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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 403**

**HARBOURS, DOCKS, PIERS AND FERRIES**

**The St. Andrews Harbour Revision (Constitution) Order 2010**

*Made* - - - - 17th November 2010

*Coming into force* - - 18th November 2010

The Scottish Ministers (the “Ministers”) make the following Order in exercise of the powers conferred by section 14(1), (2A) and (3) of the Harbours Act 1964<sup>(1)</sup> and all other powers enabling Ministers 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, for achieving objects specified in Schedule 2 to that Act<sup>(2)</sup>.

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

- (a) this Order is made following a written application to Ministers by the St. Andrews Harbour Trustees (“the applicant”) being the authority engaged in improving, maintaining or managing the harbour and
- (b) Ministers are 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.

In accordance with section 14(2A) of that Act, the objects for achieving which this Order is made include repealing superseded, obsolete or otherwise unnecessary statutory provisions of local application affecting the harbour.

Notice has been published by the applicant in accordance with the requirements of paragraph 10 of that Schedule<sup>(3)</sup>.

In accordance with paragraph 14 of that Schedule Scottish Ministers have required the applicant to serve Fife Council, The Royal Yachting Association, the Chamber of Shipping and the Northern Lighthouse Board with copies of the draft order and newspaper notice being the documents required to be served under paragraph 13.

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(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). [Paragraph 10A of Schedule 3 was inserted by the Transport and Works (Scotland) Act 2007 (asp 8), section 25(5)(d).]

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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The provisions of paragraph 17 of that Schedule<sup>(4)</sup> have been satisfied. No objections to the application have been made. In accordance with paragraph 19(2) of that Schedule<sup>(5)</sup>, Ministers have decided to make this Order in the form of the draft submitted to them.

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(4) Paragraph 17 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)(g).

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