
STATUTORY INSTRUMENTS

2006 No. 2167

The Dover Harbour Revision Order 2006

PART 7

MISCELLANEOUS AND GENERAL

Disposal of goods

28.—(1) This article shall have effect in relation to any goods which are found in the harbour or on Board operational premises or which are apparently abandoned or which, having been deposited there with the Board's agreement, are not removed at the agreed time.

(2) Subject to paragraph (3) of this article, where the name and address of a person who may be the owner of any goods are readily ascertainable, the Board shall forthwith notify him that the goods are in the possession of the Board and may be claimed in accordance with this article.

(3) When the Board give the notice referred to in paragraph (2) of this article, they may include in the notice a requirement that the owner shall collect the goods by a date specified in the notice (being not less than one month from the date of the notice) and that if he does not do so the title to the goods shall vest in the Board on that date.

(4) If, following the giving of the notice referred to in paragraphs (2) and (3) of this article, the owner fails to comply with the notice, the title to the goods shall vest in the Board on the specified date.

(5) Where any goods falling within this article are not sold or disposed of under paragraph (6) of this article and the Board are satisfied after reasonable enquiry that it is impossible to serve a notice under paragraph (2) of this article, the title to the goods shall vest in the Board six months after the date upon which the goods are found or the expiry of the time agreed for their removal as appropriate.

(6) Where any goods are of a perishable nature or to look after them adequately would involve the Board in unreasonable expense or inconvenience, the Board may sell or otherwise dispose of the goods at such time and in such manner as they think fit.

(7) If the Board shall sell or otherwise dispose of goods under paragraph (6) of this article, any person to whom the goods are transferred shall have a good title to them and ownership of the proceeds of sale shall vest in the Board six months after the date upon which the goods were found or not removed as mentioned in paragraph (1).

(8) Where goods are claimed by their owner or other person having title to collect them before the title to them vests in the Board under paragraph (4) of this article, they may be collected on payment to the Board of any sums due to the Board in respect of those goods and of all expense incurred by the Board in making enquiries, in serving notice under this article and in looking after them adequately, including removal and storage costs.

(9) Nothing in this article shall prejudice the Board's powers in relation to dangerous goods, houseboats and sunk, stranded or abandoned vessels, or parked vehicles, or in relation to the recovery of rates, rents and charges in relation to goods warehoused, stored or yarded within the harbour or to goods remaining upon the piers and quays of the harbour.