



Harbours Act 1964

1964 CHAPTER 40

Miscellaneous and General

[^{F1}54A “Developments of national significance” etc.: special procedure

[^{F2}(1) Subsection (4) below applies to a harbour revision order or harbour empowerment order which falls within subsection (2) below.]

(2) [^{F3}An order] falls within this subsection if—

- (a) [^{F4}it] authorises the carrying out of work which would constitute a national development; or
- (b) [^{F5}it] is the subject of a direction by the Scottish Ministers under this paragraph.

(3) In subsection (2) above and subsection (5) below, references to a “national development” are to any development (within the meaning of the Town and Country Planning (Scotland) Act 1997) for the time being designated under section 3A(4)(b) of that Act as a national development.

[^{F6}(4) The order is subject to the affirmative procedure.]

(5) [^{F7}An order (“the new order”)] which revokes, amends or re-enacts an [^{F8}order (“the old order”)] which was subject to the affirmative procedure by virtue of subsection (4) above is subject to the procedure in that subsection only if—

- (a) the [^{F9}new] order authorises the carrying out of work which would constitute a national development (other than a national development to which the [^{F10}old order] relates); or
- (b) the Scottish Ministers so direct.]

Textual Amendments

- F1** S. 54A inserted (S.) (28.12.2007) by [Transport and Works \(Scotland\) Act 2007 \(asp 8\)](#), **ss. 25(3)**, [30\(4\)](#); [S.S.I. 2007/516](#), **art. 2**

Changes to legislation: Harbours Act 1964, Section 54A is up to date with all changes known to be in force on or before 13 March 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

- F2** S. 54A(1) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(a)** (with art. 8)
- F3** Words in s. 54A(2) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(b)(i)** (with art. 8)
- F4** Word in s. 54A(2)(a) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(b)(ii)** (with art. 8)
- F5** Word in s. 54A(2)(b) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(b)(iii)** (with art. 8)
- F6** S. 54A(4) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(c)** (with art. 8)
- F7** Words in s. 54A(5) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(d)(i)** (with arts. 8, 9)
- F8** Words in s. 54A(5) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(d)(ii)** (with arts. 8, 9)
- F9** Word in s. 54A(5)(a) inserted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(d)(aa)(iii)** (with arts. 8, 9)
- F10** Words in s. 54A(5)(a) substituted (S.) (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\)](#), arts. 1, **6(d)(bb)(iii)** (with arts. 8, 9)

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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\(7\)](#)