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SCOTTISH STATUTORY INSTRUMENTS

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**1999 No. 40**

**Fraserburgh Harbour Revision Order 1999**

**PART I**

**PRELIMINARY**

**Citation and commencement**

1.—(1) This Order may be cited as the Fraserburgh Harbour Revision Order 1999 and shall come into force on 1st September 1999.

(2) The Fraserburgh Harbour Order Confirmation Act 1985<sup>(1)</sup> the Fraserburgh Harbour (No 2) Order Confirmation Act 1985<sup>(2)</sup> the Fraserburgh Harbour Order Confirmation Act 1990<sup>(3)</sup> the Fraserburgh Harbour Revision Order 1995<sup>(4)</sup> and this Order may be cited together as the Fraserburgh Harbour Orders 1985 to 1999.

**Interpretation**

2.—(1) In this Order—

“area of works” means the area within the limits of deviation or, any part of that area;

“Commissioners” means the Fraserburgh Harbour Commissioners;

“deposited plan and sections” means the plan and sections prepared in duplicate and signed on behalf of the Scottish Ministers and marked “Plan and sections referred to in Article 2 of the Fraserburgh Harbour Revision Order 1999” of which one is deposited with the Rural Affairs Department at Pentland House, 47 Robb’s Loan, Edinburgh EH14 1TY and the other at the harbour office of the Commissioners;

“enactment” means any Act, whether general, local or personal and any order (other than this Order) or other instrument made thereunder and any provision in any such Act, order or instrument and includes Acts of the Scottish Parliament and any order or instrument made thereunder;

“government department” includes any part of, or any member of the staff of the Scottish Administration which shall have the meaning defined in section 126 of the Scotland Act 1998<sup>(5)</sup>;

“harbour” means the harbour of Fraserburgh as defined in section 2 (interpretation) of the Fraserburgh Harbour Order 1985;

“harbour undertaking” means the undertaking of the Commissioners in connection with the harbour;

“level of high water” means the level of mean high-water springs;

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(1) 1985 c.xlv.  
(2) 1985 c.xlvi.  
(3) 1990 c.xxxii.  
(4) S.I.1995/1527.  
(5) 1998 c. 46.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“level of low water” means the level of mean low-water springs;

“limits of deviation” means the limits of deviation shown on the deposited plan;

“tidal work” means so much of any work authorised by this Order as is on, under or over tidal waters or tidal lands below the level of high water;

“works” means the works authorised by article 3 (power to carry out works) of this Order or, as the case may require, any part thereof.

(2) All areas, directions, distances, lengths and widths as stated in any description of works, powers or lands other than article 4 (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.