
STATUTORY INSTRUMENTS

2012 No. 1777

The Poole Harbour Revision Order 2012

PART 1

PRELIMINARY

Incorporation of Harbours, Docks, and Piers Clauses Act 1847

3.—(1) Subject to paragraphs (2) and (3), sections 2, 3, 23, 27, 29, 31 to 46, 52, 53, 55 to 59, 61 to 66, 69 to 71 and 73 to 78 of the 1847 Act are incorporated in this Order.

(2) For the purposes of the sections incorporated by paragraph (1)—

- (a) “the special Act” means this Order;
- (b) “the harbour, dock or pier” means the harbour;
- (c) “the Promoters of the undertaking” and “the undertakers” mean the Commissioners; and
- (d) “vessel” has the meaning given by article 2.

(3) The sections referred to in paragraph (1) are incorporated subject to the following modifications—

- (a) the maximum fine for any summary offence under any of those sections shall be level 4 on the standard scale;
- (b) in section 23, the words “provided that no such lease be granted for a longer term than three years” shall be omitted;
- (c) nothing in section 53 requires the harbourmaster to serve upon the master of a vessel notice in writing of the direction but such directions may be given orally, or in any other reasonable manner;
- (d) in section 63, for the words from “to a penalty” to the end of the section substitute the words “on summary conviction to a fine not exceeding level 4 on the standard scale”;
- (e) in section 69, for the words “forfeit” to the end of the section substitute the words “be liable on summary conviction to a fine not exceeding level 4 on the standard scale”.

(4) Except as provided in this article, the provisions of the 1847 Act are not incorporated in this Order.