
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 202

**Scottish Natural Heritage (Rum)
Harbour Empowerment Order 1999**

PART III

HARBOUR REGULATION

Enforcement of directions

23.—(1) Without prejudice to any other remedy available to Scottish Natural Heritage, if a direction given under article 21 (power to give directions) above is not complied with within a reasonable time, the harbourmaster may put persons on board the vessel to carry out the direction or may otherwise cause the vessel to be handled in accordance with the direction.

(2) If there is no master on board a vessel to attend to a direction, the harbourmaster may proceed as if the direction had been given and not complied with:

Provided that the powers of this paragraph shall not be exercised—

- (a) in relation to a vessel other than a lighter unless, after reasonable inquiry has been made, the master cannot be found; or
- (b) in relation to a lighter unless it is obstructing or interfering with navigation.

(3) Expenses incurred by Scottish Natural Heritage in the exercise of the powers conferred by paragraph (1) above shall be recoverable by them as if they were a charge of Scottish Natural Heritage in respect of the vessel.