

SCHEDULES

SCHEDULE 19

Section 154.

AMENDMENT OF ENACTMENTS RELATING TO PIERS, HARBOURS, ETC

The Harbours, Docks and Piers Clauses Act 1847

- 1 In section 3 (interpretation), in the definition of " county ", for the words from " shall include any division " onwards there shall be substituted the words " means the area of a regional or islands council ".
- 2 In section 7 (correction of errors), for the words from " schoolmasters " to " royal burgh " there shall be substituted the words " proper officer of the regional or islands council within whose area the lands are situated ".
- 3 In section 8 (works not to proceed unless plans deposited), for the words from " schoolmasters " to " royal burgh " there shall be substituted the words " proper officer of the council of any region or islands area and for the words " royal burghs " there shall be substituted the words " areas of such councils ". "
- 4 In section 9 (receipt and inspection of plan), for the words " schoolmasters and town clerks " there shall be substituted the words " and proper officers ".

The General Pier and Harbour Act 1861, Amendment Act 1862

- 5 In Part I of Schedule (B) (advertisement of intended application), the following amendments shall be made:—
 - (a) in paragraph (1)3, for the words from " names " to " places " there shall be substituted the words " name of the place and of the area of the regional or islands council ";
 - (b) in paragraph (3), the words "city, town or", where first occurring, shall cease to have effect, for the words from " in the county in " to " town or " there shall be substituted the words " or circulating in the area of the regional or islands council in which such " , and the words from " or if there be none " onwards shall cease to have effect.

The Congested Districts (Scotland) Act 1897

- 6 In section 10 (definitions), in the definition of " congested district ", for the words from " anycrofting ", onwards there shall be substituted the words " any place within the Highland Region, the islands areas of Orkney, Shetland or the Western Isles or the Argyll district other than the former burgh of Rothesay and the former district of Bute ".

The Harbours, Piers and Ferries (Scotland) Act 1937

- 7 For section 1(2) (transfer of harbours to local authorities), there shall be substituted the following subsection:—

Status: This is the original version (as it was originally enacted).

“(2) A local authority may accept a transfer of a marine work which is wholly or partly situated within their area, but where the marine work is partly situated within the area of another local authority they may only do so with the agreement of that other authority, or failing such agreement, with the consent of the Secretary of State.”

8 In section 5(5) (adaptation of General Pier and Harbour Act), the following amendments shall be made:—

- (a) in paragraph (i)(a), for the words from the beginning to " which " there shall be substituted the words " the regional or islands council in whose area ";
- (b) in paragraph (i)(b), for the words " county or burgh " there shall be substituted the word " area ".

9 In section 7(1)(b) (minor works), for the words from " any of" to " therein " there shall be substituted the words " the Highland Region, the islands areas of Orkney, Shetland or the Western Isles or the Argyll district other than the former burgh of Rothesay and the former district of Bute ".

10 For section 18 (responsibility for deficiency), there shall be substituted the following section:—

“18 Responsibility for deficiency.

Any deficiency which is required to be met out of rates in pursuance of section 16 of this Act shall be met by the regional or islands council in whom the marine work is vested, or in the case of a marine work vested in two or more such councils in combination, by those councils in such proportions as may be fixed by the combination agreement.”

11 In section 21 (borrowing), the following amendments shall be made—

- (a) in subsection (1), for the words "county or town council" there shall be substituted the words " local authority ";
- (b) in subsection (3), for the words "county or town council" there shall be substituted the words " local authority ".

12 In section 31(1) (interpretation), in the definition of " harbour authority ", for the words " pier or ferry " there shall be substituted the words " or pier " and, in the definition of " local authority ", for the words " county or a town " there shall be substituted the words " regional or islands ".

13 For Schedule 3 there shall be substituted the following Schedule:—

“SCHEDULE 3

The Clyde Port Authority.
 The Forth Ports Authority.
 The Aberdeen Harbour Commissioners.
 The Trustees of the Harbour of Dundee.”

The Highlands and Islands Shipping Services Act 1960

14 In section 5 (interpretation), in the definition of " Highlands and Islands " for the word " counties " there shall be substituted the word " areas " and the words from " inclusive " onwards shall cease to have effect.

15 For the Schedule there shall be substituted the following Schedule:—

“SCHEDULE

AREAS TO WHICH SECTION ONE APPLIES

The Highland Region.

The Islands Areas of Orkney, Shetland and the Western Isles.

Argyll District

In the Cunninghame District, the former burgh of Millport, and the former districts of Arran and Cumbrae.”

The Harbours Act 1964

16 In section 57(1) (interpretation), in the definition of "marine work ", the following amendments shall be made—

- (a) for the words from " means " to " 1937" there shall be substituted the words " means a harbour or boatslip in Scotland (other than a harbour or boatslip which is vested in any of the bodies specified in Schedule 3 to the Harbours, Piers and Ferries (Scotland) Act 1937 or which is vested in any of the Boards other than the Scottish Transport Group or a subsidiary within the meaning of section 154 of the Companies Act 1948 of that Group) ";
- (b) in paragraph (b), for the words from " counties " to " Zetland " there shall be substituted the following words " areas, namely, the Highland Region, the islands areas of Orkney, Shetland and the Western Isles or the Argyll district other than the former burgh of Rothesay and the former district of Bute " and for the word " counties " where second occurring, there shall be substituted the word " areas ".