

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is one of a series of Orders implementing Directive 2005/65/EC of the European Parliament and of the Council of 26th October 2005 (OJ L 310, 25.11.2005, p28-39) on enhancing port security at individual ports in the United Kingdom. The Directive was transposed in relation to the United Kingdom as a whole by the Port Security Regulations 2009 (S.I. 2009/2048, amended by S.I. 2013/2815).

Article 2 and Schedule 1 define the boundary of the Port of Tyne for the purposes of the definition of “port” in regulation 2 of the Port Security Regulations 2009 (as amended by S.I. 2013/2815).

Article 3(1) designates the Tyne Port Security Authority, for the purposes of regulation 5 of those Regulations, as the port security authority for the Port of Tyne. *Article 3(2)* and *Schedule 2* make provision with respect to the Authority's membership and proceedings, to members' interests and to the Authority's status as a non-Crown body. *Article 4* requires the Secretary of State to review the operation and effect of this Order and publish a report before 9th January 2019 and within every five years after that. Following a review it will fall to the Secretary of State to consider whether the Order should remain as it is, or be revoked or be amended. A further instrument would be needed to revoke the Order or to amend it.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from Tony Smith at Zone 2/32, 33 Horseferry Road, London SW1P 4DR (Tel: 020 7944 5875; email:) and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Port Security (Port of Tyne) Designation Order 2013.