STATUTORY INSTRUMENTS

1977 No. 474

HARBOURS, DOCKS, PIERS AND FERRIES

The Cromarty Firth Port Authority Order 1973 (Commencement No. 3) Order 1977

Made - - - 11*th March* 1977

Coming into Operation 1*st April* 1977

The Secretary of State for Transport, in exercise of his powers under section 1 of the Cromarty Firth Port Authority Order 1973 confirmed by the Cromarty Firth Port Authority Order Confirmation Act 1973(a) and of all other enabling powers hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Cromarty Firth Port Authority Order 1973 (Commencement No. 3) Order 1977 and shall come into operation on 1st April 1977.

Interpretation

2.—(1) In this Order

"the Agreement" means the agreement confirmed by the Invergordon Harbour (Transfer) Act 1920(b).

"the Order of 1973" means the Cromarty Firth Port Authority Order 1973 confirmed by the Cromarty Firth Port Authority Order Confirmation Act 1973.

"the plan" means the plan contained in the schedule to this Order.

(2) The Interpretation Act 1889(c) shall apply in relation to this Order as it applies in relation to an Act of Parliament.

Provisions of the Order of 1973 coming into Operation.

3. On the coming into operation of this Order the provisions of the Order of 1973 not brought into operation by either the Cromarty Firth Port Authority Order 1973 (Commencement No. 1) Order 1973(d) or the Cromarty Firth Port Authority Order 1973 (Commencement No. 2) Order 1974(e) shall come into operation.

(a) 1973 c. xvi. (b) 1920 c.c. (c) 1889 c. 63.
(d) S.I. 1973/2115 (c.63). (e) S.I. 1974/1164 (c.21).

Transfer of Property Rights and Liabilities

4.—(1) Subject to the exclusion specified in paragraph (2) below all interests in the property, and all rights and liabilities vested in or enjoyed by the Secretary of State, or to which he is subject, by virtue or in consequence of the Agreement are hereby transferred to the Cromarty Firth Port Authority.

(2) The exclusion referred to in paragraph (1) above is:—

Any interest in, right or liability vested in or enjoyed by the Secretary of State, or to which he is subject, by virtue or in consequence of the Agreement in relation to—

(*a*) the pier, associated dolphins and adjacent land shown hatched on the plan;

(*b*) twelve hose terminals, the position of which is indicated by the words "12 No Hose Terminals" on the plan and two pipes equipped with a crossover valve leading therefrom, the positions of which are indicated by interrupted lines marked "2 No Pipes" on the plan.

Repeal

5. The Act Geo IV cap 43(**a**) (relating, inter alia, to the operation of the harbour at Invergordon) is hereby repealed.

Signed by authority of
the Secretary of State

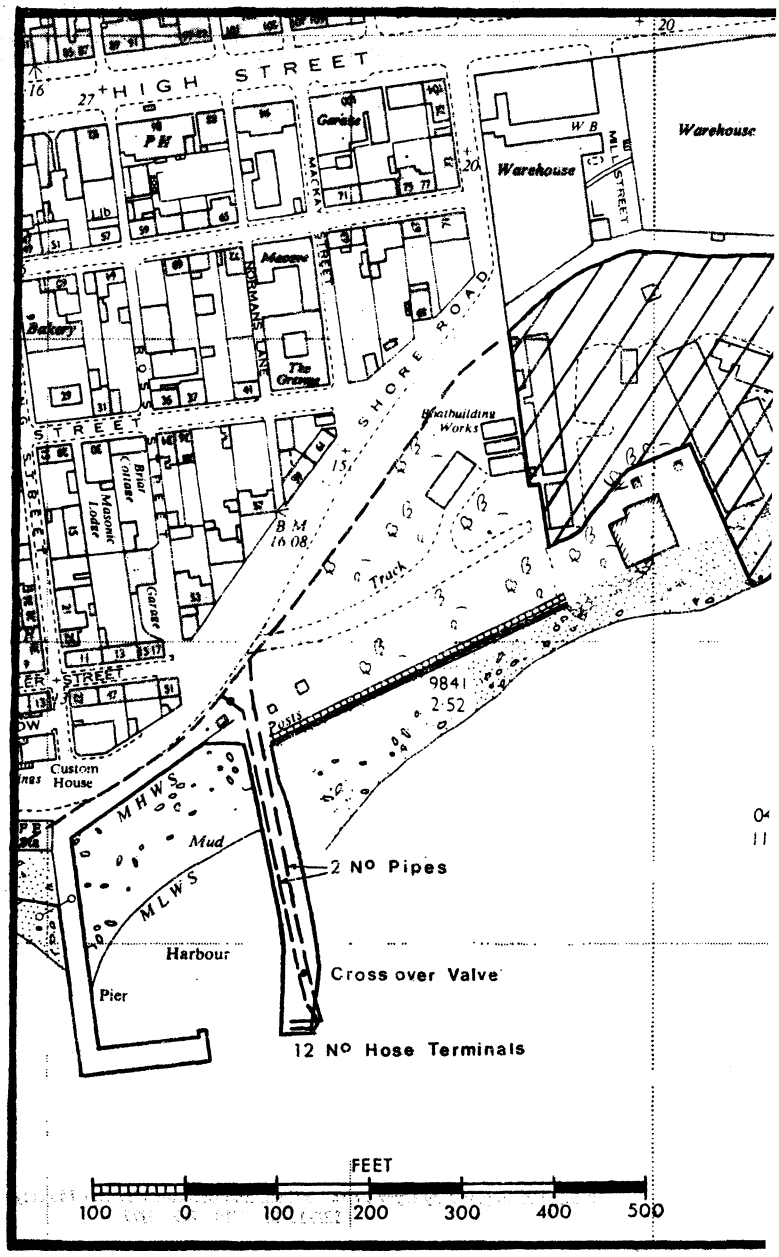
J. E. Sanderson,
An Under Secretary in the
Department of Transport.

11th March 1977.

(**a**) 1826 c. xliii.

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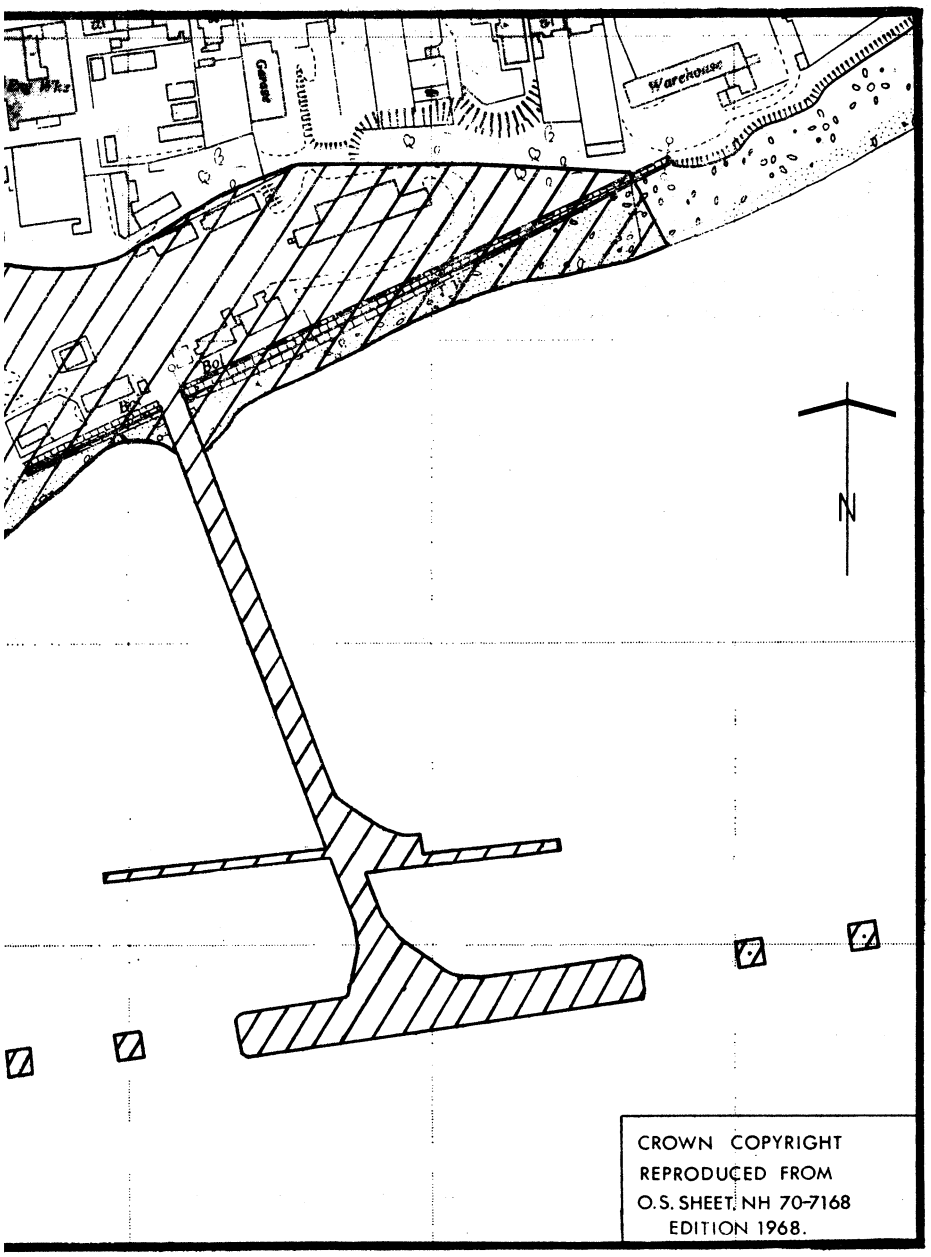
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Article 4(2)

SCHEDULE

INDICATING PROPERTY RETAINED
ECRETARY OF STATE



EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into operation on 1st April the remainder of the Cromarty Firth Port Authority Order 1973, namely—section 4(1) (so far as it relates to the incorporation of the Harbours Docks and Piers Clauses Act 1847), section 7(1)(*b*) and (2)(*b*); the words "a port manager" in section 8; sections 23 to 28 (inclusive); section 38; sections 39 to 48 (inclusive); sections 52 and 53. These sections principally confer on the Cromarty Firth Port Authority duties and powers in relation to the operation maintenance and management of the harbour and the provision of harbour services, and power to make byelaws.

The Order transfers to the Cromarty Firth Port Authority the interests rights and liabilities of the Sectetary of State in relation to the harbour at Invergordon, excluding the pier, associated dolphins and adjacent land together with twelve hose terminals and pipes as shown on the plan contained in the schedule to the Order.

The Order additionally repeals the Act Geo. IV cap 43 (relating, inter alia, to the operation of the harbour at Invergordon).

STATUTORY INSTRUMENT

1977 No. 474

HARBOURS, DOCKS, PIERS AND FERRIES

The Cromarty Firth Port Authority Order 1973 (Commencement No. 3) Order 1977

CORRECTION

At the head of the instrument and on the back page

for 1977 No. 474
read 1977 No. 474 (C. 20)

April 1977

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