
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 361

The Whiteness Marina Harbour Revision Order 2008

PART 1

PRELIMINARY

Incorporation of Harbours, Docks and Piers Clauses Act 1847

3.—(1) The 1847 Act (except sections 6 to 25, 27, 28, 31, 33, 49, 50, 52, 53, 67, 83 to 90, 92 and 101), so far as applicable to the purposes and not inconsistent with the provisions of this Order, is hereby incorporated with this Order subject to the modifications stated in paragraphs (2) to (4).

(2) Section 63 shall have effect subject to the modification that for the words from “be liable to” to the end of the section there are substituted the words “be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale”.

(3) Section 69 shall have effect subject to the modification that for the words from “shall forfeit” to the end of the section there are substituted the words “shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale”.

(4) In construing the provisions of the 1847 Act as incorporated with this Order—

- (a) the expression “the special Act” means this Order, the expression “the undertakers” means the Company and the expression “the harbour, dock, or pier” shall mean the marina; and
- (b) for the definition of the words “lands” and “vessel” in section 3 of the 1847 Act there shall be substituted the definitions of the words “land” and “vessel” respectively in article 2(1).