SCOTTISH STATUTORY INSTRUMENTS

2018 No. 207

HARBOURS, DOCKS, PIERS AND FERRIES

The Comhairle nan Eilean Siar (Various Harbours) Harbour Revision (Amendment) Order 2018

Made - - - -	*22nd June 2018*
Coming into force - -	*23rd June 2018*

The Scottish Ministers ("the Ministers") make the following Order in exercise of the power conferred by section 14(1) of the Harbours Act 1964(**1**) and all other powers enabling them to do so.

In accordance with section 14(1) of that Act, this Order is made in relation to a harbour which is being improved, maintained or managed by a harbour authority in the exercise and performance of statutory powers and duties. It is made for achieving objects specified in Schedule 2 to that Act(**2**).

In accordance with section 14(2) of that Act—

(a) this Order is made following a written application to the Ministers by Comhairle nan Eilean Siar, being the authority engaged in improving, maintaining or managing the harbour to which this Order relates; and

(b) the Ministers are satisfied that the making of this Order is desirable in the interests of securing the improvement, maintenance or management of the harbour to which this Order relates in an efficient and economical manner and of facilitating the efficient and economic transport of goods or passengers by sea.

Notices have been published by the applicant in accordance with the requirements of paragraph 10 of Schedule 3 to that Act(**3**). No objections to the application have been made.

The Ministers have considered the matters specified in paragraph 19(1) of that Schedule(**4**), insofar as applicable, and have decided in accordance with paragraph 19(2)(**5**) of that Schedule to make the Order applied for in the form of the draft submitted to them.

(**1**) 1964 c.40. Section 14 was relevantly amended by the Transport Act 1981 (c.56), Schedule 6, paragraphs 2, 3, 4(1) and 14 and Schedule 12 and the Transport and Works Act 1992 (c.42), Schedule 3, paragraph 1. See sections 14(7) and 57(1) of the Harbours Act 1964 for the definitions of "the appropriate Minister" and "the Minister". The functions of the Minister of the Crown were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(**2**) Schedule 2 was relevantly amended by the Transport and Works Act 1992 (c.42), Schedule 3, paragraph 9.

(**3**) Paragraph 10 of Schedule 3 was substituted by S.I. 1999/3445 and is amended by the Transport and Works (Scotland) Act 2007 (asp 8), section 25(5)(b) and (c).

(**4**) Paragraph 19(1) of Schedule 3 was substituted by S.I. 1999/3445 and is amended by the Transport (Scotland) Act 2005 (asp 12), section 46 and the Transport and Works (Scotland) Act 2007 (asp 8), section 25(5)(i).

(**5**) Paragraph 19(2) of Schedule 3 was substituted by S.I. 1999/3445.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Comhairle nan Eilean Siar (Various Harbours) Harbour Revision (Amendment) Order 2018 and comes into force on the day after the day on which it is made.

(2) In this Order, "the 2002 Order" means the Comhairle nan Eilean Siar (Various Harbours) Harbour Revision Order 2002(**6**).

Amendment of the 2002 Order

2. In Schedule 1 to the 2002 Order, under the heading Ardveenish, Barra—

(a) for paragraph (a), substitute—

"(a) From the south-eastern tip of Rubh na h-Acarsaid (Latitude 56° 59′ 10″ North, Longitude 007° 22′ 27″ West) to Rubh a Chaolais on the southern tip of Fladday (Latitude 56° 59′ 37″ North, Longitude 007° 21′ 07″ West),";

(b) for paragraphs (e) to (g), substitute—

"(e) From Eilean na Clarsaich (Latitude 57° 00′ 07″ North, Longitude 007° 23′ 33″ West) to a point on the southern shore of Aird Mhor (Latitude 57° 00′ 21" North, Longitude 007° 24′ 29″ West),

(f) From a point on the southern shore of Aird Mhor (Latitude 57° 00′ 21″ North, Longitude 007° 24′ 29″ West) to a point on the North East shore of Ardveenish (Latitude 57° 00′ 19″ North, Longitude 007° 24′ 35″ West),

(g) From a point on the North East shore of Ardveenish (Latitude 57° 00′ 19″ North, Longitude 007° 24′ 35″ West) to the southern side of Bagh Shiarabhagh (Latitude 56° 59′ 58″ North, Longitude 007° 24′ 33″ West).".

St Andrew's House,
Edinburgh
22nd June 2018

JOHN NICHOLLS
A member of the staff of the Scottish Ministers

(**6**) S.S.I. 2002/410.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Comhairle nan Eilean Siar (Various Harbours) Harbour Revision Order 2002 to alter the limits of the harbour at Ardveenish, Barra within which Comhairle nan Eilean Siar exercises jurisdiction as harbour authority.