
STATUTORY INSTRUMENTS

2012 No. 1914

The Hinkley Point Harbour Empowerment Order 2012

PART 1

PRELIMINARY

Incorporation of the Harbours, Docks and Piers Clauses Act 1847

3.—(1) Sections 1 to 3, 34, 35, 37 to 39, 42, 51, 54, 55, 63 to 65, 77 and 78 of the 1847 Act are incorporated with this Order subject to the modifications in paragraphs (2) to (5).

(2) Section 34 (collector may enter vessels to ascertain rates payable) shall have effect subject to the insertion after the word “may” of the words “(on production, if so required, of a duly authenticated document showing his authority)”.

(3) Section 63 (penalty on vessels lying near the entrance of harbour or dock without permission)⁽¹⁾ shall have effect subject to the modification that for the words from “be liable to” to the end of the section there are substituted the words “be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale”.

(4) Section 65 (harbour master may remove any vessel for the purpose of repairing harbour or dock if the master thereof neglects or refuses to do so) shall have effect subject to the omission of the words from “Provided always” to the end of the section.

(5) In construing the provisions of the 1847 Act as incorporated with this Order—

- (a) the expression “the harbour master” has the meaning given by article 2(1) (interpretation), the expression “the special Act” means this Order, the expression “the undertakers” means the Company and the expression “the harbour, dock, or pier” means the harbour; and
- (b) for the definition of the word “vessel” in section 3 (interpretations in this and the special Act) there shall be substituted the definition of that word in article 2(1) (interpretation).

(6) All fines and forfeitures recoverable under the provisions of the 1847 Act as incorporated with this Order may be recovered summarily.

⁽¹⁾ There are amendments to section 63 not relevant to this Order.