

ELIZABETH II



1963 CHAPTER xxix

An Act to authorise the Dover Harbour Board to construct further works; and for other purposes. [31st July 1963]

WHEREAS the Dover Harbour Board (hereinafter referred to as "the Board") were constituted and incorporated by the Harbours and Passing Tolls &c. Act, 1861, and by virtue of that Act and of a Royal Charter dated the sixth day of October, sixteen hundred and six the Board and their predecessors were authorised to administer, maintain and improve the Dover Harbour as existing from time to time and by that Act and subsequent Acts various powers, rights, authorities, privileges, duties and obligations were vested in or transferred to or conferred or imposed upon the Board:

And whereas by the Dover Harbour Consolidation Act, 1954, the provisions of the various enactments by which, or by reference to which, the constitution, powers, rights, authorities, privileges, duties and obligations of the Board were then defined were consolidated:

And whereas in order to meet the requirements of the increasing traffic of the Dover Harbour it is expedient that the Board be empowered to construct the works described in this Act and to reclaim land from the sea as by this Act provided, and for the purpose of the said works to acquire land compulsorily:

And whereas it is expedient to confer upon the Board the other powers contained in this Act:

And whereas it is expedient that the other provisions contained in this Act be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas plans and sections showing the situations, lines and levels of the works authorised by this Act and the lands which may be taken or used compulsorily for the purposes thereof, and a book of reference to the said plans containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of those lands and describing the same, were duly deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the clerk of the council of the administrative county of Kent, and such plans, sections and book of reference are respectively referred to in this Act as the deposited plans, the deposited sections and the deposited book of reference:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say:—

PART I PRELIMINARY

Short and
collective
titles.

1.—(1) This Act may be cited as the Dover Harbour Act 1963.
(2) The Dover Harbour Consolidation Act, 1954, and this Act may be cited together as the Dover Harbour Acts, 1954 and 1963.

Act divided
into Parts.

2. This Act is divided into Parts as follows:—
Part I.—Preliminary.
Part II.—Works and lands.
Part III.—Miscellaneous.

Incorporation
of Acts.

3. The following enactments, so far as the same are applicable to the purposes of this Act, are hereby incorporated with this Act:—

(1) the Lands Clauses Acts (except section 92, sections 127 to 133 and sections 150 and 151 of the Lands Clauses Consolidation Act, 1845):

Provided that the bond required by section 85 of the Lands Clauses Consolidation Act, 1845, shall be sufficient without the addition of the sureties mentioned in that section;

- (2) the provisions of the Railways Clauses Consolidation Act, 1845, with respect to the temporary occupation of lands near the railway during the construction thereof:

Provided that for the purposes of the incorporated provisions of the Railways Clauses Consolidation Act, 1845, the authorised works shall be deemed to be the railway and the centre line of the authorised works as shown on the deposited plans shall be deemed to be the centre line of the railway;

- (3) the Harbours Clauses Act, 1847 (except sections 6 to 13, 16 to 23, 25 to 27, 31 to 42, 45 to 51, 67, 79 to 82 and 84 to 96):

Provided that in construing the Harbours Clauses Act, 1847—

(a) the expression “the harbour, dock or pier” shall mean the authorised works; the expression “the special Act” shall mean this Act; and the expression “vessel” shall have the meaning assigned to it by section 4 (Interpretation) of the Act of 1954;

(b) nothing in the Harbours Clauses Act, 1847, shall require or authorise the harbour master or any other officer to require the dismantling of a seaplane, or any part thereof, or the making of any alteration whatever in the structure or equipment of a seaplane.

4.—(1) In this Act, unless there is something in the subject or Interpretation. context repugnant to such construction, the words and expressions to which meanings are assigned by section 4 (Interpretation) of the Act of 1954, shall have the same respective meanings and—

“the authorised works” means the works authorised by section 9 (Power to construct works) of this Act;

“the Act of 1954” means the Dover Harbour Consolidation Act, 1954;

“houseboat” means any vessel or structure or any part, remains or wreckage thereof whether or not the same shall be floating at any stage of the tide and whether or not the same shall be used or intended to be used for human habitation but does not include any ship registered under the Merchant Shipping Act, 1894, or any vessel bona fide used for navigation;

“the Lands Clauses Acts” mean the Lands Clauses Acts as modified by the Lands Tribunal Act, 1949, the Land Compensation Act, 1961, and this Act;

“the level of high water” means the level of mean high-water springs;

“the Minister” means the Minister of Transport;

“moored” includes anchored;

PART I
—cont.

“pleasure craft” means any vessel not used solely as a tug, dredger, pontoon or craft engaged in maintaining waterways or docks and not used for the carriage of goods or passengers for reward and includes a houseboat;

“the Trinity House” means the corporation of Trinity House of Deptford Strond.

(2) In the Act of 1954 and this Act—

“berth” includes a berth alongside another vessel and “berthed” shall be construed accordingly;

“land” includes any estate or interest in land and land covered with water.

(3) This Act shall be read as if the words “or thereabouts” were inserted after each distance mentioned in section 9 (Power to construct works) of this Act.

(4) Any reference in this Act to a work identified by the number of the work shall be construed as the work of that number authorised by the said section 9 of this Act.

(5) Any reference in this Act to any other enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this Act.

PART II

WORKS AND LANDS

Power to
acquire
lands.

5.—(1) Subject to the provisions of this Act, the Board may enter upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for the purpose of the authorised works.

(2) The powers of compulsory purchase of land under this section shall cease after the thirty-first day of December nineteen hundred and sixty-six.

Correction
of errors in
deposited
plans and
book of
reference.

6.—(1) If the deposited plans or the deposited book of reference are inaccurate in their description of any land, or in their statement or description of the ownership or occupation of any land, the Board, after giving not less than ten days' notice to the owner, lessee and occupier of the land in question, may apply to two justices having jurisdiction in the borough for the correction thereof.

(2) If on any such application it appears to the justices that the misstatement or wrong description arose from mistake, the justices shall certify the fact accordingly and shall in their certificate state in what respect any matter is misstated or wrongly described.

(3) The certificate shall be deposited in the office of the Clerk of the Parliaments, and a copy thereof in the Private Bill Office of the House of Commons and with the clerk of the council of the administrative county of Kent; and thereupon the deposited plans and the deposited book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Board to take the land and execute the works in accordance with the certificate.

(4) A person with whom a copy of a certificate is deposited under this section shall keep it with the other documents to which it relates.

7.—(1) The Board may, instead of acquiring any land that they are authorised to acquire compulsorily under this Act, acquire compulsorily such easements and rights over or in the land as they may require for the purpose of constructing, using, maintaining, renewing or removing the works authorised by this Act or for the purpose of obtaining access to the works or for the purpose of doing any other thing necessary in connection with the works. Power to acquire easements only.

(2) Accordingly the Board may give notice to treat in respect of any such easement or right describing the nature thereof; and the provisions of the Lands Clauses Acts shall apply in relation to the acquisition of such easements and rights as if they were lands within the meaning of those Acts.

(3) Where the Board have acquired an easement or right only in any land under this section—

(a) they shall not be required or, except by agreement or during the execution of the said works, entitled to fence off or sever that land from the adjoining land;

(b) the owner or occupier of the land for the time being shall, subject to the easement or right, have the same right to use the land as if this section had not been enacted.

8.—(1) Any person empowered by the Lands Clauses Acts to sell and convey or release lands may, if he thinks fit, subject to the provisions of those Acts grant to the Board any easement or right required for the purposes of this Act in or over the lands not being an easement or right of water in which some person other than the grantor has an interest. Grant of easements by persons under disability.

(2) The provisions of the said Acts with respect to lands and rentcharges so far as they are applicable shall extend and apply to any such grant and to any such easement or right as aforesaid.

9. Subject to the provisions of this Act, the Board may construct and maintain in the borough in the situations and lines within the limits of deviation shown on the deposited plans and according Power to construct works.

PART II
—cont.

to the levels shown on the deposited sections the works hereinafter described with all necessary and proper approaches, and works or conveniences connected therewith or incidental thereto:—

Work No. 1 A reclamation to the south-west of the junction of the west jetty and the existing retaining wall bounded by a solid embankment or retaining wall commencing by a junction with the said wall one thousand two hundred feet west of the said jetty and continuing in a south-easterly direction for a distance of one thousand feet, then in an easterly direction for a distance of one hundred and thirty feet, then in a northerly direction for a distance of thirty feet, then in a westerly direction for a distance of fifty feet, then in a northerly direction for a distance of one hundred feet, then in an easterly direction for a distance of two hundred and twenty-five feet, then in a southerly direction for a distance of one hundred feet, then in a westerly direction for a distance of fifty feet, then in a southerly direction for a distance of thirty feet, then in an easterly direction for a distance of one hundred and twenty feet and terminating by a junction with the said jetty six hundred and thirty-five feet south of the said wall;

Work No. 2 A pier or jetty of partly solid and partly open construction on the western side of the west jetty commencing at the southern angle of Work No. 1 and terminating at a point nine hundred and thirty feet seaward from the point of commencement;

Work No. 3 A quay of partly solid and partly open construction being a widening and improvement of the west jetty on its western side for a distance of six hundred and twenty-five feet commencing at a junction with Work No. 1 and terminating at or near the southern extremity of the said jetty.

Additional
works.

10. The Board may from time to time within the limits of deviation shown on the deposited plans provide, place and maintain on and in the bed of the harbour and remove and renew such dolphins, piles, fenders, buoys, marks and lights as may be necessary for the safety and convenience of vessels navigating to, from and using the authorised works.

Power to
deviate.

11. In executing the authorised works the Board may deviate laterally to any extent within the limits of deviation shown on the deposited plans and may also deviate vertically upwards or downwards from the levels shown on the deposited sections to any extent not exceeding ten feet:

Provided that no deviation either lateral or vertical below the level of high water shall be made without the consent in writing of the Minister.

PART II
—cont.

12. If the authorised works are not completed within ten years from the passing of this Act or such extended time as the Minister may upon the application of the Board allow then on the expiration of that period or such extended time (as the case may be) the powers granted by this Act for the construction thereof shall cease except as to so much thereof as is then completed:

Period for completion of works.

Provided that the Board may at any time and from time to time within the limits of deviation shown on the deposited plans relating to the authorised works construct and maintain all such alterations, extensions, improvements and enlargements of those works as they find requisite.

13.—(1) Subject to the provisions of this Act, any work authorised by this Act shall be constructed so far as the same shall be on, under or over tidal waters or tidal lands, below the level of high water only in accordance with plans and sections approved by the Minister and subject to such conditions and restrictions as the Minister may prescribe before such work is begun.

Works below level of high water to be subject to approval of Minister.

(2) Any alteration, extension, improvement or enlargement of any part of such a work shall be subject to the like approval.

(3) If any part of such a work is commenced or completed contrary to the provisions of this section, the Minister may abate and remove the same and restore the site thereof to its former condition at the cost of the Board; and the amount of such cost shall be a debt due from the Board to the Crown and shall be recoverable either as a debt due to the Crown or, where the amount does not exceed twenty pounds, by the Minister summarily as a civil debt.

14.—(1) If any part of any work authorised by this Act situate wholly or partially on, under or over tidal waters or tidal lands below the level of high water is abandoned or suffered to fall into decay, the Minister may by notice in writing require the Board at their own expense either to repair and restore the work or (if the work or part is no longer required by the Board) abate or remove the same and restore the site thereof to its former condition to such extent and within such limits as the Minister may think proper.

Abatement of work abandoned or decayed.

(2) If any part of such a work which has been abandoned or suffered to fall into decay is situate above the level of high water and is in such condition as to interfere or to cause reasonable

PART II
—cont.

apprehension that the same may interfere with the right of navigation or other public rights over the foreshore the Minister may include any such part of such work or any portion thereof in any notice under this section.

(3) If, during the period of thirty days from the date when the notice is served upon the Board, they fail to comply with such notice, the Minister may execute the works required to be done by the notice at the expense of the Board and the amount of such expense shall be a debt due from the Board to the Crown and shall be recoverable either as a debt due to the Crown or, where the amount does not exceed twenty pounds, by the Minister summarily as a civil debt.

Provision
against
danger to
navigation.

15.—(1) In case of injury to or destruction or decay of any work authorised by this Act or any part thereof so far as the same shall be constructed on, under or over any tidal waters or tidal lands below the level of high water the Board shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be a danger to navigation as shall from time to time be directed by the Trinity House and shall apply to the Trinity House for directions as to the means to be taken.

(2) If the Board fail to comply in any respect with the provisions of this section, they shall be liable on summary conviction to a fine not exceeding ten pounds and, in the case of a continuing offence, to an additional fine not exceeding one pound for every day on which after conviction thereof they so fail.

Survey of
works by
Minister.

16. If at any time the Minister deems it expedient to order a survey and examination of any work constructed by the Board under the powers of this Act which shall be on, under or over tidal waters or tidal lands below the level of high water, or of the site upon which it is proposed to construct any such work, the Board shall defray the expense of the survey and examination, and the amount thereof shall be a debt due from the Board to the Crown and shall be recoverable either as a debt due to the Crown or, where the amount does not exceed twenty pounds, by the Minister summarily as a civil debt.

Lights on
works during
construction.

17.—(1) The Board shall at or near any part of any work authorised by this Act below the level of high water during the whole time of the construction, renewal, alteration or extension thereof exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Minister may from time to time require or approve.

(2) If the Board fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a

fine not exceeding twenty pounds and, in the case of a continuing offence, to an additional fine not exceeding two pounds for every day on which, after conviction thereof, they so fail.

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—cont.

18.—(1) After the completion of any works authorised by this Act the Board shall at the outer extremity of those works below the level of high water exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Trinity House may from time to time direct.

Permanent
lights on
works.

(2) If the Board fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a fine not exceeding twenty pounds and, in the case of a continuing offence, to an additional fine not exceeding two pounds for every day on which, after conviction thereof, they so fail.

PART III

MISCELLANEOUS

19. As from the first day of August nineteen hundred and sixty-three—

Harbour and
light dues,
dock dues,
rates on goods
and demurrage
charges.

(a) the First Schedule to this Act shall be substituted for the Third Schedule to the Act of 1954 and section 65 (Harbour and light dues) of that Act shall have effect as if the First Schedule to this Act was referred to therein instead of the Third Schedule to the Act of 1954;

(b) the Second Schedule to this Act shall be substituted for the Fourth Schedule to the Act of 1954 and section 66 (Dock dues and rents) of that Act shall have effect as if the Second Schedule to this Act was referred to therein instead of the Fourth Schedule to the Act of 1954;

(c) the Third Schedule to this Act shall be substituted for the Fifth Schedule to the Act of 1954 and subsection (1) of section 67 (Rates and rents on goods) of that Act shall have effect as if the Third Schedule to this Act was referred to therein instead of the Fifth Schedule to the Act of 1954;

(d) the Fourth Schedule to this Act shall be substituted for the Sixth Schedule to the Act of 1954 and subsection (2) of the said section 67 of that Act shall have effect as if the Fourth Schedule to this Act was referred to therein instead of the Sixth Schedule to the Act of 1954;

and the Dover Harbour Acts, 1954 and 1963 shall be read and construed accordingly.

20. The maximum amounts which the Board may, pursuant to paragraphs (a) and (b) of section 70 (Poll tax) of the Act

Increase of
poll tax.

PART III
—cont.

of 1954, demand and take in respect of every person carried, or about to be carried, as a passenger in certain vessels specified in the said paragraphs are hereby respectively increased by twenty-five per centum; and the Dover Harbour Acts, 1954 and 1963, shall be read and construed accordingly.

Rates for
pleasure
craft.

21. The Board may demand and take in respect of every pleasure craft berthed or moored in the harbour such rates as they may determine and as are approved by the Minister, and the said rates shall be payable to the Board by the owner or master of the pleasure craft.

Additional
powers of
Board.

22.—(1) Subject to this Act, the Board shall have power—

- (a) to provide in places convenient for persons using the services and facilities provided by the Board, both for those and for other persons, and to equip, manage, operate, lease or license offices, shops, garages, facilities for the purchase and consumption of food and drink, places for refreshment and such other amenities and facilities as it may appear to the Board requisite or expedient to provide;
- (b) to make housing loans to persons employed by the Board to assist them to acquire housing accommodation and to guarantee loans made by building societies and other bodies to such persons for housing purposes; and
- (c) to turn their resources to account so far as not required for the purposes of their undertaking:

Provided that nothing in this section shall empower the Board themselves—

- (a) to sell motor vehicles or spare parts for motor vehicles; or
- (b) to carry on the business of maintaining or repairing motor vehicles.

(2) Nothing in this section shall affect the provisions of any enactment relating to the sale of intoxicating liquor or tobacco.

Power to
provide
parking
places, to
make charges
and remove
vehicles.

23.—(1) The Board may, on any land for the time being belonging to them or in their occupation, provide and maintain parking places at which vehicles, or vehicles of any class or description, may be left and may make reasonable charges in respect of any vehicle left at any such parking place or elsewhere in the harbour.

(2) A vehicle shall not without the permission of the Board be left—

- (a) in a parking place provided under subsection (1) of this section and reserved for vehicles of a different class or description;

- (b) in a parking place provided under subsection (1) of this section for a longer period than twenty-four hours;
- (c) elsewhere in the enclosed area of the harbour for a longer period than fifteen minutes;

PART III
—cont.

and where the owner or driver or person in control or in charge of a vehicle fails to remove the vehicle within the time allowed by paragraphs (b) and (c) of this subsection or parks a vehicle contrary to paragraph (a) of this subsection, the Board may remove the vehicle, or use the services of any other person to remove the vehicle to a place of safe custody.

(3) When the Board in exercise of the powers of subsection (2) of this section remove a vehicle, or use the services of any other person to remove the vehicle the expenses of, and incidental to, the removal and safe custody shall be recoverable by the Board from the owner of the vehicle as a simple contract debt in any court of competent jurisdiction.

(4) If the Board remove a vehicle under the powers of this section they shall, if and as soon as it is reasonably practicable so to do, send to the person for the time being registered as the owner of the vehicle for the purposes of the Road Vehicles (Registration and Licensing) Regulations, 1955, or any other regulations having the same effect for the time being in force, at his last known address, his registered address or at the address where the vehicle is ordinarily kept, notice that they have exercised the powers of this section and of the place to which the vehicle has been removed.

(5) A notice stating that a vehicle left in a parking place provided under this section for a longer period than twenty-four hours may be removed by the Board in exercise of the powers of this section shall be displayed in a prominent position at each entrance to the parking place and endorsed on any tickets issued to persons leaving vehicles in the parking place.

24. The Board may let upon hire (with or without the services of their employees) on such terms as they think fit any plant, equipment or other property for the time being belonging to them.

Power to
hire out
plant.

25.—(1) In this section—

“dock road” means any road, pier, jetty, wharf, quay, bridge or other work which, or any land which, is for the time being vested in or the property of the Board and is accessible to motor vehicles, not being a road to which the Road Traffic Act, 1960, applies;

“motor vehicle” has the same meaning as in the Road Traffic Act, 1960.

Traffic
offences on
dock roads.

PART III
—cont.

(2) The Road Traffic Act, 1960, shall have effect as if, in the provisions thereof hereinafter mentioned, the expressions "road" and "highway" included a dock road; and any person who commits an offence under any of those provisions, as extended by this section, shall be liable to be dealt with in all respects as if the offence had been committed under those provisions on a road as defined by section 257 of that Act, and all the provisions of that Act, so far as applicable (including, without prejudice to the generality of the foregoing, sections 25 and 250 thereof), shall apply accordingly.

(3) The provisions of the Road Traffic Act, 1960, referred to in subsection (2) of this section are—

- Section 1 (Causing death by reckless or dangerous driving);
- Section 2 (Reckless, and dangerous, driving generally);
- Section 3 (Careless, and inconsiderate driving);
- Section 4 (Speeding);
- Section 5 (Driving under age);
- Section 6 (Driving, or being in charge, when under influence of drink or drugs);
- Section 9 (Reckless and dangerous cycling);
- Section 10 (Careless and inconsiderate cycling);
- Section 11 (Cycling when under influence of drink or drugs);
- Section 13 (Restriction on carriage of persons on bicycles);
- Section 14 (Drivers to comply with traffic directions);
- Section 15 (Pedestrians to comply with directions to stop given by constable regulating vehicular traffic);
- Section 16 (Leaving vehicles in dangerous positions);
- Section 24 (Speed limits for vehicles of different classes or descriptions);
- Section 51 (Traffic signs);
- Section 52 (Powers and duties of highway authorities as to placing of traffic signs);
- Section 54 (Emergency traffic signs);
- Section 77 (Duty to stop, and furnish particulars, in case of accident);
- Section 97 (Minimum age for driving);
- Section 98 (Drivers of motor vehicles to have driving licences);

- Section 110 (Offence of applying for or obtaining a licence, or driving, while disqualified);
- Section 201 (Users of motor vehicles to be insured or secured against third party risks);
- Section 202 (Exceptions from requirement of third party insurance or security);
- Section 218 (Penalisation of tampering with motor vehicles);
- Section 219 (Penalisation of holding or getting on to vehicles in order to be towed or carried);
- Section 223 (Power of police to stop vehicles);
- Section 225 (Power of police constables to require production of driving licences);
- Section 226 (Power of police constables to obtain names and addresses of drivers, and others);
- Section 228 (Penalisation of failure to give name and address, and power of arrest, in case of reckless or careless driving or cycling);
- Section 229 (Pedestrians to give names and addresses in certain cases);
- Section 230 (Duty of driver, in case of accident involving injury to another, to produce evidence of insurance or security or to report accident);
- Section 231 (Duty of owner of motor vehicle to give information for verifying compliance with requirement of compulsory insurance or security);
- Section 241 (Restrictions on prosecutions for certain offences):

Provided that, if no duty is chargeable under the Vehicles (Excise) Act, 1962, in respect of a motor vehicle—

(a) by virtue of the provisions of subsection (6) of section 6 of that Act; or

(b) by reason only that the vehicle is used exclusively on roads which are not public roads within the meaning of that Act;

the said sections 97, 98, 201, 225, 230 and 231 shall not apply in respect of that vehicle while it is being driven, or to any person while driving it, on a dock road.

(4) Notwithstanding that no maximum speed limit or a maximum speed limit in excess of twenty miles per hour has for the time

PART III
—cont.

being been fixed by or under section 24 of the Road Traffic Act, 1960, in relation to a motor vehicle of any class or description, that section, except subsection (2) thereof, shall for the purposes of this section have effect, so far as applicable, as if a maximum speed limit of twenty miles per hour had been fixed thereby or thereunder in relation to a motor vehicle of that class or description when used on a dock road other than a pier or jetty and as if a maximum speed limit of ten miles per hour had been fixed thereby or thereunder in relation to a motor vehicle of that class or description when used on a pier or jetty.

(5) Regulations or orders made under sections 64 and 70 of the Road Traffic Act, 1960, and from time to time in force, shall extend and apply to dock roads as they apply to roads as defined by section 257 of that Act, and subsection (2) of section 64 and section 239 of that Act shall apply accordingly:

Provided that, if no duty is chargeable under the Vehicles (Excise) Act, 1962, in respect of a motor vehicle—

- (a) by virtue of the provisions of subsection (6) of section 6 of that Act; or
- (b) by reason only that the vehicle is used exclusively on roads which are not public roads within the meaning of that Act;

the said regulations shall not apply in respect of that vehicle while it is being driven, or to any person while driving it, on a dock road.

(6) For the purposes of the Road Traffic Act, 1960, as extended and applied by this section, the expression “highway authority” shall mean the Board in relation to any dock road for the maintenance of which the Board are responsible.

Additional
powers to
make
byelaws.

26.—(1) The powers of the Board of making byelaws under section 83 of the Harbours Clauses Act, 1847, as incorporated with the Act of 1954, shall extend so as to enable the Board to make byelaws—

- (a) prescribing the lights and signals to be carried, exhibited or made by vessels whilst in the harbour, or such part thereof as may be specified in the byelaws;
- (b) prescribing limits within which, and particular places at which, vessels other than pleasure craft or any particular class or classes of such vessels, shall not be moored or berthed.

(2) For the purpose of controlling pleasure craft within the harbour the Board may, in addition, from time to time make byelaws with respect to all or any of the following purposes:—

PART III
—cont.

(a) prohibiting the berthing or mooring of houseboats in the harbour or in any area or areas defined in the byelaws either altogether or except with the permission of the harbour master and upon such conditions as he may reasonably impose;

(b) specifying the part or parts of the harbour in which pleasure craft or any particular class or classes of pleasure craft may be used, navigated, moored or berthed and prohibiting the use, navigation, mooring or berthing of pleasure craft or of a particular class or classes of pleasure craft in other parts of the harbour.

(3) For the purposes of subsection (1) of this section the word “signals” includes sound signals.

27.—(1) (a) If after the first day of January nineteen hundred and sixty-four a houseboat is moored or berthed in the harbour contrary to the provisions of any byelaw made by the Board for the time being in force the Board may, by notice in writing given as provided by paragraph (b) of this subsection, require the owner of the houseboat to remove it or to demolish it and clear the site upon which it was moored or placed.

As to
removal of
houseboats.

(b) The notice shall be given by leaving it with, or sending it in a prepaid letter addressed to, the owner of the houseboat at his usual or last known residence or, if it is not practicable after reasonable inquiry to ascertain the name and address of such person, by posting the same in a conspicuous position on the houseboat or on the land or foreshore near to the houseboat; and the notice shall specify the period, being not less than twenty-eight days, within which the removal or demolition is to be completed.

(2) If any person fails without reasonable cause to comply with any notice given by the Board under the provisions of subsection (1) of this section he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) Where a houseboat in respect of which notice has been given by the Board under subsection (1) of this section is not removed or demolished, as the case may be, within the time specified in the notice the Board may remove or demolish the houseboat and may sell or dispose of the houseboat and any

PART III
—cont.

remaining materials thereof. If the net amount, if any, received by the Board from any sale or disposal of such houseboat or the materials thereof (after deduction of the amount of any costs or expenses reasonably incurred by the Board in effecting the same or of any rates due to the Board in respect of the houseboat) exceeds the amount of the costs and expenses incurred by the Board, the Board shall pay the amount of such excess to the owner of the houseboat so removed or demolished.

(4) The Board may, unless a fine has been imposed under this section on the person upon whom the said notice was served, recover from that person as a simple contract debt in any court of competent jurisdiction, any expenses reasonably incurred by them under this section in relation to the houseboat which are not reimbursed out of the net proceeds of any sale or disposal made under subsection (3) of this section.

Harbour
master may
give general
directions in
emergency.

28. Section 52 of the Harbours Clauses Act, 1847, in its application to the Board and the harbour master shall not be construed to require the harbour master in emergency to give particular directions in the case of every vessel in respect of which it is desired to exercise any of the powers of that section but in pursuance of that section, for all or any of the purposes thereof, the harbour master shall be entitled in emergency to give general directions applicable to all vessels or to any particular class or classes of vessels.

Amendment
of certain
provisions
of Act of
1954.

29. The following provisions of the Act of 1954 are hereby amended as follows :—

- (a) In section 11 (Meetings of Board) for the words “ first Monday in September in each year or on such other day in September ” the words “ second Wednesday in October in each year or on such other day in October ” shall be substituted:
- (b) In subsection (1) of section 20 (Power to develop specified lands) for the words from “ the deposited plans of 1950 ” to the end of the subsection the words “ the plans deposited in connection with the Bill for the Dover Harbour Act 1963 and thereon delineated as ‘ Limit of lands referred to as ‘ The specified lands ’ in section 20 (Power to develop specified lands) of the Dover Harbour Consolidation Act, 1954 ’ ” shall be substituted:

(c) In subsection (2) of the said section 20 after the words “on those lands” the words “and may remove from those lands” shall be inserted:

(d) In subsection (1) of section 21 (Power to make subsidiary works) after the word “lands” there shall be inserted the words “for the time being”:

(e) In section 22 (Alteration and improvement of works) the words “under the powers of the former Harbour Acts or this Act” shall be omitted:

(f) In section 23 (Works to form part of undertaking) for the words “under the powers of the former Harbour Acts or this Act” the word “and” shall be substituted:

(g) In section 24 (Certain works to be within parish and borough of Dover) for the words “So much of the authorised” the word “All” shall be substituted:

(h) In section 38 (Power to make contracts, etc.)—

(i) after the words “works and railways” the words “now or hereafter” shall be inserted; and

(ii) for the words “provisions of this Act” the words “provisions of any enactment” shall be substituted:

(i) In section 39 (Limits of harbour master’s jurisdiction) for the words “The jurisdiction of the harbour master for the purposes of this Act and the Harbours Clauses Act, 1847, shall be” the words “The area within which the powers of the harbour master may be exercised shall comprise” shall be substituted:

(j) In subsection (2) of section 43 (Control of seashore and promenade)—

(i) in paragraph (a) the words “and driving” shall be omitted;

(ii) after paragraph (a) new paragraphs as follows shall be inserted:—

“(a) (i) for prohibiting, regulating or controlling the use of the controlled land by motor vehicles, cycles or other vehicles;

(a) (ii) for regulating or controlling the use of a wireless set, gramophone, amplifier or similar instrument on, under or over the controlled land”:

PART III
—cont.

- (k) In subsection (2) of section 46 (Power to dredge, etc.)—
- (i) the words “ they may use the same or any part thereof for the purposes of or in connection with the reclamation of the portion of the bed and foreshore of the harbour within the limits of deviation for Work No. 1 authorised by section 14 (Power to make authorised works) of this Act as shown on the deposited plans of 1950 or ” shall be omitted; and
 - (ii) in the proviso to the subsection the words “ other than within the said limits of deviation ” shall be omitted:
- (l) In subsection (5) of section 63 (Removal of sunk stranded or abandoned vessels) after the words “ known to the Board ” the words “ or is not in the United Kingdom ” shall be inserted:
- (m) In section 66 (Dock dues and rents) after the words “ subject to ” the word “ exemptions ” shall be inserted:
- (n) In subsection (2) of section 67 (Rates and rents on goods)—
- (i) for the words “ twenty-four hours ” the words “ three days ” shall be substituted;
 - (ii) for the words “ quay or shed rent ” the words “ demurrage charges ” shall be substituted;
 - (iii) the word “ exemptions ” shall be omitted.
- (o) In subsection (1) of section 74 (Rates for services and accommodation not otherwise provided for)—
- (i) for the words “ the dues rates rents and charges specified in the Fourth Fifth Sixth and Seventh ” the words “ the dues rates and charges specified in the Third Fourth Fifth and Sixth ” shall be substituted;
 - (ii) after the word “ any ” the word “ berths ” shall be inserted;
 - (iii) after the word “ moorings ” the words “ or mooring sites ” shall be inserted;
 - (iv) for the words “ buoys, works and conveniences ” the words “ buoys, slipways, plant, equipment and conveniences for the time being ” shall be substituted:
- (p) In section 79 (Power to raise debenture stock)—
- (i) for the words “ three million three hundred thousand pounds ” the words “ ten million pounds ” shall be substituted; and

(ii) for the words " of this Act " in the second place where those words occur the words " of the undertaking " shall be substituted:

PART III
—cont.

(g) In paragraph (a) of section 112 (Application of funds)—

(i) after the words " moneys which " the words " for the time being " shall be inserted; and

(ii) after the words " may not " the word " then " shall be inserted:

(r) In the proviso to section 130 (Preference for cross-channel traffic) after the words " authorised works " the words " and the works authorised by the Dover Harbour Act 1963 " shall be inserted.

30. Byelaws made by the Board under any enactment to which section 44 (Application of Local Government Act 1933 to byelaws) of the Act of 1954 applies may contain provisions imposing upon a person offending against a byelaw a fine not exceeding twenty pounds and, in the case of a continuing offence, a fine not exceeding five pounds for each day on which the offence is continued after conviction thereof.

Fines
imposed by
byelaws.

31. The Harbours Clauses Act 1847 as incorporated in the Act of 1954 shall have effect as if in section 73 after the word " stones " the words " chattel, article " were inserted.

Amendment
of Harbours
Clauses Act
1847.

32. The enactments specified in the Fifth Schedule to this Act are hereby repealed to the extent specified in the fourth column of that schedule.

Repeals.

33. Nothing in this Act affects prejudicially any estate, right, power, privilege or exemption of the Crown and, in particular, and without prejudice to the generality of the foregoing, nothing herein contained authorises the Board to take, use or in any manner interfere with any portion of the shore or bed of the sea or of any river, channel, creek, bay or estuary or any land, hereditaments, subjects or rights of whatsoever description belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners on behalf of Her Majesty first had and obtained for that purpose.

Crown rights.

34. Nothing in this Act shall prejudice or affect the operation of the agreement between the British Transport Commission and the Board set out in the Tenth Schedule to the Act of 1954 or (without prejudice to the generality of the foregoing) authorise the Board to commence the authorised works or to incur in

Saving for
agreement
with
commission.

PART III
—cont.

relation to those works any such expenditure as is referred to in paragraphs (c), (d) or (e) of clause 3 of the said agreement except in accordance with and subject to the provisions of those paragraphs respectively.

Saving for
town and
country
planning.

35. The provisions of the Town and Country Planning Act, 1962, and any restrictions or powers thereby imposed or conferred in relation to land shall apply and may be exercised in relation to any land notwithstanding that the development thereof is or may be authorised or regulated by or under this Act.

Costs of
Act.

36. The Board out of moneys for the time being in their hands shall pay and discharge all the costs, charges and expenses preliminary to and of and incidental to the applying for, obtaining and passing of this Act.

SCHEDULES

FIRST SCHEDULE

Section 19.

HARBOUR AND LIGHT DUES ON VESSELS ENTERING THE HARBOUR

Class of vessel	Per N.R.T. per entry	
	s.	d.
1. On every vessel to discharge or load cargo (other than coal, coke or stone) or to disembark or embark passengers	0	8½
2. On every vessel to discharge or load coal, coke or stone... ..	0	5
3. On every vessel entering in ballast and leaving in ballast (Minimum charge 20s.)	0	3½
4. On every vessel entering to embark or disembark passengers, to load or discharge personal baggage and mails without discharging or loading cargo and not occupying a quay berth	0	5
5. On every vessel exceeding 300 N.R.T. discharging or loading less than full cargo, if the quantity of cargo discharged or loaded does not exceed one-third of the N.R.T. ...	0	5
6. On every registered fishing vessel	0	3½
7. On every vessel entering in distress, for shelter, stores for ship's use, repairs, orders or medical assistance, without discharging or loading cargo or landing or embarking passengers (Minimum charge 20s.)	0	3½
8. On every vessel for bunkering purposes only	0	2½
9. On every vessel remaining in harbour for a longer period than one week after date of entry—for each week or part of a week ... (Minimum charge 20s. per week or part of a week)	0	2

Classes 1-8 include 1d. per N.R.T. for harbour light dues.

EXEMPTIONS

All pleasure craft.

1ST SCH.
—cont.

REGULATIONS AND CONDITIONS APPLICABLE TO HARBOUR AND LIGHT
DUES

1. Payment of harbour and light dues does not entitle a vessel to the use of a berth except when loading or discharging cargo or embarking or disembarking passengers.

2. All vessels remaining in the harbour for a longer period than one week after date of entry will be charged harbour dues under class 9 during so long as they shall after the expiration of that period remain in the harbour without leaving the same in the bona fide prosecution of a voyage.

3. For every vessel loading or discharging deck or double-bottom cargo, cargo so carried shall be calculated in foot tons, such measurement to be added to the N.R.T. for the purpose of charging harbour and light dues.

Section 19.

SECOND SCHEDULE

DOCK DUES

DOCK DUES PAYABLE IN RESPECT OF VESSELS FOR ENTERING THE
GRANVILLE OR WELLINGTON DOCKS

Class of vessel	Per N.R.T. per entry	
	s.	d.
1. On every vessel from any place in the United Kingdom, Isle of Man, Channel Islands or Eire	0	2½
2. On every vessel from any other place ...	0	4
3. On every vessel remaining in either dock for a longer period than one week after date of entry—for each week or part of a week thereafter	0	2
(Minimum charge 20s. per week or part of a week)		

EXEMPTIONS

All pleasure craft.

REGULATIONS AND CONDITIONS APPLICABLE TO DOCK DUES

1. Payment of dock dues does not entitle a vessel to the use of a berth except when loading or discharging cargo.

2. Payment of dock dues in respect of any vessel shall not entitle such vessel to remain in the docks for a longer period than may be actually necessary for loading or discharging her cargo, and shall not

in any way affect the power of the harbour master, if he shall think fit, to order such vessel to remove to any other part of the harbour, whether or not the vessel shall at the time such order is given have completed the loading or discharge of cargo.

2ND SCH.
—cont.

3. All vessels remaining in the docks for a longer period than one week after date of entry will be charged dock dues on N.R.T. under class 3 so long as they shall after the expiration of that period remain in the docks.

4. The Board do not guarantee to keep vessels in the Granville or Wellington docks water-borne, but the harbour master will if possible give the person in charge of a vessel 24 hours' notice before emptying the dock in which the vessel is lying, and the Board will not be answerable for any injury that may happen to any such vessel by reason of the dock being so emptied, whether notice shall have been given to the person in charge thereof or not, or from any other cause other than the wilful act or default of the Board or their officers.

5. For every vessel loading or discharging deck or double-bottom cargo, cargo so carried shall be calculated in foot tons, such measurement to be added to the N.R.T. for the purpose of charging dock dues.

THIRD SCHEDULE

Section 19.

WHARFAGE RATES ON GOODS

Wharfage rates charged on all goods discharged, shipped or received within the limits of the harbour

A							per ton	
							s.	d.
Aerated waters	..	..	..	..	..	..	2	6
Aeroplanes or seaplanes or parts	..	..	..	..	..	..	1	8*
Agricultural or dairy implements, machines or utensils	..	..	..	..	..	..	3	4
Alcohol	..	..	..	..	..	..	3	4
Ale, beer or porter:—								
In barrels	..	..	..	..	..	..	1	8
In bottles	..	..	..	..	..	..	2	6
Aluminium	..	..	..	..	..	..	2	6
Aluminium manufactures	..	..	..	..	..	..	3	4
Amonium nitrate	..	..	..	..	..	..	0	11
Animals:—								
Horses, mules, ponies, asses, cows, oxen or dogs	..	..	..	..	..	.. each	0	5
Calves	..	..	..	..	..	.. each	0	1
Sheep or pigs	..	..	..	..	..	per score	1	3
Lambs	..	..	..	..	..	per score	0	8
Animals, not otherwise rated	..	..	..	..	..	.. each	0	8
Arms or ammunition	..	..	..	..	..	..	3	4

*Denotes ton measurement

3RD SCH.
—cont.

	per ton	
	s.	d.
Asbestos:—		
Crude	1	8
Manufactured	2	6
Slates	1	6
Steam pipe covering	1	8
Ashes	0	4
Chemical	2	6
Asphalt	1	3
Compressed	1	8
Rock, crude	0	8
B		
Ballast, Thames or sand and beach	0	8
Baskets or basket-making material	2	6*
Beans, oil, castor, etc.	1	6
Beet pulp	1	6
Bicycles each	0	8
Bicycle parts	3	4
Biscuits	2	6
Binder twine	2	6
Bitumen; liquid or road oil	1	3
Bleaching powder	1	6
Boats	3	4
Bog ore	0	8
Bones, bone dust or bone meal	0	8
Books	2	6
Boots or shoes, all kinds	2	6
Bottles or jars, glass or stoneware	1	8
Brass or brass manufactures	3	4
Breeze blocks	0	8
Bricks, all kinds	0	6
Bronze	2	6
Bullion or specie per package	2	6
Bulbs (flower)	2	6
C		
Cables, electric, telegraph or telephone	2	6
Carpets	3	4
Cement:—		
Shell or clinker	0	8
Not otherwise rated	0	11
Chalk:—		
Crude	0	4
French, Italian or ground	1	3
Chemicals, not otherwise rated	2	6
Cider:—		
In bottles	2	6
In casks	1	8

*Denotes ton measurement

	per ton		3RD SCH.
	s.	d.	—cont.
Cigars or cigarettes	6	3	
Clay (fire or china):—			
Common or ball	0	5	
Drain pipes, tiles, paving, plain roofing and chimney pots	0	11	
Enamelled goods	1	8	
Goods, not otherwise rated	1	3	
Clocks or clockwork material	3	4	
Coal, coke, culm, charcoal and patent fuel	0	8	
Coir, fabric, fibre, matting, rope or yarn	2	6	
Concrete:—			
Blocks or slabs	0	8	
Reinforced piles, poles, blocks and sewage tubes	0	11	
Confectionery	2	6	
Copper	2	6	
Cinders, dross or slag	1	6	
Manufactures	3	4	
Matte or regulus and ore	1	3	
Sulphate of	2	2	
Copra	1	8	
Cork or corks	3	4*	
Corkwood	2	6	
Granulated, shavings, waste or refuse	1	8	
Corn	0	10	
Oatmeal or flour, pease meal, rye and wheat flours, farina	1	6	
Flourine	1	8	
Malt meal	2	2	
Lentils, peas (split), malt	1	1	
All other kinds	2	6	
Corn, etc., horse or cattle food:—			
Bran	1	1	
Draff, wet	0	6	
Gluten and soya meal	1	2	
Shudes or shellings	1	3	
All other kinds	1	4	
Cotton:—			
Manufactures and raw	2	6	
Rags	1	6	
Cotton seed fluff	1	6	
Hull waste	1	6	
Oil refuse, residuum, waste or wool	2	6	
Cotton cake	1	4	
Cutlery	3	4	
D			
Drapery goods	2	6*	
Drugs	2	6	

*Denotes ton measurement

3RD SCH.
—cont.

								per ton	
								s.	d.
Dunnage:—									
Wood	..	..	..	..	..	..	..	0	4*
Matts	..	..	..	..	..	..	..	1	3
Dyestuff, not otherwise rated	..	..	..	..	..	..	..	2	6
Dynamite	..	..	..	..	..	..	..	3	4
E									
Earthenware	..	..	..	..	..	..	..	1	3
Eggs in cases	..	..	..	..	..	..	..	2	6*
Electrical appliances or parts	..	..	..	..	..	..	..	3	4
Empties, casks, cases, etc., not being returned	..	..	..	..	..	..	..	1	8*
Envelopes, straw for bottles	..	..	..	..	..	..	..	2	6
F									
Feathers (compressed)	..	..	..	..	..	..	..	3	4
Felt of all kinds	..	..	..	..	..	..	..	2	6
Fish:—									
Fresh	..	..	..	..	..	..	..	1	3
Cured or salted	..	..	..	..	..	..	..	2	2
Offal	..	..	..	..	..	..	..	0	5
Meal	..	..	..	..	..	..	..	1	4
Flint ground, or flintstones	..	..	..	..	..	..	..	0	8
Floor cloth, oilcloth or linoleum	..	..	..	..	..	..	..	3	4
Flowers, fresh	..	..	..	..	..	..	per package	0	1
Fowls, in crates	..	..	..	..	..	..	..	2	6*
Fruit:—									
Crystallized, preserved or dried	..	..	..	..	..	..	..	2	6
Fresh	..	..	..	..	..	..	..	1	8
Pulp	..	..	..	..	..	..	..	2	2
Furniture	..	..	..	..	..	..	..	1	8*
G									
Game	..	..	..	..	..	..	..	2	6
Glass or glassware	..	..	..	..	..	..	..	2	6*
Glass:—									
Broken	..	..	..	..	..	..	..	0	5
Ground	..	..	..	..	..	..	..	1	3
Glucose or corn syrup	..	..	..	..	..	..	..	2	6
Gravel, all kinds	..	..	..	..	..	..	..	0	5
Grease	..	..	..	..	..	..	..	2	6
Grit, flint for poultry	..	..	..	..	..	..	..	0	8
Groceries	..	..	..	..	..	..	..	2	6
Guano or phospho-guano	..	..	..	..	..	..	..	0	8
Gunmetal	..	..	..	..	..	..	..	2	6
Gunpowder	..	..	..	..	..	..	..		4
Guts, intestinal skin or sausage casings	..	..	..	..	..	..	..		6
Gutta percha or gutta percha goods	..	..	..	..	..	..	..		4

*Denotes ton measurement

							per ton	3RD SCH.	
							s.	d.	—cont.
H									
Haberdashery .. .. .	..	..	..	..	..	..	2	6*	
Hardware .. .. .	..	..	..	..	..	..	2	6*	
Hay (machine pressed)	..	..	..	..	..	..	1	3	
Hides .. .. .	..	..	..	..	..	..	2	6	
Hop wood .. .. .	..	..	..	..	..	..	1	3*	
Hosiery:—									
Silk and nylons .. .. .	..	..	..	..	..	..	3	4	
Other kinds .. .. .	..	..	..	..	..	..	2	6	
I									
Ice .. .. .	..	..	..	..	..	..	0	8	
Indiarubber and manufactures	..	..	..	..	..	..	3	4	
Scrap .. .. .	..	..	..	..	..	..	0	11	
Iron and steel:—									
Anchors and chains .. .. .	..	..	..	..	..	..	2	6	
Angles, bar, bolt, nut, rod, sheet, plate, channel and hoop .. .. .	..	..	..	..	..	..	1	8	
Casting .. .. .	..	..	..	..	..	..	1	3	
Fencing and other wire, including expanded metal ..	..	..	..	..	..	..	2	0	
Girders, joists and piling .. .. .	..	..	..	..	..	..	1	11	
Ingots .. .. .	..	..	..	..	..	..	1	3	
Iron, galvanised .. .. .	..	..	..	..	..	..	1	8	
Ore .. .. .	..	..	..	..	..	..	0	8	
Oxide .. .. .	..	..	..	..	..	..	0	8	
Pig .. .. .	..	..	..	..	..	..	0	11	
Pipes:—									
Underground .. .. .	..	..	..	..	..	..	2	0	
Others .. .. .	..	..	..	..	..	..	1	8	
Rails, sleepers, chairs and railway permanent way material .. .. .	..	..	..	..	..	..	1	3	
Scrap .. .. .	..	..	..	..	..	..	0	10	
Tunnel casings and mining material .. .. .	..	..	..	..	..	..	1	3	
Manufactured goods, not otherwise rated .. .. .	..	..	..	..	..	..	3	4	
J									
Jewellery and precious stones .. .. .	..	..	..	..	..	per package	2	6	
Jute:—									
Raw .. .. .	..	..	..	..	..	..	2	2	
Manufactured .. .. .	..	..	..	..	..	..	2	6	
Waste for paper-making .. .. .	..	..	..	..	..	..	1	6	
K									
Kapoc .. .. .	..	..	..	..	..	..	2	2	
L									
Laths or lathwood .. .. .	..	..	..	..	..	..	0	8*	
Lead:—									
Ore .. .. .	..	..	..	..	..	..	0	8	
Pig or scrap .. .. .	..	..	..	..	..	..	2	0	
All other kinds .. .. .	..	..	..	..	..	..	2	6	

*Denotes ton measurement

3RD SCH.
—cont.

	per ton
	s. d.
Leather:—	
Goods	2 6
Rough tanned, not prepared	1 11
Limestone	0 5
Linen manufactures	2 6
Locomotives, engines or tenders, complete or in parts ..	3 4

M

Machinery or machines, not otherwise rated	3 4
Manure (artificial), not otherwise rated	0 11
Matchwood, manufactured or blocks	2 6
Matches	2 6
Meal—all kinds, not otherwise rated	1 4
Meat meal or refuse	1 4
Metals, not otherwise rated	2 6
Molasses for cattle feeding	1 4
Motor cars, motor cycles, trailers and sidecars, parts of or accessories	3 4
Motor coaches each	50 0
Motor cars:—	
Exceeding 13 feet 6 inches overall length each	10 0
Not exceeding 13 feet 6 inches overall length each	6 3
Motor trailers and caravans each	6 3
Motor cycles and sidecars each	5 0
Motor cycles each	2 6
Motor lorries or vans:—	
Up to 15 cwt. each	20 0
Exceeding 15 cwt. and up to 5 tons each	37 6
Exceeding 5 tons each	55 0
Motor trailers (commercial):—	
Up to 15 cwt. each	15 0
Exceeding 15 cwt. and up to 5 tons each	30 0
Exceeding 5 tons each	45 0
Motor tractors each	20 0
Musical instruments	3 4*

N

Nets	2 6
Newspapers	1 8
Old	1 3
Nickel:—	
Manufactures	3 4
Ore	0 8
Pig	2 0

O

Oakum	2 6
Ochre	1 8

*Denotes ton measurement

				per ton	
				s.	d.
Oils:—					
Fuel gas or diesel, in bulk	..	per 250 gallons	..	1	3
Petrol	.. .. .	per 250 gallons	..	2	6
Not otherwise rated	.. .. .	per 250 gallons	..	1	4
Ores, not otherwise rated	.. .. .	.. .. .	..	0	8
Oxide, spent for manure	.. .. .	.. .. .	..	0	8
Oxides, not otherwise rated	.. .. .	.. .. .	..	2	6
Paints, including white and red lead	.. .. .	.. .. .	..	2	6
Paper	.. .. .	.. .. .	..	2	6
Waste for paper-making	.. .. .	.. .. .	..	1	3
Paperstock	.. .. .	.. .. .	..	1	6
Paraffin, scale or wax	.. .. .	.. .. .	..	2	6
Phosphates	.. .. .	.. .. .	..	0	8
Pianos	.. .. .	.. .. .	..	3	9*
Pitch:—					
Coal tar, blast furnace or natural	.. .. .	.. .. .	..	0	8
Not otherwise rated	.. .. .	.. .. .	..	1	3
Plants	.. .. .	.. .. .	..	2	6
Plaster of Paris	.. .. .	.. .. .	..	1	6
Plastics and manufactures	.. .. .	.. .. .	..	2	6
Plywood or box shooks	.. .. .	.. .. .	..	2	6
Potash	.. .. .	.. .. .	..	0	8
Prefabricated buildings	.. .. .	.. .. .	..	3	4*
Provisions and groceries of all kinds	.. .. .	.. .. .	..	2	6
Putty	.. .. .	.. .. .	..	2	2
R					
Rabbit fur	.. .. .	.. .. .	..	2	6
Rags, not otherwise rated:—					
Linen	.. .. .	.. .. .	..	1	6
Others	.. .. .	.. .. .	..	1	3
Railway plant, wagons, carriages, etc., complete or in parts	.. .. .	.. .. .	..	3	4
Ropes and twine	.. .. .	.. .. .	..	2	6
Old	.. .. .	.. .. .	..	0	9
Roots, edible, not otherwise rated	.. .. .	.. .. .	..	1	3
S					
Salt	.. .. .	.. .. .	..	0	8
Table, or compressed	.. .. .	.. .. .	..	1	3
Sand	.. .. .	.. .. .	..	0	8
Seeds	.. .. .	.. .. .	..	1	8
Shellfish	.. .. .	.. .. .	..	1	6
Silk	.. .. .	.. .. .	..	3	4
Artificial	.. .. .	.. .. .	..	2	6

*Denotes ton measurement

3RD SCH.
—cont.

						per ton	
						s.	d.
Skins, not otherwise rated	..	..	..	..	..	2	6
Slates—Common roofing	..	..	..	..	..	0	11
Slate:—							
Flour or dust	..	..	..	..	..	2	6
Slabs	..	..	..	..	..	0	10
Soap:—							
Hard, soft or powder	..	..	..	..	..	1	6
Perfumed	..	..	..	..	..	2	6
Soda:—							
Acetate, phosphate, caustic (solid)	..	..	..	..	..	1	6
Nitrite of	..	..	..	..	..	1	8
Not otherwise rated	..	..	..	..	..	2	2
Spent oxide	..	..	..	..	..	0	8
Spirits, brandy, gin, rum or whisky, bottled, in cases or casks and not otherwise rated	..	..	..	..	..	3	4
Starch, corn flour, pearl or powdered	..	..	..	..	..	1	8
Not otherwise rated	..	..	..	..	..	2	6
Stationery	..	..	..	..	..	2	6
Stone:—							
Road metal, chips or crushed	..	..	..	..	..	0	8
Road metal, chips or crushed (tarred)	..	..	..	..	..	0	8
Granite broken, chippings or dust, stones (causeway)	..	..	..	..	..	0	8
Dressed	..	..	..	..	..	0	11
Freestone or whin, rough	..	..	..	..	..	0	8
Granite, rough	..	..	..	..	..	0	11
Monumental or polished	..	..	..	..	..	1	8
Straw	..	..	..	..	..	1	3
Strawboards	..	..	..	..	..	2	6
Sugar	..	..	..	..	..	2	0
Syrup:—							
Fruit	..	..	..	..	..	2	6
Other kinds not otherwise rated	..	..	..	..	..	1	8
T							
Tanning extract:—							
Liquid, not otherwise rated	..	..	..	..	..	1	8
Solid, not otherwise rated	..	..	..	..	..	2	6
Tar, coal, gas or wood	..	..	..	..	..	1	3
Tea	..	..	..	..	..	3	4
Telegraph or telephone apparatus	..	..	..	..	..	3	4
Theatrical scenery	..	..	..	..	..	3	4*
Tin	..	..	..	..	..	2	6
Manufactures	..	..	..	..	..	3	4
Ore	..	..	..	..	..	1	6
Scrap	..	..	..	..	..	2	6
Tobacco	..	..	..	..	..	6	3
Toys	..	..	..	..	..	2	6
Tree plants	..	..	..	..	..	2	6
Tyres or tubes, rubber, motor or cycle	..	..	..	..	..	3	4

*Denotes ton measurement

								per ton	3RD SCH.	
								s.	d.	—cont.
U										
Umber								1	8	
V										
Valves								2	6*	
Varnish								2	6	
Vegetables:—										
Green or fresh								1	3	
In tins								2	6	
W										
Wagons, complete or in parts								3	4	
Wall boards:—										
Plaster								1	8	
Not otherwise rated								2	6	
Wax, not otherwise rated								2	6	
Wines of all kinds								3	4	
Wood:—										
Soft woods:—										
Hewn or round								1	6*	
Sawn								1	8*	
Planed, tongued or grooved								1	11*	
Hard woods:—										
Hewn or round								1	11*	
Sawn								2	1*	
Planed, tongued or grooved								2	4*	
Furniture, fancy or turnery woods:—										
Hewn or round								2	6*	
Sawn								2	9*	
Planed, tongued or grooved								2	11*	
Pit props								1	6	
Sleepers								1	6*	
Spars, poles and rickers, round or square, not exceeding 4 inches diameter, and not exceeding 22 feet long per 20 pieces								0	8	
Spars, poles and rickers, round or square, not exceeding 4 inches diameter, and exceeding 22 feet long per 20 pieces								1	3	
Spars, poles and rickers, round or square, exceeding 4 inches and not exceeding 6 inches diameter per 20 pieces								2	6	
Firewood—fathom of 216 cubic feet								1	3	
Wood pulp								1	6	
Woodware, woodwork or joinery material								2	6	
Wool								1	8	
Woollen manufactures								2	6	
Woollen rags								1	11	

*Denotes ton measurement

3RD SCH
—cont.

								per ton	
								s.	d.
Y									
Yarn	..	..	..	..	..	..	..	1	8
Z									
Zinc:—									
Not otherwise rated	..	..	..	..	..	..	..	2	6
Ashes	..	..	..	..	..	..	..	1	6
Concentrates and ore	..	..	..	..	..	..	..	0	8
Manufactured	..	..	..	..	..	..	..	2	6
All other goods not particularly enumerated, per ton or per ton measurement as applicable								..	..
								2	6

EXEMPTIONS

No wharfage rates shall be levied on—

- (a) baggage, being the bona fide personal baggage of a passenger and consisting only of a reasonable quantity of apparel and personal effects for the use of such passenger, and not including furniture, motor vehicles or merchandise.
- (b) ships' fittings, stores, dunnage and stevedores gear, required for the vessel's own use.

REGULATIONS AND CONDITIONS

1. The Board shall charge single wharfage rates on all goods which are transhipped overside from one vessel to another (whether for purposes of export or import or to enable repairs to be effected to a damaged vessel) and this privilege shall cover landing on the quays for facilitating such transshipment, provided such goods are reshipped—

- (1) in the case of goods for import or export, within three days (excluding Sundays but including holidays) after having been so landed, or
- (2) in the case of goods landed from a damaged vessel, within such reasonable time as, in the opinion of the Board, may be necessary for carrying out the repairs to such vessel:

Provided that with reference to both (1) and (2) hereof—

- (a) such goods shall not between landing and reshipment have been removed from the quays or other premises in which the Board permit such goods to be placed.
- (b) in order to entitle such goods to the privilege above mentioned evidence in such form as may be required by the Board of compliance with the conditions requisite to entitle them to such privilege shall be produced to the Board at the time of transshipment or reshipment by the party claiming to benefit and after the expiry of the specified periods the full rates inward and outward on such goods shall be charged.
- (c) demurrage charges under the Fourth Schedule shall be payable on such goods if not removed within the specified period.

2. Wharfage rates are assessed per ton except where otherwise provided. For this purpose the gross weight or measurement of all packages shall be taken. Except where otherwise specified, the term ton shall mean—

3RD SCH.
—cont.

- (1) where charges are assessed by weight, 20 cwts., or 1,016 kilos; and
- (2) where charges are assessed by measurement, 40 cubic feet (50 cubic feet in the case of timber).

3. Fractions of an inch shall be reckoned as one inch, and fractions of a pound as one pound.

4. For all goods not particularly specified in this schedule wharfage rates will be charged at the rate payable in respect of goods specified therein which are as nearly as may be of like nature and value thereto, or alternatively, at the discretion of the Board, at the rate fixed for "All other goods not particularly enumerated".

5. A manifest of the contents of, and quantities of goods in, each vessel shall be delivered by the owner, master or other duly authorised person to the office of the Board—

- (a) in the case of vessels loading, before the departure of the vessel; and
- (b) in the case of vessels discharging, as soon as practicable after the arrival of the vessel.

6. Wharfage rates shall be payable on goods imported immediately after the goods are unshipped and before they are removed from the works or premises of the Board, and on goods exported before they are shipped.

FOURTH SCHEDULE

Section 19.

DEMURRAGE CHARGES

PAYABLE IN RESPECT OF GOODS NOT REMOVED WITHIN THE SPECIFIED FREE PERIODS

Commodity	Charges payable	Rate per day or part of a day for first 14 days		Rate per day or part of a day thereafter	
		s.	d.	s.	d.
General cargoes ...	Ton weight or measurement (as scheduled under wharfage)	0	2	0	4
Timber ...	50 cubic feet	0	3	0	6
Motor cars ...	each	2	0	4	0
Motor lorries or coaches	each	3	0	6	0
Motor trailers ...	each	1	6	3	0
Caravans ...	each	2	0	4	0
Motor cycles ...	each	0	6	1	0

4TH SCH.
—cont.

REGULATIONS AND CONDITIONS

1. Demurrage charges are levied in respect of import and export cargo remaining after the expiry of the free period allowed for its removal.

2. Free periods allowed for removal or shipment of goods are as follows:—

IMPORTS

Three clear days, from date of completion of vessel's discharge will be allowed to all import cargo.

EXPORTS

Three clear days, from date of receipt of cargo, days of receipt of goods and of shipment not to be counted.

3. Acceptance of cargo for export in the transit sheds or on quays is subject to the permission of the traffic superintendent.

4. In computing demurrage charges, Sundays and public holidays will be excluded until after demurrage charges have been incurred, following which all Sundays and holidays will be included. The day of delivery or shipment will in all cases be recognised as a free day.

5. Where a vessel discharges her cargo at more than one berth, the expression "date of completion of vessel's discharge" shall as regards each berth mean the date on which the discharge at that berth has been completed.

Section 32.

FIFTH SCHEDULE

REPEALS

Act (1)	Section (2)	Marginal note (3)	Extent of repeals (4)
The Act of 1954 ...	32	Power to acquire lands by agreement	The proviso to subsection (1) and subsection (2).
	60	Power to hire cranes ...	The whole section.
	65	Harbour and light dues	The words "using or leaving" and "and rents".
	66	Dock dues and rents ...	The words "or for lying therein" the word "rents" and the words "and rents".
	68	Charges for slipways ...	The whole section, and the Seventh Schedule.

Table of Statutes referred to in this Act

Title	Session and chapter
Lands Clauses Consolidation Act, 1845 ...	8 & 9 Vict. c. 18.
Railways Clauses Consolidation Act, 1845	8 & 9 Vict. c. 20.
Harbours and Passing Tolls &c. Act, 1861 ...	24 & 25 Vict. c. 47.
Merchant Shipping Act, 1894	57 & 58 Vict. c. 60.
Local Government Act, 1933	23 & 24 Geo. 5 c. 51.
Lands Tribunal Act, 1949	12 & 13 Geo. 6 c. 42.
Dover Harbour Consolidation Act, 1954 ...	2 & 3 Eliz 2 c. iv.
Road Traffic Act, 1960	8 & 9 Eliz. 2 c. 16.
Land Compensation Act, 1961	9 & 10 Eliz. 2 c. 33.
Vehicles (Excise) Act, 1962	10 & 11 Eliz. 2 c. 13.
Town and Country Planning Act, 1962 ...	10 & 11 Eliz. 2 c. 38.

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CHAPTER xxix

ARRANGEMENT OF SECTIONS

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28. Harbour master may give general directions in emergency.
29. Amendment of certain provisions of Act of 1954.
30. Fines imposed by byelaws.
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34. Saving for agreement with commission.
35. Saving for town and country planning.
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Second Schedule—Dock dues.

Third Schedule—Wharfage rates on goods.

Fourth Schedule—Demurrage charges.

Fifth Schedule—Repeals.