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STATUTORY INSTRUMENTS

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**2021 No. 139**

**The Newport (Isle of Wight) Harbour Revision Order 2021**

**PART 4**

**MISCELLANEOUS AND GENERAL**

**Incorporation of the Act of 1847**

**12.**—(1) The Act of 1847 (except sections 6 to 26, 28, 31, 33, 49, 50, 53, 54, 66, 67, 75, 76, 79 and 80), so far as applicable to the purposes and not inconsistent with the provisions of this Order, is incorporated with each of the Newport Harbour Provisions 1852 to 2021 subject to the modifications in paragraphs (2) to (5) below.

(2) Sections 61, 62, 63, 64, 71, 72 and 73 shall have effect subject to the modification that for “level 1 on the standard scale” substitute “level 3 on the standard scale”.

(3) Section 69 shall have effect subject to the modification that for “shall forfeit” to the end of the section substitute “shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale”.

(4) Section 78 shall have effect subject to the modification that for “erect any lighthouse or beacon, or exhibit or allow to be exhibited any light, beacon, or sea-mark,” substitute “allow to be exhibited any permanent light, beacon, or sea-mark,”.

(5) In interpreting the provisions of the Act of 1847 as incorporated with this Order –

- (a) the expression “the special Act” means this Order, the expression “the undertakers” shall mean the Council and the expression “the harbour, dock, or pier” shall mean the “harbour” as defined by article 2(1) of this Order;
- (b) for the definition of the word “vessel” in section 3 of the Act of 1847 substitute the definition of that word in article 2(1) of this Order;
- (c) The provisions of this article shall supersede any provisions of the Act of 1852, the Order of 1898, the Order of 1968 and the Order of 1988 which incorporate the Act of 1847 or any part or provision of that Act.