

**Changes to legislation:** Harbours Act 1964, Paragraph 29 is up to date with all changes known to be in force on or before 13 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 3

#### PROCEDURE FOR MAKING HARBOUR REVISION AND EMPOWERMENT ORDERS

##### Textual Amendments

- F1** Sch. 3 substituted (1.2.2000) by [The Harbour Works \(Environmental Impact Assessment\) Regulations 1999 \(S.I. 1999/3445\)](#), reg. 15(4), **Sch. 3**

##### Modifications etc. (not altering text)

- C1** Sch. 3 modified (1.4.2001) by [2000 c. 38, s. 37, Sch. 5 para. 1\(2\)\(j\)](#) (with s. 106); [S.I. 2001/869, art.2](#)
- C1** Sch. 3: transfer of functions (1.4.2018) by [Wales Act 2017 \(c. 4\), ss. 29\(2\)\(b\)\(ii\), 71\(4\)](#) (with [Sch. 7 paras. 1, 6, 9](#)); [S.I. 2017/1179, reg. 3\(g\)](#) (with transitional provisions and savings in [S.I. 2018/278, reg. 2, Sch.](#))
- C1** [Sch. 3](#): power to amend or repeal conferred for specified purposes (26.12.2023) by [Levelling Up and Regeneration Act 2023 \(c. 55\), ss. 164\(3\), 255\(5\), Sch. 14 Pts. 1, 2](#) (with s. 247)

## PART II

### ORDERS MADE BY THE SECRETARY OF STATE OF HIS OWN MOTION

#### *The decision*

- 29 (1) The Secretary of State shall consider—
- any objections made and not withdrawn, [<sup>F2</sup>and]
  - the report of any person who held an inquiry [<sup>F3</sup>and of any person appointed for the purpose of hearing an objector][<sup>F4</sup>and of any person appointed for the purpose of hearing an objector] under paragraph 28[<sup>F5</sup>; and
  - any written representations submitted to the Scottish Ministers by an objector in elaboration of the objection.]
- (2) Following the consideration required by sub-paragraph (1) the Secretary of State shall decide—
- not to make the order proposed,
  - to make the order in the form of the draft, or
  - to make it with modifications.]

##### Textual Amendments

- F2** Word in [Sch. 3 para. 29\(1\)](#) repealed (S.) (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\), ss. 47\(2\), 54\(2\)](#) (with s. 48); [S.S.I. 2005/454, art. 2, sch. 2](#)

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- F3** Words in Sch. 3 para. 29(1)(b) inserted (E.W.) (12.11.2009 for specified purposes, 12.1.2010 in so far as not already in force) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), s. 324(1)(c)(d), [Sch. 21 para. 6\(2\)](#) (with [Sch. 21 para. 7](#)); S.I. 2009/3345, art. 2, Sch. para. 26
- F4** Words in Sch. 3 para. 29(1)(b) inserted (S.) (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\)](#), [ss. 47\(2\)\(a\)](#), 54(2) (with s. 48); S.S.I. 2005/454, art. 2, sch. 2
- F5** Sch. 3 para. 29(1)(c) and preceding word inserted (S.) (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\)](#), [ss. 47\(2\)\(b\)](#), 54(2) (with s. 48); S.S.I. 2005/454, art. 2, sch. 2

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by [2023 c. 8 s. 9\(7\)](#)