STATUTORY INSTRUMENTS

2013 No. 2728

MERCHANT SHIPPING

MARITIME SECURITY

The Port Security Designation (Amendment) Order 2013

Made - - - -	*24th October 2013*
Laid before Parliament	*29th October 2013*
Coming into force - -	*26th November 2013*

The Secretary of State for Transport makes this Order in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**a**).

The Secretary of State is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to port security, measures relating to the safety of ships and the health and safety of persons on them, and maritime transport(**b**).

Citation and commencement

1. This Order may be cited as the Port Security Designation (Amendment) Order 2013 and comes into force on 26th November 2013.

Amendment of the Port Security (Port of Dover) Designation Order 2011

2. In the Port Security (Port of Dover) Designation Order 2011(**c**), in article 4(4) (review), for "before 1st January 2014" substitute "before 31st January 2017".

Amendment of the Port Security (Port of Aberdeen) Designation Order 2012

3. In the Port Security (Port of Aberdeen) Designation Order 2012(**d**), in article 4(4) (review), for "before 1st January 2014" substitute "before 19th November 2017".

Amendment of the Port Security (Port of Grangemouth) Designation Order 2012

4.—(1) The Port Security (Port of Grangemouth) Designation Order 2012(**e**) is amended as follows.

(2) In article 3 (designation of Grangemouth Port Security Authority)—

(**a**) 1972 c.68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c.51) and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7).
(**b**) S.I. 1993/595, 1994/757 and 2004/706.
(**c**) S.I. 2011/3045.
(**d**) S.I. 2012/2607.
(**e**) S.I. 2012/2608.

(a) for paragraph (1), substitute—

"(1) For the purposes of the Port Security Regulations 2009(**a**), Port of Grangemouth Security Authority Limited (company number SC458041), a company limited by guarantee ("the Authority"), is designated as the port security authority for the port of Grangemouth.";

(b) omit paragraph (2); and

(c) add the following paragraph—

"(3) The Authority is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown and its property is not to be regarded as property of, or held on behalf of, the Crown.".

(3) In article 4(4) (review), for "before 1st January 2014" substitute "before 19th November 2017".

(4) Omit Schedule 2 (provision as to the Grangemouth Port Security Authority).

Amendment of the Port Security (Port of Portland) Designation Order 2012

5. In the Port Security (Port of Portland) Designation Order 2012(**b**), in article 4(4) (review), for "before 1st January 2014" substitute "before 19th November 2017".

Amendment of the Port Security (Port of Tees and Hartlepool) Designation Order 2012

6. In the Port Security (Port of Tees and Hartlepool) Designation Order 2012(**c**), in article 4(4) (review), for "before 1st January 2014" substitute "before 19th November 2017".

Amendment of the Port Security (Port of Workington) Designation Order 2012

7. In the Port Security (Port of Workington) Designation Order 2012(**d**), in article 4(4) (review), for "before 1st January 2014" substitute "before 19th November 2017".

Signed by authority of the Secretary of State for Transport

Stephen Hammond
Parliamentary Under Secretary of State
Department for Transport

24th October 2013

(**a**) S.I. 2009/2048.
(**b**) S.I. 2012/2609.
(**c**) S.I. 2012/2610.
(**d**) S.I. 2012/2611.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the following orders—

- — the Port Security (Port of Dover) Designation Order 2011 (S.I. 2011/3045);
- — the Port Security (Port of Aberdeen) Designation Order 2012 (S.I. 2012/2607);
- — the Port Security (Port of Grangemouth) Designation Order 2012 (S.I. 2012/2608);
- — the Port Security (Port of Portland) Designation Order 2012 (S.I. 2012/2609);
- — the Port Security (Port of Tees and Hartlepool) Designation Order 2012 (S.I. 2012/2610); and
- — the Port Security (Port of Workington) Designation Order 2012 (S.I. 2012/2611).

Those six orders were part 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).

The amendments change the date before which the first report following review of the order must be published by the Secretary of State. In each case, the date in the original order is replaced by a date falling five years after the date of commencement of the order.

An additional amendment is made to the Port Security (Port of Grangemouth) Designation Order 2012. This is to reflect the incorporation of the port security authority as a company (article 4(1), (2) and (4)).

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from Yvette Jacobs-Garrison at Zone 2/32, 33 Horseferry Road, London SW1P 4DR (Tel: 020 7944 5148; email: yvette.jacobs-garrison@dft.gsi.gov.uk) and is published with the Explanatory Memorandum alongside the instrument on http://www.legislation.gov.uk.

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