

The Felixstowe Dock & Railway Company

General Bye-Laws

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“vessel” includes any ship, boat, barge, raft or other floating craft (including airships, hydrofoils, hovercraft or other air cushion craft);

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

“owner” when used in relation to goods shall include any consignor, consignee, shipper or agent for the sale custody or control of such goods and, when used in relation to any vessel shall include any part owner, charterer consignee or mortgagee in possession;

“quay” means any quay, pier, jetty, wharf, landing stairs, shore or other loading or discharging place within the Dock;

“the Company” means the Felixstowe Dock and Railway Company incorporated by the Felixstowe Railway and Pier Act 1875 and includes where the context admits, its officers, servants and agents;

“the Conservancy Board” means the Harwich Harbour Conservancy Board;

“the Dock” means the Port of Felixstowe within the limits of the Dock prescribed by Section 8 of the Felixstowe Dock and Railway Act 1981, and includes any part of the Dock;

“the Harbour” means the area of jurisdiction of the Conservancy Board, comprising Harwich Harbour and the Harwich Seaward area as described in Section 4 of the Harwich Harbour Act 1974 as amended by Article 3 of the Harwich Harbour Revision Order 1979;

“the Harbour Master” means the General Manager and Harbour Manager of the Conservancy board and includes his authorised deputies and assistants and any person authorised by the Conservancy Board to act in that capacity;

“unlicensed vehicle” means any vehicle which is not licensed under the Road Traffic Acts from time to time for use on public highway;

- (b) Unless the context otherwise requires references in the Bye-Laws to any Act whether public, general or local or any Instrument made thereunder or any provision in any Act or any such Instrument shall be construed as references to that Act or Instrument as amended by any other Act or Instrument.

Part II - Operation of the Dock

Fouling and obstruction of the Dock

3. No person shall intentionally and without reasonable excuse do, cause or permit to be done or omit to do anything tending to cause:

- (a) an encumbrance, pollution or fouling of the water or any quay;
- (b) an obstruction or danger to navigation in the Dock;
- (c) a danger to life or health; or
- (d) any nuisance,

except that ballast, rubbish or refuse may be placed, left, transhipped or disposed of for the purpose of these Bye-Laws only and at the sole risk of the person placing, leaving, transhipping or disposing of the same, at such places in the Dock as may be designated by the Company.

Navigation aid

- 4.
- (a) No person shall without lawful excuse, place, move in or remove from the Dock any light, fog signal, buoy, radar, reflector or other object used as an aid to navigation.
 - (b) No person shall display within the Dock any light or other object in such a way as shall tend to mislead vessels or endanger navigation.

Loading and unloading of goods

- 5.
- (a) Any person in charge of any plant, machinery, equipment or appliance situated on Company property and used for the purpose of loading, unloading or handling goods or for any other purpose connected with Dock operations shall remove that plant, machinery, equipment or appliance from that property upon order of the Company.
 - (b) No person shall operate any plant, machinery, equipment or appliance referred to in subsection (a) without such safety devices as may be required by law or by the Company.
 - (c) Except with written permission of the Company, no person shall locate in or about any building on Company property any plant, machinery, equipment or appliance used for the purpose of loading, unloading or handling goods unless that plant, machinery, equipment or appliance is in actual operation for that purpose.

Yacht races and aquatic sports

6. No person shall knowingly conduct or participate in a yacht or boat race or other aquatic sport, or in any other activity in the Dock, which is liable to interfere with navigation or operations of the Dock, except with written permission of the Company, and in accordance with the terms thereof.

Part III - Protection and Control of Company Property

Entry upon Company property

7.
 - (a) Except in the exercise of a public right of way or written licence, pass or other permission from the Company, no person shall enter or be upon Company property without having proper business thereon.
 - (b) Any person on Company property other than in the exercise of a public right of way or written licence or without having proper business thereon shall forthwith depart therefrom at the request of the Company.
 - (c) Every person who seeks to enter Company property except persons exercising any public right of way shall, if required by the Company, apply for and obtain an entry pass, which pass may be restricted to allow entry to such areas in the Dock as the Company may designate in the pass and contain such other terms and conditions as the Company think fit.
 - (d) The Company may without any stated reasons, withhold, delay, refuse to issue or revoke any pass referred to in sub-section (c) hereof to any person not having proper business upon Company property.
 - (e) Every person who obtains a pass referred to in sub-section (c) to enter Company property shall at the request of the Company, produce the pass.
 - (f) Every person in charge of a licensed hackney carriage or taxi shall stop at the Police Gatehouses at the entrances to the Dock, to declare his destination and passengers or intention to collect such passengers.

Furnishing of names and addresses

8. Every person on Company property shall, at the request of the Company, furnish his true name and address.

Intoxicating liquor

9.
 - (a) No person shall be in an intoxicated condition on Company property.
 - (b) No person shall, without written permission of the Company or lawful reason, convey or cause to be conveyed intoxicating liquor, within or from Company property unless it be cargo for import or export.

Inspection of bags, parcels etc.

10. No person shall refuse to produce for inspection, at the request of the Company, the contents of any article, bag, case, parcel, box or container of any kind in his possession on Company property.

Production of documents

11. No person shall refuse to produce at the request of the Company, any document in his possession relating to goods on Company property.

Searching

12. Any Constable may within the limits of the Dock and before 31st December 1984 search:
 - (a) any person whom he reasonably suspects of having in his possession or carrying in any manner anything stolen or unlawfully obtained; and
 - (b) any vehicle or vessel in or on which he reasonably suspects that anything stolen or unlawfully obtained may be found.

Non-permitted activities

13. No person who is on Company property shall:
 - (a) sell or offer for sale any goods;
 - (b) distribute circulars, leaflets or advertising matter;
 - (c) undertake personal solicitation; or
 - (d) offer any reward to Company servants other than the agreed scale of charges.

Restriction on entry

14. The Company may stop the entry of any person to Company property who refuses to comply with these Bye-Laws and may eject any person from such property who is suspected of being in breach thereof.

Non-interference with Company's Officers

15. No person shall harass or interfere with any officer, servant or agent of the Company in the course of his duties or in any way intentionally obstruct or impede any such officer, servant or agent in the course of his duties.

Structures and works

- 16.
- (a) No structure or work shall be placed or erected on Company property except with written permission from the Company and upon such terms and conditions as the Company may stipulate.
 - (b) Every structure or work placed or erected in contravention of sub-section (a) shall, upon order of the Company, be removed forthwith by the owner thereof or by the person by whom such structure or work was so placed or erected.
 - (c) Where a structure or work is not removed pursuant to an order of the Company under sub-section (b), the Company may at the risk and expense of the owner or person referred to in that sub-section undertake such removal.

Leaving of goods

- 17.
- (a) No person shall place or leave any goods on Company property in such a manner as to create an obstruction or interference.
 - (b) No person shall, without written permission of the Company, place or leave any goods on Company property except goods:
 - (i) for use by vessels;
 - (ii) for use in connection with shipping;
 - (iii) for use by the Company; or
 - (iv) for use in connection with railway wagons, road transport, sheds or Dock facilities.
 - (c) No person shall place or leave goods on Company property including any goods coming within (i) to (iv) of sub-section (b), which are likely to cause a nuisance or endanger life or health.

- (d) If the owner, agent, consignor or consignee of any goods, placed or left on Company property in contravention of this Bye-Law fails to remove the goods when requested to do so by the Company, the goods may be removed by the Company at the risk and expense of the owner, agent, consignor, or consignee as the case may be.

Railway rolling stock

18. No railway rolling stock shall be brought on Company property except with the Company's permission and upon such terms and conditions as the Company may determine.

Live animals

19. Every person who shall bring on Company property any live animal shall at all times whilst thereon keep it in the charge of a competent attendant and under proper control.

Removal of notices

20. No person shall remove, or interfere with any Company mark, printed or written notice, direction, sign or device, order, Bye-Law or regulation which is posted, attached, or affixed to or on Company property.

Erection of signs

21. No person shall place or erect on Company property without written permission of the Company any placard, bill advertisement, sign or device.

Removal of sand, shingle etc.

22. No person shall remove from Company property without written permission of the Company any sand, shingle, stone or gravel which is Company property.

Reporting of accidents

23. Every person involved in an accident within the Dock which causes the death of or injury to any other person or loss of or damage to property, shall deliver forthwith to the Company a written report giving full details of the accident.

Authority for removal of goods

24. No person shall fail or refuse to hand in his written authority for the removal of goods from Company property.

Part IV - Operation of vehicles

Driving of vehicles

25. No person shall drive a vehicle on Company property except for purposes permitted by the Company.

Unlicensed vehicles

26. No person shall drive an unlicensed vehicle on Company property without first obtaining from the Company and displaying on the vehicle a certificate of fitness for that vehicle.

Use construction and conditions of use

27. The use, construction and conditions of use of all vehicles on Company property shall comply with the provisions of these Bye-Laws.

Compulsory weighing

28. The Company may at any time require the operator of any vehicle, (whether loaded or unloaded), to submit the vehicle to compulsory weighing at weight scales designated by the Company for the purpose.

Restrictions on operation of vehicles

29. No person shall operate a vehicle on Company property:
- (a) in a shed, warehouse or open storage area, except to pick up or deliver goods or for other purposes permitted by the Company;
 - (b) between railway tracks;
 - (c) across railway tracks except at a recognised railway crossing;
 - (d) at speeds greater than those indicated by speed restriction signs or in a manner which may cause a nuisance, death or injury to persons or damage to property;
 - (e) which is loaded in excess of its permitted load limit;
 - (f) from which petrol, oil, or any other substance likely to be dangerous or to constitute a nuisance, is dripping, escaping or falling; or
 - (g) which, in the opinion of the Company, is improperly loaded or unserviceable or likely to cause damage to roadways or other property.

Restrictions on parking vehicles

30.

- (a) No person shall park a vehicle on Company property:
 - (i) unless the Company shall first have issued a permit for him to do so;
 - (ii) in such a manner as to create an obstruction or interference;
 - (iii) elsewhere than in a parking area approved by the Company;
 - (iv) which is loaded in excess of its permitted load limit; or
 - (v) from which petrol, oil, or any other substance likely to be dangerous or to constitute a nuisance, is dripping, escaping or falling.
- (b) For the purposes of sub-section (a), a vehicle is parked wherever it is stopped, other than as required by traffic control devices, (including police or security traffic control) whether or not the driver remains in the vehicle and whether or not the engine of the vehicle is running, and shall include any vehicle apparently abandoned.

Supply and discharge of fuels and oils

31. No person shall supply to, receive into or discharge from, a vehicle on Company property any petrol or other fuel or oil except at locations and times approved by the Company.

Removal of vehicles

32. Where a vehicle is operated or parked on Company property in contravention of these Bye-Laws the Company may remove or dispose of that vehicle at the risk of the owner.

Part V - Berthing, mooring or anchoring in the Dock

Observance of directions of Dock Master

33. The Master of a vessel berthed or in process of mooring or unmooring in the Dock, shall at all times be under the orders of the Dock Master and shall observe any directions given by him in respect of berthing.

Removal of vessels causing obstruction

34. Where a vessel which is berthed, anchored or otherwise moored in the Dock is unserviceable or causing an obstruction, the same shall be removed in accordance with any direction given by the Dock Master and approved by the Harbour Master.
35. No Master of any vessel shall permit such vessel to enter or vacate a berth in the Dock without engaging tug service at its own risk and expense if in the opinion of the Dock Master, it would not be in the interest of safety or Dock operations for him to do so.

Vessels to be berthed only with permission of Dock Master and as directed

36. (a) No Master of any vessel shall berth such vessel in the Dock without permission of the Dock Master and then only at such place and in such manner as directed by the Dock Master provided that such permission shall be obtained before the vessel enters the Harbour or, as the case may be, moves from any place within the Harbour.
- (b) When berthing a vessel alongside a quay, the Master of such vessel may use an anchor for the purpose of assisting such berthing, but unless otherwise permitted by the Dock Master, the anchor shall immediately be weighed or housed once such purpose has been completed.
- (c) The Master of every berthed vessel having an anchor out shall ensure that the anchor cable is sufficiently slackened so that the cable between the hawse pipe and the harbour bed is in an up and down position.

Vessels to be able to moor on short notice and to have crew available at all times

37. The Master of every power-driven vessel berthed, moored or anchored in the Dock shall ensure that, unless exempted by the Company the vessel shall at all times have:
- (a) sufficient power and crew available to enable the vessel to move under its own power on short notice; and
- (b) sufficient men on board to operate winches and handle mooring

lines. Inspection facilities

38. The Master of a vessel within the limits of the Dock shall afford all reasonable facilities to the Dock Master to board and inspect his vessel for the purpose of ascertaining whether the provisions of these Bye-Laws are complied with.

Occupation of berths only with Dock Master's permission

39 .

- a) No Master of any vessel shall permit such vessel to occupy a berth or move from one berth to another berth in the Dock without permission of the Dock Master.
- (b) The Master of a vessel clearing from the Dock shall give notice to the Dock Master of his intention to vacate the berth or anchorage occupied by his vessel.

Lines to be made fast

0. The Master of every vessel berthed or moored within Company property shall ensure that the lines of such vessel shall be made fast only to facilities provided for berthing or mooring purposes, and such lines shall not lie across any quay or across any channel in such manner as to obstruct passage of any other vessel.

Vessels berthing alongside other vessels

1. The Master of every vessel shall ensure that:
 - (a) such vessel shall not make fast to or secure alongside any other vessel within Company property without permission of the Dock Master and the approval of the Harbour Master;
 - (b) such vessel shall when ordered by the Dock Master permit any other vessel of no greater tonnage, measurement or deadweight to make fast to or secure alongside it;
 - (c) where such a vessel is made fast to or secured alongside another vessel, a free and unencumbered passage over the inner vessel shall be allowed to the outer vessel for loading, unloading and access to and from the quay;
 - (d) where such a vessel is made fast to or secured alongside another vessel, the lines of the outer vessel which is made fast or secured shall not, except in any emergency, be cut or cast off without permission of the Dock Master and without notice of the intention to do so having been given to the Master of the vessel which is made fast or secured.

Delays in departure to be reported

42. Where a vessel is delayed in departing from Company property the Master of the vessel shall report immediately to the Dock Master the reason and the probable duration of the delay.

Vessels not to test equipment without permission of Dock Master or shut down engines

43. The Master of every vessel shall ensure that:
- (a) such vessel, when berthed at Company property or alongside another vessel in the Dock shall not without the permission of the Dock Master engage in equipment or machinery tests or any operations likely to endanger such property or other machines;
 - (b) such vessel when berthed or moored or anchored in the Dock shall not shut down or dismantle main engines without permission of the Dock Master;
 - (c) such vessel shall not use any propulsion or other manoeuvring machinery or equipment in such manner as to cause damage to Company property.

Bunkering

44. No master of any vessel berthed at a quay in the Dock shall permit the same to receive bunkers except with the permission of the Dock Master and when bunkers are being supplied every Master shall ensure that all scuppers and other openings are blocked off to the Dock Master's satisfaction.

Certificate of fitness for dangerous chemicals

45. Unless otherwise permitted by the Company, a vessel in the Dock to which the Inter-Governmental Maritime Consultative Organisation's "Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk" applies, which is carrying a cargo covered by the Code, shall have a valid Certificate of Fitness to carry the cargo.

Vessels to display name and draught marks

46. The owner of every vessel of over 60 tons gross registered tonnage in the Dock shall ensure that such vessel displays conspicuously its name and accurate draught marks.

Vessels to signal when leaving berth

47. The Master of every vessel shall ensure that when such vessel is about to leave any quay or berth it shall, before leaving, sound one prolonged blast on its whistle or siren or such other sound signal as is prescribed by the Conservancy Board from time to time.

Vessels to have gangways

48. The owner or Master of every vessel when in the Dock shall ensure:
- (a) that his vessel has suitable gangways, clearly illuminated at night, for the use of persons boarding or leaving the vessel;
 - (b) that every gangway is attended at all times by a watchman or other responsible person and has a suitable heaving line and lifebuoy conveniently located thereby; and
 - (c) that suitable safety nets are used beneath every gangway and in such other places as may be necessary to prevent persons or goods from falling into the water.

Cargo handling equipment not to obstruct and to be well lit

49. Any person placing or leaving equipment for loading cargo on to, or unloading cargo from or handling cargo on a vessel in the Dock shall:
- (a) ensure that it is placed in such a manner as to give clear and uninterrupted access to and from the vessel and does not interfere with any other operation in the Dock; and
 - (b) ensure that, from sunset to sunrise, any such equipment is clearly illuminated.

Side ports

50. The Master of every vessel shall ensure that the side ports of such vessel whilst in the Dock shall, from sunset to sunrise, be:
- (a) clearly illuminated when open; and
 - (b) closed when not in use.

Display of signals and use of lights for loading and unloading

51. The Master of every vessel shall ensure that:
- (a) if such vessel extends beyond the end of any quay in the Dock it shall display conspicuously the anchor signals as prescribed in the Collision Regulations;
 - (b) when such vessel is loading or unloading in the Dock and is using lights for such purpose, such lights shall be used in safe positions and be of a type approved by the Company, and any connecting wires for which, between ship and shore, shall be: properly insulated, protected against damage and connected in accordance with the directions of the Company;
 - (c) where such vessel is turning its propeller while berthed at Company property or at anchor, it shall indicate such activity by hanging signboards illuminated at night over each quarter in line with such propeller.

Rodents

52. The Master of every vessel shall in no circumstances permit the passage of any rodents between the vessel and Company property or that of any other person on the Company's property and shall take all necessary precautions including the attachment of suitable devices to the lines of the vessel, to this end.

Exhaust mufflers to be used at all times

53. The Master of every vessel shall insure that the internal combustion engines on such vessel when operating in the Dock are equipped with efficient exhaust mufflers, which shall be used continuously when the engines are running.

Rigging gear etc. not to overhang side of vessel

54. The Master of every vessel shall ensure that no rigging gear or other equipment of such vessel when in the Dock shall overhang or project from the side of the vessel in a manner that may endanger life or property.

Whistles, sirens etc. not to be sounded unnecessarily

55. The Master of every vessel shall ensure that no whistle, siren or fog-horn on such vessel when in the Dock shall be sounded unnecessarily, and that no such equipment shall be tested without the permission of the Company.

All vessels to maintain adequate watch and notify any accident, fire etc.

56. Unless exempted in writing by the Company the Master of every vessel shall ensure that such vessel when in the Dock, maintains an adequate watch and, in the event of any danger, accident disturbance or fire, that such watch shall immediately give an alarm and notify:
- (a) the nearest Constable; or
 - (b) the Company's Chief Fire and Safety Officer; or
 - (c) the Company's Chief Constable; or
 - (d) any other Officer of the Company.

Vessels not to be abandoned sunk etc. without permission

57. No person shall abandon, sink, burn, break up, dismantle, allow to remain on shore or cast adrift in the Dock any vessel without the permission of the Company.

All accidents, collisions and groundings in the Dock to be reported

58. (a) The Master of a vessel involved in:
- (i) an accident causing death or injury to persons or loss or destruction of or damage to property;
 - (ii) a collision; or
 - (iii) a grounding
- in the Dock, shall deliver forthwith to the Company log extracts covering the incident and a detailed written report of such accident, collision or grounding.
- (b) Notwithstanding any other report required by this Bye-Law, the Master of any vessel involved in an accident, collision or grounding in the Dock shall immediately report the incident by the quickest possible means to the Dock Master.

No dredging or removing of obstructions to be carried out without permission

59. No Master of any vessel shall engage in dredging or removing obstructions in the Dock without the permission of the Company.

Recovery of lost cargo or gear

60. The Master of a vessel which has lost cargo or ship's gear in the Dock shall, after obtaining permission from the Company, forthwith recover the lost article if practicable, but if such recovery is not made,

the Master of that vessel, shall deliver to the Company a written report of the loss giving:

- (a) the appropriate location of the lost article;
- (b) a description of the lost article; and
- (c) other pertinent details relating to the loss.

Part VI - Notice, certificates and manifests

Notification of arrival of vessels, delivery of certificate of particulars and manifest

61.

- (a) The owner of every vessel shall, wherever possible, give notice to the Company of the expected date and approximate time of arrival of his vessel at the Dock.
- (b) The Master of a vessel arriving at the Dock shall, within twenty-four hours after the vessel's arrival, deliver to the Company a certificate signed by him setting forth as much of the following information as is required in respect of his vessel by the Company:
 - (i) name of vessel;
 - (ii) port of registry;
 - (iii) gross tonnage;
 - (iv) gross registered tonnage;
 - (v) draught upon arrival;
 - (vi) time of arrival;
 - (vii) last port of call;
 - (viii) name of Master;
 - (ix) name of owner or agent;
 - (x) tonnage of goods to be unloaded;
 - (xi) number of passengers to be landed;
 - (xii) port of origin;
 - (xiii) number of bags of mail to be landed;
 - (xiv) official number;
 - (xv) length overall; and
 - (xvi) details of all dangerous goods either for discharge at the Dock or which are to remain on board the vessel.
- (c) The Master in charge of a vessel arriving at the Dock shall immediately deliver to the Company one copy, or more copies as requested by the Company, of the manifest of the vessel (certified by H. M. Customs & Excise in the case of a vessel engaged in foreign trade or by the person in charge of the vessel if engaged in domestic trade) setting forth details of cargo to be unloaded at the Dock including marks and numbers of consignments on each Bill of Lading, weigh bill or similar document, together with the weight and measurement of such cargo.

Delivery of manifest on departure

62. The Master of a vessel clearing from the Dock shall, within seven days after the vessel's departure, deliver to the Company one copy, or more copies as requested by the Company, of the manifest of the vessel (certified by H. M. Customs & Excise in the case of a vessel engaged in foreign trade or by the Master of the vessel if engaged in domestic trade) setting forth details of cargo that was carried on the vessel including marks and numbers of consignments on each Bill of Lading, weigh bill or similar document, together with the weight and measurement of such cargo.

Part VII - airships, hydrofoil & air cushion craft

Use of Dock by hydrofoil and air cushion craft

63. No Master of any airship, hydrofoil, hovercraft or other air cushion craft shall permit the same to land on or take off from the water in the Dock or from Company property except with permission of the Company and at locations designated by the Company.

Part VIII - Fire prevention

Compliance with fire protection and prevention standards

64. Every person in the Dock shall comply with all such standards of fire prevention and protection against fire as are from time to time necessary or advisable for the protection of persons and property.

Use of welding and burning equipment in the Dock

4 0 .

- (a) No person may use any hot rivets, welding or burning equipment in the Dock, nor in any vessel berthed in the Dock, except with written permission of the Company.
- (b) Before hot rivets, welding or burning equipment are used in the Dock the operators thereof shall ensure that all inflammable material shall be moved to such a distance from the equipment as will render them safe from fire and, where such movement is impossible, such materials shall be adequately shielded.
- (c) No tanks, containers or other facilities used for storage or transportation of inflammable materials shall be repaired in the Dock with hot rivets, welding or burning equipment until the operators of such equipment have ensured that such facilities have been rendered safe for making the repairs.

- (d) The operators of each unit of hot rivets, welding or burning equipment in use in the Dock shall ensure that suitable fire extinguishing equipment, ready for instant use in case of fire, shall be placed near each such unit.
- (e) The operators of any hot rivets, welding or burning equipment in the Dock shall ensure that every compressor or generator used in connection therewith shall be placed securely and in such manner as not to interfere with any other operations carried on in the Dock or on Company property.
- (f) Operators of hot rivets, welding or burning equipment shall at all times take all necessary precautions to prevent fire or explosion from the use of such equipment.

No rockets etc. to be set off and no blasting operations to be carried out without permission

66. No person other than H.M. Coastguard shall set off rockets or fireworks in the Dock and no person shall carry out blasting operations in the Dock without the permission of the Company in either case.

Prohibition of smoking and possession of naked lights in certain places

67. No person shall smoke or have in his possession any naked lights:
- (a) in, on or at any Company property where notices indicating that smoking is prohibited by the Company are displayed;
 - (b) inside any railway wagon on Company property;
 - (c) on any rail track in areas where notices indicating that smoking is prohibited by the Company are displayed.

No artificial lights to be used without permission

68. No person shall use any artificial light on Company property other than electric filament lamps without permission of the Company.

No article or substance to be burned, boiled etc. without permission

69. No person shall burn, boil or heat by fire any article or substance on Company property except with permission of the Company and in such place and in such manner as the Company directs.

Fire extinguishing equipment to be available for use at all times

70. The Master of every vessel in the Dock with the exception of rowing boats and other similar light non-powered vessels, shall have adequate fire extinguishing equipment available for immediate use in any part of the vessel at all times, and the nature and amount of such equipment shall take into account any abnormal fire risk associated with any such vessel.

Fires on vessels to be in suitable containers and under watch

71. The Master of every vessel in the Dock shall ensure that no fire shall be allowed thereon except in suitable containers and under watch.

Signalling and reporting of fires

72. In the event of a fire occurring at a quay at which a vessel is berthed, or on board any vessel in the Dock, the Master of such vessel shall:
- (a) sound six short blasts followed by one prolonged blast on the whistle or siren of such vessel or such other sound signal as is prescribed by the Conservancy Board;
 - (b) repeat the signals at intervals or follow such other procedure as is prescribed by the Conservancy Board from time to time;
 - (c) use the signal, in addition to, but not in substitution for, other means of reporting the fire, and for no other purpose; and
 - (d) report the fire immediately by the quickest possible means to one of the Officers specified in Bye-Law 56.

Prohibition upon smoking etc. where explosives or dangerous goods are located

73. No person, when in or upon any vessel or place in the Dock where explosives or dangerous goods (including highly inflammable goods) are located, shall, except with the express permission of the Dock Master, smoke or have in his possession any match or other fire producing device or wear or have in his possession any article or substance which may cause explosion or fire.

Loading, unloading and handling of explosives or dangerous goods

74. All persons on the Company's property shall comply with any notices issued by the Dock Master relating to the loading or handling of explosives or dangerous goods (including highly flammable goods).

Fire extinguishing equipment for incipient fires to be available when explosives or dangerous goods loaded unloaded etc. and no explosives or dangerous goods to be brought into the Dock without permission

75.

- (a) Sufficient fire extinguishing equipment of a type suitable for coping with incipient fires while explosives or dangerous goods (including highly inflammable goods) are on Company property or are being loaded, unloaded or handled in the Dock shall be provided by the person or persons in charge of loading unloading or handling such explosives or dangerous goods (including highly inflammable goods) and shall be maintained ready by such person or persons for immediate use.
- (b) No explosives or dangerous goods (including highly inflammable goods) shall be brought into the Dock or loaded, unloaded or handled therein without prior notification of the nature and quantity thereof and of the proposed loading, unloading or handling having been given to the Dock Master.

Fire hydrants to be used for fires only

76. No person shall use a fire hydrant located on Company property for any purpose other than fire or fire drill without permission of the Company and then only in accordance with the terms of such permission.

Vessels containing or handling explosives or dangerous goods to display notices

77. The Master of every vessel loading, unloading or having on board explosives or dangerous goods (including highly inflammable goods) in the Dock shall display "Explosives" and/or "No Smoking" signs as relevant in prominent positions on the vessel.

Part IX - Miscellaneous

Penalties

78.

- (a) Any person who contravenes any of these Bye-Laws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50 and in the case of any continuing contravention a further fine not exceeding £5 for each day during which the contravention continues after conviction thereof.
- (b) Where the commission by any persons of an offence under these Bye-Laws is due to the act or default of some other person, that other

person shall be guilty of the offence, and a person may be charged with and convicted of the offence by virtue of this Bye-Law whether or not proceedings are taken against any other person.

- (c) In any proceedings for an offence under these Bye-Laws it shall be a defence for the person charged to prove:
 - (i) that he took reasonable precautions and exercised all due diligence to avoid the commission of such an offence; or
 - (ii) that he had a reasonable excuse for his act or failure to act.
- (d) If in any case the defence provided by sub-section (c) (i) of this Bye-Law involves the allegation that the commission of the offence was due to the act or default of some other person, the person charged shall 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 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 possession.
- (e) The institution of any proceedings under these Bye-Laws shall be without prejudice to the recovery of damages or to the prosecution and enforcement of any other civil remedy in respect of any act or omission which is in contravention of the Bye-Laws.

Given under the Common
Seal of The Felixstowe
Dock & Railway Company
of this 19th day of May 1982

G. O'Donnell	Director
T.L. Savage	Secretary

The Secretary of State hereby confirms the foregoing Bye-Laws

Signed on behalf of the Secretary of State this 22nd day of July 1982

Signed J.R. Fells
An Assistant Secretary in
the Department of Transport

Notes

1. The Company shall not be liable for injury or loss of life or loss of or damage to property resulting from any activity referred to in Bye-Law 6 of the above Bye-Laws whether or not the Company has given permission for such activity.
2. All persons entering or being upon Company property shall do so at their own risk.
3. The Company has power under the Harbours, Docks and Piers Clauses Act, 1847 to nominate persons to be special constables within the limits of the harbour, dock, pier and premises of the Company and within one mile of the same and every person so nominated and appointed for such purpose by any two justices, shall be sworn in by such justices to execute the office of constable within such limits and thereafter shall have the same powers, protections and privileges within such limits and shall be subject to the same liabilities, as constables have or are subject to by the laws of the realm.
4. The Dock Master may assign a berth to a vessel on entering the Dock and may change such berth from time to time, but the Company shall not be liable from any damages resulting from any delay in providing a berth, or from failure to provide a berth from the shifting of a vessel from one berth to another.
5. Where the Company receives a report pursuant to Bye-Law 60, it may, at the risk and expense of the owner of the vessel which lost the article, recover the lost article.
6. It should be noted that the Bye-Laws in no way affect the rights, powers, jurisdiction or authority of the Harwich Harbour Conservancy Board, or the Board's Harbour Master, or his deputy or assistant under the Harwich Harbour Acts 1863 to 1974 or any Bye-Laws for the time being in force under those Acts.
7. The Dock Master has power under the Harbours, Docks & Piers Clauses Act, 1847, to enter vessels in the Dock to search for any unauthorised fire or light in or suspected to be in such vessel and to extinguish the same.