SCOTTISH STATUTORY INSTRUMENTS

# 2026 No. 205

# HARBOURS, DOCKS, PIERS AND FERRIES

## The Ardrossan (Transfer of Undertaking) Harbour Revision Order 2026

| | |
|---|---|
| *Made - - - -* | *16th June 2026* |
| *Coming into force - -* | *17th June 2026* |

The Scottish Ministers ("the Ministers") make the following Order in exercise of the powers conferred by section 14(1) and (3) of the Harbours Act 1964(**a**) and all other powers enabling them to do so.

In accordance with section 14(1) of that Act, this Order is made in relation to a harbour which is being improved, maintained or managed by a harbour authority in the exercise and performance of statutory powers and duties, for achieving objects specified in schedule 2 of that Act(**b**).

In accordance with section 14(2) of that Act—

(a) this Order is made following a written application to the Ministers by Ardrossan Harbour Company Limited being the authority engaged in improving, maintaining or managing the harbour, and

(b) the Ministers are satisfied that the making of the Order is desirable in the interests of securing the improvement, maintenance, or management of the harbour in an efficient and economical manner, facilitating the efficient and economic transport of goods or passengers by sea or in the interests of the recreational use of sea-going ships.

The provisions of paragraph 17 of schedule 3 of that Act(**c**) have been satisfied.

In accordance with paragraph 19(1) of that schedule(**d**), the Ministers have considered any objections made and not withdrawn.

(**a**) 1964 c. 40. Section 14 was relevantly amended by the Transport Act 1981 (c. 56), schedule 6, paragraphs 2, 3, 4(1) and 14 and schedule 12 and the Transport and Works Act 1992 (c. 42), schedule 3, paragraph 1. See sections 14(7) and 57(1) of the Harbours Act 1964 for the definitions of "the appropriate Minister" and "the Minister". The functions of the Minister of the Crown were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
(**b**) Schedule 2 was relevantly amended by the Transport and Works Act 1992, schedule 3, paragraph 9.
(**c**) Paragraph 17 of schedule 3 was substituted by S.I. 1999/3445 and was amended by the Transport and Works (Scotland) Act 2007 (asp 8), section 25(5)(g).
(**d**) Paragraph 19(1) of schedule 3 was substituted by S.I. 2017/1070.

In accordance with paragraph 19(6) of that schedule(**a**), the Ministers have decided to make this Order with modifications which do not appear to the Ministers substantially to affect the character of the Order.

### Citation and commencement

**1.** This Order may be cited as the Ardrossan (Transfer of Undertaking) Harbour Revision Order 2026 and comes into force on the day after the day on which it is made.

### Interpretation

**2.** In this Order—

"the 1864 Act" means the Ardrossan Harbour Consolidation Act 1864(**b**),

"the 1886 Act" means the Ardrossan Harbour (Sale and Transfer) Act 1886(**c**),

"the 1909 Order" means the Ardrossan Harbour Order 1909(**d**),

"the 1919 Order" means the Ardrossan Harbour Order 1919(**e**),

"the 1977 Order" means the Ardrossan Harbour Revision Order 1977(**f**),

"the 1995 Act" means the Merchant Shipping Act 1995(**g**),

"the 2020 Order" means the Ardrossan Harbour Revision Order 2020(**h**),

"the Ardrossan Acts and Orders 1864 to 2020" means the 1864 Act, the 1886 Act, the 1909 Order, the 1919 Order, the 1977 Order and the 2020 Order,

"CMAL" means Caledonian Maritime Assets Limited, a company incorporated in Scotland with registered number SC001854, having its principal place of business at Municipal Buildings, Fore Street, Port Glasgow, Renfrewshire PA14 5EQ,

"the Commissioners of Northern Lighthouses" means the general lighthouse authority for Scotland, a body corporate constituted by section 193 and schedule 8 of the 1995 Act(**i**),

"the Company" means Ardrossan Harbour Company Limited, a company originally incorporated as the Ardrossan Harbour Company by the 1886 Act, thereafter registered as a limited company and now registered as such in Scotland under the Companies Acts (registered company number SC045455) having its registered office at 16 Robertson Street, Glasgow, G2 8DS,

"the harbour" has the meaning given in section 3 of the 1886 Act (interpretation) together with section 2 of the 1864 Act (interpretation), the limits of which are described in section 22 of the 1864 Act (limits of the Harbour defined),

"the harbour undertaking" means the undertaking authorised by the Ardrossan Acts and Orders 1864 to 2020 and transferred by this Order.

---

(**a**) Paragraph 19(6) of schedule 3 was substituted by S.I. 2017/1070.
(**b**) 1864 c. ccviii (27 & 28 Vict).
(**c**) 1886 c. xxxiv (50 Vict).
(**d**) 1909 c. cxii (9 Edw 7).
(**e**) 1919 c. xciii (9 & 10 Geo 5).
(**f**) S.I. 1977/933.
(**g**) 1995 c. 21.
(**h**) S.S.I. 2020/306.
(**i**) Schedule 8 of the 1995 Act was amended by section 55 of the Scotland Act 2016 (c. 11).

**Transfer of jurisdiction**

**3.** On the date this Order comes into force, CMAL becomes the harbour authority for the harbour, and the Company ceases to be the harbour authority for the harbour.

**Duties and powers of CMAL in respect of the harbour undertaking**

**4.** On and after the date this Order comes into force—

(a) CMAL has in respect of the harbour undertaking all the duties and powers imposed or conferred on the Company by any provision of the Ardrossan Acts and Orders 1864 to 2020 in force immediately before that date, and the Company ceases to have any such duties or powers in respect of the harbour undertaking, and

(b) any statutory provision of local application, so far as it relates to the harbour undertaking, has effect (except where the context otherwise requires and subject to any necessary modification) as if for any reference to the Company, however worded and whether express or implied, there were substituted a reference to CMAL.

**Byelaws etc.**

**5.** On and after the date this Order comes into force, any byelaw, regulation, licence or consent made, issued or granted by the Company in relation to the harbour undertaking and in force immediately before that date continues in force and has effect as if made, issued or granted by CMAL.

**Saving for the Commissioners of Northern Lighthouses**

**6.** Nothing in this Order prejudices or derogates from any of the rights, duties or privileges of the Commissioners of Northern Lighthouses.

**Crown rights**

**7.**—(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 that generality, nothing in this Order authorises CMAL to take, use, enter upon or in any manner interfere with any land or any rights of whatsoever description (including any portion of the shore or bed of the sea or any river, channel, creek, bay or estuary)—

(a) belonging to His Majesty in right of the Crown and forming part of the Crown estate without the consent in writing of Crown Estate Scotland,

(b) belonging to His Majesty in right of the Crown and not forming part of the Crown estate without the consent in writing of the government department having management of that land or (as the case may be) the relevant person, or

(c) belonging to a government department or held in trust for His Majesty for the purposes of a government department without the consent in writing of that government department.

(2) A consent under paragraph (1) may be given unconditionally or subject to terms and conditions and is deemed to have been given in writing where it is sent electronically.

*SARAH CALDWELL*
A member of staff of the Scottish Ministers

St Andrew's House,
Edinburgh
16th June 2026

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order, made on the application of Ardrossan Harbour Company Limited, provides for the transfer of the harbour undertaking at Ardrossan from Ardrossan Harbour Company Limited to Caledonian Maritime Assets Limited.

---

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, the King's Printer for Scotland.

ISBN 978-0-11-106663-8

£6.40

http://www.legislation.gov.uk/id/ssi/2026/205

9 780111 066638