This Statutory Instrument has been printed to correct errors in SI 2017/601 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2025 No. 596

HARBOURS, DOCKS, PIERS AND FERRIES

The Folkestone Harbour Revision Order (Amendment) Order 2025

Made - - - -	*16th May 2025*
Laid before Parliament	*20th May 2025*
Coming into force	*10th June 2025*

Folkestone Harbour Company Limited has applied for a harbour revision order in accordance with section 14(2)(a) of the Harbours Act 1964(**a**) ("the Act").

The Secretary of State, as the appropriate Minister for the purposes of that section, has by an Order(**b**) made under section 42A of the Act(**c**) delegated the functions of the appropriate Minister under section 14(**d**) to the Marine Management Organisation(**e**).

The Marine Management Organisation, being satisfied as mentioned in sections 14(2)(b) and in exercise of the powers conferred by section 14(1) and (3) of the Act makes the following Order.

Citation, Commencement and Extent

1.—(1) This Order may be cited as The Folkestone Harbour Revision Order (Amendment) Order 2025 and comes into force on 10th June 2025.

(2) This Order extends to England and Wales.

(**a**) 1964 c. 40. Section 14 was amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6, paragraphs 2 to 4(1) and 14 and section 40 and Schedule 12 (Part II), by the Transport and Works Act 1992 (c. 42), section 63(1) and Schedule 3, paragraph 1, by S.I. 2006/1177, regulation 2 and the Schedule (Part I), by the Planning Act 2008 (c. 29), section 36 and Schedule 2, paragraphs 8 and 9, by S.I. 2009/1941, article 2 and Schedule 1, paragraph 12 and by the Criminal Justice Act 1982 (c. 48), sections 37 and 46. Section 54 (orders and regulations) was amended by the Transport Act 1981 (c. 56), sections 18 and 40 and Schedule 6 and 12 (Part II) and by the Marine and Coastal Access Act 2009 (c. 23), section 315 and Schedule 21, paragraphs 1 and 3(2).

(**b**) S.I. 2010/674.

(**c**) Section 42A was inserted, in relation to England and Wales, by the Marine and Coastal Access Act 2009 (c. 23), section 315 and Schedule 21, paragraphs 1 and 3(1).

(**d**) For the definition of "the Minister", see section 57(1) of the Harbours Act 1964 (c. 40).

(**e**) The Marine Management Organisation was established by section 1 of the Marine and Coastal Access Act 2009 (c. 23). The head office address of the Marine Management Organisation is located at Lancaster House, Hampshire Court, Newcastle upon Tyne NE4 7YH.

Amendment of the Folkestone Harbour Revision Order 2017

2.—(1) The Folkestone Harbour Revision Order 2017(**a**) is amended as follows.

(2) In article 12(2) (provision against danger to navigation), omit "not exceeding the statutory maximum".

(3) In article 14(2) (permanent lights on tidal works), omit "not exceeding the statutory maximum".

(4) In article 15(2) (lights on tidal works during construction), omit "not exceeding the statutory maximum".

Signed by authority of the Marine Management Organisation

Michelle Willis
Acting Chief Executive Officer
16th May 2025 An authorised employee of the Marine Management Organisation

EXPLANATORY NOTE

(This note is not part of the Order)

This Order made on the application of Folkestone Harbour Company Limited amends the Folkestone Harbour Revision Order 2017 (S.I. 2017/601) ("the 2017 Order") to omit the words "not exceeding the statutory maximum" in paragraph (2) of articles 12, 14 and 15.

This Order corrects an error in the 2017 Order, which did not reflect the effect of section 85 (removal of limit on certain fines on conviction by magistrates' court) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10). Section 85 of that Act removed the upper limits on fines that can be imposed on summary conviction where that limit is expressed as the "statutory maximum". The effect of the amendment is to remove the limit on the amount of any fine that may be imposed by a magistrates' court on summary conviction if Folkestone Harbour Company Limited fails to comply with a direction under Articles 12(2) (provision against danger to navigation), 14(2) (permanent light on tidal works) or 15(2) (lights on tidal works during construction) of the 2017 Order.

An impact assessment has not been prepared for this instrument as there is no, or no significant, impact predicted on businesses, charities, voluntary bodies or the public sector.

An Explanatory Memorandum is available alongside the instrument on the UK legislation website at www.legislation.gov.uk.

© Crown copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

(**a**) S.I. 2017/601.

£5.78

http://www.legislation.gov.uk/id/uksi/2025/596

ISBN 978-0-34-827208-6

