
STATUTORY INSTRUMENTS

1998 No. 1215

The Peterhead Harbours Revision Order 1998

PART I

PRELIMINARY

Incorporation of Act of 1847

3. The Act of 1847 (except sections 6 to 13, 16 to 19, 22, 25, 26, 48, 79 to 82, 95, 97, 98, 99, 101 and 103) so far as applicable for the purposes and not inconsistent with the provisions of this Order, is hereby incorporated with and forms part of this Order:

Provided that—

- (a) in construing the provisions so incorporated the expression “the Special Act” shall mean this Order, and—
 - (i) the expressions “the Promoters of the undertaking” and “the undertakers” shall mean the trustees and the expression “the harbour, dock and pier” shall mean the harbours;
 - (ii) the meaning of the word “vessel” as defined in Article 2 (Interpretation) of this Order shall be substituted for the meaning assigned to that word by section 3 of the Act of 1847;
 - (iii) section 23 shall be read and have effect as if the words “provided that no such lease be granted for a longer term than three years” were omitted and there were added the words “provided that as from the commencement of any lease of a tidal work made under this section the lessee shall during the continuance of his lease be subject to all the liabilities and obligations to which the undertakers are subject and shall perform all the duties of the undertakers under the Special Act in respect of that work.”;
 - (iv) section 63 shall be read and have effect as if for the words from “to a penalty” to the end of the section there were substituted the words “on summary conviction to a fine not exceeding level 2 on the standard scale.”;
 - (v) section 69 shall be read and have effect as if for the words from “forfeit” to the end of the section there were substituted the words “be liable on summary conviction to a fine not exceeding level 2 on the standard scale.”;
 - (vi) section 84 shall be read and have effect as if for the words “five pounds” there were substituted the words “level 2 on the standard scale.”; and
- (b) the height of any warehouse or other building which the trustees may erect on the area of Works Nos.2 and 3 authorised by this Order shall not exceed the level of the top of the existing wall on the south side of the roads known as Harbour Street, Lodge Walk and Bath Street, Peterhead.