# 1964 No. 1959

## HARBOURS, DOCKS, PIERS AND FERRIES

## The National Ports Council Provision of Funds Scheme 1964 (Confirmation) Order 1964

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| *Made* - - - - | 10*th December* 1964 |
| *Laid before Parliament* | 21*st December* 1964 |
| *Coming into Operation* | 22*nd December* 1964 |

The Minister of Transport (hereinafter referred to as " the Minister ") in exercise of the powers conferred upon him by section 4(5) of the Harbours Act 1964(**a**) (hereinafter referred to as " the Act ") and of all other enabling powers hereby makes the following Order:—

**1.**—(1) The Minister hereby confirms, with modifications made after consultation with the National Ports Council, the scheme for the imposition by that Council of charges on harbour authorities made and submitted to him by that Council in pursuance of section 4(1) of the Act.

(2) The scheme as so confirmed with the said modifications is set out in the Schedule to this Order and shall come into force on the date specified in Article 2(1) of this Order.

**2.**—(1) This Order may be cited as the National Ports Council Provision of Funds Scheme 1964 (Confirmation) Order 1964 and shall come into operation on the 22nd December 1964.

(2) The Interpretation Act 1889(**b**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Given under the Official Seal of the Minister of Transport the 10th December 1964.

(L.S.)

*Tom Fraser,*
The Minister of Transport.

### SCHEDULE

### NATIONAL PORTS COUNCIL

### SCHEME UNDER SECTION 4 OF THE HARBOURS ACT 1964

The National Ports Council, in exercise of their powers under section 4 of the Harbours Act 1964, hereby make the following scheme:—

**1.** This scheme may be cited as the National Ports Council Provision of Funds Scheme 1964.

(**a**) 1964 c. 40. (**b**) 52 & 53 Vict. c. 63.

**2.**—(1) In this scheme: —

" the Act " means the Harbours Act 1964;

" the Council " means the National Ports Council;

" the Council's expenditure " means any expenditure incurred, or to be incurred, by the Council in respect of the matters included in section 4 (1) of the Act;

" the first accounting period " means the period beginning on 15th June 1964 and ending on 31st December 1964;

" the harbour authorities " means the harbour authorities specified in column (1) of the table set out in the schedule to this scheme;

" the relevant percentage " means, in relation to each of the harbour authorities, the percentage specified in column (2) of the table set out in the schedule to this scheme opposite the name of that authority in column (1) of that table;

" the second accounting period " means the year beginning on 1st January 1965.

(2) The Interpretation Act 1889 applies to the interpretation of this scheme as it applies to the interpretation of an Act of Parliament.

**3.** The Council shall as soon as may be estimate the amount which (having regard to article 5 of this scheme) should be raised by charges under this scheme in the first accounting period to enable the Council to meet the Council's expenditure insofar as it cannot be met by revenue accruing to them in consequence of the exercise of powers conferred by provisions of the Act other than section 4 thereof and, subject to the provisions of this scheme, shall issue to each of the harbour authorities a demand for payment of a charge equal to the relevant percentage of the amount estimated under this article.

**4.** Before the beginning of the second accounting period or, if that is not possible, as soon as practicable after the beginning thereof, the Council shall estimate the amount which (having regard to article 5 of this scheme) should be raised by charges under this scheme in that period to enable the Council to meet the Council's expenditure insofar as it cannot be met by revenue accruing to them in consequence of the exercise of powers conferred by provisions of the Act other than section 4 thereof and, subject to the provisions of this scheme, shall issue to each of the harbour authorities a demand for payment of a charge equal to the relevant percentage of the amount estimated by the Council under this article.

**5.**—(1) The amount to be raised by the Council by means of charges under this scheme to meet expenditure incurred or to be incurred by them during the first accounting period shall not exceed £75,000.

(2) The amount to be raised by the Council by means of charges under this scheme to meet expenditure to be incurred by them during the second accounting period shall not exceed £200,000.

**6.** If any charge calculated in accordance with article 3 or article 4 of this scheme shall not be a whole number of pounds the fraction of a pound shall be ignored.

**7.**—(1) Each of the harbour authorities shall pay the charge for which a demand is issued to them under article 3 of this scheme forthwith upon receipt of the demand.

(2) Each of the harbour authorities shall pay the charge for which a demand is issued to them under article 4 of this scheme either, at their option, by one

lump sum payment to be made forthwith upon receipt of the demand or by four equal instalments the first to be paid forthwith upon receipt of the demand and the subsequent instalments to be paid not later than, respectively, 1st April, 1st July and 1st October 1965.

**8.**—(1) A demand for payment issued by the Council to any of the harbour authorities under the provisions of this scheme shall be duly served on that authority if it is sent by post by means of the recorded delivery service to their clerk or secretary.

(2) For the purposes of this article and of section 26 of the Interpretation Act 1889 in its application to this article the proper address of the clerk or secretary of a harbour authority shall be the registered or principal office of that authority.

## SCHEDULE

| (1) Harbour Authority | (2) Relevant Percentage |
|---|---|
| Aberdeen Harbour Board | 0.465 |
| Ardrossan Harbour Company | 0.183 |
| Blyth Harbour Commission | 0.600 |
| Port of Boston Authority | 0.122 |
| Port of Bristol Authority | 3.123 |
| British Transport Docks Board | 25.000 |
| Cattewater Harbour Commission | 0.030 |
| Chichester Corporation | 0.030 |
| Clyde Navigation Trust | 3.966 |
| Colchester Corporation | 0.051 |
| Dartmouth Harbour Commission | 0.018 |
| Dover Harbour Board | 0.643 |
| Dundee Harbour Trust | 0.629 |
| Exeter Corporation | 0.035 |
| Falmouth Docks and Engineering Company | 0.135 |
| Falmouth Harbour Commission | 0.043 |
| Felixstowe Dock and Railway Company | 0.087 |
| Forth Conservancy Board | 0.073 |
| Fowey Harbour Commission | 0.057 |
| Granton Harbour Limited | 0.170 |
| Great Yarmouth Port and Haven Commission | 0.143 |
| Greenock Harbour Trust | 0.371 |
| Hartlepool Port and Harbour Commission | 0.087 |
| Harwich Harbour Conservancy Board | 0.073 |
| Humber Conservancy Board | 0.564 |
| Ipswich Dock Commission | 0.182 |
| King's Lynn Conservancy Board | 0.065 |
| Lancaster Port Commission | 0.026 |
| Leith Dock Commission | 0.664 |
| Port of London Authority | 25.000 |
| Manchester Ship Canal Company | 3.531 |
| Medway Conservancy Board | 0.509 |
| Mersey Docks and Harbour Board | 25.000 |
| Milford Docks Company | 0.030 |
| Milford Haven Conservancy Board | 0.376 |

| (1) Harbour Authority | (2) Relevant Percentage |
|---|---|
| Newcastle upon Tyne Corporation | 0.113 |
| Newport Harbour Commission | 0.026 |
| Port of Par Limited | 0.083 |
| Perth Corporation | 0.022 |
| Poole Harbour Commission | 0.039 |
| Portsmouth Corporation | 0.030 |
| Port of Preston Authority | 0.474 |
| Ramsgate Corporation | 0.030 |
| Seaham Harbour Dock Company | 0.152 |
| Shoreham Harbour Trust | 0.147 |
| Southampton Harbour Board | 1.237 |
| Sutton Harbour Improvement Company | 0.018 |
| Tees Conservancy Commissioners | 1.577 |
| Teignmouth Harbour Commission | 0.018 |
| Torquay Corporation | 0.018 |
| Truro Corporation | 0.026 |
| Tyne Improvement Commission | 2.579 |
| Warkworth Harbour Commission | 0.030 |
| River Wear Commissioners | 0.795 |
| Weymouth Corporation | 0.083 |
| Whitehaven Harbour Commission | 0.087 |
| Workington Harbour and Dock Company Limited | 0.174 |

## EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

By this Order the Minister of Transport confirms a Scheme made and submitted to him by the National Ports Council under section 4 of the Harbours Act 1964, for imposing on harbour authorities charges to provide funds for the Council for the purposes mentioned in section 4(1). The Scheme is confirmed subject to modifications made by the Minister after consulting the Council and as so confirmed is set out in the Schedule.