
STATUTORY INSTRUMENTS

1987 No. 420

The Padstow Harbour Revision Order 1987

PART VI

MISCELLANEOUS

Crown Rights

46.—(1) Nothing in this Order affects prejudicially any estate, right, power, privilege, authority or exemption of the Crown including (without prejudice to the general law concerning the applicability of statutes to the Duchy of Cornwall) the Duchy of Cornwall and, in particular and without prejudice to the generality of the foregoing, nothing in this Order authorises the Commissioners to take, use, enter upon or in any manner interfere with, any land or hereditaments or any rights of whatsoever description (including any portion of the shore or bed of the sea or of any river, channel creek, bay or estuary)—

- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners, without the consent in writing of those Commissioners; or
- (b) belonging to the Duchy of Cornwall or enjoyed by the possessor for the time being of the Duchy of Cornwall, without the consent in writing of two or more of such of the regular officers of the said Duchy or of such other persons as may be authorised under section 39 of the Duchy of Cornwall Management Act 1863(1), or as the case may be, the consent of such Duke testified in writing under the seal of the said Duchy; or
- (c) belonging to a government department, or held in trust for Her Majesty for the purposes of a government department, without the consent in writing of that government department.

(2) A consent under paragraph (1) above may be given unconditionally or subject to such conditions and upon such terms as shall be considered necessary or appropriate.

Repeals

47.—(1) The enactments set out in the first column of Schedule 3 to this Order are hereby repealed to the extent specified in the second column of that Schedule.

(2) Notwithstanding the repeal by this Order of any enactment, the persons holding office as Commissioners at the commencement of this Order shall continue to hold office as Commissioners (except for any Commissioner who may die or resign) until the new constitution date and while so continuing to hold office may regulate their own procedure.

Costs of Order

48. The costs, charges and expenses of and in connection with the preparation, submission and making of this Order (other than those which any person may be ordered by the Secretary of State or

(1) 1863 c. 49.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

a joint committee of both Houses of Parliament to pay, or any costs, charges and expenses incurred in opposing this Order) shall be paid by the Commissioners.