
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 156

**The Lochboisdale and Gasay Port
(Harbour Empowerment) Order 2016**

PART 2

DUTIES AND POWERS OF THE COMPANY

Power to appropriate parts of Port, etc.

11.—(1) Subject to paragraph (3) but notwithstanding anything else in this or any other statutory provision of local application, the Company may from time to time set apart or appropriate any land, works, buildings, machinery or other property within the harbour owned or managed by the Company for the exclusive, partial or preferential use or accommodation of any particular trade, activity, person, vessel or class of vessels or goods, subject to the payment of such reasonable charges and to such terms, conditions or regulations as the Company thinks fit.

(2) No person or Vessel shall, otherwise than in accordance with the setting apart or appropriation, make use of any lands, works, buildings, machinery or other property so set apart or appropriated without the consent of the Harbour Master and—

- (a) the Harbour Master may order any person or Vessel making use thereof without such consent to leave or be removed; and
- (b) the provisions of section 58 of the 1847 Act shall extend and apply with appropriate modifications in relation to any such Vessel.

(3) Nothing in this article shall authorise the prohibition of navigation within any part of the harbour, nor shall it authorise interference with the public right of way across public slipways and public quays.