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STATUTORY INSTRUMENTS

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**1994 No. 2809**

**The Ports (Northern Ireland) Order 1994**

*Procedure for schemes*

***The annual turnover requirement for the purposes of Article 12***

**13.**—(1) A relevant port authority meets the annual turnover requirement mentioned in Article 12 at the time when any direction is given to that authority by the Department under that Article if the annual turnover of the authority exceeded the turnover limit in the case of at least two of the last three accounting years of the authority ending before that time.

(2) For the purposes of paragraph (1), the annual turnover of a relevant port authority for any accounting year of the authority is the aggregate, as stated in any statement of accounts prepared under section 30 of the Harbours Act (Northern Ireland) 1970<sup>F1</sup> in respect of that accounting year, of all sums received by the authority during that year.

(3) The reference in paragraph (2) to sums received by the authority does not include sums received by way of grant from any public authority or any capital receipts or loans.

(4) In paragraphs (5) to (7) “the base date” means the date on which this Order comes into operation.

(5) For the purposes of this Article—

- (a) the turnover limit, in relation to any accounting year of a relevant port authority, is the turnover limit applicable to the reference year in which that accounting year ends;
- (b) the reference years are the year ending immediately before the base date, the year beginning with that date and each succeeding year beginning with an anniversary of that date; and
- (c) the turnover limit applicable to a reference year is £5 million unless paragraph (6) applies, in which case it is the amount determined under that paragraph.

(6) Where in the case of any anniversary of the base date the retail prices index for the month in which that anniversary falls shows a percentage increase over that for the month in which the base date falls, the turnover limit applicable to the reference year beginning with that anniversary shall be an amount arrived at by—

- (a) increasing the sum of £5 million by a percentage equal to that percentage increase; and
- (b) rounding the result to the nearest £100,000.

(7) The Department of Finance and Personnel shall publish in the Belfast Gazette the turnover limit applicable to any reference year beginning with an anniversary of the base date as soon as practicable after that anniversary.

(8) The reference in paragraph (6) to the retail prices index is a reference to the general index of retail prices (for all items) published by the Central Statistical Office of the Chancellor of the Exchequer; and if that index is not published for any month relevant for the purposes of that paragraph that reference shall be read as a reference to any substituted index or index figures published by that Office for that month.

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**Changes to legislation:** *There are currently no known outstanding effects for the The Ports (Northern Ireland) Order 1994, Section 13. (See end of Document for details)*

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**F1** 1970 c. 1 (NI)

**Changes to legislation:**

There are currently no known outstanding effects for the The Ports (Northern Ireland) Order 1994, Section 13.