agriculture hereby confirms the foregoing Bye-Laws. Sealed with the Official Seal of the Department of Agriculture for Northern Ireland this 31st day of January 1989.

L. SINCLAIR
ASSISTANT SECRETARY

NOTE: EVERY PERSON WHO OFFENDS AGAINST ANY OF THE FOREGOING BYE-LAWS IS LIABLE ON SUMMARY CONVICTION TO A FINE.

Contact Details

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Up to date information may be found at our website – www.nifha.co.uk