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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 189**

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

PART V

CHARGES

**Recovery of charges by seizure, etc.**

**43.**—(1) If default is made in the payment of any charge in respect of a vessel or its cargo the harbour master may, on producing if so required his authority, board the vessel with such assistance as he deems necessary and take, seize or arrest the vessel and the tackle and cargo thereof, and if the charge remains unpaid for 7 days after the seizure or arrestment may cause any of the matters so seized or arrested to be sold, and the surplus (if any) of the proceeds of sale over the amount of the charge and over the expenses of taking, keeping, appraising and selling the matters aforesaid shall be paid to the master on demand.

(2) If any dispute arises as to the amount of charge due, or of the expenses of seizure or arrestment by virtue of this article, the harbour master may detain the matters so seized or arrested until the amount aforesaid, subject to any costs of the application payable by either party, has been determined upon application to the sheriff.