



# Harbours Act 1964

## CHAPTER 40

### HARBOURS ACT 1964

#### *The National Ports Council*

1—8 .....

#### *Control of harbour Development*

9 .....  
10 .....

#### *Exchequer Assistance for Execution of harbour Works, &c.*

11 Loans for execution of harbour works, &c.  
12 .....  
13 Maximum amount of loans and grants under sections 11 and 12, and  
cesser of certain other powers to give financial assistance.

#### *Harbour Revision and Empowerment Orders*

14 Ministers' powers, on application of harbour authorities, or others, to  
make orders for securing harbour efficiency, &c.  
15 Ministers' powers to make, of their own motion, orders for limited  
purposes for securing harbour efficiency, &c.  
15A Ministers' powers to make orders about port appointments.  
16 Ministers' powers, on application of intending undertakers, or others, to  
make orders conferring powers for improvement, construction, &c., of  
harbours.  
17 Procedure for making harbour revision and empowerment orders, and  
substitution thereof, in general, for provisional orders.

*Changes to legislation:* Harbours Act 1964 is up to date with all changes known to be in force on or before 04 February 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

---

### *Harbour closure orders*

- 17A Power to make closure order
- 17B Content of closure order
- 17C Harbour closure orders: property etc
- 17D Harbour closure orders: procedure
- 17E Harbour closure orders: devolution
- 17F Supplemental

### *Harbour Reorganisation Schemes*

- 18 Harbour reorganisation schemes.

### *Compensation for Loss of Office, &c.*

- 19 Compensation for loss of office, &c., in consequence of orders and schemes under foregoing provisions.

### *Control of Movement of Ships in Harbours*

- 20—25 .....

### *Harbour Charges*

- 26 Repeal of provisions limiting discretion of certain harbour authorities as to ship, passenger and goods dues charged by them.
- 27 Certain charges of certain harbour authorities to be reasonable.
- 27A Combined charges.
- 28 Repeal of provisions limiting discretion of nationalised transport bodies as to ship, passenger and merchandise dues chargeable at certain harbours owned or managed by them.
- 29 Repeal of provisions limiting discretion of local lighthouse authorities as to local light dues.
- 30 Duty of harbour and local lighthouse authorities to make available for inspection, and to keep for sale, copies of lists of certain charges.
- 31 Right of objection to ship, passenger and goods dues.
- 32—34 .....
- 35 Application of sections 31, 32 and 34 to local light dues.
- 36
- 37 Special provisions with respect to certain aviation charges.
- 38 Repeal of certain enactments relating to harbour charges.
- 39 Amendments of Acts consequential on sections 26 to 37.

### *Conditions as to Use of harbour Services and Facilities provided by certain harbour Authorities*

- 40 Conditions as to use of harbour services and facilities provided by certain harbour authorities.

### *Harbour directions*

- 40A Directions
- 40B Procedure
- 40C Enforcement
- 40D Supplemental

**Changes to legislation:** Harbours Act 1964 is up to date with all changes known to be in force on or before 04 February 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

---

### *Furnishing of Information*

- 41 Power of Council to obtain information and forecasts.
- 42 Accounts and reports relating to harbour activities and associated activities.

### *Delegation of certain functions*

- 42A Power to make orders delegating functions
- 42B Directions as to performance of delegated functions
- 42C Consent of Welsh Ministers required for certain orders and schemes
- 42D Consent of Secretary of State required for certain orders and schemes

### *Miscellaneous and General*

- 43 Provisions with respect to loans made under this Act by the Minister or the Welsh Ministers .
- 44 Limitation of right to challenge harbour revision orders, etc., in legal proceedings.
- 45 Penalisation of furnishing false information.
- 46 Restriction of disclosure of information.
- 47 Provisions as to inquiries and hearings.
- 48 Service of documents.
- 48A Environmental duties of harbour authorities.
- 49 Provisions as to ecclesiastical property.
- 50 Reckoning of periods.
- 51 Modification of Harbours, Piers and Ferries (Scotland) Act 1937.
- 52 Application of Act to Crown.
- 53 Saving for telegraphic lines.
- 54 Orders and regulations.
- 54A “Developments of national significance” etc.: special procedure
- 55 Offences by corporations.
- 56 .....
- 57 Interpretation.
- 58 Drainage and river authorities not to be harbour authorities for purposes of this Act if not possessing exceptional powers.
- 59 .....
- 60 Power to amend Acts of local application.
- 61 Expenses.
- 62 Saving for private Bills and certain provisional orders.
- 63 †Short title, extent, repeal and commencement.

---

## SCHEDULES

### SCHEDULE 1 —

### SCHEDULE 2 — Objects for whose Achievement Harbour Revision Orders may be made

- 1 Reconstituting the harbour authority by whom the harbour is being...
- 2 Regulating (in whole or to a less extent) the procedure...
- 3 Varying or abolishing duties or powers imposed or conferred on...
- 4 Imposing or conferring on the authority, for the purpose aforesaid,...
- 5 Transferring from the authority to another or to the authority...

*Changes to legislation: Harbours Act 1964 is up to date with all changes known to be in force on or before 04 February 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*

---

- 6 Settling (either for all purposes or for limited purposes) the...
- 7 Conferring on the authority power to acquire (whether by agreement...
- 7A Extinguishing or diverting public rights of way over footpaths or...
- 7B Extinguishing public rights of navigation for the purposes of works...
- 8 Authorising justices of the peace to appoint, on the nomination...
- 8A Enabling the authority to close part of the harbour or...
- 9 Empowering the authority to dispose of property vested in them...
- 9A Empowering the authority (alone or with others) to develop land...
- 9B Empowering the authority to delegate the performance of any of...
- 10 Empowering the authority to borrow money, with or without limitation...
- 11 Empowering the authority to levy at the harbour charges other...
- 12 Securing the efficient collection of charges levied by the authority...
- 13 Regulating the application of moneys in the nature of revenue...
- 14 Varying or extinguishing any exemption from charges levied by the...
- 15 Securing the welfare of the authority's officers and servants and...
- 16 Extending the time within which anything is required or authorised...
- 16A Imposing or conferring on the authority duties or powers (including...
- 17 Any object which, though not falling within any of the...

SCHEDULE 3 — PROCEDURE FOR MAKING HARBOUR REVISION AND  
EMPOWERMENT ORDERS  
PART I — ORDERS MADE ON APPLICATION TO THE SECRETARY  
OF STATE

*Introductory*

- 1 In this Part of this Schedule— . . . . .
- 1A In this Part of this Schedule, references to provisions of...
- 2 A project shall be treated for the purposes of this...
- 2A (1) For purposes of this Part, the effects of a...

*Pre-application procedure*

- 3 (1) A person may not make an application for a...
- 4 (1) Where the Secretary of State is notified of a...
- 4A (1) The Secretary of State may direct a person to...
- 4B (1) The Secretary of State must make a screening decision...
- 4C (1) The Secretary of State, if satisfied that it is...
- 5 (1) This paragraph applies if the Secretary of State decides...
- 6 (1) This paragraph applies if the Secretary of State decides...

*The application*

- 7 (1) An application for a harbour revision order must be...
- 8 (1) If an applicant makes an EIA application, the applicant...
- 8A (1) The Secretary of State must, where necessary, direct an...
- 9 The Secretary of State must not consider an application for...

*Co-ordination of environmental impact assessment and other assessments*

- 8B If in respect of a project there is—

**Changes to legislation:** Harbours Act 1964 is up to date with all changes known to be in force on or before 04 February 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

---

### *Notices*

- 10 (1) An applicant shall arrange for a notice to be...
- 10ZA (1) If the Secretary of State receives a copy of...
- 10ZB (1) This paragraph applies if an applicant makes an EIA...
- 10A
  - 11 If the order will authorise the compulsory acquisition of land...
  - 12 (1) If the order will result in the extinguishment or...
  - 13 (1) If the applicant is not the harbour authority, the...
  - 14 The Secretary of State may require the applicant to serve...

### *Consultation*

- 15 (1) The Secretary of State, before determining an application, must—...
- 16 (1) This paragraph applies where— (a) an application for a...

### *Objections*

- 17 — The following paragraphs in this Part have effect where—...
- 18 (1) This paragraph applies if an objection to the application...

### *Reasoned conclusion about environmental impact*

- 18A (1) This paragraph applies where an EIA application is made....

### *The decision*

- 19 (1) The Secretary of State must— (a) in the case...
- 19A (1) The Secretary of State must make a decision under...
- 19B The Secretary of State must make the decision required by...
- 20 (1) This paragraph applies where the Secretary of State makes...

### *Defence projects: exemption from environmental impact assessment*

- 20A (1) The Secretary of State may direct that an environmental...

### *Civil emergencies: exemption from environmental impact assessment*

- 20B The Secretary of State may direct that an environmental impact...

### *Exemption from environmental impact assessment in exceptional circumstances*

- 20C (1) The Secretary of State may direct that an environmental...

### *Deferral of environmental impact assessment: direction and effect of direction*

- 20D (1) The Secretary of State may give a deferral direction...
- 20E (1) If a deferral direction is given in respect of...
- 20F (1) The Secretary of State may make an order authorising...
- 20G The Secretary of State must make the decision required by...

### *The order*

- 21 (1) Where the Secretary of State proposes to make the...
- 22 (1) This paragraph applies where the Secretary of State makes...
- 23 (1) This paragraph applies to— (a) a harbour revision order...
- 24 (1) As soon as possible after a harbour revision order...

*Changes to legislation: Harbours Act 1964 is up to date with all changes known to be in force on or before 04 February 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*

---

*Statutory undertakers' land*

- 25 (1) This paragraph applies where application is made to the...  
PART II — ORDERS MADE BY THE SECRETARY OF STATE OF HIS OWN MOTION

*Notices*

- 26 (1) Where the Secretary of State proposes to make a...

*Objections*

- 27 (1) The following paragraphs in this Part have effect where—...
- 28 (1) This paragraph applies if an objection to the proposal...

*The decision*

- 29 (1) The Secretary of State shall consider—

*The order*

- 30 Where the Secretary of State proposes to make the order...
- 31 (1) As soon as possible after a harbour revision order...  
PART III — HARBOUR EMPOWERMENT ORDERS: MODIFICATIONS OF PART I
- 32 (1) The modifications subject to which Part I of this...

SCHEDULE 4 — Procedure for Confirming and Making Harbour Reorganisation Schemes

Part I — PROCEDURE FOR SUBMISSION AND CONFIRMATION OF HARBOUR REORGANISATION SCHEMES

- 1 The submission to the Minister of a harbour reorganisation scheme...
- 2 Where a harbour reorganisation scheme is submitted to the Minister...
- 3 (1) Where effect has been given to paragraph 2 above...
- 4 So soon as may be after a harbour reorganisation scheme...

Part II — MODIFICATIONS SUBJECT TO WHICH PART I HAS EFFECT WITH RESPECT TO PROCEDURE FOR MAKING OF HARBOUR REORGANISATION SCHEMES BY THE SECRETARY OF STATE OF HIS OWN MOTION.

- 5 References to confirming a scheme shall be construed as references...
- 6 Paragraph 1 shall be omitted.
- 7 In paragraph 2— (a) for the opening words down to...
- 8 In paragraph 3— (a) in sub-paragraph (1) for the words...
- 9 In paragraph 4 for the words “submitted to” there shall...

SCHEDULE —

5.....

SCHEDULE —

6.....

**Changes to legislation:**

Harbours Act 1964 is up to date with all changes known to be in force on or before 04 February 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 17A-17F and cross-heading inserted by [2013 c. 23 s. 6\(1\)](#)

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

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