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STATUTORY INSTRUMENTS

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**2007 No. 3463**

**The Maryport Harbour Revision Order 2007**

**PART 4**

*Further Powers as to Management and Regulation of Harbour*

**Power to deal with unserviceable vessels**

**27.**—(1) In addition to the powers conferred on the harbourmaster by section 57 of the 1847 Act and on the Authority by the Merchant Shipping Act 1995 and by this Order the Authority may remove, sell, destroy or otherwise dispose of any vessel laid by or neglected as unserviceable in, or on land adjoining the waters of the harbour.

(2) The Authority may retain out of the proceeds of sale of any such vessel, or any part of them, any expenses incurred by them in respect of the vessel or in marking, buoying, lighting or otherwise controlling the vessel or warning shipping of its presence and any expenses incurred by the harbourmaster under section 57 of the 1847 Act, and shall pay the surplus, if any, to the person entitled thereto. If the proceeds of sale are insufficient to reimburse the Authority for the said expenses, or there is no sale, the Authority may recover the deficiency, or, where there is no sale, the whole of the expenses, from the owner as a simple contract debt.

(3) Except in the case of emergency, the Authority shall, before exercising their powers under this article, give 28 clear days' notice in writing of their intention to do so to the owner of the vessel and by advertisement in each of three successive weeks in a local newspaper.

(4) If the owner or his place of business or abode is not known to the Authority or cannot after diligent inquiry be found or is outside the United Kingdom, the notice referred to in paragraph (4) may be given by displaying it at the harbour offices, Maryport for the period of its duration.