



# Wales Act 2017

## 2017 CHAPTER 4

### PART 2

#### LEGISLATIVE AND EXECUTIVE COMPETENCE: FURTHER PROVISION

##### *Harbours: transfer of executive functions*

### **30 Amendments of Harbours Act 1964**

- (1) The Harbours Act 1964 is amended as follows.
- (2) In section 17 (harbour orders: procedure), in subsection (2C), for the words from ““fishery”” to ““National Assembly for Wales”” substitute “harbour that is wholly in Wales, other than a reserved trust port, as references to the Welsh Ministers”.
- (3) In section 17E (harbour closure orders: devolution)—
  - (a) in subsection (1), for ““fishery harbours in Wales”” substitute “harbours that are wholly in Wales, other than reserved trust ports”;
  - (b) after subsection (1) insert—

“(1A) Before making a closure order that transfers functions to a harbour authority for a harbour that is wholly or partly in England or a reserved trust port, the Welsh Ministers must obtain the consent of the Secretary of State.”
- (4) In section 40A (directions made by harbour authorities in respect of ships), in subsection (4)(a), for ““fishery harbour in Wales”” substitute “harbour that is wholly in Wales other than a reserved trust port”.
- (5) In section 43 (provisions with respect to loans made by Minister)—
  - (a) after subsection (1) insert—

“(1A) Any loans which the Welsh Ministers make under section 11 of this Act shall be repaid to them at such times and by such methods, and

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**Changes to legislation:** *Wales Act 2017, Section 30 is up to date with all changes known to be in force on or before 21 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*

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interest thereon shall be paid to them at such rates and at such times, as they may from time to time direct.”;

(b) after subsection (2) insert—

“(2A) Such sums as are necessary to enable the Welsh Ministers to make loans under section 11 of this Act may be issued to them out of the Welsh Consolidated Fund.”;

(c) after subsection (4) insert—

“(4A) Any sums received by the Welsh Ministers under subsection (1A) of this section shall be paid into the Welsh Consolidated Fund.”;

(d) after subsection (5) insert—

“(6) The Welsh Ministers shall, as respects each financial year, prepare an account of sums issued to them under this section and of the sums to be paid into the Welsh Consolidated Fund under subsection (4A) and of the disposal by them of those sums respectively, and send it to the Auditor General for Wales not later than the end of November following the year; and the Auditor General for Wales shall examine, certify and report on the account and lay copies of it, together with his report, before the National Assembly for Wales.”;

(e) in the heading, at the end insert “ or the Welsh Ministers ”.

(6) In section 57(1) (interpretation), at the appropriate place insert—

““reserved trust port” has the meaning given in section 32 of the Wales Act 2017;”.

(7) In Schedule 3 (procedure for making harbour orders), in paragraph 25(6)(a), for subparagraph (ii) substitute—

“(ii) a harbour that is wholly in Wales other than a reserved trust port, the Welsh Ministers;”.

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**Commencement Information**

**II** S. 30 in force at 1.4.2018 by S.I. 2017/1179, reg. 3(g)

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

- specified provision(s) transitional and savings provisions for commencing S.I. 2017/1179 by [S.I. 2018/278](#) [reg. 2](#)[Sch.](#)