CHAPTER i

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Aberdeen Harbour. [17th December 1959.]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936 and it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation of Order in schedule.

2. This Act may be cited as the Aberdeen Harbour Order Confirmation Act 1959. Short title.

SCHEDULE

ABERDEEN HARBOUR

Provisional Order to extend the period of duration of the Aberdeen Harbour Acts 1895 *to* 1957 *and for purposes connected therewith.*

Whereas by the Aberdeen Harbour Act 1895 (hereinafter referred to as " the Act of 1895 ") the Acts then in force relating to the harbour of Aberdeen were consolidated with amendments and the Aberdeen Harbour Commissioners (hereinafter referred to as " the Commissioners ") were constituted:

And whereas by the Aberdeen Harbour Acts 1895 to 1957 (hereinafter referred to as " the Harbour Acts ") further powers were conferred on the Commissioners:

And whereas among the Acts consolidated by the Act of 1895 was the Aberdeen Harbour Act 1868 of which section 2 (Firstly recited Act and part of secondly recited Act repealed; Commencement and duration of this Act) enacted that that Act should continue in force for the space of fifty-five years namely until the first day of October nineteen hundred and twenty-three and from thence to the end of the then next session of Parliament and of which section 183 (Upon the expiration of this Act the property of the harbour to revert to the council) enacted that upon the expiration of that Act the property of the harbour undertaking should revert to or become the property of the lord provost magistrates and town council of the city and royal burgh of Aberdeen (hereinafter referred to as " the council "):

And whereas at the date of the passing of the Act of 1895 there were twenty-eight years of the said period of fifty-five years unexpired and section 199 (Saving rights &c. of the council) of the Act of 1895 enacted (inter alia) that the council should not less than three years before the expiration of the said period of twenty-eight years apply to Parliament for an Act to determine and regulate the administration of the harbour undertaking:

And whereas by subsequent enactments the said period of duration of the Harbour Acts was extended and became due to expire on the first day of April nineteen hundred and fifty-nine:

And whereas by section 2 (Harbour Acts to continue in force until 1959) of the Aberdeen Harbour Order 1953 as amended by section 2 of the Aberdeen Harbour Order 1956 the period expiring on the first day of April nineteen hundred and fifty-nine was extended until the first day of April nineteen hundred and sixty:

And whereas by section 2 (Amendment of Aberdeen Harbour Act 1895) of the Aberdeen Harbour Order 1957 (hereinafter referred to as " the Order of 1957 ") the council are required to apply to Parliament not later than the first day of April nineteen hundred and fifty-nine for an Act to determine and regulate the administration of the harbour undertaking:

And whereas it is expedient in order that agreement may be reached between the council and the Commissioners on a comprehensive scheme for the future administration of the harbour undertaking that the duration of the Harbour Acts should again be extended as provided in this Order and that the Order of 1957 should be amended and the period within which the council are required as aforesaid to apply to Parliament for an Act to determine and regulate the administration of the harbour undertaking should be altered as provided in this Order:

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the Private Legislation Procedure (Scotland) Act 1936:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary of State orders as follows:—

Short title and citations.

1. This Order may be cited as the Aberdeen Harbour Order 1959 and this Order and the Aberdeen Harbour Acts 1895 to 1957 may be cited together as the Aberdeen Harbour Acts 1895 to 1959.

Harbour Acts to continue in force until nineteen hundred and sixty-one.

2.—(1) The period of duration of the Harbour Acts shall be extended and the provisions of those Acts shall remain in force until the first day of January nineteen hundred and sixty-one and section 199 (Saving rights &c. of the council) of the Act of 1895 shall be read and have effect as if for the period mentioned in subsections (2) and (3) of that section there were substituted a reference to a period of sixty-six years from the first day of January eighteen hundred and ninety-five and as if the word "sixty-six" had been inserted in place of the word "twenty-eight" twice occurring in subsection (4) of the said section as amended by section 2 (Amendment of Aberdeen Harbour Act 1895) of the Order of 1957.

(2) The Aberdeen Harbour Order 1953 and the Aberdeen Harbour Order 1956 are hereby repealed.

Amendment of Order of 1957.

3. Section 2 (Amendment of Aberdeen Harbour Act 1895) of the Order of 1957 shall be read and have effect as if in place of the words "first day of April one thousand nine hundred and fifty-nine" there were substituted the words "first day of January nineteen hundred and sixty".

Commissioners not to hold election in nineteen hundred and fifty-nine.

4. Notwithstanding anything in the Harbour Acts the election of elected Commissioners required to take place on the third Tuesday of November nineteen hundred and fifty-nine in pursuance of section 17 (First and succeeding annual elections of elected Commissioners) of the Act of 1895 shall not take place and the Commissioners who would have gone out of office on that day shall continue in office until the first day of January nineteen hundred and sixty-one:

Provided that nothing in this section shall relieve the Commissioners of the obligation of keeping such records as are required to be kept under the provisions of the Harbour Acts for the purpose of making up the register of electors referred to in the said Acts.

Costs of Order.

5. All costs charges and expenses of and incident to the preparing for obtaining passing and confirming of this Order or otherwise in relation thereto shall be paid by the Commissioners from and out of the revenues of their harbour undertaking.

Table of Statutes referred to in this Act

Short title	Session and chapter
Aberdeen Harbour Act 1868	31 & 32 Vict. c. cxxxviii.
Aberdeen Harbour Act 1895	58 & 59 Vict. c. cxxxvi.
Private Legislation Procedure (Scotland) Act 1936	26 Geo. 5 & 1 Edw. 8 c. 52.

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