STATUTORY INSTRUMENTS

1984 No. 998

HARBOURS, DOCKS, PIERS AND FERRIES

The Bridlington Harbour Revision Order 1984

Made - - - -	12*th July* 1984
Coming into Operation	18*th July* 1984

The Minister of Agriculture, Fisheries and Food, no objection having been received to a draft order submitted to him by the Bridlington Piers and Harbour Commissioners and published in accordance with Schedule 3 to the Harbours Act 1964**(a)**, being satisfied in accordance with section 14(2)(*b*) of the said Act that the making of the order is desirable in the interests of securing the improvement, maintenance and management of Bridlington Harbour in an efficient and economical manner, in exercise of the powers conferred on him by section 14 of the said Act and of all other powers enabling him in that behalf, hereby makes the following order:—

Citation and commencement

1.—(1) This order may be cited as the Bridlington Harbour Revision Order 1984 and shall come into operation on 18th July 1984.

(2) The Act of 1837, the order of 1928 and this order may be cited together as the Bridlington Harbour Act and Orders 1837 to 1984.

Interpretation

2. In this order—

"the Act of 1837" means the Bridlington Harbour Act 1837**(b)**;

"the Commissioners" means the Bridlington Piers and Harbour Commissioners;

"the order of 1928" means the Bridlington Harbour Order 1928**(c)**.

Borrowing powers

3. For section 23 of the order of 1928 there shall be substituted the following section—

(a) 1964 c. 40; sections 14 and 17 (which gives effect to Schedule 3) and Schedule 3 were amended by S.I. 1970/1681 and by the Transport Act 1981 (c. 56), sections 15(1) and 18(4) and Schedule 5, paragraph 14, Schedule 6, paragraphs 2, 3 and 4 and Schedule 12, Part II.

(b) 1837 c. cx.

(c) *See* 1928 c. lxix.

"*Borrowing powers*

23.—(1) The Commissioners may from time to time borrow upon the security of their assets for the time being and of their revenues, by any methods they see fit—

(*a*) such sums of money as they think necessary not exceeding in the aggregate £200,000 outstanding at any one time; and

(*b*) with the consent of the Minister of Agriculture, Fisheries and Food, such further sums of money as they may require:

Provided that, in calculating the aggregate sums of money borrowed by the Commissioners under paragraph (*a*) of this subsection, there shall be excluded any sums borrowed for the purpose of repaying within twelve months of the date of borrowing any sum for the time being outstanding by way of principal on any amount previously borrowed.

(2) Moneys borrowed by the Commissioners under this section shall be applied only to purposes to which capital money is properly applicable.

(3) For the purposes of this order, but without prejudice to the generality of subsection (2) of this section, purposes to which capital money is properly applicable shall be deemed to include—

(*a*) the payment of any interest, falling due within five years immediately following the date of borrowing, on any sum of money borrowed by the Commissioners under this section; and

(*b*) the repayment, within twelve months from the date of borrowing, of any sum for the time being outstanding by way of principal on any amount previously borrowed.".

Temporary borrowing

4. For section 31 of the order of 1928 there shall be substituted the following section—

"*Temporary borrowing*

31.—(1) The Commissioners may borrow temporarily, by way of overdraft or otherwise, such sums of money as the Commissioners may require for meeting their obligations or discharging their functions under or in pursuance of any enactment:

Provided that the total amount outstanding at any one time of money so borrowed shall not exceed £100,000.

(2) The power conferred by this section shall be in addition to any other borrowing power for the time being enjoyed by the Commissioners.".

Saving for powers of Treasury

5. Nothing in this order shall be construed as authorising the Commissioners to borrow money in contravention of any order for the time being in force under section 1 of the Borrowing (Control and Guarantees) Act 1946**(a)**.

(a) 1946 c. 58.

Consequential amendment and repeals

6.—(1) In section 28(4) of the order of 1928 for the words from "required" to the end of the paragraph there shall be substituted the words "in accordance with this order for payment of principal moneys borrowed under this order".

(2) The provisions of the Act of 1837 listed in the Schedule to this order are hereby repealed.

Costs of order

7. The costs, charges and expenses of and incidental to the preparing, applying for and obtaining of this order and otherwise in relation thereto shall be paid by the Commissioners.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 12th July 1984.

L.S.

R. W. Holmwood,
Assistant Secretary.

SCHEDULE Article 6(2)

PROVISIONS OF THE ACT OF 1837 REPEALED

Section 94 (Power to borrow money);

Section 95 (No preference in payment of mortgages);

Section 96 (Register book to be kept of mortgages);

Section 97 (Mortgages may be transferred);

Section 98 (Money may be borrowed at lower interest to pay off existing mortgages);

Section 99 (Provision for payment of creditors by lot);

Section 100 (When old securities lost new ones may be executed);

Section 101 (Application of monies).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order enables the Bridlington Piers and Harbour Commissioners to borrow—

(*a*) upon the security of their assets and revenues, by any methods they see fit, such sums of money as they think necessary not exceeding £200,000 and, with the consent of the Minister of Agriculture, Fisheries and Food, such further sums as they may require; and

(*b*) temporarily, by way of overdraft or otherwise, such sums not exceeding £100,000 as they may require.

The applicants for this order are the Bridlington Piers and Harbour Commissioners.

Printed in the UK for HMSO
820 A757 K30 C9 7/84

75p net

ISBN 0 11 046998 4