

**Changes to legislation:** Harbours Act 1964, Paragraph 19A is up to date with all changes known to be in force on or before 01 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 3

#### PROCEDURE FOR MAKING HARBOUR REVISION AND EMPOWERMENT ORDERS

##### Textual Amendments

- F1** Sch. 3 substituted (1.2.2000) by [The Harbour Works \(Environmental Impact Assessment\) Regulations 1999 \(S.I. 1999/3445\)](#), reg. 15(4), **Sch. 3**

##### Modifications etc. (not altering text)

- C1** Sch. 3 modified (1.4.2001) by 2000 c. 38, s. 37, **Sch. 5 para. 1(2)(j)** (with s. 106); S.I. 2001/869, **art.2**
- C1** Sch. 3: transfer of functions (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 29(2)(b)(ii)**, 71(4) (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(g) (with transitional provisions and savings in S.I. 2018/278, reg. 2, Sch.)
- C1** Sch. 3: power to amend or repeal conferred for specified purposes (26.12.2023) by [Levelling Up and Regeneration Act 2023 \(c. 55\)](#), ss. 164(3), 255(5), Sch. 14 Pts. 1, 2 (with s. 247)

### PART I

#### ORDERS MADE ON APPLICATION TO THE SECRETARY OF STATE

##### *The decision*

- [<sup>F2</sup>19A(1) The Secretary of State must make a decision under paragraph 19(6) in respect of an EIA application only if satisfied that the reasoned conclusion relating to that application is up to date.
- (2) A reasoned conclusion is to be taken to be up to date if, in the opinion of the Secretary of State, it addresses the likely significant effects of the project on the environment.
- (3) The Secretary of State may decide to modify an order to include a monitoring measure only if satisfied that the type of parameters which will be required to be monitored and the duration of such monitoring are proportionate having regard to—
- (a) the nature, location and size of the project, and
  - (b) the significance of the effects of the project on the environment.]]

##### Textual Amendments

- F2** Sch. 3 paras. 19-19B substituted for Sch. 3 para. 19 (5.12.2017) by [The Environmental Impact Assessment \(Miscellaneous Amendments Relating to Harbours, Highways and Transport\) Regulations 2017 \(S.I. 2017/1070\)](#), reg. 1(1), **Sch. 1 para. 8(18)** (with Sch. 6 paras. 2(2), 3(3))

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by [2023 c. 8 s. 9\(7\)](#)