STATUTORY INSTRUMENTS

1974 No. 1652

HARBOURS, DOCKS, PIERS AND FERRIES

The Mersey Docks and Harbour (Miscellaneous Provisions) Revision Order 1974

Made - - - -	*22nd April* 1974
Laid before Parliament	*13th June* 1974
Coming into Operation	*24th July* 1974

The Secretary of State for the Environment in exercise of the powers conferred by section 14 of the Harbours Act 1964(a) and now vested in him(b) and of all other powers enabling him in that behalf, and on the application of The Mersey Docks and Harbour Company, (hereinafter called "the Company") hereby makes the following order:—

Citation and commencement

1.—(1) This order may be cited as The Mersey Docks and Harbour (Miscellaneous Provisions) Revision Order 1974 and shall come into operation on the date fixed in accordance with the Statutory Orders (Special Procedure) Acts 1945 and 1965(c).

(2) The Mersey Docks and Harbour Acts 1857 to 1971 and this order may be cited together as the Mersey Docks and Harbour Acts and Order 1857 to 1974.

Definitions

2. In this order and in the Mersey Docks and Harbour Acts 1857 to 1971 unless the context otherwise requires the following expressions have the meanings hereby assigned to them, that is to say:—

"master lumper" means the person responsible for all operations connected with the discharge of cargo from vessels.

"master porter" means the person responsible for receiving the cargo from the master lumper and for holding the same thereafter and delivering it to the owner thereof.

"master stevedore" means the person responsible for all operations of loading cargo on, and the stowage of cargo in, vessels.

Indemnities from master porters, etc.

3. The Company may require any master porter, master stevedore or master lumper to furnish to the Company an indemnity, in respect of goods for which he is responsible as such, against any liability of the Company to the Commissioners of Customs and Excise, whether statutory or arising from any bond,

(a) 1964 c. 40.
(b) S.I. 1970/1681 (1970 III, p. 5551).
(c) 9 & 10 Geo. 6 c. 18; 1965 c. 43.

indemnity or undertaking given, or agreement entered into, by or on behalf of Company.

Information with regard to cargoes

4. The Company may require any master porter to furnish to the Company an abstract in a form approved by the Company of the marks, number, weights and measurements of all goods discharged from any vessel for which he is responsible as master porter, showing particulars of days of discharge and of the days and hours of delivery, and at the same time to furnish to the Collector or other proper officer of the Customs at Liverpool a duplicate of such abstract.

Payment towards salary of acting conservator

5. Subsection (1) of section 27 of the Mersey Docks and Harbour Board Act 1956(a) is amended by substituting for the words "two thousand pounds" the words "three thousand pounds".

Repeals

6. The enactments specified in columns (1), (2) and (3) of the Schedule to this order are hereby repealed to the extent specified in column (4) of that Schedule.

Costs of Order

7. The Company shall out of any moneys for the time being in their hands pay and discharge all the costs, charges and expenses of the Company of and incident to the preparing, applying for and obtaining of this order.

Signed by authority of the Secretary of State

Fred Mulley,
Minister for Transport,
Department of the Environment.

22nd April 1974.

(a) 1956 c. xcii.

SCHEDULE

Article 6

REPEALS

Act (1)	Section (2)	Marginal Note (3)	Extent of repeal (4)
The Mersey Dock Acts Consolidation Act 1858 (1858 c. xcii)	XXXII	Power to appoint Officers	The words "master porters"
	XXXV	One Set of Porters to receive, &c. the Cargo of each Vessel	The whole section
	XXXVI	Master Porter to give Bond with Sureties. Owners, &c. may sue on the Bond	The whole section
	XXXVII	Owners, &c. of Goods may bring other actions on the same Bond	The whole section
	XL	Penalty on Persons acting as Master Porters without having given Bond	The whole section
	XLI	Board may dismiss Master Porters	The whole section
	XLIII	Owner of the entire Cargo may employ any Master Porter that he may think proper	The whole section
The Mersey Docks (Ferry Accommodation) Act 1860 (1860 c. cl.)	XXXIII	As to Byelaws regulating Master Porters	The whole section
The Mersey Docks (Corporation Purchase) Act 1861 (1861 c. clxxxviii)	10	Power to appoint Surveyors of Cargoes and Goods, and to licence Master Steve-dores and Master Lumpers	The words from "and it shall also be lawful" to the end of the section
	12	Bonds entered into by Master Porter to be increased from 200*l* to 500*l*	The whole section
	13	Persons licensed as Master Stevedores and Master Lumpers to give Bonds with Sureties in 200*l*	The whole section
	14	If such Persons be also appointed Master Porters Bonds to be increased to 500*l*	The whole section
	15	Owners, &c. of Goods may bring other Actions on the same Bond	The whole section
	16	When new Bonds are to be given	The whole section
	17	Penalty on Persons acting as Master Stevedores or Master Lumpers without having given Bond	The whole section
	18	Owner or Master of a Vessel may employ the Crew to discharge Cargo	The whole section
	19	Board may rescind Licences of Persons appointed Master Stevedores or Lumpers	The whole section
	23	Master Porters to be ressible for correct weighing and measuring of goods	The whole section

Act (1)	Section (2)	Marginal note (3)	Extent of repeal (4)
The Mersey Docks (Corporation Purchase) Act 1861 (1861 c. clxxxviii)—*(contd.)*	24	Landing Clerk appointed by Master Porter to keep Account of landing and Delivery of Goods	The whole section
	37	Byelaws respecting Traffic Managers, Stevedores, and Lumpers	The whole section
The Mersey Docks (Various powers) Act 1898 (1898 c. iv.)	—	—	The whole Act
The Mersey Docks and Harbour Board Act 1919 (1919 c. xiv.)	16	As to Master Porters Master Stevedores and Master Lumpers	The whole section
The Mersey Docks and Harbour Board Act 1954 (1954 c. xlv.)	13	Further power to vary or alter certain byelaws	The whole section
The Mersey Docks and Harbour Board Act 1966 (1966 c. xi.)	37	Re-enactment of section 25 of Act of 1950	In each of subsections (2) and (3) of the substituted section, the words from the beginning to "the Act of 1861".
	38	Allocation of berths for cargo operations	In subsection (3), the words from the beginning to "the Act of 1861"

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order—

(*a*) repeals provisions of the Acts affecting The Mersey Docks and Harbour Company relating to the appointment by the Company of master porters, the licensing of master stevedores and lumpers, and their respective duties and functions, and revokes the existing byelaws relating thereto;

(*b*) empowers the Company to require indemnities from master porters, master stevedores and master lumpers against liabilities in respect of customs and excise;

(*c*) empowers the Company to require master porters to furnish certain information as to goods discharged from vessels;

(*d*) increases the Company's maximum payment towards salary and expenses of the acting conservator of the river Mersey and those persons performing duties under the Mersey Conservancy Act 1842.

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