
STATUTORY INSTRUMENTS

1994 No. 2298

The Ventnor Harbour Revision Order 1994

PART I

Preliminary

Citation and commencement

1. This Order may be cited as the Ventnor Harbour Revision Order 1994 and shall come into force on 30th August 1994.

Interpretation

2. In this Order unless the context otherwise requires—

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

“authorised works” means Work No.1 and any other works authorised by this Order, or any part of such works;

“the Council” means the South Wight Borough Council;

“the deposited plan” and “the deposited sections” mean respectively the plan and sections prepared in duplicate, signed by an Assistant Secretary in the Department of Transport and marked “Plan and sections referred to in the Ventnor Harbour Revision Order 1994” one copy of which is deposited at the offices of the Department of Transport and the other at the principal office of the Council;

“general direction” means a direction authorised by article 17 (General directions to vessels) below;

“the harbour” means the harbour of Ventnor in the Isle of Wight comprising the area coloured pink on the harbour map;

“the harbour map” means the map prepared in duplicate, signed by an Assistant Secretary of the Department of Transport and marked “Harbour map referred to in the Ventnor Harbour Revision Order 1994” one copy of which is deposited at the offices of the Department of Transport and the other at the principal office of the Council;

“the harbour master” means the harbour master of the Council and includes his authorised deputies and assistants and any person authorised by the Council to act in that capacity;

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

“the limit of deviation” means the limit of deviation shown on the deposited plan;

“reference point” means Ordnance Survey National Grid reference point;

“special direction” means a direction authorised by article 19 (Special directions to vessels) below or by section 52 of the Act of 1847;

(1) 1847 c. 27.

“tidal works” means so much of any work authorised by this Order as is on, under or over tidal waters;

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

“the undertaking” means the harbour undertaking of the Council at Ventnor as for the time being authorised by any enactment and includes works authorised by any enactment repealed by this Order; and

“vessel” means every description of vessel, however propelled or moved, and includes hovercraft, any floating manufactured article, anything constructed or used to carry persons or goods by water, and, except for the purpose of levying rates, a seaplane on or in the water.

Incorporation of enactments

3.—(1) The Act of 1847 (except sections 6 to 26, 31, 48, 53, 66 to 68, 79 to 98 and 101) so far as applicable for the purposes of and not inconsistent with this Order, is incorporated with and forms part of this Order.

(2) In construing the provisions of the Act of 1847 as so incorporated—

“the special Act” means this Order;

“the harbour, dock or pier” means the harbour;

“the undertakers” means the Council;

“vessel” has the meaning given by article 2 (Interpretation) above;

“rates” includes mooring rates and fees.