



London Docklands Development Corporation Act 1994

1994 CHAPTER xiii

PART III

PROTECTIVE PROVISIONS

18 For mutual protection of port authority and Corporation

(1) In this section—

“enactment” includes any provision of any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“harbourmaster” has the meaning given by section 2 of the Port of London Act 1968; and

“subsidiary” has the meaning given by section 736 of the Companies Act 1985.

(2) The exercise in, under or over the river Thames by the Corporation or by any officer of the Corporation of any function conferred or imposed by or under this or any other Act shall be subject to—

(a) any enactment relating to or made by the port authority and the terms of any licence granted by the port authority under section 66 of the Port of London Act 1968; and

(b) the exercise by the port authority or their harbourmaster of any functions conferred or imposed on them or him by or under any enactment.

(3) The exercise within the designated areas (other than the jetties) by the port authority, or by any officer of the port authority, of any function conferred or imposed by or under any enactment shall be subject to—

(a) any enactment relating to or made by the Corporation, including this Act and any byelaw made under this Act; and

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- (b) the exercise by the Corporation or the manager of any functions conferred or imposed on it or him by or under any enactment including this Act or any byelaw made under this Act.
- (4) Subject to subsection (3) above, and to any order made under section 30 (Termination of jurisdiction of port authority) or 32 (Repeal, etc., of legislation of port authority, etc.) of this Act, but notwithstanding any other provision of this Act, the designated areas shall continue to be treated as falling within the limits described in paragraph 2 of Schedule 1 to the Port of London Act 1968.
- (h)
 - (a) Subject to paragraph (b) below, section 28 (Certain waters not to be subject to public rights of navigation) of this Act shall not apply to any right of navigation exercisable by the owners, lessees or occupiers of land which is, at the date of the passing of this Act, owned or leased by the port authority or any subsidiary of the port authority.
 - (b) Any right of navigation which, but for this subsection, would have been extinguished by section 28 shall be deemed to be a private right of navigation for the purposes of section 29 (Extinguishment of private rights of navigation) of this Act.