



# Harbours Act 1964

## CHAPTER 40

### HARBOURS ACT 1964

#### *The National Ports Council*

- 1 Establishment of National Ports Council, and principal duties thereof
- 2 Constitution of the Council
- 3 Promotion by the Council of research, and training and education
- 4 Provision of funds for the Council
- 5 Temporary borrowings by the Council
- 6 Exchequer assistance to the Council
- 7 Council's investment powers
- 8 Reports, accounts and returns by the Council

#### *Control of harbour Development*

- 9 Control of harbour development
- 10 Enforcement of control of harbour development

#### *Exchequer Assistance for Execution of harbour Works, &c*

- 11 Loans for execution of harbour works,
- 12 Grants for execution of harbour works,
- 13 Maximum amount of loans and grants under sections 11 and 12, and cesser of certain other powers to give financial assistance

#### *Harbour Revision and Empowerment Orders*

- 14 Ministers' powers, on application of harbour authorities, or others, to make orders for securing harbour efficiency,
- 15 Ministers' powers to make, of their own motion, orders for limited purposes for securing harbour efficiency,

*Status: This is the original version (as it was originally enacted).*

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- 16 Ministers' powers, on application of intending undertakers, or others, to make orders conferring powers for improvement, construction, of harbours
- 17 Procedure for making harbour revision and empowerment orders, and substitution thereof, in general, for provisional orders

*Harbour Reorganisation Schemes*

- 18 Harbour reorganisation schemes

*Compensation for Loss of Office, &c*

- 19 Compensation for loss of office, in consequence of orders or schemes under foregoing provisions

*Control of Movement of Ships in Harbours*

- 20 Orders for establishing schemes for control of movement of ships in harbours
- 21 Association of pilots with schemes established by control of movement orders
- 22 Byelaws for preventing interference with operation of schemes established by control of movement orders
- 23 Powers of inspection, in connection with schemes established by control of movement orders
- 24 Defence available to persons charged with offences under control of movement orders
- 25 Limitation of liability of bodies administering schemes established by control of movement orders

*Harbour Charges*

- 26 Repeal of provisions limiting discretion of certain harbour authorities as to ship, passenger and goods dues charged by them
- 27 Certain charges of certain harbour authorities to be reasonable
- 28 Repeal of provisions limiting discretion of nationalised transport bodies as to ship, passenger and merchandise dues at certain harbours owned or managed by them
- 29 Repeal of provisions limiting discretion of local lighthouse authorities as to local light dues
- 30 Duty of harbour and local lighthouse authorities to make available for inspection, and keep for sale, copies of lists of certain charges
- 31 Right of objection to ship, passenger and goods dues
- 32 Power of Minister to revise ship, passenger and goods dues at harbours other than fishery harbours or marine works
- 33 Power of Minister of Agriculture, Fisheries and Food to revise ship, passenger and goods dues at fishery harbours and of Secretary of State to revise them at marine works
- 34 Provisions supplementary to sections 31 to 33
- 35 Application of sections 31, 32 and 34 to local light dues
- 36 Sections 31 and 32 not to apply to charges at certain harbours
- 37 Special provisions with respect to certain aviation charges
- 38 Repeal of certain enactments relating to harbour charges
- 39 Amendments of Acts consequential on sections 26 to 37

*Conditions as to Use of harbour Services and  
Facilities provided by certain harbour Authorities*

- 40 Conditions as to use of harbour services and facilities provided by certain harbour authorities

*Furnishing of Information*

- 41 Power of Council to obtain information and forecasts  
42 Accounts, relating to harbour undertakings

*Miscellaneous and General*

- 43 Provisions with respect to loans made under this Act by the Minister  
44 Limitation of right to challenge harbour revision orders, in legal proceedings  
45 Penalisation of furnishing false information  
46 Restriction of disclosure of information  
47 Provisions as to inquiries and hearings  
48 Service of documents  
49 Provisions as to ecclesiastical property  
50 Reckoning of periods  
51 Modification of Harbours, Piers and Ferries (Scotland) Act 1937  
52 Application of Act to Crown  
53 Saving for telegraphic lines  
54 Orders and regulations  
55 Offences by corporations  
56 Modification of Statutory Orders (Special Procedure) Act 1945 in its application to harbour revision orders,  
57 Interpretation  
58 Drainage and river authorities not to be harbour authorities for purposes of this Act if not possessing exceptional powers  
59 Enlargement of powers of Parliament of Northern Ireland  
60 Power to amend Acts of local application  
61 Expenses  
62 Saving for private Bills and certain provisional orders. 63- Short title, extent, repeal and commencement  
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SCHEDULES

SCHEDULE 1 — Incidental Provisions with respect to the National Ports Council

- 1 The Council shall be a body corporate with perpetual succession...  
2 (1) Each member of the Council shall hold and vacate...  
3 The Council may act notwithstanding a vacancy amongst the members...  
4 In the case of an equality of votes at a...  
5 The Council may appoint such committees consisting of members of...  
6 Subject to the foregoing provisions of this Schedule, the Council...  
7 Part II of Schedule 1 to the House of Commons...  
8 (1) The Council shall appoint a secretary and may appoint...  
9 The application of the seal of the Council shall be...

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SCHEDULE 2 — Objects for whose Achievement Harbour Revision Orders may be made

- 1 Reconstituting the harbour authority by whom the harbour is being...
- 2 Regulating (in whole or to a less extent) the procedure...
- 3 Varying or abolishing duties or powers imposed or conferred on...
- 4 Imposing or conferring on the authority, for the purpose aforesaid,...
- 5 Transferring from the authority to 'another or to the authority...
- 6 Settling (either for all purposes or for limited purposes) the...
- 7 Conferring on the authority power to acquire (whether by agreement...
- 8 Authorising justices of the peace to appoint, on the nomination...
- 9 Empowering the authority to dispose of property vested in them...
- 10 Empowering the authority to borrow money, with or without limitation...
- 11 Empowering the authority to levy at the harbour charges other...
- 12 Securing the efficient collection of charges levied by the authority...
- 13 Regulating the application of moneys in the nature of revenue...
- 14 Varying or extinguishing any exemption from charges levied by the...
- 15 Securing the welfare of the authority's officers and servants and...
- 16 Extending the time within which anything is required or authorised...
- 17 Any object which, though not falling within any of the...

SCHEDULE 3 — Procedure for making Harbour Revision and Empowerment Orders

PART I — PROCEDURE FOR MAKING HARBOUR REVISION ORDERS ON APPLICATION TO THE MINISTER (AS SET OUT), TO THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD (SUBJECT TO PART III) OR TO THE SECRETARY OF STATE (SUBJECT TO PART IV), AND FOR THE MAKING OF HARBOUR EMPOWERMENT ORDERS BY THE MINISTER (SUBJECT TO PART VII), BY THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD (SUBJECT TO PART VIII) OR BY THE SECRETARY OF STATE (SUBJECT TO PART IX)

- 1 An application for a harbour revision order must be accompanied...
- 2 Where an application for a harbour revision order is duly...
- 3 Where an applicant for a harbour revision order is given...
- 4 (1) Where the proper notices concerning an application for the...
- 5 So soon as may be after a harbour revision order...
- 6 (1) Where application is made to the Minister for a...
  - PART II — PROCEDURE FOR THE MAKING OF HARBOUR REVISION ORDERS BY THE MINISTER OF HIS OWN MOTION (AS SET OUT), BY THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD OF HIS OWN MOTION (SUBJECT TO PART V) OR BY THE SECRETARY OF STATE OF HIS OWN MOTION (SUBJECT TO PART VI)
  - 7 Where the Minister proposes to make, of his own motion,...
  - 8 (1) Where effect has been given to paragraph 7 above...
  - 9 So soon as may be after a harbour revision order...
    - PART III — MODIFICATIONS SUBJECT TO WHICH PART I IS TO HAVE EFFECT WITH RESPECT TO PROCEDURE FOR MAKING HARBOUR REVISION ORDERS UPON APPLICATION THEREFOR TO THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD
    - 10 (1) The modifications subject to which Part I of this...
    - PART IV — MODIFICATIONS SUBJECT TO WHICH PART I IS TO HAVE EFFECT WITH RESPECT TO PROCEDURE FOR MAKING HARBOUR

REVISION ORDERS UPON APPLICATION THEREFOR TO THE  
SECRETARY OF STATE

- 11 (1) The modifications subject to which Part I of this...  
PART V — MODIFICATIONS SUBJECT TO WHICH PART II IS TO HAVE EFFECT WITH RESPECT TO PROCEDURE FOR THE MAKING OF HARBOUR REVISION ORDERS BY THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD OF HIS OWN MOTION
- 12 (1) The modifications subject to which Part II of this...  
PART VI — MODIFICATIONS SUBJECT TO WHICH PART II IS TO HAVE EFFECT WITH RESPECT TO PROCEDURE FOR THE MAKING OF HARBOUR REVISION ORDERS BY THE SECRETARY OF STATE OF HIS OWN MOTION
- 13 (1) The modifications subject to which Part II of this...  
PART VII — MODIFICATIONS SUBJECT TO WHICH PART I IS TO HAVE EFFECT WITH RESPECT TO PROCEDURE FOR THE MAKING OF HARBOUR EMPOWERMENT ORDERS BY THE MINISTER
- 14 (1) The modifications subject to which Part I of this...  
PART VIII — MODIFICATIONS SUBJECT TO WHICH PART I IS TO HAVE EFFECT WITH RESPECT TO PROCEDURE FOR THE MAKING OF HARBOUR EMPOWERMENT ORDERS BY THE MINISTER OF AGRICULTURE, FISHERIES AND FOOD
- 15 (1) The modifications subject to which Part I of this...  
PART IX — MODIFICATIONS SUBJECT TO WHICH PART I IS TO HAVE EFFECT WITH RESPECT TO PROCEDURE FOR THE MAKING OF HARBOUR EMPOWERMENT ORDERS BY THE SECRETARY OF STATE
- 16 (1) The modifications subject to which Part I of this...

SCHEDULE 4 — Submission and Confirmation of Harbour Reorganisation Schemes

- 1 The submission to the Minister of a harbour reorganisation scheme...
- 2 Where a harbour reorganisation scheme is submitted to the Minister...
- 3 (1) Where effect has been given to paragraph 2 above...
- 4 So soon as may be after a harbour reorganisation scheme...

SCHEDULE 5 — Procedure for making Control of Movement Orders

- 1 An application for a control of movement order must be...
- 2 Where an application for a control of movement order is...
- 3 Where an applicant for a control of movement order is...
- 4 (1) Where the proper notices concerning an application for the...
- 5 So soon as may be after a control of movement...
- 6 (1) Where application is made to the Minister for a...

SCHEDULE 6 — Enactments repealed