

Changes to legislation: Harbours Act 1964, Cross Heading: Defence projects: exemption from environmental impact assessment is up to date with all changes known to be in force on or before 13 April 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 I

ORDERS MADE ON APPLICATION TO THE SECRETARY OF STATE

[^{F2}Defence projects: exemption from environmental impact assessment

Textual Amendments

- F2** Sch. 3 paras. 20A-20G and cross-headings inserted (5.12.2017) by [The Environmental Impact Assessment \(Miscellaneous Amendments Relating to Harbours, Highways and Transport\) Regulations 2017 \(S.I. 2017/1070\)](#), reg. 1(1), **Sch. 1 para. 8(20)** (with Sch. 6 paras. 2(2), 3(3))

- 20A. (1) The Secretary of State may direct that an environmental impact assessment is not required for a project if satisfied that—
- the sole purpose of the project is national defence, and
 - carrying out the assessment would have an adverse effect on the fulfilment of that purpose.
- (2) The Secretary of State must, as soon as reasonably practicable, send a copy of a direction given under sub-paragraph (1)—
- to the Scottish Ministers, if the application for a harbour revision order authorising the project is required to be made to the Scottish Ministers;
 - to the Welsh Ministers, if the application for a harbour revision order authorising the project is required to be made to the Welsh Ministers;

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- (c) to a person designated by an order made under section 42A(1), if the application for a harbour revision order authorising the project is required to be made to that person.]]

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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\(7\)](#)