



# Medway Ports Authority Act 1973

## 1973 CHAPTER xxi

### PART VI

#### BYELAWS

#### **80 Byelaws relating to certain dangerous goods**

- (1) The Authority may make byelaws as to the loading and discharging by vessels within the port of dangerous goods (which expression in this section does not include dangerous goods to which byelaws made by the Authority under the Explosives Act, 1875, or the Petroleum (Consolidation) Act, 1928, for the time being apply), and as to the bringing, handling, transport or storage of such goods within the port, and generally as to the precautions to be observed with respect to such goods while within the port, and such byelaws may in particular provide—
  - (a) for regulating the places at which vessels are to load or discharge dangerous goods and the time and mode of, and the precautions to be taken on, such loading and discharging;
  - (b) for regulating the places at which vessels carrying dangerous goods are to be moored; and
  - (c) for the due enforcement of the byelaws.
- (2) Where a person is charged with an offence against a byelaw in force under this section it shall be a defence for that person to prove that the offence was not caused or facilitated by any act or neglect on his part, or on the part of any person engaged or employed by him, and, if that person is charged as the owner or master of a vessel, that in addition all reasonable means were taken by the master to prevent the commission of the offence.
- (3) Byelaws made under subsection (1) of this section may contain provisions for imposing on persons offending against any of the byelaws penalties not exceeding, on summary conviction, a fine of one hundred pounds, and, on conviction on indictment, imprisonment for a term of six months, either in addition to, or in substitution for, a fine.