



# Ports Act 1991

## 1991 CHAPTER 52

### PART I

#### TRANSFER OF STATUTORY PORT UNDERTAKINGS

##### *Transfer of Port Undertakings*

### **1 Formation of companies for purposes of transfer of certain statutory port undertakings.**

- (1) Any relevant port authority shall have power to form a company whose objects include the acquisition of property, rights and liabilities and the assumption of functions of the authority by virtue of a transfer under section 2 below.
- (2) Any company formed under subsection (1) above shall be a company limited by shares and registered under [<sup>F1</sup>the Companies Act 2006].
- (3) In this Part “relevant port authority” means any body which is a harbour authority, other than one within subsection (4) below.
- (4) The bodies within this subsection are—
  - (a) any company having a share capital;
  - (b) a local authority;
  - (c) the British Waterways Board;
  - [<sup>F2</sup>(ca) Canal & River Trust;]
  - (d) Associated British Ports; and
  - (e) the Port of London Authority.
- (5) In subsection (4)(b) above “local authority”—
  - (a) in relation to England and Wales, has the meaning given by section 270(1) of the <sup>M1</sup>Local Government Act 1972; and
  - (b) in relation to Scotland, has the meaning given by section 235(1) of the <sup>M2</sup>Local Government (Scotland) Act 1973.

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*Changes to legislation: There are currently no known outstanding effects  
for the Ports Act 1991, Section 1. (See end of Document for details)*

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#### **Textual Amendments**

- F1** Words in s. 1(2) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 124(2)** (with art. 10)
- F2** S. 1(4)(ca) inserted (2.7.2012) by [The British Waterways Board \(Transfer of Functions\) Order 2012 \(S.I. 2012/1659\)](#), art. 1(2), **Sch. 3 para. 10** (with arts. 4-6)
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#### **Marginal Citations**

- M1** 1972 c. 70.
- M2** 1973 c. 65.

**Changes to legislation:**

There are currently no known outstanding effects for the Ports Act 1991, Section 1.