

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Transport Act 1981, Cross Heading: Power to reduce Ministerial appointments to harbour authorities. (See end of Document for details)

SCHEDULES

SCHEDULE 6

AMENDMENTS OF ^{M1}THE HARBOURS ACT 1964

Modifications etc. (not altering text)

- C1** The text of Sch. 5 Pt. I para. 14, Sch. 6, Sch. 10 Pts. I, II is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

- M1** 1964 c. 40.

Power to reduce Ministerial appointments to harbour authorities

- 5 (1) The following section is inserted after section 15—

“15A Ministers’ powers to make orders about port appointments.

- (1) —

Each of the Ministers may, subject to subsection (2) of this section, by order vary the constitution of a harbour authority so far as it provides for the appointment by him of any member or members of the authority—

- (a) so as to abolish the power of appointment (except where the power is to appoint the chairman of the authority); or
- (b) so as to provide for the power of appointment to be exercised by such other person or persons as may be specified in the order.
- (2) No order under this section may be made by the Secretary of State with respect to the constitution of a harbour authority if under the constitution all the members of the authority, apart from the *ex officio* and co-opted members, are appointed by him.
- (3) An order under this section—
- (a) may relate to more than one harbour authority; and
- (b) may contain such supplementary, incidental and consequential provisions as appear to the Minister making the order to be necessary or expedient;

and where the constitution of a harbour authority provides for the appointment by the Minister making the order of more than one member, an order under this section may make different provision for each member falling to be so appointed and may make provision for some only of those members.

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- (4) A Minister proposing to make an order under this section shall before doing so consult the harbour authority concerned and other such persons affected, or bodies representative of such persons, as he thinks fit.
 - (5) In this section “the Ministers” means the Secretary of State and the Minister of Agriculture, Fisheries and Food.”.
- (2) In section 44 (which provides for a statutory application for review of certain orders within a six week time limit)—
- (a) in subsection (1) after “of that Act)” there is inserted “ or an order under section 15A of this Act, ”; and
 - (b) in subsection (3) after “empowerment order” there is inserted “ , or an order under section 15A of this Act, ”.
- (3) In section 54(2) (which provides for negative resolution procedure for certain orders) after “9(1),” there is inserted “ 15A, ”.

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