Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Clydeport (Closure of Govan Basin) Harbour Revision Order 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCOTTISH STATUTORY INSTRUMENTS

2004 No. 207

HARBOURS, DOCKS, PIERS AND FERRIES

The Clydeport (Closure of Govan Basin) Harbour Revision Order 2004

Made - - - -	*4th May 2004*
Coming into force - -	*5th May 2004*

Whereas Clydeport Operations Limited, a company incorporated under the Companies Act 1985(**1**) with the number 134759 has applied in writing for a harbour revision order under Section 14 of the Harbours Act 1964(**2**);

And whereas no objections to the application have been made pursuant to paragraph 10(2)(f) of Schedule 3 to the said Act(**3**);

Now, therefore, the Scottish Ministers, in exercise of the powers conferred by section 14 of the said Act(**4**) and of all other powers enabling them in that behalf, hereby make the following Order:

PART I

PRELIMINARY

Citation, commencement and extent

1. This Order may be cited as the Clydeport (Closure of Govan Basin) Harbour Revision Order 2004 and shall come into force on 5th May 2004.

Commencement Information

I1 Art. 1 in force at 5.5.2004, see **art. 1**

(**1**) 1985 c. 6.
(**2**) 1964 c. 40; section 14 was amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6, paragraphs 2 to 4 and 14 and by the Transport and Works Act 1992 (c. 42), Schedule 3, paragraph 1.
(**3**) Paragraph 10(2)(f) was inserted by the Harbour Works (Environmental Impact Assessment) Regulations (SI 1999/3445), Regulation 15(4) and Schedule 3.
(**4**) The Scottish Ministers are the "appropriate Minister" under section 14(7) of the Harbours Act 1964 (c. 46).

Interpretation

2. In this Order–

"Company" means Clydeport Operations Limited;

"deposited plan" means the plan prepared in duplicate and signed on behalf of the Scottish Ministers and marked "Plan referred to in Article 2 of the Clydeport (Closure of Govan Basin) Harbour Revision Order 2004" of which one is deposited with the Scottish Ministers at the Scottish Executive, Victoria Quay, Edinburgh EH6 6QQ, and the other with the harbour office of the Company;

"port" means the port within the limits defined in section 14 (Jurisdiction of Port Authority) of the Clyde Port Authority Order 1965(**5**);

"Govan Basin" means the area shown coloured blue on the signed deposited plan.

Commencement Information
I2 Art. 2 in force at 5.5.2004, see **art. 1**

PART II

CLOSURE OF GOVAN BASIN

Closure of Govan Basin

3. Subject to the provisions of this Order, the Company may close Govan Basin.

Commencement Information
I3 Art. 3 in force at 5.5.2004, see **art. 1**

Removal of vessels from Govan Basin

4.—(1) Before exercising the power conferred on it by Article 3 (closure of Govan Basin) of this Order to close Govan Basin the Company shall–

(a) publish a notice of its intention to do so in Lloyd's List and once in each of two successive weeks in a local newspaper published or circulating in Glasgow with an interval between the dates of publication of not less than six clear days;

(b) display notice thereof in a conspicuous position in the port; and

(c) give notice thereof in writing to the Scottish Ministers.

(2) Each of the notices shall:–

(a) state that the Company intends to close Govan Basin to vessels; and

(b) specify a date, which shall be a date not earlier than one month after the date of the latest of the three publications, by which all vessels must be removed from Govan Basin.

(3) If the master of any vessel within Govan Basin does not remove the same before the date specified in accordance with paragraph 2(b) above, the harbourmaster may cause that vessel to be removed from and moored or laid in any other place where it may without injury be moored or laid.

(**5**) Schedule to 1965 c.xlv.