



Harbours, Docks and Piers Clauses Act 1847

1847 CHAPTER 27 10 and 11 Vict

Interpretations in this Act

And with respect to the construction of this Act, and any Act incorporated therewith, be it enacted as follows:

2

The expression “the special Act” used in this Act shall be construed to mean any Act which shall be hereafter passed authorizing the construction or improving of an harbour, dock, or pier, and with which this Act shall be incorporated; and the word “prescribed” used in this Act in reference to any matter herein stated shall be construed to refer to such matter as the same shall be prescribed or provided for in the special Act, and the sentence in which such word occurs shall be construed as if instead of the word “prescribed” the expression “prescribed for that purpose in the special Act” had been used; and the expression “the prescribed limits” used with reference to the harbour, dock, or pier shall mean the distance measured from the harbour, dock, or pier, or other local limits (if any) beyond the harbour, dock, or pier, within which the powers of the harbour master, dock master, or pier master, for the regulation of the harbour dock, or pier, shall by the special Act be authorized to be exercised; and the expression “the lands” shall mean the lands which shall by the special Act be authorized to be taken or used for the purposes thereof; the expression “the harbour, dock, or pier” shall mean the harbour, dock, or pier, and the works connected therewith, by the special Act authorized to be constructed; the expression “the harbour master” shall mean, with reference to any such harbour the harbour master, and with reference to any such dock the dock master, and with reference to any such pier the pier master, respectively appointed by virtue of this or the special Act, and with respect to all Acts authorized or required to be done by such harbour master, dock master, or pier master, shall include the assistants of every such harbour master, dock master, or pier master; and the expression “the undertakers” shall mean the persons by the special Act authorized to construct the harbour, dock, or pier, or otherwise carry into effect the purposes of the special Act with reference thereto.

Status: Point in time view as at 04/03/2021.

Changes to legislation: Harbours, Docks and Piers Clauses Act 1847, Cross Heading: Interpretations in this Act is up to date with all changes known to be in force on or before 02 June 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)

Modifications etc. (not altering text)

- C1** Ss. 1-3 incorporated (with modifications) (E.W.S.) (16.8.2012) by [The Hinkley Point Harbour Empowerment Order 2012 \(S.I. 2012/1914\)](#), arts. 1(1), **3** (with arts. 34, 35, 37, 40)
- C2** Ss. 1-4 incorporated (with modifications) (S.) (13.2.2013) by [The Caledonian Maritime Assets \(Lochaline Ferry Services Slipway\) Harbour Empowerment Order 2013 \(S.S.I. 2013/46\)](#), arts. 1, **3** (with arts. 21-23)
- C3** Ss. 1-4 incorporated (with modifications) (S.) (2.11.2013) by [The Whitehills Harbour and Marina \(Constitution\) Order 2013 \(S.S.I. 2013/308\)](#), arts. 1(1), **3**
- C4** Ss. 1-4 incorporated (with modifications) (S.) (5.6.2014) by [The Pennan Harbour Revision Order 2014 \(S.S.I. 2014/158\)](#), arts. 1(1), **3(2)-(5)**
- C5** Ss. 1-4 incorporated in part (with modifications) (S.) (19.8.2014) by [The Port of Ardersier Harbour Revision Order 2014 \(S.S.I. 2014/224\)](#), arts. 1(1), **3** (with arts. 31, 32, 34)
- C6** Ss. 1-4 incorporated (with modifications) (S.) (14.1.2015) by [The Caledonian Maritime Assets \(Brodict\) Harbour Revision Order 2015 \(S.S.I. 2015/6\)](#), arts. 1, **3(1)-(4)** (with arts. 21, 53(3), 55, 57)
- C7** Ss. 1-4 incorporated (with modifications) (S.) (18.3.2016) by [The Lochboisdale and Gasay Port \(Harbour Empowerment\) Order 2016 \(S.S.I. 2016/156\)](#), arts. 1, **3** (with arts. 31, 32)
- C8** Ss. 1-4 incorporated (with modifications) (S.) (26.11.2016) by [The Gardenstown Harbour Revision Order 2016 \(S.S.I. 2016/396\)](#), arts. 1(1), **3(2)-(5)**
- C9** Ss. 1-4 incorporated (with modifications) (S.) (10.6.2017) by [The Tobermory Harbour Empowerment Order 2017 \(S.S.I. 2017/196\)](#), arts. 1, **3** (with arts. 36-40)
- C10** Ss. 1-4 incorporated (with modifications) (S.) (8.6.2018) by [The Dumfries and Galloway Council \(Kirkcudbright\) Harbour Revision Order 2018 \(S.S.I. 2018/188\)](#), arts. 1, **3** (with arts. 14, 35(3), 38, 39, 40, 41)
- C11** Ss. 1-4 incorporated (with modifications) (S.) (4.3.2021) by [The Eyemouth Harbour Revision Order 2021 \(S.S.I. 2021/118\)](#), arts. 1(1), **3(2)-(5)** (with arts. 36, 37)

3 Interpretations in this and the special Act.

The following words and expressions in both this and the special Act, and any Act incorporated therewith, shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say,)

Words importing the singular number only shall include the plural number, and words importing the plural number only shall include the singular number:

Words importing the masculine gender only shall include females:

The word “person” shall include corporation, whether aggregate or sole:

The word “lands” shall include messuages, lands, tenements, and hereditaments, or heritages, of any tenure:

The word “vessel” shall include ship, boat, lighter, and craft of every kind, and whether navigated by steam or otherwise:

The word “master” when used in relation to any vessel, shall be understood to mean the person having the command or charge of the vessel for the time being:

The word “owner”, when used in relation to goods, shall be understood to include any consignor, consignee, shipper, or agent for sale or custody of such goods, as well as the owner thereof:

The word “goods” shall include wares and merchandize of every description, and all articles in respect of which rates or duties are payable under the special Act:

The word “rate” shall mean any rate or duty or other payment in the nature thereof payable under the special Act:

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The expression “the collector of rates” shall mean the person appointed by the undertakers to collect the rates by the special Act authorized to be levied by them, and shall include the assistants of such collector:

The word “month” shall mean calendar month:

The expression “superior courts,” where the matter submitted to the cognizance of the superior courts arises in England or Ireland, shall mean her Majesty’s superior courts of record at [^{F1}the Royal Courts of Justice] or [^{F2}Belfast], as the case may require, . . . ^{F3} and where such matter arises in Scotland, shall mean the Court of Session:

..... ^{F4}
^{F5} . . .

[^{F6}The word “justice” shall mean justice of the peace acting for the place where the matter requiring the cognizance of any such justice arises, and where such matter arises in respect of lands situate not wholly in any one jurisdiction, shall mean a justice acting for the place where any part of such lands shall be situate; and where any matter shall be authorized or required to be done by two justices, the expression “two justices” shall be understood to mean two or more justices met and acting together:]

The word “sheriff” shall mean [^{F7}the sheriff principal of the sheriffdom] . . . ^{F8} in Scotland . . . ^{F3} in which the matter submitted to the cognizance of the sheriff arises, and shall include the [^{F9}sheriff] . . . ^{F3}.
^{F5} . . .

..... ^{F10}

Textual Amendments

- F1** Words substituted by virtue of [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\), s. 224\(1\)](#)
- F2** Words substituted by virtue of [S.R. & O. 1921/1804 \(Rev. XVI, p. 967: 1921, p. 422\), art. 7 \(b\)](#)
- F3** Words repealed by [Statute Law Revision Act 1891 \(c. 67\)](#)
- F4** Words repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\), s. 1\(1\), Sch. 1 Pt. VIII](#)
- F5** S. 3 definitions of “county” and “quarter sessions” repealed (N.I.) by [Statute Law Revision \(Northern Ireland\) Act 1980 \(c. 59\), s. 1, Sch. Pt. I](#); s. 3 definitions of “county” and “quarter sessions” wholly repealed by [1993 c. 50, s. 1\(1\), Sch. 1 Pt. XIV Group 1](#)
- F6** Words in s. 3 repealed (E.W.S.) (1.4.2005) by [Courts Act 2003 \(c. 39\), s. 110\(1\), Sch. 8 para. 28, 10; S.I. 2005/910, art. 3\(y\)](#)
- F7** Words substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\), s. 4, Sch. 1 para. 1](#)
- F8** Words repealed by [Statute Law Revision Act 1893 \(c. 14\)](#)
- F9** Word substituted by virtue of [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\), s. 4](#)
- F10** Definition of “Lords of the Admiralty” repealed by [Statute Law Revision Act 1891 \(c. 67\)](#)

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[^{F11}3A. Interpretation: the Crown Estate and Scotland

In this Act, in relation to any property, rights or interests to which section 90B(5) of the Scotland Act 1998 applies—

- (a) any reference to the Crown Estate Commissioners is to be read as a reference to the person having management of the property, rights or interests concerned, and
- (b) the reference in section 12 to “the previous consent of Her Majesty to be signified in writing under the hands of two of the Crown Estate Commissioners” is to be read as a reference to the consent of Her Majesty as signified by the consent of the person having management of the property, right or interest concerned.]

Textual Amendments

- F11** S. 3A inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), **Sch. 5 para. 1**

Modifications etc. (not altering text)

- C9** Ss. 1-4 incorporated (with modifications) (S.) (10.6.2017) by [The Tobermory Harbour Empowerment Order 2017 \(S.S.I. 2017/196\)](#), arts. 1, **3** (with arts. 36-40)
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