
STATUTORY INSTRUMENTS

1998 No. 683

The Porthmadog Harbour Revision Order 1998

**PART IV
BYELAWS**

General byelaws

29. In addition to the byelaws which may be made by the Council under section 83 of the Act of 1847 the Council may make byelaws for all or any of the following purposes—

- (a) for regulating the operation and superintendence of the harbour;
- (b) for regulating the movement (including the speed) and berthing of vessels within, and the departure of vessels from, the harbour, or the removal of vessels from the harbour, and for the good order and government of vessels whilst within the harbour;
- (c) for regulating or prohibiting the mooring, careening or beaching and keeping of vessels in the harbour;
- (d) for preventing damage or injury to any vessel, goods, vehicle, plant, machinery, property or persons within the harbour or on the harbour estate;
- (e) for regulating the conduct of persons in vessels or otherwise in the harbour;
- (f) for regulating the placing, maintenance and use of moorings within the harbour;
- (g) for preventing or removing obstructions or impediments within the harbour or in or near the seaward approaches to the harbour;
- (h) for regulating the removal and disposal of ballast brought by vessels entering the harbour and the supply of ballast to vessels within the harbour, so as to prevent any unnecessary obstruction by ballast;
- (i) for regulating the use of ferries within the harbour;
- (j) for regulating the use of vessels within the harbour;
- (k) for regulating or prohibiting the use of personal watercraft within the harbour;
- (l) for regulating or prohibiting the activities within the harbour of divers, surfers, water skiers and other persons engaged in similar recreational pursuits;
- (m) for regulating the holding of regattas and other public events so far as within the harbour;
- (n) for regulating the launching of vessels within the harbour and the use of slipways and landing places;
- (o) for regulating or preventing the use in the harbour or on board any vessel therein of fires, lights or any other equipment, tools or appliances which the Council consider involve risk of fire;
- (p) for the prevention of nuisances in the harbour;
- (q) for regulating the movement, speed and parking of vehicles within the harbour estate;
- (r) for regulating the exercise of the powers vested in the harbourmaster;

- (s) for securing the safety of vessels and persons using, and of property within, the harbour;
- (t) for regulating the removal or disposal of rubbish (including ballast, earth, clay or other refuse) and sewage from vessels in the harbour;
- (u) for preventing the disposal of such rubbish and sewage in the harbour.

Byelaws as to lights, signals, etc.

- 30.**—(1) The Council may make byelaws for all or any of the following purposes—
- (a) for prescribing the lights and signals to be carried, exhibited or made by vessels while being used, navigated or moored within the harbour;
 - (b) for prescribing the lights and signals to be exhibited or made by vessels aground within the harbour;
 - (c) for prescribing the lights and signals to be exhibited or made by wreck-marking vessels or by other devices used for marking obstructions within the harbour;
 - (d) for prescribing steering and sailing rules for regulation of vessels used or navigated within or entering or leaving the harbour;
 - (e) for prescribing the lights and signals to be exhibited or made at the entrance to any dock or at any wharf, pier or other work for assisting the navigation of vessels within the harbour.
- (2) In this article “signals” include sound signals.
- (3) Different provision may be made under this article in relation to different classes of vessel.

Confirmation of byelaws and fines thereunder

- (a) **31.** (1) (a) In relation to byelaws relating to the harbour made by the Council under this Order or any other enactment, section 236 of the Local Government Act 1972(1) shall have effect subject to the following modifications—
 - (i) the Secretary of State shall be the confirming authority;
 - (ii) in subsection (7), after the word “confirm” where it first occurs there shall be inserted the words “with or without modification”.
 - (b) If the Secretary of State proposes to make a modification which appears to him to be substantial—
 - (i) he shall inform the Council and require them to take any steps he considers necessary for informing persons likely to be concerned with the modification; and
 - (ii) he shall not confirm the byelaws until such period has elapsed as he thinks reasonable for consideration of, and comment upon, the proposed modification by the Council and by other persons who have been informed of it.
- (2) Byelaws made by the Council to which the foregoing provisions of this article apply may contain provisions imposing upon a person offending against a byelaw a fine not exceeding level 3 on the standard scale.

(1) 1972 c. 70.