
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 188

**The Dumfries and Galloway Council
(Kirkcudbright) Harbour Revision Order 2018**

**PART I
PRELIMINARY**

Incorporation of the 1847 Act

3.—(1) Sections 1 to 4, 27, 29, 33, 35, 36, 52, 54, 57 and 60 to 65 of the 1847 Act are incorporated with this Order subject to the modifications stated in paragraphs (2) to (4).

(2) Section 63 (penalty on vessels lying near the entrance of harbour or dock without permission) shall have effect subject to the modification that for the words from “be liable to” to the end of the section there are substituted the words “be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.”.

(3) Section 65 (harbour master may remove vessel for purposes of repairing harbour or dock if the master neglects or refuses to do so) shall have effect subject to the omission of the words from “Provided always” to the end of the section.

(4) In constructing the provisions of the 1847 Act as incorporated with this Order—

- (a) the expression “the special Act” means this Order, the expression “the undertakers” means the Council and the expression “the harbour, dock or pier” shall mean “the harbour”; and
- (b) for the definition of the word “vessel” in section 3 (interpretation in this and the special Act) there shall be substituted the definition of that word in paragraph (1) of article 2 (interpretation).