
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 296

The Caledonian Maritime Assets (East Loch Tarbert) Harbour Revision Order 2019

PART 1

PRELIMINARY

Citation and commencement

1.—(1) This Order may be cited as the Caledonian Maritime Assets (East Loch Tarbert) Harbour Revision Order 2019 and shall come into force on the day after the day on which it is made.

(2) The 1873 Order and, so far as relating to East Loch Tarbert, the 1984 Order and this Order may be cited together as the East Loch Tarbert Harbour Orders 1873 to 2019.

Interpretation

2.—(1) In this Order, except where the context otherwise requires—

“the 1847 Act” means the Harbours, Docks, and Piers Clauses Act 1847**(1)**,

“the 1873 Order” means the East Loch Tarbert Pier Order 1873**(2)**,

“the 1964 Act” means the Harbours Act 1964**(3)**,

“the 1984 Order” means the Lochmaddy and East Loch Tarbert (Improvement of Piers &C.) Order 1984**(4)**,

“the 1995 Act” means the Merchant Shipping Act 1995**(5)**,

“CMAL” means Caledonian Maritime Assets Limited a company incorporated in Scotland with registered number SC1854,

“the Commissioners of Northern Lighthouses” means the general lighthouse authority for Scotland, a body corporate constituted by section 193 of, and Schedule 8 to, the Merchant Shipping Act 1995**(6)**,

“deposited plans, sections and elevations” means the plans, sections and elevations which are bound together and signed in duplicate with reference to this Order and marked “The Caledonian Maritime Assets (East Loch Tarbert) Harbour Revision Order 2019 Plans, Sections and Elevations” and which are deposited at the offices of the Scottish Ministers at Victoria Quay, Edinburgh EH6 6QQ and at the registered office of CMAL, and a reference to a numbered sheet is a reference to that numbered sheet bound in the deposited plans, sections and elevations,

(1) [1847 c.27](#).

(2) Confirmed by the Pier and Harbour Order Confirmation Act 1873 c.lxiii.

(3) [1964 c.40](#).

(4) Confirmed by the Lochmaddy and East Loch Tarbert (Improvement of Piers &C.) Order Confirmation Act [1984 c.xxx](#).

(5) [1995 c.21](#).

(6) [1995 c.21](#). Schedule 8 was amended by section 55 of the Scotland Act [2016 c.11](#).

“general direction” means a direction given under article 27,
“goods” includes vehicles and equipment,
“harbour” means the harbour at East Loch Tarbert as comprised within the harbour limits,
“harbour limits” means the limits of the harbour as defined in article 16,
“harbour limits plans” means sheets 2 and 3,
“harbour master” means any person appointed as such by CMAL and includes that person’s deputies and assistants and any person for the time being authorised by CMAL to act, either generally or for a specific purpose, in the capacity of harbour master,
“level of high water” means the level of mean high water springs,
“limits of deviation” means the limits of deviation shown on sheet 4,
“master” in relation to a vessel means any person for the time being having or taking the command, charge or management of the vessel,
“relevant person” in relation to any property, rights or interests to which section 90B(5) of the Scotland Act 1998(7) applies means the person who manages that property, or those rights and interests,
“special direction” means a direction given under article 29,
“vessel” means a ship, boat, raft or watercraft of any description however propelled or moved and includes anything constructed, adapted for or used to carry persons or goods by water or for floating on or being submerged in water (whether permanently or temporarily) and shall include but not be limited to a displacement craft, a personal water craft, a sea plane on the surface of the water, a hydrofoil vessel, a hovercraft or any other amphibious vehicle, 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 3 (power to construct works) or article 5 (subsidiary works).

(2) In this Order, all areas, directions, distances, lengths, widths, heights and grid references as stated in any description of works, powers or lands other than article 4 (power to deviate) shall be construed as if the words “or thereabouts” were inserted after each such area, direction, distance, length, width, height and grid reference.

(3) Any reference in this Order to a work identified by a number is a reference to the work of that number authorised by this Order.

(4) Any reference in this Order to a numbered sheet is a reference to that numbered sheet in the deposited plans, sections and elevations.