

**Changes to legislation:** Harbours Act 1964, SCHEDULE 2 is up to date with all changes known to be in force on or before 03 April 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

## SCHEDULES

### SCHEDULE 2

Section 14.

#### OBJECTS FOR WHOSE ACHIEVEMENT HARBOUR REVISION ORDERS MAY BE MADE

##### Modifications etc. (not altering text)

**C1** Sch. 2 amended by [Docks and Harbours Act 1966 \(c. 28, SIF 58\)](#), s. 36(4)

- 1 Reconstituting the harbour authority by whom the harbour is being improved, maintained or managed or altering their constitution, or establishing, as the harbour authority, in lieu of the existing one, an existing body designated in that behalf or a body constituted for the purpose.
- 2 Regulating (in whole or to a less extent) the procedure of, or of any committee of, the authority and fixing the quorum at a meeting of, or of any committee of, the authority.
- 3 Varying or abolishing duties or powers imposed or conferred on the authority by a statutory provision of local application affecting the harbour, being duties or powers imposed or conferred for the purpose of—
  - (a) improving, maintaining or managing the harbour;
  - (b) marking or lighting the harbour, raising wrecks therein or otherwise making safe the navigation thereof; or
  - (c) regulating the carrying <sup>F1</sup>on by others of activities relating to the harbour or of] activities on harbour land.

##### Textual Amendments

**F1** Words in [Sch. 2 para. 3\(c\)](#) substituted (15.7.1992) by [Transport and Works Act 1992 \(c. 42\)](#), s. 63(1), [Sch. 3 para. 9\(2\)](#); S.I. 1992/1347, [art. 2](#), Sch. (subject as mentioned in art. 3)

- 4 Imposing or conferring on the authority, for the purpose aforesaid, duties or powers (including powers to make byelaws), either in addition to, or in substitution for, duties or powers imposed or conferred as mentioned in paragraph 3 above.
- 5 Transferring from the authority to another or to the authority from another all or any of the property vested in, as the case may be, the authority or that other and held for the purposes of the harbour and, so far as they relate to the transferred property, all or any of the duties and powers imposed and conferred on, as the case may be, the authority or that other by a statutory provision of local application affecting the harbour.
- 6 Settling (either for all purposes or for limited purposes) the limits within which the authority are to have jurisdiction or altering (either for all purposes or for limited purposes) such limits as previously settled.

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- 7 Conferring on the authority power to acquire (whether by agreement or compulsorily) land described in the order, being land required by them for the purpose of its being used as the site of works that they have, or will by virtue of the order have, power to execute or for some other purpose of the harbour.
- [<sup>F2</sup>7A Extinguishing or diverting public rights of way over footpaths [<sup>F3</sup> or bridleways][<sup>F3</sup>, bridleways or restricted byways] for the purposes of works described in the order or works ancillary to such works.]

#### Textual Amendments

- F2** Sch. 2 paras. 7A, 7B inserted (15.7.1992) by [Transport and Works Act 1992 \(c. 42\)](#), s. 63(1), [Sch. 3 para. 9\(3\)](#); [S.I. 1992/1347, art. 2](#), [Sch.](#)(subject as mentioned in art. 3)
- F3** Words in Sch. 2 para. 7A substituted (E.W.) (2.5.2006 for E., 11.5.2006 for W.) by [The Restricted Byways \(Application and Consequential Amendment of Provisions\) Regulations 2006 \(S.I. 2006/1177\)](#), reg. 1(2)(4), [Sch. Pt. I](#) (see [S.I. 2006/1172, art. 2\(a\)-\(d\)](#) (with art. 3) and [S.I. 2006/1279, art. 2\(a\)-\(d\)](#) (with art. 3))

#### Modifications etc. (not altering text)

- C2** Sch. 2 para. 7A applied (E.W.) (2.5.2006 for E., 11.5.2006 for W.) by [The Restricted Byways \(Application and Consequential Amendment of Provisions\) Regulations 2006 \(S.I. 2006/1177\)](#), reg. 1(2)(4), 2(1), [Sch. Pt. I](#) (see [S.I. 2006/1172, art. 2\(a\)-\(d\)](#) (with art. 3) and [S.I. 2006/1279, art. 2\(a\)-\(d\)](#) (with art. 3))

- <sup>F4</sup>7B Extinguishing public rights of navigation for the purposes of works described in the order or works ancillary to such works, or permitting interference with the enjoyment of such rights for the purposes of such works or for the purposes of works carried out by a person authorised by the authority to carry them out.

#### Textual Amendments

- F4** Sch. 2 paras. 7A, 7B inserted (15.7.1992) by [Transport and Works Act 1992 \(c. 42\)](#), s. 63(1), [Sch. 3 para. 9\(3\)](#); [S.I. 1992/1347, art. 2](#), [Sch.](#)(subject as mentioned in art. 3)

- 8 Authorising justices of the peace to appoint, on the nomination of the authority, persons to act as constables within any limits within which the authority have jurisdiction in relation to the harbour and within one mile outside any such limits, and to dismiss persons appointed by virtue of this paragraph, and conferring on persons so appointed, while acting within any such limits as aforesaid or within one mile outside any such limits, the powers which a constable has within his constablewick.

- [<sup>F5</sup>8A Enabling the authority to close part of the harbour or to reduce the facilities available in the harbour.]

#### Textual Amendments

- F5** Sch. 2 para. 8A inserted (15.7.1992) by [Transport and Works Act 1992 \(c. 42\)](#), s. 63(1), [Sch. 3 para. 9\(4\)](#); [S.I. 1992/1347, art. 2](#), [Sch.](#)(subject as mentioned in art. 3)

- 9 Empowering the authority to dispose of property vested in them and held for the purposes of the harbour which is no longer required for those purposes.

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- [<sup>F6</sup>9A Empowering the authority (alone or with others) to develop land not required for the purposes of the harbour with a view to disposing of the land or of interests in it, and to acquire land by agreement for the purpose of developing it together with such land.]

#### Textual Amendments

- F6** Sch. 2 paras. 9A, 9B inserted (15.7.1992) by Transport and Works Act 1992 (c. 42), s. 63(1), Sch. 3 para. 9(5); S.I. 1992/1347, art. 2, Sch. (subject as mentioned in art. 3)

- <sup>F7</sup>9B Empowering the authority to delegate the performance of any of the functions of the authority except—
- (a) a duty imposed on the authority by or under any enactment;
  - (b) the making of byelaws;
  - (c) the levying of ship, passenger and goods dues;
  - (d) the appointment of harbour, dock and pier masters;
  - (e) the nomination of persons to act as constables;
  - (f) functions relating to the laying down of buoys, the erection of lighthouses and the exhibition of lights, beacons and sea-marks, so far as those functions are exercisable for the purposes of the safety of navigation.

#### Textual Amendments

- F7** Sch. 2 paras. 9A, 9B inserted (15.7.1992) by Transport and Works Act 1992 (c. 42), s. 63(1), Sch. 3 para. 9(5); S.I. 1992/1347, art. 2, Sch. (subject as mentioned in art. 3)

- 10 Empowering the authority to borrow money, with or without limitation with respect to the amount that may be borrowed or the time or manner in which the power may be exercised.
- 11 Empowering the authority to levy at the harbour charges other than ship, passenger and goods dues or varying or abolishing charges (other than as aforesaid) levied by them at the harbour.
- 12 Securing the efficient collection of charges levied by the authority at the harbour and specifying the times at which and the persons by whom such charges are to be paid.
- 13 Regulating the application of moneys in the nature of revenue received by the authority and securing that the financial affairs of the authority are properly managed.
- 14 Varying or extinguishing any exemption from charges levied by the authority at the harbour or any other right or privilege enjoyed thereat.
- 15 Securing the welfare of the authority's officers and servants and empowering the authority to provide, or secure the provision of, pensions, gratuities and other like benefits for or in respect of their officers and servants.
- 16 Extending the time within which anything is required or authorised by a statutory provision of local application affecting the harbour to be done in relation to the harbour by the authority or fixing a time within which anything authorised by the order to be so done must be done.

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- [<sup>F8</sup>16A     Imposing or conferring on the authority duties or powers (including powers to make byelaws) for the conservation of the natural beauty of all or any part of the harbour or of any of the fauna, flora or geological or physiographical features in the harbour and all other natural features.]

**Textual Amendments**

- F8**    Sch. 2 para. 16A inserted (15.7.1992) by [Transport and Works Act 1992 \(c. 42\)](#), s. 63(1), [Sch. 3 para. 9\(6\)](#); S.I. 1992/1347, art. 2, [Sch.](#) (subject as mentioned in art. 3)

- 17            Any object which, though not falling within any of the foregoing paragraphs, appears to the appropriate Minister to be one the achievement of which will conduce to the efficient functioning of the harbour.

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

- Act modified by [2023 c. 8 s. 9\(7\)](#)