



Port of London Act 1970

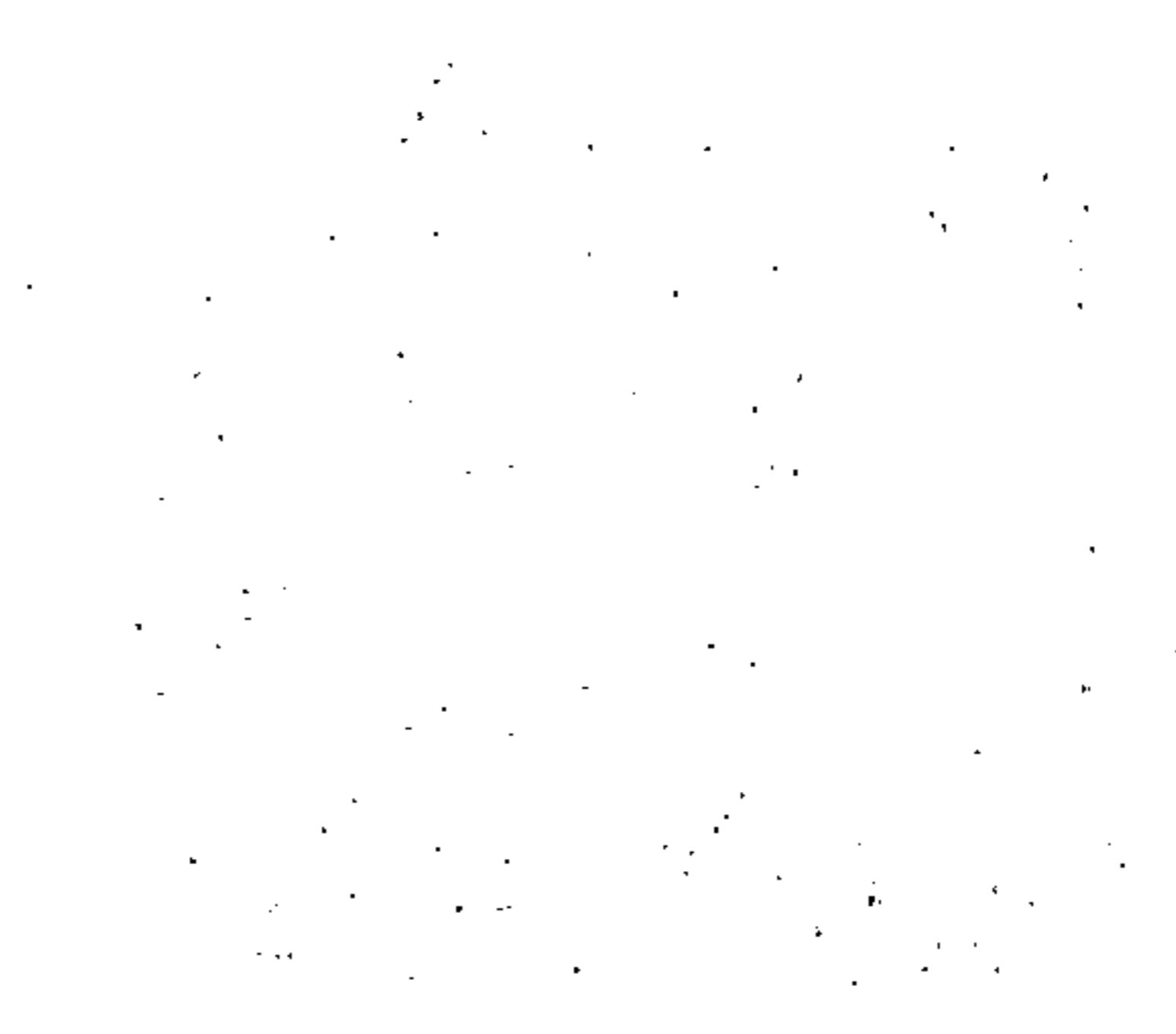
CHAPTER lxxviii

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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

PROBLEM SET 1

DATE: _____

ELIZABETH II



1970 CHAPTER lxxviii

An Act to make further provision in relation to the discontinuance of operation by the Port of London Authority of certain works; and for other purposes.
[17th December 1970]

WHEREAS by the Port of London Act 1908, the Port of London Authority were established for the purpose of administering, preserving and improving the port of London and for other purposes in that Act set forth: 1908 c. 68.

And whereas by various subsequent Acts and Orders further powers were conferred on the Port Authority:

And whereas by the Port of London Act 1968 the provisions of the various enactments by which, or by reference to which, the constitution, powers, rights, authorities, privileges, duties and obligations of the Port Authority were then defined, were consolidated with amendments: 1968 c. xxxii.

And whereas it is expedient that other powers be conferred on the Port Authority as in this Act contained:

And whereas the object of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short and
collective
titles.

1.—(1) This Act may be cited as the Port of London Act 1970.

1968 c. xxxii.

(2) The Port of London Act 1968 and this Act may be cited together as the Port of London Acts 1968 and 1970.

Interpretation.

2.—(1) In this Act, except so far as the context otherwise requires—

“enactment” means any Act whether general, local or personal and any order or other instrument made thereunder and any provisions in any such Act, order or instrument, and includes this Act;

“the Port Authority” means the Port of London Authority;

“the Surrey Canal” means the Grand Surrey Canal and includes the entrance lock to the canal;

“the Surrey Commercial Docks” means and includes the docks, basins, cuts, locks, timber ponds, entrances, works, warehouses, buildings, wharfs, quays, lands, estates and other landed property formerly vested in the Surrey Commercial Dock Company or now, or at any time, added to, or forming part of, the same dock system, other than those forming part of, or comprised in, the Surrey Canal.

(2) Reference in this Act to any enactment shall be construed as reference to that enactment as re-enacted, extended or amended by, or by virtue of, any other enactment, including this Act.

As to rights
and obligations
on
discontinuance
of the Surrey
Canal and the
Surrey
Commercial
Docks.

3.—(1) In this section “private right” and “obligation” mean respectively a private right or an obligation, whether express or implied (other than a right or obligation of the Port Authority) in relation to navigation over, or access to, or the use of, navigable waters in the Surrey Commercial Docks or the Surrey Canal, as the case may be.

(2) If the Port Authority decide to discontinue permanently the operation of the Surrey Commercial Docks or the Surrey Canal and if at the date of discontinuance there is in existence in relation to the said docks or canal so discontinued any private right or obligation, such right or obligation shall thereupon be extinguished:

Provided that nothing in this subsection shall prejudice the right of the Port Authority to recover any dues or moneys which have accrued due or become payable to them before the date of discontinuance.

(3) Any person who suffers loss by the extinguishment by subsection (2) of this section of any private right, and who makes a claim in writing to the Port Authority within one year from the extinguishment of the private right, shall be entitled to compensation and the Port Authority shall pay to such person a sum equal to the amount of the compensation so due less the value of any benefit which has accrued to such person by reason of the extinguishment of any obligation by the said subsection and, in case of dispute, the sum payable to such person shall be determined under and in accordance with the Land Compensation Act 1961.

1961 c. 33.

(4) Upon the discontinuance of the operation of the Surrey Commercial Docks or the Surrey Canal, all statutory obligations of the Port Authority under any local Act (including an Act confirming a Provisional Order) with respect to, or in connection with, the said docks or canal, as the case may be, shall cease, except the obligation imposed on the Port Authority by subsection (3) of this section and the obligations of the Port Authority relating to the prevention of pollution.

4. Notwithstanding the provisions of section 3 (As to rights and obligations on discontinuance of the Surrey Canal and the Surrey Commercial Docks) of this Act, and the discontinuance of the operation of the Surrey Canal or the use of the land being the site of the Surrey Canal for any purpose other than that of the said canal, the London Transport Executive and the British Railways Board respectively shall so long as it is required have reasonable access at all times either over the Surrey Canal or the said land for the purposes of reconstruction, repair and maintenance of the railway bridges over the said canal formerly owned by the East London Railway Company and Southern Railway Company.

For protection of London Transport Executive and British Railways Board.

5. The enactments referred to in the first, second and third columns of the Schedule to this Act are hereby amended as specified in the fourth column of that schedule.

Amendments.

6. In Schedule 7 (Maintenance, operation and lighting of bridges, footways and other works) of the Port of London Act 1968 the entries in columns (1), (2) and (3) of item 5 (which relate to the swing bridge over the entrance to St. Katharine Dock) are hereby repealed.

Repeal of obligation relating to swing bridge, St. Katharine Dock.

1968 c. xxxii.

7. All costs, charges and expenses of and incidental to the preparing for, obtaining and passing of this Act shall be paid by the Port Authority out of the port fund established under section 16 of the Port of London Act 1908.

Costs of Act.

1908 c. 68.

SCHEDULE

AMENDMENTS

Act (i)	Section or Schedule (ii)	Marginal Note or Heading (iii)	Amendment (iv)
1968 c. xxxii.	Port of London Act 1968	122	Removal of projections
		123	Repair of landing places and embankments
		Schedule 11	Transitional provisions
			In subsection (1), in paragraph (a) of subsection (2) and in paragraph (a) of subsection (3) after the word "Thames" the words "or the Surrey Canal" shall be inserted.
			In paragraphs (a), (b) and (c) of subsection (1) after the word "Thames" the words "or the Surrey Canal" shall be inserted.
			In paragraph (h), after the words "issued by the Port Authority" the words "or their predecessors" shall be inserted.

PRINTED IN ENGLAND BY THE OYEZ PRESS

PRINT DIVISION OF THE SOLICITORS' LAW STATIONERY SOCIETY, LTD.,

FOR C. H. BAYLIS, C.B.

Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

1s. 6d. [7½p] net