
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 203

**The Highland Council (Muck)
Harbour Empowerment Order 1999**

PART I

PRELIMINARY

Interpretation

“Act of 1991” means the Highland Regional Council (Harbours) Order Confirmation Act 1991(1);

“Act of 1997” means the Town and Country Planning (Scotland) Act 1997(2);

“annexed map” means the map annexed to this Order;

“building” includes structure or any other erection;

“construct” includes make, build, erect, install, provide, execute, place, alter, maintain and renew and “construction” shall be construed accordingly;

“the Council” means the Highland Council;

“deposited book of reference”, “deposited plans” and “deposited sections” mean respectively the book of reference, plans and sections which have been deposited in connection with this Order, two copies of which have been deposited at the Scottish Executive and one copy of which has been deposited at the offices of the Council;

“enactment” means any enactment, whether public general or local, and includes an enactment in this Order and any order, byelaw, rule, regulation, scheme and other instrument having effect by virtue of an enactment;

“government department” includes any part of or any member of staff of the Scottish Administration which shall have the meaning defined in section 126(6) of the Scotland Act 1998(3);

“harbour” means the harbour of Muck as authorised by this Order;

“harbour undertaking” means the harbour undertaking of the Council at Muck authorised by this Order;

“land” includes land covered by water, any interest in land and any servitude or right in or over land;

“the Land Compensation Act” means the Land Compensation (Scotland) Act 1963(4);

“the limits of deviation” means the limits so shown on the deposited plans;

(1) 1991 c.xii.
(2) 1997 c. 8.
(3) 1998 c. 46.
(4) 1963 c. 51.

“the limits of land to be acquired or used” means the limits marked “limit of land to be acquired or used” on the deposited plans;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” shall be construed accordingly;

“road” has the meaning given to it by section 151 of the Roads (Scotland) Act 1984⁽⁵⁾;

“sheriff” means any sheriff for the Fort William Sheriff Court district;

“sheriff clerk” means any sheriff clerk within Fort William Sheriff Court district;

“tribunal” means the Land Tribunal for Scotland; and

“works” means the works authorised by this Order, or as the case may require, any part thereof and includes any work constructed pursuant to article 5 (power to carry out works) and any work carried out pursuant to the incorporation of the Highland Regional Council (Harbours) Order⁽⁶⁾ in this Order.

In this Order, except where the context otherwise requires—

(2) All areas, directions, distances, lengths and widths as stated in any description of works, powers or lands other than article 6 (power to deviate) of this Order shall be construed as if the words “or thereabouts” were inserted after each such area, direction, distance, length and width and any reference in a description of works to a point shall be a reference to that point on the deposited plan.

(3) Any reference in this Order to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Order.

⁽⁵⁾ 1984 c. 54.

⁽⁶⁾ Confirmed by section 1 of the Act of 1991 and as set out in the Schedule thereto.