
STATUTORY INSTRUMENTS

1992 No. 1421

HARBOUR, DOCKS, PIERS AND FERRIES

The Harbour Works (Assessment of
Environmental Effects) Regulations 1992

<i>Made</i>	- - - -	<i>16th June 1992</i>
<i>Laid before Parliament</i>		<i>24th June 1992</i>
<i>Coming into force</i>	- -	<i>15th July 1992</i>

The Secretary of State for Transport and the Secretary of State for Scotland, being Ministers designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to measures relating to the requirement for an assessment of the impact on the environment of projects likely to have significant effects on the environment, in exercise of the powers conferred by that section hereby make the following Regulations:—

Citation and Commencement

1.—(1) These Regulations may be cited as the Harbour Works (Assessment of Environmental Effects) Regulations 1992.

(2) These Regulations shall come into force on 15th July 1992.

Amendment of the Harbours Act 1964

2. The Harbours Act 1964⁽³⁾, so far as it extends to Scotland, shall have effect subject to the like amendments as were made to that Act, so far as it did not so extend, by the Harbour Works (Assessment of Environmental Effects) Regulations 1988⁽⁴⁾.

3.—(1) Part I of Schedule 3 to the Harbours Act 1964 shall be further amended as follows.

(2) In paragraph 1A(1)⁽⁵⁾, for the words “relating to a harbour in England or Wales is made after the coming into force of this paragraph,” there shall be substituted the following words—

“is made on or after—

(a) 3rd August 1988, in the case of a harbour in England or Wales; or

(1) S.I.1988/785.

(2) 1972 c. 68.

(3) 1964 c. 40.

(4) S.I. 1988/1336.

(5) Paragraph 1A was inserted by S.I. 1988/1336.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) 15th July 1992, in the case of a harbour in Scotland;”.

15th June 1992

John MacGregor
Secretary of State for Transport

16th June 1992

Ian Lang
Secretary of State for Scotland

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Harbours Act 1964 following the coming into force of sections 63 and 68(1) of, and Schedule 3 to, the Transport and Works Act 1992.

The effect of the Regulations is to align Scottish procedures with those already in force in England and Wales so as to require the Secretary of State to determine, when an application is made for a harbour revision order or harbour empowerment order under the 1964 Act in relation to a harbour in Scotland, whether it relates to a project to which Council Directive [85/337/EEC](#) of the 27th June 1985 (OJNo. L175, 5.7.85, p.40) applies. If the Secretary of State determines in any case that the Directive applies and that an environmental assessment is needed, he is to require the applicant to supply him, in such form as he may specify and to the extent that he considers it relevant and reasonable, with the information referred to in Annex III to the Directive.