

SCHEDULES

SECOND SCHEDULE

- 1 The [^{F1}Secretary of State for Scotland] before authorising the execution of any work, shall require the authority to give such public notice as he may deem necessary (a) specifying the operations proposed to be undertaken, and, where the construction of a new or the extension of an existing marine work is involved, the area or extended area within which dues are proposed to be levied; and (b) intimating that objections to the proposals of the authority may be lodged with the [^{F1}Secretary of State for Scotland] within twenty-one days from the date of the notice.

Textual Amendments

- F1** Words substituted by virtue of [S.I. 1970/1537, art. 6 Sch. 2 para. 2](#)

- 2 The [^{F2}Secretary of State for Scotland] shall consider any objections lodged with him in pursuance of the notice referred to in the immediately preceding paragraph and may after consultation with the Board of Trade thereafter authorise the construction of the work.

Textual Amendments

- F2** Words substituted by virtue of [S.I. 1970/1537, art. 6 Sch. 2 para. 2](#)

- 3 The provisions of the Lands Clauses Acts in regard to the taking of land by agreement are hereby incorporated with this Schedule.
- 4 Subject to the provisions of this Schedule, the authority as undertakers may construct the authorised work and accesses thereto.
- 5 Every person who wilfully obstructs any person acting with the sanction of the authority as undertakers aforesaid in setting out the lines of the work authorised or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said work or defaces or destroys the said work or any part thereof, shall for every such offence be liable on conviction by a court of summary jurisdiction to a penalty not exceeding [^{F3}level 1 on the standard scale].

Textual Amendments

- F3** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), s. 289G](#)

- 6 Any person appointed by the [^{F4}Secretary of State for Scotland] shall from time to time during the construction of the authorised work be entitled to inspect the same in order to his reporting thereon.

Changes to legislation: There are currently no known outstanding effects for the Harbours, Piers and Ferries (Scotland) Act 1937, SECOND SCHEDULE. (See end of Document for details)

Textual Amendments

F4 Words substituted by virtue of S.I. 1970/1537, **art. 6 Sch. 2 para. 2**

Changes to legislation:

There are currently no known outstanding effects for the Harbours, Piers and Ferries (Scotland) Act 1937, SECOND SCHEDULE.