

**Law No. (81) of 1970
on ports**

In the name of the people,

The Revolutionary Command Council

Upon review of:

- The Constitutional Declaration issued on 2 Shawwal 1389 corresponding to 11 December 1969 AD;
- Publication No. (129) of 1946 FBP on control of ports and the amending publications thereof;
- Law No. (19) of 1951 on control of ports in Cyrenaica;
- Declaration No. (82) of 1944 on control of floats;
- Declaration No. (139) of 1945 on the port of Tripoli and the amending declarations therefor;
- The proposal of the Minister of Transport and the approval of the Cabinet.

issued the following Law:

Article (1)

The attached law on ports shall enter into effect.

Article (2)

The Minister of Transport shall issue the executive regulations for this Law and the other decrees necessary for the implementation thereof, unless otherwise stipulated in this Law.

Until the issuing of these regulations and decrees, the existing regulations and decrees shall remain in effect provided they are not in violation of the provisions of this Law.

Article (3)

Publication No. (139) of 1946 on control of ports and the amending publications and laws therefor shall be repealed, as shall Declaration No. (82) of 1944 on control of floats, Declaration No. (139) of 1945 on the port of Tripoli and the amending declarations therefor.

All other provisions in violation of the provisions of this Law shall also be repealed.

Article (4)

The Minister of Transport shall implement this Law, and it shall enter into effect from the first of the month following the date of publication in the Official Gazette.

**The Revolutionary Command Council – Libya
Colonel Muammar Gaddafi
Prime Minister**

**Doctor Omar al-Hadi Ramadan
Minister of Transport and Public Works**

**Issued on: 18 Jumada al-Oula 1390 AH
Corresponding to: 21 July 1970 AD**

Law on ports
Chapter (1)
on procedures for the arrival and departure of ships

Article (1)

“Port” shall refer to the ports whose names and borders are set forth in the attached table. This table may be amended through removal or addition by virtue of a decree issued by the Minister of Transport.

Article (2)

The owner, agent, or captain of a ship arriving in a port shall submit to the administration of the port, no less than 24 hours before the ship’s expected date of arrival, a manifest containing the following information:

- a. Name, type, nationality, and port of registration of the ship.
- b. Name of owner, captain, and shipping agent.
- c. Total and net registered cargo.
- d. Length of ship and its draft aft and forward.
- e. Date and time of its expected arrival and approximate duration it will remain in the port.
- f. Port from which it is arriving.
- g. Quantity and type of goods received by the port and the goods that will be loaded thereon in from the port.
- h. Liquids and dangerous goods being carried thereby with a statement of their quantity, methods of packaging, and shipment location.
- i. Number of passengers and crew members.
- j. Health status.

This manifest shall be considered equivalent to a request for the assignment of a berth for the procedures of loading and unloading of the ship.

Article (3)

Prior to approaching the external borders of the port’s piloting zone, each incoming ship must raise the following signals:

- a. Letters of the signal pertaining to its name.
- b. Signals pertaining to quarantine.
- c. Flag indicating the ship’s nationality in the stern.
- d. Libyan flag in the mast.
- e. Red flag during the daytime, and a clear red light in the night time, if the ship is carrying explosives or flammable substances.
- f. Signal indicating the request for the pilot.

Article (4)

Each incoming ship must avoid approaching the entry of the inlet or navigational channel, except if the pilot has boarded the ship and taken responsibility for the piloting process.

The aforementioned navigational channel shall be determined by port management.

Article (5)

If the captain of an incoming ship suspects the presence of any contagious disease on their ship, if the ship is arriving from an infected port, or if an actual contagious epidemic appears therein, he must notify the quarantine doctor and port authority thereof immediately upon his arrival.

The port authority shall be allocated an isolated berth, in which it shall remain until the necessary health precautions have been taken as per what is determined by the port quarantine.

The ship shall remain in the specified zone for the quarantine procedures to be taken. Boarding and disembarking the ship shall be prohibited until the health procedures are taken and the necessary signals therefor have been raised.

Article (6)

The captain or agent of a ship shall proceed to the port management within twenty-four hours of the time of arrival in order to prepare a declaration of attendance on the designated form therefor, which must contain the following information:

Name and nationality of the ship, date and time of arrival, name and address of ship owner, name of shipping agent, name of captain, number of foreign and local crew members, registered length and registered total and net cargo of the ship, draft aft and draft forward of the ship at the time of arrival, first port in the voyage and the affiliated state, the ports through which the ship has passed, and the final port in the voyage.

Article (7)

The declaration of attendance must be accompanied by the following documents:

- a. Certificate of ship's registration and certificate of its cargo's registration.
- b. International certificates for the shipping line.
- c. International certificate for navigation.
- d. Passenger transport certificate.
- e. International certificate for life-saving equipment.
- f. International certificate for safety of wireless telegraph apparatus and wireless telephone.
- g. List of the ship's crew members, indicating their nationalities.
- h. List of number of disembarking passengers and passengers remaining on the ship.
- i. Waybill for shipment arriving to the port.
- j. Any other certificates stipulated by the executive regulations for this Law.

National ships shall be required to submit the following documents in addition to the documents indicated in the preceding paragraph:

- a. Official record of accidents.
- b. Employment contracts for ship crew members.

Article (8)

Requests for a travel permit shall be submitted to port management accompanied by verification that the ship has completed customs and health procedures, which shall include the following information:

Name and nationality of the ship, name of agent, name of captain, the ship's total and net registered cargo, date of arrival, laden or in ballast, amount of unloaded shipment and type and name of the

port to which it is traveling, date of travel, amount of goods it is carrying, number of passengers traveling thereon.

A travel permit shall be issued for the ship on the form designated therefor after the completion of administrative procedures and those pertaining to its validity for travel, and verification that the ship has met financial obligations and that there is no legal objection to its travel.

Article (9)

When leaving the port, the ship shall raise the international signal indicating the same on its mast.

Article (10)

The owner, captain, or agent of the ship must submit any record, instrument, or document related to the ship or its cargo to port management upon request.

Chapter (2)

on rules of movements, berthing, and mooring of ships and buoyancy units inside the port zone

Article (11)

The navigational channel connected to the port may not be occupied by more than one ship at the same time. However, more than one incoming ship may be permitted to enter successively in the aforementioned navigational channel provided that they leave sufficient distance between each two ships in order to prevent the possibility of an accident occurring. If the navigational channel is occupied by an outbound ship, the incoming ship must wait outside until the channel is empty. But if the navigational channel is empty and there are two ships, one incoming and the other outgoing, priority in entry to the channel shall be granted to the incoming ship.

Article (12)

The captain himself shall be at the head of the work in the command tower upon the arrival of the ship to the port, during its departure therefrom, and during all of its movements therein. He shall abide by all local and international navigational regulations.

Article (13)

With the exception of cases of force majeure or the presence of a sick person in critical condition on the ship, precedence in the ships' entry into the port shall be granted on the basis of the order of their arrival to the piloting zone outside of the port. Priority shall be granted to ships on the basis of their types in the following order:

- a. Passenger ships.
- b. Animal transport ships.
- c. Liner and postal transport ships.
- d. Cargo ships.
- e. Petrol and hazardous material ships.

Port management may be excused from abiding by the aforementioned order of priority in regards to boats that are unloading or loading a total of no more than 300 tonnes in the port.

Article (14)

Priority in berthing shall be granted to ships on the basis of the order of their entry into the port. However, if the boat is not ready to operate or has been placed in quarantine, priority in berthing shall be granted to the boat that entered thereafter.

Article (15)

Port management shall specify the space for the ship's berthing. It may order to have the ship moved from one berth to another inside the port on the basis of what is required in the interest of work.

No ship may berth itself on a quay or scaffold, moor itself to any buoy, or lay its anchors inside the port except in accordance with the instructions and directions of the port management.

Article (16)

If a ship arrives in the port and a quay, scaffold, or buoy has not been allocated for it to berth, it shall cast its anchors in a place that is far from the navigational channel in the port. It may not move thereafter from its place except by the command of port management.

Article (17)

If a ship casts its anchors or berths in a specific place before port management specifies a place for it to berth, and the berthing thereof poses an obstruction to the movement of navigation, or poses a danger to port facilities or ships, port management shall issue the necessary orders in order for the former to move its location. The captain or officer responsible for the ship shall implement these orders immediately after they are issued.

Article (18)

Ships shall be prohibited from moving from the berth specified therefor to another berth, or to pass beyond the part of the quay allocated therefor without the command of port management. However, the captain shall remain responsible for the suitability of the space for the ship's berthing.

Article (19)

If port management orders that a ship be moved from one place to another and the crew on the ship is insufficient for the implementation thereof, or if the ship is not functioning, the ship must request assistance from port management or another entity to implement the command in the specified time. This shall be at the expense and responsibility of the ship.

Article (20)

Port management may move a ship from one place to another at the expense and responsibility thereof in the following cases:

- a. Absence of the person responsible from the ship.
- b. Refusal of the official responsible for the ship to move it, the negligence thereof to do so, or his intentional creation of obstructions that prevent the move thereof through its own means.

Article (21)

Port management shall order the removal of items protruding from the ship if they may result in damage to the ships, ports, or the quays thereof. The official responsible for the ship shall implement the instructions of port management.

Article (22)

If a ship berths adjacent to another ship with the approval of port management, the officer and sailors of the ship located further away from the quay, and anyone working therein, shall use the surface of the ship berthed on the quay for passage, on the condition that this not result in damage to the second ship.

Article (23)

Ship captains shall raise the daytime and night time signals stipulated in international rules to prevent collision at sea when their ships approach the port and enter and exit therefrom, as well as during their stay therein or in waters adjacent thereto, whether berthed or moving, and whether towing or being towed.

Article (24)

The sounding of electric or steam sirens, or any other device that makes a sound shall be prohibited, except if required by the traffic and work systems in the port, or international navigation systems.

Article (25)

Ships shall reduce their speed when approaching the towed units, small ships, or boats. They must abide during their movement in the port by the rules and instructions issued by port management to protect small marine units and the safety of individuals and property.

Article (26)

Ships may not be tied to illuminated floats, piloting signs, or spaces not allocated therefor.

During their berthing in the port, ships must be equipped with a ladder with barriers on both sides, as well as other tools, equipment, links, and chains necessary to ensure their safety as well as the safety of other ships and units and the persons therein.

Article (27)

Every ship berthed in the port shall at all times have a sufficient number of the necessary persons on board to guard the ship and perform the other functions required for safety.

At the ship's expense, port management may use an additional number of sailors if it deems such necessary.

Article (28)

The ship captain must monitor sling ropes and their movement in order to ensure the proper berthing of the ship. He shall implement port management instructions in this regard, especially in the case of a possible change in maritime weather conditions. The captain shall be responsible for any damage that occurs to a third party due to his negligence in tying his boat in a proper way, with the necessary means, or due to his delay in implementing port management instructions.

Article (29)

The propellers of ships may not be operated during the berthing thereof in the port except in urgent cases approved by port management.

Article (30)

The ship captain must inform port management of any defect or malfunction that occurs to the ship that would affect its movement inside the port.

Article (31)

Ships berthed on a quay or scaffold may not extend their ropes or chains to any buoy to be tied except with the approval of port management.

Article (32)

A ship that has completed its functions in the port shall hasten its departure therefrom.

If two or more ships have completed their functions at the same time, the ship that preceded the others in the pilot's request shall be granted priority in exiting from the port.

If two requests are submitted at the same time, priority shall be granted to the ship that arrived in the port before the others.

Article (33)

Small boats, passenger boats, and fishing boats in the port shall be prohibited from operating the navigational channel leading to the port. They shall also be prohibited from mooring themselves to buoys belonging to navigational lights and ship berthing spaces.

Port management shall specify the appropriate place for the aforementioned boats to be moored.

Article (34)

Towing units and other mechanical marine units shall move through the port carefully and cautiously and at an appropriate speed. They must slow down when approaching any other units.

These units must be equipped with navigational lights and the necessary sound devices. During their movements inside ports, they must follow the international rules to prevent collision at sea.

Article (35)

Yachts, tugboats, and other fast marine units shall be prohibited from using navigational corridors or undertaking their actions inside the ports, except with a license from port management issued in cases of necessity. The movements thereof inside the port shall be limited to entry or exit, which shall be performed at the appropriate speed.

Article (36)

Boats and marine units shall implement the stipulations of the executive regulations in regards to the safety of ships and other units, as well as the port's floats and facilities, and the wellbeing of the personnel working thereon.

Chapter (3)
on provisions pertaining to piloting and towing

Article (37)

Maritime piloting is a service provided to ship captains in steering their ships upon their entry into, exit from, or movement inside ports, berthing zones, or navigational corridors.

A maritime pilot is a person that port management has entrusted with responsibility for the operations of ship piloting in ports and navigational corridors.

Article (38)

Operations of piloting in the ports and navigational corridors leading thereto may only be performed by persons that have obtained a license therefor from the General Directorate of Ports.

Article (39)

Piloting shall be mandatory for ships during their entry into, exit from, or movement in navigational corridors and ports.

Article (40)

The following ships shall be exempted from piloting and the fees prescribed therefor:

- a. National war ships.
- b. Ships affiliated with the state and its authorities, organisations, and other institutions allocated for commercial functions.
- c. Ships allocated for teaching maritime arts on the condition that they do not perform commercial functions.
- d. Sailboats whose registered cargo does not exceed 50 tons.
- e. Ships with a mechanical engine whose registered total cargo does not exceed 100 tons.

If the ships mentioned in Paragraphs (d) and (e) used a pilot on the basis of the request thereof, it shall be obligated to fulfil the prescribed piloting fees.

Article (41)

The following ships shall be exempted from the piloting fee:

- a. Foreign war ships on the condition of reciprocity.
- b. Ships that are exempted by virtue of international agreements to which Libya is a party.

Article (42)

Every ship that requests a pilot for its entry into or movements in ports or navigational corridors leading thereto shall raise the international signal therefor.

Article (43)

Any ship that abides by piloting may not enter or move around inside the port or navigational corridor leading thereto, except when the maritime pilot is on board.

Article (44)

Despite the presence of the pilot on board the ship, the captain shall maintain command thereof and shall carry out his task of running its helm. He shall maintain full authority and responsibility despite the presence of the pilot on the ship.

Article (45)

The ship shall bear full liability before a third party for any destruction or damage, even if it is the result of the pilot's mistake.

Article (46)

The ship shall remain responsible for any destruction or damage caused to a piloting ship, port facilities, or floats belonging thereto that occur during procedures of piloting, anchoring the ship, or manoeuvres pertaining to the pilot's embarking or disembarking from the ship.

Article (47)

Port management shall undertake the following:

- a. Secure piloting for ships entering, exiting from, and moving around inside the ports and navigational corridors.
- b. Anchor and berth ships to the quays and floats allocated therefor and provide what is necessary to ensure their safety.
- c. Ensure that maritime ships do not exit except after verifying that they have obtained all official papers authorising them to sail.
- d. Notify the competent personnel in the port of any accident that occurs during piloting procedures.

Article (48)

Pilots shall hasten to rescue ships at risk, whether assigned to do so or not assigned to do so, except if there are other circumstances that prevent them from doing so.

Article (49)

Pilots shall be prohibited from receiving or requesting any non-prescribed payments, fees, or compensation.

Article (50)

Every ship subject to mandatory piloting and that enjoys recourse to piloting services shall be obligated to pay the prescribed fee.

Article (51)

Each ship shall be obligated to pay full piloting fees if the pilot boards the ship on the basis of a request therefrom upon the entry or departure thereof, even if the entry or travel is amended thereafter.

Article (52)

If the pilot remains on the boat after the exit thereof from the piloting zone for compelling reasons, the ship shall be obligated to pay the expenses of his residence, food, and return to the port by land, air, or sea in first class. It shall also meet the other legally prescribed payments.

Article (53)

The pilot shall be held responsible before port authorities for technical and other errors caused thereby during his execution of his duties.

Article (54)

The process of towing ships inside the ports and navigational corridors leading thereto shall be completed on the basis of a request from the ship captain or agent. Towing shall be obligatory in cases in which port management deems the same to be necessary.

Article (55)

Ships and maritime units shall be prohibited from performing the process of towing in the port and navigational corridor leading thereto, except if they are licensed to do so by port management and after verifying that they have met all conditions required for towing.

Chapter (4)

Provisions pertaining to loading and unloading

Article (56)

Procedures of loading and unloading ships may only be undertaken after the completion of the procedures pertaining thereto stipulated in this law and executive regulation.

Article (57)

Loading and unloading functions in the port may only be executed during the hours specified therefor by port management.

Article (58)

Port management should work to the greatest possible extent to allocate appropriate spaces in the port for all types of unloaded goods or those designated for shipment to be placed separately.

Article (59)

No person, organisation, or group may perform loading and unloading functions in the port except after obtaining a license therefor from port management.

Article (60)

Cargo may not be moved from one ship to another inside the port except after a permit therefor has been obtained from port management.

Materials (ballast) may not be taken from the port without a permit from the same management.

Article (61)

The owner, captain, or agent of a ship shall prevent any part of the ship's shipment from falling in the water during the loading and unloading thereof. He shall take all necessary precautions to prevent any damage from being done to port facilities and to ensure the integrity of tools being used in the loading and unloading processes. He shall abide by the instructions and procedures imposed by port management in this regard.

Article (62)

Goods may only be loaded or unloaded from ships under the supervision and oversight of their captain or a responsible officer on board. The captain and owner shall be considered responsible for any loss or destruction that occurs to the goods as a result of the unloading or loading thereof in an inappropriate way or of negligence, except in cases in which the owner of the goods is responsible for loading and unloading.

Article (63)

Port management shall not bear any responsibility, regardless of the type, for the contents or quality of parcels, or for any discrepancies between the weight or measurements thereof and that recorded in the goods declaration.

Article (64)

Goods may not remain on port quays or neighbouring yards for more than the period necessary for the loading or unloading thereof.

Article (65)

If the goods unloaded from the ship are or have become spoiled or damaged, and if the state thereof may lead to damages to public health and following the approval of the health authority in the port, port authorities shall be permitted to request from the owner of the goods or captain or agent of the ship to immediately move these goods from the port zone. If the latter refuses to implement the said order at the prescribed time, port authorities shall be permitted to move the goods at his expense without prejudice to the compensation if there are grounds therefor.

Article (66)

The executive regulation shall specify the conditions and procedures that must be following when loading or unloading ships, as well as the precautions that must be taken to ensure the safety of workers, passersby, goods, and port facilities. It shall also specify the conditions pertaining to the tools and equipment used in loading and unloading operations.

Chapter (5)

Rules pertaining to loading and unloading explosives and hazardous materials

Article (67)

Every ship carrying explosives or hazardous materials shall raise a red flag in the daytime and a clear red light in the night time during its stay in the port zone.

The types of explosives and hazardous materials shall be determined by virtue of a decree issued by the Minister of Transport on the basis of a proposal from the General Director of ports.

Article (68)

Port management shall direct ships that are fully or partially loaded with explosives or hazardous materials of any type to the indicated space for berthing, anchoring, moving inside or outside the port, or loading and unloading. These ships may not pass beyond the said space, and may be assigned to move from one place to another by port management, which shall specify the procedures and precautions that must be followed during this process.

The captain and owner of the ship shall be responsible in all cases for any damages that arise as a result of explosives or hazardous materials, regardless of the time in which the damages occur.

Article (69)

Port management shall specify specific places in the port for the stowage, storage, loading and unloading of explosives and hazardous materials.

Hazardous materials and explosives may only be loaded, unloaded, or moved in the presence and under the supervision of one of the ship's officers.

Article (70)

Any ship carrying explosives or hazardous materials shall be prohibited from undertaking any movements inside the port between sunset and sunrise. It shall also be prohibited from loading, unloading, or moving explosives and hazardous materials during this period, except in urgent cases approved in writing by port management.

Article (71)

Explosives or hazardous materials of any type may not be loaded onto or unloaded from a ship in the port, nor may they be entered into or removed from the port zone without written permission from port management and subject to the conditions issued by the permit. National war ships shall not be subject to this provision.

Article (72)

Ships that have completed the process of loading or unloading explosives or hazardous materials shall be prohibited from remaining on the berth. They must be moved far from the quays and shall hook their anchors outside of the port if they are not in a state preparing for travel.

Article (73)

Lighting fires on or near a ship during its execution of the process of loading or unloading explosives or hazardous materials shall be prohibited, except to the extent permitted by port management. Electronic connection shall be cut from the ship's hold during the process of loading and unloading the said materials.

Article (74)

Subject to the preceding provisions, the executive regulation of this law shall specify the rules and instructions that must be followed by ships carrying explosives or hazardous substances during their entry into the port, berthing therein, departure therefrom, and during the loading and unloading thereof, as well as the tools and equipment with which they must be equipped.

The regulation shall also specify the rules that must be observed by units working in the port and being used to load the said materials during their execution of their work, as well as the precautions that must be followed by persons to avoid lighting fires or igniting explosions, whether by persons working in loading and unloading these materials, crew members of ships or the said units, or other persons.

Chapter (6)

Rules pertaining to loading and unloading petroleum

Article (75)

The word petroleum “petrol” shall refer, within the provisions of this chapter, to any flammable liquid or material extracted from “petrol” petroleum, any asphaltic material, or the extracts of these materials.

Article (76)

In the application of this law, petroleum and the derivatives thereof shall be divided into four types on the basis of their flash point.

Degree A petroleum:

Includes types usually known as liquefied petroleum gases, such as light butane, propane, airplane gasoline, car gasoline, cleaning gasoline, fuel oil, light oil solvents, broad-range gasoline jet fuel, crude oil, and distillers and oil mixtures whose flash point is below 22.8 degrees Celsius on the closed “Opel” device.

Degree B petroleum:

Includes petroleum materials with a flash point of no less than 22.8 degrees Celsius, and no more than 65.6 degrees Celsius on the Pensky–Martens closed-cup test, such as kerosene, jet kerosene, turpentine, solar, and solarin.

Degree C petroleum:

Includes petroleum materials with a flash point of no less than 65.6 degrees Celsius, and no more than 121.1 degrees Celsius on the Pensky–Martens closed-cup test, such as diesel, mazut, and light oils.

Degree D petroleum:

Includes petroleum materials with a flash point of no less than 121.1 degrees Celsius on the Pensky–Martens closed-cup test, such as mineral oils, petroleum jelly, paraffin wax, and bitumen.

Article (77)

Ships shall be prohibited from entering the port with the intention of loading or unloading petroleum without a permit therefor from port management, and a berth allocated therefor. The ship shall bear responsibility for what happens to it, its captain, or its sailors inside the port, as well as for any damages caused by the same or by its cargo or crew members, regardless of whether these damages are incurred by facilities, ships, maritime units, or individuals during the presence of the ship in the port, or during the loading and unloading processes.

Article (78)

The captain of each ship shall, upon his entry into the port zone, provide port management with a declaration stating that he has reviewed and is aware of the regulations implemented in the port.

Article (79)

As soon as a ship has entered into the place allocated for its berthing, it shall be suspended to the surface of the sea with a minimum of two ropes made from wire of an appropriate size. One of them shall be in the bow and the other shall be in the stern. A lock shall be placed at the end of each one so that the ship may be towed in the event of a fire or any other accident.

Article (80)

Any ship carrying, loading, or unloading petroleum materials shall raise the international and local signals and signs pertaining thereto during the duration of its stay in the port as stipulated in the executive regulation.

Article (81)

Ship captains shall bear responsibility for the failure to take all necessary precautions to prevent the occurrence of fires and to maintain the safety of the ships. They must implement all orders issued by port management in relation to ship movements, berthing, and other functions undertaken thereby.

Article (82)

Port management shall assign a representative for itself to be present on the ship in order to verify the implementation of all rules and instructions in effect in the port. This representative may remain on the ship throughout the entire duration of its stay in the port if necessary, in which case the ship shall be obligated to prepare an appropriate place for him to reside.

Article (83)

Any ship carrying petroleum substances upon its entry into the port shall be considered to be carrying Degree (A) petroleum, unless otherwise specified by its captain in writing on the form prepared for this purpose by port authorities.

Likewise, any empty ship prepared for the shipment of petroleum shall be considered to be prepared for the shipment of Degree (A) petroleum unless otherwise specified by its captain prior to the beginning of shipment in writing on the form prepared for this purpose by port authorities.

Article (84)

A ship shall be considered to be carrying Degree (1) petroleum and the rules pertaining to the loading and unloading of this type of petroleum shall be applied thereon during the duration of its stay in the port if a portion of the petroleum on its board is Degree (A) and the remaining petroleum is of different types.

Article (85)

Each ship carrying petroleum upon its entry into the port zone and prior to its departure therefor shall be obligated to submit a waybill declaring its total shipment as well as its degrees and method of distribution amongst the cisterns of the ship.

Article (86)

Degree (A) petroleum may not be loaded or unloaded except during the period between sunrise and sunset. In cases in which the process of loading or unloading begins at least two hours before

sunset, port management shall permit it to continue. It shall also order that the loading or unloading be stopped in the event of a storm or in other circumstances that require the same.

Article (87)

Degree (A) petroleum present inside tin plates or barrels shall be loaded and unloaded in accordance with the instructions implemented by port management. The quays shall be emptied thereof before sunset.

Petrol pipelines may not be connected from the beach to ships loaded with Degree (A) petroleum without first extinguishing all fires and exposed lights on the boat. The executive regulation shall specify any cases in which procedures shall differ from the above.

Article (88)

The executive regulation shall specify the instructions and precautions that must be taken or abided by during the loading and unloading of ships carrying petroleum during their movements or berthing in the port, or during their entry, towing, or exit therefrom.

The regulation shall also specify the dates on which loading and unloading shall be completed, as well as functions that workers, persons, or maritime units are prohibited from undertaking near the berthing spaces of these ships, and the conditions that must be met in regards to equipment and machinery used in loading and unloading, as well as the security, safety, and guarding procedures.

Chapter (7)

Provisions pertaining to storage

Article (89)

Storage shall refer to placing arriving goods or those intended for export in the spaces allocated therefor, whether covered or exposed, gated or non-gated.

Article (90)

Persons that have not received special permission from port management to enter or move around in storage spaces shall be prohibited from doing so.

Article (91)

Goods may only be entered into and removed from storage spaces with permission from port management.

Article (92)

The authorities responsible for storage in the port may refuse to store certain goods due to the poor state of their covers, their spoilage, or because of any damages resulting from the goods inflicted to a third party or other damages, or other reasons required by public interest.

Article (93)

Hazardous and flammable materials may only be stored in the spaces allocated therefor.

Article (94)

Goods shall be stored in the places allocated therefor as per their type, trademark, and number, and on the basis of the waybill or other information included in their regard. The competent authorities

in the port shall not be obligated to verify the validity of these documents. The person submitting the document shall bear responsibility for any mistake or fraud therein.

Article (95)

If damaged parcels are found, or if it is suspected that they have been tampered with, they shall be sorted, counted, weighted, stamped, and a report shall be prepared therefor prior to the storage thereof. The report shall be signed by the ship's agent and a representative from port management. The report shall indicate any discrepancies between the information included in the waybill and the actual received goods. If the goods are loose or if it was not possible to count them due to their type or attribution, they shall be entered in bulk with indication thereof in the report.

Article (96)

Goods prepared for export shall be accepted into storage spaces on the basis of a written request submitted by the owners thereof or their deputies to port management. The presence of these goods shall be recorded upon their entry into storage spaces.

Port management may refuse to accept goods that are banned from export, or those containing damaged or distorted parcels, or those with flimsy covers.

If the goods prepared for export are loose or it is impossible to count them due to their type, size, or quantity, they shall be accepted in bulk with indication thereof in the special register.

Article (97)

Goods shall be received and delivered in storage spaces through one of the following means:

- a. By weight or count in regards to parcels.
- b. By total evaluation in regards o loose goods or those that cannot be counted or weighed.
- c. By numbers only and not weight for certain parcels that are difficult to weigh. Upon the receipt of said parcels, port management shall not be responsible for weight and numbers of goods stipulated in Paragraph (b), nor for weight of goods stipulated in Paragraph (c). If the above is stipulated in documents pertaining to these goods, the owner of the goods or his agent may request to receive goods on the basis of weight for goods stipulated in Paragraphs (b) and (c). He shall bear responsibility for the cost of weighing upon the entry or exit of goods.

Article (98)

The delivery of goods by their owner or his agent shall be considered to have met the obligation of port management.

Article (99)

Port management shall have the right to move goods from one storage place to another if deemed necessary.

Article (100)

Goods shall be delivered from storage spaces on the basis of a request from the owners thereof or their deputies after the completion of the procedures therefor.

Article (101)

The executive regulation shall indicate the detailed provisions that must be observed in storing arriving or exported goods, as well as the safety and security precautions and other measures that must be taken in order to avoid the occurrence of any damage to the stock.

Chapter (8)

Provisions pertaining to maritime units working in the port

Article (102)

Maritime units working in the ports shall refer to all tools and floating units that work inside port basins and other fluid spaces affiliated therewith, regardless of their name, type, cargo, and whether they are used in loading, unloading, piloting, towing, or other functions related to navigational ship services.

Article (103)

The executive regulation shall specify the conditions that must be met by units working in the port. Units may not work inside the port without a permit to do so.

Article (104)

Port management shall specify the areas for the berthing of floating units inside the port. It may order those units to be moved from one place to another in accordance with the requirements of public interest.

Article (105)

Each unit working in the port must have a sufficient crew on board to manage and operate it.

Article (106)

Units in operation in the port may only be cleaned, repaired, or towed on land with the approval of port management and in the spaces allocated therefor.

Article (107)

Berthed operating units shall be prohibited from remaining on quays for more than the duration necessary for them to be unloaded. They may not remain filled with goods for more than the appropriate duration.

Article (108)

Persons managing floating units in the port shall not obstruct the traffic of ships inside the port and navigational corridors leading thereto. They must observe the safety of towed units during all cases and circumstances, and must abide by the rules for towing.

Article (109)

Units in operation may not move numbers of individuals that exceed the number they are licensed to move. They may not use any floating unit for purposes or tasks other than those for which they have been allocated.

Chapter (9)

Regulations pertaining to the execution of maritime functions in the port

Article (110)

The functions of a port pilot, maritime inspector, or captain of a maritime unit in the port of any type, and the functions of a mechanic, diver, sailor, or any other maritime function in the port may only be executed after obtaining a license therefor issued by the General Directorate for Ports.

Article (111)

A license to perform the aforementioned functions shall be granted on the following conditions:

- a. The applicant shall be no less than eighteen years of age, unless permitted by port management.
- b. He shall be a Libyan citizenship, unless otherwise required by necessity.
- c. He shall be well-mannered and behaved.
- d. He shall not have been previously sentenced for a felony, misdemeanour of moral turpitude, crime related to drugs or intoxicants, unless he has been rehabilitated.
- e. He shall prove physical fitness. The conditions of physical fitness shall be specified by the executive regulation.
- f. He must have obtained the appropriate qualification or passed the examination conducted by the General Directorate for Ports.

Article (112)

The categories stipulated in Article (10) that are not pilots shall be prohibited from boarding ships without the approval of port management.

Article (113)

The General Directorate for Ports shall revoke or cease the validity of licenses for a particular duration if the holder thereof loses one of the conditions for the license or violates one of the work requirements.

Chapter (10)

Provisions for marine debris inside the port

Article (115)

The expression marine debris shall refer to any ship, floating unit, or cargo remains founds in Libyan ports or the navigational corridors leading thereto.

Article (116)

No one shall be permitted to search for marine debris or removes the same out of port waters without a prior license from the competent authority in the port in accordance with the conditions imposed therefor. Anyone that comes across debris or removes them unintentionally shall deliver them immediately to port management.

The owners of goods or items that have fallen or been left from the ships in the ports, as well as the captains or these ships and insurance companies shall have the right to collect the said goods or items and remove them after obtaining permission from port management.

Article (117)

Port management shall perform an investigation of the contents of a request. In the event that the contents thereof are verified, it shall issue he aforementioned permit within a period of no more

than one week from the submission of the request. The permit shall specify the items that may be removed, and the place, method, and duration of work.

If it becomes apparent that the item that was found was not mentioned in the permit, the authorized person must deliver it to port management immediately and without any conditions.

Article (118)

If any ship or floating unit sinks or gets stranded inside a port or navigational corridor leading thereto, its owner or the person with the right to do so shall remove it within a maximum period of three months from the date it sunk or was stranded. If this is not completed within the stipulated period, port management shall be responsible for removing it through its special means without prior notice, or with the knowledge of experts. This shall be completed at the expense of the owner of the ship or the person with the right therein.

Article (119)

If any ship or floating unit loses its power of navigation and port management believes that its presence in the port obstructs navigation and poses a danger thereto, it may notify the owner or captain thereof of the necessity to float it or remove within a period specified thereby. If this period is completed, the port authority shall undertake the implementation thereof on its own or with the knowledge of experts. This shall be at the expense of the owner of the ship or the person with the right therein.

Article (120)

If port management fails to receive the expenses it has spent in accordance with the preceding two articles within three months from the day of the request therefor, it may sell the ship or floating unit or any of its debris, or both of them together, in an open auction. This shall be done after publication of the sale in one of the local newspapers.

Article (121)

If the debris are exposed to spoilage or damage, or if the storage thereof would pose risks or expenses that are not commensurate with the value of the debris, port management may sell it before the completion of the period stated in the preceding article.

Article (122)

All of the fees, expenses, remunerations, and other funds due to the competent entities in the port shall be deducted from the proceeds of the sale of the ship or floating maritime unit or the debris thereof or both of them together. If the proceeds of the sale are insufficient for the aforementioned dues, the said agencies shall have recourse to the owner of the ship or the person with the right therein for the remaining amounts.

If the proceeds of the sale exceed the said amount, the remaining funds shall be deposited in the state treasury. If they are not requested by the persons with the right thereto within three years from the date of deposit, they shall be considered the income of the state.

Chapter (11)

Rules related to fire and precautions during fires in the port

Article (123)

Ship captains shall take all of the necessary precautions to prevent fires stipulated in the executive regulation or imposed by the General Directorate for Ports. They shall ensure that pumps and firefighting equipment in the ship is ready for use at all times.

Article (124)

During a fire, responsible personnel on a ship shall immediately proceed to sound the fire alarm and request assistance from port authorities if the ship is in need thereof. Captains of ships berthed near the ship in which the fire has broken out shall take the necessary precautions to ensure the safety of their ships. They shall provide all possible assistance to the said ship. All boats equipped with firefighting pumps shall hasten to the place of the fire and provide any assistance possible.

Article (125)

Vessels and motorboats located near the ship that is on fire shall move away therefrom. Units that move with their own engines shall assist in the distancing of other units that do not have engines.

Chapter (12) General provisions

Article (126)

Boarding or disembarking from an arriving ship shall be prohibited until quarantine and public security procedures have been completed.

Article (127)

The loading and unloading of ships shall be completed at the appropriate rates evaluated by the Directorate of Ports. Ships shall leave the port immediately after their completion thereof.

No out-of-service ship may be left inside the borders of the port without writing approval from the Directorate of Ports and verification thereof in the status book.

Article (128)

Ships captains shall notify port management of the location of the new risks they noticed prior to their arrival.

Article (129)

Ships may not perform any repairs or any functions other than loading and unloading inside the port zone without the permission of port management and in the place specified thereby.

Article (130)

Cleaning ship chimneys inside the port shall be prohibited during loading and unloading processes. The emergence of dense black smoke from ship chimneys shall be reduced as much as possible.

Article (131)

Ships may not use their exposed lights inside port borders, unless they have been expressly permitted to do so by port management.

Article (132)

Diving inside the port or near the same in any way shall be prohibited without a written license therefor from port management.

Article (133)

The movement of cranes, conveyors, and other mechanical tools operating in the port may only be performed by persons authorised to do so. Standing or walking near these machines while they are being operated without justification shall also be prohibited.

Article (134)

Ships and floats shall be prohibited from throwing soil, stones, sand, garbage, rubbish, fuel waste, chemical materials, or reservoir deposits in ports or territorial waters. They shall also be prohibited from washing cisterns and draining light or heavy oils and bottom, sewage, and ballast water.

Article (135)

The captain, owner, and agent of a ship shall be considered responsible for the manners and behavior of the ship's sailors during the period of its stay in the port. They shall be responsible for damages caused by the ship, its cargo, or its sailors to fixed and floating persons and properties.

The person responsible for the ship shall notify port management of any damages after they occur.

Article (136)

Berthing sailboats, motorboats, and boats near ships and vessels carrying goods shall be prohibited, unless a function requiring the same is assigned thereto.

Article (137)

Port management shall not bear responsibility for any loss, damage, or shortcoming that affects the shipment as a result of natural factors, due to acts of rioting, strike, unrest, or other reasons that cannot be avoided, or do to a defect in goods or mistake in their packaging.

Article (138)

Captains of oil tanker ships that ship grain in bulk shall observe opening the ship's cistern nozzles to release gases collected in the cisterns. This shall be done before the ship enters the port zone.

Article (139)

Port management shall verify the validity of the ship's balance before it sails from the port. However, the captain shall remain fully responsible in this regard.

Port management shall prevent the ship from sailing if the ship's lack of balance becomes apparent due to the poor distribution of goods in its wards or for any other reason.

Article (140)

Damaging or changing the form of piloting signs or port facilities shall be prohibited.

Article (141)

The executive regulation shall specify the port's floor spaces. Entry into these zones shall be prohibited without permission from port management.

Port management shall specify the speed of traffic inside the port zone for different modes of land transport, parking spaces, duration, and other instructions that must be observed by drivers.

Article (142)

Port management representatives may board any ship in the port to inspect and search it, or to review its papers and documents as required by the functions of their jobs and within the limits of their authorities.

Article (143)

The Minister of Transport shall specify the lighthouses, watch and signal towers, and other signals established to facilitate maritime navigation with the approval of the Cabinet. He shall specify the vision zone for each of them, as well as the maximum altitude of buildings and facilities built in the said zone. Altitude shall be calculated above average sea level.

Chapter (13)

Penalties

Article (144)

A fine of no less than 10 LYD and no more than 100 LYD shall be imposed on anyone that:

1. Fails to submit the information, notifications, declarations, and documents stipulated in Articles (2), (5), (6), (7), (10), (78), and (85) of this Law with no reasonable excuse.
2. Fails to raise the international or local signals indicated in Articles (3), (9), (23), (42), (67), (800, and (124).
3. Boards or disembarks from an arriving ship before the completion of quarantine or public security procedures.
4. Boards or attempts to board a ship that is sinking, stranded, or in danger, without permission from the captain thereof or port management.
5. Performs repairs in the ship inside the port zone without the approval of port management.

Article (145)

A fine of no more than 50 LYD shall be imposed on anyone that:

1. Fires electric or steam sirens, or any other device that makes a sound in violation of the provision of Article (24) of this Law.
2. Releases dense smoke from ship chimneys during the berthing thereof in the port, or cleans it during loading and unloading processes.
3. Dives inside or near the port in any way without a license to do so.
4. Uses exposed ship lights inside the port without a permit to do so.
5. Moves cargo from a ship to another inside the port without a permit to do so.
6. Fails to take the necessary precautions to prevent damages to port facilities.
7. Cleans units in operation in the port or tows them on land without the approval of port management.
8. Boards a ship without permission from port management.

Article (146)

A fine of no less than 20 LYD and no more than 100 LYD shall be imposed on anyone that violates a provision stipulated in Articles (70), (71), (73), (81), (86), Paragraph (2) of Article (87), Articles (115), (123), and (138) of this Law.

The same penalty stipulated in the preceding paragraph shall be imposed on anyone that conceals or removes debris or erases indicating signs the same.

Article (147)

A penalty of no less than 100 LYD and no more than 200 LYD shall be imposed on ship captains that refuse to use piloting services, unless permitted to do so by port management out of urgent need.

Article (148)

A fine of no less than 50 LYD and no more than 500 LYD shall be imposed on anyone that:

1. Throws soil, stones, sand, garbage, rubbish, fuel waste, chemical materials, or reservoir deposits in Libyan ports or territorial waters.
2. Washes cisterns or drains light or heavy oils and bottom, sewage, and ballast water in ports or territorial waters.

Article (149)

Without prejudice to any more severe penalty, a penalty of imprisonment for no more than six months and a fine of no more than 200 LYD or one of these two penalties shall be imposed on anyone that obstructs the work of a representative of the General Directorate for Ports during the execution of their duties in implementation of this Law, or that prevents them from performing their competencies.

Article (150)

1. Anyone that enters a ship into Libyan ports or removes it therefrom without approval from port management shall be sentenced to a fine of no more than 200 LYD.
2. If the intention behind the above is engagement in an illegal act, the penalty shall be imprisonment for no more than one year without prejudice to any more severe penalty stipulated by other laws.

Article (151)

A penalty of imprisonment for no more than five years shall be imposed on any person that moves any stranded or left ship, or any part of its shipment or annexes, or marine debris from the ports or territorial waters to foreign waters, and if the intention thereof is to smuggle the same or get rid of the provisions of this Law or another law.

Article (152)

Without prejudice to any more severe penalty stipulated by the Penal Code, a penalty of imprisonment for no more than five years shall be imposed on anyone that:

1. Steals ship piloting tools or signals, maritime navigation facilitations, or port equipment or machinery related to ensuring maritime security.

2. Intentionally causes damage to or obstructs maritime navigation tools, piloting or wireless equipment in ports or ships.

Article (153)

Without prejudice to any more severe penalty, a fine of no more than 50 LYD shall be imposed on anyone that violates a different provision of the provisions of this Law, or the provisions of regulations and decrees issued pursuant thereto.

Article (154)

A criminal suit may not be filed in the crimes that occur in violation of the provisions of this Law and the regulations issued pursuant thereto without a written request from the General Director of the General Directorate for Ports.

The General Director may refuse to file the criminal suit. He may also choose to waive it at any point before a final judgment is issued in its regard. In these cases, the General Director or his representative shall reconcile with the concerned person on the basis of a payment of an amount of no less than the minimum fine and no more than the maximum fine. The crimes stipulated in Articles (146), (150), Paragraph (2) of Article (151), and Article (152) shall be exempted from the provisions of this article.

Article (155)

The General Director of Ports and General Directorate for Ports employees that are appointed by virtue of a decree issued by the Minister of Transport shall have the status of judicial officers in relation to crimes committed in violation of the provisions of this Law.

Table of ports subject to the provisions of the Law on Ports and a declaration of the borders of each one

Name of port and borders thereof:

1. Zuwarah Port
 - a. Fluid zone located between the current breakwater and the one located within any new breakwater established thereafter.
 - b. Fluid zone known as the navigational corridor outside of the port, beginning with the port entrance up to a distance of one kilometre.
2. Tripoli Port
 - a. Fluid zone located inside the current breakwater and the one located within any new breakwater established in accordance with the Port Development Project.
 - b. Exterior fluid zone known as the navigational corridor outside of the port, beginning with the port entrance along the corridor's distinguishing marks up to a distance of two kilometres.
3. Khoms Port
 - a. Fluid zone located within the current breakwater and the one located within any new breakwater established thereafter.
 - b. Fluid zone located within an imaginary circle with a diameter of one kilometre, starting from an imaginary point at the end of the current breakwater.

4. Misurata Port delineated on the basis of the approved master plan for this port. (Qasr Ahmad)
5. Ra's Lanuf Port
 - a. Zone located between longitudinal lines 12 – 32 – 18 / East of Greenwich 18 – 36 – 30
 - b. And between latitudinal lines 30 – 24 – 30 / and the beach 30 – 30 – 30
6. Sidra Port
 - a. Zone located between longitudinal lines 30 – 20 – 18 / East of Greenwich 30 – 46
 - b. And between latitudinal lines zero – 46 – 30 / and the beach 30 – 38 – 6
7. Brega Port
 - a. Zone located between longitudinal lines 6 – 32 – 19 / East of Greenwich 19 – 36 – 24
 - b. And between latitudinal lines 42 – 27 – 30 / and the beach 30 – 24 – 36
8. Zuwetina Port
 - a. Zone located between longitudinal lines zero – 5 – 20 / East of Greenwich zero – 57 – 19
 - b. And between latitudinal lines zero – 48 – 30 / zero – 56 – 30
9. Benghazi Port
 - a. Fluid zone located within the current breakwater and the one located within any new breakwater established until the bridge built above the shallow water basin located in the Eastern side.
 - b. Fluid zone known as the navigational corridor outside of the port, beginning with the port entrance along the corridor's distinguishing marks up to a distance of two kilometres.
10. Susah Port
 - a. Fluid zone located within an imaginary circle with a diameter of 500 metres, starting from the end of the current breakwater.
11. Ras al Helal Port: Fluid zone located within an imaginary circle with a diameter of one kilometre, starting from the end of the current main quay.
12. Darnah Port
 - a. Fluid zone located within the current breakwater and an imaginary line reaching between the end of the aforementioned breakwater and the damaged breakwater located in the Southern side.
 - b. Fluid zone known as the navigational corridor outside of the port, beginning with the port entrance up to a distance of one kilometre.
13. Tobruk Port: Entire fluid zone located within the natural gulf of Tobruk, or the zone located to the West of an imaginary line, beginning from the top of Tobruk until the beach in the South. It is composed of three zones inside the gulf, which are: "Marsa Tobruk," the proposed maritime base, and Marsa al Hariga – the petroleum port.

General rules:

1. The borders of ports and zones not specified in this table shall be specified by virtue of a decree issued by the Minister of Transport.
2. Airstrips, oil pumping counters, and the offices and places of residence of employees of the Ministry of Oil and Minerals and petroleum companies shall not enter into the scope of port borders in regards to oil ports.
3. Current customs zones and those that will be established in the future shall enter into the scope of port borders.