



# Faversham Oyster Fishery Company Act 2017

## 2017 CHAPTER i

### PART 4

#### FINAL PROVISIONS

#### **17 Saving for rights over the fishery, etc**

- (1) Nothing in this Act prejudices or otherwise affects the exclusive rights of the Company in respect of the fishery described in section 4 of the 1930 Act or otherwise existing at the time this Act was passed, including the protected rights.
- (2) In subsection (1), the “protected rights” means—
  - (a) the rights of the Company in respect of the fishery registered at H.M. Land Registry with title number TT26459 at the time when the Bill for this Act was deposited in Parliament;
  - (b) the profit a prendre in respect of sporting rights enjoyed by the Company and registered at H.M. Land Registry with title number TT26458 at the time when the Bill for this Act was deposited in Parliament;
  - (c) the lease of mooring rights registered at H.M. Land Registry with title number TT26460 at the time when the Bill for this Act was deposited in Parliament; and
  - (d) the profit a prendre of the Company in respect of fishing rights which is (to the extent that it applies in the County of Kent) registered at H.M. Land Registry with title number TT32268 at the time when the Bill for this Act was deposited in Parliament.

#### **18 Saving for Port of Sheerness Limited and harbourmaster**

Nothing in this Act prejudices or otherwise affects the powers, duties and responsibilities of—

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*Status: This is the original version (as it was originally enacted).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

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- (a) Port of Sheerness Limited in its capacity as harbour authority for the Port of Sheerness; or
- (b) the harbourmaster for the Port of Sheerness.

## **19 Costs of this Act**

The costs, charges and expenses of the Company in securing this Act or otherwise in relation to it shall be paid by the Company and may in whole or in part be defrayed out of revenue.

## **20 Commencement**

- (1) Sections 5 and 11 and the Schedule come into force on the appointed day.
- (2) Part 3 comes into force on the day after the day on which the Company is first registered under the 2006 Act.
- (3) Before the appointed day, the Company shall publish in the London Gazette notice of the day appointed, stating that it is the appointed day for the purposes of this Act.
- (4) The publication of a notice under subsection (3) shall be conclusive evidence of the coming into force of a provision of this Act under subsection (1) of this section, and a photocopy or other reproduction, certified by a director of the Company or the Company secretary, of a page or part of a page of the London Gazette containing the notice shall be conclusive evidence of publication.
- (5) In this section “the appointed day” means such day as may be fixed as regards the provisions mentioned in subsection (1) by the Company.
- (6) The appointed day must not be before the date on which the Company is first registered under the 2006 Act (“the registration date”).
- (7) Subsection (8) applies during the period (if any) beginning with the registration date and ending at the end of the day preceding the appointed day.
- (8) So far as there is any inconsistency between a provision of the 2006 Act which applies to the Company by virtue of the Company having been registered (provision A) and a provision mentioned in section 5 or the Schedule (“provision B”) then provision B prevails.