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## STATUTORY INSTRUMENTS

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# 1991 No. 1219

## The Dangerous Vessels (Northern Ireland) Order 1991

### **Directions by harbour master concerning dangerous vessels etc.**

3.—(1) Subject to Article 5 and without prejudice to any other power already conferred upon him, a harbour master may give directions prohibiting the entry into, or requiring the removal from, the harbour for which he is harbour master of any vessel if in his opinion the condition of that vessel or the nature or condition of anything it contains is such that its presence in the harbour might involve—

- (a) grave and imminent danger to the safety of any person or property; or
  - (b) grave and imminent risk that the vessel may, by sinking or foundering in the harbour, prevent or seriously prejudice the use of the harbour by other vessels.
- (2) The directions referred to in paragraph (1) may be given as respects the vessel in question—
- (a) to the owner of the vessel, or to any person in possession of the vessel;
  - (b) to the master of the vessel; or
  - (c) to any salvor in possession of the vessel, or to any person who is the servant or agent of any salvor in possession of the vessel, and who is in charge of the salvage operation;

and in sub-paragraph (b) “master” means the person having command or charge of the vessel, but does not include a pilot (that is to say, a person not belonging to the vessel who has the conduct of it).

(3) In determining whether to give any directions under paragraph (1) in any particular case, a harbour master shall have regard to all the circumstances of that case and, in particular, he shall have regard to the safety of any person or vessel (whether that person or vessel is in or outside the harbour and including the vessel in question in that case).

(4) Directions may be given under paragraph (1) in any such reasonable manner as the harbour master may think fit.

(5) At the time any directions under paragraph (1) are given to any person, the harbour master giving the directions shall inform that person of the grounds for giving them.

**Changes to legislation:**

There are currently no known outstanding effects for the The Dangerous Vessels (Northern Ireland) Order 1991, Section 3.