



CHAPTER xxv.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the London and North Eastern Railway (Dock Charges Scotland). A.D. 1924.

[14th July 1924.]

WHEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63
Vict. c. 47.

Be it therefore enacted by the King'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:—

1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirma-
tion of
Order in
schedule.

2. This Act may be cited as the London and North Eastern Railway (Dock Charges Scotland) Order Confirmation Act 1924. Short title.

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SCHEDULE.

LONDON AND NORTH EASTERN RAILWAY
(DOCK CHARGES SCOTLAND).

Provisional Order to make provision as to the rates dues tolls and charges leviable at certain of the harbours docks and piers of the London and North Eastern Railway Company in Scotland.

WHEREAS the London and North Eastern Railway Company (in this Order referred to as "the Company") were incorporated by the North Eastern Eastern and East Scottish Group Amalgamation Scheme 1922 made in pursuance of the Railways Act 1921 :

And whereas the undertaking of the Company includes the following harbour dock and pier undertakings namely Alloa Harbour and Dock Bo'ness Harbour and Dock Burntisland Harbour and Docks Charlestown Harbour Kincardine Pier and Harbour Mallaig Piers Methil Harbour and Docks and Pettycur Harbour :

And whereas the maximum rates dues tolls and charges which the Company are authorised to levy and make in respect of the said undertakings are prescribed by the Acts and Order specified in the schedule to this Order :

And whereas the rates dues tolls and charges which the Company may levy and make in respect of the said undertakings have from time to time been increased or altered by Orders made by the Minister of Transport under the Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922 :

And whereas the London and North Eastern Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924 relating to the said undertakings was made under the said Acts on the twelfth day of February one thousand nine hundred and twenty-four which Order will expire on the fifteenth day of February one thousand nine hundred and twenty-five :

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And whereas in order to enable the Company thereafter to levy and make adequate rates dues tolls and charges in respect of the said undertakings it is expedient that the operation of the said Order should be continued subject to the provisions in this Order contained for revision of the rates and charges authorised by the said Order: A.D. 1924.

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows:—

1. This Order may be cited for all purposes as the *London and North Eastern Railway (Dock Charges Scotland) Order 1924.* Short title.

2. The *London and North Eastern Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924* so far as it relates to the respective undertakings specified in the schedule to this Order shall notwithstanding anything contained in the *Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922* but subject to the provisions of this Order continue in operation until the first day of October one thousand nine hundred and twenty-nine. Rates and charges.

3. The Company shall until the first day of October one thousand nine hundred and twenty-nine keep open for public inspection at their principal office at every harbour dock or pier mentioned in the schedule to this Order the book or list specifying the charges to which the *London and North Eastern Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924* relates and which were in operation at such harbour dock or pier on the thirty-first day of December one thousand nine hundred and thirteen and the conditions attaching to any such charges and the Company shall deposit on or before the thirty-first day of December one thousand nine hundred and twenty-four a certified copy of each such book or list at the offices of the Ministry of Transport. Deposit of lists of pre-war charges.

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Revision of
rates and
charges.

4.—(1) If at any time it is represented in writing to the Minister of Transport (in this section referred to as “the Minister”)—

(a) by any chamber of commerce or shipping or any representative body of traders or any person who in the opinion of the Minister is a proper person for the purpose; or

(b) by the Company;

that under the circumstances then existing all or any of the rates dues tolls or charges authorised in pursuance of this Order should be revised the Minister may if he thinks fit at any time after the fifteenth day of February one thousand nine hundred and twenty-five make an Order revising all or any of such rates dues tolls or charges as aforesaid and may fix the date as from which such Order shall take effect and thenceforth such Order shall be observed until the same expires or is revoked or modified by a further Order of the Minister made in pursuance of this section. Provided that before making an Order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

(2) No application may be made under this section for a general revision of rates dues tolls and charges for the time being authorised under this Order within twelve months after the date of an Order made by the Minister for a general revision thereof and no application may be made for a revision of any particular rates dues tolls or charges within twelve months after the date of an Order made by the Minister for a general revision or of any previous application for a revision of the particular rates dues tolls or charges in question.

(3) The provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section—

(a) as if the Minister were referred to therein in lieu of the Board of Trade;

(b) as if the person or persons duly authorised to hold any inquiry thereunder were the rates advisory committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee

may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act 1920 have delegated their powers or in the event of the said advisory committee ceasing to exist some persons with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874; and

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(c) as if in section 4 of the said Act of 1874 the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

(4) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

5. All costs charges and expenses of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Company. Costs of Order.

The SCHEDULE referred to in the foregoing Order.

Acts and Order.	Undertaking to which applicable.
Alloa Harbour Consolidation Act 1872	} Alloa Harbour and Dock.
Alloa Harbour Act 1889 	
North British Railway (General Powers) Act 1891 	
Borrowstounness Town and Harbour Act 1875 	} Bo'ness Harbour and Dock.
Borrowstounness Harbour Act 1883...	
North British Railway (General Powers) Act 1900 	

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Acts and Order.	Undertaking to which applicable.
Burntisland Harbour Act 1881 ...	} Burntisland Harbour and Docks.
Burntisland Harbour Act 1896 ...	
North British Railway (Burntisland Harbour Transfer) Order Confirma- tion Act 1921	
...	
Charlestown Railway and Harbour Act 1859	} Charlestown Harbour.
North British Edinburgh Perth and Dundee and West of Fife Railways Amalgamation Act 1862	
North British Railway Act 1889 ...	Kincardine Pier and Harbour.
West Highland Railway Act 1894 ...	Mallaig Piers.
Methil Harbour Order 1883 confirmed by Pier and Harbour Orders Con- firmation (No. 1) Act 1883 ...	} Methil Harbour and Docks.
North British Railway Act 1889 ...	
North British Railway (Methil Har- bour) Act 1891	
North British Railway Act 1907 ...	
Edinburgh and Northern Railway (Pettycur Harbour Branch and Deviation) Act 1846	} Pettycur Harbour.
North British Edinburgh Perth and Dundee and West of Fife Railways Amalgamation Act 1862	

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