
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 308

The Port of Cairnryan Harbour Empowerment Order 2007

PART 1

PRELIMINARY

Incorporation of Harbours, Docks and Piers Clauses Act 1847

3.—(1) The Act of 1847 (except sections 6 to 25, 28, 31, 33, 42, 48 to 50, 67 and 77), so far as applicable to the purposes and not inconsistent with the provisions of this Order, is hereby incorporated with this Order subject to the modifications stated in paragraphs (2) to (4) below.

(2) Section 63 shall have effect subject to the modification that for the words from “be liable to” to the end of the section there are substituted the words “be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale”.

(3) Section 69 shall have effect subject to the modification that for the words from “shall forfeit” to the end of the section there are substituted the words “shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale”.

(4) In construing the provisions of the Act of 1847 as incorporated with this Order—

- (a) the expression “the special Act” means this Order, the expression “the undertakers” means the Company and the expression “the harbour, dock, or pier” shall mean the port;
- (b) for the definition of the word “vessel” in section 3 of the Act of 1847 there shall be substituted the definition of that word in article 2(1) of this Order;
- (c) section 52 shall have effect subject to the modification that, after the words “may give directions”, there shall be added the words “(which need not be in writing)”;
- (d) section 53 shall have effect subject to the modification that, for the word “made” and for the expression “after notice of such direction by the harbour master served upon him”, there shall be substituted respectively the word “given” and the expression “after being given any such direction by the harbour master”.