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STATUTORY INSTRUMENTS

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**2022 No. 853**

**The Sizewell C (Nuclear Generating Station) Order 2022**

**PART 6**

**HARBOUR POWERS**

**Incorporation of the Harbours, Docks, and Piers Clauses Act 1847**

**49.**—(1) With the exception of sections 6 to 23, 25, 27, 29, 31 to 34, 36, 40 to 50, 52, 53, 59, 60, 66 to 68, 70 to 72, 77, 79 to 82, 85 to 89, 92 and 97 to 102, the 1847 Act is incorporated in this Order subject to the modifications stated in paragraphs (2) and (10).

(2) Section 28 of the 1847 Act (exemption of vessels in her Majesty's or the public service, from rates) has effect as if the words "to charge with rates or duties, or" and the words "without any charge or rate being made for using the same" were removed.

(3) Section 35 of the 1847 Act (Masters to report arrival of vessel) has effect as if the words "liable to rates" were removed.

(4) Section 37 of the 1847 Act (Masters of vessels to give names of consignees, and accounts of goods intended to be unshipped, etc) has effect as if for the words "collector of rates" were substituted the words "harbour master".

(5) Section 39 of the 1847 Act (Shippers to give an account of goods intended to be shipped) has effect as if for the words "collector of rates" were substituted the words "harbour master".

(6) Section 62 of the 1847 Act (Penalty for wilfully cutting moorings) has effect as if for the words "level 1" were substituted the words "level 3".

(7) Section 63 of the 1847 Act (Penalty for placing, etc, vessels near the entrance of harbour or dock, etc, without permission) has effect as if the section was amended to read: "As soon as the Order comes into force, no vessel, except with the permission of the harbour master, shall lie or be moored within the harbour limits; and if the master of any vessel either places it or suffers it to remain within the harbour limits; without such permission, and does not, on being required to do so by the harbour master, forthwith proceed to remove such vessel, he must be liable on summary conviction to a fine not exceeding level 3 on the standard scale."

(8) Section 69 of the 1847 Act (Combustible matter on quays, &c., to be removed) has effect as if for the words from "shall forfeit" to the end of the section there were substituted the words "must be liable on summary conviction to a fine not exceeding level 3 on the standard scale."

(9) In construing the 1847 Act as so incorporated—

- (a) the expression "the special Act" means this Order;
- (b) the expressions "the Promoters of the undertaking" and "the undertakers" mean the undertaker;
- (c) the expression "the harbour, dock or pier" means the harbour;
- (d) the expressions "limits" and "prescribed limits" mean the harbour limits;
- (e) the expression "near the pier" does not extend beyond the harbour limits;

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (f) the expression “the harbour master”, in relation to the harbour, has the meaning given by article 2 (interpretation); and
  - (g) the definition of “vessel” in article 2(1) of this Order is substituted for the definition in section 3 of the 1847 Act (Interpretation).
- (10) Section 84 of the 1847 Act (Byelaws may be enforced by imposition of penalties) has effect as if the words “being limited to a summary conviction, and” were inserted between the words “shall think fit” and “not exceeding”.