
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 414

The Aberdeen Harbour Revision Order 2016

PART 1

PRELIMINARY

Citation and commencement

1.—(1) This Order may be cited as the Aberdeen Harbour Revision Order 2016 and comes into force on the day after the day on which it is made.

(2) The Aberdeen Harbour Orders 1960 to 2002 and this Order may be cited together as the Aberdeen Harbour Orders 1960 to 2016.

Interpretation

2.—(1) In this Order—

“the 1960 Order” means the Provisional Order confirmed by section 1 of the Aberdeen Harbour Order Confirmation Act, 1960 and contained in the schedule of that Act⁽¹⁾;

“the Board” means the statutory body incorporated under the name of “the Aberdeen Harbour Board” by section 4 of the 1960 Order;

“CEMD” means a Construction and Environmental Management Document approved by the Ministers from time to time under article 28(1);

“Commissioners of Northern Lighthouses” means the general lighthouse authority for Scotland, a body corporate constituted by section 193 and schedule 8 of the Merchant Shipping Act 1995⁽²⁾;

“deposited plans” means the plans which are bound together and signed in duplicate with reference to this Order and marked “The Aberdeen Harbour Revision Order 2016 Plans” of which one set has been deposited at the Scottish Government, Transport Scotland, AMFC Directorate, 2F North, Victoria Quay, Edinburgh, EH6 6QQ and the other set has been deposited at the principal office of the Board, 16 Regent Quay, Aberdeen, AB11 5SS;

“general direction” means a direction given under article 18;

“government department” includes any part of, or any member of the staff of, the Scottish Administration (which shall have the same meaning as in section 126(6) of the Scotland Act 1998⁽³⁾);

“the Group” means the Environmental Advisory Group referred to in paragraph 1 of the schedule;

“harbour” means the harbour of Aberdeen as comprised within the harbour limits;

“harbour limits” means the limits of the harbour as defined in article 15;

(1) 1960 c.1.

(2) 1995 c.21. Schedule 8 was amended by section 55 of the Scotland Act 2016 c.11.

(3) 1998 c.46.

“harbour master” means any person appointed as such by the Board and includes that person’s deputies and assistants and any other person for the time being authorised by the Board to act, either generally or for a specific purpose, in the capacity of harbour master;

“harbour undertaking” has the same meaning as in section 3 of the 1960 Order;

“level of high water” means the level of mean high water springs;

“limits of deviation” means the limits delineated in red on sheet 9;

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

“OEMD” means an Operational and Environmental Management Document approved by the Ministers from time to time under article 28(2);

“special direction” means a direction given under article 20;

“the Ministers” means the Scottish Ministers;

“tidal work” means so much of any work authorised by this Order as is on, under or over tidal waters or tidal lands below the level of high water;

“UK Chamber of Shipping” means the trade association for the United Kingdom shipping industry, incorporated under that name as a company limited by guarantee;

“vessel” means a ship, boat, raft or water craft of any description however propelled or moved, and includes a jet-ski, a displacement craft, a personal watercraft, a sea plane on the surface of the water, a hydrofoil vessel or any other amphibious vehicle and any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily); and

“works” means the works authorised by this Order, or as the case may require, any part thereof and includes any work constructed under article 3 (power to construct works) or article 5 (subsidiary works).

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

(3) Any reference in this Order to a work identified by a number is a reference to the work of that number authorised by this Order.

(4) Any reference in this Order to a numbered sheet is a reference to that numbered sheet in the deposited plans.