
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 421

The Dunbar Harbour Revision (Transfer) Order 2004

PART II

ESTABLISHMENT OF TRUST

Powers of Trust

4.—(1) The Trust may enter into contracts or agreements with any other person and may employ such officers and staff as they consider necessary or desirable.

(2) The Trust may provide, maintain and operate—

- (a) port and harbour services and facilities;
- (b) services and facilities for warehousing;
- (c) services and facilities for consignment or storage of goods on routes which include the harbour premises, and all services ancillary thereto.

(3) The Trust may construct, maintain, alter, renew or extend any works in the harbour and may dredge the harbour, or may on such terms and conditions as they think fit authorise any person to do so.

(4) The Trust may acquire by agreement any land required for their purposes, and may dispose of land belonging to them in such manner and upon such conditions as they think fit.

(5) The Trust may construct, purchase, contract for or hire, maintain, use, let, sell or dispose of—

- (a) vessels, including tugs for the use and accommodation of vessels;
- (b) machinery;
- (c) vehicles; and
- (d) equipment.

(6) The Trust may demand, take and recover such reasonable charges for services and facilities provided by them as they may from time to time determine.

(7) The Trust may demand, take and recover in respect of any floating plant or equipment that is not a ship as defined by section 57(1) of the Harbours Act 1964 (c. 40), entering or leaving the harbour such charge as they think fit and the provisions of sections 30, 31, 32 and 40 of the said Act shall with any necessary modifications apply to the charges which may be demanded under this paragraph as they apply to ship, passenger and goods dues.

(8) The Trust may make byelaws.

(9) Without prejudice to the responsibility of the master of any vessel, the Trust may issue directions, whether general or specific, in respect of all vessels or a specified class of vessels within the harbour or any part thereof, and may amend or revoke the same, for the purpose of—

- (a) ensuring the safety of vessels in the harbour;
- (b) preventing injury to persons or property in the harbour; or
- (c) securing the efficient management and regulation of the harbour.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(10) The making, amendment or revocation of such directions shall as soon as practicable be published once in Lloyd's List or some other newspaper specialising in shipping news, and the making, amendment or revocation of general directions shall be subject to consultation with the General Council of British Shipping.

(11) The Trust may borrow upon the security of their assets for the time being and of the revenues of the Trust, by any methods they see fit such sums of money as they think necessary not exceeding in the aggregate ten million pounds.