
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 27

The Port Babcock Rosyth Harbour Empowerment Order 2009

PART V

MISCELLANEOUS

Crown rights

37.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular and without prejudice to the generality of the foregoing, nothing in this Order authorises the Company to take, use, enter upon or in any manner interfere with, any land or interest in land (including any portion of the shore or bed of the sea or of any river, channel, creek, bay or estuary) or any rights of whatsoever description—

- (a) belonging to Her Majesty in right of the Crown and under the management of the Crown Estate Commissioners, without the consent in writing of those Commissioners;
- (b) belonging to Her Majesty in right of the Crown and not under the management of the Crown estate, without the consent in writing of the government department having management of that land; or
- (c) belonging to a government department or held in trust for Her Majesty for the purposes of a government department, without the consent in writing of that government department.

(2) A consent under paragraph (1) may be given unconditionally, or subject to terms and conditions and shall be deemed to have been given in writing where it is sent electronically.