



Medway Ports Authority Act 1973

1973 CHAPTER xxi

PART II

DUTIES AND GENERAL POWERS OF THE AUTHORITY

32 Repair of landing places and embankments

- (1) The Authority may by notice require the owner or occupier of a landing place or embankment which in the opinion of the Authority is, or is likely to become, by reason of its insecure condition or want of repair—
 - (a) dangerous to persons or vessels using the port;
 - (b) injurious to the condition of any navigable waterway within the port; or
 - (c) a hindrance to the navigation of the port;to remedy its condition to the satisfaction of the harbour master within a reasonable time specified in the notice.
- (2) If a person to whom notice is given under this section fails to comply with the notice within the time stated in the notice or, if he appeals and the appeal is not allowed, within the time stated in the notice or such other time as the court may substitute therefor—
 - (a) he shall be liable on summary conviction to a fine not exceeding one hundred pounds and to a daily fine not exceeding ten pounds; and
 - (b) the Authority may carry out the work they consider necessary to remedy the condition of the landing place or embankment in question and may recover the expenses of so doing from the person on whom the notice was served as a debt in any court of competent jurisdiction.
- (3) A notice under subsection (1) of this section shall have annexed to it a copy of this section.
- (4) A person aggrieved by a notice served by the Authority under subsection (1) of this section may appeal to a magistrates' court.

Status: This is the original version (as it was originally enacted). This
item of legislation is currently only available in its original format.

- (5) Nothing in this section shall relieve any person acting on the requirement of the Authority from liability for damage caused by him to any electricity work, gas work or sewerage work.