

2017 No. 279

HARBOURS, DOCKS, PIERS AND FERRIES

**The Harbour Directions (Designation of Harbour Authorities)
Order 2017**

<i>Made</i> - - - -	<i>6th March 2017</i>
<i>Laid before Parliament</i>	<i>13th March 2017</i>
<i>Coming into force</i> - -	<i>6th April 2017</i>

The Secretary of State, in exercise of the powers conferred by section 40A(4)(b) of the Harbours Act 1964(a), makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Harbour Directions (Designation of Harbour Authorities) Order 2017.

(2) This Order comes into force on 6th April 2017.

Designation

2. The harbour authority for each harbour described in the Schedule is a designated harbour authority for the purpose of harbour directions.

Signed by authority of the Secretary of State for Transport

6th March 2017

John Hayes
Minister of State
Department for Transport

(a) 1964 c. 40. Section 40A was inserted by the Marine Navigation Act 2013 c. 23, section 5(1).

SCHEDULE

Article 2

1. Exeter Harbour, being the harbour the limits of which are—
 - (a) “The Exeter Canal” and “The Canal” defined in section 2 (interpretation) of the Exeter Canal Act 1883(a); and
 - (b) described in sections 27(1) and (10) (byelaws relating to River Exe, Exeter Canal and flood channel) of the Exeter City Council Act 1987(b).
2. Neath Harbour, being the harbour the limits of which are described in section 6 (limits of Act) of the Neath Harbour Act 1874(c).
3. Plymouth Harbour, being the harbour comprising —
 - (a) “the piers” defined in section 26(1) (interpretation) of the Plymouth City Council Act 1987(d);
 - (b) in relation to any pier, the limits described in section 29 (limits) of that Act within which the powers of the pier master may be exercised; and
 - (c) the subsidiary works authorised by section 30 (subsidiary works) of that Act.
4. St Mary’s Harbour, being the harbour the limits of which are—
 - (a) described in article 2 (limits of Order) of the St Mary’s (Scilly) Pier Order 1890 confirmed by the Pier and Harbour Confirmation (No 4) Act 1890(e); and
 - (b) the works and harbour premises defined in article 2(1) (interpretation) of the St Mary’s (Isles of Scilly) Harbour Revision Order 2007(f).
5. St Mawes Harbour, being the harbour the limits of which are described in section 12 (limits of port and harbour) of the Saint Mawes Pier and Harbour Act 1854(g).
6. Tor Bay Harbour, being the harbour comprising—
 - (a) the “harbour” and “harbour estate” defined in section 4(1) (interpretation) of the Tor Bay Harbour Act 1970(h); and
 - (b) the limits described in section 5(1) of, and Schedule 1 (limits of the harbour) to, that Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the harbour authorities for the harbours described in the Schedule as authorities which may give harbour directions in respect of ships in accordance with sections 40A to 40D of the Harbours Act 1964.

The harbours are Exeter Harbour, Plymouth Harbour, Neath Harbour, St Mary’s Harbour, St Mawes Harbour and Tor Bay Harbour.

The harbour directions which may be given by designated harbour authorities for the regulation of ships within their harbours relate to their movement, mooring, equipment and manning.

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- (a) 1883 c. xxxiii (46 & 47 Vict.)
 - (b) 1987 c. xi
 - (c) 1874 c. cxlv.
 - (d) 1987 c. iv.
 - (e) 1890 c. xcvi.
 - (f) S.I. 2007/1554.
 - (g) 1854 c. lvi.
 - (h) 1970 c. liii.

An impact assessment of the effect this instrument will have on the costs of business and the voluntary sector is published with the Explanatory Memorandum accompanying this instrument and is available at www.legislation.gov.uk.

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