



# Transport Act 1981

## CHAPTER 56

### TRANSPORT ACT 1981

#### PART I

- 1 Railways Board's powers of disposal.
- 2 The new harbours company.
- 3 Power of Secretary of State to give directions.
- 4 Provisions supplementary to ss. 1 to 3.

#### PART II

##### RECONSTITUTION OF BRITISH TRANSPORT DOCKS BOARD

- 5 Associated British Ports and its Holding Company.
- 6 The financial structure.
- 7 Constitution of Associated British Ports, etc.
- 8 Powers of Associated British Ports.
- 9 General duties of Associated British Ports.
- 10 Provisions of the Companies Acts applying to Associated British Ports.
- 11 Payments to Holding Company out of profits of Associated British Ports.
- 12 Documents to be kept available for inspection.
- 13 Transfer of functions of Holding Company.
- 14 Provisions supplementary to ss. 5 to 13.

#### PART III

##### DISSOLUTION OF NATIONAL PORTS COUNCIL AND AMENDMENT OF THE HARBOURS ACT 1964

- 15 Dissolution of National Ports Council.

*Status: Point in time view as at 31/03/1994.*

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- 16 Levy of contributions from harbour authorities.
- 17 Charging schemes.
- 18 Amendments of the Harbours Act 1964.

**PART IV**

19—31 .....

**PART V**

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*Miscellaneous*

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- 33, 34 .....
- 35 Charges for licensing of cabs and cab drivers.
- 36 Grants to assist the provision of facilities for freight haulage by inland waterway.
- 37 Railway etc. byelaws: increase in penalties.
- 38 Fires caused by railway engines.
- 39 Amendment of Schedules 7 and 8 to the Public Passengers Vehicles Act 1981.

*General*

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- 41 Northern Ireland.
- 42 Expenses.
- 43 Short title.

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**SCHEDULES**

**SCHEDULE 1 —**

*Pensions*

- 1 (1) The Secretary of State may make such orders under...

*Transport police*

2 .....

*Charges*

- 3 (1) The harbours company shall, in the exercise of statutory...
- 4 .....

*Provision of services for related companies*

5 .....

*Leases of vessels*

6 .....

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*Repeal of powers to provide shipping services and to provide and manage hotels*

7 .....

*Local enactments*

8 .....

SCHEDULE 2 — Further Provisions with respect to the Constitution and Proceedings of Associated British Ports and Related Matters

*Preliminary*

1 In this Schedule “director” means a director of Associated British...

*Remuneration and other payments*

2 (1) The remuneration and allowances payable to directors by Associated...

*Resignation and vacation of office*

3 (1) A director may resign his office by notice in...

*Proceedings of the directors*

4 (1) Subject to any rules which may be prescribed by...

*Chairman and deputy chairman*

5 (1) The directors may elect a chairman of their meetings...

*Committees of directors*

6 (1) The directors may delegate any of their powers to...

*Executive directors*

7 (1) The directors may appoint one or more of their...

*Secretary*

8 (1) The directors shall appoint a secretary of Associated British...

9 The fixing of the common seal of Associated British Ports...

*Auditors*

10 (1) The auditors of Associated British Ports shall be appointed...

*Validity of proceedings notwithstanding formal defects*

11 (1) The validity of proceedings of the directors is not...

SCHEDULE 3 — Powers of Associated British Ports

*Preliminary*

1 Each of the powers conferred on Associated British Ports by...

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*Operation of harbours and provision of port facilities*

- 2 Associated British Ports has power to operate its harbours and...

*Consignment and carriage of goods*

- 3 (1) Associated British Ports may consign goods on behalf of...

*Activities as ship's agent*

- 4 Associated British Ports may carry on at its harbours the...

*Storage of goods*

- 5 Associated British Ports may provide facilities for the storage of...

*Development of land*

- 6 (1) Associated British Ports may develop in such manner as...

*Pipelines*

- 7 (1) Associated British Ports may construct and operate pipelines in...

*Incidental amenities and facilities*

- 8 (1) In places where those using the services and facilities...

*Other activities*

- 9 Associated British Ports may carry on any business which in...  
10 (1) Associated British Ports may manufacture for sale to any...  
11 Associated British Ports may provide for any person technical advice...

*Acquisition of further harbour undertakings*

- 12 (1) Associated British Ports may, either alone or together with...

*Disposal and discontinuance of parts of Associated British Ports' undertaking, etc.*

- 13 (1) Associated British Ports may dispose of any part of...

*Power to promote and oppose Bills*

- 14 (1) Associated British Ports may promote Bills in Parliament and...

*Training, education and research*

- 15 (1) Associated British Ports may do anything it thinks fit...

*Provision of accommodation, etc.*

- 16 (1) Associated British Ports may provide houses, hostels and other...

*Pensions*

- 17 (1) Associated British Ports may pay pensions and enter into...

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*Acquisition of land*

- 18 (1) Associated British Ports has power to acquire land for...

*Compulsory purchase of land*

- 19 (1) Subject to sub-paragraph (2), the Secretary of State may...

*Charges*

- 20 (1) Subject to sub-paragraph (2), Associated British Ports may make...

*Borrowing and guarantees*

- 21 (1) Subject to sub-paragraph (5), Associated British Ports may borrow...

*Restrictions on certain descriptions of financial arrangement*

- 22 (1) The Holding Company may from time to time impose...

*General supplementary powers*

- 23 Associated British Ports may purchase, manufacture or repair anything required...  
24 Associated British Ports may acquire any undertaking of part of...  
25 Associated British Ports may, for the purposes of its business,...  
26 Associated British Ports may, for the purpose of its business,...  
27 Associated British Ports may— (a) invest any sums not immediately...  
28 Associated British Ports may do all other things which in...

*Subsidiaries*

- 29 (1) Associated British Ports may form and promote, or join...

*Working agreements, etc.*

- 30 (1) Associated British Ports may enter into an agreement with...

*Powers in relation to public transport authorities*

- 31 (1) Associated British Ports may purchase, manufacture or repair anything...

*Interpretation*

- 32 In this Schedule— (a) references to selling and purchasing include...

SCHEDULE 4 — Provisions Supplementing Sections 5 to 13  
Part I — SUPPLEMENTARY AND CONSEQUENTIAL PROVISIONS

*Provisions of Harbours Act 1964 and Docks and  
Harbours Act 1966 applying to Associated British Ports*

- 1 (1) In the definition of “the Boards” in section 57(1)...

*Provisions of Transport Act 1962 and Transport Act  
1968 continuing to apply to Associated British Ports*

- 2 (1) Except as provided by the following provisions of this...

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*Restriction on cross-eligibility under existing pensions orders*

3 (1) In this paragraph “pensions order” means an order made...

*Pensions orders made on or after the appointed day*

4 (1) In this paragraph “pensions order” has the same meaning...

*Appointment of members of Local Boards*

5 (1) As from the appointed day the members of the...

*Payments for making up of private streets*

6 In section 219 of the Highways Act 1980 (payments to...

*Taxation*

7 (1) . . . . .

*Application of Trustee Investments Act 1961 to securities of the Holding Company*

8 For the purposes of paragraph 3(b) of Part IV of...

*Wholly-owned subsidiaries of Associated British Ports to be treated as statutory undertakers*

9 So far as the activities of any wholly-owned subsidiary of...

Part II — TRANSITIONAL PROVISIONS AND SAVINGS

*Directors of Associated British Ports*

10 (1) The persons who immediately before the appointed day were...

*Chairman and deputy chairman*

11 The persons who immediately before the appointed day were chairman...

*Accounts and annual report*

12 (1) For the purposes of sections 24 and 27(8) of...

*Profits attributable to periods before the appointed day*

13 (1) The profits of Associated British Ports out of which...

*Charges*

14 Any charges in force immediately before the appointed day in...

*Debts owed by harbour authorities to Secretary of State*

15 This Act does not affect any liability of a harbour...

*Instruments issued by the British Transport Docks Board*

16 Nothing in this Act affects the operation of paragraph 5...

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*Local and private enactments*

17 This Act does not affect the operation of local or...

SCHEDULE 5 — PROVISIONS SUPPLEMENTING SECTIONS 15 TO 17  
Part I — FURTHER PROVISIONS RELATING TO THE DISSOLUTION OF THE  
NATIONAL PORTS COUNCIL

*Duty of Council to facilitate the carrying into effect of section 15 and this Schedule*

1 It is the duty of the Council to give to...

*Final accounts of the Council*

2 (1) The Council shall (if they have not done so...

*Disposal of confidential documents belonging to the Council*

3 (1) It is the duty of the Council to set...

*Continuance of Council until residual functions completed to Secretary of State's satisfaction*

4 (1) No amendment or repeal made by this Act affects—...

*Modification of agreements and documents*

5 (1) Every agreement, other than a contract of employment, to...

*Legal remedies and pending proceedings*

6 (1) Where any right, liability or obligation is transferred to...

*Compensation for loss of office*

7 If it appears to the Secretary of State that a...

*Compensation for loss of employment*

8 (1) The Council shall, if they have not done so...

*Pensions*

9 (1) In this paragraph— (a) “the pension scheme” means the...

*Transfer to the Secretary of State of certain of the Council's former functions*

10 (1) In section 30(4) of the Harbours Act 1964 (duty...

*Information for the Secretary of State*

11 In section 41 of the Harbours Act 1964 (power to...

*Pending proceedings for harbour reorganisation scheme*

12 A harbour reorganisation scheme submitted to the Secretary of State...

13 .....

*Textual amendments to facilitate repeals*

14 (1) The following amendments (which do not alter the effect...

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*Power to adjust local enactments*

- 15 (1) If it appears to the Secretary of State that...  
Part II — FURTHER PROVISIONS WITH RESPECT TO CHARGING SCHEMES

*Preliminary*

- 16 In the following provisions of this Schedule “charging scheme” and...

*Procedure for making charging scheme*

- 17 (1) Before he makes a charging scheme the Secretary of...

*Supplementary and incidental provisions*

- 18 A charging scheme may include such supplementary and incidental provisions...

*Information*

- 19 (1) Without prejudice to the generality of paragraph 18, a...

*Repayments and avoidance of over-payments*

- 20 If it appears to the Secretary of State that the...

SCHEDULE 6 — AMENDMENTS OF THE HARBOURS ACT 1964

*Abolition of power to make certain grants for harbour works, etc.*

- 1 Section 12 (power to give assistance to harbour authorities by...

*Consolidation, etc. of local enactments by harbour revision orders*

- (2) In section 14 (harbour revision orders) after subsection (2) there...

*Ancillary provisions in harbour revision and empowerment orders and harbour reorganisation schemes*

- 3 In section 14(3), 16(6) and 18(2)(i) (ancillary provisions which may...

*Harbour revision and empowerment orders not subject to special parliamentary procedure in certain cases*

- 4 (1) Sections 14(6) and 16(8) (which make all harbour revision...

*Power to reduce Ministerial appointments to harbour authorities*

- 5 (1) The following section is inserted after section 15— Ministers’ ...

*Secretary of State’s power to make harbour reorganisation schemes of his own motion*

- 6 (1) In section 18 (harbour reorganisation schemes) the following subsection...

*Abolition of power to make control of movement orders*

- 7 Sections 20 to 25 and Schedule 5 (control of movement...



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*Ship, passenger and goods dues and other charges*

- 8 (1) After section 27 there is inserted— Combined charges. (1) Where a harbour authority have power, whether by virtue...

*Abolition of power to revise certain charges*

- 9 (1) Sections 32 to 34 (powers of Ministers to revise...

*Accounts and reports relating to harbour activities and associated activities*

- 10 For section 42 (accounts relating to harbour undertakings) there is...

*Inquiries*

- 11 (1) In section 47(1) (which as amended by section 272(2)...

*Abolition of preliminary consideration of application for harbour revision or empowerment order*

- 12 Paragraph 2 of Schedule 3 (Secretary of State’s preliminary consideration...

*Penalties for offences*

- 13 (1) . . . . .  
14 (1) Section 14(3) and 16(6) (penalties which may be provided...  
15 (1) In sections 45(i) and 46(2)(a) (penalties on summary conviction...

SCHEDULE 7 — . . .

SCHEDULE 8 — . . .

SCHEDULE 9 — Consequential and Minor Amendments of Road Traffic Act 1972 and Section 56 of the Criminal Justice Act 1967

Part I — . . .

Part II — SECTION 56 OF THE CRIMINAL JUSTICE ACT 1967 (C. 80)

- 25 The words “ or section 19 of the Transport Act...

SCHEDULE 10 — Road Humps

Part I — PROVISION FOR ENGLAND AND WALES

- 1 In section 62(3) of the Highways Act (descriptions of works...  
2 The following provisions are inserted after section 90 of the...  
3 In section 329(1) of the Highways Act 1980 (interpretation) the...

Part II — PROVISION FOR SCOTLAND

*Construction of road humps by highway authority*

- 4 A highway authority may construct road humps in a highway...

*Additional powers of the Secretary of State*

- 5 (1) The Secretary of State may, with the consent of...

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*Consultation and local inquiries*

6 (1) Where the Secretary of State or a local highway...

*Regulations concerning construction and maintenance of road humps*

7 (1) The Secretary of State may by regulations make such...

*Status of road humps*

8 (1) Where a road hump conforms to regulations under paragraph...

*Interpretation and construction*

9 (1) In this Part— “ motor vehicle ” has the...

SCHEDULE 11 —

.....

SCHEDULE 12 — Repeals

Part I — REPEALS CONSEQUENTIAL ON PART II

Part II — REPEALS CONSEQUENTIAL ON PART II

Part III — REPEALS CONSEQUENTIAL ON PARTS IV AND V

**Status:**

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