
WELSH STATUTORY INSTRUMENTS

2011 No. 1565

The Saundersfoot Harbour Empowerment Order 2011

PART 4

MANAGEMENT AND REGULATION OF HARBOUR

Obstruction of moorings

26.—(1) Any person who—

- (a) intentionally obstructs any person acting under the authority of the Commissioners in setting out moorings;
- (b) intentionally and without lawful authority pulls up or removes the whole or any part of any moorings from the harbour;
- (c) without reasonable excuse causes or permits a vessel to be moored in the harbour except at a mooring provided or licensed by the Commissioners under this Order; or
- (d) places, lays down, maintains, renews or has in the harbour any mooring not provided or licensed by the Commissioners under this Order;

is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) If any person commits an offence under paragraph (1)(c) the Commissioners may at any time after the expiration of seven days from the date of the offence—

- (a) remove the vessel, including any tackle with the vessel;
- (b) dispose of it; and
- (c) recover out of the proceeds of sale—
 - (i) any unpaid charge payable under article 33;
 - (ii) any unpaid licence fee payable under article 25; and
 - (iii) the expenses of removal and disposal under this paragraph;

and will hold any surplus proceeds of sale on trust for the owner of the vessel.

(3) If the owner of a vessel removed under paragraph (2) is unknown and cannot after diligent inquiry be found, the Commissioners may apply to the Magistrates' Court for an order giving the appropriate directions as to the disposal by the Commissioners of any surplus proceeds of sale.

(4) If any person commits an offence under paragraph (1)(d), the Commissioners may remove the mooring in question and recover from that person the expenses incurred in doing so.