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STATUTORY INSTRUMENTS

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**2023 No. 35**

**The Merchant Shipping (Watercraft) Order 2023**

**PART 4**

**Harbour directions in relation to watercraft**

**Application of the Harbours Act 1964**

**11.**—(1) The following provisions of the Harbours Act 1964(1) apply in relation to watercraft as they apply in relation to ships—

- (a) section 40A (directions), as if for “the master of a ship” were substituted “the owner or operator of a watercraft”;
- (b) section 40B (procedure);
- (c) section 40C (enforcement), as if for “The master of a ship” were substituted “The owner and operator of a watercraft”;
- (d) section 40D (supplemental).

(2) The definitions of “harbour” and “harbour authority” in section 57(1)(2) of the Harbours Act 1964 apply for the purposes of interpreting the applied shipping provisions mentioned in paragraph (1).

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(1) 1964 c. 40. Sections 40A to 40D were inserted by section 5(1) of the Marine Navigation Act 2013 (c. 23). Amendments to section 40A(4)(a) were made in relation to Wales by section 30(4) of the Wales Act 2017 (c. 4).

(2) The definition of “harbour” was amended by the Local Government (Scotland) Act 1973 (c. 65) and paragraph 33(a) of Schedule 13 to the 1995 Act.