

Changes to legislation: Harbours Act 1964, Cross Heading: The decision is up to date with all changes known to be in force on or before 18 February 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 decision

- 29 (1) The Secretary of State shall consider—
- any objections made and not withdrawn, [^{F2}and]
 - the report of any person who held an inquiry [^{F3}and of any person appointed for the purpose of hearing an objector][^{F4}and of any person appointed for the purpose of hearing an objector] under paragraph 28[^{F5}; and
 - any written representations submitted to the Scottish Ministers by an objector in elaboration of the objection.]
- (2) Following the consideration required by sub-paragraph (1) the Secretary of State shall decide—
- not to make the order proposed,
 - to make the order in the form of the draft, or
 - to make it with modifications.]

Textual Amendments

- F2** Word in Sch. 3 para. 29(1) repealed (S.) (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\), ss. 47\(2\), 54\(2\)](#) (with s. 48); [S.S.I. 2005/454, art. 2, sch. 2](#)

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- F3** Words in Sch. 3 para. 29(1)(b) inserted (E.W.) (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), s. 324(1)(c)(d), **Sch. 21 para. 6(2)** (with Sch. 21 para. 7); S.I. 2009/3345, art. 2, Sch. para. 26
- F4** Words in Sch. 3 para. 29(1)(b) inserted (S.) (10.10.2005) by Transport (Scotland) Act 2005 (asp 12), **ss. 47(2)(a), 54(2)** (with s. 48); S.S.I. 2005/454, art. 2, sch. 2
- F5** Sch. 3 para. 29(1)(c) and preceding word inserted (S.) (10.10.2005) by Transport (Scotland) Act 2005 (asp 12), **ss. 47(2)(b), 54(2)** (with s. 48); S.S.I. 2005/454, art. 2, sch. 2

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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\(7\)](#)