



# Harbours and Passing Tolls, &c. Act 1861

## 1861 CHAPTER 47

### PART III

#### ABOLITION OF DUES LEVIED BY CHARITABLE CORPORATIONS

**6 Abolition of Dues leviable by Charitable Authorities.**

All Rates, Dues, Duties, and Imposts (herein-after included in the Term Shipping Dues) leviable by any of the Charitable Authorities named in the First Schedule annexed hereto on Ships, or on Goods carried in Ships, shall, except so far as the same maybe required for the Execution of such Shipping Purposes as have hitherto been executed by means of the said Dues, cease to be levied on and after the First Day of *January* One thousand eight hundred and seventy-two.

**7 Dues levied for Shipping Purposes on Ships or Goods which derive no Benefit.**

Whenever any of the said Shipping Dues leviable by any of the said Authorities named in the First Schedule are applicable to Shipping Purposes, but such Shipping Purposes are not for the Benefit of Ships or Goods carried therein at the Port or Place at which such Dues are levied, such Dues shall cease to be levied on and after the First Day of *January* One thousand eight hundred and seventy-two.

**8 Provision for Payment of Pensions granted before 15th March 1861, and for Application of Surplus.**

During the Period prior to the said First Day of *January* One thousand eight hundred and seventy-two, the Shipping Dues levied by each of the Authorities named in the said First Schedule, including the Compensation for Differential Dues herein-after mentioned, shall, subject to the Execution of any Shipping Purposes to which the same or any Part thereof may be applicable, be applied in Payment of any Pensions which have been lawfully granted, or in which a vested Interest, absolute or contingent, has been lawfully created before the Fifteenth Day of *March* One thousand eight hundred and sixty-one; and any Surplus arising from the said Dues during the said Period, after providing for the said Shipping Purposes, and Payment of the said Pensions for the

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Time being, and such Payments for Charitable or other Purposes as have heretofore ordinarily been made by the said Authority out of the said Dues, shall, with the Interest thereon, after the Termination of the said Period, be applied in Payment of such, if any, of the said Pensions as have not then ceased; and subject to such Payment, the said Surplus shall become Part of the Charitable Funds of the said Authority, and shall be held and administered by them upon the same Trusts and for the same Purposes upon and for which the said Dues would have been held and applied if this Act had not passed : If at any Time after the Expiration of the said Period it is made to appear to Her Majesty in Council that any of the said Pensions are still in existence, and that after duly accounting for the Surplus aforesaid, the Authority by which such Pensions were granted is unable, either out of the said Surplus or out of their other Funds applicable to Charitable Purposes to pay the said Pensions, it shall be lawful for Her Majesty from Time to Time, by Order in Council, to declare that the Shipping Dues theretofore levied by the said Authority shall continue for such Time and to such Extent as may by such Order be declared to be necessary for Payment of the said Pensions; and there upon the said Shipping Dues shall continue to be leviable according to the Terms of such Order: Provided that nothing in this Act contained shall enable any of the said Authorities to apply any Part of the said Dues to any Purposes to which they could not lawfully have applied the same if this Act had not passed.

**9 List of Pensions to be made out and sent to Board of Trade.**

Bach, of the said Authorities shall, as soon as they conveniently can after the passing of this Act, make out and send to the Board of Trade a List of all Pensions to be paid by them "which have been granted, or in which a vested Interest has been created, before the Fifteenth Day of *March* One thousand eight hundred and sixty-one accompanied by such Vouchers and Explanations as the Board of Trade may require; and each of the said Authorities shall, as early as possible, in every Year during the said Period of Ten Years, publish in some local Newspaper a Statement of their gross Receipts from the said Shipping Dues, and of the Manner in which the same have been expended or applied in the preceding Year.