



## NOTICES TO MARINERS

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### ADPC Port Management Byelaws

#### Notices to all Ports Users, Stakeholders, Owners, Masters, Charterers and Agents

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In order to achieve the excellence in Port management and for the advancement in port development, Abu Dhabi Ports Company (ADPC), in exercising the powers conferred by the Transport Regulations (General and Port Operations), 2010, has issued the attached Port Management Byelaws.

This Port Management Byelaws apply to:

- The navigable waters, works, activities and the property managed by ADPC of a port;
- All Vessels, goods, vehicles, companies, organizations and persons entering or using a Port or the approach thereto.

Any directions, rules, conditions, restrictions or penalties issued pursuant to these Byelaws shall be deemed for all purposes to form part of these Byelaws.

All Users should comply with these Byelaws within all ADPC Ports.

The attached copy is available for download from the ADPC Website [www.adpc.ae](http://www.adpc.ae), direct link: <http://www.adpc.ae/en/article/ports/web-page-regulatory-framework-1.html>

**Captain / Adil Ahmed Banihammad**  
**Harbour Master**



**ADPC**

شركة أبوظبي للموانئ

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# **Port Management Byelaws**

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**January 2011**

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# 1. GENERAL PROVISIONS

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## 1.1 Purpose of Byelaws

Abu Dhabi Ports Company (hereinafter referred to as 'ADPC'):

- in exercise of the powers conferred by the Transport Regulations (General and Port Operations), 2010 (hereinafter referred to as 'the Port Regulations'); and,
- considering that for the promotion of excellence in Port management and for the advancement in port development it is necessary to lay down Byelaws, directions, rules, policies and procedures in respect of and to secure order, safety and the protection of the environment in the ports including the lands and waters as well as the surroundings thereof;

with the approval of the Department of Transport (hereinafter referred to as 'the Department'), implements the following Port Management Byelaws.

## 1.2 Definitions

In these Byelaws the following terms shall have the following meanings:

**ADPC** means the Abu Dhabi Ports Company the public shareholding company established under Amiri Decree No. 6 of 2006;

**Agent** means any person mandated to supply information and act on behalf of the Owner or operator of the Vessel and holding a valid Licence issued by ADPC, Federal or Amiri authorities as the case may be;

**AIS** means an Automatic Identification System;

**Authorised Person** means a person acting in the course of his duties who is:

- (a) An employee, agent, contractor or sub-contractor of ADPC; or,
- (b) Is authorised by ADPC;

**Bunkering Operation** means the transfer between ships of a substance consisting wholly or mainly of oil for consumption by the engines of the ship receiving the substance;

**Codes** means the codes relevant to ports or shipping issued by the IMO or the ILO, or both, or any regional Code relevant to shipping or the protection of the environment;

**Competent or Designated Authority** means a port or other organization designated by the Government of a GCC member state to process information reported pursuant to the Port Regulations and includes ADPC;

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**Conventions** means the instruments relevant to ports or shipping issued by the IMO or the ILO, or both, or any regional Conventions related to shipping or the protection of the environment;

**Dangerous Goods** means any substance that may cause danger of explosion, fire, corrosion, poisoning, intoxication or radiation, as specified in the International Maritime Dangerous Goods Code, the (International) Code for the Construction and Equipment of Vessels carrying Dangerous Chemicals in Bulk, the (International) Code for the Construction and Equipment of Vessels carrying Liquefied Gases in Bulk of the IMO;

**Department** means the Abu Dhabi Department of Transport, the Department established under Law No.4 of 2006;

**Federal Authority** means a Government Authority under the Federal National Council of the United Arab Emirates;

**GCC** means the Gulf Cooperation Council;

**GMDSS** means the Global Maritime Distress and Safety System;

**Gulf Cooperation Council** means the Cooperation Council for the Arab States of the Gulf, with its members the United Arab Emirates, Sultanate of Oman, Kingdom of Saudi Arabia, Kingdom of Bahrain, State of Qatar and the State of Kuwait, who each signed the GCC Charter at Abu Dhabi City, United Arab Emirates on 21 Rajab 1401, corresponding to 25 May 1981;

**Harbour Master** means a Harbour Master appointed in writing by ADPC pursuant to the Port Regulations;

**ILO** means the International Labour Organization;

**IMDG Code** means the International Maritime Dangerous Goods Code;

**IMO** means the International Maritime Organization;

**Incident** means, in relation to a Vessel, any occurrence on board a Vessel or involving a Vessel whereby:

- (a) There is loss of life or Major Injury to any person on board, or any person is lost or falls overboard from the Vessel; or,
- (b) A Vessel:
  - (i) Causes any loss of life, Major Injury or material damage;
  - (ii) Is lost or presumed to be lost;
  - (iii) Is abandoned;
  - (iv) Is materially damaged by fire, explosion, weather or other cause;
  - (v) Grounds;
  - (vi) Is in collision;



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- (vii) Malfunctions or breakdowns,
- (viii) Causes significant harm to the environment; or,
- (c) Any of the following occur:
  - (i) A collapse or bursting of any pressure Vessel, pipeline or valve;
  - (ii) A collapse or failure of any lifting equipment, access equipment, hatch-cover, staging or boatswain's chair or any associated load-bearing parts;
  - (iii) A collapse of cargo, unintended movement of cargo or ballast sufficient to cause a list, or loss of cargo overboard;
  - (iv) A snagging of fishing gear which results in the Vessel heeling to a dangerous angle; or,
  - (v) An escape of any harmful substance or Agent, if the occurrence, taking into account its circumstances, might have been liable to cause serious injury or to cause damage to the health of any person;

**International Voyage** means a voyage from a port or place in the United Arab Emirates to a port or place outside the territorial limits of the United Arab Emirates;

**ISM Code** means the International Management Code for the Safe Operation of Ships and for Pollution Prevention, as amended;

**ISO** means the International Standards Organization;

**ISPS Code** means the International Ship and Port Facility Security Code, as amended;

**Licence** means a right issued by ADPC as licensor for the licensee to perform services or works in a Port;

**Licensed Pilot** means a Pilot holding a valid Licence issued by ADPC;

**Loads Line Convention** means the International Convention on Load Lines, 1966;

**MARPOL Convention** means the International Convention for the Prevention of Marine Pollution from Ships, 1973/1978;

**Major Injury** means:

- (d) Any fracture, other than to a finger, thumb or toe;
- (e) Any loss of a limb or part of a limb;
- (f) Dislocation of the shoulder, hip, knee or spine;
- (g) Loss of sight, whether temporary or permanent;
- (h) Penetrating injury to the eye; or

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- (i) Any other injury:
  - (i) Leading to hypothermia or to unconsciousness, or
  - (ii) Requiring resuscitation; or,
  - (iii) Requiring admittance to a hospital or other medical facility as an inpatient for more than 24 hours;

**Master** means a officer who is competent and licensed to command and duly assigned by the Owner to account for a Vessel and shall include every person, except a Pilot, having command or charge of any Vessel;

**Oil** means oil of any description and includes spirit produced from oil of any description;

**Oil Transfer Operation** means the transfer between two ships of a substance consisting wholly or mainly of oil which is transported by either or both of the ships for reward, but does not include:

- (a) a bunkering operation, or
- (b) a transfer of:
  - (i) cargo residues, or
  - (ii) Vessel-generated waste;

**Owner** means, in relation to a Vessel, the person defined by the Certificate of Registry as the Owner or any duly authorised Agent of any such person;

**Pilot** means any person not belonging to a Vessel who has conduct thereof;

**Pollution** means the wrongful contamination of the atmosphere, water or soil to the material injury of the right of an individual;

**Port** means any of the ports as exhibited in the Schedule 1 to these Byelaws;

**Port Facility** means an area of land or water, or land and water, within a Port (including any buildings, installations or equipment in or on the area) used either wholly or partly in connection with the loading or unloading of Vessels;

**Port Facility Operator** means the person responsible for the superintendence and management of a Port Facility;

**Port Regulations** means the Transport Regulations (General and Port Operations) 2010 as enacted by the Department;

**Port Services** means Port terminal services and facilities for the handling, storage and transportation of goods, and the handling of passengers carried by a Vessel;

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**Port Waters** means the waters within the boundaries of a Port for which ADPC is responsible and to which these Byelaws apply, and includes port basins, anchorages, port approach channels and other navigable water areas;

**SOLAS 74** means the International Convention for the Safety of Life at Sea, 1974, as amended;

**SSAS** means the Ship Security Alert System;

**Terminal Operator** means Abu Dhabi Terminals Public Joint Stock Company or any other Person that may be licensed as a Terminal Operator from time to time by ADPC;

**VDR** means the Voyage Data Recorder;

**Vessel** means any kind of water craft or apparatus, including non-displacement craft, Wing-in-Ground craft and seaplanes, used or capable of being used in navigation in water however propelled or moved and also includes any kind of water craft deemed to be so by the Department.

**Wing-in-Ground Craft (WIG)** means a multimodal craft which, in its main operational mode, flies in close proximity to the surface by utilising surface-effect action. A WIG craft is a Vessel capable of operating completely above the surface of the water on a dynamic air cushion created by aerodynamic lift due to the ground effect between the Vessel and the water's surface.

### 1.3 Scope of Application

- 1 Unless stated otherwise, pursuant to the Port Regulations, these Byelaws apply to:
  - .1 The navigable waters, works, activities and the property managed by ADPC of a port;
  - .2 All Vessels, goods, vehicles, companies, organizations and persons entering or using a Port or the approach thereto.
- 2 Any directions, rules, conditions, restrictions or penalties issued pursuant to these Byelaws shall be deemed for all purposes to form part of these Byelaws.

### 1.4 Exemption

- 1 ADPC may exempt any person, Vessel, vehicle or premises or any class or description of persons, Vessels, vehicles or premises from any of the provisions of these Byelaws or any directions, rules, policies or procedures implemented pursuant to the Port Regulations or these Byelaws.
- 2 Any exemption granted by ADPC under 1 shall not reduce or in any way affect the responsibility to whom the exemption is granted or of the Owner, Master, charterer or Agent of a Vessel or of the owner of a vehicle

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or the premises to whom the exemption is granted and ADPC shall not be liable for any loss howsoever arising including but not limited to the death or injury of any person or for any loss, damage or destruction of any property, loss of profit or other consequential financial loss arising from such exemption.

### **1.5 Entry into Force**

These Byelaws shall enter into force on 01 January 2011.

## 2. ABU DHABI PORTS COMPANY

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### 2.1 General

ADPC has the independence of a juridical person and enjoys the full legal capacity to practice its activities and achieve its objectives.

### 2.2 Functional Activities

It is the function and duty of ADPC:

- (a) To promote the use, improvement and development of ports;
- (b) To control navigation within a Port, Port Waters, or the approach to a Port;
- (c) To ensure the maintenance of order, security, safety of persons, Ports and Port Facilities and the protection of the environment;
- (d) To remove, destruct or dispose of any Vessel, material or other objects interfering with the safety of navigation or Port operations and the recovery of costs incurred;
- (e) To control the movement of persons, vehicles, or goods within a Port;
- (f) To exercise licensing functions in respect of activities, services, work and facilities within a Port;
- (g) To perform such other functions as are conferred on ADPC by the Department.

### 2.3 Control and Management of Ports

1 ADPC may, in consultation with the Department, make or amend directions, rules, policies and procedures for the control and management of a Port subject to these Byelaws, and the approach thereto, and for the maintenance of good order therein, and generally for the purposes of these Byelaws, and, in particular, but not limited to, may make directions, rules, policies and procedures for or in respect of all or any of the following matters:

- (a) Controlling traffic and preventing and removing obstructions or impediments to navigation within a Port and the approach thereto;
- (b) The reporting of incidents or accidents;
- (c) The conduct of inquiries into any case where damage has been caused to or by a Vessel, including incidents of Pollution;
- (d) Controlling the keeping or placing of private moorings or buoys;

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- (e) Controlling the use of lights and the signals to be used in a Port and the steps to be taken for avoiding collision by Vessels navigating in a Port;
- (f) Supervising, and controlling the delivery of pilotage services including, but not limited to, the licensing of Pilots and pilotage service providers;
- (g) Supervising and controlling the delivery of Vessel Traffic Services including, but not limited to, the licensing of Vessel Traffic Service providers;
- (h) The information to be supplied by the Masters, Owners, Agents and other persons in respect of Vessels arriving, departing or in transit through Port Waters, and the time and manner in which such information shall be supplied;
- (i) Controlling and directing all activities carried on in a Port and the approach thereto, including but not limited to prescribing the conditions for movement of Vessels, towage, the transfer of cargoes and the sale and supply of water or fuel to Vessels and providing for the licensing thereof;
- (j) Keeping clean the basins, works and premises of ADPC and the waters of the Port and the approach thereto and preventing oil, filth, rubbish or any other thing from being thrown or entering therein or thereon;
- (k) Controlling and supervising all activities carried on in a Port and providing for the licensing thereof;
- (l) Controlling the provision and maintenance of adequate and efficient pontoons for the landing of persons, mooring buoys, gangways, landing stages, moorings and berthing facilities and providing for the licensing thereof;
- (m) Controlling the provision and maintenance of beacons, lighthouses, buoys and other aids to navigation not owned or erected by ADPC and providing for the licensing thereof;
- (n) Controlling the navigation and place of anchoring or mooring of all Vessels;
- (o) Controlling the mode of utilizing, stowing and keeping Dangerous Goods on board Vessels and the conveyance within the Port of any kind of Dangerous Goods with any other kind of goods, articles or substances;
- (p) Controlling, declaring and defining the wharves and docks and on and from which goods shall be landed from and shipped in Vessels;

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- (q) Keeping free passages of such width as is deemed necessary in a Port and along or near to the wharves, docks, moorings and other similar works in or adjoining the same and for marking out the spaces so to be kept free;
  - (r) The information to be supplied by the Masters, Owners or Agents and other persons in respect of goods loaded or discharged at the wharves in a Port, and the time and manner in which such information shall be supplied;
  - (s) Prohibiting the embarkation and disembarkation of persons except at such places as may be authorised by ADPC for such purpose;
  - (t) Prohibiting the loading, handling or discharging of Dangerous Goods at wharves or docks where such loading, handling or discharging appears specially dangerous to the public;
  - (u) Supervising and controlling the delivery of the services of Agents;
  - (v) Controlling and licensing the placing of structures, buildings works or any obstruction on the land or in the water of a Port.
- 2 ADPC may, in making any direction, rule policy or procedure under 1 above, provide that any contravention of or failure to comply with any control shall be an offence and may prescribe as a penalty in respect of any one offence, a penalty.

### **3. APPOINTMENT, FUNCTIONS AND POWERS OF THE HARBOUR MASTER**

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#### **3.1 Engaging and Authorising a Harbour Master**

- 1 ADPC:
  - .1 shall ensure that a Harbour Master is appointed in writing for each Port; and,
  - .2 may appoint, in writing, a deputy Harbour Master who may be entrusted with such functions and powers that ADPC may determine.
- 2 An authorisation issued to a Harbour Master under 1 above may be general or may be limited to the exercise of the functions and powers that are specified in the authorisation.
- 3 A person authorised to act as a Harbour Master under 1 has all the functions and may exercise all the powers that are specified in his letter of appointment and, when carrying out any such function or exercising any such power, the person acts as the Harbour Master.

#### **3.2 Functions of the Harbour Master**

- 1 The functions of a Harbour Master are to:
  - (a) Control and direct Vessels entering and leaving the waters for which he has been engaged, including the time and manner of doing so;
  - (b) Control and direct the navigation and other movement of Vessels in those waters;
  - (c) Control and direct the positioning of any Vessel including where and in what manner any Vessel may anchor or be secured;
  - (d) Control and direct the time and manner of the taking in or discharging from any Vessel of cargo, stores, fuel, fresh water, water ballast and waste material in those waters;
  - (e) Control and direct the securing or removal of any Vessel in those waters, from or to any position he thinks fit;
  - (f) Ensure that Port Waters and infrastructure, including all wharves, quays and jetties do not pose a threat to safe navigation (irrespective of whether such infrastructure is under the control of ADPC or any other person); and,
  - (g) Execute any other functions that are conferred on him by ADPC.
- 2 A Harbour Master shall carry out his functions under 1 above in a manner that:



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- .1 Ensures the safety of persons, Vessels and property and the safe operation of Vessels; and
- .2 Minimises the effect of Vessel operations on the environment.

### 3.3 Powers of the Harbour Master

- 1 Pursuant to the Port Regulations, and subject to the scope of his authorisation from ADPC, a Harbour Master has the power to:
  - (a) Issue written or verbal directions in relation to the functions listed under Byelaw 3.2;
  - (b) Prohibit the entry into, or require the removal from, a port of any Vessel that he has reasonable cause to believe is in imminent danger of sinking in a Port and causing an obstruction to navigation or is in imminent danger of causing serious damage to the marine environment or property in a Port;
  - (c) Raise, remove or destroy any Vessel or wreck sunken, stranded or abandoned within a Port, recover from the person responsible for such Vessel all costs incurred in such raising, removal or destruction and in lighting, buoying, marking or detaining the Vessel or wreck and, on non-payment after written demand of such costs or any part thereof, sell such Vessel or wreck and out of the proceeds of the sale defray such unpaid costs, rendering the surplus, if any, to the person entitled thereto and recover any unpaid balance from the owner of such Vessel or wreck or from the person who was the owner of the Vessel at the time it was sunk, stranded or abandoned;
  - (d) Give notice to the Owner or other person legally responsible for the upkeep of any Vessel within a Port, calling upon him to remove or otherwise dispose of such Vessel which in his opinion is not seaworthy or is likely to become an obstruction, wreck or derelict, and to do whatever may be necessary for the removal or disposal of such Vessel and to recover all costs incurred from the said Owner or person should the said Owner or person fail to comply with such notice within the time specified therein;
  - (e) Board any Vessel that in his opinion is in imminent danger of sinking, or causing an obstruction to navigation or causing serious damage to property and move, secure or operate such Vessel in the event that there is no one on board able to execute his direction;
  - (f) Enter upon premises (whether under the control of ADPC or any other person) for the purposes of inspecting port infrastructure and issuing written directions to the person in charge to rectify any deficiencies that may pose a threat to the safety of navigation or the protection of the environment.
- 2 Directions issued under 1 above may apply:

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- (a) Generally:
    - (iii) To all Vessels or to a class of Vessels designated, or the designation of which is provided for, in the direction;
    - (iv) To all Ports or to a single Port, or to a part designated, or the designation of which is provided for, in the direction; and,
    - (v) At all times or at times designated, or the designation of which is provided for, in that direction; or,
  - (b) Specially:
    - (i) To control and direct the position where and the manner in which any Vessel may anchor or be secured in a Port or its approach thereto, or,
    - (ii) To direct the employment of tugs to be used for the movement of any Vessel either in their number or capacity as the Harbour Master thinks fit;
  - (c) To any other thing for or with respect to the management of the operation of Vessels in a Port or its approach thereto.
- 3 A Harbour Master shall not knowingly give any direction if that direction would endanger the life of any person on a Vessel.
- 4 A Harbour Master may not give any direction in relation to any matter that falls within the competence of the Federal Authority as the maritime administration of the United Arab Emirates (UAE), except as may be authorised by the Federal Authority in writing.

### 3.4 Harbour Master may Carry Out a Direction

- 1 A Harbour Master may carry out a direction or have a direction being carried out if:
- .1 There is no person on board a Vessel to whom a Harbour Master may give a direction and there are reasonable grounds to act urgently without giving a direction; or,
  - .2 A direction under these Byelaws or any other rules is not complied with.
- 2 In any case under 1 above the Harbour Master may cause the Vessel to be dealt with as he may require.
- 3 For that purpose, the Harbour Master (or a person authorised by the Harbour Master for the purposes of this Byelaw) may board a Vessel and move, secure or otherwise operate the Vessel.
- 4 ADPC may recover from the Master or Owner of a Vessel referred to in 1 above as a civil debt in any court of competent jurisdiction the reasonable charges and expenses incurred in the exercise of the Harbour Master's

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functions under that Byelaw, subject to any applicable Federal or Amiri Laws or Decrees.

### **3.5 Delegation of Power**

A Harbour Master may delegate any power conferred on the Harbour Master by or under the Port Regulations to an officer or employee of ADPC.

### **3.6 Protection from Liability**

A Harbour Master is not personally liable for anything done or omitted to be done in the exercise of a power or the performance of a function under or in connection with the Port Regulations or these Byelaws, or any direction, rule, policy or procedure issued pursuant to these Byelaws.

### **3.7 Failure to Comply With a Direction**

- 1 The person who fails to comply with a direction issued by a Harbour Master shall be liable to a penalty.
- 2 It shall be a defence to the Master of a Vessel charged with an offence under 1 above to prove that he had reasonable ground for supposing that compliance with the direction in question would be likely to imperil his vessel or any person for who he is responsible or that in the circumstances compliance was impracticable.

## 4. ACTIVITIES, PROHIBITIONS, AND AUTHORISATIONS

### 4.1 General

- 1 In addition to the Byelaws given in this Chapter, pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to the authorisation or licensing of Port activities for the good order, health, safety, security or protection of lives, property or the environment in a Port.
- 2 The directions, rules, conditions, restrictions or penalties referred to in 1 above may relate to:
  - .1 Activities;
  - .2 Prohibitions;
  - .3 Authorisation by signs or forms; and,
  - .4 Authorisation to persons.

### 4.2 Activities

- 1 If authorised through a contract, lease or concession agreed with or a Licence obtained from ADPC, within a Port a person may:
  - (a) Conduct a diving operation;
  - (b) Carry out hot work;
  - (c) Conduct salvage operations;
  - (d) Place, store, handle or transport Dangerous Goods, industrial waste or pollutants;
  - (e) Bunker or fuel;
  - (f) Excavate or remove material or substance;
  - (g) Conduct a dredging operation;
  - (h) Place or operate a light or day marker;
  - (i) Place, alter, remove or relocate an aid to navigation, buoy, mooring, float, picket mark or sign;
  - (j) Build, place, rebuild, repair, alter, move or remove any structure or work on, in, over under, through or across land or water.
- 2 ADPC reserves the right to refuse to authorise any activity expressed in 1 if that activity may cause an effect prohibited under Byelaw 4.3 which cannot, in the opinion of ADPC, be effectively mitigated through measures applied as a condition of a contract, lease, concession or Licence.

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- 3 The person who conducts any of the activities specified in 1 above without the authority of ADPC shall be liable to a penalty.

### 4.3 Prohibitions

- 1 A person may be held liable to a penalty and to compensate ADPC for the damage caused if carrying out an activity prohibited in a Port including an activity that has or may have any of the following effects:

- .1 Endangering a person's health or a person's, Port's, Vessel's or property's security or safety;
- .2 Interfering with navigation, towage, manoeuvring, berthing or mooring;
- .3 Obstructing any land or water area;
- .4 Hindering or obstructing an activity authorized by ADPC;
- .5 Reducing the depth of the waters of the Port or its approach thereto;
- .6 Causing damage to persons, ships, cargoes, vehicles, baggage or any other property;
- .7 Emitting agents polluting or otherwise reducing the quality of a Port's soil, water or air;
- .8 Interfering with or adversely affecting Port operations or the property managed by ADPC, the Terminal Operator or by any contracted or licensed port operators.

- 2 No person shall conduct any of the following activities in a Port:

- .1 Release or tranship refuse or other similar material or substance;
- .2 Other than in relation to a bunkering operation, carry out:
  - b) An oil transfer operation, a chemical transfer operation or a liquefied gas transfer operation between Vessels;
  - c) A liquefied natural gas (LNG), liquefied petroleum gas (LPG) or gas transfer;
- .3 Set off a flare or other signalling device; or,
- .4 Cast adrift a Vessel, log or other object.

- 3 The person who conducts any of the activities specified in 2 above shall be liable to a penalty.

### 4.4 Authorisations by Signs or Forms

ADPC may grant authorisation for the performance of an activity specified in Byelaw 4.1 through the posting of signs or the issue of forms, and may make rules to this purpose.

**4.5 Authorisations to Persons**

- 1 ADPC may grant authorisation to a person for the performance of an activity specified in Byelaw 4.2, and may make rules for this purpose.
- 2 Subject to 4 below, ADPC may give its authorisation for an activity expressed in waleyB 4.2 on receipt of a request and the information required by ADPC.
- 3 If the activity expressed in Byelaw 4.2 appears to have a result prohibited under Byelaw 4.3, ADPC may refuse to give authorisation or may require that the person obtains prior insurance that covers the risk of the activity.
- 4 A person applying for authorisation under this Byelaw shall provide to ADPC:
  - .1 The name and address of the applying person;
  - .2 Information relevant to the proposed activity as determined by ADPC to enable it to assess the likelihood of a result prohibited under waleyB 4.3;
  - .3 As may be directed by ADPC, proof that the applicant has an insurance policy that provides adequate coverage of the risk of the activity and listing ADPC as an additional beneficiary; and,
  - .4 As may be directed by ADPC, performance security and damage security in respect of the conduct of an activity.
- 5 ADPC may cancel an authorisation given under 1 above or change the conditions of the authorisation if the conduct of the activity is seen to have a result prohibited under Byelaw 4.3.

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## 5. PORT ENVIRONMENTAL, HEALTH AND SAFETY SYSTEMS

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- 1 Pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to Port environmental, health and safety systems for the good order, health, safety, security or protection of lives, property or the environment in a Port.
- 2 The directions, rules or set conditions, restrictions or penalties referred to in 1 above may be applied to any Port Facility established in a Port.

## 6. VESSEL REPORTING, ROUTING, TRAFFIC, PILOTAGE AND TOWAGE

### 6.1 General

- 1 In addition to the Byelaws given in this Chapter, pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to Vessel reporting, routing, traffic, Pilotage and towage for the good order, health, safety, security or protection of lives, property or the environment in a Port.
- 2 The directions, rules or set conditions, restrictions or penalties referred to in 1 above may relate to:
  - .1 Vessel reporting, vessel routing and traffic services;
  - .2 Compulsory Pilotage Areas, Pilotage and Exemptions;
  - .3 Notification requirements for a Pilot;
  - .4 Pilotage licenses and certificates;
  - .5 Towing, mooring and berthing; and,
  - .6 Master and crew to be onboard.

### 6.2 Vessel Reporting

- 1 The Master or Agent of any Vessel heading for a Port shall, at least 48 hours in advance of arrival, notify ADPC of its intended entry and movements in a Port by providing the information on the Vessel specified in Schedule 2 to these Byelaws. To facilitate reporting, in submitting the information to ADPC, the Master or Agent shall use the "Uniform Pre-Arrival Notification Report" contained in Schedule 2 to these Byelaws.
- 2 The Owner, Master or Agent of a Vessel intending to enter a Port for a purpose other than cargo operations or passenger embarkation/disembarkation, such as repair, bunkering, medical assistance, or crew change or a Vessel in distress or in a state of emergency shall follow the provisions of the Port Regulations including providing the information required under 1 above, as appropriate.
- 3 The Master of a Vessel required to provide information under 1 or 2 above shall inform ADPC of any change to the information so notified until the Master is released from formally reporting.
- 4 Where carriage is required under the International Convention for the Safety of Life at Sea, 1974, (SOLAS 74) of the International Maritime Organization (IMO), every Vessel entering a Port shall, in accordance with Schedule 2 of these Byelaws, be fitted with an Automatic Identification



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- System (AIS) and a Ship Security Alert System (SSAS) which meet the requirements and performance standards set out in SOLAS 74.
- 5 Where carriage is required under SOLAS 74, every Vessel entering a Port, in compliance with SOLAS 74, Chapter IV, shall carry onboard the required communications equipment under the Global Maritime Distress and Safety System (GMDSS), for transmitting Vessel-to-shore distress alerts by at least two separate and independent means, each using a different radio communication service.
- 6 ADPC may require from the Owner, Master or Agent of a Vessel intending to enter a Port additional information with respect to the Vessel and its crew, passengers and cargoes in a form as determined by ADPC.
- 7 ADPC may refuse to grant permission to a Vessel to enter a Port under the following circumstances:
- .1 If notification is not received at least 48 hours in advance of arrival as required under 1 or 2 above;
  - .2 Until such time as ADPC is satisfied that the information required under 1 or 2 above, or any additional informational information required under 6 above, has been provided by the Owner, Master or Agent; or,
  - .3 If the AIS, SSAS or GMDSS equipment required under 4 and 5 above is malfunctioning.
- 8 The Owner, Master or Agent who supplies erroneous information to ADPC, as required and as appropriate, shall be liable to a penalty.

### 6.3 Reporting of Incidents

- 1 The Master of a Vessel in a Port or its approach thereto shall immediately report to the Harbour Master any Incident as defined in Byelaw 1.2.
- 2 The report under 1 above shall include:
- .1 The identity of the Vessel;
  - .2 The location of the Incident;
  - .3 The port of departure;
  - .4 The port of destination;
  - .5 The address from where information may be obtained on the danger, hazard or threat or dangerous and polluting goods carried on board;
  - .6 The number of persons on board; and,
  - .7 Details of the Incident and any other information as may be requested by the Harbour Master.
- 3 The Owner, Master or Agent of a Vessel that fails to report an Incident to the Harbour Master where required to do so shall be liable to a penalty.

**6.4 Voyage Data Recorder**

- 1 Where carriage is required under SOLAS 74, every Vessel entering a Port shall be fitted with a Voyage Data Recorder (VDR) system in accordance with Schedule 2 of these Byelaws.
- 2 The VDR required under 1 above shall meet the requirements and performance standards set out in SOLAS 74.

**6.5 Vessel Traffic Service**

- 1 With respect to the operation of Vessels in a Port or the approach thereto, ADPC may, through the use of a Vessel Traffic Service (VTS):
  - .1 Give a traffic clearance to a Vessel to enter, leave or proceed within a port or any area of a Port;
  - .2 Direct the Master, Pilot or person in charge of a Vessel to provide specified information in respect of the Vessel;
  - .3 Direct a Vessel to use specified radio frequencies in communications with the VTS or other ships;
  - .4 Direct a Vessel, at a specified time or between specified times:
    - (a) To leave a dock, berth or other Port Facility;
    - (b) To leave or refrain from entering any area; or,
    - (c) To proceed to or remain at a specified location.
- 2 No Vessel exceeding 24 metres in length shall enter, leave or proceed within a Port without having obtained a clearance from the appropriate VTS.
- 3 For the avoidance of doubt, any Direction issued by a VTS shall be considered to be issued under the power and authority of the Harbour Master.
- 4 The provisions of Byelaw 3.7 shall apply to any Direction issued by a VTS.
- 5 The Owner, Master or Agent of any Vessel that fails to obtain clearance from the appropriate VTS, where required under 2 above, shall be liable to a penalty.

**6.6 Pilotage**

- 1 All Port Waters are compulsory pilotage areas.
- 2 Unless operating under the provisions of an exemption issued by ADPC, no Vessel exceeding a length of 24 metres shall enter, leave or proceed in a Port without securing the services of a Licensed Pilot.
- 3 ADPC may deny pilotage service to a Vessel on request due to:
  - .1 Adverse weather, navigational and traffic conditions;

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- .2 Failures or deficiencies in the structure, safety equipment or steering or propulsion systems of a Vessel;
  - .3 If, without reasonable cause, the person in charge of the Vessel fails to:
    - (a) Provide safe boarding and disembarking facilities for a Pilot;
    - (b) Provide adequate accommodation and meals to a Pilot if the pilot is on board for a period of more than 3 hours;
    - (c) Sign the Uniform Master's Report supplied by ADPC to the pilot;
    - (d) Comply with the Vessel's reporting obligations under waleyB 6.1; or,
  - .4 If Byelaw 4.3 has not been complied with.
- 4 If required under 2 above, the Owner, Master or Agent of any Vessel that enters, leaves or proceeds in a Port without securing the services of a Licensed Pilot shall be liable to a penalty. In addition, the Owner, Master or Agent shall be liable to pay all pilotage fees due.

### **6.7 Towing, Mooring and Berthing**

- 1 The Harbour Master shall be informed before the commencement of any Vessel movement.
- 2 The Master of a Vessel berthed, moored or anchored in a Port shall ensure that at any time adequate towing lines can be attached to the Vessel for the Vessel to be towed from its berth, mooring or anchorage.
- 3 Tug assistance is compulsory for all Vessel manoeuvres in Port. However, the movement of a Vessel alongside may be permitted by the Harbour Master subject to whatever conditions he sees fit.
- 4 Tug assistance to a Vessel in a Port shall only be provided by a tug service provider licensed by ADPC.
- 5 The requirements for tug assistance for navigation or manoeuvring assistance, and for berthing and un-berthing operations shall be determined by the Master of the Vessel in agreement with the Pilot and shall be based on best practice taking into account guidance as may be issued by the Harbour Master.
- 6 Any failure of a Master of the Vessel and Pilot to reach agreement with respect to the employment of tugs either in their number or capacity shall be referred to the Harbour Master for decision. Any such decision shall be binding and the Master of a Vessel refusing to act in accordance with the decision shall be denied any further service.
- 7 The number and capacity of tugs required to berth or un-berth or for any other manoeuvre of a Vessel shall be requested by the master of the

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Vessel or the pilot, having regard to the size and features of the Vessel on the following conditions:

- .1 A tug used to assist a Vessel or a body being towed is considered to be under the executive control of the Master of that Vessel or the Owner of the body being towed, and the Master or Owner shall be responsible and liable for any damage caused to other ships or floating equipment, tug or Port Facilities;
  - .2 ADPC and its licensed tug service providers bear no responsibility and liability, including any damage, which a third party may sustain;
  - .3 ADPC and its licensed tug service providers shall not be accountable for any delay, stoppage or inadequate power of the tug, however occasioned or for whatever purpose.
- 8 The conditions for towage under these Byelaws are activated at the commencement of towage operations.
- 9 ADPC may issue additional conditions for towage in the Uniform Master's Report. Acceptance of the additional conditions for towage, as established in the Uniform Master's Report shall be signed prior to the operation by the Owner, Master or Agent of the Vessel or body to be towed.
- 10 The Harbour Master, after having considered all relevant circumstances in each particular case, such as the type, propulsion, size, draught and manoeuvrability of the Vessel and the prevailing traffic, navigation and weather conditions, may exempt a Vessel from employing tug assistance.
- 11 For the avoidance of doubt, the risk of Vessel manoeuvring in a port, with or without tug assistance, remains exclusively with the Master and the conduct of the Vessel and the control of the tug(s) employed remain under the Master's responsibility.
- 12 Manoeuvres of a Vessel with other than the full engine power available shall only be performed with the consent of the Harbour Master.
- 13 The Master of a Vessel shall be responsible for the safe mooring of the Vessel at all times while the Vessel is in port.
- 14 All mooring lines shall be fitted with rat guards while the Vessel is alongside berth.
- 15 The Owner, Master or Agent of a Vessel that:
- .1 Fails to inform the Harbour Master before the commencement of a movement; or,
  - .2 Fails to ensure adequate towing lines can be attached to enable the Vessel to be towed from its berth, mooring or anchorage shall be liable to a penalty; or,
  - .3 Undertakes a manoeuvre in a Port:

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- (a) Without the service of tugs; or,
  - (b) Using tugs supplied by a tug service provider not licensed by ADPC; or,
  - (c) Other than with full engine power available; or,
- .4 Is not fitted with rat guards whilst alongside berth:  
shall be liable to a penalty.

### 6.8 Master and Crew to be Onboard

- 1 Unless otherwise authorised by ADPC, the Master of a Vessel while berthed, moored or anchored in a Port shall at all times ensure that:
- .1 He, or his qualified representative is present on board the Vessel;
  - .2 That there are sufficient crew present for the normal course of operation of the Vessel; and,
  - .3 The Vessel is, at all times, kept in a state of readiness so that it can be moved quickly.
- 2 The Master of a Vessel shall be responsible for the conduct of the crew members of the Vessel while the Vessel is in port. The members of the crew shall observe the rules of good general conduct and shall comply with the Port Regulations, these Byelaws, and any direction or rule issued pursuant to them at all times
- 3 Any disagreement on board the Vessel between the Master and the crew or any action or violation against the Port Regulations or these Byelaws, or any direction or rule issued pursuant to them committed by any member of the crew shall be reported by the Master or Agent of the Vessel to the Harbour Master to settle the matter, or for referring the matter to the competent authorities.
- 4 The Owner, Master or Agent of any Vessel that fails to:
- .1 Ensure that:
    - (a) The Master or his qualified representative is onboard;
    - (b) That there are sufficient crew present for the normal course of operation of the Vessel; or,
    - (c) The vessel is kept in a state of readiness;
  - .2 Maintain responsibility for the conduct of the crew; or,
  - .3 Report any disagreement on board to the Harbour Master;
- shall be liable to a penalty.

## 7. PORT OPERATIONS

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### 7.1 General

- 1 In addition to the Byelaws given in this Chapter, pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to Port operations for the good order, health, safety, security or protection of lives, property or the environment in a Port.
- 2 The directions, rules or conditions, restrictions or penalties referred to in 1 above may relate to:
  - .1 Ships and cargoes;
  - .2 Cargo operations;
  - .3 Disposal of seized, detained or abandoned goods; and,
  - .4 Port dues and charges.

### 7.2 Transport, Handling and Storage of Dangerous Goods on Port Premises

- 1 Every owner or operator of a road vehicle and every Terminal Operator, Port Facility Operator, port stevedore, marine, bunker or Vessel yard operator shall strictly comply with any 'Regulations for the Safe Transport, Handling and Storage of Dangerous Goods', as established by ADPC and approved by the Department.
- 2 The person that fails to comply with the 'Regulations for the Safe Transport, Handling and Storage of Dangerous Goods', as established by ADPC and approved by the Department, shall be liable to a penalty.

### 7.3 Availability of Information on Dangerous Goods and Marine Pollutants

- 1 For consignments of Dangerous Goods or Marine pollutants in a Port on board a Vessel, a road vehicle or deposited on Port property, the Owner or Master of the Vessel, the owner or operator of the road vehicle or the Port Facility operator and the Port's emergency services shall ensure that the appropriate information shall be immediately available at all times for use in emergency response to accidents and incidents involving Dangerous Goods or marine pollutants.
- 2 The information required under 1 above shall be available at a safe distance from packages containing the Dangerous Goods or marine pollutants and immediately accessible in the event of an incident.
- 3 The required method of compliance for 2 above shall include:

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- .1 Appropriate entries in the special list, manifest or dangerous goods declaration; or,
  - .2 Provision of a separate document such as a safety data sheet; or,
  - .3 Provision of a separate document such as the "Emergency Procedures for Ships Carrying Dangerous Goods" and "Medical First Aid Guide for Use in Accidents Involving Dangerous Goods", for use in conjunction with the transport document.
- 4 The person as specified in 1 above that fails to ensure the information required under 1 above is:
- .1 Immediately available; and,
  - .2 At a safe distance in an appropriate format from packages containing the Dangerous Goods or marine pollutants;
- shall be liable to a penalty.

### 7.4 Provisions in Relation to Dangerous Goods

- 1 ADPC may require, through Harbour Master direction or Notice, that the carrier reported as intending to or transporting Dangerous Goods or polluting substances to a Port, whether or not as transshipment or in transit, to provide additional information or to clarify the information already given in respect to the Dangerous Goods or pollutants carried on board a Vessel or vehicle prior to loading.
- 2 Should the additional information requested under 1 above not be provided, ADPC or an Authorised Person may decline permission for the Vessel or vehicle concerned to enter a Port.
- 3 ADPC may, through Harbour Master direction or Notice, or on the instruction of an Authorised Person:
  - .1 Refuse any Dangerous Goods or pollutants for handling, storage or transshipment in a Port if ADPC or the Authorised Person considers, on reasonable grounds, that their handling, storage or transshipment would create a danger or a threat to life or property in a Port, or in the environment;
  - .2 For any class of Dangerous Goods or for marine pollutants, require the Agent of the Vessel or the goods' or pollutant's owner or carrier to arrange for the goods' or pollutant's direct delivery or loading;
  - .3 Remove, or give orders to remove, any Vessel or container or movable tank, vehicle or any container loaded with or previously loaded with dangerous or polluting substances, when, in the opinion of the Harbour Master or Authorised Person, there are reasonable grounds for believing it is dangerous to life or property within a Port, or to the environment.

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- 4 The quantities of Dangerous Goods permitted for each port operating under the Port Regulations are set out in Schedule 3 of these Byelaws.
- 5 Upon request of the Owner, Master or Agent of the Vessel, ADPC may make exemptions from the provisions of 4 above.
- 6 The Owner, Master or Agent of a Vessel shall not bring Dangerous Goods or marine pollutants into a port unless properly stowed, separated, labeled and marked on board the Vessel and all necessary measures are completed to secure the transport, storage and handling of them in compliance with the provisions of the pertinent conventions.
- 7 Compliance with the requirements of 6 above shall be registered in special documents for the carriage of Dangerous Goods or marine pollutants.
- 8 The documents required from and the notices to be given by the Owner, Master or Agent of the Vessel for the loading, discharging, transhipment and transiting of Dangerous Goods or marine pollutants shall comply with the Port Regulations.
- 9 The Port Facility Operator is responsible for the safe movement and storage of Dangerous Goods in a Port.
- 10 The Owner, Master, Agent, vehicle operator or carrier that:
  - .1 Fails to comply with any direction issued by the Harbour Master, Notice issued by ADPC, or instruction given by an Authorised Person in relation to dangerous or polluting substances; or,
  - .2 Who brings dangerous substances or marine pollutants into a Port that are not properly stowed, separated, labeled or marked in accordance with the requirements of 8 above;shall be liable to a penalty
- 11 Any person that transports, handles or stores Dangerous Goods with a quantity exceeding that set out in Schedule 3 of these Byelaws shall be liable to a penalty.
- 12 The Port Facility Operator that fails to ensure the safe movement and storage of Dangerous Goods or marine pollutants in a Port shall be liable to a penalty.

### 7.5 Cargo Operations

- 1 Cargo operations are a commercial undertaking governed by service agreements and/or port tariffs, or both.
- 2 Any agreements in relation to cargo operations shall be directly established, in writing, between the Owner, Master or Agent of the Vessel, or the owner of goods or vehicles or their agents and ADPC or the Terminal Operator.



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- 3 The provision of cargo operations in a Port shall be effected in compliance with the Port Regulations in respect to safety, security and environment protection.
- 4 Cargo operations shall not be effected in a Port other than by a Terminal Operator licensed or contracted by ADPC.
- 5 Any Owner, Master or Agent that undertakes cargo operations in a Port, or the approach thereto, without an agreement, in writing, with ADPC or with a Terminal Operator licensed or contracted by ADPC, shall be liable to a penalty.
- 6 Any person that provides a cargo operations service in a Port, or the approach thereto, without a Licence or contract issued by ADPC shall be liable to a penalty.

### 7.6 Disposal of Seized, Detained or Abandoned Goods

- 1 Where, in the opinion of ADPC, any goods that have been seized or detained under the Port Regulations, or where the owner of the goods is unknown or where the goods have been abandoned or were not collected within the period as determined by ADPC:

- .1 Are likely to rot, spoil or otherwise perish;
- .2 Pose a threat to the health of persons;
- .3 Present a risk or danger in respect of the hygienic conditions of a port, its safety or security or to the environment;
- .4 Occupying a port area needed for the purpose of Vessel berthing or cargo handling, storage or transport;

ADPC may, with the consent of the Department, and in accordance with the Gulf Cooperation Council (GCC) Unified Customs Tariff, where deemed appropriate under the circumstances and under the responsibility and for the account of the Vessel that carried the goods, sell or otherwise dispose of the goods in a manner and for the price that is reasonable in the circumstances.

- 2 The disposal under 1 above of such goods may include their destruction or return to the port of loading.

### 7.7 Port Dues and Charges

- 1 The charges, fees or dues fixed in respect of a Vessel or goods shall be paid to ADPC or the Terminal Operator, as appropriate, by the Owner or the person in charge of the Vessel or his Agent, or the owner of the goods.
- 2 The charges, fees or dues fixed in respect of a person or vehicle shall be paid to ADPC or the Terminal Operator, as appropriate, by that person or by the owner of the vehicle.

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- 3 ADPC may ask for a guarantee to be deposited by the Owner or Agent of a Vessel, or by the owner of goods or vehicles prior to the provision of a service. Likewise, a Terminal Operator, with the approval of ADPC, may ask for a guarantee to be deposited by the Owner or Agent of a Vessel, or by the owner of goods or vehicles, or their agents, prior to the provision of a service.

## 8. PORT SAFETY

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### 8.1 General

- 1 In addition to the Byelaws given in this Chapter, pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to Port safety for the good order, health, safety, security or protection of lives, property or the environment in a Port.
- 2 In making any directions, rules or conditions, restrictions or penalties referred to in 1 above ADPC may extend the compliance of minimum standards set by the Department for safety in ports and related waters to be any Vessel.
- 3 The directions, rules or conditions, restrictions or penalties referred to in 1 and 2 above may relate to:
  - .1 Standards of Vessels;
  - .2 Safe operation of vehicles;
  - .3 Removal of objects and substances;
  - .4 Fire protection, dangerous situations and emergencies;
  - .5 Precautionary measures; and,
  - .6 Occupational safety and health.

### 8.2 Standards of Vessels

- 1 Every Owner, Master or Agent applying for permission for a Vessel to enter a Port shall ensure that the standard of the Vessel complies with the minimum standards set out in Schedule 4 to these Byelaws and any additional instructions given thereto by ADPC.
- 2 Every Vessel entering a Port shall carry on board the conventions, resolutions, protocols and codes, always as amended, set out in Schedule 5 to these Byelaws.
- 3 The Department or ADPC may temporarily or permanently extend any of the requirements of the provisions under 1 above.
- 4 The Owner, Master or Agent that:
  - .1 Operates a vessel in a Port that does not comply with the minimum standards set out in Schedule 4 to these Byelaws; or,
  - .2 Fails to carry the documents set out in Schedule 5 to these Byelaws;shall be liable to a penalty.

### **8.3 Safe Operation of Vehicles**

- 1 Every person who operates a vehicle on Port property shall do so in a safe manner and at a speed not exceeding the speed limit posted on signs or a lower speed that is reasonable under the circumstances.
- 2 Every person entering, leaving or while in a Port with a vehicle designed for the use on public roads shall ensure that the vehicle complies with all Federal and Amiri legal provisions for the safe use and operation of road vehicles, including the securing of cargo and containers and carriage of Dangerous Goods and polluting substances.
- 3 It is the obligation of the owner of a vehicle and the operator of a vehicle that no unsafe vehicle shall enter or leave or move in a Port.
- 4 Every person who operates a vehicle on Port property shall obey the instructions on any sign posted and traffic directions given by the competent Amiri entities or a person Authorised for that purpose by ADPC.
- 5 The Master of a Vessel in a Port loading vehicles or vehicles carrying cargo, whether or not they are being loaded as rolling stock, shall ensure their safe condition, including the cargo's safe securing, the vehicle's safe stowage and lashing on board and shall obey the other safety requirements in accordance with the relevant IMO provisions.
- 6 The person who operates a vehicle on Port property:
  - .1 At a speed exceeding the limit posted on signs; or,
  - .2 Who fails to obey the instructions on any sign posted or given by an Authorised Person;shall be liable to a penalty.
- 7 Further to 6 above, in addition to a penalty, ADPC may have a vehicle locked, stored or removed if the vehicle or the cargo carried is unsafe, or of the vehicle has exceeded the permitted speed or has exceeded the vehicle's rated weight limit or has been parked or stopped contrary to the Port Regulations or these Byelaws, or any direction or rule made pursuant to them, until the penalty has been paid and the deficiency corrected to the satisfaction of ADPC.
- 8 The Owner, Master or Agent of a Vessel whose Master fails to ensure the safe loading, stowage and lashing of vehicles onboard the Vessel shall be liable to a penalty.

### **8.4 Removal of Objects and Substances**

- 1 Every person who drops, deposits, discharges or spills refuse or a substance that pollutes, an object that interferes with navigation or traffic, or any cargo or Vessel's gear shall notify the Harbour Master of the incident without delay and remove the object or substances in compliance with any Direction issued by the Harbour Master.

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- 2 The person who fails to notify the Harbour Master of an incident as specified in 1 above shall be liable to a penalty.

### 8.5 Fire Protection, Dangerous Situations and Emergencies

- 1 Every person in a Port shall follow the fire protection and prevention measures taken and instructions given by ADPC, the Terminal Operator, an Authorised Person or the pertinent fire fighting or safety authority.
- 2 Every person who, in a Port, may or may likely cause a dangerous situation shall:
  - .1 Hold valid insurance that covers the risk of causing a dangerous situation and the damages that may occur as a result thereof and that holds harmless ADPC and any third party against such damage;
  - .2 Establish measures to prevent accidents or station a person at the site of the dangerous situation to warn of the danger and to prevent injury to persons or damage to Vessels or property; and,
  - .3 Notify the Harbour Master without delay as to the nature of the dangerous situation and the precautions that have been taken and their location.
- 3 Notwithstanding Byelaw 4.1, a person may conduct an activity set out in column 1 of the activity list of Schedule 6 of these Byelaws without having a contract, lease, concession or Licence if:
  - .1 The activity is required as a result of an emergency situation; and,
  - .2 Without delay, the person conducting the activity submits a report to ADPC describing the activity and explaining why the situation was regarded as an emergency.
- 4 If a situation causes or is likely to cause death, bodily injury or if any other emergency situation in a Port damages or is likely to damage Vessels, property or the environment, every person shall:
  - .1 Without delay, through any means of communication, notify the Harbour Master of the emergency situation;
  - .2 Submit, as soon as possible, a detailed report of the emergency situation to ADPC;
  - .3 Submit to ADPC a copy of each report of the emergency situation that the person makes to a court, or the Federal or Amiri authorities.
- 5 A person doing anything resulting in an accident involving a loss, damage, explosion, fire, accident, grounding, stranding or Pollution shall submit, as soon as possible, a detailed written report of the incident to ADPC.
- 6 The person who:

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- .1 Fails to follow any fire protection and prevention measures taken and instructions given by ADPC, the Terminal Operator, an Authorised Person or the pertinent fire fighting or safety authority; or,
- .2 May or may likely cause a dangerous situation does not:
  - (a) Hold valid insurance that covers the risk of causing a dangerous situation and the damages that may occur as a result thereof and that holds harmless ADPC and any third party against such damage; or,
  - (b) Establish measures to prevent accidents or station a person at the site of the dangerous situation to warn of the danger and to prevent injury to persons or damage to Vessels or property; or,
  - (c) Notify the Harbour Master without delay as to the nature of the dangerous situation and the precautions that have been taken and their location; or,
- .3 If a situation causes or is likely to cause death, bodily injury or if any other emergency situation in a Port damages or is likely to damage to Vessels, property or the environment does not:
  - (a) Without delay, through any means of communication, notify the Harbour Master of the emergency situation; or,
  - (b) Submit, as soon as possible, a detailed report of the emergency situation to ADPC; or,
  - (c) Submit to ADPC a copy of each report of the emergency situation that the person makes to a court, or the Federal or Amiri authorities; or,
- .4 Does anything resulting in an accident involving a loss, damage, explosion, fire, accident, grounding, stranding or Pollution and fails to submit, as soon as possible, a detailed written report of the incident to ADPC;

shall be liable to a penalty.

### 8.6 Precautionary Measures

- 1 If a person conducts any activity that is likely to have any of the results under Byelaw 4.3, ADPC may direct the person to immediately cease the activity or to take whatever precautions the Harbour Master deems to be appropriate to prevent the result.
- 2 The person shall immediately comply with any direction issued by ADPC under 1 above.
- 3 The person who fails to cease an activity when instructed to do so, or take precautions as directed by ADPC shall be liable to a penalty.

## **8.7 Occupational Safety and Health**

### **8.7.1 Scope of Duties**

- 1 The Owner or Master of a Vessel shall:
  - .1 Ensure compliance of his crew with the occupational safety and health regulations for merchant ships issued by the competent administration of the Government the Vessel is entitled to fly the flag;
  - .2 Place a copy of the occupational safety and health regulations in a prominent place accessible and in a language understood by each member of the crew.
- 2 Every Owner or Master of a Vessel shall provide occupational safety and health information and instructions for the crew under 2 above and comply with the duties of an employer under the Port Regulations.
- 3 The Owner, Master or Agent of a Vessel that fails to:
  - .1 Ensure compliance of its crew with the occupational safety and health regulations for merchant ships issued by the competent administration of the Government the Vessel is entitled to fly the flag; or,
  - .2 Place a copy of the occupational safety and health regulations in a prominent place accessible and in a language understood by each member of the crew; or
  - .3 Provide occupational safety and health information and instructions for the crew as required under 2 above and comply with the duties of an employer under the Port Regulations;shall be liable to a penalty.

### **8.7.2 Duties of Employers**

- 1 Every employer in a Port shall ensure that the employee is, while at work, safe from injury and risks to health and shall provide and maintain-
  - .1 A safe working environment;
  - .2 Plant and substances in a safe condition;
  - .3 Safe systems of work;
  - .4 Accommodation, eating, recreational or other facilities for the welfare of employees at any workplace in an adequate condition; and,
  - .5 Such information, instruction, training and supervision necessary to ensure that each employee is safe from injury and risks to health.
- 2 An employer shall:
  - .1 Establish a safety and health plan for his system of work;

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- .2 Monitor the health and welfare of his employees to prevent work injuries;
  - .3 Keep records relating to work-related injuries and retain the records for a period as determined by ADPC;
  - .4 Provide information to employees, in their languages, in relation to safety and health in the workplace, including the name(s) of his safety representative(s) to whom employees can make inquiries about occupational safety or health;
  - .5 Ensure that any employee undertaking hazardous work receives proper information, instruction, training and supervision before he commences and while at work;
  - .6 Ensure that any employee at risk through a change in the workplace, in any work or work practice, in any activity or process, or working with any plant receives:
    - (a) Proper information, instruction and training before the change occurs;
    - (b) Such supervision necessary to ensure his safety and health;
  - .7 Ensure that any manager or supervisor is provided with such information, instruction and training to ensure that each employee under his supervision is, while at work, safe from injury and risks to health;
  - .8 Monitor working conditions at any workplace under his control;
  - .9 Have in place, properly maintained and ready for immediate use protective clothing, safety and emergency equipment and devices and first aid facilities for the protection, treatment and transport of persons.
- 3 The safety and health plan required under 2.1 above shall be submitted to ADPC for approval.
- 4 For the avoidance of doubt, an 'employer' includes any Port Facility, stevedore, terminal, Vessel-yard, marine operator, port service provider and any person contracted or licensed by ADPC including any Vessel Agent, Agent or equipment repairer, diver, fumigator, surveyor, or any other person having staff working in a Port such as cargo owners, forwarders, vehicle owners and any Master of a Vessel lacking occupational safety and health regulations issued by the Government the Vessel is entitled to fly the flag.
- 5 The employer that fails to:
- .1 Ensure that the employee is, while at work, safe from injury and risks to health including providing and maintaining:
    - (a) A safe working environment;



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- (b) Plant and substances in a safe condition;
  - (c) Safe systems of work;
  - (d) Accommodation, eating, recreational or other facilities for the welfare of employees at any workplace in an adequate condition; and,
  - (e) Such information, instruction, training and supervision necessary to ensure that each employee is safe from injury and risks to health; or,
- .2 Establish a safety and health plan for his system of work;
  - .3 Monitor the health and welfare of his employees to prevent work injuries;
  - .4 Keep records relating to work-related injuries and retain the records for a period as determined by ADPC;
  - .5 Provide information to employees, in their languages, in relation to safety and health in the workplace, including the name(s) of his safety representative(s) to whom employees can make inquiries about occupational safety or health;
  - .6 Ensure that any employee undertaking hazardous work receives proper information, instruction, training and supervision before he commences and while at work;
  - .7 Ensure that any employee at risk through a change in the workplace, in any work or work practice, in any activity or process, or working with any plant receives:
    - (a) Proper information, instruction and training before the change occurs; and,
    - (b) Such supervision necessary to ensure his safety and health;
  - .8 Ensure that any manager or supervisor is provided with such information, instruction and training to ensure that each employee under his supervision is, while at work, safe from injury and risks to health;
  - .9 Monitor working conditions at any workplace under his control;
  - .10 Have in place, properly maintained and ready for immediate use protective clothing, safety and emergency equipment and devices and first aid facilities for the protection, treatment and transport of persons; or,
  - .11 Fails to submit its safety and health plan to ADPC for approval;
- shall be liable to a penalty.

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### 8.7.3 Duties of Employees

- 1 Every employee shall take reasonable care to protect his own safety and health at work and to avoid adversely affecting the safety or health of any other person through an act or omission at work.
- 2 In respect of 1 above, an employee shall:
  - .1 Use equipment provided for safety or health purposes;
  - .2 Obey instructions of his employer in relation to safety or health at work;
  - .3 Comply with any workplace policy approved by ADPC;
  - .4 Ensure he is not, by the consumption of medicine or narcotics, in a state endangering his safety at work or the safety of other persons at work.
- 3 For an employee whose native language is not Arabic, and who is not reasonably fluent in Arabic, regard shall be taken to:
  - .1 Make available information relating to occupational safety and health to the employee in a language and form that the employee is expected to understand; and,
  - .2 Provide instruction or training in a language the employee is expected to understand.
- 4 Every employer having a duty, work or service to perform in a port shall ensure that the employees working under his control are aware of the requirements under 1 and 2 above.
- 5 The person who, at work, fails to:
  - .1 Take reasonable care to protect his own safety and health, and to avoid adversely affecting the safety or health of any other person through an act or omission at work;
  - .2 Use equipment provided for safety or health purposes;
  - .3 Obey instructions of his employer in relation to safety or health at work;
  - .4 Comply with any workplace policy approved by ADPC;
  - .5 Ensure he is not, by the consumption of medicine or narcotics, in a state endangering his safety at work or the safety of other persons at workshall be liable to a penalty.
- 6 The employer that:
  - .1 For an employee whose native language is not Arabic, and who is not reasonably fluent in Arabic, fails to:

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- (a) Make available information relating to occupational safety and health to the employee in a language and form that the employee is expected to understand; and,
  - (b) Provide instruction or training in a language the employee is expected to understand; or,
- .2 Does not ensure that the employees working under his control are aware of the requirements of 1 and 2 above;
- shall be liable to a penalty.

## 9. PORT SECURITY

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### 9.1 General

- 1 In addition to the Byelaws given in this Chapter, pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to the security of a Port for the good order, health, safety, security or protection of lives, property or the environment in a Port.
- 2 The directions, rules or conditions, restrictions or penalties referred to in 1 above may relate to:
  - .1 Access to premises;
  - .2 Compliance with international security requirements;
  - .3 Notification with respect to security;
  - .4 Security control of Vessels in ports.

### 9.2 Access to Premises

- 1 No person shall access any Port area as defined by its boundaries, via water, air or land unless the person obtained a permit from ADPC for accessing the port.
- 2 ADPC or the Terminal Operator may have signs, fences or barriers arranged to ensure security and safety of persons, ships and property, the environmental protection or the management of the port infrastructure and the services of the port.
- 3 Every person in a port shall obey the instructions on signs posted and respect the functions of fences and barriers established by ADPC or the Terminal Operator.
- 4 The person who:
  - .1 Accesses any Port area without obtaining a permit from ADPC; or,
  - .2 Fails to obey the instructions on signs posted and respect the function of barriers established by ADPC or the Terminal Operator;shall be liable to a penalty.

### 9.3 Compliance with International Security Requirements

- 1 Every Vessel applying for a permission to enter a port shall ensure compliance with the security requirements for ships of SOLAS 74.
- 2 Each Port Facility Operator shall ensure compliance with the security requirements for port facilities of SOLAS 74.

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- 3 The Owner, Master or Agent of a Vessel that fails to ensure compliance with the security requirements of SOLAS 74 shall be liable to a penalty.
- 4 The Port Facility Operator that fails to comply with the security requirements for port facilities of SOLAS 74 shall be liable to a penalty.

### 9.4 Notification with Respect to Security

- 1 Every Owner, Master or Agent of a Vessel applying for permission to enter a port shall provide the information to ADPC, at least 48 hours prior to their entry as required under Chapter XI-2 – (Special measures to enhance maritime security) of SOLAS 74, in association with Regulation XI-2/3 implementing the International ISPS Code, as amended.
- 2 To facilitate compliance with the notification requirements under 1 above as appropriate, the Owner, Master or Agent of a Vessel intending to enter a Port shall use the Uniform Ship Pre-Arrival report as per ISPS Code and 2002 amendments of SOLAS 74 in accordance with Schedule 2 of these Byelaws.
- 3 Failure of a Master asking for clearance to enter a port under the Port Regulations to provide the complete information required under 1 or 2 above constitutes reason for the Vessel being denied entry to the Port and no damage shall be claimed by the Owner of the Vessel or its Master as a result thereof.
- 4 If the security level of a Vessel entering a port exceeds the security level of the Port or Port Facility where the Vessel shall anchor or be berthed or moored, the Master or Owner of the Vessel shall be held liable for the expenses incurred by ADPC or the Terminal Operator for establishing the required additional security measures as a result thereof.
- 5 The Owner, Master or Agent who supplies erroneous information to ADPC in relation to a request to enter Port under 1 or 2 above, as appropriate, shall be liable to a penalty.

## 10. PORT ENVIRONMENT PROTECTION

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### 10.1 General

- 1 In addition to the Byelaws given in this Chapter, pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to Port Environment Protection for the good order, health, safety, security or protection of lives, property or the environment in a Port.
- 2 The directions, rules or conditions, restrictions or penalties referred to in 1 may relate to:
  - .1 Compliance with environment protection conventions; and,
  - .2 Waste management in Ports.

### 10.2 Compliance with Environmental Protection Arrangements

- 1 The Master and Owner of a Vessel shall avoid Vessel-sourced Pollution in ports and of the marine environment and comply with the standards of the pertinent conventions set out in Schedule 4 to these Byelaws.
- 2 ADPC may extend the compliance of minimum standards set by the Department for Pollution prevention requirements in ports and related waters to be applied to any Vessel.
- 3 The Owner, Master or Agent of any Vessel:
  - .1 Identified as being the source of Pollution; or,
  - .2 Non-compliant with the pertinent Conventions set out in Schedule 4 to these Byelaws;shall be liable to a penalty.

### 10.3 Waste Management in Ports

#### 10.3.1 Notification for the Collection of Waste from Ships

- 1 Every Owner, Master or Agent of a Vessel shall notify ADPC, the Terminal Operator or Port Facility Operator, as appropriate, in respect to the compulsory collection of waste in a Port. To facilitate reporting, the Master or Agent shall use the GCC "Uniform Vessel Waste Collection report" in accordance with Schedule 2 to these Byelaws.
- 2 The Owner, Master, or Agent of a Vessel shall make all necessary arrangements for the collection of waste with the Terminal Operator or the Port Facility Operator.

## ADPC Byelaws

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- 3 The notification under 1 above and the unified certificate of conformed receipt of the waste issued by waste reception facility operator shall be kept on board the requesting Vessel for the next port as evidence that the Vessel's waste had been so collected.
- 4 The Owner, Master or Agent of a Vessel that fails to:
  - .1 Notify ADPC, the Terminal Operator or Port Facility Operator, as appropriate, in respect of the collection of waste;
  - .2 Make all necessary arrangements for the collection of waste with the Terminal Operator or the Port Facility Operator; or,
  - .3 Make available on request to the Harbour Master or an Authorised Person the notification made for its previous port of call or the unified certificate of conformed receipt of waste issued by a waste reception facility operator;shall be liable to a penalty.

### 10.3.2 Delivery of Vessel-Generated Waste and Cargo Residues

- 1 The Master of a Vessel shall, before leaving the port, have delivered all Vessel-generated waste to a port reception facility.
- 2 A Vessel that fails to deliver the waste in a Port may only proceed to the next port with the approval of ADPC.
- 3 Where ADPC considers, if necessary in consultation with the Department, that the waste accumulated on board a Vessel may pose a threat or harm to the health of the crew or may be dumped at and pollute the sea or that adequate facilities are not available at the intended port of delivery, or if this port is unknown at the time of the departure of the Vessel, ADPC may require the Vessel to deliver its waste before departure from the port.
- 4 The Owner, Master or Agent of the Vessel shall pay ADPC, the Terminal Operator or the Port Facility Operator, as appropriate, the applicable charges on account of the Vessel for the collection of Vessel generated waste and cargo residues.

### 10.3.3 Exemptions

- 1 National or foreign naval Vessels, or Vessels operated under command of the Government, shall be exempt from the Byelaws of this Chapter and any directions or rules made pursuant to them.

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- 2 With respect to the levying of fees and/or charges and collection of waste, ADPC may:
  - (a) Reduce the fees or charges applicable if the Master of the Vessel can demonstrate that the Vessel produces reduced quantities of Vessel-generated waste by way of the waste management, design, equipment and operation of the Vessel;
  - (b) Exempt Vessels engaged in scheduled traffic with frequent or regular calls provided that there is an arrangement to ensure the delivery of Vessel generated waste in a port along the route of the Vessel.
- 3 For the avoidance of doubt, it is the obligation of the Master or Owner of a Vessel to provide valid evidence for ADPC to agree to an arrangement under 2 above.

### **10.3.4 Spills from Ships Other Than Oil Tankers**

- 1 Every Owner of a Vessel, such as passenger ships, bulk and general cargo ships and container ships, entering a Port shall have in place and maintain adequate strict liability insurance to cover the cost of incidents such as clean up resulting from the spillage of bunker fuel or other oil.
- 2 Each Vessel shall carry on board a certificate clearly attesting that the cover required under 1 above is in force as well as a prima facie evidence of a valid Protection and Indemnity (P & I) club membership contract. The certificate shall be made available for inspection by the Harbour Master or an Authorized Person on request.
- 3 The Owner, Master or Agent of any Vessel that is unable to provide evidence of a valid Protection and Indemnity (P & I) club membership contract shall be liable to a penalty.



## 11. RO-RO AND PASSENGER SHIPS

### 11.1 General

- 1 In addition to the Byelaws given in this Chapter, pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to Roll-On Roll-Off (Ro-Ro) and passenger ships for the good order, health, safety, security or protection of lives, property or the environment in a Port.
- 2 The directions, rules or set conditions, restrictions or penalties referred to in 1 above may relate to:
  - .1 Ro-Ro Vessels and Ro-Ro Passenger Ferries;
  - .2 Passenger Ships; or
  - .3 Clearance of Passengers and Baggage.

### 11.2 Ro-Ro Vessels and Ro-Ro Passenger Ferries

All persons operating one or more Ro-Ro passenger ferries to or from a Port shall comply with all provisions of paragraphs 1.2 to 13.1 and of paragraph 13.3 of the International Ship Management (ISM) Code as a requirement for the aforementioned persons Ro-Ro vessels or passenger ferries to provide services to or from a port.

### 11.3 Passenger Ships

- 1 The Owner, Master or Agent of every passenger Vessel operating on an International Voyage shall carry onboard the original version of the certificates and, as appropriate, exemptions as specified in Schedule 7 to these Byelaws with the exception that the Document of Compliance as per ISM Code may be carried as a copy.
- 2 The Owner, Master or Agent shall, at any time, have ready for inspection by an Authorised Person the documents required under 1 above.
- 3 The Owner, Master or Agent of a Vessel that fails to provide for inspection the documents required under 1 above shall be liable to a penalty.

### 11.4 Clearance of Passengers and Baggage

- 1 The Owner, Master or Agent of a Vessel carrying passengers to a port shall take all appropriate measures which will contribute to expedite Vessel arrival, departure and pertinent clearance procedures including:
  - .1 The provision to ADPC and the concerned Government entities of an advance message according to the uniform reporting forms in the Port Regulations giving the best estimated time of arrival, followed

## ADPC Byelaws

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- by information as to any change in time, and stating the itinerary of the voyage where this may effect inspection requirements;
- .2 Having the required Vessel and passenger and baggage documents ready for prompt review;
  - .3 Providing for prompt and orderly assembling and presentation of persons on board, with necessary documents, for inspection.
- 2 Every Agent of a Vessel carrying passengers with impaired mobility, hearing or vision shall timely so inform ADPC or the Terminal Provider, as appropriate, and provide measures and equipment necessary for the safe disembarkation, embarkation and transport of passengers, and for the convenient movement, collection and inspection of their baggage, on account of the Vessel.
- 3 The Owner, Master or Agent of a Vessel carrying passengers to a Port that fails to take all appropriate measures that contribute to expedite Vessel arrival, departure and pertinent clearance procedures including:
- .1 A failure to provide to ADPC and the concerned Government entities of an advance message according to the uniform reporting forms in Schedule 2 to these Byelaws giving the best estimated time of arrival, followed by information as to any change in time, and stating the itinerary of the voyage where this may affect inspection requirements;
  - .2 Not having the required Vessel and passenger and baggage documents ready for prompt review;
  - .3 Not providing persons on board with all necessary documents for inspection;
- shall be liable to a penalty.
- 4 The Agent of a Vessel carrying passengers with impaired mobility, hearing or vision that fails to timely inform ADPC or the Terminal Provider, as appropriate, and provide measures and equipment necessary for the safe disembarkation, embarkation and transport of passengers, and for the convenient movement, collection and inspection of their baggage shall be liable to a penalty.

## 12. MISCELLANEOUS

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### 12.1 General

In addition to the Byelaws given in this Chapter, pursuant to the Port Regulations, ADPC may impose directions, rules or set conditions, restrictions or penalties in relation to the following for the good order, health, safety, security or protection of lives, property or the environment in a Port:

- .1 Vessel Detention and Clearance;
- .2 Licenses; or,
- .3 Appointment of Ships Agents.

### 12.2 Vessel Detention and Clearance

- 1 Subject to 2 below and after prior consultation with the Federal Authority, ADPC may at any time launch proceedings, in compliance with the applicable Federal and Amiri law, for detention of a Vessel or goods carried on a Vessel if, in the opinion of ADPC, the Owner or person in charge of the Vessel or the goods has, by way of commanding or managing the Vessel or goods, violated a provision of the Port Regulations or these Byelaws, or any direction or rule made pursuant to them.
- 2 ADPC may, at any time launch proceedings, in compliance with the applicable national law, for the detention of a Vessel or goods carried on a Vessel if, in the opinion of ADPC:
  - .1 A fee, charge, penalty, due or damage compensation is due and payable imposed under the Port Regulations or these Byelaws;
  - .2 A person is killed or bodily injured, or a facility, infrastructure, equipment, installation or other property owned or managed by ADPC, or that is owned or managed by an operator having entered into a contract, lease or concession with or having obtained a Licence from ADPC, has been damaged, including damage to the environment, by the Vessel or cargo or by fault or negligence of a crew member of the Vessel who was acting in the general course of employment or was acting under a specific order of the master of the Vessel or officer;
  - .3 Where, during the term of the detention order, the Master or Owner of the Vessel gives an order for the Vessel to depart from the port in which it is detained;
  - .4 No person to whom a detention order is addressed in a Port under the Port Regulations or these Byelaws shall, having received the order, give clearance of the Vessel to which the order applies;

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- .5 No Vessel in a port shall leave without having first received a traffic clearance document, duly endorsed by ADPC.
- 3 The Owner, Master or Agent of a Vessel that gives an order for a Vessel detained by ADPC to depart Port shall be liable to a penalty.
- 4 The person to whom a detention order is addressed who, having received the order, gives clearance of the Vessel to which the order applies shall be liable to a penalty.

### 12.3 Licenses

- 1 Every person performing a service or work in a Port shall, whether or not holding a contract, lease or concession with ADPC, prior to carrying out of the service or work, request for a Licence from ADPC covering the legitimate performance of the service or the work in a Port.
- 2 Any person that performs a service or work in a Port without a Licence issued by ADPC shall immediately cease the service or work when instructed to do so by ADPC or an Authorised Person.
- 3 The person that performs a service or work in a Port without a Licence issued by ADPC shall be liable to a penalty.

### 12.4 Appointment of Agents

- 1 Every Vessel, regardless of its employment, purpose, propulsion, size, type or flag, intending to enter a Port shall, prior to entering, have appointed an Agent responsible for representing the Vessel.
- 2 An Agent appointed under 1 above shall hold a Licence issued by ADPC for at least three (3) months after the period of the intended stay of the vessel in a port.
- 3 The expiration of a Licence issued by ADPC to an Agent does not release the Agent from carrying out his obligations to the Owner, Master, charterer, crew or cargo of a Vessel, nor does the expiration of the Licence release the Agent from carrying out the Agent from the carrying out of the obligations of a Vessel Owner, Master, charterer to ADPC or the cargo owner, including the settlement of all dues, fees, charges, fines and damage compensations after a Vessel has departed a Port.
- 4 An Agent appointed under 1 above must have his registered office in Abu Dhabi and the owners of the Agency shall be Abu Dhabi nationals.
- 5 If no Agent has been appointed to represent a Vessel as required by 1, ADPC may:
  - .1 Deny entry of that Vessel into port; or,
  - .2 Either through established procedures or in accordance with any Directive as may be issued by the Department require the diplomatic

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representative of the flag state of the Vessel to appoint an Agent on behalf of the Vessel.

- 6 If the Owner of a Vessel fails to pay fees to an Agent for the services provided (whether or not appointed by the diplomatic representative of the flag state of the Vessel), ADPC may invoke the provisions of Byelaw 12.2.
- 7 ADPC may ask the Agent holding a Licence issued by ADPC to deposit a guarantee for the settlement of the financial obligations of his principal.

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## 13. OFFENCES

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### 13.1 General

The level of penalty applied for each Offence under these Byelaws is as listed in Schedule 8 to these Byelaws.

### 13.2 Penalties Payable

The maximum penalty payable for a penalty prescribed in Schedule 8 to these Byelaws, or as may be prescribed in a direction or rule made pursuant to them, is as specified in the tariff of Port dues and fees published by ADPC.

### 13.3 Damage to ADPC Property

Any person who wilfully removes, destroys or damages any property belonging to or in the custody or possession of ADPC or hinders or prevents such property from being used or hinders or prevents such property from being used or operated in the manner in which it is intended to be used or operated shall be liable to a penalty.

### 13.4 Non-Defined Offences

Where not specifically stated in these Byelaws, or a direction or rule made pursuant to them, any person in breach of these Byelaws or any direction or rule made pursuant to them shall be liable to a penalty.

### 13.5 Discretion to Apply Penalty

Depending on the type of Offence committed and the particular circumstances, ADPC may:

- (a) Reduce the penalty payable for the prescribed level of penalty;
- (b) Allow a period of time to remedy, to its satisfaction, the Offence without the imposition of a penalty; or,
- (c) Issue a written warning for the first occurrence of an Offence.

### 13.6 Increase of Penalty for Repeat Offence

In the event of the repetition of an Offence, at the discretion of ADPC, the penalty may be doubled.

### 13.7 Offences by Bodies of Persons

Where an Offence under these Byelaws, or direction or rule made pursuant to them has been committed by a company, firm, society or other body of persons, any person who at the time of the commission of the Offence was a director, manager, secretary or other similar officer or a partner of the company, firm, society or other body of persons or was purporting to act

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in such capacity shall be guilty of that Offence and shall be liable to be proceeded against and punished accordingly unless he proves that the Offence was committed without his consent, connivance or privity and that he exercised all such diligence to prevent the commission of the Offence as he ought to have exercised, having regard to the nature of his functions in that capacity and to all the circumstances.

### **13.8 Penalties to be Paid to ADPC**

All penalties imposed for any Offence under these Byelaws, or direction or rule made pursuant to them shall be paid into the funds of ADPC.

### **13.9 Presumption of Jurisdiction**

If, in any legal proceedings a question arises as to whether or not any Vessel or person is within the provisions of these Byelaws, or direction or rule made pursuant to them, or some part thereof, the Vessel or person shall be taken to be within those provisions unless the contrary is proved.

### **13.10 Saving of Prosecutions under Other Laws**

Nothing in these Byelaws shall prevent any person from being prosecuted under any other written law for any act or omission which constitutes an Offence under these Byelaws, or direction or rule made pursuant to them, or from being liable under that other written law to any punishment or penalty higher or other than that provided by these Byelaws, or direction or rules made pursuant to them, but no person shall be punished twice for the same Offence.

## SCHEDULE 1 PORTS

### ADPC Controlled Ports: Limits

Unless stated otherwise, the landside boundary of ADPC Port limits is defined by the line of the highest astronomical tide.

The Ports referred to in Byelaw 1.2 are as follows:

#### **Mina Khalifa**

Bounded by the southern breakwater and a line drawn between the following coordinates:

No	LAT.(N)	LONG.(E)
1	24 50.600	54 39.900
2	24 51.200	54 40.600
3	24 56.200	54 36.300
4	25 00.300	54 38.100
5	25 02.000	54 39.300
6	25 03.100	54 37.500
7	25 01.450	54 36.250
8	24 55.600	54 33.700
9	24 49.250	54 39.500



**Mina Zayed**

Bounded by the land and a line drawn between the following coordinates:

No	LAT.(N)	LONG.(E)
1	24 32.25	54 23.73
2	24 34.84	54 23.73
3	24 40.09	54 16.64
4	24 40.10	54 13.64
5	24 35.55	54 13.69
6	24 35.58	54 15.92
7	24 29.29	54 18.85
8	24 31.81	54 20.99
9	24 31.20	54 21.49
10	24 29.95	54 21.75
11	24 27.44	54 29.63

**Mussafah**

Bounded by the land and a line drawn between the following coordinates:

No	LAT.(N)	LONG.(E)
1	24 29.29	54 18.85
2	24 35.58	54 15.92
3	24 35.55	54 13.69
4	25 27.14	54 13.64
5	24 28.90	54 17.33
6	24 28.62	54 17.95

**Mugharaq**

Bounded by the land and a line drawn between the following coordinates:

No	LAT.(N)	LONG.(E)
A	24 10.937	52 33.951
B	24 10.996	52 33.897
C	24 11.301	52 34.061
D	24 11.153	52 34.350

**ADPC Byelaws**

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**Sila Port Water Limit Boundary**

Bounded by the land and a line drawn between the following coordinates:

No	LAT.(N)	LONG.(E)
A	24 03.362	51 46.957
B	24 05.688	51 47.064
C	24 05.682	51 48.405
D	24 03.392	51 48.594

**Shahama Port Water Limit Boundary**

Bounded by the land and a line drawn between the following coordinates:

No	LAT.(N)	LONG.(E)
A	24 30.609	54 37.900
B	24 30.574	54 37.927

## SCHEDULE 2 FORMS FOR NOTIFICATION AND REPORTING

The forms for notification and reporting referred to in Byelaws 6.2, 6.4, 9.4 and 10.3 are as follows:

### Uniform Ships Pre-Arrival Notification Report

Uniform Ships Pre-Arrival Notification Report of Abu Dhabi Ports.							
(to be emailed, faxed, mailed or hand delivered to the Port at least 48 hrs before arrival)							
Vessel Details							
Ships Name:				ETA	Time	Date	
IMO No.	Flag	Port of Registry	Call Sign	Class	Year of built	Thrusters	
						Yes <input type="checkbox"/>	No <input type="checkbox"/>
LOA (m)	Breadth	Draft Fwd	Draft Aft	DWT	SDW	GT	NT
Vessel Owners Details							
Owner <input type="checkbox"/> Charterer <input type="checkbox"/>				Tel/Mob			
Owners Nationality				Owners Email			
Vessel Agent Details							
Country:				Port:			
Agent:				Tel/Mob 24 hrs:			
Fax:				Email:			
Abu Dhabi Port and Port Facility Information							
Terminal: <input type="checkbox"/>			Anchorage: <input type="checkbox"/>		Berth: <input type="checkbox"/>		
Vessel Voyage Details							
Last Port of Call	Country	Depart Date	Next Port of Call	Country	Date Due		
Cargo Operations							
Cargo to Discharge				Cargo to Load			
Tonnage	Origin	Tonnage	Destination				

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Dangerous Cargo to Discharge				Dangerous Cargo to Load			
Tonnage		Origin		Tonnage		Destination	
Insurance Details							
Insurers Name		Insurers Address		Tel. No.		Policy No.	Validity
Environment							
Place of last discharge				Waste Treatment Equipment Onboard			
Sludge		Slops		Yes <input type="checkbox"/>		No <input type="checkbox"/>	
Date	Qty	Date	Qty	Position of last Ballast Water Change			
				Lat			Long
Other Services Required							
Medical				Fumigation			
Ballast Services				Water			
Stores				Repairs			
Vessel Cleaning				Waste (specify)			
Hot Work				Diving			
Bunker				Others			

### Uniform Masters Report

Uniform Masters Report							
This Report will be handed by the Pilot to the Master on the Vessels Arrival)							
Vessel Details							
Ships Name:				ETA	Time	Date	
IMO No.	Flag	Port of Registry	Call Sign	Class	Year of built	Thrusters	
						Yes <input type="checkbox"/>	No <input type="checkbox"/>
LOA (m)	Breadth	Draft Fwd	Draft Aft	DWT	SDW	GT	NT
Vessel Owners Details							
Owner <input type="checkbox"/> Charterer <input type="checkbox"/>				Tel/Mob			
Owners Nationality				Owners Email			
Vessel Agent Details							
Country:				Port:			
Agent:				Tel/Mob 24hrs:			
Fax:				Email:			
Abu Dhabi Port and Port Facility Information							
Terminal: <input type="checkbox"/>			Anchorage: <input type="checkbox"/>			Berth: <input type="checkbox"/>	
Vessel voyage details							
Last Port of Call	Country	Depart Date	Next Port of Call		Country	Date Due	
Cargo Operations							
Cargo to Discharge				Cargo to Load			
Tonnage	Origin		Tonnage		Destination		
Dangerous Cargo to Discharge				Dangerous Cargo to Load			
Tonnage	Origin		Tonnage		Destination		
Insurance Details							
Insurers Name	Insurers Address			Tel. No		Policy No	Validity

**ADPC Byelaws**

<b>Environment Services</b>				
Incinerator on board Yes <input type="checkbox"/> No <input type="checkbox"/>	15 PPM Separator Yes <input type="checkbox"/> No <input type="checkbox"/>	SOPEP Yes <input type="checkbox"/> No <input type="checkbox"/>	HRF Required Yes <input type="checkbox"/> No <input type="checkbox"/>	
IOPP Certificate Issued by/place			Date of Issue	
OIL Record Book Issued by/place			Date of Issue	
Place /Date of last Sludge/Slop discharge			Qty	
<b>Pilotage and Towage Services</b>				
GCC Regulations on Board Yes <input type="checkbox"/> No <input type="checkbox"/>		Inward <input type="checkbox"/>	Outward <input type="checkbox"/>	Shifting <input type="checkbox"/>
Pilot Name		Time on		Time off
1st VHF Call (d/t)		1st line ashore		All ashore (d/t)
In case of shifting		Left berth( d/t)		All lines fastened
Pilot boats name		Mooring boat		Mooring boat
Time tugs on		Time tugs off		No. of Tugs
Tugs name				

### Ships Pre-Arrival Security Information Form

Ship Pre-Arrival Security Information Form								
For All Ships Prior to Entry Into The Port of Abu Dhabi								
(SOLAS Regulation XI-2/9 and the Transport (General and Port Operations) Regulations)								
All Ships To Submit This Form To The Port Facility Security Officer Of The Port Of Arrival at least 48 hrs Prior To Entry Into The Port Facility.								
<b>Particulars of the Ship and contact details</b>								
Name of Ship		Type of Ship						
Port of Registry		Gross Tonnage						
Flag State		Call Sign						
IMO Number		Inmarsat call Numbers						
Name of Company		CSO Name & 24 hrs contact details						
Port Arrival		Port Facility of Arrival (if known)						
<b>Abu Dhabi Port and Port Facility Information</b>								
Port Name		ETA						
Primary Purpose of Call								
<b>Information required by SOLAS Chapter XI- Regulation 9.2.</b>								
Does the Vessel have a valid International Ship Security Certificate (ISSC)	Yes	No	Issued By					
	<input type="checkbox"/>	<input type="checkbox"/>						
Does the Vessel have a valid Interim International Ship Security Certificate (IISSC)	Yes	No	Issued By					
	<input type="checkbox"/>	<input type="checkbox"/>						
Does the Vessel have an approved Ship Security Plan (SSP) on board	Yes	No	Issued By					
	<input type="checkbox"/>	<input type="checkbox"/>						
If No give reason								
Location of Ship at the time of this report	Lat		Long					
<b>List the last 10 calls at port facilities in chronological order (most recent call first)</b>								
No.	Arrival Date	Departure Date	Port	Country	UN Locode ( if available)	Security Level		
						1	2	3
1								
2								
3								
4								
5								
6								
7								
8								
9								



10								
----	--	--	--	--	--	--	--	--

Did the Vessel take any special or additional security measures, beyond those in the approved SSP? If Yes, indicate below the special or additional security measures taken by the Vessel.	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

No. (as above)	Special or additional security measures taken by the Vessel
1	
2	
3	
4	
5	

List the Vessel to Vessel activities, in chronological order (most recent first), which have been carried out during the period of the last ten calls at port facilities listed above. Expand table below or continue on separate page if necessary. Insert total number of Vessel to Vessel activities.

Have the Vessel security procedures specified in the approved SSP been maintained during each of these Vessel to Vessel activities?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

If No, provide details of the security measures applied in lieu in the final column below.

No.	Arrival Date	Departure Date	Location Lat/Long	Ship to Vessel activity	Security measures applied on lieu
1					
2					
3					
4					
5					

**General description of cargo aboard the Vessel**

Is the Vessel carrying any dangerous substances as cargo covered by any of Classes 1, 2.1, 2.3, 3, 4.1, 5.1, 6.1, 6.2, 7 or 8 of the IMDG Code?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

If Yes, confirm Dangerous Goods Manifest (or relevant extract) is attached

Confirm a copy of ships crew list is attached	Yes	<input type="checkbox"/>	Confirm a copy of ships passenger list is attached	Yes	<input type="checkbox"/>
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**Other security related information**

Is there any security related matter you wish to report	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

If Yes, provide details

Agent of Vessel at intended port of arrival		24hrs contact number	
---	--	----------------------	--

Identification of person providing the information	Master	<input type="checkbox"/>	SSO	<input type="checkbox"/>	CSO	<input type="checkbox"/>	Sips agent	<input type="checkbox"/>
--	--------	--------------------------	-----	--------------------------	-----	--------------------------	------------	--------------------------

Name		Signature	
------	--	-----------	--

Place of Completion of report		Time		Date	
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### Uniform Vessel Accident Report

<b>Uniform Vessel Accident Report</b>							
To Be used for any Incident or Accident Report that occurred in a Abu Dhabi Port							
Vessel Details							
Ships Name:				ETA		Date	
IMO No.	Flag	Port of Registry	Call Sign	Class	Year of built	Thrusters	
						Yes <input type="checkbox"/>	No <input type="checkbox"/>
LOA (m)	Breadth	Draft Fwd	Draft Aft	DWT	SDW	GT	NT
Vessel Owners Details							
Owner <input type="checkbox"/> Charterer <input type="checkbox"/>				Tel/Mob			
Owners Nationality				Owners Email			
Vessel Agent Details							
Country:				Port:			
Agent:				Tel/Mob 24hrs:			
Fax:				Email:			
In Any Case of any Incident, Accident or Near Miss							
Indicate Type of Incident, Accident or Near Miss							
Grounding		Collision		Pollution			
Bodily Injury or Death				Other Incidents			
Names and Types of Vessels Involved							
Name of reporting vessel				Nationality		Number of crew	
Type of reporting vessel				Cargo Type		Volume	
Name of other vessel				Nationality		Number of crew	
Type of other vessel				Cargo Type		Volume	
Specify Dangerous Goods and Polluting Substances on board							
Time of arrival				Time of Departure			
Gross Tonnage				Length Overall			
Draft Fwd				Draft Aft			
Position of Incident	Lat		Long		Time of Incident		
Last port of call				Next Port of call			
Ships data	Course		Speed		Outlook	Y	N
Weather and sea	Visibility		Bridge command with				

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conditions		(NM)				
Wind Direc- tion		Force		Waves Direction		Height
Name of Pilot if on- board						
<b>In any Case of Pollution</b>						
State the substance involved						
Oil		Chemical		Garbage		Other
State how the incident happened:						
Location	Lat		Long		Date	Time
Wind Speed					Direction	
State the action taken to mitigate the impact on the environment						
Date				Masters Signature		

## STANDARD FORMAT OF THE ADVANCE NOTIFICATION FORM FOR WASTE DELIVERY TO PORT RECEPTION FACILITIES

Notification of the Delivery of Waste to:

..... (Enter name of port or terminal)

The master of a Vessel should forward the information below to the designated authority at least 24 hours in advance of arrival or upon departure of the previous port if the voyage is less than 24 hours This form shall be retained on board the vessel along with the appropriate Oil RB, Cargo RB or Garbage RB

<b>Delivery From Ships</b>				
<b>1. SHIP PARTICULARS</b>				
1.1 Name of Vessel		1.5 Owner or operator:		
1.2 IMO number:		1.6 Distinctive number or letters:		
1.3 Gross tonnage:		1.7 Flag State:		
1.4 Type of Vessel:	<input type="checkbox"/> Oil tanker	<input type="checkbox"/> Chemical tanker	<input type="checkbox"/> Bulk carrier	<input type="checkbox"/> Container
	<input type="checkbox"/> Other cargo Vessel	<input type="checkbox"/> Passenger Vessel	<input type="checkbox"/> Ro-ro	<input type="checkbox"/> Other (specify)
<b>2. PORT AND VOYAGE PARTICULARS</b>				
2.1 Location/Terminal name and POC:		2.6 Last Port where waste was delivered:		
2.2 Arrival Date and Time:		2.7 Date of Last Delivery:		
2.3 Departure Date and Time:		2.8 Next Port of delivery (if known):		
2.4 Last Port and Country:		2.9 Person submitting this form is (if other than the master):		
2.5 Next Port and Country (if known):				

3. TYPE AND AMOUNT OF WASTE FOR DISCHARGE TO A FACILITY			
MARPOL Annex I . Oil	Quantity (m <sup>3</sup> )	MARPOL Annex V. Garbage	Quantity (m <sup>3</sup> )
Oily bilge water		Plastic	
Oily residues (sludge)		Floating dunnage, lining, or packing material	
Oily tank washings		Ground-down paper products, rags, glass, metal, bottles, crockery etc.	
Dirty ballast water		Cargo residues <sup>2</sup> , paper products, rags, glass, metal, bottles, crockery, etc.	
Scale and sludge from tank cleaning		Food waste	
Other (please specify)		Incinerator ash	
		Other wastes (specify)	
MARPOL Annex II. NLS	Quantity (m <sup>3</sup> ) Name <sup>1</sup>	MARPOL Annex IV . Sewage	Quantity (m <sup>3</sup> )
Category X substance			
Category Y substance		MARPOL Annex VI. Air pollution	Quantity (m <sup>3</sup> )
Category Z substance		Ozone-depleting substances and equipment containing such substances	
OS. other substances			
2 1 Indicate the proper shipping name of the NLS involved.		2 Indicate the proper shipping name of the dry cargo.	
Name of Vessel:		IMO Number:	

Please state below the approximate amount of waste and residues remaining on board and the percentage of maximum storage capacity. If delivering all waste on board at this port please strike through this table and tick the box below. If delivering some or no waste, please complete all columns.

I confirm that I am delivering all the waste held on board this vessel (as shown on page 1) at this port.























Type	Maximum dedicated storage capacity m <sup>3</sup>	Amount of waste retained on board m <sup>3</sup>	Port at which remaining waste will be delivered (if known)	Estimate amount of waste to be generated between notification and next port of call m <sup>3</sup>
<b>MARPOL Annex I. Oil</b>				
Oily bilge water				
Oily residues (sludge)				
Oily tank washings				
Dirty ballast water				
Scale and sludge from tank cleaning				
Other (please specify)				
<b>MARPOL Annex II. NLS<sup>1</sup></b>	Quantity (m <sup>3</sup> ) Name <sup>2</sup>			
Category X substance				
Category Y substance				
Category Z substance				
OS. other substances				
<b>MARPOL Annex IV. Sewage</b>				
<b>MARPOL Annex V Garbage</b>				
Plastic				
Floating dunnage, lining or packing material				
Ground down paper products, rags, glass, metal, bottles, crockery etc.				

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Cargo residues <sup>2</sup> , paper products, rags, glass, metal, bottles, crockery, etc.				
Food waste				
Incinerator ash				
Other wastes (specify)				
Date:		Time:		
Name and Position:		Signature:		
<sup>1</sup> Indicate the proper shipping name of the NLS involved.		<sup>2</sup> Indicate the proper shipping name of the dry cargo.		



## SCHEDULE 3 DANGEROUS GOODS LIMITATIONS

The Dangerous Goods limitations referred to in Byelaw 7.4 are as follows:

IMDG	Description	Class 1 and 2 Not Allowed Regardless of Quantity		
Class 1	Explosives	 1.1 1	 1.2 1	 1.3 1
		Division 1.1	Division 1.2	Division 1.3
Class 1	Explosives	 1.4 EXPLOSIVE F 1	 1.5 D 1	 1.6 N 1
		Division 1.4	Division 1.5	Division 1.6
Class 2	Gases Compressed, Liquefied Or Dissolved Under Pressure	 2 FLAMMABLE GAS	 2 NON-FLAMMABLE GAS	 2 POISON GAS
		Division 2.1	Division 2.2	Division 2.3
<b>As Per IMDG Code Requirements</b>				
Class 3	Flammable Liquids	 3 COMBUSTIBLE		
Class 4	Flammable Solids or Substances	 4 FLAMMABLE SOLID	 4 COMBUSTIBLE	 4 DANGEROUS
		Division 4.1	Division 4.2	Division 4.3
Class 5	Oxidizing Substances (Agents) And Organic	 5.1 OXIDIZER		
		Division 5.1	 5.2 ORGANIC PEROXIDE	
Class 5	Oxidizing Substances (Agents) And Organic	 5.2 ORGANIC PEROXIDE		
		Division 5.2	Division 5.2	
Class 6	Toxic And Infectious Substances	 6 TOXIC		
		Division 6.1	 6 INFECTIOUS	
Class 6	Toxic And Infectious Substances	 6 INFECTIOUS		
		Division 6.2	Division 6.2	
Class 7	Radioactive Substances	 7 RADIOACTIVE I		
		White	 7 RADIOACTIVE II	
Class 7	Radioactive Substances	 7 RADIOACTIVE III		
		Yellow II	Yellow III	



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<b>Class 8</b>	<b>Corrosive</b>	
<b>Class 9</b>	<b>Miscellaneous Dangerous Substances And Articles</b>	

## **SCHEDULE 4 APPLICABLE INTERNATIONAL CONVENTIONS**

The Conventions referred to in Byelaws 8.2 and 10.2 are as follows:

- The SOLAS Convention;
- The Load Lines Convention;
- The MARPOL Convention;
- The International Convention on Tonnage Measurement of Ships, 1969, as amended;
- The Convention on The International Regulations for Preventing Collisions at Sea, 1972, as amended;
- The International Convention on Standards of Training, Certification and Watch-keeping for Seafarers, 1978, as amended;
- The International Convention for Safe Containers, 1972, always as amended;
- The ILO Code of Practice on Safety and Health in Ports, 2005, as amended;
- The ILO Code of Practice on Accident Prevention on Board Ship at Sea and in Port, 2nd Edition 1996, as amended;
- The ILO C185 Seafarer's Identity Documents Convention (Revised), 2003, as amended;
- The ILO and IMO Code of Practice on Security in Ports, 2004, as amended;
- The Kuwait Regional Conventions for Cooperation on The Protection of The Marine Environment from Pollution, 1978, including The Protocols related Thereto, as amended;
- The International Convention on Maritime Search and Rescue, 1979, as amended;
- The Maritime Labour Convention, 2006, as amended;
- Any further convention with respect to security, safety or environment protection adopted by The IMO or ILO or any related international organisation, after the coming into effect of these Regulations; and
- The International Safety Management Code.

## SCHEDULE 5 REQUIRED DOCUMENTS

The documents referred to in Byelaw 7.4 are as follows:

Section 1 All Ships	Reference
International Tonnage Certificate (1969)	Tonnage, Article 7
International Load Line Certificate	LL Convention, Article 16, 1988 LL Protocol, Article 18
International Load Line Exemption Certificate	LL Convention, Article 6, 1988 LL Protocol, Article 8
Intact Stability Booklet	SOLAS 1974, Regulation II-1/22 and II-1/25-8, 1988 LL Protocol, Regulations 10
Damage Control Plans Booklets	SOLAS 1974, Regulations II-1/23, 23-1,25-8, MSC/Circ.919
Minimum Safety Manning Document	SOLAS 1974 (2000 amendments), Regulation V/14.2
Fire Safety Training Manual	SOLAS 1974 (2000 amendments), Regulation II-2/15.2.3
Fire Control Plan/Booklet	SOLAS 1974 (2000 amendments), Regulation II-2/15.2.4
Onboard Training and Drills Record	SOLAS 1974 (2000 amendments), Regulation II/15.2.2.5
Fire Safety Operational Booklet	SOLAS 1974 (2000 amendments), Regulation II-2/16.2
Certificates for Master, Officers or Ratings	STCW 1978, Article VI, Regulation I/2 STCW Code, section A-I/2
International Oil Pollution Prevention Certificate	MARPOL 73/78, Annex I, Regulation 5
Oil Record Book	MARPOL 73/78, Annex I, Regulation 20
Shipboard Oil Pollution Emergency Plan	MARPOL 73/78, Annex I, Regulation 26
International Sewage Pollution Prevention Certificate	MARPOL 73/78, Annex IV, Regulation 5

## SCHEDULE 6 ACTIVITIES

The activities referred to in Byelaw 8.5 are as follows:

Column 1	Column 2	Column 3	Column 4
Activity	Authorisation by posted signs or forms	Authorisation to a person	Prohibited
An oil transfer operation, a chemical transfer operation or liquefied gas transfer operations between ships			X
A liquefied natural gas (LNG), liquefied petroleum gas (LPG), or gas vapour transfer			X
Excavating or removing any material or substance		X	
Conducting a dredging operation		X	
Setting off a flare or other signalling device			X
Placing or operating a light or day marker		X	
Placing, altering, removing or relocating an aid to navigation buoy, mooring, float, picket mark or sign		X	
Casting adrift a Vessel, log or other object			X
Building, placing, rebuilding, repairing, altering, moving or removing any structure or work on, in, over, under, through or across land or water		X	

## SCHEDULE 7 CERTIFICATES AND EXEMPTIONS

The certificates and exemptions referred to in Byelaw 8.5 are as follows:

Section 1 All Ships	Reference
International Tonnage Certificate (1969)	Tonnage, Article 7
International Load Line Certificate	LL Convention, Article 16, 1988 LL Protocol, Article 18
International Load Line Exemption Certificate	LL Convention, Article 6, 1988 LL Protocol, Article 8
Intact Stability Booklet	SOLAS 1974, Regulation II-1/22 and II-1/25-8, 1988 LL Protocol, Regulations 10
Damage Control Plans Booklets	SOLAS 1974, Regulations II-1/23, 23-1,25-8, MSC/Circ.919
Minimum Safety Manning Document	SOLAS 1974 (2000 amendments), Regulation V/14.2
Fire Safety Training Manual	SOLAS 1974 (2000 amendments), Regulation II-2/15.2.3
Fire Control Plan/Booklet	SOLAS 1974 (2000 amendments), Regulation II-2/15.2.4
Onboard Training and Drills Record	SOLAS 1974 (2000 amendments), Regulation II/15.2.2.5
Fire Safety Operational Booklet	SOLAS 1974 (2000 amendments), Regulation II-2/16.2
Certificates for Master, Officers or Ratings	STCW 1978, Article VI, Regulation I/2 STCW Code, section A-I/2
International Oil Pollution Prevention Certificate	MARPOL 73/78, Annex I, Regulation 5
Oil Record Book	MARPOL 73/78, Annex I, Regulation 20
Shipboard Oil Pollution Emergency Plan	MARPOL 73/78, Annex I, Regulation 26
International Sewage Pollution Prevention Certificate	MARPOL 73/78, Annex IV, Regulation 5
Garbage Management Plan	MARPOL 73/78, Annex V, Regulation 9
Garbage Record Book	MARPOL 73/78, Annex V, Regulation 9
Voyage Data Recorder System Certificate of Compliance	SOLAS 1974, Regulation V/18.8
Cargo Securing Manual	SOLAS 1974, (2000 amendments), Regulations VI/5.6 and VII/5; MSC/Circ. 745
Document of Compliance	SOLAS 1974, Regulation IX/4, ISM Code, paragraph 13
Safety Management Certificate	SOLAS 1974, Regulations IX/4, ISM Code, paragraph 13
International Ship Security Certificate (ISSC) or Interim International Ship Security Certificate	SOLAS 1974, (2002 amendments), Regulations XI-2/9.1.1, ISPS Code Part A, section 19 and appendices
Ship Security Plan and associated records	SOLAS 1974, (2002 amendments), Regulations XI-2/9, ISPS Code part A, section 9 and 10
Continuous Synopsis Record (CSR)	SOLAS 1974, (2002 amendments), Regulations XI-15
Maritime Labour Certificate	Maritime Labour Convention 2006
International Air Pollution Prevention Certificate	MARPOL 73/78, Annex VI Regulation 6
De-ratting Exemption Certificate	International Health Regulations, Article 53
Certificate of Competency and Ship's Flag Endorsements	STCW, Regulation 1/2

Section 2	In addition to certificates listed in Section 1, Passenger Ships shall carry:
Passenger Ship Safety Certificate <sup>1</sup>	SOLAS 1974, Regulation I/12, as amended by GMDSS amendments, 1988 SOLAS Protocol, Regulation I/12, (2000 amendments) appendix <i><sup>1</sup> This form of the Certificate may be found in the GMDSS amendments to SOLAS 1974</i>
Exemption Certificate <sup>2</sup>	SOLAS 1974, Regulation I/12, 1988 SOLAS Protocol, Regulation I/12 <i><sup>2</sup>SLS. 14/Circ. 115 and Add1 refers to the issue of exemption certificate.</i>
Special Trade Passenger Ship	STP 71 Rule 5, SSTP Rule 5
Special Trade Passenger Ship Safety Certificate, Special Trade Passenger Space Certificate	SOLAS 1974 (2000 amendments) Regulation V/7.3
Search and Rescue Cooperation Plan	SOLAS 1974 (2000 amendments), Regulation V/7.3
List of Operational Limitations	SOLAS 1974, (2000 amendments), Regulation V/30
Decision Support System for Master	SOLAS 1974, Regulation III/29

Section 3	In addition to certificates listed in Section 1 Cargo Ships shall carry:
Cargo Ship Safety Construction Certificate <sup>3</sup>	SOLAS 1974, Regulation I/12, as amended by the GMDSS amendments; 1988 SOLAS Protocol, Regulation I/12 (2000 amendments), Appendix <i><sup>3</sup>The form of the Certificate may be found in the GMDSS amendments to SOLAS 1974</i>
Cargo Ship Equipment Certificate <sup>4</sup>	SOLAS 1974, Regulation I/12, as amended by the GMDSS amendments; 1988 SOLAS Protocol, Regulation I/12 <i><sup>4</sup> The form of the Certificate and Record of Equipment may be found in the GMDSS amendments to SOLAS 1974</i>
Cargo Ship Radio Certificate <sup>5</sup>	SOLAS 1974, Regulation I/12, as amended by the GMDSS amendments; 1988 SOLAS Protocol, Regulation I/12/5 <i><sup>5</sup> The form of the Certificate and its Record of Equipment may be found in the GMDSS amendments to SOLAS 1974</i>
Cargo Ship Safety Certificate	1988 SOLAS Protocol, Regulations I/12 (2000 amendments), appendix
Exemption Certificate <sup>6</sup>	SOLAS 1974, Regulation I/12, 1988 SOLAS Protocol, Regulation I/12 <i><sup>6</sup> SLS.14/Circ. 115 and Add 1 refers to the issue of Exemption Certificate</i>
Document of Authorisation for the Carriage of Grain	SOLAS 1974, Regulation VI/9, International Code for the Safety Carriage of Grain in Bulk, section 13
Certificate of Insurance or Other Financial Security in Respect of Civil Liability for Oil Pollution Damage	CLC 1969, Article VII
Certificate of Insurance or Other Financial Security in Respect of Civil Liability for Oil Pollution Damage	CLC 1992, Article VII
Enhanced Survey Report	SOLAS 1974 (2002 amendments), Regulation XI-1/2; resolution A.744(18)
Record of Oil Discharge Monitoring and Control System for the last Ballast Voyage	MARPOL 73/78, Annex 1, Regulation 15(3)(a)
Cargo Information	SOLAS 1974, Regulation VI/2 and XII/10, MSC/Circ. 663
Bulk Carrier Booklet	SOLAS 1974, Regulation VI/7 and XII/8, Code of Practice for the Safe Loading and Unloading of Bulk Carriers (BLU Code)
Dedicated Clean Ballast Tank Operation Manual	MARPOL 73/78, Annex 1 Regulation 13A
Crude Oil Washing Operation and Equipment Manual (COW Manual)	MARPOL 73/78, Annex 1 Regulation 13B

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<b>Section 3</b>	<b>In addition to certificates listed in Section 1 Cargo Ships shall carry:</b>
Condition Assessment Scheme (CAS) Statement of Compliance , CAS Final Report and Review Record	MARPOL 73/78, Annex 1 (2001 amendments Resolution MEPC.95 (46), Regulation 13G, Resolution MEPC.94 (46)
Hydrostatical Balanced Loading (HBL) Operation Manual	MARPOL 73/78, Annex 1(2001 amendments) Resolution WEPC. 95 (46), Regulation 13G
Oil Discharge Monitoring Control (ODMC) Operation Manual	MARPOL 73/78, Annex 1(2001 amendments) Resolution WEPC. 95 (46), Regulation 13G
Subdivision and Stability Information	MARPOL 73/78, Annex 1, Regulation 25

<b>Section 4</b>	<b>Ships Carrying Noxious Liquid Substances In Bulk</b>
In addition to the Certificates listed in Section 1 and 3, where appropriate, any Vessel carrying Noxious Liquid Chemical Substances in Bulk shall carry:	
International Pollution Prevention Certificate for Carriage of Noxious Liquid Substances in Bulk (NLS Certificate)	MARPOL 73/78, Annex II, Regulations 11 and 12A
Cargo Record Book	MARPOL 73/78, Annex II, Regulations 9
Procedures and Arrangements Manual (P&A Manual)	Resolution
Shipboard Marine Emergency Plan for Noxious Liquid Substances	MARPOL 73/78, Annex II, Regulations 16

<b>Section 5</b>	<b>Chemical Tanker</b>
In addition to the Certificates listed in Section 1 and 3, where applicable, any Chemical Tanker shall carry:	
Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk	BCH Code, section 1.6, BCH Code as modified by resolution MSC. 18(58), section 1.6
Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk	BCH Code, section 1.5, IBC Code as modified by resolution MSC. 16(58), and MEPC. 40(29) section 1.5

<b>Section 6</b>	<b>Gas Carrier</b>
In addition to the Certificates listed in Section 1 and 3, where applicable, any Gas Carrier shall carry:	
Certificate of Fitness for the Carriage of Liquefied Gasses in Bulk	GC Code, section 1.6
International Certificate of Fitness for the Carriage of Liquefied Gasses in Bulk	IGC Code, section 1.5, IGC Code as modified by the resolution MSC. 17(58), section 1.5

<b>Section 7</b>	<b>High Speed Craft</b>
In addition to the Certificates listed in Section 1 and 2 or 3, where applicable, any High Speed Craft shall carry:	
High Speed Craft Safety Certificate	SOLAS 1974,Regulations X/3, 1994 HSC Code, section 1.8, 2000 HSC Code, section 1.8
High Speed Craft Safety Certificate	1004 HSC Code, section 1.9, 2000 HSC Code, section 1.9
Permit to Operate High Speed Craft	1004 HSC Code, section 1.9, 2000 HSC Code, section 1.9

<b>Section 8</b>	<b>Ships Carrying Dangerous Goods</b>
In addition to the Certificates listed in Section 1 and 2 or 3, where applicable, any Ship carrying Dangerous Goods shall carry:	
Documents of Compliance with the special requirements for Ships Carrying Dangerous Goods	SOLAS 1974, (2000 amendments), Regulation II-2/19.4

<b>Section 9</b>	<b>Ships Carrying Dangerous Goods In Packaged Form</b>
In addition to the Certificates listed in Section 1 and 2 or 3, where applicable, any Ship carrying Dangerous Goods In Packaged Form shall carry:	

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Dangerous Goods Manifest or Stowage Plan	SOLAS 1974, (2002 amendments), Regulation VII/4.5 and VII/7.2 MARPOL 73/78, Annex III, Regulation 4
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<b>Section 10</b>	<b>Ships Carrying INF Cargo</b>
In addition to the Certificates listed in Section 1 and 2 or 3, where applicable, any Ship carrying INF shall carry:	
International Certificate for Fitness for the Carriage of INF Cargo	SOLAS 1974, Regulation VII/16, INF Code (resolution MSC.88 (71) paragraph 1.3

<b>Section 11</b>	<b>Nuclear Ships</b>
In addition to the Certificates listed in Section 1 and 2 or 3, where applicable, any Nuclear Ship shall carry:	
A Safety Certificate in place of the Cargo Nuclear Cargo Ship Safety Certificate or Nuclear Passenger Ship Safety Certificate or Passenger Ship Safety Certificate as Appropriate	SOLAS 1974, Regulation VIII/10

<b>Section 12</b>	<b>Other Certificates and Documents which are Not Mandatory</b>
Special Purpose Ships	
Special Purpose Ships Safety Certificate	Resolution A. 534(13) as amended by MSC/Circ.739. SOLAS 1974, Regulation I/12, 1988 SOLAS Protocol, Regulation I/12
Offshore Support Vessels	
Certificate of Fitness for Offshore Support Vessels	Resolution A. 673(16), MARPOL 73/78, Annex II, Regulation 13(4)
Diving Systems	
Diving System Safety Certificate	Resolution A. 536(13) section 1.6
Dynamically Supported Craft	
Dynamically Supported Craft Construction and Equipment Certificate	Resolution A. 373(X), section 1.6
Mobile Offshore Drilling Units	
Mobile Offshore Drilling Unit Safety Certificate	Resolution A. 414(XI), section 1.6, Resolution A. 649(16), section 1.6, Resolution A.649(16) as modified by resolution MSC.38(63), section 1.6
Wing-In-Ground (WIG) Craft	
Wing-in-Ground Craft Safety Certificate	MSC/Circ.154, section 9
Permit To Operate WIG Craft	MSC/Circ. 1054, section 10
Noise Level	
Noise Survey Report	Resolution A. 468(XII), section 4.3



## SCHEDULE 8 NON-COMPLIANCE TARIFF

The Offences and level of penalty referred to in Byelaw 13.2 are as follows:

Byelaw Reference	Offence	Penalty Level
3.7.1	Failure to comply with direction issued by Harbour Master	2
4.2.3	<p>The conduct of any of the following activities other than under the authority of ADPC</p> <ul style="list-style-type: none"> <li>• Conduct a diving operation;</li> <li>• Carry out hot work;</li> <li>• Conduct salvage operations;</li> <li>• Place, store, handle or transport Dangerous Goods, industrial waste or pollutants;</li> <li>• Bunker or fuel;</li> <li>• Excavate or remove material or substance;</li> <li>• Conduct a dredging operation;</li> <li>• Place or operate a light or day marker;</li> <li>• Place, alter, remove or relocate an aid to navigation, buoy, mooring, float, picket mark or sign.</li> </ul>	2
4.3.1	<p>The conduct of any of the following prohibited activities:</p> <ul style="list-style-type: none"> <li>• Endangering a person's health or a person's, Port's, Vessel's or property's security or safety;</li> <li>• Interfering with navigation, towage, manoeuvring, berthing or mooring;</li> <li>• Obstructing any land or water area;</li> <li>• Hindering or obstructing an activity authorized by ADPC;</li> <li>• Reducing the depth of the waters of the Port or its approach thereto;</li> <li>• Causing damage to persons, ships, cargoes, vehicles, baggage or any other property;</li> <li>• Emitting agents polluting or otherwise reducing the quality of a Port's soil, water or air;</li> <li>• Interfering with or adversely affecting Port operations or the property managed by ADPC, the Terminal Operator or by any contracted or licensed port operators.</li> </ul>	2

Byelaw Reference	Offence	Penalty Level
4.3.3	The conduct of any of the following activities: <ul style="list-style-type: none"> <li>• The release or transshipment of refuse or other similar material or substance;</li> <li>• The carrying out of an oil transfer operation, a chemical transfer operation or a liquefied gas transfer operation between Vessels;</li> <li>• Carrying out a liquefied natural gas (LNG), liquefied petroleum gas (LPG) or gas transfer;</li> <li>• The setting off a flare or other signaling device other than in an emergency;</li> <li>• Casting adrift a Vessel, log or other object.</li> </ul>	2
6.2.8	The supply of erroneous information to ADPC	2
6.3.3	Failure to report an Incident	1
6.5.4	Failure to comply with a direction issued by a VTS	2
6.5.5	Failure to obtain clearance from a VTS where required to do so	1
6.6.4	Failure to secure the services of a Licensed Pilot where required to do so	1
6.7.15.1	Failure to inform the Harbour Master prior to the commencement of a Vessel movement	2
6.7.15.2	Failure to ensure adequate towing lines can be attached to enable a Vessel to be towed from its berth, mooring or anchorage	2
6.7.15.3(a)	A Vessel undertaking a manoeuvre in Port without the service of tugs	2
6.7.15.3(b)	The use of tugs to manoeuvre a Vessel in Port from a tug service provider not licensed by ADPC	2
6.7.15.3(c)	A Vessel undertaking a manoeuvre in Port other than with full engine power available	2
6.7.15.4	Non-fitment of rat guards whilst a Vessel is alongside berth	1

Byelaw Reference	Offence	Penalty Level
6.8.4.1(a)	Master or his qualified representative not onboard a Vessel	1
6.8.4.1(b)	Insufficient crew present for the normal operation of a Vessel	2
6.8.4.1(c)	Failure to maintain a Vessel in a state of readiness	2
6.8.4.2	Irresponsible behaviour in Port by the crew of a Vessel	1
6.8.4.3	Failure to report a disagreement onboard to the Harbour Master	1
7.2.2	Failure to comply with the Regulations for the Safe Transport, Handling and Storage of Dangerous Goods'	2
7.3.4.1	Failure to ensure the information required by Byelaw 7.31 is immediately available	1
7.3.4.2	Failure to ensure the information required by Byelaw 7.31 is at a safe distance from the Dangerous Goods or marine pollutants to which it refers	1
7.4.10.1	Failure to comply with a direction issued by the Harbour Master, Notice issued by ADPC or instruction given by an Authorised Person in relation to dangerous or polluting substances	2
7.4.10.2	Bringing dangerous substances or marine pollutants into a Port that are not properly stowed, separated, labelled or marked in accordance with the requirements of Byelaw 7.48	2
7.4.11	The transport, handling or storage of Dangerous Goods with a quantity exceeding that set out in Schedule 3 to these Byelaws	2
7.4.12	Failure by a Port Facility Operator to ensure the safe movement and storage of Dangerous Goods or marine pollutants in a Port	3
7.5.5	Undertaking cargo operations in a Port, or the approach thereto, without an agreement, in writing, with ADPC, or with a Terminal Operator licensed or contracted by ADPC	2

Byelaw Reference	Offence	Penalty Level
7.5.6	The provision of a cargo operations service in a Port without a Licence or contract issued by ADPC	3
8.2.4.1	The operation of a Vessel in a Port that does not comply with the minimum standards set out in Schedule 4 to these Byelaws	2
8.2.4.2	Failure of a Vessel to carry the documents set out in Schedule 5 to these Byelaws	1
8.3.6.1	Operation of a vehicle on Port Property at a speed exceeding the limit posted on signs	1
8.3.6.2	Failure of a vehicle to obey the instructions on any sign posted on Port Property or given by an Authorised Person	18.38
8.3.8	Failure to ensure the safe loading, stowage and lashing of vehicles onboard a Vessel	2
8.4.2	Failure to notify the Harbour Master of an incident specified in Byelaw 8.41	1
8.5.6.1	Failure to follow any fire protection and prevention measures taken and instructions given by ADPC, the Terminal Operator, an Authorised Person or the pertinent fire fighting or safety authority	2
8.5.6.2	<p>Any person who may or may likely cause a dangerous situation who fails to:</p> <ul style="list-style-type: none"> <li>• Hold valid insurance to cover the risk of causing a dangerous situation and the damages that may occur as a result thereof and that holds harmless ADPC and any third party against such damage;</li> <li>• Establish measure to prevent accidents or station a person at the site of a dangerous situation to warn of the danger and to prevent injury to persons or damage to Vessels or property;</li> <li>• Notify the Harbour Master without delay as to the nature of the dangerous situation and the precautions that have been taken and their location.</li> </ul>	1

Byelaw Reference	Offence	Penalty Level
8.5.6.3	<p>For a situation that causes or is likely to cause death, bodily injury or if any other emergency situation in a Port damages or is likely to damage Vessels, property or the environment does not, failure to:</p> <ul style="list-style-type: none"> <li>Without delay, through any means of communication, notify the Harbour Master or the emergency situation;</li> <li>Submit, as soon as possible, a detailed report of the emergency situation to ADPC;</li> <li>Submit to ADPC a copy of each report of the emergency situation that a person may make to a court, or the Federal or Amiri authorities</li> </ul>	1
8.5.6.4	Doing anything resulting in an accident involving loss, damage, explosion, fire, accident, grounding, stranding or Pollution and failure to submit, as soon as possible, a detailed written report of the incident to ADPC.	2
8.6.3	Failure to cease an activity when instructed to do so, or take precautions as directed by the Harbour Master or an Authorised Person	2
8.7.1.3.1	Failure to ensure compliance of a Vessel crew with the occupational safety and health regulations for merchant ships issued by the competent administration of the Government the Vessel is entitled to fly the flag	1
8.7.1.3.2	Failure to place a copy of the occupational safety and health regulations in a prominent place on a Vessel accessible and in a language understood by each member of the crew	1
8.7.1.3.3	Failure to provide occupational safety and health information and instructions for the crew as required under Byelaw 8.7.12 and comply with the duties of the employer under the Port Regulations	1
8.7.2.5.1(a)	Failure to maintain a safe working environment	2
8.7.2.5.1(b)	Failure to maintain plant and substances in a safe condition	3
8.7.2.5.1(c)	Failure to maintain safe systems of work	2

Byelaw Reference	Offence	Penalty Level
8.7.2.5.1(d)	Failure to maintain in an adequate condition accommodation, eating, recreational or other facilities for the welfare of employees at any workplace	2
8.7.2.5.1(e)	Failure to provide such information, instruction, training and supervision necessary to ensure that each employee is safe from injury and risks to health	2
8.7.2.5.2	Failure to establish a safety and health plan	3
8.7.2.5.3	Failure to monitor the health and welfare of employees to prevent work injuries	3
8.7.2.5.4	Failure to keep records relating to work-related injuries and retain records for a period as determined by ADPC	1
8.7.2.5.5	Failure to provide information to employees, in their languages, in relation to safety and health in the workplace, including the name(s) of safety representative(s) to whom employees can make inquiries about occupational safety or health	2
8.7.2.5.6	Failure to ensure an employee undertaking hazardous work receives proper information, instruction, training and supervision before he commences and while at work	2
8.7.2.5.7(a)	Failure to ensure that any employee at risk through a change in the workplace, in any work or work practice, in any activity or process, or working with any plant receives proper information, instruction and training before the change occurs	2
8.7.2.5.7(b)	Failure to ensure that any employee at risk through a change in the workplace, in any work or work practice, in any activity or process, or working with any plant receives such supervision as is necessary to ensure his health and safety	2
8.7.2.5.8	Failure to ensure that a manager or supervisor is provided with such information, instruction and training to ensure that each employee under his supervision is, while at work, safe from injury and risks to health	2
8.7.2.5.9	Failure to monitor working conditions at any workplace	1

Byelaw Reference	Offence	Penalty Level
8.7.2.5.10	Failure to have in place, properly maintained and ready for immediate use protective clothing, safety and emergency equipment and devices and first aid facilities for the protection, treatment and transport of persons	3
8.7.2.5.11	Failure to submit a safety and health plan to ADPC for approval	3
8.7.3.5.1	Failure of a person to take reasonable care to protect his own safety and health, and to avoid adversely affecting the safety or health of any other person through an act or omission at work	1
8.7.3.5.2	Failure to use equipment provided for safety or health purposes	1
8.7.3.5.3	Failure to obey instructions of an employer in relation to safety or health at work	1
8.7.3.5.4	Failure to comply with any workplace policy as may be approved by ADPC	1
8.7.3.5.5	Consumption of medicine or narcotics by a person, in a state endangering his safety at work or the safety of other persons at work	2
8.7.3.6.1(a)	Failure to make available information relating to occupational safety and health to an employee in a language and form that the employee is expected to understand	2
8.7.3.6.1(b)	Failure to provide instruction or training in a language the employee is expected to understand	2
8.7.3.6.2	Failure to ensure that employees are aware of the requirements of Byelaws 8.7.31 and 8.7.32.	2
9.2.4.1	Accessing a Port area without obtaining a permit from ADPC	2
9.2.4.2	Failure to obey the instructions on signs posted and respect the function of barriers established by ADPC, the Terminal Operator or the Port Facility Operator	1
9.3.3	Failure of a Vessel to ensure compliance with the security requirements of SOLAS 74	2

Byelaw Reference	Offence	Penalty Level
9.3.4	Failure of a Port Facility to comply with the security requirements for port facilities of SOLAS 74	3
9.4.6	The supply of erroneous information to ADPC or the Terminal Operator in relation to a request to enter Port under Byelaws 9.4.1	2
10.2.3.1	A vessel identified as being the source of Pollution	4
10.3.2	Non-compliance with the pertinent Conventions set out in Schedule 4 to these Byelaws	2
10.3.1.3	Failure to make available adequate facilities for the receipt and disposal of Vessel-generated waste	2
10.3.2.8.1	Failure to implement a waste reception and handling plan for each Port Facility	2
10.3.2.8.2	Failure to ensure a waste handling plan is developed in a regional context	2
10.3.2.8.3	Failure to separate waste materials at source where this is reasonably practicable	2
10.3.2.8.4	Failure to publish a waste handling plan and notify it to all persons affected by it	2
10.3.3.4.1	Failure to notify ADPC, the Terminal Operator or Port Facility Operator, as appropriate, in respect of the collection of waste	2
10.3.3.4.2	Failure to make all necessary arrangements for the collection of waste with the Terminal Operator or Port Facility Operator	1
10.3.3.4.3	Failure to make available to the Harbour Master or to an Authorised Person the notification made by a Vessel for its previous port of call or the unified certificate of conformed receipt of waste issued by a waste reception facility operator	1
10.3.6.3	Failure to provide evidence of a valid Protection and Indemnity (P&I) club membership contract	1
11.3.3	Failure to provide for inspection the documents specified in Schedule 7 to these Byelaws	1



<b>Byelaw Reference</b>	<b>Offence</b>	<b>Penalty Level</b>
11.4.3.1	Failure to provide ADPC and the concerned Government entities of an advance message according to the uniform reporting forms in Schedule 2 to these Byelaws	1
11.4.3.2	Failure to have the required Vessel and passenger and baggage documents ready for prompt review	1
11.4.3.3	Failure to provide persons onboard with all necessary documentation for inspection	1
11.4.4	Failure to timely inform ADPC or the Terminal Operator, as appropriate, and provide measures and equipment necessary for the safe disembarkation, embarkation and transport of passengers, and for the convenient movement, collection and inspection of their baggage	2
12.2.3	Giving an order for a Vessel detained by ADPC to depart Port	2
12.2.4	Giving clearance to a Vessel to which a detention order is addressed	2
12.3.3	Performing a service or work in a Port without a licence issued by ADPC	2
13.3	Wilful damage of ADPC property	2
13.4	Non-defined offences	1