SCOTTISH STATUTORY INSTRUMENTS

2005 No. 353

The Caledonian MacBrayne Limited (Kennacraig) Harbour Empowerment Order 2005

PART II

DUTIES AND POWERS OF THE COMPANY

Restriction of works and dredging

8.—(1) No person other than the Company shall in the harbour–

(a) alter, renew or maintain any works; or

(b) dredge,

unless that person is licensed to do so, in the case of works by a works licence and in the case of dredging by a dredging licence, nor except upon the terms and conditions, if any, upon which the licence is granted and in accordance with plans, sections and particulars approved in pursuance of article 9 or, as the case may require, article 10 below.

(2) Any person who contravenes this article shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) The Company may by notice require a person who contravenes this article to remove, abate or rectify, within a reasonable time specified in the notice, any work, operation or omission to which the contravention relates and to restore the site thereof to its former condition; and if that person fails to comply with the notice the Company may carry out the works so required and may recover the cost of so doing from that person.

(4) Nothing in this article shall affect the powers of a public telecommunications operator under the Telecommunications Act 1984(**1**).

(**1**) 1984 c. 12.