
STATUTORY INSTRUMENTS

2007 No. 3463

The Maryport Harbour Revision Order 2007

PART 1

Preliminary

Incorporation of enactments

3.—(1) The 1847 Act, (except sections 6 to 22, 24 to 26, 48 to 50, 79 to 83 and 85 to 109) is incorporated with and forms part of this Order.

(2) In construing the provisions as so incorporated—

- (a) the expression “the special Act” means this Order, the expression “the undertakers” means the Authority and the expression “the harbour, dock or pier” means the harbour;
- (b) the expressions “master” and “vessel” are to have the meanings ascribed to them in this Order rather than those in the 1847 Act;
- (c) section 52 extends to empower the harbourmaster to give directions prohibiting the mooring within a harbour area of any vessel;
- (d) notice given by the harbourmaster to the master of a vessel under section 53 need not be in writing but may be given orally, or in any other reasonable manner;
- (e) section 58 has effect in accordance with article 20(2);
- (f) section 63 has effect subject to the modification that for the words from “liable to” to the end of the section there are substituted the words “be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale”;
- (g) section 69 has effect subject to the modification that for the words “shall forfeit a sum” to the end of the section there are substituted the words “shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale”;
- (h) section 72 has effect subject to the modification that for the words “shall for every offence” to the end of the section there are substituted the words “shall be liable on summary conviction to a penalty not exceeding level 2 on the standard scale”.

(3) Sections 15, 53, 56, 58 to 60, 62 to 65, 67, 69 to 74, 99 to 102, 104 and 109 to 111 of the Commissioners Clauses Act 1847⁽¹⁾, are incorporated with and form part of this Order.

(4) The Commissioners Clauses Act 1847 as so incorporated shall have effect as if for references—

- (a) to the clerk there were substituted references to the general manager;
- (b) for references to the commissioners there were substituted references to the Authority; and
- (c) for references to a commissioner there were substituted references to a Member.

(1) 1847 c. 16.

Status: This is the original version (as it was originally made).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