
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 202

**Scottish Natural Heritage (Rum)
Harbour Empowerment Order 1999**

PART I

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Scottish Natural Heritage (Rum) Harbour Empowerment Order 1999 and shall come into force on 23rd December 1999.

Interpretation

2.—(1) In this Order, except where the context otherwise requires—

“Act of 1995” means the Merchant Shipping Act 1995⁽¹⁾;

“deposited plans” and “deposited sections” mean respectively plans and sections which have been deposited in connection with this Order, two copies of which have been deposited at the Scottish Executive and one copy of which has been deposited at the offices of Scottish Natural Heritage;

“government department” includes any part of or any member of the staff of the Scottish Administration which shall have the meaning defined in section 126(6) of the Scotland Act 1998⁽²⁾;

“harbour limits plan” means the plan showing the limits of jurisdiction in the harbour, two copies of which have been deposited at the Scottish Executive and one copy of which has been deposited at the offices of Scottish Natural Heritage;

“harbourmaster” means any person appointed as such pursuant to article 15(4) of this Order, and includes his deputies and assistants and any person for the time being authorised by Scottish Natural Heritage to act, either generally or for a specific purpose, in the capacity of harbourmaster;

“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 Scottish Natural Heritage as part of the undertaking;

“land” includes land covered by water, any interest in land and any servitude or right in, to or over land;

“limits of deviation” means the limits so shown on the deposited plans;

“master” in relation to a vessel means any person for the time being having or taking the command, charge or management thereof;

(1) 1995 c. 21.

(2) 1998 c. 46.

“Scottish Natural Heritage” means the body established by the Natural Heritage (Scotland) Act 1991⁽³⁾;

“undertaking” means the harbour undertaking for the time being of Scottish Natural Heritage on the island of Rum;

“vessel” means a ship, boat or craft of any description and includes any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily); and includes a hovercraft within the meaning of the Hovercraft Act 1968⁽⁴⁾ or any other amphibious vehicle or a seaplane; and

“works” means the works authorised by the Order, or as the case may require, any part thereof and includes any work constructed pursuant to article 3 (power to carry out works).

(2) All areas, directions, distances, lengths and widths as stated in any description of works, powers or lands other than article 4 (power to deviate) of this Order shall be construed as if the words “or thereabouts” were inserted after each such area, direction, distance, length and width and any reference in a description of works to a point shall be a reference to that point on the deposited plan.

(3) Any reference in this Order to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Order.

⁽³⁾ 1991 c. 28.

⁽⁴⁾ 1968 c. 59.