

**NIGERIAN PORTS AUTHORITY DOCKS AND
PREMISES BY-LAWS**

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NIGERIAN PORTS AUTHORITY DOCKS AND PREMISES BY-LAWS

[L.N. 135 of 1955.]

under section 51

[Commencement: 22nd December, 1955]

General

1. Short title

These by-laws may be cited as the Nigerian Ports Authority Docks and Premises By-laws.

2. Interpretation

(1) In these by-laws unless the context otherwise requires—

“**the Act**” means the Ports Act;

“**Authority**” means the Nigerian Ports Authority established under the provisions of the Act;

“**constable**” includes any officer of the Nigeria Police on duty within a port;

“**master**” means, when used in relation to any ship, the person having command or charge of the ship for the time being but does not include a pilot;

“**goods**” includes baggage, animals (whether alive or dead) and all other movable property of any kind whatsoever;

“**port**” means each of the places specified in the First Schedule to the Act and a place declared to be a port in pursuance of section 6 of the Act within the limits declared for the port in pursuance of paragraph (b) of subsection (1) of the said section 6;

“**vehicle**” means any vehicle other than a train or ship;

“**premises**” includes any office, shed, warehouse, building or other work belonging to or in the possession of the Authority other than a quay and shall include a shipyard belonging to or in the possession of the Authority;

[L.N. 82 of 1961.]

“**quay**” includes any quay, wharf, pier, jetty, breakwater, landing place, storage ground, road or open space belonging to or in the possession of the Authority;

“**ship**” includes any ship, vessel, tug, lighter, canoe or boat of any kind whatsoever, whether propelled by steam or otherwise or towed;

“**craft**” includes barges, lighters, boats and canoes.

(2) In relation to any port—

“**dock superintendent**” means a dock superintendent duly appointed by the Authority for that port and shall include any person authorised by the Authority to assist him;

“**harbour master**” means a harbour master duly appointed by the Authority for that port under section 44 of the Act and shall include any person authorised by the Authority to assist him.

Mooring of ships

3. Precautions against rats

(1) The master of every ship shall cause all ropes and mooring tackle used for securing such ship either to the shore or mooring buoys to be fitted with guards approved by the Authority to prevent rats passing from ship to the shore and he shall cause all empty cases, packages and barrels to be examined before landing to ensure that no rats are contained therein.

(2) No person shall, without the previous consent in writing of the harbour master, remove or cause or allow to be removed any rats (alive or dead) from any ship within a port.

Loading and discharging cargo

4. Tip, crane, etc., not to be used without permission

No person shall use or attempt to use any tip, crane, weighing machine, measure or other facility erected or provided by or belonging to the Authority in a port except by permission of the dock superintendent and in accordance with the terms and conditions and during the time allowed in that behalf to such person.

5. Goods not to be deposited without permission on or near edge of quay or beyond specified height

No person shall—

- (a) place or leave or cause to be placed or left upon or in a quay or premises any wagon, truck, carriage, vehicle or goods without the permission of the dock superintendent; or
- (b) place or leave any goods or cause the same to be placed or left upon a quay within a space of three feet from the edge or coping of the quay without such permission; or
- (c) deposit any goods upon or in a quay or premises to a greater height than that specified by the dock superintendent.

6. Dangerous, hazardous or poisonous goods

(1) The Authority may under the hand of its secretary, issue directions from time to time to control and regulate the loading, landing, storage and handling of Dangerous, hazardous or poisonous goods or substances from to or on the Authority's quays, docks or premises.

[L.N. 197 of 1960.]

Dangerous goods

(2) No person shall bring or cause or suffer to be brought or have in or upon the Authority's quays or premises any goods or substances listed as Dangerous in the Directions issued from time to time under these By-laws.

(3) Every person who shall bring or cause or suffer to be brought, whether by land or water, or have in or upon the Authority's quays or premises any goods or substances listed as Hazardous in the Directions issued from time to time under these By-laws, shall at all times keep and deal with the same and each portion, parcel, case or package thereof and cause the same respectively to be kept and dealt with in accordance with the conditions and instructions relating thereto as may be respectively contained in the said Directions.

Hazardous goods

(4) Shippers and importers of goods or substances listed as Poisonous in the Directions issued from time to time under these By-Laws shall give early notice to the appropriate Dock Superintendent of the intended shipment or importation of such goods.

7. Hydrants, etc., not to be obstructed

No person shall place or store goods upon any part of a quay or in any premises in such manner as to obstruct or delay the free access to or use of any hydrant or other appliance for the prevention of fire or any life-saving or first-aid equipment.

8. Deposit of refuse and old boats, etc., not to be left except in an approved place

No person shall deposit or cause to be deposited any trade or other refuse, rubbish or sweepings upon a quay or in premises other than upon or in such place as the dock superintendent may approve, neither shall any person leave upon any quay or in any premises

any old boat or any disused gear or materials without permission being first obtained from the dock superintendent.

9. Provision of exits and ventilation whilst coaling

The master of a ship loading coal or other bulk cargo in bunkers, holds or other enclosed space in the ship shall ensure proper ventilation and adequate means of escape for the men engaged in trimming.

Prevention of fire

10. Fire, naked lights, heating pitch, etc.

No person shall without the permission of or contrary to the direction of the dock superintendent, heat any pitch, tar, tallow or other inflammable matter upon a quay or in premises, or have or allow any fire, or naked light on any place other than for the immediate ignition of any authorised light or fire or, subject to by-law 11, for the purpose of smoking.

11. Smoking

No person shall smoke upon or in a quay or premises except in such places as may be approved by the Authority.

Admission of persons to quays, wharves and premises and their conduct whilst therein

12. Trespassers on Authority property

No person shall enter or remain in a lighthouse lookout or signal station in a port without the consent of the harbour master or loiter or remain upon or in a quay or premises without the consent of a duly authorised officer of the Authority.

13. Interrogation of persons upon or in a quay or premises

Any person upon or in or seeking access to a quay or a premises or any ship in a port shall, if so requested by the dock superintendent or constable on duty, state truly his name and address and the nature and place of his business therein or thereon or his purpose therein or thereon or in seeking access thereto and any such person who fails to satisfy the dock superintendent or the constable that he is a member of a ship's crew or employed on dock labour shall, if so requested, produce for inspection by the dock superintendent or the constable any pass or other authority which may have been issued to him by or on behalf of the Authority.

14. Gate passes

No person carrying or having upon or with him or upon or in any conveyance any goods shall leave or attempt to leave a quay or premises unless and until he has obtained the requisite pass to take such goods and has lodged such pass with the dock superintendent or constable on duty at the gate through which he is to pass out of the limits of the port.

15. Persons suffering from infectious or contagious disease, etc., not to enter a quay or premises without permission

A person suffering from any infectious or contagious disease or disorder shall not, except by special permission of the dock superintendent, enter or remain or be upon or in or about a quay or premises.

16. Intoxicated or disorderly persons

No person shall enter or be upon or in a quay or premises in a state of intoxication or use any threatening, abusive, indecent, obscene, profane or offensive language or conduct himself in a riotous, disorderly, indecent or offensive manner or use language or behave in such manner as is calculated to cause a disturbance or breach of the peace or molest or wilfully interfere with the comfort or convenience of other persons being upon or in such quay or premises.

17. Gambling or loitering in a quay or premises

No person shall enter or be or remain in or about a quay or premises for the purpose of bookmaking, gaming, betting or wagering or agreeing to bet or wager with any other person, or play or gamble with cards or by other means, or without lawful excuse, the proof whereof shall lie on the person charged, loiter upon a quay or in premises.

18. Restriction on photograph

No person shall take any photograph on or within a quay or premises of the Authority except by the special permission of the secretary of the Authority or other authorised officer of the Authority who shall for the purpose issue a special permit on application.

[L.N. 62 of 1964.]

19. Removal of offenders from the quay or premises

Any person infringing or not observing by-law 15, 16, 17 or 18 may, without prejudice to the penalty prescribed, be removed from the quay or premises.

[L.N. 62 of 1964.]

20. Obstructing the Authority's servants and others

No person shall obstruct, impede, molest or interrupt the harbour master or the dock superintendent or other officer, workman, agent or person whomsoever employed by the Authority in the performance of his duty or in the execution of any of the work, matters or things to be done by him.

21. Nuisances

No person shall commit a nuisance of any kind upon or in a quay or premises.

22. Breaking fences

No person shall break or get over, through or under any railway or divisional or boundary fences within or bounding a port.

23. Interfering with fire, lighting or other appliances

No person shall, without being duly authorised by the dock superintendent, open or shut any fire hydrants or taps, or move or interfere with any fire, lighting, lifesaving, first aid or other appliances used or being in or about a quay or premises, or wilfully or negligently damage or interfere with any lights or signals exhibited within a port.

24. Interfering with bridges, cranes, machinery, etc.

No person shall, without being duly authorised by the dock superintendent, open, draw or shut or cause to be opened, drawn or shut any sluice, tunnel or bridge within a port or shall, without being so authorised as aforesaid, set in motion, move or interfere with or obstruct or impede the use of any crane, movable property, gear or machinery used upon or in a quay or premises.

25. Throwing missiles, discharging firearms or using fireworks or explosives

No person shall upon or in a quay or premises throw missiles or discharge any catapult or have or discharge any loaded gun or other firearm except for the firing of salutes nor, without the permission in writing of the Authority, use or ignite any firework or other explosive substance.

26. Holding meetings, etc.

No person shall hold any general or open meeting upon or in a quay or premises or collect or deliver any address to any audience or gather or collect together any persons whereby work or business on or the control, management or ordinary use of the quay or premises is likely to be obstructed, impeded or hindered or a breach of the peace created.

27. Posting bills, etc.

No person shall post up or exhibit or cause to be posted up or exhibited upon or in a quay or premises any bill, placard or notice unless so authorised by the dock superintendent.

28. Giving intoxicating liquor to Authority's servants

No master, officer, lighterman or member of the crew of a ship alongside a quay or any other person upon or in a quay or premises shall give or sell intoxicating liquor to any of the servants of the Authority.

29. Sale of intoxicating liquor

No person shall sell or cause to be sold any intoxicating liquor upon or in a quay or premises except with the permission of the Authority and in such place as the Authority may authorise.

30. Moving railway trucks, etc.

No person other than a person having charge thereof shall, without the permission of the dock superintendent, move a railway engine, wagon, truck, carriage or vehicle on any lines of a railway belonging to or operated by the Authority.

31. Walking, etc., on railways

No person other than a servant of the Nigerian Railway Corporation acting in accordance with his duties shall, without being duly authorised by the dock superintendent, walk, stand or be upon the lines of a railway belonging to or operated by the Authority or the space required for the working thereof or cross such lines of railway at places other than those appointed to be used as crossings.

32. Cycling

No person shall cycle on a quay except with the permission of the dock superintendent and at his or her own risk entirely.

33. Selling of articles of merchandise, etc., and touting

No person except a tenant of the Authority or a person duly authorised by the dock superintendent in that behalf shall, upon, in or about a quay or premises, retail or offer for sale any article of merchandise whatsoever or tout or ply for or solicit custom or employment of any description, nor shall any person upon, in or about a quay or premises retail or offer for sale any food or refreshments except a person licensed so to do by the Authority and then only in accordance with the terms of such licence.

Animals, vehicles and drivers

34. Owner's name on vehicles

No person shall bring a vehicle to a quay or drive a vehicle thereon unless the name and address of the owner is clearly exhibited on the side of the vehicle or declared to the dock superintendent.

35. Drivers to obey orders when in charge of engines, vehicles, etc.

The driver or person in charge of any railway engine, wagon, truck, carriage or vehicle (whether drawn or propelled by mechanical means or otherwise) or of any horse, beast of burden or any animal shall at all times while upon or entering or leaving a quay obey the directions or requirements of the dock superintendent in that behalf with respect to the loading, unloading, placing, moving, management and removal of such railway engine, wagon, truck, carriage, vehicle, horse, beast of burden or animal.

36. Engines, horses, etc., or vehicles not permitted to be or remain on quay unattended or longer than necessary

No person shall, without the permission of the dock superintendent, have or permit any railway engine, wagon, truck, carriage or vehicle (whether drawn or propelled by mechanical means or otherwise), horse, beast of burden, or animal to be or remain upon or in a quay or premises unattended or for a longer time than is necessary for the loading or unloading of goods and necessary documentation in connection therewith or for the taking up or setting down of passengers.

37. Speed of vehicles in a port

A person driving a vehicle in a port shall drive the same at all times with due care and caution and shall not drive the vehicle at a speed exceeding five miles per hour along a

quay or exceeding twenty miles per hour along a road belonging to or under the control of the Authority.

Penalty for breach of By-laws

38. Penalty

Any person doing anything prohibited by any of these By-laws or omitting to do anything required by them to be done or otherwise offending against or committing a breach against any of these By-laws shall be liable for every such offence to a penalty not exceeding ₦100 and in the case of a continuing offence to a further penalty not exceeding ₦10 for each day during which the offence continues.