
STATUTORY INSTRUMENTS

1977 No. 2082

HARBOURS, DOCKS, PIERS AND FERRIES

The Dover Harbour Revision Order 1977

Made - - - - 10th July 1977

Laid before Parliament 26th October 1977

Coming into Operation 6th December 1977

The Secretary of State for Transport in exercise of the powers conferred by section 14 of the Harbours Act 1964(a), and now vested in him(b), and of all other powers enabling him in that behalf and on the application of the Dover Harbour Board, hereby makes the following Order:—

Citation and Commencement

1.—(1) This Order may be cited as the Dover Harbour Revision Order 1977 and shall come into operation on the date fixed in accordance with the provisions of the Statutory Orders (Special Procedure) Acts 1945 and 1965(c).

(2) The Acts and this Order may be cited together as the Dover Harbour Acts and Orders 1954 to 1977.

Interpretation

2.—(1) In this Order, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them:—

“the 1954 Act” means the Dover Harbour Consolidation Act 1954(d);

“the 1963 Act” means the Dover Harbour Act 1963(e);

“the 1969 Order” means the Dover Harbour Revision Order 1969(f);

“the Acts” means the 1954 Act, the 1963 Act, the Defence (Transfer of Functions) (Dover Harbour) Order 1964(g), the 1969 Order, and the Dover Harbour Revision Order 1975(h);

“the Board” means the Dover Harbour Board;

“enactment” means any Act whether public general or local and orders made thereunder and any provisions in any Act or in any such order.

(2) The Interpretation Act 1889(i) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) Except where the context otherwise requires, references in this Order to any enactment shall be construed as references to that enactment as applied, extended, varied or amended by, or by virtue of, any subsequent enactment, including this Order.

(a) 1964 c. 40.

(b) S.I. 1970/1681 (1970 III, p. 5551).

(c) 1945 c. 18; 1965 c. 43.

(d) 1954 c. iv.

(e) 1963 c. xxix.

(f) S.I. 1969/1578.

(g) S.I. 1964/932.

(h) S.I. 1975/568.

(i) 1889 c. 63.

Power to Borrow

3. Article 5 of the 1969 Order is hereby revoked.

4.—(1) In Section 79 of the 1954 Act there shall be substituted for the words “nine million five hundred thousand pounds” the words “twenty-eight million pounds (or, with the consent of the Secretary of State, such greater amount as the Board may require) being a sum or sums”.

(2) In addition to the power conferred on the Board by section 79 of the 1954 Act, the Board may, for the purpose of meeting their obligations and carrying out their functions under any enactment, raise money by means of overdraft from any bank or other temporary loan and may, if the Board think fit, secure any such overdraft or temporary loan by issuing debenture stock or creating any legal or equitable charge or any other security upon the whole or any part of the undertaking of the Board and generally upon such terms and conditions as the Board think fit:

Provided that the aggregate of all sums outstanding at any time of the money borrowed by the Board by way of such overdraft or temporary loan shall not exceed two million pounds.

5.—(1) Sections 84 to 110 of the 1954 Act shall not apply to any debenture stock charge or other security issued or created by the Board under the powers conferred by Article 4(2) of this Order.

(2) Any such debenture stock charge or other security as is mentioned in paragraph (1) of this Article shall rank after any debenture stock issued at any time under the powers conferred by or referred to in the 1954 Act.

(3) Nothing in Article 4(2) of this Order shall affect the agreement referred to in section 129 of the 1954 Act and set out in the Tenth Schedule thereto.

10th July 1977.

William Rodgers,
Secretary of State for Transport.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order authorises the Dover Harbour Board to increase their borrowing powers under Section 79 of the Dover Harbour Consolidation Act 1954 to £28m or, with the consent of the Secretary of State, such greater amount as the Board may require. It also empowers the Board to borrow by overdraft or temporary loan sums of money not exceeding £2m, and to secure such borrowing upon the assets and revenues of the Board or by the issue of debenture stock.