



Harbours Act 1964

1964 CHAPTER 40

Furnishing of Information

41 Power of Council to obtain information and forecasts.

(1) For the purpose of obtaining information and forecasts reasonably required by [^{F1}the Secretary of State] for the exercise and performance of [^{F1}his functions] under this Act, it shall be lawful for [^{F1}the Secretary of State],—

- (a) by notice in writing served on a person engaged in improving, maintaining or managing a harbour, to require him to furnish to [^{F1}the Secretary of State] such information or forecasts . . . ^{F2} as may be specified in the notice; and
- (b) by notice in writing served on a person carrying out at a harbour, harbour operations of a particular description, not being the person engaged in improving, maintaining or managing that harbour, to require him to furnish to [^{F1}the Secretary of State] such information or forecasts relating to harbour operations of that description carried out by him at that harbour as may be so specified;

and any such notice may require any such information or forecasts to be furnished in such manner and within such time as may be specified in the notice, and either periodically or on one occasion or more.

(2) ^{F3}

(3) A person who fails to satisfy an obligation to which he is subject by virtue of subsection (1) above shall, unless he proves that he had reasonable excuse for the failure, be guilty of an offence and liable, on summary conviction, to a fine not exceeding [^{F4}level 4 on the standard scale].

(4) No notice shall be served under subsection (1) above requiring a person to furnish information or forecasts concerning anything done or to be done at a fishery harbour or marine work; and a notice served under that subsection on a person requiring him to furnish any information or forecasts concerning anything done or to be done at a harbour shall, if the harbour becomes a fishery harbour or marine work, thereupon cease to have effect except in so far as it requires any information or forecast to be

Changes to legislation: Harbours Act 1964, Section 41 is up to date with all changes known to be in force on or before 07 March 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

furnished before the date on which the harbour becomes a fishery harbour or marine work.

Textual Amendments

- F1** Words substituted by [Transport Act 1981 \(c. 56, SIF 58\)](#), **Sch. 5 para. 11**
- F2** Words repealed by [Docks and Harbours Act 1966 \(c. 28, SIF 58\)](#), **s. 48**
- F3** S. 41(2) repealed by [Transport Act 1981 \(c. 56, SIF 58\)](#), **Sch. 12 Pt. II**
- F4** Words substituted by virtue of [Transport Act 1981 \(c. 56, SIF 58\)](#), **Sch. 6 para. 13(3)(4)** and (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **s. 289G** (as inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 54**)

Modifications etc. (not altering text)

- C1** [S. 41](#): transfer of functions (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 29(2)(b)(vii)**, 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\(7\)](#)