

Status: This is the original version (as it was originally enacted).

SCHEDULES

SCHEDULE 1

Sections 1, 2, 25.

PORTS AND LICENSING AUTHORITIES

<i>Port</i>	<i>Licensing Authority</i>
Blyth	Blyth Harbour Commissioners.
Dunston	Tyne Improvement Commissioners.
Gateshead	Tyne Improvement Commissioners.
Newcastle	Tyne Improvement Commissioners.
South Shields	Tyne Improvement Commissioners.
North Shields	Tyne Improvement Commissioners.
Sunderland	River Wear Commissioners.
Seaham Harbour	Seaham Harbour Dock Company.
Middlesbrough	Tees Conservancy Commissioners.
The Hartlepoons	British Transport Docks Board.
Hull	British Transport Docks Board.
Goole	British Transport Docks Board.
Grimsby	British Transport Docks Board.
Immingham	British Transport Docks Board.
Boston	Boston Corporation.
Sutton Bridge	Wisbech Corporation.
Wisbech	Wisbech Corporation.
King's Lynn	King's Lynn Conservancy Board.
Great Yarmouth	Great Yarmouth Port and Haven Commissioners.
Lowestoft	British Transport Docks Board.
Ipswich	Ipswich Dock Commission.
London	Port of London Authority.
The area of the Conservators of the River Medway	Conservators of the River Medway.
The area of the Commissioners of the Faversham Navigation.	Conservators of the River Medway.

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The area of the Conservators of Milton Creek.	Conservators of the River Medway.
The harbour area of the Queen-borough Corporation.	Conservators of the River Medway.
Whitstable	Whitstable Urban District Council.
Southampton,	British Transport Docks Board.
Poole and Hamworthy	Poole Harbour Commissioners.
Weymouth	Weymouth Corporation.
Plymouth	Cattewater Harbour Commissioners.
Charlestown	Charlestown Estate Limited.
Falmouth	Falmouth Harbour Commissioners.
Fowey	Fowey Harbour Commissioners.
Hayle	Harvey and Co. Limited.
Newlyn	Newlyn Pier and Harbour Commissioners.
Par	Port of Par Limited.
Penryn	Penryn Borough Council
Penzance	Penzance Borough Council.
Porthleven	Porthleven Harbour and Dock Co. Limited.
Portreath	A. C. Reynolds and Sons.
Truro	Truro City Council.
Bristol	Bristol Corporation.
Sharpness	British Waterways Board.
Gloucester	British Waterways Board.
Newport	British Transport Docks Board.
Cardiff and Penarth	British Transport Docks Board.
Barry	British Transport Docks Board.
Port Talbot	British Transport Docks Board.
Swansea	British Transport Docks Board.
Birkenhead	Mersey Docks and Harbour Board.
Bromborough	Mersey Docks and Harbour Board.
Liverpool	Mersey Docks and Harbour Board.
Garston	Mersey Docks and Harbour Board.
Widnes	Mersey Docks and Harbour Board.
Ellesmere Port	Manchester Ship Canal Company.
Manchester	Manchester Ship Canal Company.

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Partington	Manchester Ship Canal Company.
Runcorn	Manchester Ship Canal Company.
Weston Point	British Waterways Board.
Preston	Preston Corporation.
Fleetwood	British Transport Docks Board.
Barrow-in-Furness	British Transport Docks Board.
Silloth	British Transport Docks Board.
Whitehaven	Whitehaven Harbour Commissioners.
Workington	Workington Harbour and Dock Co. Limited.
Maryport	Maryport Harbour Commissioners.
Ayr	British Transport Docks Board.
Troon	British Transport Docks Board.
Irvine	Irvine Harbour Company.
Ardrossarn	Ardrossan Harbour Company.
Greenock	Clyde Port Authority.
Glasgow	Clyde Port Authority.
Aberdeen	Aberdeen Harbour Board.
Dundee	Dundee Harbour Trustees.
Tayport	Dundee Harbour Trustees.
Kirkcaldy	Kirkcaldy Royal Burgh Council.
Methil	British Transport Docks Board.
Burntisland	British Transport Docks Board.
Grangemouth	British Transport Docks Board.
Granton	The Commissioners for the Harbour and Docks of Leith.
Leith	The Commissioners for the Harbour and Docks of Leith.

SCHEDULE 2

Section 44.

SECTION 44 OF 1964 ACT AS AMENDED

“44 (1) A person who desires to question any such order as follows, namely, a harbour revision or empowerment order (not being one confirmed by Act of Parliament under section 6 of the Statutory Orders (Special Procedure) Act 1945, or under section 2(4), as read with section 10, of that Act) on the ground that there was no power to make the order or that a requirement of this Act was not complied with in relation to the order, or who

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desires to question an order under section 20 of this Act, on the ground that there was no power to make the order or that a requirement of this Act was not complied with in relation to the order so far as regards the inclusion therein of a provision authorising the compulsory acquisition of a parcel of land may, within six weeks from the date on which the order becomes operative under the said Act of 1945 (or, in the case of an order under the said section 20, six weeks from the date on which it is made), make an application for the purpose to the High Court or the Court of Session, as the case may be.

- (1A) On an application under the foregoing subsection relating to a harbour revision or empowerment order, the court—
- (a) may, by interim order, suspend the operation of the order or of any provision thereof, either generally or so far as may be necessary for the protection of the interests of the applicant, until the final determination of the proceedings; and
 - (b) if satisfied that there was no power to make the order or that the interests of the applicant have been substantially prejudiced by a failure to comply with a requirement of this Act, may quash the order, or any provision thereof, either generally or so far as may be necessary as aforesaid.
- (2) On an application under subsection (1) of this section relating to an order under section 20 of this Act, the court—
- (a) may, by interim order, suspend the operation of the provision in question, either generally or so far as may be necessary for the protection of the interests of the applicant, until the final determination of the proceedings ; and
 - (b) if satisfied that there was no power to make the order or that the interests of the applicant have been substantially prejudiced by failure to comply with a requirement of this Act so far as regards the inclusion in the order of that provision, may quash the order, or any provision thereof, either generally or so far as may be necessary as aforesaid.
- (3) Except as provided by this section, a harbour revision or empowerment order shall not, either before or after it is made, be questioned in any legal proceedings whatever, and an order under section 20 of this Act shall not, either before or after it is made, be questioned in any legal proceedings whatever so far as regards the inclusion therein of a provision authorising the compulsory acquisition of a parcel of land.
- (4) The foregoing provisions of this section shall apply to a harbour reorganisation scheme confirmed by the Minister as they apply to a harbour revision order, with the substitution for references to the making of the order and to its being made of references respectively to the confirmation of the scheme and to its being confirmed.
- (5) In relation to proceedings in Scotland, subsections (1A)(a) and (2)(a) of this section shall have effect as if the words " by interim order " were omitted."