
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 189

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

PART II

HARBOUR REGULATION

Directions to vessels

General directions to vessels

19.—(1) The Council may after consultation with the Royal Yachting Association give directions for the purpose of promoting or securing conditions conducive to the ease, convenience or safety of navigation and the safety of persons and property in the harbour and, without prejudice to the generality of the foregoing, for any of the following purposes:—

- (a) for designating areas, routes or fairways in the harbour which vessels are to use, or refrain from using, for movement, mooring or anchorage;
- (b) for securing that vessels move only at certain times or during certain periods;
- (c) for securing that vessels make use of descriptions of aids to navigation specified in the direction;
- (d) for prohibiting—
 - (i) entry into the harbour by a vessel which for any reason would be or likely to become a danger to other vessels in the harbour, or to persons, property, flora or fauna in the harbour; and
 - (ii) entry into or navigation within any of the main fairways during any temporary obstruction thereof;
- (e) for prohibiting entry into or movement in the harbour or the approaches by vessels at times of poor visibility due to the weather or to the presence of dust or smoke:

Provided that no direction given under sub-paragraph (e) above shall prevent the entry into the harbour or the approaches of any vessel seeking refuge from stress of weather;
- (f) requiring the master of a vessel to give to the harbour master information relating to the vessel reasonably required by the harbour master for effecting any of the purposes of this paragraph.

(2) A direction under this article may apply—

- (a) to all vessels or to a class of vessels designated, or for which the designation is provided for, in the direction; or
- (b) to the whole of the harbour or to a part designated, or for which the designation is provided for, in the direction; or

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(c) at all times or at times designated, or for which the designation is provided for, in the direction;

and every direction under this article shall specify the extent of its application in relation to the matters referred to in sub-paragraphs (a), (b) and (c) above.

(3) The Council may after consultation with the Royal Yachting Association revoke or amend any general direction.