



CHAPTER cxx.

An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Harwich Llanelly Newlyn Padstow and Penryn. [4th August 1920.] A.D. 1920.

WHEREAS a Provisional Order made by the Minister of Transport under the General Pier and Harbour Act 1861 is not of any validity or force whatever until the confirmation thereof by Act of Parliament: 24 & 25 Vict.
c. 45.

And whereas it is expedient that the several Provisional Orders made by the Minister of Transport under the said Act and set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The several Orders as set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and force. Confirmation
of Orders in
schedule.

2. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 1) Act 1920. Short title.

A.D. 1920.

The SCHEDULE of Orders.

1. HARWICH.—Increase of rates.
2. LLANELLY.—Increase of rates.
3. NEWLYN.—Increase of rates.
4. PADSTOW.—Extension of time for construction of works and increase of rates and borrowing powers.
5. PENRYN.—Increase of rates.

SCHEDULE.

A.D. 1920.

HARWICH HARBOUR.

Order to increase the maximum tolls rates and duties leviable by the Harwich Harbour Conservancy Board. Harwich.

1. This Order may be cited as the Harwich Harbour Order 1920 and the Harwich Harbour Acts as varied and amended by this Order and this Order may be cited together as the Harwich Harbour Acts and Order 1863 to 1920. Short and collective titles.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order." Commencement of Order.

3.—(1) As from the commencement of this Order the Harwich Harbour Conservancy Board may take in respect of the vessels in the schedule to this Order described any rates not exceeding the rates therein specified. Power to levy increased rates.

(2) Section 19 of the Harwich Harbour Act 1863 and Part I. of the schedule to that Act are hereby repealed but such repeal shall not prejudice or affect the recovery of any rates which had become leviable before the commencement of this Order and all such rates may be levied and recovered in like manner as if this Order had not been made.

4. All costs charges and expenses of and incident to the preparing and obtaining of this Order and otherwise incurred in reference thereto shall be paid by the Harwich Harbour Conservancy Board. Costs of Order.

SCHEDULE.

RATES TO BE TAKEN BY THE HARWICH HARBOUR CONSERVANCY BOARD ON ALL VESSELS ENTERING HARWICH HARBOUR FROM THE SEA.

		s.	d.
For every vessel of 30 tons or upwards	... Per ton	0	1½
For every vessel under 30 tons	... Free.		

A.D. 1920.

LLANELLY HARBOUR.

Llanelly.*Order to increase the tolls dues rates rents fees and charges
leviable by the Llanelly Harbour Trust.*Short and
collective
titles.

1. This Order may be cited as the Llanelly Harbour Order 1920 and the Llanelly Harbour Acts 1858 to 1910 as varied and amended by this Order and this Order may be cited together as the Llanelly Harbour Acts 1858 to 1920.

Commence-
ment of
Order.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order."

Interpreta-
tion.

3. In this Order—

"The Trust" means the Llanelly Harbour Trust;

"The Acts of 1858 to 1910" means the Llanelly Harbour Acts 1858 to 1910;

"The harbour" means the port and the harbour of Llanelly;

"The harbour revenue" means and includes the tolls dues rates rents fees and charges and other moneys and receipts which may be taken and received by way of income by the Trust under the authority of the Acts of 1858 to 1910 as varied and amended by this Order.

Undertakers.

4. The Trust shall be the undertakers for carrying this Order into execution.

Increase of
tolls &c.

5. From and after the commencement of this Order the tolls dues rates rents fees and charges authorised to be levied received and recovered under the Acts of 1858 to 1910 or any other Act relating to the Trust or the harbour in respect of which a limitation as to the amount thereof is imposed by those Acts shall be and are hereby increased by an amount equal to seventy-five per centum of the respective amounts thereof authorised by the said Acts or any of them and the said Acts shall be read and construed and have effect accordingly.

Ministry of
Transport
may reduce
rates.

6.—(1) The rates to be received by the Trust shall be adjusted by them in such a manner that as far as possible the harbour revenue shall be sufficient and not more than sufficient for the purposes of the harbour.

(2) If at any time it appears to the Ministry of Transport from the annual account to be sent to them under this Order that the clear annual income derived from the rates leviable by the Trust on the average of the then three last preceding years after payment of all expenses and outgoings exceeds the amount sufficient for the purposes of the Acts of 1858 to 1910 and this Order the Ministry may if in

their discretion they think fit reduce the rates leviable under this Order to such amounts as will be sufficient to provide the amount aforesaid and may again at any time raise the rates to any amount not exceeding the rates authorised by this Order. A.D. 1920.
Llanelly.

7.—(1) The Ministry of Transport shall unless they see special reason to the contrary appoint a person to be permanent auditor to examine and audit the accounts of the Trust and shall fix the payments to be made to him for salary and expenses (if any) and the amount of the salary and expenses (if any) shall be paid by the Trust out of the harbour revenue. Auditor.

(2) The Ministry of Transport may at any time revoke the appointment of any person as auditor and thereupon shall unless they see special reason to the contrary appoint another person as auditor.

(3) The Trust shall on demand by the auditor produce to him all books accounts deeds papers writings and other documents and furnish him with all information in their possession or power and afford him all reasonable facilities for conducting the examination and audit.

(4) If the Trust refuse or neglect to comply with any of the provisions of this section they shall be liable to a penalty not exceeding twenty pounds for every month during which they neglect or refuse so to comply.

8.—(1) The Trust shall within two months after the date to which their annual accounts are made up send a copy of the same to the Ministry of Transport and the sixteenth section of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account. Annual
account to
be sent to
Ministry of
Transport.

(2) The Trust shall as from the expiration of that period be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

(3) The account shall be made up to the end of the thirty-first day of March in each year.

(4) In addition to the account lodged with the clerk of the peace in accordance with section fifty of the Harbours Docks and Piers Clauses Act 1847 the Trust shall also lodge with him a full and detailed statement showing the capital expenditure made by the Trust during the year covered by the said account.

9. All costs charges and expenses of and incident to the preparing obtaining and confirmation of this Order and otherwise incurred in reference thereto shall be paid by the Trust out of the harbour revenue or out of moneys to be borrowed for that purpose under the Acts of 1858 to 1910. Costs of
Order.

A.D. 1920.

NEWLYN PIER AND HARBOUR.

*Newlyn.**Order for increasing the rates of the Newlyn Pier and
Harbour Commissioners.*Short and
collective
titles.

1. This Order may be cited as the Newlyn Pier and Harbour Order 1920 and the Newlyn Pier and Harbour Orders 1906 and 1910 as varied and amended by this Order and this Order may be cited together as the Newlyn Pier and Harbour Orders 1906 to 1920.

Commence-
ment of
Order.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order."

Interpreta-
tion.

3. In this Order "the Commissioners" means the Newlyn Pier and Harbour Commissioners.

Increase and
alteration of
rates.

4. From and after the commencement of this Order the rates contained in the schedule to this Order shall be and are hereby substituted for the corresponding rates contained in the schedule to the Newlyn Pier and Harbour Order 1910 and it shall be lawful for the Commissioners to demand levy or impose and take such substituted rates and as regards all other rates contained in the schedule to the said Order to demand levy or impose and take increased rates to an extent not exceeding in any case fifty per centum and to exercise in respect of such substituted and increased rates all or any of the powers of collecting recovering and receiving the corresponding rates which are vested in or exerciseable by them under or by virtue of the provisions of the Newlyn Pier and Harbour Orders 1906 and 1910 or otherwise howsoever Provided that as regards the substituted rates for fish by this Order authorised the same shall be leviable on all fish brought into any part of the harbour as defined in the Newlyn Pier and Harbour Order 1906 whether inside or outside the rating limits thereof and sold by auction or private treaty whether in the harbour market fish sheds or elsewhere.

Return to be
made to
Commis-
sioners in
respect of
fish bought
privately
from any
fishing craft.

5. From and after the commencement of this Order it shall be lawful for the Commissioners to require that every fish merchant or other person buying fish privately direct from any fishing craft shall within twenty-four hours of such purchase make and deliver to the Commissioners a true account in writing in such form as shall be required by the Commissioners of his purchases with the name and number of the fishing craft from which such purchases are made and shall at the same time pay over to the collector of dues the dues or rates payable in respect thereof Every person who shall fail to

comply with the provisions of this section shall for every such offence be liable to a penalty not exceeding five pounds. A.D. 1920.
Newlyn.

6. All costs charges and expenses of and incidental to the preparing obtaining and confirmation of this Order and otherwise incurred in reference thereto shall be paid by the Commissioners. Costs of Order.

The SCHEDULE referred to in the foregoing Order.

The following rates are substituted for those contained in Parts I. and II. of the schedule to the Newlyn Pier and Harbour Order 1910.

RATES ON SHIPS.

I. Rates on ships entering within the rating limits of the harbour or using the works exclusive of their cargoes—

	£	s.	d.
For every ship or vessel British or foreign voyaging from or to the harbour and any other place in the United Kingdom with cargo for every ton register	0	0	4
For every ship or vessel voyaging from or to the harbour and any other place out of the United Kingdom with cargo for every ton register	0	0	8
For every ship or vessel coming into the harbour with cargo and loading outward a different cargo for any port in the United Kingdom for every ton register	0	0	6
For every ship or vessel coming into the harbour with cargo and loading outward a different cargo for any port out of the United Kingdom for every ton register	0	0	10
For every ship or vessel in ballast coming into the harbour to load cargo ... for every ton register	0	0	4
For every ship or vessel coming into the harbour for shelter whether laden or unladen but if laden not breaking bulk for every ton register (without further charge on account of tonnage dues)	0	0	2
For every ship or vessel coming into the harbour for bunker coal or water for every ton register (without further charge on account of tonnage dues)	0	0	1

Any ships remaining in the harbour longer than four weeks to pay a further sum of twopence per registered ton per calendar month after the first four weeks.

A.D. 1920.

Newlyn.

	£	s.	d.
For every vessel or hulk used as a store or warehouse for a period not exceeding twelve months			
per ton register	0	2	0
(This charge to be exclusive of dues on vessels or hulks on entering or leaving the harbour.)			
Tugs each entry under twenty tons register	0	3	0
Tugs each entry over twenty tons register per ton register	0	0	2
Tugs when towing into or out of the harbour under twenty tons register per ton register	0	0	2
Tugs when towing into or out of the harbour over twenty tons register per ton register	0	0	4

II. Rates on fishing pleasure and other boats hereinafter mentioned entering within the rating limits of the harbour or using the works exclusive of their cargoes—

Fishing boats with their punts (if any) not compounding 28 feet keel and under each visit	0	1	6
Not exceeding three months	0	10	6
Exceeding three and not exceeding six months ...	0	18	0
Exceeding six months and for the whole year... ..	1	10	0
Exceeding 28 feet keel and not exceeding 36 feet each visit	0	3	0
Not exceeding three months	0	15	9
Exceeding three and not exceeding six months ...	1	7	0
Exceeding six months and for the whole year... ..	2	5	0
Exceeding 36 feet keel and not exceeding 50 feet each visit	0	3	9
Not exceeding three months	1	11	6
Exceeding three and not exceeding six months ...	2	4	0
Exceeding six months and for the whole year... ..	4	0	0
Exceeding 50 feet keel and not exceeding 60 feet each visit	0	10	0
Exceeding 50 feet keel and not exceeding 60 feet per year	4	10	0
Exceeding 60 feet keel and not exceeding 80 feet per year	5	0	0

Visiting craft and not regularly working from the harbour—

Steam trawlers and trawlers with motors each entry per ton register	0	0	2
Steam drifters and vessels with motors each entry under 40 tons register	0	3	0
Steam drifters and vessels with motors each entry over 40 tons register per ton register	0	0	1
Sailing vessels each entry under 30 tons register ...	0	2	0
Sailing vessels each entry over 30 tons register per ton register	0	0	1

COMPOUNDING RATES.		£	s.	d.	A.D. 1920.
Visiting craft—steam drifters for mackerel season	...	1	10	0	<i>Newlyn.</i>
Herring season	... ..	1	0	0	
Pilchard season	... ..	1	0	0	
Sean boats including foyer (if any and cockboat)					
	each visit	0	1	6	
	By the year	0	15	0	
Gigs and other rowing boats	... ..	0	0	9	
	By the year per oar	0	1	6	
Pleasure boats of any description not exceeding 20 feet keel	... ..	0	1	6	
	By the year	0	15	0	
Exceeding 20 and not exceeding 30 feet	each visit	0	3	0	
	By the year	1	10	0	
Exceeding 30 and not exceeding 40 feet	each visit	0	6	0	
	By the year	3	0	0	
Exceeding 40 feet	per registered ton each visit	0	0	4	
Pilot cutters	per registered ton each visit	0	0	3	
Steam tugs	... ..	0	4	6	

For any of the above fishing pleasure and other boats not compounding remaining within the rating limits of the harbour after the expiration of two weeks from the date of their arrival (unless compelled to do so by stress of weather) 3s. per boat for each week or part of a week over and above the dues leviable on arrival.

Fishing boats entering the harbour through stress of weather and remaining within the rating limits of the harbour 24 hours after weather moderated

each visit 0 1 6

The following rates are substituted for those contained under the denomination of Fish in Part III. of the schedule to the *Newlyn Pier and Harbour Order 1910*—Rates on fish of all kinds—

Fish (fresh of all kinds including shell fish)—

Where the gross proceeds amount to 20s. and upwards—Fourpence in the £ sterling on the gross amount realised by the sale any fraction of a shilling to be reckoned as a shilling.

Where gross proceeds less than 20s.—

On 15s. and less than 20s.	... ..	0	0	3
„ 10s. „ „ 15s.	... ..	0	0	2
„ 5s. „ „ 10s.	... ..	0	0	1
On all sums less than 5s.	... ..	0	0	1

A.D. 1920.

£ s. d.

Newlyn.

For fish of every kind including shell fish (other than cured fish) landed unshipped or transhipped in the harbour or any place within the limits of the harbour and not sold in the harbour or elsewhere—
Fourpence in the £ sterling on the gross value at the market price.

Fish (cured)—

Pilchards for each full barrel (half hogshead of 224 lbs.) exported	...	...	...	...	...	0	0	3
Pilchards for full barrel (quarter hogshead of 112 lbs.)	...	...	...	...	...	0	0	1½
Pilchards for full barrel (half quarter hogshead of 56 lbs.)	...	...	...	...	...	0	0	0¾
Mackerel	...	...	...	...	per cwt.	0	0	1
Herring (red smoked or salted)	...	...	...	...	„	0	0	1
Stock fish dry	...	...	...	...	„	0	0	1
All other kinds of cured fish	...	...	...	...	„	0	0	1
Salmon or other fish in tins	...	...	...	...	„	0	0	3
Hire of kits—								
For every kit let on hire	...	...	...	...	per boat	0	0	2
Re-sales All re-sales of all kinds of fish within the limits of the harbour ... Same as foregoing rates.								

New Articles to be rated.

Petrol	...	...	...	...	per gallon	0	0	0½
Carbide of calcium	...	...	...	...	per cwt.	0	0	6
Lubricating oils	...	...	...	...	per gallon	0	0	1
Fish oils	...	...	...	...	„	0	0	0½

PADSTOW HARBOUR.

Padstow. Order to revive the powers for the construction and to extend the time for the completion of the works authorised by the Padstow Harbour Order 1913 to increase the tolls rates dues and charges leviable by the Padstow Harbour Commissioners and for other purposes.

Short title.

1. This Order may be cited as the Padstow Harbour Order 1920.

Collective title.

2. The Padstow Harbour Acts and Orders 1844 to 1913 as varied and amended by this Order and this Order may be cited together as the Padstow Harbour Acts and Orders 1844 to 1920.

A.D. 1920.

3. This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order."

Padstow.
Commence-
ment of
Order.

4. In this Order unless the context otherwise requires "the Commissioners" means the Padstow Harbour Commissioners.

Definition.

5. The Commissioners shall be the undertakers for carrying this Order into execution.

Undertakers.

6. Section 18 (Power to borrow) of the Padstow Harbour Order 1913 shall be read and have effect as if the words "seventy-four thousand pounds" were substituted for the words "thirty-three thousand seven hundred pounds" mentioned therein.

Extension of
borrowing
powers.

7. The powers conferred by the Padstow Harbour Order 1913 upon the Commissioners with respect to the construction of works and all the provisions of that Order in relation thereto and whether conferred on the Commissioners or otherwise shall be and the same are hereby revived with the variation contained in the last preceding section and may be exercised enforced and applied and shall have effect in like manner and subject to the like restrictions and with the same consequences whether as to commencement or cesser of powers execution or completion of works or otherwise as if such powers and provisions so varied as aforesaid had been contained in this Order.

Revival of
powers under
Padstow
Harbour
Order 1913.

8. As from the commencement of this Order the Padstow Harbour Acts and Orders 1844 to 1913 shall be read and construed as if the amount of any toll rate due or other charge which the Commissioners are by those Acts and Orders or any of them authorised to charge in respect of vessels animals goods articles things or commodities were in each case doubled.

Increase of
tolls &c.

9. All costs charges and expenses of and incident to the preparation and obtaining of this Order and otherwise incurred in reference thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Commissioners out of moneys received by them under the Padstow Harbour Acts and Orders 1844 to 1913 as varied and amended by this Order or out of money borrowed for the purpose.

Costs of
Order.

A.D. 1920.

PENRYN HARBOUR

Penryn.

Order to amend the Orders relating to the Penryn Harbour in regard to the levying of rates and for conferring powers upon the Mayor Aldermen and Burgesses of the Borough of Penryn in the County of Cornwall to levy increased rates in relation to that Harbour.

Preliminary.

Short and
collective
titles.

1. This Order may be cited as the Penryn Harbour Order 1920 and the Penryn Harbour Orders 1870 and 1900 as varied and amended by this Order, and this Order may be cited together as the Penryn Harbour Orders 1870 to 1920.

Commence-
ment of
Order.

2. This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order."

Interpreta-
tion.

3. In this Order unless the context otherwise requires—

"The harbour" means the harbour works and conveniences as defined in the Penryn Harbour Orders 1870 and 1900 and any extension or enlargement thereof or addition thereto;

"The Corporation" means the mayor aldermen and burgesses of the borough of Penryn in the county of Cornwall acting by the council of the said borough.

Repeal.

4. From and after the commencement of this Order section 15 (Rates) of the Penryn Harbour Order 1900 is hereby repealed without prejudice to anything done or suffered thereunder or any right privilege obligation or liability acquired accrued or incurred thereunder.

Rates.

Rates.

5. From and after the commencement of this Order and subject to the provisions of the Penryn Harbour Orders 1870 and 1900 as varied and amended by this Order the Corporation may demand and receive on any and every vessel entering within the harbour whether that vessel anchors or is moored within the harbour or not or is lying alongside any wharves or quays within the harbour or not a rate not exceeding the rate of fourpence per ton register of the vessel and if the vessel remains in the harbour more than two months continuously then for every month or part of a month during which the vessel so remains after the first two months a further rate not exceeding the rate of twopence per ton register of the vessel.

Provided that—

A.D. 1920.

- (a) The rates leviable under this section in the case of vessels forced by stress of weather to seek shelter in the harbour and not breaking bulk while making use thereof shall not exceed one penny per ton register of the vessel; and
- (b) The rates leviable under this section shall in the case of unregistered vessels be calculated upon every ton of one-half of the gross burden or dead weight capacity of the ship instead of the ton register.

Penryn.

Miscellaneous.

6. All costs charges and expenses of and incidental to the preparing and obtaining of this Order and otherwise incurred in reference thereto as taxed by the proper officer shall be paid by the Corporation.

Costs of
Order.

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