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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 171**

**HARBOURS, DOCKS, PIERS AND FERRIES**

**The Highland Council (Inverie)  
Harbour Empowerment Order 2004**

*Made* - - - - - *1st April 2004*  
*Coming into force* - - - - - *2nd April 2004*

Whereas the Highland Council has applied in writing for a harbour empowerment order under section 16 of the Harbours Act 1964(1);

And whereas the Scottish Ministers(2) in pursuance of paragraph 5(b) of Schedule 3 to the said Act(3),determined that the application for this Harbour Empowerment Order is made in relation to a project which falls within Annex II to Council Directive 85/337/EEC(4) on the assessment of the effects of certain public and private projects on the environment and whose characteristics require that it should be made subject to an environmental assessment;

And whereas the Scottish Ministers have directed the applicant to supply them with the information referred to in Annex III to the Directive in accordance with that paragraph;

And whereas the Scottish Ministers have considered the information supplied under that paragraph;

Now, therefore, the Scottish Ministers, in exercise of the powers conferred by section 16 of the said Act (being the appropriate Ministers under section 16(1) of that Act for the purposes of making this order) and of all other powers enabling them in that behalf and being satisfied that the making of this order is desirable in the interests of securing the improvement, maintenance or management of the harbour in an efficient and economical manner, hereby make the following Order:

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(1) 1964 c. 40; section 16 and Schedule 3 were amended by the Transport Act 1981 (c. 56) section 18 and Schedule 6, paragraphs 3, 14(2) and 14(3); and by the Transport and Works Act 1992 (c. 42), section 63 and Schedule 3.  
(2) The functions of the Scottish Ministers were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).  
(3) Schedule 3 was substituted by regulation 15(4) of the Harbour Works (Environmental Impact Assessment) Regulations 1999 (S.I.1999/3445).  
(4) O.J. No. L175, 5.7.85, p.40; Council Directive 85/337/EEC was amended by Council Directive 97/11/EC (O.J. No L73, 14.3.1997, p.5).