

*Status: This version of this provision is prospective.*

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Newport (Isle of Wight) Harbour Revision Order 1988. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

## STATUTORY INSTRUMENTS

# 1988 No. 2304

## The Newport (Isle of Wight) Harbour Revision Order 1988

PROSPECTIVE

### Powers with respect to disposal of wrecks

**11.—(1)** In relation to any vessel sunk, stranded or abandoned (whether before or after the commencement of this Order) in such manner as to be an obstruction or danger to navigation in the harbour or in or near any approach thereto:—

- (a) subject to sub-paragraph (b) of this paragraph, and to any enactment for the time being in force limiting his liability the Council may recover as a simple contract debt from the owner of any vessel in relation to which they have exercised their powers under section 530 of the Act of 1894 any expenses incurred by them under that section which are not reimbursed out of the proceeds of any sale effected under that section;
- (b) except in a case which is in the opinion of the Council a case of emergency, sub-paragraph (a) of this paragraph shall not apply in relation to any vessel, unless, before exercising in relation to that vessel any of the powers conferred on them by the said section 530 other than the power of lighting and buoying the Council have given to the owner of the vessel not less than 48 hours' notice of their intention to do so; and if before the notice expires they receive from the owner counter-notice in writing that he desires to dispose of the vessel himself and no direction is served in respect of the vessel under sub-paragraph (b) of paragraph (2) of article 12 (Protection of Crown interests in wrecks) of this Order, he shall be at liberty to do so, and the Council shall not exercise the powers aforesaid in relation to that vessel until the expiration of 7 days from the receipt of the counter-notice and of any further continuous period thereafter during which the owner of the vessel proceeds with the disposal thereof with all reasonable diligence and in compliance with any directions for the prevention of interference with navigation which may be given to him by the Council.

(2) In this article the expression “owner” in relation to any vessel means the person who was the owner of the vessel at the time of the sinking, stranding or abandoning thereof.

### Commencement Information

**11** Art. 11 in force at 12.12.1988

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**Changes and effects yet to be applied to :**

- art. 11 coming into force by

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 8(2)(f) inserted by [S.I. 2021/139 art. 20\(3\)\(b\)](#)