



# City of Derry

A I R P O R T

## **BYE LAWS**

**2013**



## **CITY OF DERRY AIRPORT BYE LAWS 2013**

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## CITY OF DERRY AIRPORT BYELAWS 2013

### INTRODUCTION

Derry City Council makes the following Byelaws in exercise of the power conferred by Article 18(1)(a), (2), (3), (4) and (5) of the Airports (Northern Ireland) Order 1994.

#### 1. Application, citation and commencement

These Byelaws shall apply to and within City of Derry Airport provided always that no provision in these Byelaws shall apply to any member of a fire, police or ambulance service when he/ she is acting in the course of his/ her duty, or to any emergency vehicle being used by such person.

These Byelaws may be cited as the City of Derry Airport Byelaws 2013 and shall come into operation on [            ].

#### 2. Interpretation

##### 2.1 In these Byelaws:-

“aircraft” means a heavier than air power driven flying machine and includes aeroplane (land plane) aeroplane (sea plane) aeroplane (amphibian) aeroplane (self-launching motor glider)            powered lift (tilt rotor) rotorcraft (helicopter and gyroplane);

“the Airport” means the airport known as City of Derry Airport;

“the Airport Company” means CODA (Operations) Limited, and where the context so requires references in these Byelaws to the Airport Company shall include a reference to any person engaged (whether by employment or otherwise) by the Airport Company;

“airport manager” means the person for the time being employed by the Airport Company to be in charge of the Airport and includes any other person for the time being in charge of the Airport;

“airport official” means a person authorised in writing by the Airport Company to perform specified functions under these Byelaws;

“airside driving permit” means written authority issued to a person by his current employer or the Airport Company which authorises that person to drive and operate a particular class of vehicle at the Airport;

“airside facilities” means the security, departures, boarding facilities and all other areas of the Airport beyond the security control points;

“animal” means, subject to Byelaw 10.2, any animal brought onto the Airport;

“authorised standing” means that part of the Airport indicated by the notice “authorised standing for taxis” or a place which has been designated for use by a taxi by the Airport Company to the exclusion of/in preference to other vehicles;

“authorised taxi” means a taxi which has prior written authorisation from the Airport Company to operate from the Airport;

“City of Derry Airport” means the area of land within the boundary delineated in red on the map affixed to these Byelaws;

“constable” means any person having the powers and privileges of a constable;

“Customs and Excise Acts” has the same meaning as in the Customs and Excise Management Act 1979;

“detention order” means an order in respect of default in the payment of airport charges which has been placed on an Aircraft by the Airport Company either on its own behalf or on behalf of another person;

“lost property office” means any building or part of a building at the Airport which has been designated by the Airport Company as such and includes the Airport Information Desk;

“notice” means an object or device (whether fixed or portable) for conveying warnings, information, requirements, restrictions or prohibitions of any description;

“portable music machine” means a portable radio, cassette player, compact disc player, minidisk player, digital player, television or computer games machine, or similar machine having the capability to reproduce sound;

“private hire vehicles” means a vehicle, seating not more than 8 passengers in addition to the driver and licensed under Article 61 of the Road Traffic (Northern Ireland) Order 1981 to carry passengers for hire but not authorised to stand or ply for hire;

“restricted area” means any part or parts of the Airport to which access is only available to specific persons who have satisfied pre-conditions set by the Airport Company, or permitted to have such access by the Airport Company;

“critical part” means any part of the Airport so designated by the Secretary of State under section 11A of the Aviation Security Act 1982;

“Road Traffic Enactments” has the same meaning as in Article 18(3)(d) of the Airports Order (Northern Ireland) Order 1994;

“set-down area” means the part of the Airport indicated by the sign ‘Set-down Area’ or a place which has been designated by the Airport for such use;

“sign” means any object or device (whether fixed or portable) authorised by the Airport Company for conveying warnings, information, requirements, restrictions or prohibitions of any description;

“taxi” means a Public Service vehicle seating not more than 8 passengers in addition to the driver and licensed under Article 61 of the Road Traffic (Northern Ireland) Order 1981 to carry passengers for hire;

“taxi feeder park” means that part of the Airport indicated by the sign “Taxi Feeder Park”;

“vehicle” means any mechanically propelled conveyance or manually operated apparatus on wheels and includes trailers, items of plant that operate as wheeled vehicles and as static apparatus, but does not include an aircraft.

### **3 PENALTIES**

- 3.0 Any person contravening any of the following Byelaws shall be liable on summary conviction to a fine which shall not exceed Level 2 on the standard scale and in the case of a continuing offence, to a further fine not exceeding £2 for each day on which the offence continues after conviction.

### **4 PROHIBITED ACTS**

#### **4.1 Aircraft parking**

Except in the case of emergency, a person shall not place an aircraft other than in the place and position designated from time to time for that aircraft by the Airport Company or by an airport official.

#### **4.2 Securing aircraft**

A person in charge of any stationary aircraft which is not in a hangar shall not fail to secure that aircraft against movement.

#### **4.3 Emergency stop switch etc**

A person shall not without reasonable excuse, intentionally operate any switch or lever of any escalator, travelator, lift or any other automatic conveyance for passengers, baggage or goods upon or near which is displayed a notice stating that it is only to be operated in case of an emergency.

#### **4.4 Misuse of telephones**

A person shall not tamper with, interfere with or misuse any telephone or other apparatus provided for transmitting and receiving messages or other telecommunications apparatus provided for use at the Airport.

#### **4.5 Tampering with equipment**

Without lawful excuse, a person shall not tamper with or misuse any apparatus or any mechanical or electrical or electronic apparatus used in connection with the operation of the Airport.

#### **4.6 Naked lights**

A person shall not bring a naked light into or light any naked light in the Airport in:

- (a) any place where any such act is prohibited by a sign; or
- (b) any part of a restricted area in the open air.

#### **4.7 Fires**

A person shall not intentionally or recklessly cause an outbreak of fire, or by any act or omission, cause or permit a fire to occur except in a place designated by the Airport Company for that purpose.

#### **4.8 Radio interference**

A person shall not operate or use any radio transmitter or receiver or other thing capable of radiating electrical interference or emitting a laser beam in such a way as to adversely affect or be likely to adversely affect the operation of any communications or navigation systems at the Airport.

#### **4.9 False alarms**

A person shall not knowingly by any means give a false bomb warning or a false fire, ambulance, or other emergency alarm.

#### **4.10 Unattended baggage**

A person shall not leave any baggage or other item unattended in any part of the Airport without prior permission of the Airport Company.

#### **4.11 Allow anything on airport where forbidden**

Without prejudice to any other Byelaw, a person shall not allow any vehicle, animal or thing to be on the Airport after its presence on the airport has been forbidden by a constable or an airport official and no constable or airport official shall forbid the presence of any vehicle, animal or thing unless he has reasonable grounds to believe that its presence has been

responsible for or is likely to be responsible for a breach of a Byelaw or for a criminal offence.

**4.12 Items to be removed**

A person shall not permit any vehicle, animal or thing to be on the Airport after having been required by a constable or an airport official to leave, and no constable or airport official, shall request a person to leave unless he has reasonable grounds to believe that that person has committed or is about to commit a breach of a Byelaw or criminal offence.

**4.13 Persons required to leave**

A person shall not remain on the Airport, after having been requested by a constable or an airport official to leave and no constable or airport official shall request a person to leave unless he has reasonable grounds to believe that that person has committed or is likely to commit a breach of a Byelaw or a criminal offence.

**4.14 Prohibited persons**

A person shall not enter the Airport, except as a bona fide airline passenger, whilst having been prohibited in writing from entering by the Airport Company.

**4.15 Refusing search**

Without prejudice to Byelaws number 4.13 and 4.14 a person, whether a bona fide airline passenger or not, who refuses to be searched or to have his baggage or any vehicle in his charge searched by a constable or any airport official, shall not remain on the Airport or any part thereof having been requested by such constable or airport official to leave, and shall not re-enter the Airport except as a bona fide airline passenger willing to submit to such search as aforesaid.

**4.16 Persons to keep animals under control**

A person shall keep all animals belonging to him under proper control and in particular any dog shall be kept on a lead and not be permitted to foul the footpaths or buildings.

**4.17 Drunk etc.**

A person shall not be drunk or under the influence of drugs or other intoxicating substances within the airport.

**4.18 No demonstrations etc.**

A person shall not organize or take part in any demonstration, procession or public assembly likely to obstruct or interfere with the proper use of the Airport or obstruct or interfere with the comfort and convenience or safety of passengers or persons using the Airport.

**4.19 No display of flags or banners etc.**

A person shall not display any flags, banners or emblems likely to cause a breach of the peace on any part of the Airport.

**4.20 In the Airport**

A person shall not in the Airport:-

(a) intentionally obstruct any airport official or officer of the Airport Company in the proper execution of his duties;

(b) intentionally obstruct any other person carrying out an act which is necessary to the proper execution of any contract with the Airport Company; or

(c) intentionally obstruct any other person in the proper use of the Airport, or behave so as to give reasonable grounds for annoyance to other persons in the Airport.

**4.21 Uncovered refuse containers**

A person shall not leave uncovered refuse containers on any part of the Airport or drop, leave, throw or otherwise deposit anything in such circumstances as to cause, contribute to or tend to lead to damage to property (including aircraft) or the defacement by litter, pollution or waste substances of any part of the Airport.

**4.22 Litter etc.**

A person shall not drop or otherwise deposit anything in such circumstances as to cause, contribute to, or tend to lead to, the defacement by litter pollution or waste substances of any part of the Airport.

**4.23 Unlawful entry onto aircraft**

A person shall not enter or climb upon any part of any aircraft without the authority of the person in charge of it or otherwise without lawful authority or reasonable cause or excuse.

**4.24 Unlawful entry, misuse of ground equipment etc.**

A person shall not enter or get on any vehicle, truck, trolley or aircraft steps or other apron and ramp equipment or interfere with the brake or other part of its mechanism without lawful authority or reasonable cause or excuse.

**4.25 Store, supply and sale of fuel**

A person shall not without the written approval of the Airport Company store or supply by sale fuel or lubricants for aircraft using the Airport. A person shall not discharge from any container, including any part of a vehicle, liquid fuel elsewhere than in a place designated for that purpose by the Airport Company.

**4.26 Not to remove baggage trolleys**

A person shall not remove from the Airport any baggage trolley provided for passenger use by the Airport Company.

**4.27 Misuse of baggage trolleys**

A person shall not misuse any baggage trolley provided for passenger use by the Airport Company.

**4.28 Loiter etc.**

A person shall not, after they have been asked to leave, loiter, frequent or remain on the Airport without reasonable cause.

**4.29 Emergency exits**

A person shall not obstruct or cause to be obstructed any of the emergency exits or any access or exit points within the Airport at the Airport.

**4.30 Evacuation**

Without reasonable excuse, a person shall not in an emergency remain in or fail to evacuate any building or part of the Airport when instructed to do so by a constable, an airport official or the Airport Company.

**4.31 Detention Orders**

A person shall not remove a detention order from an Aircraft, unless directed to do so by the airport manager or an airport official.

**4.32 Failure to comply with signs etc.**

A person whether on foot or whilst driving or propelling a vehicle shall not neglect, fail or refuse to comply with an indication or direction given by a constable or airport official or sign exhibited by or on behalf of the Airport Company.

**5 ACTS FOR WHICH PERMISSION IS REQUIRED**

**5. The following acts are prohibited unless the permission of the Airport Company has first been obtained or unless the act is performed by a person acting with lawful authority or excuse:-**

**5.1 Aircraft engine running**

A person shall not run an aircraft engine in a hangar or in an area other than that designated for that use from time to time for that purpose by the Airport Company.

**5.2 Cleaning etc. of aircraft and vehicles**

A person shall not clean, service or maintain aircraft, vehicles or equipment in areas other than those designated for that use by the Airport Company.

**5.3 Prohibition notice**

A person shall not fail to comply with any sign prohibiting or restricting access to any building, road or any part of the Airport.

**5.4 Climbing etc.**

A person shall not climb any wall, fence, barrier, railing or post.

**5.5 Not to cause annoyance**

A person shall not sing, dance, shout, play a musical instrument, operate a portable music machine or behave in such a way as to give reasonable cause for annoyance to any other person.

**5.6 Apparatus etc.**

A person shall not erect or use any apparatus for transmission, receipt, recording, reproduction or amplification of sound, speech or images.

**5.7 Animal grazing**

A person shall not graze or keep animals on any part of the Airport.

**5.8 Restricted area fence**

A person shall not place any building, structure, equipment, vehicle or container or any other item within three metres of any fence forming the boundary of a restricted area or to the critical part.

**5.9 Remove, displace or alter any structure**

A person shall not remove, displace or alter any structure or other property (including any notice) forming part of or provided for or in connection with the Airport or erect or place on any part of the Airport any structure or property.

**5.10 Entering or leaving the airport**

A person shall not enter or leave the Airport otherwise than through a gate or entrance or exit for the time being provided and designated by the Airport Company for that purpose.

**5.11 Restricted Access**

A person shall not enter any part of the Airport to which members of the public are not for the time being admitted.

**5.12 Offer of service**

A person shall not sell or distribute anything, offer anything for sale or hire or make any offer of services for reward on any part of the Airport.

**5.13 Taxi touting**

A person shall not offer his or any other vehicle for hire on any part of the Airport.

**5.14 Display signs**

A person shall not post, distribute or display signs, advertisements, circulars or other printed or written matter on any wall, door, pole, structure, floor or pavement or on any surface forming part of the Airport.

**5.15 Begging**

A person shall not beg or solicit funds or contributions of any kind on any part of the Airport.

**5.16 Gaming**

A person shall not engage, or agree to engage, in bookmaking, gaming, betting or wagering or pay, receive, or settle bets with any other person on any part of the Airport.

**5.17 Wearing of passes**

A person, other than a bona fide airline passenger, while in a restricted area shall not fail to wear a pass issued to him by or on behalf of the Airport Company so that it is reasonably visible at all times.

**5.18 Pick up and Drop off**

A commercial operator shall not enter any part of the Airport to pick up or drop off Airport passengers without the permission of the airport manager.

**5.19 Photographs and Filming**

A person shall not in the course of business, take photographs, or participate in filming or sound recording without the permission of the airport manager.

**6 PROHIBITED ACTS ON PART OF THE AIRPORT TO WHICH THE ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981 DOES NOT APPLY**

6. The following acts are prohibited on any part of the Airport to which the Road Traffic (Northern Ireland) Order 1981 does not apply:-

**6.1 Driving offences**

A person shall not drive a vehicle:-

(a) dangerously;

(b) without due care and attention, or without reasonable consideration for other persons using that part of the Airport;

(c) whilst drunk or under the influence of drink or drugs or other intoxicating substance; or

(d) at a speed in excess of 20 miles per hour or in excess of such other speed limit indicated by a Sign which speed shall not in any event be more than 20 miles per hour except in an emergency.

In this Byelaw "dangerously" has the same meaning as in Article 11 of the Road Traffic (Northern Ireland) Order 1995.

**6.2 Not to cause danger with a vehicle**

A person shall not use, cause or permit to be used, any vehicle in such a way as to cause or to be likely to cause danger or nuisance to any person.

**6.3 Complying with notice etc.**

A person shall not except in the case of an emergency whilst on foot, or driving or propelling vehicle neglect, fail, or refuse to comply with an indication or direction, including a failure to stop, given by a constable or an airport official or by a notice exhibited by order of the Airport Company.

**6.4 Obstruction**

Except in an event of an emergency, a person shall not leave or park a vehicle or cause it to wait for a period in excess of the permitted time in an area where the period of waiting is restricted by a sign.

**6.5 Obstruction causing danger**

Except in an emergency, a person in charge of a vehicle shall not cause or permit the vehicle to stand so as to cause any obstruction, or so as to be likely to cause danger to any person or property.

**6.6 Fail to set handbrake etc.**

A person shall not cause or permit any vehicle to be left unattended unless any parking brake or restraining device with which the vehicle is equipped is properly engaged.

#### 6.7 Use of vehicles

A person shall not use, cause or permit to be used any vehicle which fails to comply with any braking, steering, lighting, tyre or other road use or electrical requirements which apply to that type of vehicle if it were to be operated on a road to which the Road Traffic (Northern Ireland) Order 1981 applies, or use, cause or permit to be used any vehicle where the safety locking devices are not in good working order.

#### 6.8 Fuel and exhaust systems

A person shall not use, cause or permit to be used any vehicle unless the condition of the fuel and exhaust systems is at all times such that no danger or nuisance is caused or is likely to be caused to any person or property.

#### 6.9 Passenger safety and insecure load

A person shall not use, cause or permit to be used:-

- (a) any vehicle unless such vehicle, and all parts and accessories of such vehicle are at all times in such condition, and the number of passengers carried by such vehicle, the manner in which any passengers are carried in or on such vehicle, and the weight, distribution, packing and adjustment of the load of such vehicle are such that no danger is caused or is likely to be caused to any person in or on such vehicle or on the Airport; or
- (b) any vehicle unless the load carried by such vehicle is at all times so secured, if necessary by physical restraint other than its own weight, and is in such a position that neither danger nor nuisance is caused or is likely to be caused to any person or property by reason of the load or any part thereof falling or being blown from such vehicle, or by reason of any other movement of the load or any part thereof in relation to such vehicle.

#### 6.10 Permitted areas for vehicles

Except in the event of an emergency, a person shall not cause or permit vehicles, aircraft servicing equipment or persons to enter those parts of the Airport licensed for the surface movement of aircraft including the maneuvering area, aprons and any part of the Airport provided for the maintenance of aircraft except those parts specifically designated for such use from time to time by the Airport Company for use by vehicles, aircraft servicing equipment or persons.

### 7 ACTS FOR WHICH PERMISSION IS REQUIRED ON PART OF THE AIRPORT TO WHICH THE ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981 DOES NOT APPLY

- 7. The following acts are prohibited on any part of the Airport to which the Road Traffic (Northern Ireland) Order 1981 does not apply unless the permission of the Airport Company has first been obtained or unless the act is performed by a person acting with lawful authority or excuse:-

#### 7.1 Drive or place vehicle

A person shall not drive, operate or place a vehicle elsewhere than in a place provided for the passage or accommodation as the case may be of such a vehicle.

#### 7.2 Lights on vehicles

A person shall not drive or leave any vehicle which does not comply with any of the lighting requirements which apply on a road to which the Road Traffic (Northern Ireland) Order 1981 applies.

#### 7.3 Parking

A person shall not leave any cargo or baggage or park any vehicle or equipment elsewhere than in a place designated by the Airport Company for the accommodation of such cargo or baggage or the parking of such vehicle or equipment.

#### 7.4 Unattended vehicles

A person shall not:-

- (a) leave any vehicle unattended when its engine is running; or
- (b) leave any vehicle with a removable ignition key unattended when the ignition key is in the vehicle.

### 8 OTHER ACTS REQUIRING LAWFUL AUTHORITY OR REASONABLE CAUSE OR EXCUSE

#### 8.1 Tampering with aircraft

A person shall not tamper with any aircraft or anything used in connection with any aircraft without lawful authority or reasonable cause or excuse.

#### 8.2 Tampering with lifts etc.

A person shall not tamper with or misuse any lift, escalator, travolator, tracked transit system, conveyor belt, air jetty, or any mechanical or electrical or electronic apparatus without lawful authority or reasonable cause or excuse.

#### 8.3 Entering vehicles etc.

A person shall not enter or get on any vehicle, truck, trolley or aircraft steps or tamper with the brake or other part of its mechanism without lawful authority or reasonable cause or excuse.

### 9 TAXIS

#### 9.1 Ply for hire

A person shall not cause or permit a taxi to ply for hire or load passengers and/or baggage on any part of the Airport unless:-

- (a) he is driving an authorised taxi; and
- (b) he does so from an authorised standing or other place approved by the Airport Company provided that it shall not be an offence for a private hire vehicle with a prior booking to load passengers in a public car park or at the set-down area.

**9.2 Authorised standing**

A person shall not knowingly cause or permit any vehicle other than an authorised taxi to stand on the authorised standing.

**9.3 Taxi drivers**

Taxi drivers on the authorised standing shall be with their taxis and be available and willing to be hired immediately.

**9.4 Disabled Taxis**

Disabled taxis shall not be left by their drivers on the authorised standing or taxi feeder park longer than is reasonably necessary.

**9.5 Obstruction**

Taxi drivers shall not obstruct the carriageway, footpath or buildings or cause annoyance or disturbance to persons at any place on the Airport.

**9.6 Washing down**

A person shall not wash down or clean out a taxi on an authorised standing or on any other place on the Airport not designated for such use by the Airport Company.

**9.7 Wearing of identification card**

Taxi drivers shall at all times display their identification card while on the Airport.

**9.8 Entering Taxi Feeder Park**

A person shall not bring a taxi into the taxi feeder park other than an authorised taxi.

**9.9 Good Order**

A person shall not without reasonable excuse whilst waiting to fill a vacancy on an authorised standing fail to comply with such directions for ensuring good order and an orderly movement of traffic as may be given by a constable or an airport official.

**10 GENERAL**

**10.1 State name and address**

A person shall, if requested to do so by a constable, state his correct name and address and the purpose of his being on the Airport.

**10.2 Vehicle accident reporting**

Without prejudice to any provision of the general law, where, on a part of the Airport to which the Road Traffic (Northern Ireland) Order 1981 does not apply, any accident involving a vehicle occurs by which:-

- (a) personal injury is caused to a person other than the driver of that vehicle; or
- (b) damage is caused:-
  - (i) to a vehicle other than that vehicle;
  - (ii) to an animal other than an animal in or on that vehicle; or;
  - (iii) to any other property constructed on, fixed to, growing in or otherwise forming part of the land on which the road in question is situated or land adjacent to such land that driver shall stop and give his name and address, the name and address of the owner of the vehicle, the registration number or identification marks of the vehicle and details of the accident to a constable or airport official as soon as reasonably practicable and before leaving the Airport.

In this Byelaw, 'animal' has the same meaning as in Article 175(6) of the Road Traffic (NI) Order 1981.

**10.3 Aircraft Accident Reporting**

Where, on a part of the Airport to which the Road Traffic Enactments do not apply, any accident involving an aircraft occurs:-

- (a) if present at the time of the accident, the aircraft commander (or if the aircraft is being towed, the tug-driver) shall stop and give:-

- (i) his name and address;
- (ii) the name and address of the person who is the operator of the aircraft at the time of the accident;
- (iii) the identification marks of the aircraft; and
- (iv) details of the accident to a constable through the published Airport emergency telephone number as soon as reasonably practicable.

(b) the driver of any vehicle involved shall stop and give:-

- (i) his name and address;
- (ii) the name and address of the owner of the vehicle;
- (iii) the registration number or identification marks of the vehicle; and
- (iv) details of the accident to a constable through the published Airport telephone number as soon as reasonably practicable and in any event before leaving the Airport.

#### 10.4 Production of insurance details etc.

Any person driving a vehicle in a restricted area shall if requested to do so by a constable or an airport official produce, either immediately or within seven days at a place and to a person specified by the constable or airport official, details of the third party insurance cover for the operation of the vehicle in the restricted area and his airside driving permit.

#### 10.5 Information as to a driver of a vehicle

Any person keeping a vehicle in a restricted area or any other person shall give such information as to the identity of the driver to a constable or airport official as it is in his power to give and which may lead to the identification of the driver.

### 11 LOST PROPERTY

#### 11.1 Application of Byelaws

These Byelaws shall apply in relation to the safe custody, re-delivery and disposal of any property or thing which while not in proper custody, is found on any part of the Airport to which the public or passengers have access or in any vehicle owned or operated by or on behalf of the Airport Company excluding any property or thing found on board an aircraft, in a taxi or on premises let by the Airport Company to a third party.

#### 11.2 Person who finds property

Subject to the provisions of the Customs and Excise Acts, any person (other than airport official or a constable) who finds property to which these Byelaws apply shall hand it as soon as reasonably practicable in the state in which he finds it to an employee of the Airport Company or inform that person of the whereabouts of the property and inform that person of the place and circumstances in which it was found.

#### 11.3 Property to be delivered to Lost Property Office

- (a) Subject to any provisions of the Customs and Excise Acts, and paragraph (b) below the employee of the Airport Company to whom property is handed pursuant to Byelaw 11.2 hereof or who himself finds any property to which these Byelaws apply shall, as soon as reasonably practicable and in any case before leaving the Airport, deliver such property for safe custody in the state in which it comes into his possession to the lost property office or inform them of the whereabouts of the property and inform an airport official at the lost property office of the circumstances in which it was found.
- (b) If before any lost property shall have been delivered for safe custody to the lost property office under this Byelaw, it is claimed by a person who satisfies the employee of the Airport Company that he is the true owner, it shall be returned to that person, forthwith, without fee, on giving his name and address to the employee of the Airport Company who shall, as soon as possible, report the facts and give the claimant's name and address and a description of the lost property to the lost property office.

#### 11.4 Records of lost property

Any lost property delivered to the lost property office shall be retained in safe custody by the Airport Company or an airport official until claimed by the true owner thereof or disposed of in accordance with these Byelaws and the Airport Company or an airport official shall keep for a period of not less than 12 months a record showing particulars of the lost property (whether delivered to the lost property office or disposed of pursuant to Byelaw 11.3 hereof), the circumstances in which it was found and the ultimate disposal of the lost property provided that:-

- (a) official documents, including licences, passports and aliens identity books shall wherever practicable be returned forthwith to the appropriate government department, local authority or other body or person responsible for issuing them or for controlling or dealing with them;

(b) where the name and address of the true owner of any lost property other than the documents referred to in the preceding provision, are readily ascertainable the Airport Company or an airport official shall forthwith notify him that the lost property is in their possession and may be claimed in accordance with these Byelaws.

**11.5 Claim of property**

If any lost property, while it is retained by the Airport Company in safe custody, is claimed and the claimant proves to the satisfaction of the Airport Company or an airport official that he is the true owner and gives his name and address to a member of staff of the lost property office or an airport official, it shall thereupon be made available for collection by the claimant at the lost property office and upon payment of such reasonable charge as the Airport Company may from time to time fix for the handling, storage and return of any lost property as is delivered to the lost property office.

**11.6 Disposal of property**

(a) If any lost property retained by the Airport Company or an airport official for safe custody in accordance with these Byelaws is not, within six months of the date when it was delivered to the lost property office, re-delivered to a person pursuant to Byelaw 11.5 hereof the Airport Company or an airport official shall be entitled to sell it for the best price that can reasonably be obtained or otherwise dispose of it as they think fit.

(b) Notwithstanding the foregoing provisions of these Byelaws, if any lost property retained by the Airport Company or an airport official pursuant to these Byelaws is of a perishable nature and if, within 48 hours from the time when it was found, it has not been re-delivered to the owner pursuant to Byelaw 11.5 hereof, the Airport Company or an airport official shall be entitled to sell it at the best price that can reasonably be obtained or otherwise dispose of it as they think fit.

(c) Notwithstanding the foregoing provisions of these Byelaws any lost property which is or which becomes objectionable to the Airport Company may forthwith be destroyed or otherwise disposed of in a reasonable manner.

(d) A sale under this Byelaw shall not prejudice the right, for a period of 12 months from the date on which the property came into the custody of the Airport Company and/or airport official, of any true owner to be paid the proportion due to him of the residue of the proceeds of sale (if any) after deduction of any charge by the Airport Company or an airport official for the handling, storage and sale of the lost property and the Airport Company or an airport official's reasonable costs associated therewith.

**11.7 Power to open packages etc.**

Where any lost property is contained in a package, bag or other receptacle, a constable or an airport official may without liability to the true owner or any other person open or cause such receptacle to be opened and the contents examined, or request any claimant or the true owner to open it and submit it and its contents for examination, for the purpose of:-

(a) identifying and tracing the owner of the lost property;

(b) ascertaining the nature of the contents; or

(c) satisfying the Airport Company or an airport official that the contents do not constitute or include any item or items which may put at risk the safety or security of any person, any part of the Airport, any Airport or any air navigation installation.

**12 REVOCATION OF BYELAWS**

12 The City of Derry Airport Byelaws 1996 are hereby revoked.

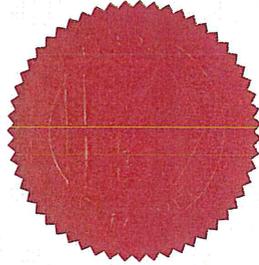
SIGNED and SEALED FOR AND ON BEHALF OF  
Derry City Council

BY:-

Martin Feilly  
Mayor

Parvinder  
Town Clerk and Chief Executive

[ 11<sup>th</sup> December 2013 ]



The Department for Regional Development hereby confirms the above Byelaws on the 30<sup>th</sup> day of January 2014 and they come into operation on the 5<sup>th</sup> day of February 2014 by virtue of Article 18(5) and section 91 of the Local Government Act (Northern Ireland) 1972.

The Official Seal of the Department for Regional Development was affixed hereto in the presence of:

(L.S.)

Tom Reid

Tom Reid  
A Senior Officer of the Department for Regional Development

Aine McKeating  
Witness



