



Ferries (Acquisition By Local Authorities) Act 1919

1919 CHAPTER 75 9 and 10 Geo 5

An Act to enable Local Authorities to acquire existing Ferries by Agreement. [23rd December 1919]

Modifications etc. (not altering text)

- C1 Act extended by [Transport Act 1968 \(c. 73\), s. 10\(5\)](#); amended by [Local Government Act 1972 \(c. 70\), s. 250\(6\)](#)
- C2 Functions of Minister of Transport now exercisable by Secretary of State: [S.I. 1965/319, art. 3\(1\), Sch. 2 Pt. I](#) and 1981/238, arts. 2(2), 3(2)(3)
Act except s. 3: powers transferred (1.7.1999) by virtue of [S.I. 1999/672, art. 2, Sch.1](#)
- C3 This Act is not necessarily in the form in which it has effect in Northern Ireland

Commencement Information

- II Act wholly in force at Royal Assent

1 Power of local authority to acquire, &c. existing ferries.

- (1) A local authority may, with the consent of the Minister of Transport, purchase or accept the transfer of, and the owner of any existing ferry may sell or transfer to a local authority, upon such terms as may be agreed on between the owner and the local authority, any existing ferry which is within the area of that local authority or which serves the inhabitants of that area.
- (2) Subject to the provisions of any Act of Parliament under which the ferry was established, and to the rights of any other persons, the local authority may work, maintain and improve the ferry and charge such tolls as were legally chargeable in respect of the ferry before the sale or transfer thereof to the local authority, or such other tolls as the local authority, . . . ^{F1} may determine, or . . . ^{F1} the local authority may, if they think fit, free the ferry from tolls, and shall have the rights and powers which the owner of the ferry possessed and shall be subject to the obligations and liabilities to which he was subject.

Status: Point in time view as at 05/11/1993.

*Changes to legislation: There are currently no known outstanding effects for the
Ferries (Acquisition By Local Authorities) Act 1919. (See end of Document for details)*

(3) A local authority may join with any other local authority for the purchase, or acceptance, working, maintenance, or improvement of a ferry under this Act, or may contribute towards the expenses of the purchase or acceptance, working, maintenance, or improvement of a ferry by another local authority, and any difference which may arise between any local authorities who are acting jointly or jointly bearing any expenses under this subsection shall be determined by the Minister of Transport, or by an arbitrator appointed by him, and such determination shall be final and binding.

(4) In this Act the expression “existing ferry” means any ferry legally established by Act of Parliament or otherwise at the date of the purchase or transfer, and includes all boats and other vessels, landing stages, approaches, apparatus, plant and other property used in connection with the ferry.

[^{F2}(4A) For the purpose of exercising his functions under this Act, the Secretary of State may hold local inquiries.]

[^{F3}(5) The Minister of Transport shall have the like powers with respect to the holding of local inquiries for the purposes of this Act as are conferred by section eighty-seven of the ^{M1}Local Government Act 1888 upon the Minister of Health for the purposes of that Act.]

(6) In this Act the expression “local authority” means and includes a county council, the mayor, aldermen and burgesses of a county . . . ^{F1} borough, and the council of any . . . ^{F4} . . . ^{F1} district.

(7) ^{F5}

(8) A local authority, . . . ^{F6}, may borrow for the purposes of this Act . . . ^{F6}

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| Textual Amendments | |
| F1 | Words repealed by Local Government Act 1972 (c. 70) , Sch. 30 |
| F2 | S. 1(4A) inserted (E.W.)(5.11.1993) by 1993 c. 50, s. 1(2), Sch. 2 Pt. II para.20 |
| F3 | S. 1(5) repealed (E.W.)(5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.X |
| F4 | Words omitted by virtue of Local Government Act 1972 (c. 70) , s. 179(3), Sch. 30 |
| F5 | S. 1(7) repealed by Local Government Act 1933 (c. 51) , Sch. 11 Pt. IV |
| F6 | Words repealed (E.W.) by Local Government Act 1933 (c. 51) , Sch. 11 Pt. IV |
| Marginal Citations | |
| M1 | 1888 c. 41. |

2 Protection of general public.

In the case of every ferry acquired under this Act, regulations with regard to the working shall be made by the local authority for the protection from injury of passengers and the general public: Provided that no such regulation shall have any force or validity until the same have been confirmed by the Minister of Transport with or without amendment. Offenders against such regulations shall be liable on summary conviction to such penalties, not exceeding [^{F7}level 1 on the standard scale], as may be thereby prescribed.

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Textual Amendments

F7 Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 36, 46**

3 Crown rights.

Nothing in this Act affects prejudicially any estate, right, power, privilege, or exemption of the Crown and in particular nothing herein contained authorises any local authority to take, use, or in any manner interfere with any portion of the shore or bed of the sea or of any river, channel, creek, bay, or estuary or any land, hereditaments, subjects, or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of [^{F8}the Crown Estate Commissioners] or of the Board of Trade respectively without the consent in writing of [^{F8}the Crown Estate Commissioners] or the Board of Trade, as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Textual Amendments

F8 Words substituted by virtue of S.R. & O. 1924/1370 (Rev. V, p. 443: 1924, p. 228), art. 1; [Crown Estate Act 1956 \(c. 73\)](#), **s. 1(1)(7)**; [Crown Estate Act 1961 \(c. 55\)](#), s. 1(1), **Sch. 2**, para. 4(1)

Modifications etc. (not altering text)

C4 Functions of Board of Trade now exercisable concurrently by Secretary of State: [S.I. 1970/1537](#), **art. 2(1)(a)**

4 Exemption from tolls in case of persons in service of Crown, &c.

Without prejudice to any existing right of His Majesty . . . ^{F9}, nothing in this Act shall extend to authorise any tolls to be demanded or received from any person when on duty in the service of the Crown, or for any animal, vehicle, or goods the property of, or when being used in the service of, the Crown, or returning after being so used, or from any police officer acting in the execution of his duty, . . . ^{F10}

Textual Amendments

F9 Words repealed by [Revision of Army and Air Force Acts \(Transitional Provisions\) Act 1955 \(c. 20\)](#), **Sch. 4**

F10 Words repealed by [Theft Act 1968 \(c. 60\)](#), **Sch. 3 Pt. I** and [Post Office Act 1969 \(c. 48\)](#), **Sch. 11 Pt. II**

Modifications etc. (not altering text)

C5 [S. 4](#) extended by [S.I. 1965/1536](#), art. 12(2), **Sch. 3**

5 Application to Ireland.

This Act in its application to Ireland shall be subject to the following modifications (that is to say):—

- (1) The reference to the Minister of Health shall be construed as a reference to the Local Government Board for Ireland:

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- (2) The expenses incurred by a county council shall be raised as a county at large charge:
- (3) The reference to section sixty-nine of the ^{M2}Local Government Act 1888, shall be construed as a reference to article twenty-two of the schedule to the ^{M3}Local Government (Application of Enactments) Order 1898 and the reference to section eighty-seven of the said Act shall be construed as a reference to article thirty-two of the said schedule, and any other references to the said Act shall be construed as a reference to the Local Government (Ireland) Act 1898:

^{F11}(4)

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| <p>.....</p> <p>Textual Amendments</p> <p>F11 S. 5(4) repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt.X</p> <p>.....</p> <p>Marginal Citations</p> <p>M2 1888 c. 41.</p> <p>M3 1898 c. 37.</p> |
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6 Extent and short title.

- (1) This Act shall not extend to Scotland.
- (2) This Act may be cited as the Ferries (Acquisition by Local Authorities) Act 1919.

Status:

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Changes to legislation:

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