



Transport Act 1968

1968 CHAPTER 73

PART VII

INLAND WATERWAYS

Supplementary

115 Interpretation of Part VII

(1) In sections 105 and 112 of this Act—

- (a) references to any right of navigation over a waterway or canal include references to any right to use or keep any vessel or craft on the waterway or canal;
- (b) "the appropriate tribunal" means, as respects England and Wales, the Lands Tribunal and, as respects Scotland, the Lands Tribunal for Scotland or, until sections 1 to 3 of the Lands Tribunal Act 1949 come into force as regards Scotland, an official arbiter appointed under Part I of the Land Compensation (Scotland) Act 1963;

and sections 3 and 5 of the said Act of 1963 shall apply, subject to any necessary modifications, in relation to the determination of any question under either of those sections by an arbiter so appointed.

(2) Nothing in section 105 or in any order under section 112 of this Act shall be construed as abrogating any rights of navigation which subsist otherwise than by virtue of the enactments referred to in subsections (5) and (6) of the said section 105 or subsection (1) of the said section 112; and in those subsections references to rights conferred by an enactment do not include references to rights which are merely confirmed by it and which, if that enactment had not been passed, would subsist otherwise than by virtue of any such enactments as aforesaid.

(3) In sections 109, 112, 113 and 114 of this Act, "local " authority " means—

Status: This is the original version (as it was originally enacted).

- (a) as respects England and Wales, the council of a county, county borough, county district or London borough, the Greater London Council and the Common Council of the City of London ;
 - (b) as respects Scotland, a county council and a town council.
- (4) In sections 109, 112 and 113 of this Act, " river authority " includes any body on which functions corresponding to the functions of river authorities are conferred under section 125 of the Water Resources Act 1963 (provisions as to Thames, Lee and London areas) and any reference to the area of any such body shall be construed as a reference to the area in relation to which any such functions are conferred on that body as aforesaid.