



Norfolk and Suffolk Broads Act 1988

1988 CHAPTER 4

PART IV

MISCELLANEOUS AND SUPPLEMENTAL

25 Interpretation.

(1) In this Act—

[^{F1} “the 2009 Act ” means the Broads Authority Act 2009;]

[^{F1} “adjacent waters” has the meaning given by section 2(2) of the 2009 Act ;]

“appointing authority” means any of the persons mentioned in section 1(3) (a) or (b);

[^{F1} “Breydon Water and the Lower Bure” means the areas described in Schedule 4 to the 2009 Act and shown edged red on the deposited plan referred to in section 35(1) of that Act;]

“the Broads” has the meaning given by section 2(3);

^{F2}
...

“commercial vessel” means any vessel which is not a pleasure craft;

“the Commissioners” means the Great Yarmouth Port and Haven Commissioners;

“the deposited map” means the set of maps dated November 1986 deposited in connection with the Norfolk and Suffolk Broads Bill in the office of the Clerk of the Parliaments and the Private Bill Office of the House of Commons;

“financial year” means the period of twelve months ending with 31st March in any year;

“the Haven” means (subject to subsection (3) below and paragraph 5 of Schedule 7) the area of the Haven of Great Yarmouth as defined in section 5 of the ^{M1}Great Yarmouth Port and Haven Act 1866;

“hovercraft” has the same meaning as in the ^{M2}Hovercraft Act 1968;

“inland waters” has the same meaning as in the ^{M3}Water Resources Act 1963;

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“the Ministers” means the Secretary of State and the Minister of Agriculture, Fisheries and Food, acting jointly;

“the navigation area” has the meaning given by section 8(1);

[^{F1}“the navigation officer” has the meaning given by section 10(7);]

“the Norwich navigation” has the meaning given by section 8(2);

[^{F2} ...

“operative date” means the date specified by order under section 26(4) of this Act;

“owner”, in relation to a pleasure craft which is registered with the Authority in accordance with byelaws made under section 10(3), means the person in whose name the craft is registered;

“participating authority” means a local authority mentioned in section 1(3) (a);

“passenger boat” means a pleasure craft which is carrying, or is available to carry, members of the general public for hire or reward;

“pleasure craft” means any vessel used for sport or recreation, whether hired or privately owned, and includes a houseboat;

“staithe” means any land which is adjacent to a waterway and which the inhabitants of the locality are entitled to use as a landing place;

“statutory undertaker” means—

- (a) any person who is a statutory undertaker for the purposes of [^{F3}the Town and Country Planning Act 1990];
- (b) any other person who exercises functions under [^{F4} the Land Drainage Act 1991];

[^{F5}(c) any water undertaker or sewerage undertaker whose area includes any part of the Broads; and]

[^{F6}[^{F5}(d)] any electronic communications code operator;]

[^{F1} “toll” means a charge levied by the Authority under section 26 of the Harbours Act 1964 (and includes any charge made in the discharge of the Authority’s functions under Part II of this Act and any charge levied in respect of a vessel moored, used or navigated on any adjacent waters);]

[^{F7} “ Trinity House ” means the Corporation of Trinity House of Deptford Strond;]

[^{F8}“vessel” includes—

- (a) every description of craft, including a personal water craft used or capable of being used for transportation by water;
- (b) a sailboard;
- (c) any raft, pontoon or similar floating or submersible structure capable of being moved under its own power or under tow but does not include any craft or pontoon which is permanently fixed.]

“works licence” has the meaning given by section 11.

- (2) References in this Act to conserving the natural beauty of an area include references to conserving its flora, fauna and geological and physiographical features.
- (3) For the purpose of this Act, the boundary between the Haven and the navigation area shall be determined by reference to a notional line drawn—
 - (a) in the case of the river Bure, between grid references TG 5190 1009 and TG 5193 1012;

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- (b) in the case of the river Yare, between grid references TG 4700 511 and TG 4696 520; and
- (c) in the case of the river Waveney, between grid references TG 4722 379 and TG 4725 375;

“grid references” meaning the national grid references used for Ordnance Survey mapping.

Textual Amendments

- F1** Words in s. 25(1) inserted (2.7.2009) by [Broads Authority Act 2009 \(c. i\)](#), **Sch. 7 para. 9(1)** (with ss. 2(3), 3(1), 16(3), 42, Sch. 6 Pts. 2, 3)
- F2** Words in s. 25(1) omitted (2.7.2009) by virtue of [Broads Authority Act 2009 \(c. i\)](#), **Sch. 7 para. 9(2)** (with ss. 2(3), 3(1), 16(3), 42, Sch. 6 Pts. 2, 3)
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c.11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 76**
- F4** S. 25(1): words in sub-para. (b) in the definition of "statutory undertakers" substituted (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2(1), 4(2), **Sch. 1 para. 47**
- F5** In the definition of “statutory undertaker” for the words “and (c)” there is substituted a new para. (c) and the old para. (c) is renumbered para. (d) by [S.I. 1989/1380](#), **regs. 3(1), 4(b)**
- F6** Words in s. 25(1) substituted (25.7.2003 for specified purposes, otherwise 29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 17 para. 89** (with Sch. 18); [S.I. 2003/1900](#), arts. 1(2), 2(1), **Sch. 1** (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2)
- F7** Words in s. 25(1) substituted (2.7.2009) by [Broads Authority Act 2009 \(c. i\)](#), **Sch. 7 para. 9(3)** (with ss. 2(3), 3(1), 16(3), 42, Sch. 6 Pts. 2, 3)
- F8** Words in s. 25(1) substituted (2.7.2009) by [Broads Authority Act 2009 \(c. i\)](#), **Sch. 7 para. 9(4)** (with ss. 2(3), 3(1), 16(3), 42, Sch. 6 Pts. 2, 3)

Modifications etc. (not altering text)

- C1** S. 25 modified (2.7.2009) by [Broads Authority Act 2009 \(c. i\)](#), **s. 35(2)(b)** (with ss. 2(3), 3(1), 16(3), 42, Sch. 6 Pts. 2, 3)
- C2** S. 25(1) modified (25.4.2013) by [Growth and Infrastructure Act 2013 \(c. 27\)](#), **ss. 9(3), 35(2)**

Marginal Citations

- M1** 1866 c. ccxlvii.
- M2** 1968 c. 59.
- M3** 1963 c. 38.

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(8A) inserted by [2008 c. 29 s. 224\(2\)\(b\)](#)