



**Galway County Council  
(Inishbofin Harbour & Cleggan Harbour)**

**Explosives Bye-Laws 2006**

**To be made by Galway County Council  
with the sanction of the Minister for Justice,  
Equality and Law Reform.**

Galway County Council being the Harbour Authority for Inishbofin Harbour & Cleggan Harbour in exercise of the powers conferred on it by Section 34, 38 and 39, of the Explosives Act, 1875, as adopted, hereby, with the sanction of the Minister for Justice, Equality and Law Reform make the following Bye-laws for Inishbofin Harbour & Cleggan Harbour.

1. (1) These Bye-laws may be cited as the  
Galway County Council (Inishbofin Harbour & Cleggan Harbour) Explosives Bye-Laws 2006
  
- (2) These Bye-laws shall come into operation on the eighteenth day of April, 2006.
  
- (3) These Bye-Laws shall apply within the limits of Inishbofin Harbour & Cleggan Harbour as defined in the First Schedule attached hereto, and shall apply to all explosives except
  - (a) Explosives in any Hazard Division where the quantity of explosives does not exceed 10kgs and
  - (b) Explosives carried in an Irish or Foreign Warship.
  
- (4) The Interpretation Act, 1937 (No. 38 of 1937), applies to these Bye-laws.

2. (1) In these Bye-laws -

"Designated Berth" means the berth at Cleggan Harbour or Inishbofin Harbour as indicated in the First Schedule attached to these byelaws signed by the Government Inspector of Explosives, designated for the handling, loading and unloading of explosives in accordance with the conditions laid down in the Fourth Schedule attached hereto;

"Division" means a Hazard Division specified in the Second Schedule;

"Explosives" means Class I explosives as classified in the manual published by the United Nations Organisation and entitled "Eleventh Revised Edition of the Recommendations prepared by the United Nations Committee of Experts on the Transport of Dangerous Goods" (ISBN 92-1-139067-2) or a later edition thereof which is in substitution for and not an alternative to the edition aforesaid;

"Explosives Officer" means a person appointed pursuant to Bye-Law 7 hereof;

"Group" means a Compatibility Group specified in the Third Schedule;

"Harbour" means the Port and Harbour of Inishbofin, or the Port and Harbour of Cleggan as defined in the First Schedule attached hereto.

"Authorised Officer" means an authorised person appointed in writing by the Galway County Council pursuant to the Maritime Safety Act 2005;

“Master”, in relation to a Ship, means the person having command, management or charge of the Ship for the time being, but does not include the pilot;

“Passenger Ship” means a ship which has more than 12 passengers on board at the relevant time.

"Protected Area" means the area within either Inishbofin Harbour or Cleggan Harbour outlined in red on each of the respective maps referred to and contained in the First Schedule attached hereto where the Designated Berth or a Ship within which Explosives are handled in the course of loading onto or unloading from a Ship or Vehicle and the boundary of which is not less than 10 metres from the Explosives;

“Ship" includes any description of vessel or boat used in navigation;

“Vehicle” includes any “mechanically propelled vehicle” as defined in accordance with the terms of the Road Traffic Act, 1961 in addition to any towed item such as a trailer;

"E.E.D." means a one-shot explosive or pyrotechnic device caused to function by the application of electrical energy.

- (2) In these Bye-laws a reference to the weight of Explosives is a reference to the net weight of the Explosives excluding packaging or inert parts thereof.

- (3) In these Bye-laws -
- (a) a reference to a Bye-law or Schedule is a reference to a Bye-law of or Schedule to these Bye-laws, and
  - (b) a reference to a paragraph or subparagraph is a reference to a paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.
3. No provision of these Bye-laws specifying maximum quantities of Explosives shall apply to explosives in Division 1.4.
4. (1) (a) Subject to subparagraph (b) the quantity of Explosives whether at the Designated Berth or a Ship at the Designated Berth or both, shall not exceed that specified (for the Division of Explosives concerned) in Table 1 of the Fourth Schedule attached hereto. The conditions stipulated in the Fourth Schedule must be observed:
- (b) Where Explosives at the Designated Berth or a Ship at the Designated Berth or both, include explosives in Group A, B or F, the aggregate quantity of the Explosives shall not exceed one-third of the quantity specified in the Fourth Schedule attached hereto unless -

- (i) the Explosives in each of the Groups concerned are separated from any other Explosives at the Designated Berth or a Ship at the Designated Berth or both, so as to prevent the communication of an explosion to those other Explosives, and
  - (ii) the quantity thereof in each Group does not exceed one-third of the quantity specified in Table 1 of the Fourth Schedule attached hereto.
  
- (2) Where Explosives in different Divisions are at the Designated Berth or on a Ship at the Designated Berth, then -
  - (a) for the purpose of applying the attached Second Schedule and subject to subparagraph (b), the Explosives, shall be deemed to be in the Division amongst them which comes highest in the following list, i.e. Division 1.1 (highest), 1.2, 1.3, 1.5, 1.6 and 1.4 (lowest), and
  - (b) if the Explosives consist of explosives in Division 1.5 and explosives in Division 1.2 or 1.6, all the explosives shall be deemed to be in Division 1.1.

- (3) Where there is a contravention of paragraph (1), the Explosives Officer shall be guilty of an offence.
- 5.
- (1) Explosives shall not be kept at the Designated Berth for a time longer than is reasonably necessary for loading them onto a Ship or Vehicle.
  - (2) Persons engaged in the carriage to or from the Designated Berth or the loading or unloading onto or from a Ship of Explosives shall act with all reasonable expedition.
  - (3) The designated berth shall not be used for the purpose of the loading or unloading of explosives onto or from ships for more than 50 days in a year.
  - (4) If the loading or unloading is interrupted for any reason, then upon the expiration of 3 hours from the time when the loading or unloading first commenced the Ship shall
    - (a) depart from the Designated Berth, and
    - (b) remain at a distance of not less than 300 metres from the Designated Berth and within the Harbour Jurisdiction as defined herein until such time as the loading or unloading can recommence without delay - unless the Authorised Officer gives

other directions. In such case the Gardai at Clifden Station should be informed immediately.

- (5) This Bye-law shall not apply to explosives which are in both Division 1.4 and Compatibility Group S.
  - (a) Where there is a contravention of paragraph (1), the Explosives Officer shall be guilty of an offence.
  - (b) A person who contravenes paragraph (2) shall be guilty of an offence.
  - (c) Where there is a contravention of paragraph (4), the Master of the Ship concerned shall be guilty of an offence.
6.
  - (1) The Master of the Ship or its agent shall give advance notification of the expected time of arrival at the Designated Berth of any Ship for the purpose of loading or unloading Explosives to the Authorised Officer, and to the member in charge at Clifden Garda Siochána as soon as is practicable but not later than 48 hours prior to that time.
  - (2) The Garda Siochána shall, where necessary, consult with the Authorised Officer and Explosives Officer, and inform them of any recommendations and precautions which they consider ought to be taken to protect Explosives on the Designated Berth from loss or theft.



- (3) A person who contravenes paragraph (1) shall be guilty of an offence.
7.
  - (1) No Explosive shall be brought within the Harbour Jurisdiction or Protected Area unless and until there shall be appointed an Explosive Officer in respect of that Explosive.
  - (2) The Explosives Officer shall be appointed by the Galway County Council in their absolute discretion upon the application and nomination of the person in charge of the Explosive, and shall be a person who is competent to perform the functions conferred on him by these Bye-Laws efficiently and in accordance with best current practice.
  - (3) At all times the Explosive Officer shall be the servant or agent of the person who owns or is in charge of the Explosives. This Explosive Officer will be remunerated at all times by the owner or the person in charge of the Explosives.
  - (4) The Explosive Officer shall be accountable to the Authorised Officer of the Galway County Council and shall report to him.
  - (5) It shall be the duty of the Explosives Officer -

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- (a) to supervise generally the handling (including the loading and unloading onto and from Ships and Vehicles) and the transport of Explosives at the Designated Berth,
  - (b) to ensure generally the safety and security, as respects Explosives, of persons and property at or near the Designated Berth,
  - (c) to ensure that Explosives being held or transported as aforesaid are secure from loss or theft,
  - (d) to ensure compliance with Bye-law 5(3),
  - (e) To ensure that the handling (including the loading and unloading onto and from Ships and Vehicles) shall only take place when the Authorised Officer or his nominated representative(s) is present at the Designated Berth.
  - (f) To ensure a Garda presence before Explosives are unloaded.
- (6) The Explosives Officer may give directions for the purposes of paragraph (5); a person who fails or refuses to comply with a direction under this paragraph shall be guilty of an offence.

8. (1) A person handling or in charge of Explosives at the Designated Berth shall take reasonable precautions to secure the Explosives against loss or theft and shall comply with any directions given to him or her for that purpose by the Explosives Officer, the Authorised Officer (or his nominated representative(s)) or by a member of the Garda Síochána.  
  
(2) A person who contravenes paragraph (1) shall be guilty of an offence.
  
9. (1) The person who is in charge of Explosives may only put them into the charge of another person at the Designated Berth and he or she shall obtain from that other person a written receipt for the Explosives which shall be countersigned by the Explosives Officer. Notwithstanding any change in the person in charge of the Explosive the duty of the Explosive Officer in respect of such Explosive shall continue until the Explosives have left the Harbour Jurisdiction/Protected Area.  
  
(2) A person who contravenes paragraph (1) shall be guilty of an offence.
  
10. (1) Where Explosives on a Ship at the Designated Berth fall into the sea or are lost, the Master of the Ship and, where Explosives on the Designated Berth fall into the sea or are lost, the person in charge of the Explosives shall forthwith -  
  
(a) report the occurrence to the Explosives Officer, who shall in turn report the occurrence to the Authorised Officer,

- (b) take such steps subject to the directions of the Authorised Officer and Explosives Officer, as are reasonably practicable to recover the Explosives,
    - (c) if a member of the Garda Síochána is present at the Designated Berth, inform the member of the occurrence,
    - (d) if a member of the Garda Síochána is not so present, inform the member of the Garda Síochána in charge at Clifden Garda Síochána Station.
  - (2) A person who contravenes paragraph (1) shall be guilty of an offence.
11. (1) The Master of a Ship at the Designated Berth shall ensure that -
- (a) a competent person is present at all times when a magazine, hold or compartment of, or other place in, the Ship containing Explosives is open,
  - (b) only persons whose duties so require are permitted access to such a magazine, hold, compartment or other place,
  - (c) such magazine, hold, compartment or other place is secured against unauthorised entry at all times,
  - (d) a record is kept of Explosives loaded or unloaded onto or from the Ship,

- (e) packages containing Explosives are not opened on board the Ship, except in case of necessity,
- (f) such a magazine, hold, compartment or other place is not opened except for the purpose of loading or unloading Explosives onto or from the Ship or for any other essential purpose.
- (g) The Ship used for the carriage of Explosives shall comply with current IMDG and Department of Marine regulations regarding carriage of explosives, and shall be fit for the purpose.
- (h) Adequate fire fighting equipment shall be provided to deal with a fire on board the Ship.

(2) A person who contravenes paragraph (1) shall be guilty of an offence.

12 Notwithstanding anything contained in these Bye-Laws, the Statutory Provisions relating to Explosives shall apply. Where there has been a breach/or departure from any Statutory Provision, it shall be the duty of the Explosive Officer to inform the Authorised Officer.

13. (1) Explosives -

- (a) shall not be brought to the Designated Berth for loading onto a Ship unless the Ship is prepared and ready for such loading, and

- (b) shall not be unloaded from a Ship at the Designated Berth unless they are unloaded onto a Vehicle and the Vehicle is prepared and ready for such unloading.
- (2) Where any such loading or unloading has commenced, it shall proceed with due diligence.
- (3)
  - (a) Where there is a contravention of paragraph (1)(a) or (2), the person who is in charge of the Explosives and the Explosives Officer, shall each be guilty of an offence.
  - (b) Where there is a contravention of paragraph (1) (b), the Master of the Ship concerned and the Explosives Officer shall be guilty of an offence.
- 14.
  - (1) A Vehicle arriving at or departing from the Designated Berth for the purpose of loading or unloading Explosives shall comply with the directions of the Explosives Officer. Vehicles used for the transport of Explosives by road within the Protected Area shall comply with any Carriage of Dangerous Goods by Road Regulations in force at time of carriage.
  - (2) The Explosives Officer shall ensure that the minimum number of Vehicles required for the efficient loading or unloading of Explosives

onto or from a Ship are present on the Designated Berth at the same time.

- (3) Where there is a contravention of paragraph (1) the driver or other person in charge of the Vehicle concerned shall be guilty of an offence.

15. (1) When a Ship carrying Explosives or to be loaded with Explosives at the Designated Berth docks at the Designated Berth -

- (a) the Authorised Officer shall indicate, by means of notices, the Protected Area, and

- (b) the Master of the Ship shall indicate the Protected Area on the Ship.

- (2) A person shall not smoke or display a naked flame or carry out any activity likely to cause sparks in a Protected Area.

- (3) A person shall not bring into a Protected Area, matches, cigarette lighter, or an unapproved torch.

- (4) A person unless authorised to do so by the Explosives Officer shall not enter or bring a Vehicle into a Protected Area.

- (5) A person who contravenes paragraph (2) of this Bye-law shall be guilty of an offence.

16. During any period in which Explosives are being handled on the Designated Berth or a Ship at the Designated Berth, notices shall be displayed stating that -

**“This is a Protected Area”**

- (a) entry by persons or Vehicles into this area is prohibited except for persons and Vehicles authorised by the Explosives Officer.
- (b) Smoking, any exposed flame or any activity likely to cause sparks in this area, is prohibited. A person shall not bring matches, cigarette lighter, or unapproved flame into this area.
- (c) Footwear with metal nails, metal heels, or metal tips of any kind, shall not be worn by a person in or near this area.

**Persons in contravention of this Notice are in breach of Galway County Council (Inishbofin Harbour and Cleggan Harbour) Explosives Bye-laws 2006 and will be prosecuted.**

**Signed: Authorised Officer.**



17. (1) The driver or other person in charge of any Vehicle in which Explosives are to be conveyed to or from the Designated Berth shall ensure that the floor and interior thereof are maintained in a clean condition.
- (2) The Explosives Officer shall ensure that a Protected Area on the Designated berth is free from rubbish or waste.
- (3) A person who contravenes paragraph (1) or (2) shall be guilty of an offence.
18. (1) Subject to paragraph (2), loading or unloading of Explosives onto or from a Ship at the Designated Berth shall not be carried on between sunset and sunrise.
- (2) Paragraph (1) shall not apply if the Authorised Officer has given his or her prior consent in writing to such loading or unloading.
- (3) If there is a contravention of paragraph (1), the Master of the Ship concerned and the person in charge of the Vehicle concerned shall be guilty of an offence.
19. (1) A person shall not bring an E.E.D. onto the Designated Berth unless he or she has the approval of the Authorised Officer and Explosives Officer, and unless it is so constructed and packed as to be safe for carriage, that is to say, safe in a field of 10 watts per square metre for

frequencies between 30 megahertz and 790 megahertz and in a field of 100 watts per square metre outside those frequencies.

- (2) A person who contravenes paragraph (2) shall be guilty of an offence.
20. (1) Where a package or container containing Explosives breaks open or Explosives escape from their package or container at the Designated Berth or on a Ship at the Designated berth –
- (a) The person in charge of the Explosives shall inform the Authorised Officer and the Gardai at Clifden Garda Station.
  - (b) The Authorised Officer shall immediately report the matter to the Garda Siochána and the Clifden Fire Brigade.
  - (b) the Explosives Officer shall -
    - (i) immediately stop all loading and unloading of Explosives at the Designated Berth,
    - (ii) ensure that all persons at the Designated Berth or at a place within 100 metres of the package or container and not required there for safety purposes, are evacuated from the Designated Berth or place,

- (iii) collect and repack or dispose of the Explosives, in accordance with best current practice,
    - (iv) if he considers it necessary to do so, consult with such persons as are immediately available and he considers appropriate,
    - (v) make a record of any deficiency in the quantity of recovered Explosives,
  - (2) A person who contravenes paragraph (1) (a) shall be guilty of an offence.
21. (1) Footwear with metal nails, metal heels or metal tips of any kind shall not be worn by a person in or near a Protected Area.
- (2) A person who contravenes paragraph (1) shall be guilty of an offence.
22. (1) Fire equipment at the Designated Berth shall be clearly marked and shall be so positioned as to ensure that Vehicles or cargo parked or stored on the Designated Berth do not cover, conceal or impede access to the fire equipment.

23. (1) Vehicles used for the transport of Explosives by road or on the Designated Berth shall be equipped with a fire extinguisher of a type and size suitable for extinguishing any fire in the Vehicle other than a fire involving Explosives or likely to involve Explosives.
- (2) Where there is a contravention of paragraph (1), the owner and the person in charge of the Vehicles concerned shall be guilty of an offence.
24. (1) Persons at the Designated Berth shall -
- (a) take all reasonable precautions to prevent fire at the Designated Berth,
  - (b) in the event of Fire, raise the alarm immediately by calling the Fire Brigade, Gardai and the Authorised Officer,
  - (c) take such immediate measures as are open to the person to fight, control and extinguish any fire at the Designated Berth, and
  - (d) obey any directions of a member of Clifden Fire Brigade in relation to a fire at the Designated Berth and provide all such assistance in fighting the fire as is reasonable in the particular circumstances.

- (2) A person who contravenes paragraph (1) shall be guilty of an offence.
25. (1) The Authorised Officer shall organise and supervise any action to be taken by the persons at the Designated Berth at the request of Clifden Fire Brigade in the event of fire at or in the vicinity of the Designated Berth or a Ship at or in the vicinity of the Designated Berth and shall be responsible for and shall put in place appropriate fire precaution measures at the designated berth.
26. Without prejudice to the generality of Bye-law 25, the Explosives Officer shall ensure -
- (a) that adequate and serviceable fire fighting equipment is available at the Designated Berth during loading/unloading of Explosives,
  - (b) that all persons designated to use the Fire Fighting Equipment at the Designated Berth are aware of the location of the equipment and trained to operate this equipment,
  - (c) that, in the event of a fire at the Designated Berth, persons not required for fire fighting or safety purposes are evacuated from the Designated Berth,

- (d) that measures and equipment proposed to be employed at the Designated Berth to prevent, control and extinguish fires are approved by the Chief Fire Officer of Galway County Council.

27. (1) A person in charge of Explosives within the Harbour Jurisdiction or Protected Area who becomes aware of a deterioration in the condition of the Explosives, or of any other change in relation thereto, that might significantly increase the risks attendant upon their transportation and handling at the Designated Berth shall immediately notify -

- (a) the Explosives Officer who in turn shall inform the Authorised Officer,
- (b) a member of the Garda Siochána at the Designated Berth or, if there is no such member present, the member of the Garda Siochána in charge at Clifden Garda Siochána Station,
- (c) the Clifden Fire Brigade,

of the deterioration or other change.

(2) A person who contravenes paragraph (1) shall be guilty of offence.

28. (1) The Explosives Officer shall keep a record of the Explosives handled at the Designated Berths and shall furnish a copy of same to the Authorised Officer.
- (2) The record shall include particulars of the type, quantity and condition of such Explosives, time and date, name of Ship, name of Master of Ship, identification of Vehicle, origin and destination of Explosives, and owner of Explosives.
- (3) Records kept under this Bye-law shall be preserved for not less than 5 years from the end of the year to which they relate.
29. (1) A person guilty of an offence under these Bye-laws shall be liable on summary conviction –
- (a) to a fine not exceeding Euro 25.00,
- (b) to a fine not exceeding Euro 12.00 for each day after the first on which the offence continues but not exceeding Euro 1,875.00 in total, and
- (c) to the forfeiture of any Explosives not exceeding in value of Euro 1,875.00 of which he is the owner and to which the offence related, but the aggregate of the fines or the fines and an

amount equal to the value of any Explosives forfeited under paragraph (c) shall not exceed Euro 1,875.00.

- (2) Where an offence under these Bye-laws is committed by a body corporate and is proved to have been so committed with the consent or connivance of, or to be attributable to any neglect on the part of, any person who, when the offence was committed was a director, manager, secretary or other officer of the body corporate, or a person purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of an offence and shall be liable to be proceeded against and punished as if that person was guilty of the first-mentioned offence.
  - (3) Proceedings in relation to an offence under these bye-laws may be brought and prosecuted by the Minister for Justice, Equality and Law Reform, Galway County Council or Authorised Officer.
30. The Authorised Officer shall be responsible for enforcing these Bye-Laws, and the Explosives Officer shall ensure that the provisions of these Bye-laws are brought to the notice of all persons employed in the loading or unloading of Explosives onto or from a Ship at the Designated Berth.



**FIRST SCHEDULE**

**Part 1: Inishbofin Harbour.**

<p>i) Protected Area is shown on the attached drawing as the area bounded in red.</p> <p>ii) Designated Berth is as shown on the attached drawing 1.0.</p> <p>iii) Harbour Jurisdiction is shown on the attached drawing as the area bounded by the points A, B, C and the high water mark north-east of these points.</p> <p>iv) Points A, B and C are defined below.</p>		
Point	LATITUDE (NORTH)	LONGITUDE (WEST)
A	53° 36' 21"	10° 11' 37"
B	53° 36' 16"	10° 14' 38"
C	53° 36' 42"	10° 14' 05"

**Part 2: Cleggan Harbour.**

<p>i) Protected Area is shown on the attached drawing as the area bounded in red.</p> <p>ii) Designated Berth is as shown on the attached drawing 2.0.</p> <p>iii) Harbour Jurisdiction is shown on the attached drawing as the area bounded by the points A, B and the high water mark east of these points.</p> <p>iv) Points A and B are defined below.</p>		
Point	LATITUDE (NORTH)	LONGITUDE (WEST)
A	53° 33' 29"	10° 07' 48"
B	53° 34' 27"	10° 07' 48"

SECOND SCHEDULE

THE DIVISIONS (Byelaw 2)

Hazard Division (1)	(2)
1.1	Substances and articles which have a mass explosion hazard (A mass explosion is one which affects almost the entire load virtually instantaneously).
1.2	Substances and articles which have a projection hazard but not a mass explosion hazard
1.3	<p>Substances and articles which have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard.</p> <p>This Division comprises substances and articles:</p> <p>(a) which give rise to considerable radiant heat, or</p> <p>(b) which burn one after another, producing minor blast or projection effects or both.□</p>

<p>1.4</p>	<p>Substances and articles which present no significant hazard</p> <p>This division comprises substances and articles which present only a small hazard in the event of ignition or initiation during transport. The effects are largely confined to the package and no projection of fragments of appreciable size or range is to be expected. An external fire must not cause virtually instantaneous explosion of almost the entire contents of the package.</p>
<p>1.5</p>	<p>Very insensitive substances which have a mass explosion hazard</p> <p>This division comprises substances which have a mass explosion hazard but are so insensitive that there is very little probability of initiation or of transition from burning to detonation under normal conditions of transport.</p>
<p>1.6</p>	<p>Extreme insensitive articles which do not have a mass explosion hazard</p> <p>This division comprises articles which contain only extremely insensitive detonating substances and which demonstrate a negligible probability of accidental initiation or propagation. □</p>

**THIRD SCHEDULE****THE GROUPS**

Bye-laws 2, 4 &amp; 5

Substance or article (1)	Compatibility Group (2)	Classification code (3)
Primary explosive substance	A	1.1A
Article containing a primary explosive substance and not containing two or more effective protective features	B	1.1B 1.2B 1.4B
Propellant explosive substance or other deflagrating explosive substance or article containing such explosive substance	C	1.1C 1.2C 1.3C 1.4C
Article containing a secondary detonating explosive substance with its own means of initiation, with a propelling charge (other than one containing a flammable liquid or gel of hypergolic liquids) or without a propelling charge.	F	1.1F 1.2F 1.3F 1.4F
Substance or Article so packed or designed that any hazardous effects arising from any accidental functioning are confined within the package unless the package has been degraded by fire; in which case all blast or projection effects are limited to the extent that they do not significantly hinder fire fighting or other emergency response efforts in the immediate vicinity of the package.	S	1.4S

**FOURTH SCHEDULE**

Galway County Council (Inishbofin Harbour and Cleggan Harbour) Explosives Bye-Laws 2006

**A. SPECIAL CONDITIONS APPLYING TO DESIGNATED BERTH AT Inishbofin Harbour**

**1. Explosive Limits**

<b>Table 1: Maximum limit of Explosives permitted:</b>			<b>Limiting Distances</b>
			<b>See Paragraph 2 below</b>
<b>Hazard Division</b>			
<b>1.1 Or 1.5</b>	<b>1.2 Or 1.6</b>	<b>1.3</b>	
<b>1,000 Kgs</b>	<b>1,000 Kgs</b>	<b>12,000 Kgs</b>	

**2. Limiting Distances**

The following minimum limiting distances will be kept from the Designated Berth to the facilities and vulnerable sites listed. Construction or use of such facilities within the distances mentioned may invalidate the licence. Any such facilities or sites, within the distances mentioned, must be vacated during loading, unloading or handling of Explosives, otherwise the Explosives limits in the licence are invalid:

<b>Table 2: LIMITING DISTANCES FOR INISHBOFIN HARBOUR</b>			
<b>Category</b>	<b>Facility</b>	<b>Min Distance (M)</b>	<b>Notes</b>
1	Schools, hospitals, institutions, places of worship, leisure facilities or places where public congregate	150	
2	Buildings of vulnerable construction	225	3 Storeys or more in height with extensive glass/light cladding
3	Residential property (normal density)	113	Conventional brick/block construction (Average 4 pers/per house)
4	Residential property (high density)	150	
5	Public Houses	113	
6	Factories using docks	113	Using dock facilities regularly for movement of goods (<50 pers)
7	Factories not using docks	150	
8	Refineries (Other than storage only)	150	
9	Petrol/Oil/Gas Bulk Storage	56	If fully banded to 110% volume
10	Dock canteens/workshops	113	
11	Dock offices, customs offices etc	113	N.B. See condition 3 below
12	Passenger Terminal, Passenger Ships embarking/disembarking	113	N.B. See condition 4 below
13	Open areas over which passengers pass during transit to/from Ship	56	
14	Tankers for Petrol/LPG/LNG	113	Unless empty/inerted
15	Tankers for Petrol/LPG/LNG	150	Discharging/loading N.B. See condition 5 below
16	Ships – non dangerous cargo	75	Resident pers on board N.B. See condition 6 below
17	Bulk Carriers – dangerous goods	100	N.B. See condition 6 below
18	Lock Gates	56	Vital to Port
19	Transit Sheds – dangerous goods	75	
20	Transit Sheds – Highly flammable goods	113	
21	Transit Sheds – Inert Goods	113	Manned only
22	Roads (1000-5000 veh/day)	56	Access and “B” secondary type
23	Roads (>5000 veh/day)	75	“A” main type
24	Rail mainline	56	
25	Personnel in open	75	Not involved in explosives shipment

3. Any facility or building within the limiting distance specified at Paragraph 2 above must be vacated during loading, unloading or handling of Explosives.
4. No Passenger Ship may dock at the Designated Berth during loading, unloading or handling of Explosives.
5. No Ship containing petrol, LNG or LPG may pass within the specified distance (above) during loading, unloading or handling of Explosives.
6. No Ship with personnel on board, other than the Explosives Ship, may be present at the Designated Berth during loading, unloading or handling of Explosives.
7. No fertiliser, oxidiser or flammable material may be stored or handled in the Protected Area while a Ship containing Explosives is at the Designated Berth.

**B. SPECIAL CONDITIONS APPLYING TO DESIGNATED BERTH AT**

**Cleggan Harbour**

**1. Explosive Limits**

<b>Table 1: Maximum limit of Explosives permitted:</b>			<b>Limiting Distances</b>
			<b>See Paragraph 2 below</b>
<b>Hazard Division</b>			
<b>1.1 Or 1.5</b>	<b>1.2 Or 1.6</b>	<b>1.3</b>	
<b>1,500 Kgs</b>	<b>1,500 Kgs</b>	<b>26,000 Kgs</b>	

**2. Limiting Distances**

The following minimum limiting distances will be kept from the Designated Berth to the facilities and vulnerable sites listed.

Construction or use of such facilities within the distances mentioned may invalidate the licence. Any such facilities or sites, within the distances mentioned, must be vacated during loading, unloading or handling of Explosives, otherwise the Explosives limits in the licence are invalid:



<b>TABLE 2: LIMITING DISTANCES FOR CLEGGAN HARBOUR</b>			
<b>Category</b>	<b>Facility</b>	<b>Min Distance (M)</b>	<b>Notes</b>
1	Schools, hospitals, institutions, places of worship, leisure facilities or places where public congregate	193	
2	Buildings of vulnerable construction	290	3 Storeys or more in height with extensive glass/light cladding
3	Residential property (normal density)	145	Conventional brick/block construction (Average 4 pers/per house)
4	Residential property (high density)	193	
5	Public Houses	145	
6	Factories using docks	145	Using dock facilities regularly for movement of goods (<50 pers)
7	Factories not using docks	193	
8	Refineries (Other than storage only)	193	
9	Petrol/Oil/Gas Bulk Storage	72	If fully banded to 110% volume
10	Dock canteens/workshops	145	
11	Dock offices, customs offices etc	145	N.B. See condition 3 below
12	Passenger Terminal, Passenger Ships embarking/disembarking	145	N.B. See condition 4 below
13	Open areas over which passengers pass during transit to/from Ship	72	
14	Tankers for Petrol/LPG/LNG	145	Unless empty/inerted
15	Tankers for Petrol/LPG/LNG	193	Discharging/loading N.B. See condition 5 below
16	Ships - non dangerous cargo	97	Resident pers on board N.B. See condition 6 below
17	Bulk Carriers - dangerous goods	145	N.B. See condition 6 below
18	Lock Gates	72	Vital to Port
19	Transit Sheds - dangerous goods	97	
20	Transit Sheds - Highly flammable goods	145	
21	Transit Sheds - Inert Goods	145	Manned only
22	Roads (1000-5000 veh/day)	72	Access and "B" secondary type
23	Roads (>5000 veh/day)	97	"A" main type
24	Rail mainline	72	
25	Personnel in open	97	Not involved in explosives shipment

3. Any facility or building within the limiting distance specified at Paragraph 2 above must be vacated during loading, unloading or handling of Explosives.
4. No Passenger Ship may dock at the Designated Berth during loading, unloading or handling of Explosives.
5. No Ship containing petrol, LNG or LPG may pass within the specified distance (above) during loading, unloading or handling of Explosives.
6. No Ship with personnel on board, other than the Explosives Ship, may be present at the Designated Berth during loading, unloading or handling of Explosives.
7. No fertiliser, oxidiser or flammable material may be stored or handled in the Protected Area while a Ship containing Explosives is at the Designated Berth.

**SEALED WITH THE SEAL OF  
GALWAYCOUNTY COUNCIL**

Which Seal was authenticated by:-

\_\_\_\_\_  
Mayor/Nominated Employee for the purpose  
Of authenticating the seal

**THE MINISTER FOR JUSTICE, EQUALITY AND  
LAW REFORM HEREBY SANCTIONS THESE BYE-LAWS.**

GIVEN under the Official Seal of the  
Minister, this \_\_\_\_\_ day  
of \_\_\_\_\_ 2006.

Minister for Justice, Equality and Law  
Reform.