



# Harbours Act (Northern Ireland) 1970

## 1970 CHAPTER 1

### PART II **N.I.**

#### HARBOURS VESTED IN LOCAL AUTHORITIES

#### 16 Execution of certain operations in pursuance of orders of the Ministry. **N.I.**

(1) Where—

- (a) any assistance by way of grant out of the Consolidated Fund or money provided by Parliament or loan from the Government Loans Fund is given to a local harbour authority in respect of the construction, reconstruction, improvement or repair of any work in or on a harbour; and
- (b) the Ministry is satisfied that any particular operation is necessary in order to maintain the work in an efficient condition and proper state of repair;

the Ministry may by notice served on the authority require it to carry out any operation specified in the notice within such period (not being less than one month from the service of the notice) as may be so specified.

- (2) A local harbour authority shall comply with any requirement contained in a notice served on it under subsection (1) unless, on an application made to the county court under subsection (3), the notice is cancelled or modified.
- (3) Where a local harbour authority is of the opinion that a requirement contained in a notice served under subsection (1) is unnecessary or unreasonable, it may, within one month of the service of the notice, apply to the county court for the cancellation or modification of the notice.
- (4) On an application under subsection (3) the county court may make such an order for the confirmation, cancellation or modification of any requirement contained in the notice which is the subject of the application as, having regard to all the circumstances, it thinks fit.
- (5) Where a local harbour authority fails to comply with a requirement contained in a notice served under subsection (1) within such period as is specified in the notice, or,

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**Changes to legislation:** *Harbours Act (Northern Ireland) 1970, Section 16 is up to date with all changes known to be in force on or before 07 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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where the notice has been modified by an order of the county court, within such period as is specified in the order, the Ministry—

- (a) may execute any operation necessary to satisfy the requirement; and
- (b) may recover the amount of any expenditure incurred by it in executing any such operation from the local harbour authority as if it were a debt due under a contract.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by [2023 c. 8 s. 9\(7\)](#)