
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 288

**The Rosyth International Container
Terminal (Harbour Revision) Order 2013**

PART 3

WORKS PROVISIONS

Period for completion of works

11.—(1) If the works authorised by paragraphs (1) and (2) of article 5 are not completed within five years from the later of—

- (a) the date of the coming into force of this Order; or
- (b) Ministers' first approval of a CEMP,

or such extended time as the Scottish Ministers may on the application of the Company allow by consent given in writing, then on the expiration of that period or such extended time (as the case may be) the powers by this Order granted to the Company for making and maintaining those works shall cease except as to so much of those works as is then substantially commenced.

(2) A consent given under paragraph (1) may be given unconditionally or subject to terms and conditions.

(3) As soon as reasonably practicable after a consent is given under paragraph (1), the Company shall arrange for a notice to be published in the Edinburgh Gazette and in a local newspaper circulating in the area where the port is situated and the notice shall contain a concise summary of that consent.

(4) During the period of one month beginning with the date on which any notice is published in a local newspaper under paragraph (3), a copy of the consent referred to in that notice shall be kept by the Company at the offices of the Company situated at the port and shall at reasonable hours be open to public inspection without payment.

(5) The works shall be deemed to have been substantially commenced for the purposes of paragraph (1) where so much of Work No. 1 has been constructed as will enable other works to be constructed, maintained and managed together with that part of Work No. 1 as a harbour for the efficient and economic transport of goods or passengers by sea.

(6) Nothing in paragraph (1) shall apply to works carried out under paragraph (3) of article 5 or article 6, or to any maintenance dredging of existing berthing pockets, turning areas or channel within or approach or channel leading to the port limits authorised by paragraph (1)(b) of article 8.