



# Harbours Act 1964

## CHAPTER 40

### HARBOURS ACT 1964

#### *The National Ports Council*

1—8 .....

#### *Control of harbour Development*

9 .....

10 .....

#### *Exchequer Assistance for Execution of harbour Works, &c.*

11 Loans for execution of harbour works, &c.

12 .....

13 Maximum amount of loans and grants under sections 11 and 12, and cesser of certain other powers to give financial assistance.

#### *Harbour Revision and Empowerment Orders*

14 Ministers' powers, on application of harbour authorities, or others, to make orders for securing harbour efficiency, &c.

15 Ministers' powers to make, of their own motion, orders for limited purposes for securing harbour efficiency, &c.

15A Ministers' powers to make orders about port appointments.

16 Ministers' powers, on application of intending undertakers, or others, to make orders conferring powers for improvement, construction, &c., of harbours.

17 Procedure for making harbour revision and empowerment orders, and substitution thereof, in general, for provisional orders.

*Status: Point in time view as at 29/01/2009.*

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### *Harbour Reorganisation Schemes*

- 18 Harbour reorganisation schemes.

### *Compensation for Loss of Office, &c.*

- 19 Compensation for loss of office, &c., in consequence of orders and schemes under foregoing provisions.

### *Control of Movement of Ships in Harbours*

- 20—25 .....

### *Harbour Charges*

- 26 Repeal of provisions limiting discretion of certain harbour authorities as to ship, passenger and goods dues charged by them.  
 27 Certain charges of certain harbour authorities to be reasonable.  
 27A Combined charges.  
 28 Repeal of provisions limiting discretion of nationalised transport bodies as to ship, passenger and merchandise dues chargeable at certain harbours owned or managed by them.  
 29 Repeal of provisions limiting discretion of local lighthouse authorities as to local light dues.  
 30 Duty of harbour and local lighthouse authorities to make available for inspection, and to keep for sale, copies of lists of certain charges.  
 31 Right of objection to ship, passenger and goods dues.  
 32—34 .....  
 35 Application of sections 31, 32 and 34 to local light dues.  
 36 Sections 31 . . . of this Act shall not...  
 37 Special provisions with respect to certain aviation charges.  
 38 Repeal of certain enactments relating to harbour charges.  
 39 Amendments of Acts consequential on sections 26 to 37.

### *Conditions as to Use of harbour Services and Facilities provided by certain harbour Authorities*

- 40 Conditions as to use of harbour services and facilities provided by certain harbour authorities.

### *Furnishing of Information*

- 41 Power of Council to obtain information and forecasts.  
 42 Accounts and reports relating to harbour activities and associated activities.

### *Miscellaneous and General*

- 43 Provisions with respect to loans made under this Act by the Minister.  
 44 Limitation of right to challenge harbour revision orders, &c., in legal proceedings.  
 45 Penalisation of furnishing false information.  
 46 Restriction of disclosure of information.  
 47 Provisions as to inquiries and hearings.  
 48 Service of documents.  
 48A Environmental duties of harbour authorities.

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- 49 Provisions as to ecclesiastical property.
- 50 Reckoning of periods.
- 51 Modification of Harbours, Piers and Ferries (Scotland) Act 1937.
- 52 Application of Act to Crown.
- 53 Saving for telegraphic lines.
- 54 Orders and regulations.
- 54A “Developments of national significance” etc.: special procedure
- 55 Offences by corporations.
- 56 .....
- 57 Interpretation.
- 58 Drainage and river authorities not to be harbour authorities for purposes of this Act if not possessing exceptional powers.
- 59 .....
- 60 Power to amend Acts of local application.
- 61 Expenses.
- 62 Saving for private Bills and certain provisional orders.
- 63 †Short title, extent, repeal and commencement.

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## SCHEDULES

### SCHEDULE 1 —

### SCHEDULE 2 — Objects for whose Achievement Harbour Revision Orders may be made

- 1 Reconstituting the harbour authority by whom the harbour is being...
- 2 Regulating (in whole or to a less extent) the procedure...
- 3 Varying or abolishing duties or powers imposed or conferred on...
- 4 Imposing or conferring on the authority, for the purpose aforesaid,...
- 5 Transferring from the authority to another or to the authority...
- 6 Settling (either for all purposes or for limited purposes) the...
- 7 Conferring on the authority power to acquire (whether by agreement...
- 7A Extinguishing or diverting public rights of way over footpaths or...
- 7B Extinguishing public rights of navigation for the purposes of works...
- 8 Authorising justices of the peace to appoint, on the nomination...
- 8A Enabling the authority to close part of the harbour or...
- 9 Empowering the authority to dispose of property vested in them...
- 9A Empowering the authority (alone or with others) to develop land...
- 9B Empowering the authority to delegate the performance of any of...
- 10 Empowering the authority to borrow money, with or without limitation...
- 11 Empowering the authority to levy at the harbour charges other...
- 12 Securing the efficient collection of charges levied by the authority...
- 13 Regulating the application of moneys in the nature of revenue...
- 14 Varying or extinguishing any exemption from charges levied by the...
- 15 Securing the welfare of the authority’s officers and servants and...
- 16 Extending the time within which anything is required or authorised...
- 16A Imposing or conferring on the authority duties or powers (including...
- 17 Any object which, though not falling within any of the...

### SCHEDULE 3 — PROCEDURE FOR MAKING HARBOUR REVISION AND EMPOWERMENT ORDERS

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## PART I — ORDERS MADE ON APPLICATION TO THE SECRETARY OF STATE

### *Introductory*

- 1 In this Part of this Schedule— “the Directive” means Council...
- 2 A project shall be treated for the purposes of this...

### *Pre-application procedure*

- 3 A person may not make an application for a harbour...
- 4 Where the Secretary of State is notified of a proposed...
- 5 If the Secretary of State decides that the application—
- 6 (1) If the Secretary of State decides that the application...

### *The application*

- 7 An application for a harbour revision order must be accompanied...
- 8 (1) Where this paragraph applies pursuant to paragraph 6(1), the...
- 9 The Secretary of State shall not consider an application for...

### *Notices*

- 10 (1) An applicant shall arrange for a notice to be...
- 10A (1) This paragraph applies where— (a) an environmental statement has...
- 11 If the order will authorise the compulsory acquisition of land...
- 12 (1) If the order will result in the extinguishment or...
- 13 (1) If the applicant is not the harbour authority, the...
- 14 The Secretary of State may require the applicant to serve...

### *Consultation*

- 15 Before the Secretary of State determines an application he shall—...
- 16 (1) This paragraph applies where— (a) an application for a...

### *Objections*

- 17 — The following paragraphs in this Part have effect where—...
- 18 (1) If an objection to the application was made to...

### *The decision*

- 19 (1) The Secretary of State shall consider—
- 20 (1) This paragraph applies where the Secretary of State decides...

### *The order*

- 21 (1) Where the Secretary of State proposes to make the...
- 22 (1) This paragraph applies where the Secretary of State makes...
- 23 (1) This paragraph applies to— (a) a harbour revision order...
- 24 (1) As soon as possible after a harbour revision order...

### *Statutory undertakers’ land*

- 25 (1) This paragraph applies where application is made to the...

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PART II — ORDERS MADE BY THE SECRETARY OF STATE OF HIS OWN MOTION

*Notices*

- 26 (1) Where the Secretary of State proposes to make a...

*Objections*

- 27 (1) The following paragraphs in this Part have effect where—...  
28 If an objection to the proposal was made to the...

*The decision*

- 29 (1) The Secretary of State shall consider—

*The order*

- 30 Where the Secretary of State proposes to make the order...  
31 (1) As soon as possible after a harbour revision order...

PART III — HARBOUR EMPOWERMENT ORDERS: MODIFICATIONS OF PART I

- 32 (1) The modifications subject to which Part I of this...

SCHEDULE 4 — Procedure for Confirming and Making Harbour Reorganisation Schemes

Part I — PROCEDURE FOR SUBMISSION AND CONFIRMATION OF HARBOUR REORGANISATION SCHEMES

- 1 The submission to the Minister of a harbour reorganisation scheme...  
2 Where a harbour reorganisation scheme is submitted to the Minister...  
3 (1) Where effect has been given to paragraph 2 above...  
4 So soon as may be after a harbour reorganisation scheme...

Part II — MODIFICATIONS SUBJECT TO WHICH PART I HAS EFFECT WITH RESPECT TO PROCEDURE FOR MAKING OF HARBOUR REORGANISATION SCHEMES BY THE SECRETARY OF STATE OF HIS OWN MOTION.

- 5 References to confirming a scheme shall be construed as references...  
6 Paragraph 1 shall be omitted.  
7 In paragraph 2— (a) for the opening words down to...  
8 In paragraph 3— (a) in sub-paragraph (1) for the words...  
9 In paragraph 4 for the words “submitted to” there shall...

SCHEDULE —

5.....

SCHEDULE —

6.....

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