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SCOTTISH STATUTORY INSTRUMENTS

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**1999 No. 202**

**HARBOURS, DOCKS, PIERS AND FERRIES**

**Scottish Natural Heritage (Rum)  
Harbour Empowerment Order 1999**

*Made* - - - - 21st December 1999

*Coming into force* - - 23rd December 1999

Whereas Scottish Natural Heritage have applied in writing for a harbour empowerment order under section 16 of the Harbours Act 1964(1);

And whereas it appears to the Scottish Ministers(2) in pursuance of paragraph A2 of Schedule 3 to the said Act(3), that the application is made in relation to a project which falls within Annex II to Council Directive 85/337/EEC(4) on the assessment of the effects of certain public and private projects on the environment and whose characteristics require that it should be made subject to an environmental assessment;

And whereas the Scottish Ministers have directed the applicant to supply them with the information referred to in Annex III to the Directive in accordance with that paragraph;

And whereas the Scottish Ministers have complied with the requirements of paragraph 3A of Schedule 3 to the said Act(5);

Now, therefore, the Scottish Ministers, in exercise of the powers conferred on them by section 16 of the said Act(6) and of all other powers enabling them in that behalf and being satisfied that the making of this Order is desirable in the interests of securing the improvement, maintenance or management of the harbour in an efficient and economical manner, hereby make the following Order:

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(1) 1964 c. 40; section 16 was amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6, paragraphs 3, 4(1) and 14 and by the Transport and Works Act 1992 (c. 42), Schedule 3, paragraph 2.

(2) The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(3) Schedule 3 was amended by the Transport Act 1981, section 18 and Schedule 6, paragraph 4(2) to (7) and (12) and by the Transport and Works Act 1992, Schedule 3, paragraph 10. Paragraph A2 was inserted by the Harbour Works (Assessment of Environmental Effects) (Amendment) Regulations 1996 (S.I.1996/1946).

(4) O.J. No. L175, 5.7.85, p.40.

(5) Paragraph 3A was inserted by the Harbour Works (Assessment of Environmental Effects) (Amendment) Regulations 1996 (S.I. 1996/1946).

(6) Section 57 contains a definition of “the Minister” relevant to the exercise of the powers under which this Order is made.