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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 27**

**The Port Babcock Rosyth Harbour Empowerment Order 2009**

**PART IV  
CHARGES**

**Exemptions from charges**

**33.**—(1) Except insofar as may be agreed between the Company and the government department or person concerned or as may be specifically laid down by statute, nothing in any enactment authorising the Company to levy charges shall extend to authorise them to levy charges on—

- (a) a vessel—
  - (i) belonging to or in the service of Her Majesty or any member of the Royal Family;
  - (ii) in the service of the Commissioners of H.M. Revenue & Customs and not carrying goods for reward; or
  - (iii) in the service of the Commissioners of Northern Lighthouses and not carrying goods for reward; or
  - (iv) belonging to or used by the lifeboat service whilst employed in or in connection with the functions of that service;
- (b) the Commissioners of H.M. Revenue & Customs in respect of a vessel or goods under customs seizure.

(2) Officers of the Department for Transport and the Scottish Ministers in the execution of their duty shall at all times be exempt from charges in respect of their vessels and otherwise.

(3) This Order shall not extend to subject any person to liability for charges in respect of a vessel which merely passes through the limits of the port without mooring or making use of any facilities provided by the Company.