

ELIZABETH II



1973 CHAPTER xxviii

An Act to repeal or render ineffective provisions conferring exemption from or imposing limitations upon charges on goods loaded or unloaded overside at certain docks and works of the British Transport Docks Board at Kingston upon Hull; and for other purposes.

[25th July 1973]

WHEREAS—

(1) By the Transport Act 1962 the British Transport Docks Board (in this Act referred to as "the Board") were established:

(2) It is the duty of the Board under the Transport Act 1962 (inter alia) to provide, to such extent as they may think expedient, port facilities at the harbours (as defined by the said Act) owned or managed by the Board and to have due regard to efficiency, economy and safety of operation as respects the services and facilities provided by them and the Board are empowered to operate the harbours owned or managed by them:

(3) By the Hull Docks Act 1861, the Hull Docks Act 1866 and the Hull Docks Act 1867 the docks comprising the present Albert Dock, William Wright Dock, St. Andrew's Dock and St. Andrew's Dock Extension at Kingston upon Hull were authorised to be constructed and with those Acts certain provisions relating to charges in earlier Acts were incorporated:

(4) By the Hull, Barnsley, and West Riding Junction Railway and Dock Act 1880 the Hull, Barnsley and West Riding Junction Railway and Dock Company were authorised to make and

maintain a dock, later known as Alexandra Dock and Alexandra Dock Extension, at Kingston upon Hull and there was excepted by that Act the right to make a charge in respect of any goods not landed on or over or loaded from or over the quays, wharves, piers, jetties or embankments of the company:

1893 c. cxcviii.

(5) By the North Eastern Railway (Hull Docks) Act 1893 (which provided for the dissolution of the former Hull Dock Company and the amalgamation of its dock undertaking with that of the North Eastern Railway Company) all the existing exemptions and freedoms from or limitation of dues or charges in respect of animals, goods, minerals or things loaded or unloaded overside from or into any vessels, lighters or river craft without passing over the quays or wharfs of the former Hull Dock Company were preserved from repeal, alteration or taking away by application to Parliament:

1899 c. ccxlii.

(6) By the Hull Joint Dock Act 1899 the North Eastern Railway Company and the Hull, Barnsley and West Riding Junction Railway and Dock Company were jointly authorised to make and maintain a dock, later known as King George Dock, at Kingston upon Hull and it was provided by that Act that the said companies should not be entitled to charge rates in respect of goods loaded or unloaded overside into or from any vessel without passing over any quay or wharf of the said companies:

1905 c. cci.

(7) By the North Eastern Railway Act 1905 the North Eastern Railway Company were authorised to make and maintain a river wall or quay, later known as Riverside Quay, at Kingston upon Hull and by that Act the quay was deemed to form part of the dock undertaking of the said company for the purposes of charges and the provisions of the Acts of Parliament relating to that undertaking were, so far as the same were applicable, applied to the quay:

1907 c. lxxvii.

(8) By the Hull and Barnsley Railway Act 1907 the Hull and Barnsley Railway Company (as the successor of the Hull, Barnsley and West Riding Junction Railway and Dock Company) were authorised to make and maintain a pier in the river Humber adjoining Alexandra Dock and by that Act the pier was deemed to form part of Alexandra Dock for the purposes of charges in respect of goods loaded and unloaded overside from or into river craft and lighters without passing over the pier:

1962 c. 46.

(9) By the Transport Act 1962 all the property, rights and liabilities in the docks and other works at Kingston upon Hull hereinbefore mentioned were transferred to and vested in the Board and by section 43 of that Act the Board were relieved of any limitation on their discretion as to the charges to be made by them for, inter alia, services and facilities connected with the carriage of persons and goods by any ship or boat except so far as any local enactment expressly provided for freedom from charges or otherwise prohibited the making of any charge:

(10) By the British Transport Docks Act 1966 the Board were 1966 c. xxxi.
authorised to make and maintain an extension, later known as
the Queen Elizabeth Dock, of the Board's King George Dock at
Kingston upon Hull and by that Act the said extension was
deemed to form part of the dock authorised by the said Act of
1899:

(11) Albert Dock, William Wright Dock, St. Andrew's Dock,
St. Andrew's Dock Extension, Alexandra Dock, Alexandra Dock
Extension and the said pier, King George Dock, Queen Elizabeth
Dock and the Riverside Quay accordingly now form part of the
dock and harbour undertaking of the Board at Kingston upon
Hull:

(12) It is expedient that, in the interest of the proper manage-
ment of the Board's undertaking and in the exercise of the duties
conferred upon the Board in relation to such undertaking of which
the before-mentioned docks and other works at Kingston upon
Hull form a substantial part, the right to charge for the facilities
provided by them should be exercisable free of the exemptions
and restrictions hereinbefore referred to:

(13) It is therefore expedient that provisions conferring freedom
from, or imposing limitations upon, the power to make charges
in respect of goods loaded or unloaded overside contained in
any enactment should, in relation to the before-mentioned docks
and other works at Kingston upon Hull, cease to have effect or
be repealed as provided by this Act, and that the other provisions
in this Act contained should be enacted:

(14) The purposes of this Act cannot be effected 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:—

1. This Act may be cited as the British Transport Docks Short title.
(Hull Docks) Act 1973.

2. In this Act—

Interpretation.

“Hull Docks” means the docks and works belonging to
the Board at Kingston upon Hull known as Albert Dock,
William Wright Dock, St. Andrew's Dock, St. Andrew's
Dock Extension, Alexandra Dock, Alexandra Dock
Extension, the pier in the river Humber adjoining
Alexandra Dock, King George Dock, Queen Elizabeth
Dock and the Riverside Quay;

“goods” includes animals, minerals and things;

“the Hull Docks enactments” means the Kingston upon
Hull Dock Act 1774, the Kingston upon Hull Dock 1774 c. lvi.

1802 c. xci.
 1805 c. xlii.
 1844 c. ciii.
 1845 c. v.
 1849 c. lxix.
 1861 c. lxxix.
 1866 c. lxxvii.
 1867 c. xxv.
 1880 c. cxcix.
 1893 c. cxcviii.
 1899 c. ccxlii.
 1905 c. cci.
 1907 c. lxvii.
 1966 c. xxxi.

Cesser of
 freedom from
 charges on
 goods loaded
 or unloaded
 overside at
 Hull Docks.
 1962 c. 46.

Repeals.

Costs of Act.

Act 1802, the Kingston upon Hull Dock Act 1805, the Kingston upon Hull Dock Act 1844, the Kingston upon Hull Dock Act 1845, the Kingston-upon-Hull Dock Act 1849, the Hull Docks Act 1861, the Hull Docks Act 1866, the Hull Docks Act 1867, the Hull, Barnsley, and West Riding Junction Railway and Dock Act 1880, the North Eastern Railway (Hull Docks) Act 1893, the Hull Joint Dock Act 1899, the North Eastern Railway Act 1905, the Hull and Barnsley Railway Act 1907 and the British Transport Docks Act 1966.

3. Notwithstanding the provisions of subsection (2) of section 43 of the Transport Act 1962, as from the passing of this Act any provision in the Hull Docks enactments or in any other enactment shall cease to have effect in relation to Hull Docks to the extent to which such provision confers freedom from charges or otherwise prohibits, or imposes limitations upon, the making of any charge in respect of goods loaded or unloaded overside from or into any vessel, lighter or river craft without passing over the Board's quays, wharves, piers, jetties or embankments.

4. The following provisions are hereby repealed:—

Hull, Barnsley, and West Riding Junction Railway and Dock Act 1880—

In section 114 (Rates payable on goods)—

all the words after the words “consignee of the goods”;

North Eastern Railway (Hull Docks) Act 1893—

Section 10 (Overside charges and river craft);

Hull Joint Dock Act 1899—

In section 56 (Rates payable on goods)—

the first proviso.

5. All costs, charges and expenses of, and incidental to, the preparing for, obtaining and passing of this Act, or otherwise in relation thereto shall be paid by the Board and may in whole or in part be defrayed out of revenue.

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Dee and Clwyd River Authority Act 1973

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