



CHAPTER vi

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Island of Arran Piers. [15th February 1951.]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936 and it is requisite that the said Order should be confirmed by Parliament: 26 Geo. 5. &
1 Edw. 8. c. 52.

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 is hereby confirmed. Confirmation
of Order in
Schedule.

2. This Act may be cited as the Island of Arran Piers Order Confirmation Act 1951. Short title.

SCHEDULE

ISLAND OF ARRAN PIERS

Provisional Order to authorise the trustees of the Arran and Easton Estates of the late William Alexander Louis Stephen Duke of Hamilton Brandon and Chatelherault to transfer their piers at Brodick Lamlash Loch Ranza and Whiting Bay all in the Island of Arran to Arran Piers Limited to confer powers on the said Company and to make further provision with respect to the maintenance regulation and management of the said piers and the levying of rates tolls and charges in respect thereof and for other purposes.

8 & 9 Geo. 5.
c. 2.

WHEREAS the Most Noble James Graham Duke of Montrose K.T. C.B. C.V.O. LL.D. the Most Noble Mary Louise Duchess of Montrose O.B.E. Colonel Sir Donald Walter Cameron of Lochiel K.T. and the Honourable Jean Sybil Violet Graham Fforde (commonly called "Lady Jean Fforde") (hereinafter called "the trustees") are the trustees under the trust disposition and settlement of the late William Alexander Louis Stephen Duke of Hamilton Brandon and Chatelherault appointed in pursuance of the Hamilton Estates Act 1918 to administer the trust created by the said trust disposition and settlement so far as relating among others to the estate of the said late duke in the Island of Arran:

And whereas the trustees as such trustees as aforesaid are the owners of piers at Brodick Lamlash Loch Ranza and Whiting Bay all in the Island of Arran (which piers are hereinafter referred to as "the piers"):

And whereas owing to circumstances arising out of the recent war the piers have fallen into a state of disrepair and the repair and reconditioning of the piers is of vital importance to the Island of Arran and to the inhabitants thereof:

11 & 12 Geo. 6.
c. 38.

And whereas with a view to making adequate provision for the repair reconditioning and future maintenance and renewal of the piers a company has been formed under the Companies Act 1948 under the name of Arran Piers Limited (hereinafter referred to as "the Company") and it is the intention of the trustees to sell and dispone the piers to the Company:

And whereas it is expedient to confer on the Company such powers with regard to the repair reconditioning maintenance renewal regulation and management of the piers as are contained in this Order:

And whereas it is expedient in order to make adequate provision for meeting the cost of repairing reconditioning and renewing the piers and maintaining the piers in a state of efficiency that the tolls rates and charges which may be demanded and recovered in connection with the piers should be increased as provided in this Order:

And whereas it is expedient that the further provisions contained in this Order should be enacted:

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936 : 26 Geo. 5. &
1 Edw. 8. c. 52.

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

1. This Order may be cited for all purposes as the *Island of Arran Piers Order 1951*. Short title and
citations.

The Lamlash Pier Order 1883 the Loch Ranza Pier Order 1886 the Whiting Bay Pier Order 1897 the Brodick Lamlash Loch Ranza and Whiting Bay Piers Order 1920 the Island of Arran Piers Order 1938 and this Order may be cited together as the *Island of Arran Piers Orders 1883 to 1951*.

This Order and the Brodick Pier Orders 1920 and 1938 may be cited together as the *Brodick Pier Orders 1920 to 1951*.

This Order and the Lamlash Pier Orders 1883 to 1938 may be cited together as the *Lamlash Pier Orders 1883 to 1951*.

This Order and the Loch Ranza Pier Orders 1886 to 1938 may be cited together as the *Loch Ranza Pier Orders 1886 to 1951*.

This Order and the Whiting Bay Pier Orders 1897 to 1938 may be cited together as the *Whiting Bay Pier Orders 1897 to 1951*.

2. This Order (except the section of this Order of which the marginal note is "Power of trustees to sell piers" and except (so far as relating to the trustees) the section of this Order of which the marginal note is "Abandonment of piers") shall come into force and have effect on the date of the completion of the transfer hereinafter mentioned of the piers by the trustees to the Company which date is in this Order referred to as "the commencement of this Order". Commencement
of Order.

3. In this Order the following words and expressions shall unless there be something in the subject or context repugnant to such construction have the meanings hereby assigned to them (that is to say):— Interpretation.

"the Act of 1847" means the Harbours Docks and Piers Clauses Act 1847 ; 10 & 11 Vict.
c. 27.

"the Act of 1894" means the Merchant Shipping Act 1894 ; 57 & 58 Vict.
c. 60.

"the authorised rates" means the rates which the Company are for the time being authorised to levy in pursuance of this Order or any order made under the section of this Order of which the marginal note is "Revision of rates" ;

"the Company" means Arran Piers Limited ;

"The Minister" means the Minister of Transport ;

"piers" means the piers harbours and works belonging to the trustees at Brodick Lamlash Loch Ranza and Whiting Bay all in the Island of Arran and "pier" in the singular means any one of the piers and the expressions "harbour-master" and "pier limits" shall be construed accordingly ;

"the Piers Orders" means the Island of Arran Piers Orders 1883 to 1938 ;

“ the prescribed period ” means the period prescribed by the Minister for the repayment of any sum borrowed by the Company in exercise of the powers conferred by the section of this Order of which the marginal note is “ Power to borrow ” ;

“ seaplane ” includes a flying boat and any other aircraft designed to manoeuvre on the water ;

“ the trustees ” means the trustees under the trust disposition and settlement of the late William Alexander Louis Stephen Duke of Hamilton Brandon and Chatelherault appointed in pursuance of the Hamilton Estates Act 1918 to administer the trust created by the said trust disposition and settlement so far as relating to the estate of the said late duke in the Island of Arran and includes their successors in title as owners of the said estate.

Incorporation
and application
of Harbours
Docks and
Piers Clauses
Act 1847.

4.—(1) The Act of 1847 except the following sections of that Act that is to say 6 to 13 16 to 19 25 26 60 84 and 85 is except where expressly varied by this Order incorporated with and forms part of this Order.

(2) In the application to this Order of the Act of 1847 the word “ vessel ” shall include a seaplane on the surface of the water :

Provided that nothing in the Act of 1847 or this Order shall in any circumstances require or authorise the piermaster or other officer to require the dismantling of a seaplane or any part thereof or the making of any alteration whatever of the structure or equipment of a seaplane.

Power of
trustees to
sell piers.

5.—(1) The trustees may with the previous consent in writing and upon such terms and conditions as may be sanctioned by the Minister sell the piers to the Company and subject to the provisions of this Order the Company to the extent authorised by their conveyance shall have and may exercise all or any of the powers conferred upon the trustees by the Piers Orders or which the trustees have or might exercise under the Piers Orders and shall be subject to all the liabilities and obligations to which the trustees are subject and shall perform all the duties of the trustees under the Piers Orders.

(2) This section shall come into operation on the date of the passing of the Act confirming this Order.

Company to be
undertakers on
completion of
transfer.

6. On completion of the transfer referred to in the section of this Order of which the marginal note is “ Power of trustees to sell piers ” the Company shall subject to the provisions of this Order be the undertakers of the piers and shall have the like powers and be subject to the like obligations as were conferred and imposed upon the trustees by the Piers Orders and the limits within which the Company shall have authority and within which the powers conferred on them by this Order may be exercised (hereinafter in this Order referred to as the “ pier limits ”) shall be—

(a) as regards Brodick Pier the harbour as defined in section 6 (Limits of harbour) of the Brodick Lamlash Loch Ranza and Whiting Bay Piers Order 1920 ;

(b) as regards Lamlash Pier the area defined in section 2 (Limits of Order) of the Lamlash Pier Order 1883 ;

(c) as regards Loch Ranza Pier the area defined in section 2 (Limits of Order) of the Loch Ranza Pier Order 1886 ; and

(d) as regards Whiting Bay Pier the area defined in section 2 (Limits of Order) of the Whiting Bay Pier Order 1897.

7.—(1) Subject to the provisions of this Order the Company may in the case of each of the piers within the pier limits rebuild maintain repair renew widen alter improve restore reconstruct and extend the pier and any works thereof and in connection therewith may from time to time construct erect maintain alter and improve all necessary buildings works apparatus and conveniences and may also from time to time lay down and maintain rails tramways and turntables. Powers to maintain and improve piers.

(2) A line of rails or tramway constructed under the powers of this Order shall not be used for the public conveyance of passengers unless and until it has been certified by the Minister to be fit for that purpose.

(3) Any electric light and power or other apparatus constructed and maintained under this Order shall be so constructed used and maintained as to prevent any interference with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of any such line. 41 & 42 Vict. c. 76.

(4) The Company shall at all times keep at convenient places on the piers and in obedience to any requirements which may be made by the Minister lifebuoys and lifelines in good order and fit and ready for use.

8. After the commencement of this Order the Company may in the case of each of the piers within the pier limits and according to the provisions of this Order demand receive and recover for the use of the pier and in respect of vessels boats persons goods animals fish matters and things and for services described in the First Schedule to this Order any rates not exceeding those specified in that schedule. Power to levy rates.

9.—(1) If it is represented by application in writing to the Minister— Revision of rates.

(a) by any chamber of commerce or shipping or any representative body of traders or shipowners ; or

(b) by any person who in the opinion of the Minister has a substantial interest in the trade of the piers and is a proper person to make an application ; or

(c) by the Company ;

that in the circumstances then existing the authorised rates should be revised in whole or in part the Minister if he thinks fit may make an order revising all or any of the authorised rates referred to in the application and may fix the date as from which such order shall

take effect and thenceforth such order shall remain in force until the same expires or is revoked or modified by a further order of the Minister made in pursuance of this subsection.

(2) An application made to the Minister under subsection (1) of this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require.

(3) Where upon an application under subsection (1) of this section an order has been made or the Minister has decided not to make an order no further application for a revision of any of the rates to which the application related shall be made within twelve months from the date of such order or decision as the case may be.

(4) Before making an order under subsection (1) of this section the Minister shall consult with such bodies or persons as aforesaid as appear to him to be appropriate including the Company where they are not the applicants and for the purpose of ascertaining such bodies or persons may require public notice of the application to be given and where an objection to an application is made by the Company or by any such body or person as aforesaid and is not withdrawn the Minister unless it appears to him that the objection is of a trivial nature shall cause an inquiry to be held in reference to the application.

(5) Subject to the proviso to this subsection the Minister shall not by an order under subsection (1) of this section make any such revision of the authorised rates as in his opinion would so far as can be estimated be likely to result in the annual revenue of the Company being insufficient or more than sufficient to enable the Company with efficient management of the piers to make adequate provision for paying all proper expenses of and connected with the working management and maintenance of the piers including interest on loan capital (regard being had by him to any capital which the Company may reasonably be expected to expend) making good depreciation providing for any contributions which the Company may reasonably and properly carry to any reserve fund renewal fund contingency fund or sinking fund and meeting all other costs charges and expenses if any properly chargeable to revenue together with a reasonable return upon the paid up share capital of the Company:

Provided that in any case where the Minister is satisfied that there are special circumstances affecting the undertaking taking into account its financial condition during such period preceding the date on which an application is made under subsection (1) of this section as the Minister considers to be appropriate the Minister may revise the authorised rates in such manner as he thinks just and reasonable with due allowance for such special circumstances notwithstanding that such revision is likely to result in the revenue of the Company being insufficient to enable the Company to make adequate provision for all of the matters referred to in the foregoing provisions of this subsection.

(6) The power of the Minister to make an order under subsection (1) of this section shall be exercisable by statutory instrument.

10. The Company may in the case of each of the piers within the pier limits and subject and according to the provisions of this Order levy demand receive and recover subject to the provisions of the Civil Aviation Act 1949 and any Act amending or extending that Act or of any order made in pursuance thereof in respect of seaplanes using the pier such reasonable rates as may from time to time be approved by the Minister.

Power to
levy rates on
seaplanes.

12 & 13 Geo. 6.
c. 67.

11.—(1) The Company may appoint and license a sufficient number of persons to be meters and weighers within the pier limits.

Meters and
weighers.

(2) All meters and weighers who measure or weigh any goods delivered out of or put on board any vessel shall within six hours after such vessel has been discharged or loaded attend at the pier office and give an account of such goods.

(3) Any meter or weigher who fails so to give such account or gives a false account shall be guilty of an offence and for every such offence shall be liable on summary conviction to a penalty not exceeding forty shillings.

(4) Nothing contained in this section shall extend to compel any officer of customs to attend and give an account of any goods measured or weighed by him as such officer.

12.—(1) The Company may deepen dredge scour and excavate any portion of the foreshore and bed of the sea to any extent necessary to secure a sufficient waterway and approach to the piers for vessels using the same.

Power to
dredge.

(2) All sand mud and other materials dredged up or removed for the purposes and to the extent aforesaid shall be the property of the Company and they may sell or otherwise dispose of or remove or deposit the same as they think fit provided that sand mud or other material shall not be laid down or deposited in any place below high-water mark of ordinary spring tides without the consent in writing of the Minister having been first obtained.

(3) The powers of the Company under this section shall be exercisable subject to the provisions of the section of this Order of which the marginal note is "Crown rights" and in particular and without prejudice to that general limitation any consent given to the exercise of such powers by the Commissioners of Crown Lands on behalf of His Majesty may be given subject to such restrictions and conditions including the payment by the Company to the Commissioners of Crown Lands of royalties rents or sums of money in respect of materials raised from any place below high-water mark of ordinary spring tides and sold by the Company under this section or in respect of any place below high-water mark upon which materials may be deposited as may be fixed by the Commissioners of Crown Lands.

13.—(1) Whenever any vessel is sunk stranded or abandoned within the pier limits or in or near any approach thereto the Company may if they think fit cause the vessel or any part thereof to be raised removed blown up or destroyed.

Removal of
sunk stranded
or abandoned
vessels.

(2) The Company may recover from the owner of any such vessel all expenses incurred by the Company in respect of the raising removal blowing up or destruction thereof or of any part thereof or

in raising removing or storing any furniture tackle and apparel thereof or any cargo goods and effects raised or removed therefrom or in marking lighting watching buoying or otherwise controlling such vessel :

Provided always that the Company may if they think fit and shall if so required by the owner of the vessel cause such vessel and any furniture tackle apparel cargo goods and effects or any part of the same respectively so raised removed or stored as aforesaid to be sold in such manner as they think fit and out of the proceeds of the sale may after paying any duties of customs or excise which are payable in respect of the said cargo goods and effects reimburse themselves for any such expenses and duties and shall hold the surplus (if any) of the proceeds in trust for the persons entitled thereto and if such proceeds are insufficient to reimburse the Company in respect of such expenses and duties the deficiency may be recovered by the Company in manner aforesaid.

(3) The Company shall (except in a case which the Company consider is urgent) before raising removing blowing up or destroying any such vessel or part thereof under the provisions of this section give to the owner of the vessel twenty-four hours' notice of their intention so to do but if within twelve hours after the expiration of such notice the owner gives to the Company notice in writing of his intention himself to raise and remove the vessel or such part thereof he shall be at liberty to do so :

Provided that if the owner gives any such notice as last aforesaid—

- (a) he shall in raising or removing the vessel or such part thereof comply with any directions which may from time to time be given to him by the Company for the purpose of preventing interference with navigation ; and
- (b) he shall forthwith after giving such notice commence and shall with all due diligence proceed with and complete the raising or removal of the vessel or such part thereof and if the raising or removal be not completed within seven days after the giving of such notice by the owner such notice shall be null and void and the Company shall be at liberty to cause the vessel or such part thereof to be raised or removed or blown up or otherwise destroyed in accordance with the provisions of this section as if the owner had not given such notice.

(4) The Company shall (except in case of emergency or when required by the owner to sell) before selling any such vessel or part thereof under the provisions of this section give to the owner seven days' notice of their intention so to do.

(5) Any notice given by the Company pursuant to subsection (3) or subsection (4) of this section shall be given by delivering the same to the owner or by posting a prepaid letter addressed to the owner at the place in the United Kingdom where he carries on business or at his last known place of abode in the United Kingdom or if the owner or his place of business or abode is not known to the Company then by exhibiting such notice at the registered office of

the Company for twenty-four hours in the case of a notice given under the said subsection (3) or for seven days in the case of a notice given under the said subsection (4).

(6) In this section the expression—

“owner” in relation to any vessel sunk stranded or abandoned as aforesaid means the owner of the vessel at the time the said expenses were incurred by the Company or if there was not then an owner of the vessel the owner of the vessel at the time of the sinking stranding or abandonment thereof;

“vessel” includes a seaplane and other aircraft.

(7) The powers conferred on the Company by this section shall be in addition to and not in derogation of any other powers exercisable by them for or in respect of the removal of wrecks.

(8) Except for the purpose of removing any obstruction to a pier or the approaches thereto nothing in this section shall entitle the Company to remove any wreck (as defined in section 510 of the Act of 1894) to the prejudice or in derogation of the rights with respect to such wreck of the Receiver of Wreck under the provisions of Part IX of the Act of 1894 and if the Company for any such purpose as aforesaid remove any such wreck they shall (without prejudice to the rights of sale conferred upon them by the foregoing provisions of this section) hold and dispose of the same or any such surplus of the proceeds of sale thereof as is referred to in subsection (2) of this section in accordance with such directions (if any) as may be given to them by the said receiver.

(9) For the removal of doubt it is hereby expressly provided that nothing in this section shall apply to any vessel belonging to His Majesty or held by any person on behalf of or for the benefit of the Crown nor shall any of the powers conferred by this section be exercised if by such exercise the Crown would become liable directly or indirectly otherwise than as an insurer or reinsurer under a contract of insurance or reinsurance for any expenses incurred by the Company except where such consent is given as is provided for in the section of this Order of which the marginal note is “As to vessels in which the Crown have an interest” and the vessel was not such a vessel as aforesaid at any such time as is mentioned in subsection (6) of this section.

14.—(1) The Company shall before taking possession of raising removing blowing up or destroying any vessel sunk stranded or abandoned under the powers conferred upon them by this Order or by any other enactment give to the Admiralty and to the Minister notice in writing of their intention so to do and if within fourteen days after the receipt of such notice the Admiralty or the Minister gives to the Company—

As to vessels in which the Crown have an interest.

(a) a certificate that the vessel was sunk stranded or abandoned by a person acting on behalf of His Majesty or otherwise by an officer or servant of the Crown acting in the course

of his duty as such and that it is not in the national interest that the Company should take possession of the vessel or that the vessel should be raised removed blown up or destroyed ; or

- (b) a notice that the exercise by the Company of the rights of recovery conferred by subsection (2) of the section of this Order of which the marginal note is "Removal of sunk stranded or abandoned vessels" would render the Crown liable directly or indirectly otherwise than as an insurer or reinsurer under a contract of insurance or reinsurance for all or a substantial proportion of the expense incurred by the Company ;

the Company shall not without the consent in writing of the authority by whom the certificate was issued or the notice given take possession of raise remove blow up or destroy such vessel Provided that in any case which in their opinion is a case of emergency the Company may take possession of raise remove blow up or destroy any vessel without giving notice of their intention so to do to the Admiralty or to the Minister and in that event the Company shall not be entitled to recover from any person the expenses incurred by them in so doing if the effect of such recovery would be to render the Crown so liable.

(2) If the Company mark light watch buoy control or give warning to shipping of the presence of any vessel in respect of which the Admiralty or the Minister have refused their consent under subsection (1) of this section the Company shall not be entitled to recover the expenses of so doing from the owner of the vessel.

Byelaws
respecting
piers.

15.—(1) In addition to the powers of making byelaws contained in the Act of 1847 the Company may subject to the provisions of this Order make such byelaws as they think fit for all or any of the following purposes (that is to say):—

- (a) for the protection of the piers and the buildings accommodations machinery and appliances connected therewith and for regulating the use thereof and the conduct of persons frequenting or using the same ;
- (b) for the regulation and control of vessels and boats within the pier limits and the fishermen and others frequenting resorting to or employed within the pier limits ;
- (c) for the regulation of the embarking disembarking loading and unloading of any goods or traffic at or within the pier limits.

(2) The byelaws may provide for imposing a penalty not exceeding five pounds for the breach or non-observance of any byelaws:

Provided that byelaws to be made by the Company under the Act of 1847 or under this Order with reference to the piers shall not come into operation unless and until the same have been confirmed by the Minister and that confirmation shall be sufficient for all purposes.

16. Notwithstanding anything contained in the memorandum and articles of association of the Company the Company shall not in any year declare or make out of their profits any larger dividend on their ordinary shares or stock than at the rate (before payment of income tax) of ten per centum in the case of shares or than at the rate (before payment of income tax) of ten pounds in respect of every one hundred pounds of such stock in the case of stock or than at such increased rates of dividend as may be sanctioned by the Minister from time to time.

Limit of dividend on ordinary shares or stock.

17. The Company may on the security of the piers or the authorised rates borrow or expend out of their own money at interest not exceeding without the consent of the Minister six per centum per annum—

Power to borrow.

(a) such sum as may be required for the payment of the costs charges and expenses of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto ;

(b) with the consent of the Minister and subject to such conditions as to repayment as the Minister may prescribe such further sum as may from time to time be required for any of the purposes of the piers for which capital may properly be applied and not otherwise :

Provided that the total amount borrowed under the provisions of this section shall not exceed the sum of thirty thousand pounds :

Provided further that so long as the making of an issue of capital in the United Kingdom without the consent of the Treasury is prohibited by regulations made under the Emergency Powers (Defence) Act 1939 or under that Act as extended by any subsequent enactment including the Supplies and Services (Transitional Powers) Act 1945 or so long as the borrowing of money in Great Britain without the consent of the Treasury is prohibited by an order made under section 1 of the Borrowing (Control and Guarantees) Act 1946 it shall not be lawful to exercise the powers of borrowing conferred by this Order without such consent.

2 & 3 Geo. 6.
c. 62.

9 & 10 Geo. 6.
c. 10.

9 & 10 Geo. 6.
c. 58.

18.—(1) The Company may borrow for the purpose of—

Power to re-borrow.

(A) paying off any moneys previously borrowed under this Order by the Company which are intended to be repaid forthwith ;
or

(B) replacing moneys which during the preceding twelve months have been temporarily applied from other moneys of the Company in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys :

Provided that the Company shall not have power to borrow under this section—

(a) for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys ; or

(b) for the purpose of replacing any moneys previously borrowed which have been repaid—

- (i) by instalments or annual payments ; or
- (ii) by means of a sinking fund ; or
- (iii) out of moneys derived from the sale of land ; or
- (iv) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

Mode of
payment off
of money
borrowed.

19. The Company shall pay off all moneys borrowed by them under the powers of this Order either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within twelve months or when the money is repayable by half-yearly instalments within six months from the date of borrowing.

Protection of
lenders.

20. Any person advancing money to the Company shall not be bound to require any further or other evidence of the power of the Company to borrow the money advanced by such person than such as is afforded—

- (a) by a certificate signed by two of the directors and countersigned by the secretary of the Company that the Company are not exceeding the powers of borrowing conferred on them by the regulations of the Company for the time being and this Order ; and
- (b) by an inspection of the register of charges by the Companies Act 1948 required to be kept by the Company.

Proceeds of
sale of lands
to be treated
as capital.

21. Capital money received by the Company in respect of a transaction under the section of this Order of which the marginal note is " Power to Company to sell " shall be applied in such manner as the Minister may approve towards the discharge of any debt incurred under this Order or otherwise for any purpose for which capital money may properly be applied.

Appointment
of a judicial
factor.

22.—(1) The holders of any security given in respect of money borrowed under this Order may enforce payment of arrears of interest or principal or principal and interest due on their securities by the appointment of a judicial factor.

(2) In order to authorise the appointment of a judicial factor in respect of arrears of interest or principal or principal and interest the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than ten per centum of the total amount of the money then borrowed under this Order and not paid off.

(3) Sections 86 and 87 of the Commissioners Clauses Act 1847 shall be incorporated with this Order and in those sections the expression

“Commissioners” shall mean the Company and the expressions “mortgage” and “mortgagee” shall respectively include any security for money borrowed under this Order and the holder of any such security and the expression “receiver” shall mean “judicial factor.”

(4) Sections 53 and 54 of the Companies Clauses Consolidation Act 1845 are incorporated with this Order and in those sections as so incorporated any reference to the special Act shall be construed as a reference to this Order.

23. The Company may if they think fit for the purpose of forming and maintaining a reserve fund not exceeding at any time the sum of ten thousand pounds which fund shall be applicable to answer any deficiency at any time happening in the income of the Company from the piers or to meet any extraordinary claim or demand in respect of the piers appropriate and set apart subject to the provisions of this Order as to application of revenue any amount which they think fit in any year out of the revenue received under this Order and shall deposit any such amount in some joint stock bank to be increased by accumulation in the way of compound interest or otherwise or shall invest the same in statutory securities until required for any of the purposes aforesaid. Reserve fund.

24.—(1) The Company may if they think fit in any year appropriate money out of the revenue of the Company as part of the expenditure on revenue account to a fund to be called “the renewal fund” which fund shall be applicable only to meet expenses requisite for the renewal of the piers or any of them. Renewal fund.

(2) The money appropriated under the provisions of this section shall be deposited in some joint stock bank to be increased by accumulation in the way of compound interest or otherwise or shall be invested in statutory securities until required for the purposes mentioned in subsection (1) of this section.

25.—(1) If the Company determine to repay by means of a sinking fund any moneys borrowed under this Order the sinking fund shall be formed and maintained by payment to the fund throughout the prescribed period of such equal annual sums as will be sufficient to pay off within that period the moneys for the repayment of which the sinking fund is formed. Sinking fund.

(2) Every sum paid to a sinking fund shall unless applied in repayment of the moneys for the repayment of which the sinking fund is formed be immediately invested in statutory securities but the Company may from time to time vary and transpose the investments.

(3) The interest on the investments of the sinking fund may be applied by the Company towards the equal annual payments to the fund.

(4) The Company may at any time apply the whole or any part of a sinking fund in or towards the discharge of the moneys for the repayment of which the sinking fund was formed.

(5) Any surplus of a sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such capital purposes as the Company with the consent of the Minister may determine.

(6) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Company in addition to the payments provided for by this Order.

(7) For the purposes of this section and the two preceding sections of this Order "statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money.

Adjustments to
sinking fund.

26.—(1) If at any time it appears to the Company that the amount in a sinking fund together with the sums which will be payable thereto in accordance with the provisions of this Order will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Company shall either temporarily or permanently make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose and if it appears to the Minister that any such increase is necessary the Company shall increase the payments to such extent as the Minister may direct.

(2) If the Company desire to accelerate the repayment of any moneys borrowed they may with the approval of the Minister increase the amounts payable to the sinking fund.

(3) If the amount in a sinking fund together with the sums which will be payable thereto in accordance with the provisions of this Order will in the opinion of the Minister be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Company may reduce the payment to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Minister be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(4) If at any time the amount in a sinking fund will in the opinion of the Minister be sufficient to repay the moneys for the repayment of which the sinking fund is formed within the prescribed period the Minister may authorise the Company to suspend the annual payments to the sinking fund until the Minister otherwise directs.

Return to
Minister.

27.—(1) The secretary to the Company shall within three months after the expiration of each financial year transmit to the Minister a return showing the provision made by the Company for the repayment of moneys borrowed by the Company under the authority of this Order.

(2) The return shall show such particulars shall be made up to such date and shall be in such form as the Minister may require shall be certified by the secretary or other person whose duty it is to keep the accounts of the Company and shall if so required by the Minister be verified by statutory declaration made by that person.

(3) If it appears to the Minister from any return made under this section or otherwise that the Company—

- (a) have failed to pay any instalment or annual payment required to be paid ; or
- (b) have failed to appropriate to the discharge of any loan any sum required to be so appropriated ; or
- (c) have failed to set apart any sum required for a sinking fund ; or
- (d) have applied any portion of a sinking fund to a purpose other than those authorised ;

the Minister may by order direct that such sum as is specified in the order not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date set out in the order and the Company shall notify the Minister as soon as the order has been complied with.

(4) An order made under the last preceding subsection may be enforced at the instance of the Minister by decree of either division of the Inner House of the Court of Session pronounced in a summary application presented for that purpose.

(5) If a return required to be made under this section is not made within the time specified in subsection (1) of this section the person in default shall be liable to a penalty not exceeding twenty pounds to be recovered by the Minister as a debt to the Crown is recoverable and notwithstanding the recovery of any such penalty the making of the return may be enforced at the instance of the Minister by decree of either division of the Inner House of the Court of Session pronounced in a summary application presented for that purpose.

28. Section 6 (Annual accounts to be sent to Minister) of the *Island of Arran Piers Order 1938* shall be read and have effect as if in place of the words "two months" wherever therein occurring there were substituted the words "three months".

*Amendment of
Island of Arran
Piers Order
1938.*

29. The revenue received from rates or otherwise under this *Application Order* shall be applicable for the purposes and in the order following of revenue. and not otherwise :—

- (a) in payment of the costs of and connected with the preparation and making and confirmation of this Order ;
- (b) in payment of the expense properly chargeable to revenue of the maintenance repair renewal and management of the piers and all conveniences connected therewith ;
- (c) in payment year by year of the interest accruing on moneys borrowed under this Order ;
- (d) in payment of the instalments as they become due in discharge of any moneys so borrowed and repayable by instalments and in forming a sinking fund for payment of principal moneys borrowed under this Order ;

(e) in making such payments (if any) as the Company think fit into a reserve fund and into a renewal fund established under the provisions of this Order ;

(f) in payment of dividends on the ordinary shares or stock of the Company.

Power to erect barricades.

30. The Company may in order to control traffic on the piers or within the pier limits on occasions when there may be an assembly of people erect such barricades or crush barriers as they deem necessary to prevent obstruction or may barricade off any area which they consider should be kept clear.

Parking places.

31.—(1) The Company may provide facilities within the pier limits for the parking of motor vehicles and for this purpose may erect barricades or fencing with relative offices waiting rooms and other conveniences.

(2) The Company may reserve land within the pier limits for use as an omnibus station or stance.

(3) The Company may make such reasonable charges as they think fit for the parking of motor vehicles within the pier limits and for the use of land reserved as aforesaid for an omnibus station or stance.

Power to erect pavilions and other buildings.

32. The Company may construct and maintain on the piers and may furnish and equip fishing-platforms pavilions assembly concert waiting refreshment recreation reading and other rooms automatic-machines bicycle-stands bandstands shops kiosks lavatories and other conveniences and they may also construct under the pier-head of the pier and maintain floating swimming baths and may provide passenger-carrying vehicles on the piers and may make such reasonable charges as they may determine for the use of such conveniences for admission to such buildings or places and for the use of such vehicles as aforesaid.

Power to set apart part of piers for special purposes.

33.—(1) The Company may set apart any part of any of the piers for exclusive use for the purpose of any concert or entertainment or any other special purpose and they may when such part of a pier or any such premises are so set apart demand and take or permit to be demanded or taken such reasonable sums as they may from time to time think fit and direct for the admission of persons thereto and may exclude therefrom all persons by whom the sums so directed to be demanded and taken have not been paid.

(2) The Company shall notwithstanding that part of a pier has been set apart under this section reserve a sufficient passage along the pier for all persons landing or embarking at the pier and that reserved passage shall be open for the use of such persons at the ordinary charge and without payment of any special charge authorised by this section so long as they use the pier as a passage only and do not remain upon the part of the pier set apart as aforesaid.

Abandonment of piers.

34.—(1) On the application of the trustees or the Company for an order authorising the abandonment of a pier and releasing them from liability to maintain such pier and from all statutory and other obligations in respect of such pier or in respect of or consequent on

the abandonment thereof the Minister (unless after considering the grounds of the application he decides not to grant the application) shall cause to be held such local inquiry as he may consider necessary and if it appears to the Minister after holding such inquiry that such pier is at the time of making the application unnecessary for the purposes of public transport the Minister may make an order to authorise the abandonment by the trustees or the Company as the case may be of such pier and may include in the order provisions subject to such conditions as he may think fit to release the trustees or the Company as the case may be from all liability to maintain such pier and from all statutory and other obligations in respect of such pier or in respect of or consequent on the abandonment thereof.

(2) Where the trustees or the Company propose to make an application to the Minister for an order under the foregoing subsection the trustees or the Company as the case may be shall publish in each of two successive weeks in at least one newspaper circulating in the Island of Arran in at least one newspaper circulating in the city and royal burgh of Glasgow and in the Edinburgh Gazette a notice—

(a) stating the purpose of the application ; and

(b) stating that within the period of three months from the date of the publication of the notice any person may by notice in writing to the Minister state his objection to the making of the order applied for.

(3) The provisions of subsections (2) to (9) of section 355 of the Local Government (Scotland) Act 1947 shall apply to all inquiries held by the Minister under the provisions of this section. 10 & 11 Geo. 6.
c. 43.

(4) As soon as may be after the holding of an inquiry under this section the trustees or the Company as the case may be shall publish in at least one newspaper circulating in the Island of Arran in at least one newspaper circulating in the city and royal burgh of Glasgow and in the Edinburgh Gazette a notice stating the effect of any order made by the Minister with respect to the application which was the subject of such inquiry.

(5) Where an order for the abandonment of a pier has been made by the Minister and comes into force in accordance with this section the trustees or the Company as the case may be may remove from such pier all or any of the buildings works machinery or apparatus constructed or erected within the pier limits in pursuance of the Piers Orders or this Order.

(6) This section in its application to the trustees shall come into operation on the date of the passing of the Act confirming this Order.

35.—(1) The Company may at any time with the previous consent in writing of and upon such terms conditions and restrictions as may be approved by the Minister sell the piers or any of them or any part thereof and the purchaser to the extent authorised by his conveyance shall have and may exercise all or any of the powers vested in the Company with respect to the piers or pier or part thereof so sold and shall be subject to all the liabilities and obligations to which the Company are subject and shall perform all the duties of the Company with respect to the piers or pier or part thereof so sold. Power to
Company
to sell.

(2) The Company shall within one month after the date of any conveyance made under this section deposit a certified copy thereof at the Ministry of Transport and shall upon failure to do so be liable on summary conviction to a penalty not exceeding twenty pounds.

Recovery of penalties.

36. Proceedings for any offence against this Order or against any byelaw made under this Order may be brought in the sheriff court of the sheriffdom of Ayr and Bute.

Inquiries by Minister.

37. Section 11 (Inquiries by Minister) of the Island of Arran Piers Order 1938 shall extend and apply with respect to inquiries under and for the purposes of this Order (except inquiries held under the section of this Order of which the marginal note is "Abandonment of piers") as if they were inquiries under and for the purposes of the Piers Orders.

For protection of North of Scotland Hydro-Electric Board.
45 & 46 Vict. c. 56.
62 & 63 Vict. c. 19.

38.—(1) Nothing in this Order shall extend to or authorise any interference with any electric lines or other works of the North of Scotland Hydro-Electric Board (in this section referred to as "the board") except in accordance with and subject to the provisions of section 15 of the Electric Lighting Act 1882 and section 17 of the schedule to the Electric Lighting (Clauses) Act 1899 and such provisions shall be deemed for the purposes of this section to extend to and include any electric line or work of the board whether or not such line or work is under any street or place authorised to be broken up by the board and whether such line or work is placed below upon or above the level of the ground.

(2) In this section the expressions "electric lines" and "works" have the same respective meanings as in the Electricity (Supply) Acts 1882 to 1936.

Crown rights.

39. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained shall authorise the Company 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 heritages subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands without the consent in writing of the Commissioners of Crown Lands on behalf of His Majesty first had and obtained for that purpose.

Copy of Order to be registered.

40.—(1) (a) The Company shall deliver to the Registrar of Companies a printed copy of this Order and the registrar shall retain and register it.

(b) If such copy is not so delivered within three months from the passing of the Act confirming this Order the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or officer of the Company who knowingly and wilfully authorises such default shall incur a like penalty.

(2) Every penalty under this section shall be recoverable summarily.

(3) There shall be paid to the registrar by the Company on such copy being registered the fee of five shillings.

41. This Order shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning (Scotland) Act 1947 for the purposes of subsection (4) of section 11 and subsection (1) of section 112 of that Act.

Saving for town and country planning.
10 & 11 Geo. 6.
c. 53.

42. Nothing in this Order shall authorise the execution of any works on over or under tidal lands below high-water mark of ordinary spring tides except in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Minister.

Works below high-water mark.

43.—(1) After the completion of the works by this Order authorised the Company shall at the outer extremity of those works below high-water mark of ordinary spring tides 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 Commissioners of Northern Lighthouses shall from time to time direct.

Permanent lights on works.

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

44. The provisions of the Orders specified in the Second Schedule to this Order shall on the commencement of this Order be hereby repealed.

Repeals.

45. All costs charges and expenses of and incidental 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 FIRST SCHEDULE

(Referred to in the section of this Order of which the marginal
note is "Power to levy rates")

I. RATES ON VESSELS

(1) *Tonnage rates on vessels other than fishing vessels exclusive of
their cargoes*

	£	s.	d.
All vessels entering within the pier limits under fifty tons per registered ton	0	0	8
All vessels of fifty tons and under one hundred tons entering within the pier limits per registered ton ...	0	1	0
All vessels of one hundred tons and upwards entering within the pier limits per registered ton	0	1	2
Steam vessels same rates as sailing vessels.			

(2) *Rates on fishing vessels exclusive of their cargoes*

Every vessel on each occasion of loading or discharging herrings within the pier limits	0	5	0
Or in full of rates per annum payable in advance ...	2	0	0
Every vessel on each occasion of loading or discharging white fish within such limits	0	2	0
Or in full of rates per annum payable in advance ...	0	15	0

II. RATES ON GOODS SHIPPED UNSHIPPED OR TRANSHIPPED WITHIN
THE PIER LIMITS

	£	s.	d.
Ale beer and porter per 54 gallons	0	0	8
Ale beer and porter per 18 gallons	0	0	6
Ale bottled per dozen bottles	0	1	0
Anchors per cwt.	0	1	6
Anchor stock per cwt.	0	1	6
Bark per ton	0	4	0
Bedding per bundle of 28 lbs.	0	0	6
Biscuit or bread per cwt.	0	0	8
Blubber per 252 gallons	0	6	0
Bones and bone dust per ton	0	3	0
Bottles per crate of 6 dozen or under	0	0	8
Bricks per ton	0	3	0
Butter and lard for smearing or other smearing grease per 3 cwt.	0	1	0
Butter eating salt or fresh per 56 lbs.	0	0	4
Cables iron or hempen per ton	0	6	0
Canvas per 36 yards	0	0	2
Carriages—			
Motor cars each	0	8	0
Chaises and other four wheeled carriages each ...	0	4	0
Gigs and other two wheeled carriages each ...	0	2	0
Carts each	0	2	0
Hand-carts and perambulators each	0	0	6
Casks (empty) each not being returned packages ...	0	0	2

	£	s.	d.	1ST SCH.
Cattle—				
Bulls each	0	1	0	—cont.
Cows and oxen each	0	1	0	
Horses ponies and foals each	0	4	0	
Sheep and lambs per score	0	2	0	
For any smaller number than 12 each sheep ...	0	0	2	
Goats each	0	0	4	
Pigs each	0	0	8	
Other animals (live) not particularly enumerated each	0	2	0	
Cement per cwt. bag	0	0	4	
Chalk per ton	0	2	0	
Cheese each	0	0	4	
Chimney pots each	0	0	6	
Cinders and charcoal per ton	0	1	0	
Clay per ton	0	2	0	
Cloth haberdashery &c. per package not exceeding 1 cwt.	0	0	4	
Coals per ton	0	2	0	
Copper per ton	0	6	0	
Cordage per cwt.	0	0	6	
Cork per cwt.	0	1	0	
Crystal crockery &c. per cwt.	0	0	8	
Clams per 37½ gallons	0	2	0	
Crabs per dozen	0	0	4	
Cycles (not motor) each	0	0	4	
Dogs each when not the property of those in charge of cattle or sheep being shipped unshipped or transhipped	0	0	4	
Drugs (in casks hampers or boxes) per ½ cwt.	0	0	4	
Earthenware (in casks hampers or boxes) per cwt. ...	0	0	8	
Eggs per 10 dozen	0	1	0	
Eggs box of under 10 dozen	0	0	4	
Firkins and jars each	0	0	4	
Fish (dried or salted) per cwt.	0	0	6	
Fish (fresh)—				
Boxes containing not more than 2 cwt. each ...	0	0	8	
Boxes containing not more than 1 cwt. each ...	0	0	6	
Cod ling skate turbot and halibut per score ...	0	0	2	
Salmon grilse sea trout or bull trout each ...	0	0	2	
Salmon grilse sea trout or bull trout per cwt. ...	0	2	0	
Fish boxes (empty) each	0	0	2	
Flax per ton	0	6	8	
Flour and meal per 112 lbs.	0	0	4	
Fruit of all kinds per cwt.	0	1	0	
Furniture (household) per cwt.	0	0	8	
Game of all kinds per score	0	6	0	
Glass per cwt.	0	0	8	
Grains including barley beans Indian corn malt oats peas rye seeds of all kinds and feeding stuffs per 112 lbs. ...	0	0	4	
Groceries not enumerated per cwt.	0	0	4	
Guano per cwt.	0	0	4	
Gunpowder per 100 lbs.	0	1	0	
Haddocks (smoked) per 300 fish	0	0	8	
Hams bacon or tongues per cwt.	0	1	0	
Hardware per ton	0	5	0	

1st SCH.
—cont.

	£	s.	d.
Hay and straw per ton	0	3	0
Hay per 56 lbs.	0	0	4
Hemp per ton	0	6	0
Herrings per cwt.	0	0	6
Hides—			
Ox cow or horse (wet or dry) each	0	0	4
Hoops of wood all of the size of puncheon hoops and under per 1,200	0	1	6
All above per 1,200	0	2	0
Iron hoops per cwt.	0	0	4
Iron—			
Bar bolt rod and sheet per cwt.	0	0	4
Pig and old per cwt.	0	0	4
Manufactured per cwt.	0	0	4
Pots each	0	0	2
Grates stoves and other ironmongery per cwt.	0	0	4
Kelp per ton	0	2	0
Lead per cwt.	0	0	4
Leather tanned and dressed per cwt.	0	1	0
Lime per bag not exceeding 2 cwt.	0	0	4
Limestone per ton	0	2	0
Lobsters per dozen	0	0	4
Machinery per ton	0	10	0
Masts and spars 10 inches in diameter and upwards each	0	5	0
Meat fresh per cwt.	0	1	0
Meat salted or otherwise preserved per cwt.	0	1	6
Milk per gallon	0	0	1
Motor-cycle and sidecar each	0	2	0
Motor-cycle each	0	1	4
Nets per cwt.	0	0	4
Oakum per cwt.	0	0	4
Oils per barrel not exceeding 42 gallons	0	0	6
Oil cake per bag not exceeding 2 cwt.	0	0	4
Ores per ton	0	2	0
Oysters per hundred	0	0	6
Paint per cwt.	0	1	0
Peats per ton	0	2	0
Piano cottage each	0	2	0
Piano large or grand each	0	3	0
Pitch per cwt.	0	0	8
Potatoes per bag or barrel over 1 cwt.	0	0	4
Potatoes per bag or barrel under 1 cwt.	0	0	2
Poultry per dozen	0	2	0
Rags and old rope per cwt.	0	0	4
Rabbits per dozen	0	0	8
Sails per cwt.	0	1	0
Salt per cwt.	0	0	2
Sand per ton	0	1	4
Shell fish other than those herein particularly specified per cwt.	0	0	4
Shrimps per basket not exceeding 1 cwt.	0	0	4

	£	s.	d.	1ST SCH.
Skins—				
Calf goat sheep lamb or dog per score or bundle ...	0	1	0	1ST SCH. —cont.
Slates per ton	0	4	0	
Snuff per cwt.	0	1	0	
Spirits per 63 gallons	0	2	0	
Spirits per 36 gallons	0	1	0	
Spirits per gallon	0	0	4	
Sprats or garvies per 37½ gallons	0	0	8	
Stones asphalt pipes or other building or heavy material per ton	0	4	0	
Steel per cwt.	0	0	4	
Sugar per cwt.	0	0	6	
Tallow soap and candles per cwt.	0	0	4	
Tar per cwt.	0	0	4	
Tea per 84 lbs.	0	2	0	
Tiles per ton	0	4	0	
Tin and zinc per ton	0	4	0	
Tobacco per cwt.	0	1	0	
Turnips per ton	0	3	0	
Turpentine and varnish per gallon	0	0	2	
Turtle each	0	5	0	
Vegetables not enumerated per cwt.	0	0	4	
Vinegar per 54 gallons	0	2	0	
Vitriol per 10 gallons	0	2	0	
Wine in bottles per dozen	0	0	8	
Wood—				
Fir pine and other descriptions not enumerated per 50 feet	0	3	0	
Oak or wainscot per 50 feet	0	4	0	
Firewood per 216 cubic feet	0	3	0	
Laths and lathwood per 216 cubic feet	0	5	0	
Handspikes per 120	0	6	0	
Oars per 120	0	10	0	
Spars under 22 feet in length above 2½ and under 4 inches in diameter per 120	0	10	0	
Spars 2½ inches in diameter and under per 120	0	8	0	
Spars 22 feet in length and upwards and not exceed- ing 4 inches in diameter per 120	0	18	0	
Spars above 4 and under 6 inches in diameter per 120	1	8	0	
Spokes of wheels not exceeding 2 feet in length per 120	0	4	0	
Spokes of wheels exceeding 2 feet in length per 120	0	6	0	
Trenails per 1,000	0	5	0	
Wedges per 1,000	0	5	0	
Pipe staves and others in proportion per 120	0	5	0	
Herring barrel staves per 1,000 superficial feet	0	2	4	
Lignum vitæ fustic logwood mahogany and rose- wood per ton	0	4	0	
Wool per 240 lbs.	0	1	0	
Yarn—				
Lint per cwt.	0	0	4	
Cotton per cwt.	0	0	4	

1st SCH.
—cont.

							£	s.	d.
Yarn—cont.									
	Tow per cwt.	...	...	...	...	0	0	3
	Hemp per cwt.	...	...	...	...	0	0	3
	Worsted per cwt.	...	...	...	...	0	0	8
All other goods not particularly enumerated above—									
	Parcels boxes or hampers per cwt.	...	...	...	...	0	0	4
	Small parcels under 28 lbs.	...	...	...	...	0	0	2
	Heavy goods per cwt.	...	...	...	...	0	0	4

In charging the rates on goods the gross weight or measurement of all goods to be taken fractional parts of any weight measure number or value shall be charged proportionately and the minimum charge for a single package shall be twopence.

In weighing and measuring packages to be included.

III. RATES FOR USE OF CRANES WEIGHING MACHINES AND SHEDS

1.—Rates of cramage

							£	s.	d.
All goods or packages not exceeding one ton ...							0	0	8
Exceeding one ton and not exceeding two tons ...							0	1	0
Exceeding two tons and not exceeding three tons ...							0	1	4
Exceeding three tons and not exceeding four tons ...							0	1	8
Exceeding four tons and not exceeding five tons ...							0	2	0
Exceeding five tons and not exceeding six tons ...							0	2	4
Exceeding six tons and not exceeding seven tons ...							0	2	8
Exceeding seven tons and not exceeding eight tons ...							0	3	0
Exceeding eight tons and not exceeding nine tons ...							0	3	8
Exceeding nine tons and not exceeding ten tons ...							0	4	8
Exceeding ten tons ...							0	7	0

2.—Rates for weighing machines

For goods weighed for each ton or part of a ton	0	0	4
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3.—Rates for sheds

For each ton or forty cubic feet of goods which shall remain in the sheds or on the pier or other works for a longer time than forty-eight hours the sum of 2s. and the sum of 1s. per ton or forty cubic feet for each day during which such goods shall remain after first forty-eight hours.

For any portmanteau trunk parcel or other article of passengers' luggage for each day or part of a day after first twenty-four hours per package	0	0	4
--	-----	---	---	---

IV. RATES FOR SUPPLYING WATER

Water per 1,000 gallons ...	...	0	5	0
Water minimum charge for trading vessels ...	...	0	10	0
Water minimum charge for fishing boats ...	...	0	5	0

V.—RATES ON PASSENGERS AND PASSENGERS' LUGGAGE LANDED FROM OR EMBARKED IN ANY VESSEL WITHIN THE PIER LIMITS

For every person of twelve years of age and over landing from or embarking in any vessel	0	0	4
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	£	s.	d.	1ST SCH. —cont.
For every person under twelve years of age with parent guardian master or servant	0	0	2	
Children in arms free.				
Servants going for or with luggage not to be charged but the luggage to be paid for as below.				
Passengers' luggage each article unless carried by themselves	0	0	4	

THE SECOND SCHEDULE

(Referred to in the section of this Order of which the marginal note is "Repeals")

(1) Title of Order	(2) Extent of repeal
Lamlash Pier Order 1883	Sections 5 7 19 21 22 30 and the schedule
Loch Ranza Pier Order 1886	Sections 6 8 20 22 23 31 and the schedule
Whiting Bay Pier Order 1897	Sections 7 8 10 16 18 29 30 37 41 43 and the schedule
Brodick Lamlash Loch Ranza and Whiting Bay Piers Order 1920	Sections 7 19 23 28 34 and the schedule
Island of Arran Piers Order 1938 ...	Sections 5 8 and 10

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Ch. vi

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