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STATUTORY INSTRUMENTS

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**2006 No. 2604**

**The Humber Sea Terminal (Phase III) Harbour Revision Order 2006**

**PART 1**

**PRELIMINARY**

**Citation and Commencement**

**1.—**(1) This Order may be cited as the Humber Sea Terminal (Phase III) Harbour Revision Order 2006 and comes into force on 12th October 2006.

(2) The North Killingholme Haven Harbour Empowerment Order 1994<sup>(1)</sup> and this Order may be cited together as the Humber Sea Terminal Orders 1994 to 2006.

**Interpretation**

**2.—**(1) In this Order—

“1994 Order” means the North Killingholme Haven Harbour Empowerment Order 1994;

“A.B. Ports” means Associated British Ports;

“the Company” means Humber Sea Terminal Limited (previously called Simon Storage Group Limited) which is registered in England and Wales with the number 278815;

“deposited plan” and “deposited sections” mean respectively the plan and sections prepared in triplicate signed by the Head of Ports Division in the Department for Transport and marked “Plan and sections referred to in the Humber Sea Terminal (Phase III) Harbour Revision Order 2006” one copy of which is deposited at the offices of the Secretary of State for Transport, one at the principal office of A.B. Ports and one at the registered office of the Company;

“the Dockmaster” means the Dockmaster of the Company at Humber Sea Terminal;

“the Harbour Master” means the harbour master appointed by A.B. Ports under section 5 (Appointment of harbour master) of the British Transport Docks Act 1972<sup>(2)</sup> and includes his deputies and assistants;

“the jetty premises” means the works authorised by the Humber Sea Terminal Orders 1994 to 2006 and the land and premises at any time belonging to, or vested in, the Company and used or set aside for the purposes of, or in connection with, the commercial management and operation of those works;

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

“limits of deviation” means the limits of deviation shown on the deposited plans;

“the river” means the River Humber;

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(1) S.I. 1994/1693.

(2) 1972 c. xxxvii.

“tidal work” means so much of the works as is on, under or over tidal waters or tidal lands below the level of high water;

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

“vessel” means every description of vessel, however propelled or moved, including a hovercraft (within the meaning of the Hovercraft Act 1968)<sup>(3)</sup>, a hydrofoil vessel and anything constructed or used to carry persons or goods by water; and

“the works” means the works authorised by this Order.

(2) All points, directions, lengths, areas and other measurements stated in this Order (other than the limits of deviation) shall be construed as if the words “or thereabouts” were inserted after each such point, direction, length, area or other measurement.

(3) Reference points specified in this Order shall be construed as references to Ordnance Survey National Grid reference points.

### **Incorporation of the North Killingholme Haven Harbour Empowerment Order 1994**

3. The provisions of Articles 3, and 19 to 25 of the 1994 Order, so far as applicable to the purposes of and not inconsistent with the provisions of this Order, are hereby incorporated with this Order and apply to the works authorised by this Order.

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(3) 1968 c. 59.