
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 189

The Dumfries and Galloway Council (Isle of Whithorn) Harbour Empowerment Order 2008

PART I

PRELIMINARY

Interpretation

2.—(1) In this Order—

“the 1847 Act” means the Harbours, Docks, and Piers Clauses Act 1847⁽¹⁾;

“charges” means charges, dues and tolls of every description for the time being payable under any enactment to the Council in relation to the harbour undertaking;

“the Council” means Dumfries and Galloway Council;

“general direction” means a direction given under article 19 below;

“the harbour” means the harbour of Isle of Whithorn as described in article 4 below and in Schedule 1 to this Order;

“the harbour map” means the map referred to in article 4 below of which copies are deposited at the offices of the Scottish Ministers at the Scottish Executive, Victoria Quay, Edinburgh, EH6 6QQ and with the Council at Militia House, English Street, Dumfries DG1 2HR;

“the harbour master” means any person appointed as such by the Council, and includes his deputies and assistants, and any other person for the time being authorised by the Council to act, either generally or for a specific purpose, in the capacity of harbour master;

“the harbour premises” means the quays, piers, landing places and all other works, land and buildings for the time being vested in, or occupied or administered by, the Council as part of the harbour undertaking;

“the harbour undertaking” means the harbour undertaking of the Council at Isle of Whithorn;

“the level of high water” means the level of mean high-water springs;

“mooring” includes buoys and other apparatus provided for the mooring of vessels;

“personal water craft” means any watercraft (not being a structure which by reason of its shape provides buoyancy for the carriage of persons or goods) propelled by a jet engine or other mechanical means of propulsion and steered either—

- (a) by means of a handlebar operated linkage system (with or without a rudder at the stern);
or
- (b) by the person or persons riding the craft using his or their body weight for the purpose; or
- (c) by a combination of the methods referred to respectively in (a) and (b) above;

“special direction” means a direction given under article 21 below;

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“tidal work” means so much of any work authorised by this Order as is in, under or over tidal waters or tidal lands below the level of high water;

“vessel” means every description of vessel, however propelled or moved, and includes any thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily), a seaplane on or in the water, a hovercraft, a hydrofoil and any amphibious vehicle.