

STATUTORY INSTRUMENTS

1988 No. 2304

The Newport (Isle of Wight) Harbour Revision Order 1988

PROSPECTIVE

Interpretation

2. In this Order, except where the context otherwise requires:—

“the Act of 1847” means the Harbours, Docks and Piers Clauses Act 1847(1);

“the Act of 1894” means the Merchant Shipping Act 1894(2);

“the borough” means the borough of Medina;

“the Council” means the Medina Borough Council;

“the harbour” means the inland tidal waters and creeks forming part of the River Medina in the borough shown coloured grey on the signed map being the harbour as it existed immediately before the making of this Order but excluding the Western Creek beyond the confluence of the River Medina with the Lukely Brook at the weir south of the bridge carrying Medina Way over the river Medina, and including the harbour estate;

“the harbour estate” means the piers, wharves, quays, berths, roads, bridges, sheds and other works and conveniences and the land, buildings and property of every description and of whatever nature, which are for the time being vested in, occupied or administered by the Council for the purposes of the Newport (Isle of Wight) Harbour Act and Orders 1852 to 1988;

“houseboat” means any vessel or structure lying in the water or on the foreshore of, or the banks abutting on, the harbour all or part of which is used or capable of being used as a place of habitation (whether temporarily, intermittently or permanently), as a store or as a place for accommodating or receiving persons for the purposes of shelter, recreation, entertainment or refreshment, as club premises or as offices and includes the remains or wreckage of a vessel or structure formerly so used or capable of being so used, but does not include any ship registered under the Act of 1894 or any vessel bona fide used for navigation;

“the level of high water” means the level of mean high water springs;

“the signed map” means the map marked “Newport (Isle of Wight) Harbour Revision Order 1988” showing the harbour, signed in duplicate by an Assistant Secretary of the Department of Transport one copy of which has been deposited and is available for inspection at the principal office of the Council and the other at the office of the Marine Directorate of the Department of Transport;

“tidal work” means so much of any work belonging to the Council as is on, under or over tidal waters or tidal land below the level of high water;

“Trinity House” means the Corporation of Trinity House of Deptford Strond;

(1) 1847 c. 27.

(2) 1894 c. 60.

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Newport (Isle of Wight) Harbour Revision Order 1988. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

“vessel” includes any vessel, ship, lighter, keel, barge, boat, raft, pontoon, hovercraft (as defined in the Hovercraft Act 1968⁽³⁾) and craft of any kind howsoever navigated, propelled or moved and any seaplane on the surface of the water and in article 11 (Powers with respect to disposal of wrecks) and article 12 (Protection of Crown interests in wrecks) of this Order any aircraft.

Commencement Information

II Art. 2 in force at 12.12.1988

⁽³⁾ 1968 c. 59.

Status:

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Changes and effects yet to be applied to :

- art. 2 coming into force by
- art. 2 words substituted by [S.I. 2021/139 art. 20\(2\)\(a\)](#)
- art. 2 words substituted by [S.I. 2021/139 art. 20\(2\)\(b\)](#)

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

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

- art. 8(2)(f) inserted by [S.I. 2021/139 art. 20\(3\)\(b\)](#)