

*Status: This version of this provision is prospective.*

*Changes to legislation: Transport Act 1982, Section 66 is up to date with all changes known to be in force on or before 12 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



# Transport Act 1982

## 1982 CHAPTER 49

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Miscellaneous*

PROSPECTIVE

- 66 Powers exercisable in relation to harbour authorities in the interests of national defence.**
- (1) If it appears to the Secretary of State that there is anything which a harbour authority ought in the interests of national defence—
    - (a) to have power to do in connection with any harbour which they are engaged in improving, maintaining or managing; or
    - (b) to be required to do in connection with any such harbour;he may authorise or direct the authority to do that thing.
  - (2) No limitation on the powers of a harbour authority contained in any statutory provision, whenever passed or made, shall prevent the authority from acting in accordance with an authorisation or direction given under subsection (1) above.
  - (3) A harbour authority or any other person who suffers injury, loss or damage in consequence of anything done in pursuance of an authorisation or direction given under subsection (1) above shall be entitled to receive from the Secretary of State such compensation as may be agreed or as may, in default of agreement, be determined by arbitration to be just having regard to all the circumstances of the particular case.
  - (4) An arbitration under subsection (3) above shall, unless otherwise agreed, be the arbitration—
    - (a) in England and Wales or Northern Ireland, of a single arbitrator to be appointed by the Lord Chancellor; and

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- (b) in Scotland, of a single arbiter to be appointed by the Lord President of the Court of Session.
- (5) Any compensation payable by the Secretary of State under this section shall be paid out of money provided by Parliament.
- (6) Any authorisation or direction given to a harbour authority by the Secretary of State under subsection (1) above shall be in writing; and it shall be the duty of any harbour authority to comply with any directions given to them under that subsection.
- (7) In this section “harbour”, “harbour authority” and “statutory provision” have—
  - (a) in relation to England, Wales and Scotland, the same meaning as in the <sup>M1</sup>Harbours Act 1964; and
  - (b) in relation to Northern Ireland, the same meaning as in the <sup>M2</sup>Harbours Act (Northern Ireland) 1970.

#### Marginal Citations

**M1** 1964 c. 40.

**M2** 1970 c. 1 (N.I.)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 10(2)(b)-(d) substituted for s. 10(2)(b)(c) by [1999 c. 12 Sch. para. 2\(c\)](#)
- s. 10(2)(aa) inserted by [1999 c. 12 Sch. para. 2\(b\)](#)
- s. 70(2)(a)(iA) repealed by [2012 c. 5 Sch. 14 Pt. 9](#)