

ELIZABETH II



1976 CHAPTER xxxiii

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to Cromarty Harbour. [15th November 1976]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936, and it is requisite that the said 1936 c. 52. Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation of Order in schedule.
2. This Act may be cited as the Cromarty Harbour Order Confirmation Act 1976. Short title.

SCHEDULE

CROMARTY HARBOUR

Provisional Order to regulate the appointment of additional trustees of Cromarty Harbour.

Whereas—

(1) By an Act (local) of the twenty-fifth year of George the Third, chapter thirty-nine, trustees were appointed for preserving and maintaining the Piers and Harbour of Cromarty:

(2) By an Act (local) of the fourth year of William the Fourth, chapter forty-eight, the trustees were reconstituted to include (inter alios) the Provost of the Burgh of Cromarty for the time being:

1879 c. lv.

(3) By Section 2 of the Cromarty Harbour Order 1879 confirmed by the Pier and Harbour Orders Confirmation Act 1879 additional trustees were appointed including the Senior Bailie of Cromarty for the time being:

1973 c. 65.

(4) By the Local Government (Scotland) Act 1973 the Burgh of Cromarty was abolished and with it the offices of Provost and Senior Bailie with the result that the trustees no longer have representatives of the local authorities amongst their number:

(5) It is in the public interest that the Regional and District Councils established under the said Local Government (Scotland) Act 1973 should be represented amongst the trustees:

1936 c. 52.

(6) The purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936:

Now, therefore, in pursuance of the powers contained in the said Act of 1936 the Secretary of State orders as follows:—

Short title.

1. This Order may be cited as the Cromarty Harbour Order 1976.

Interpretation.

2.—(1) In this Order—

“ the Harbour ” means Cromarty Harbour;

“ the Act of 1834 ” means the Act of the fourth year of William the Fourth, chapter forty-eight;

“ the Order of 1879 ” means the Cromarty Harbour Order 1879;

“ trustees ” means trustees of Cromarty Harbour.

(2) Reference in this Order to any enactment shall be construed as reference to that enactment as re-enacted, extended or amended by or by virtue of any other enactment, including this Order.

3.—(1) Not later than the 1st December in the year 1976 and in each third year thereafter additional trustees shall be appointed in accordance with subsection (2) below to serve as trustees of the Harbour for three years commencing on the 1st January following appointment. Power to appoint trustees.

(2) The additional trustees shall be appointed as follows:—

- (a) two by the Highland Regional Council;
- (b) one by Ross and Cromarty District Council.

(3) Trustees appointed in pursuance of subsection (2) of this section who are councillors in the said Regional and District Councils shall remain trustees only so long as they remain such councillors and on any such trustee ceasing to hold office the Council by which he was appointed shall appoint a trustee in his place to serve for the remainder of the current term of three years.

(4) The additional trustees shall have and may exercise along with the trustees appointed in the Act of 1834 and in the Order of 1879 all the powers and privileges by that Act and Order conferred in the same manner as if the said additional trustees had been appointed in the Act of 1834.

4. The costs, charges and expenses of and incidental to the preparing for, obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the trustees and may be defrayed out of revenue. Costs of Order.

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