
STATUTORY INSTRUMENTS

1991 No. 1257

The Sealink, (Transfer of Newhaven Harbour) Harbour Revision Order 1991

PART III

NEW PROVISIONS RELATING TO THE COMPANY AT THE TRANSFERRED HARBOUR

Control of certain operations and works of statutory undertakers

19.—(1) This article applies to any operations or works in the transferred harbour of a statutory undertaker on, under or over tidal waters or tidal land below the level of high water in the transferred harbour, not being operations or works which are specifically authorised by any enactment.

(2) Subject to paragraph (3) below, a statutory undertaker shall not carry out any operations or works to which this article applies unless it has given notice of its intention to do so to the Company and has supplied the Company with such particulars as it may reasonably require.

(3) Where, in an emergency, it is impracticable to give notice as required by paragraph (2) above, the statutory undertaker concerned shall inform the Company of the operations or works as soon as is reasonably practicable.

(4) Any operations or works to which this article applies shall be carried out subject to any directions which may from time to time be given by the Company to the statutory undertaker concerned, being directions such as in the opinion of the Company are necessary for the avoidance of danger and the prevention, so far as reasonably possible, of interference with navigation in the carrying out of such operations or works.

(5) Any person who without reasonable cause contravenes this article shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.