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STATUTORY INSTRUMENTS

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**1995 No. 3109**

**The Mallaig Harbour Revision Order 1995**

**PART III**

**MISCELLANEOUS**

**Incorporation of certain provisions of Order of 1992**

7. The following provisions of the Mallaig Harbour Revision Order 1992(1) shall, with necessary modifications, apply to the works as they apply to the works authorised by that Order—

- article 6 (Tidal works not to be executed without approval of Secretary of State);
- article 7 (Provision against danger to navigation);
- article 8 (Abatement of works abandoned or decayed);
- article 9 (Survey of tidal works);
- article 10 (Lights on tidal works during construction);
- article 11 (Permanent lights on tidal works).

**Period for completion of works**

8. If the works are not completed within 10 years from the coming into force of this Order or such extended time as the Secretary of State may on the application of the Authority allow, then on the expiration of that period or such extended time (as the case may be) the powers by this Order granted to the Authority for constructing and maintaining the works shall cease except as to so much thereof as shall then be completed.

**Works to form part of undertaking and application of byelaws**

9.—(1) The works shall for all purpose form part of the undertaking.

(2) All byelaws and regulations of the Authority for the time being in force relating to the undertaking shall as far as applicable apply to the works and may be enforced by the Authority accordingly.

(3) The works shall be deemed for all purposes to be within the Lochaber district of the Highland Region.

**Crown Rights**

10.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown and in particular and without prejudice to the generality of the foregoing, nothing in this Order authorises the Authority to take, use, enter upon or in any manner interfere with, any land or hereditaments (including any portion of the shore or bed of the sea or of any river, channel, creek, bay or estuary) or any rights of whatsoever description—

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- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners, without the consent in writing of those commissioners; or
  - (b) belonging to a government department or held in trust for Her Majesty for the purposes of a government department, without the consent in writing of that government department.
- (2) A consent under paragraph (1) above may be given unconditionally, or subject to such conditions and upon such terms as may be considered necessary or appropriate.