

Changes to legislation: Harbours Act 1964, Paragraph 31 is up to date with all changes known to be in force on or before 14 March 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

[^{F1}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 II

ORDERS MADE BY THE SECRETARY OF STATE OF HIS OWN MOTION

The order

- 31 (1) As soon as possible after a harbour revision order has been made by the Secretary of State of his own motion he shall—
- publish a notice by Gazette and local advertisement, and
 - serve a copy of the order on each person on whom notice was served under paragraph 26(1)(b).
- (2) The notice mentioned in sub-paragraph (1)(a) must^[F2]—
- ^[F2]contain the information specified in paragraph 24(2).
- ^[F3](2A) Sub-paragraphs (2B) and (3) apply in relation to a harbour revision order where—
- the Scottish Ministers have proposed to make the order of their own motion, and
 - the order is subject to the affirmative procedure by virtue of section 54A(4) of this Act.
- (2B) The reference in sub-paragraph (1) to the order having been made by the Secretary of State of his own motion is to be read as a reference to a draft statutory instrument containing the order having been laid before the Scottish Parliament.]
- ^[F4](3) As soon as possible after the ^[F5]order is made or the Scottish Parliament has decided not to approve a draft statutory instrument containing the order, the Scottish] Ministers shall publish by Gazette and local advertisement a notice containing the

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information specified in head (a) of sub-paragraph (3) of paragraph 24 and, if appropriate, that specified in head (b) of that sub-paragraph.]]

Textual Amendments

- F2** Words in Sch. 3 para. 31(2) substituted (S.) (28.12.2007) by [Transport and Works \(Scotland\) Act 2007 \(asp 8\)](#), **ss. 25(5)(n)**, 30(4); S.S.I. 2007/516, art. 2
- F3** Sch. 3 para. 31(2A)(2B) inserted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **7(f)(i)** (with arts. 8, 9)
- F4** Sch. 3 para. 31(3) added (S.) (28.12.2007) by [Transport and Works \(Scotland\) Act 2007 \(asp 8\)](#), **ss. 25(5)(o)**, 30(4); S.S.I. 2007/516, art. 2
- F5** Words in Sch. 3 para. 31(3) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **7(f)(ii)** (with arts. 8, 9)

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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\(7\)](#)