



Harbours Act 1964

1964 CHAPTER 40

Compensation for Loss of Office, &c.

19 Compensation for loss of office, &c., in consequence of orders and schemes under foregoing provisions.

- (1) The Minister shall by regulations make provision requiring such person or body, being a person or body subject to any of the provisions of a harbour reorganisation scheme, as may be determined by or under the regulations to pay, subject to such exceptions or conditions as may be prescribed by the regulations, compensation to, or in respect of, persons who are or, but for any national service of theirs would be, the holders of any such situation, place or employment as may be so prescribed and suffer loss of employment or loss or diminution of emoluments or pension rights in consequence of any of the provisions of the scheme.
- (2) Where it is proposed to make a harbour revision order or a harbour empowerment order, the Minister of the Crown by whom the order is to be made shall consider whether any person, who is, or but for any national service of his would be, holder of any situation, place or employment with a person or body subject to any of the provisions of the order, might if the order were made, suffer any loss of employment or loss or diminution of emoluments or pension rights in consequence of any of the provisions of the order; and if it appears to that Minister that such a person who is or would be the holder of such a situation, place or employment might suffer any such loss or diminution in consequence as aforesaid and that, if he does, compensation should be paid in respect thereof, that Minister shall not make the order unless he is satisfied that it secures that there will be paid to or in respect of that person, if he suffers any such loss or diminution in consequence as aforesaid, compensation corresponding, as near as may be, to that payable by virtue of regulations made under subsection (1) of this section to or in respect of the holder in similar circumstances of a similar situation, place or employment, in respect of similar loss or diminution suffered in consequence of any of the provisions of a harbour reorganisation scheme.
- (3) Different regulations may be made under subsection (1) of this section in relation to different classes of persons, and any such regulations may be so framed as to have effect from a date earlier than that on which they are made, so however that so much

Changes to legislation: Harbours Act 1964, Cross Heading: Compensation for Loss of Office, &c. is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

of any regulations as provides that any provision thereof is to have effect from a date earlier than that on which they are made shall not place any person other than a harbour authority in a worse position than he would have been in if the regulations had been so framed as to have effect only as from the date on which they are made.

- (4) Regulations made under subsection (1) of this section may include provision as to the manner in which, and the person to whom, any claim to compensation is to be made, and for the determination of all questions arising under the regulations.
- (5) In this section “national service” means any such service in any of Her Majesty’s forces or other employment (whether or not in the service of Her Majesty) as may be prescribed by regulations under subsection (1) of this section.

Modifications etc. (not altering text)

- C1** S. 19 amended by [Docks and Harbours Act 1966](#) (c. 28, SIF 58), [s. 43\(2\)](#)
- C2** [S. 19](#): transfer of functions (1.4.2018) by [Wales Act 2017](#) (c. 4), [ss. 29\(2\)\(b\)\(iv\)](#), [71\(4\)](#) (with [Sch. 7](#) paras. 1, 6, 9); [S.I. 2017/1179](#), [reg. 3\(g\)](#) (with transitional provisions and savings in [S.I. 2018/278](#), [reg. 2](#), [Sch.](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [2023 c. 8 s. 9\(7\)](#)