STATUTORY INSTRUMENTS

1980 No. 1880

CUSTOMS AND EXCISE

The Appointment of Ports (North of Scotland) Order 1980

Made - - - - 8*th December* 1980

Coming into Operation 31*st December* 1980

The Commissioners of Customs and Excise, in pursuance of the powers conferred on them by section 19 of the Customs and Excise Management Act 1979**(a)** and of all other powers enabling them in that behalf, hereby make the following Order:—

Citation and commencement

1. This Order may be cited as the Appointment of Ports (North of Scotland) Order 1980 and shall come into operation on 31st December 1980.

Interpretation

2. In this Order, "approaches" in relation to a dock or harbour means all waters leading thereto from the areas specified in the appointments contained in this Order.

Revocation of earlier appointments

3. The Returns to the Court of Exchequer and the Treasury Warrants set out in Schedule 1 hereto are hereby revoked.

Port of Montrose

4.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions within the area bounded:—

(*a*) to the south by a line on a true bearing 090° from Red Head at latitude 56°37′02″ north, longitude 02°29′07″ west (a limit of the Port of Arbroath);

(*b*) to the north by a line on a true bearing 090° from Tod Head at latitude 56°53′01″ north, longitude 02°12′44″ west (a limit of the Port of Aberdeen);

(*c*) by mean high water line along the coast between the points described in (*a*) and (*b*) above; and

(*d*) by the seaward limit of territorial waters between the limits described in (*a*) and (*b*) above,

together with—

(i) docks and harbours, including the approaches thereto, and

(ii) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the area specified in this Article.

(2) The Commissioners name the said port the Port of Montrose.

(a) 1979 c. 2.

Port of Aberdeen

5.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions within the area bounded:—

(*a*) to the south by a line on a true bearing 090° from Tod Head at latitude 56°53′01″ north, longitude 02°12′44″ west (a limit of the Port of Montrose);

(*b*) to the north by a line on a true bearing 090° from the east bank of Ythan River at latitude 57°18′36″ north, longitude 01°59′12″ west (a limit of the Port of Peterhead);

(*c*) by mean high water line along the coast between the points described in (*a*) and (*b*) above; and

(*d*) by the seaward limit of territorial waters between the limits described in (*a*) and (*b*) above,

together with—

(i) docks and harbours, including the approaches thereto, and

(ii) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the area specified in this Article.

(2) The Commissioners name the said port the Port of Aberdeen.

Port of Peterhead

6.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions within the area bounded:—

(*a*) to the south by a line on a true bearing 090° from the east bank of Ythan River at latitude 57°18′36″ north, longitude 01°59′12″ west (a limit of the Port of Aberdeen);

(*b*) to the north by a line on a true bearing 090° from Rattray Head at latitude 57°36′31″ north, longitude 01°49′06″ west (a limit of the Port of Fraserburgh);

(*c*) by mean high water line along the coast between the points described in (*a*) and (*b*) above; and

(*d*) by the seaward limit of territorial waters between the limits described in (*a*) and (*b*) above,

together with—

(i) docks and harbours, including the approaches thereto, and

(ii) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the area specified in this Article.

(2) The Commissioners name the said port the Port of Peterhead.

Port of Fraserburgh

7.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions within the area bounded:—

(*a*) to the south by a line on a true bearing 090° from Rattray Head at latitude 57°36′31″ north, longitude 01°49′06″ west (a limit of the Port of Peterhead);

(*b*) to the west by a line on a true bearing 000° from Quarry Head at latitude 57°41′05″ north, longitude 02°09′34″ west (a limit of the Port of Banff);

(*c*) by mean high water line along the coast between the points described in (*a*) and (*b*) above; and

(*d*) by the seaward limit of territorial waters between the limits described in (*a*) and (*b*) above,

together with—

(i) docks and harbours, including the approaches thereto, and

(ii) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the area specified in this Article.

(2) The Commissioners name the said port the Port of Fraserburgh.

Port of Banff

8.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions within the area bounded:—

(*a*) to the east by a line on a true bearing 000° from Quarry Head at latitude 57°41′05″ north, longitude 02°09′34″ west (a limit of the Port of Fraserburgh);

(*b*) to the west by a line from Stotfield Head at latitude 57°43′31″ north, longitude 03°17′06″ west to a point at latitude 57°55′00″ north, longitude 03°27′28″ west (a limit of the Port of Inverness);

(*c*) by mean high water line along the coast between Quarry Head and Stotfield Head described in (*a*) and (*b*) above; and

(*d*) by the seaward limit of territorial waters between the limits described in (*a*) and (*b*) above,

together with—

(i) docks and harbours, including the approaches thereto, and

(ii) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the area specified in this Article:

Provided that the area of this port shall not extend north of latitude 57°55′00″ north.

(2) The Commissioners name the said port the Port of Banff.

Port of Inverness

9.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions:—

(*a*) on the east coast, within the area in the Moray Firth to the west of a line drawn from Stotfield Head at latitude 57°43′31″ north, longitude 03°17′06″ west to a point near Helmsdale at latitude 58°07′02″ north, longitude 03°38′15″ west;

(*b*) on the west coast, within the area bounded by the line described in Schedule 2 hereto (a limit of the Port of Stornoway), thence to Ru Stoer at latitude 58°15′53″ north, longitude 05°22′19″ west (a limit of the Port of Wick), thence returning along the line of mean high water level to Ardnamurchan Point,

together with—

(i) docks and harbours, including the approaches thereto, and

(ii) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the areas specified in this Article, and

(iii) those waters between Clachnaharry Lock and a line drawn from Portnacroish at latitude 56°34′15″ north, longitude 05°22′55″ west to Ceanna Mór at latitude 56°36′27″ north, longitude 05°28′32″ west comprising the Caledonian Canal, Loch Dochfour, Loch Ness, Loch Oich, Loch Lochy, Loch Eil, Loch Leven and all waters giving on to the said canal and lochs.

(2) The Commissioners name the said port the Port of Inverness.

Port of Wick

10.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions within the area bounded:—

(*a*) on the east coast, by a line from a point near Helmsdale at latitude 58°07′02″ north, longitude 03°38′15″ west to a point at latitude 57°55′00″ north, longitude 03°27′28″ west (a limit of the Port of Inverness);

(*b*) on the west coast, by a line drawn from Ru Stoer at latitude 58°15′53″ north, longitude 05°22′19″ west to a point in the North Minch at latitude 58°16′00″ north, longitude 05°45′00″ west (a limit of the Port of Inverness), thence on a true bearing 000° (a limit of the Port of Stornoway);

(*c*) by mean high water line along the coast between the point near Helmsdale and Ru Stoer described in (*a*) and (*b*) above; and

(*d*) by the seaward limit of territorial waters between the limits described in (*a*) and (*b*) above,

together with—

(i) docks and harbours, including the approaches thereto, and

(ii) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the area specified in this Article:

Provided that the area of this port shall not extend—

(i) south of latitude 57°55′00″ north;

(ii) north of a line on a true bearing 090° from a point at latitude 58°43′24″ north, longitude 03°26′00″ west;

(iii) north of a line on a true bearing 295° from a point at latitude 58°43′24″ north, longitude 03°26′00″ west.

(2) The Commissioners name the said port the Port of Wick.

Port of Kirkwall

11.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions surrounding the Orkney Islands and Stack Skerry and Sule Skerry situated respectively 36 and 33 nautical miles or thereabouts to the west of the mainland of Orkney,

together with—

(*a*) docks and harbours, including the approaches thereto, and

(*b*) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the area specified in this Article:

Provided that the area of this port shall not extend—

(i) south of a line on a true bearing 090° from a point at latitude 58°43′24″ north, longitude 03°26′00″ west;

(ii) south of a line on a true bearing 295° from a point at latitude 58°43′24″ north, longitude 03°26′00″ west,

saving nevertheless the territorial waters of Stack Skerry and Sule Skerry.

(2) The Commissioners name the said port the Port of Kirkwall.

Port of Lerwick

12.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters surrounding the Shetland Islands and the Islands of Foula and Fair Isle,

together with—

(*a*) docks and harbours, including the approaches thereto, and

(*b*) as far as the tide flows, all rivers, canals, bays, creeks, streams, channels, waters and watercourses

giving on to the areas specified in this Article.

(2) The Commissioners name the said port the Port of Lerwick.

Port of Stornoway

13.—(1) The Commissioners appoint as a port for the purposes of customs and excise those internal and territorial waters of Her Majesty's dominions within the area bounded:—

(*a*) by a line on a true bearing 270° from Ardnamurchan Point at latitude 56°43′42″ north, longitude 06°13′31″ west (a limit of the Port of Strathclyde);

(*b*) by the line described in Schedule 2 hereto (a limit of the Port of Inverness);

(*c*) by a line on a true bearing 000° from a point in the North Minch at latitude 58°16′00″ north, longitude 05°45′00″ west (a limit of the Port of Wick);

(*d*) by the seaward limit of territorial waters between the limits described in (*a*) and (*c*) above,

together with the internal and territorial waters of the islands of Rona (North), Sula Sgeir, the Flannan Isles, Boreray, the St. Kilda Group and Rockall.

(2) The Commissioners name the said port the Port of Stornoway.

N. Godfrey,
Commissioner of Customs and Excise.

8th December 1980.

King's Beam House,
Mark Lane,
London EC3R 7HE.

SCHEDULE 1 Article 3

Port	Instrument of Appointment	Date	Section and Title or Short Title of Enabling Statute	Chapter
Aberdeen	Treasury Warrant	22nd November 1850	Sections 14 and 15, An Act to amend the Laws relating to the Customs	1846 c. 102
Banff	Treasury Warrant	24th January 1853	Sections 14 and 15, An Act to amend the Laws relating to the Customs	1846 c. 102
Fraserburgh	Treasury Warrant	17th February 1896	Section 12, Customs Consolidation Act 1876	1876 c. 36
Inverness	Treasury Warrant	14th December 1938	Section 12, Customs Consolidation Act 1876	1876 c. 36
Kirkwall	Treasury Warrant	11th August 1903	Section 12, Customs Consolidation Act 1876	1876 c. 36
Lerwick	Treasury Warrant	11th August 1903	Section 12, Customs Consolidation Act 1876	1876 c. 36
Montrose	Return to the Court of Exchequer	28th January 1815	Section 14, An Act for Preventing Frauds and Regulating Abuses in His Majesty's Customs	1662 c. 11
Peterhead	Treasury Warrant	17th February 1896	Section 12, Customs Consolidation Act 1876	1876 c. 36
Stornoway	Treasury Warrant	11th August 1903	Section 12, Customs Consolidation Act 1876	1876 c. 36
Wick	Return to the Court of Exchequer	15th December 1834	Section 139, An Act for the General Regulation of the Customs	1833 c. 52

SCHEDULE 2 Articles 9 and 13

A line drawn from Ardnamurchan Point at latitude 56°43′42″ north, longitude 06°13′31″ west and passing successively through the following points:—

Latitude North			Longitude West			Name of Feature
°	′	″	°	′	″	
56	58	10	06	40	48	Oigh Sgeir
57	05	00	06	55	00	—
57	25	00	06	59	00	—
57	34	00	06	54	00	—
57	47	00	06	30	00	—
57	56	00	06	05	00	—
58	16	00	05	45	00	—

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, made under section 19 of the Customs and Excise Management Act 1979, re-defines the limits of ten ports in northern Scotland for the purposes of customs and excise.

The principal change introduced is the inclusion for the first time of the territorial waters of the island of Rockall within the limits of a customs and excise port (Stornoway).

Printed in England by Harrison & Sons (London) Ltd., and published by Her Majesty's Stationery Office

735/33162 R.32 K14 12/80

ISBN 0 11 007880 2