

## SCHEDULE 6

### Transitional provisions and savings

## PART 1

### The 1964 Act

#### **Orders made under section 42A of the 1964 Act**

1. Section 42A of the 1964 Act as amended by paragraph 4 of Schedule 1 applies to orders made under that section before the commencement date as it applies to orders made under that section on or after that date.

#### **Applications for harbour revision orders, harbour empowerment orders or closure orders**

2.—(1) The amendments made by Schedule 1 to paragraphs 3 to 6(1)(a) of Schedule 3 to the 1964 Act do not apply in relation to a proposed application in respect of which notice is given under paragraph 3(a) of Schedule 3 to the 1964 Act before the commencement date.

(2) The amendments made by Schedule 1 to the 1964 Act do not apply in relation to an application in respect of which the applicant is informed of a screening decision before the commencement date.

(3) In this paragraph—

“application” means an application for a harbour revision order, a harbour empowerment order or a closure order;

“screening decision” means a decision under paragraph 6(1)(a) of Schedule 3 to the 1964 Act in response to a notice given under paragraph 3(a) of that Schedule.

#### **Proposals for closure orders made otherwise than on the application of a harbour authority**

3.—(1) The amendments made by Schedule 1 to section 17D(2)(e) of the 1964 Act do not apply in relation to a proposal in respect of which a screening decision is made before the commencement date.

(2) The amendments made by Schedule 1 to paragraph 4 of Schedule 3 to the 1964 Act do not apply in relation to a proposal which is made before the commencement date.

(3) The amendments made by Schedule 1 to Schedule 3 to the 1964 Act do not apply in relation to a proposal in respect of which a screening decision is made before the commencement date.

(4) In this paragraph—

“proposal” means a proposal to make a closure order otherwise than on the application of a harbour authority;

“screening decision”, in relation to a proposal, means a decision under section 17D(2)(e) of the 1964 Act.