CHAPTER xxi

An Act to confirm a Provisional Order made by the Minister of Transport under the General Pier and Harbour Act,1861, relating to Fowey. [29th July 1960.]

WHEREAS a Provisional Order made by the Minister of Transport under the General Pier and Harbour Act, 1861, is not of any validity or force whatever until confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas it is expedient that the Provisional Order made by the Minister of Transport under the said Act which, as amended, is set out in the schedule to this Act be confirmed by Act of 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:—

Confirmation of Order in schedule.

1. The Order as set out in the schedule to this Act shall be and the same is hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and force.

Short title.

2. This Act may be cited as the Pier and Harbour Order (Fowey) Confirmation Act, 1960.

SCHEDULE

FOWEY HARBOUR

Provisional Order to authorise the Fowey Harbour Commissioners to form and maintain a replacement reserve fund to increase the total sum which may stand to the credit of their contingency fund and for other purposes.

Short and collective titles.

1.—(1) This Order may be cited as the Fowey Harbour Order, 1960.

(2) The Order of 1937 and this Order may be cited together as the Fowey Harbour Orders 1937 and 1960.

Commencement of Order.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed.

Interpretation.

3. In this Order unless the context otherwise requires—

"the Commissioners" means the Fowey Harbour Commissioners;

"the Order of 1937" means the Fowey Harbour Order 1937 scheduled to and confirmed by the Pier and Harbour Order (Fowey) Confirmation Act, 1960;

"statutory security" has the meaning given to that expression by section 3 (Interpretation) of the Order of 1937.

Exclusion of Harbours Clauses Act 1847.

4. The Harbours Docks and Piers Clauses Act 1847 shall not be incorporated in this Order.

Undertakers.

5. The Commissioners shall be the undertakers for carrying this Order into execution.

Replacement reserve fund.

6. Subject to the provisions of the Order of 1937 (as amended by this Order) as to the application of revenue the Commissioners may if they think fit for the purpose of forming and maintaining a replacement reserve fund not exceeding at any one time the sum of seventy-five thousand pounds to meet the cost of renewing or replacing in whole or in part any vessels plant or apparatus of the Commissioners appropriate and set apart any sum which they think fit in any year out of the revenue received by them under the Fowey Harbour Orders 1937 and 1960 and shall deposit any such sum in some joint stock bank or otherwise or shall invest the same in statutory securities until required for any of the purposes aforesaid.

Amendment of Order of 1937.

7.—(1) Section 44 (Contingency fund) of the Order of 1937 shall be read and have effect as if the words "fifty thousand pounds" were substituted for the words "ten thousand pounds" therein.

(2) Section 45 (Application of harbour revenue) of the Order of 1937 shall be read and have effect as if there were inserted in paragraph (5) after the words "provisions of this Order" the words "and a replacement reserve fund established under the provisions of the Fowey Harbour Order 1960".

Costs of Order.

8. All costs charges and expenses of and incident to the preparing and obtaining of this Order and otherwise incurred in reference thereto shall be paid by the Commissioners.

PRINTED BY SIR JOHN ROUGHTON SIMPSON, C.B.
Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament
LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE
Price 4*d.* net
(38590) PRINTED IN ENGLAND