Harbours Act (Northern Ireland) 1970

1970 CHAPTER 1

PART I

HARBOUR DEVELOPMENT AND HARBOUR CHARGES

HARBOUR CHARGES

5 Repeal of provisions limiting discretion of certain harbour authorities as to charges chargeable by them.

(1) Subject to this Act, any statutory provision made with respect to a particular harbour authority shall cease to have effect in so far as (otherwise than by expressly providing for freedom from charges or prohibiting the levying of a charge in any manner) it limits the discretion of the authority as to the charges chargeable by it at a harbour which it is improving, maintaining or managing (whether by specifying any dues or charges, or otherwise).

(2) Subject to this Act and to any statutory provision made with respect to it in particular as expressly provides for freedom from charges or in any manner prohibits the levying of a charge, a harbour authority—

(a) may demand, take and recover such charges as it thinks fit at a harbour which it is improving, maintaining or managing; and

(b) may make the use of services and facilities provided by it at such a harbour subject to such terms and conditions as it thinks fit.

(3) Any such provision of the Harbours, Docks and Piers Clauses Act 1847 as incorporated in a statutory provision made with respect to a harbour authority as refers to rates shall, with any necessary modifications, apply to charges imposed by virtue of this section by that authority as if they were rates payable under a statutory provision made with respect to it.

(4) Any statutory provision made with respect to a harbour authority which refers (in whatever terms) to charges payable to it under a statutory provision made with respect to it shall, in so far as it continues to have effect, apply with any necessary

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modifications to charges imposed by that authority under this section as if they were charges so payable.

In this subsection, "charges" includes charges of a specified class.

(5) Any ship, passenger and goods dues in force immediately before the passing of this Act which are exigible by a harbour authority at a harbour which it is improving, maintaining or managing, being dues imposed under a statutory provision made with respect to the authority, shall be deemed to have been imposed by virtue of this section.

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