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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 189**

**HARBOURS, DOCKS, PIERS AND FERRIES**

The Dumfries and Galloway Council (Isle of Whithorn) Harbour Empowerment Order 2008

Made - - - - 14th May 2008

Coming into force 23rd May 2008

THE DUMFRIES AND GALLOWAY COUNCIL (ISLE OF WHITHORN) HARBOUR EMPOWERMENT ORDER 2008

PART I

PRELIMINARY

1. Citation and commencement
2. Interpretation
3. Incorporation of Harbours, Docks, and Piers Clauses Act 1847
4. Harbour jurisdiction

PART II

HARBOUR REGULATION

*Management and control of the harbour*

5. General functions in respect of the harbour
6. Power to dredge
7. Reclamation of land
8. Tidal works not to be executed without approval by the Scottish Ministers
9. Declaration of draught, etc. of vessel
10. Provisions as to damage
11. Obstruction of officers, etc.
12. Boarding of vessels
13. Vessels adrift
14. Licensing of tugs
15. Power to appropriate parts of the harbour, etc.

*Moorings*

16. Power to lay down moorings

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

17. Licensing of moorings
18. Offences as to moorings, etc.

*Directions to vessels*

19. General directions to vessels
20. Publication of general directions
21. Special directions to vessels
22. Failure to comply with directions
23. Enforcement of special directions
24. Master's responsibility in relation to directions

*Obstructions*

25. Removal of obstructions other than vessels, vehicles or wreck
26. Removal of vehicles
27. Power to remove goods

*Byelaws*

28. Powers to make byelaws, etc.

PART III

CONTROL OF WORKS, DREDGING, ETC.

29. Restriction of works and dredging
30. Licensing of works
31. Licensing of dredging
32. Appeals in respect of works or dredging licences
33. Repair of structures, etc.

PART IV

FACILITIES AND SERVICES, ETC.

34. Power to provide warehouses and other facilities
35. Power to provide parking places
36. Provision of vessels
37. Power to hire out plant, etc.
38. Provision of supplies

PART V

CHARGES

39. Charges other than ship, passenger and goods dues
40. Liability for charges
41. Power to grant exemptions, rebates, etc., in respect of charges
42. Account of goods
43. Recovery of charges by seizure, etc.
44. Security for charges
45. Liens for charges
46. Refusal of customs clearance
47. Refusal to pay charges for landing place, etc.
48. Exemptions from charges
49. Conditions as to payment of charges

PART VI  
MISCELLANEOUS

- 50. Harbour office
  - 51. Reserve funds
  - 52. Power to lease harbour land and enter into agreements
  - 53. Saving for certain enactments, etc.
  - 54. Saving for town and country planning
  - 55. Saving for Commissioners of Northern Lighthouses
  - 56. Crown rights
- Signature

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SCHEDULE 1 THE HARBOUR  
SCHEDULE 2 PURPOSES FOR WHICH BYELAWS MAY BE MADE

- 1. Regulating the use, operation and superintendence of the harbour and...
  - 2. Regulating the admission to, and the movement within, and the...
  - 3. Regulating the shipping and unshipping, landing, warehousing, stowing, depositing and...
  - 4. Regulating the navigation, berthing and mooring of vessels within the...
  - 5. Preventing damage or injury to any vessels, goods, vehicles, plant,...
  - 6. Regulating the conduct of all persons in the harbour not...
  - 7. Regulating the placing and maintenance of moorings within the harbour...
  - 8. Preventing and removing obstructions or impediments within the harbour.
  - 9. Prohibiting or regulating the discharge or deposit of ballast, ashes,...
  - 10. Regulating the use of ferries within the harbour.
  - 11. Regulating or prohibiting the digging for bait in the harbour...
  - 12. Regulating or prohibiting the placing or keeping of structures or...
  - 13. Regulating in the harbour the use of yachts, sailing boats,...
  - 14. Regulating or prohibiting the use of personal water craft in...
  - 15. Requiring the owners of vessels and personal water craft used...
  - 16. Regulating the holding of regattas and other public events in...
  - 17. Regulating or prohibiting the activities in the harbour of divers,...
  - 18. Regulating the launching of vessels within the harbour.
  - 19. Prohibiting persons working or employed in or entering the harbour,...
  - 20. Regulating or preventing the use of fires and lights within...
  - 21. Regulating the movement, speed and parking of vehicles within the...
  - 22. Regulating the exercise of the powers vested in the harbour...
  - 23. Making the carrying out of specified harbour operations, or the...
  - 24. For the conservation of the natural beauty of all or...
- Explanatory Note