

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2021 No. 358**

**The Clydeport (COP 26 etc.) Harbour Revision Order 2021**

**PART 5**

**COP 26**

**Temporary extension of port limits for the COP 26 period**

**16.**—(1) On the COP 26 period commencement date, the Company shall become the harbour authority for the temporary additional area.

(2) Subject to article 18, on the COP 26 period termination date, the Company shall cease to be the harbour authority for the temporary additional area and shall cease to have any duties, powers, rights, privileges or authorities in respect of it as harbour authority under this Order.

(3) On the COP 26 period termination date the Company continues to be the harbour authority for the port.

(4) On the COP 26 period termination date the Company continues to have jurisdiction for the purposes of pilotage under Part 1 of the Pilotage Act 1987<sup>(1)</sup> in the port.

(5) The Clydeport Acts and Orders 1965 to 2018 remain in force at all times for the purposes of the Company exercising jurisdiction as a harbour authority during the COP 26 period in respect of—

- (a) the port, and
- (b) the temporary additional area,

subject to the provisions of the Clydeport Acts and Orders 1965 to 2018 and this Order.

(6) On the COP 26 period commencement date, for the purposes of the provisions of the Clydeport Acts and Orders 1965 to 2018 applied by article 17 to the temporary additional area, the definition of “the port” in the Clydeport Acts and Orders 1965 to 2018 is extended to include the temporary additional area until the COP 26 period termination date.

(7) The powers of the harbour master may be exercised within the temporary additional area during the COP 26 period.

**Incorporation of the Clydeport Acts and Orders in respect of the temporary additional area**

**17.**—(1) The Clydeport Acts and Orders 1965 to 2018 except article 16 of the 1965 Order (power to dredge), so far as applicable to the purposes of this Order, shall apply to the temporary additional area during the COP 26 period subject to the modification in article 16(5).

(2) The application of the Clydeport Acts and Orders 1965 to 2018 to the port remain unaffected by articles 16 and 17 of this Order.

## **Saving**

**18.—(1)** No proceedings or inquiries, whether commenced or continued during or after the COP 26 period, in respect of any situation, matter, thing, happening, act, refusal, neglect or failure occurring during that period so far as relating to the port or the temporary additional area, or any part or parts of those areas, including, but not limited to proceedings—

- (a) for an offence committed or penalty incurred, or
- (b) for the recovery of expenses, rates, dues, fees or charges incurred,

during the COP 26 period, shall be affected by any article of this Order or any general directions or special directions ceasing to have effect on the COP 26 period termination date.

(2) Any proceedings or inquiries mentioned in paragraph (1) may be commenced, continued and concluded, and any decision, judgment or ruling may be enforced, as if any article of this Order, and any general directions and special directions, had not ceased to have effect.

(3) Any period of time current in relation to any proceedings or inquiries mentioned in paragraph (1) when this Order ceases to have effect is not affected by its ceasing to have effect and may continue to run as if this Order, and any general directions and special directions, had not ceased to have effect.