



Commissioners Clauses Act 1847

1847 CHAPTER 16 10 and 11 Vict

Interpretations in this Act

And with respect to the construction of this Act, and any Act incorporated therewith, be it enacted as follows:

2 The special Act: Prescribed: The undertaking: The commissioners.

The expression “the special Act” used in this Act shall be construed to mean any Act which shall be hereafter passed constituting a body of commissioners as herein-after defined for the purpose of carrying on any undertaking, and with which this Act shall be incorporated; and the word “prescribed” used in this Act in reference to any matter herein stated shall be construed to refer to such matter as the same shall be prescribed or provided for in the special Act, and the sentence in which such word occurs shall be construed as if instead of the word “prescribed” the expression “prescribed for that purpose in the special Act” had been used; and the expression “the undertaking” shall mean the undertaking or works, of whatever nature, which shall by the special Act be authorized to be executed or carried on; and the expression “the commissioners” shall mean the commissioners, trustees, undertakers, or other persons, or body corporate, constituted by the special Act, or thereby entrusted with powers for executing the undertaking.

Modifications etc. (not altering text)

- C1 Ss. 1-4 incorporated (E.W.S.) (21.5.2010) by [The Newlyn Pier and Harbour Revision \(Constitution\) Order 2010 \(S.I. 2010/1462\)](#), arts. 1(1), **3**
- C2 Ss. 58-60 incorporated (S.) (18.11.2010) by [The St. Andrews Harbour Revision \(Constitution\) Order 2010 \(S.S.I. 2010/403\)](#), arts. 1(1), **3(1)**
- C3 Ss. 58-60 incorporated (S.) (5.6.2014) by [The Pennan Harbour Revision Order 2014 \(S.S.I. 2014/158\)](#), arts. 1(1), **3(1)**
- C4 Ss. 2-4 incorporated (with modifications) (E.W.S.) (1.11.2015) by [The Great Yarmouth Port Authority \(Constitution\) Harbour Revision Order 2015 \(S.I. 2015/1395\)](#), arts. 1(3), 2, **3** (with Sch. 3)
- C5 S. 2 incorporated (with modifications) (S.) (26.11.2016) by [The Gardenstown Harbour Revision Order 2016 \(S.S.I. 2016/396\)](#), arts. 1(1), 3(1)(3)

Changes to legislation: There are currently no known outstanding effects for the Commissioners Clauses Act 1847, Cross Heading: Interpretations in this Act. (See end of Document for details)

C6 S. 2 incorporated (with modifications) (S.) (4.3.2021) by [The Eyemouth Harbour Revision Order 2021 \(S.S.I. 2021/118\)](#), arts. 1(1), **3(1)(3)** (with arts. 36, 37)

3 Interpretations in this and the special Act: Number: Gender: Person: Lands: Month: Superior courts: Justice: Two justices: Sheriff: Clerk: The town.

The following words and expressions both in this and the special Act, and any Act incorporated therewith, shall have the several meanings hereby assigned to them, unless there be something in the subject or the context repugnant to such construction; (that is to say,)

Words importing the singular number only shall include the plural number, and words importing the plural number only shall include the singular number:

Words importing the masculine gender only shall include females:

The word “person” shall include a corporation, whether aggregate or sole:

The word “lands” shall extend to messuages, lands, tenements, and hereditaments, or heritages, of any tenure:

The word “month” shall mean calendar month:

The expression “superior courts,” where the matter submitted to the cognizance of the court arises in England or Ireland, shall mean her Majesty’s superior courts of record at [^{F1}the Royal Courts of Justice] or [^{F2}Belfast], as the case may require, . . . ^{F3}; and where such matter arises in Scotland shall mean the Court of Session:

.....^{F4}
.....^{F5}

The word “justice” shall mean justice of the peace acting for the place where the matter requiring the cognizance of any such justice arises; [^{F6}and where any matter is authorized or required to be done by two justices, the expression “two justices” shall be understood to mean two or more justices met and acting together:]

The word “sheriff” shall mean the sheriff depute of [^{F7}the sheriffdom] . . . in Scotland in which any matter submitted to the cognizance of the sheriff arises, and shall include the substitutes of such sheriff depute.

.....^{F8}

The expression “the clerk” shall mean the clerk of the commissioners, and shall include the word “secretary”:

The expression “the town” shall mean the town or district named in the special Act within which the powers of the commissioners are to be exercised.

And with respect to citing this Act or any part thereof, be it enacted as follows:

Textual Amendments
F1 Words substituted by virtue of [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\)](#), s. **224(1)**
F2 Word substituted by virtue of S. R. & O. 1921/1804 (Rev. XVI, p. 967: 1921, p. 422), art. 7(b)
F3 Words repealed by [Statute Law Revision Act 1891 \(c. 67\)](#)
F4 Definition repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), s. 1(1), **Sch. 1 Pt. VIII**
F5 In S. 3 definition of "county" repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), s. 1, **Sch. Pt. I**; definition of "county" wholly repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group 1
F6 Words repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\)](#), s. 1, **Sch. Pt. I**
F7 Words substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), **Sch. 1 para. 1**

Changes to legislation: There are currently no known outstanding effects for the Commissioners Clauses Act 1847, Cross Heading: Interpretations in this Act. (See end of Document for details)

F8 In s. 3 definition of "quarter sessions" repealed (E.W.N.I.) by (E.W.) Courts Act 1971 (c. 23), **Sch. 11 Pt. IV** and (N.I.) Statute Law Revision (Northern Ireland) Act 1980 (c. 59), s. 1, **Sch. Pt. I**; definition of "quarter sessions" wholly repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group1

Modifications etc. (not altering text)

- C1** Ss. 1-4 incorporated (E.W.S.) (21.5.2010) by The Newlyn Pier and Harbour Revision (Constitution) Order 2010 (S.I. 2010/1462), arts. 1(1), **3**
- C6** S. 2 incorporated (with modifications) (S.) (4.3.2021) by The Eyemouth Harbour Revision Order 2021 (S.S.I. 2021/118), arts. 1(1), **3(1)(3)** (with arts. 36, 37)
- C7** S. 3 incorporated (S.) (5.6.2014) by The Pennan Harbour Revision Order 2014 (S.S.I. 2014/158), arts. 1(1), **3(1)**
- C8** Ss. 2-4 incorporated (with modifications) (E.W.S.) (1.11.2015) by The Great Yarmouth Port Authority (Constitution) Harbour Revision Order 2015 (S.I. 2015/1395), **arts. 1(3), 2, 3** (with Sch. 3)
- C9** S. 3 incorporated (with modifications) (S.) (26.11.2016) by The Gardenstown Harbour Revision Order 2016 (S.S.I. 2016/396), arts. 1(1), **3(1)(3)**
- C10** References to sheriff depute and his substitutes to be construed as references to sheriff principal and sheriffs respectively: Sheriff Courts (Scotland) Act 1971 (c. 58), **s. 4**

4 Short title of this Act.

In citing this Act in other Acts of Parliament, and in legal instruments, it shall be sufficient to use the expression "The Commissioners Clauses Act 1847."

Modifications etc. (not altering text)

- C1** Ss. 1-4 incorporated (E.W.S.) (21.5.2010) by The Newlyn Pier and Harbour Revision (Constitution) Order 2010 (S.I. 2010/1462), arts. 1(1), **3**
- C11** Ss. 2-4 incorporated (with modifications) (E.W.S.) (1.11.2015) by The Great Yarmouth Port Authority (Constitution) Harbour Revision Order 2015 (S.I. 2015/1395), **arts. 1(3), 2, 3** (with Sch. 3)

F9 5

Textual Amendments

- F9** S. 5 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group1

Changes to legislation:

There are currently no known outstanding effects for the Commissioners Clauses Act 1847,
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