
STATUTORY INSTRUMENTS

2007 No. 1803

**The Associated British Ports (Immingham
Gas Jetty) Harbour Revision Order 2007**

Incorporation of provisions

12.—(1) The following provisions of the under-mentioned Acts are incorporated with and form part of this Order—

The 1966 Act—

Section 21 (Tidal works not to be executed without approval of Board of Trade);

Section 23 (Abatement of works abandoned or decayed);

Section 24 (Survey of tidal works); and

Section 26 (Lights on tidal works during construction):

The 1969 Act—

Section 17 (Provision against danger to navigation):

The 1971 Act—

Section 16 (Permanent lights on works):

The 1988 Act—

Section 11 (Crown rights).

(2) For the purposes of the said sections 26, 17 and 16, as so incorporated—

- (a) for the words “one hundred pounds” in subsection (2) of each of those sections there shall be substituted “level 4 on the standard scale”;
- (b) in proceedings for an offence under any of those sections it shall be a defence for A.B. Ports to prove that it took all reasonable precautions and exercised all due diligence to avoid the commission of the offence; and
- (c) if in any case that defence involves the allegation that the commission of the offence was due to the act or default of another person A.B. Ports shall not, without leave of the court, be entitled to rely on that defence unless, not less than seven clear days before the hearing, it has served on the prosecutor a notice in writing giving such information identifying, or assisting in the identification of, that other person as was then in its possession.