



Ports Act 1991

1991 CHAPTER 52

PART I

TRANSFER OF STATUTORY PORT UNDERTAKINGS

Supplementary

20 Interpretation of Part I.

(1) In this Part—

“accounting year”, in relation to a relevant port authority, means any period in respect of which the authority are required under section 42 of the ^{M1}Harbours Act 1964 to prepare annual statements of accounts;

“the appropriate Minister” means, in relation to any body which is or immediately before a transfer under section 2 above was a relevant port authority, the Minister concerned with the relevant harbour or harbours or, where there is more than one Minister so concerned, both or all of those Ministers acting jointly; and

“the Gazette” means—

- (a) in relation to the publication of a notice under section 9(3)(a) or 12(3) affecting a harbour in England or Wales, the London Gazette; and
- (b) in relation to the publication of [^{F1}such a notice][^{F1}a notice under section 9(3)(a)] affecting a harbour in Scotland, the Edinburgh Gazette.

(2) For the purposes of the definition of “the appropriate Minister” in subsection (1) above—

(a) the Minister concerned with a harbour—

^{F2}(i)

(ii) . . . is the Secretary of State; and

(b) a harbour is a relevant harbour in relation to any such body as is there mentioned if it is one for which that body is or immediately before a transfer under section 2 above was the harbour authority.

*Changes to legislation: There are currently no known outstanding effects
 for the Ports Act 1991, Section 20. (See end of Document for details)*

F3 . . .

- (3) In this Part—
- (a) references, in relation to a notice under section 9(3)(a) [^{F4}or 12(3)] affecting a harbour, to publication of the notice by Gazette and local advertisement are references to publication—
 - (i) in the Gazette; and
 - (ii) in each of two successive weeks, in one or more local newspapers circulating in the locality where the harbour is situated; and
 - (b) references, in relation to such a notice, to the date of the first local advertisement are references to the date of the first publication of the notice in a local newspaper circulating in the locality where the harbour is situated.
- (4) References in this Part to—
- (a) the scheme;
 - (b) the successor company; and
 - (c) the authority;
- are explained in section 2(4).
- (5) For the purposes of this Part the time when a disposal of securities or of rights to require the issue of securities of a company is made shall be determined as it would fall to be determined in accordance with section [^{F5}28 of the 1992 Act] for the purposes of tax on chargeable gains.
- (6) For the purposes of this section a notice under section 9(3)(a) [^{F6}or 12(3)] relating to a scheme for the purposes of a proposed transfer under section 2 above of property, rights, liabilities and functions of a relevant port authority is to be regarded as affecting any harbour for which that authority are the harbour authority.

Textual Amendments

- F1** Words in s. 20(1) substituted (S.) (3.12.2015) by [Harbours \(Scotland\) Act 2015 \(asp 13\)](#), **ss. 1(3)(a)**, 3
- F2** Words from the beginning of sub-para (i) to “case,” in sub-para. (ii) in s. 20(2)(a) left out (3.12.2001) by virtue of [S.I. 2001/3503, art. 5, Sch. 1 para. 3\(a\)](#)
- F3** Words in s. 20(2) left out (3.12.2001) by virtue of [S.I. 2001/3503, art. 5, Sch. para. 3\(b\)](#)
- F4** Words in s. 20(3)(a) repealed (S.) (3.12.2015) by [Harbours \(Scotland\) Act 2015 \(asp 13\)](#), **ss. 1(3)(b)**, 3
- F5** Words in s. 20(5) substituted (6.3.1992 with effect as mentioned in s. 289 of the substituting Act) by [Taxation of Chargeable Gains Act 1992 \(c. 12\)](#), s. 290, **Sch. 10 para. 24(4)** (with ss. 60, 201(3), Sch. 11 paras. 22, 26(2), 27).
- F6** Words in s. 20(6) repealed (S.) (3.12.2015) by [Harbours \(Scotland\) Act 2015 \(asp 13\)](#), **ss. 1(3)(b)**, 3

Marginal Citations

- M1** 1964 c. 40.

Changes to legislation:

There are currently no known outstanding effects for the Ports Act 1991, Section 20.