ELIZABETH II



1980 CHAPTER xxxiii

An Act to confirm a Provisional Order made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Great Yarmouth Wellington Pier. [8th August 1980]

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 by Act of Parliament: 1861 c. 45.

And whereas it is expedient that the Provisional Order made by the Minister of Transport under the said Act as 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 (Great Yarmouth Wellington Pier) Confirmation Act 1980.

SCHEDULE

GREAT YARMOUTH WELLINGTON PIER

Provisional Order to authorise the Great Yarmouth Borough Council to lease or sell the undertaking relating to the pier authorised by the Great Yarmouth Wellington Pier Order 1901*; to repeal and amend certain enactments relating to that pier and for other purposes.*

Short and collective titles.

1.—(1) This Order may be cited as the Great Yarmouth Wellington Pier Order 1980.

(2) The Great Yarmouth Wellington Pier Order 1901 and this Order may be cited together as the Great Yarmouth Wellington Pier Orders 1901 and 1980.

Commencement.

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

Interpretation.

3. In this Order except where the context otherwise requires—

1897 c. cciv.

" the Act of 1897 " means the Great Yarmouth Corporation Act 1897;

" the Council " means the Great Yarmouth Borough Council;

" the existing enactments " means the Act of 1897, the Order of 1901 and this Order;

1901 c. clix.

" the Order of 1901 " means the Great Yarmouth Wellington Pier Order 1901;

" the undertaking " means the undertaking of the Council relating to the pier authorised by the Order of 1901 and known as the Wellington Pier.

Undertakers.

4. The Council shall be the undertakers for carrying this Order into execution.

Application of Harbours Clauses Act 1847.

5.—(1) In the application to this Order of the Harbours, Docks and Piers Clauses Act 1847 the expression " the special Act " shall mean this Order.

1847 c. 27.

(2) Sections 6 and 13, 16 to 19 and 84 to 90 of the Harbours, Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

Removal of restriction on further powers to lease.

6. Section 23 of the Harbours, Docks and Piers Clauses Act 1847 (which restricts the term of certain leases granted by the Council to three years) shall cease to apply to the undertaking and that section as incorporated or deemed to be incorporated with the existing enactments shall be repealed.

Power to sell or lease undertaking.

7.—(1) The Council may sell or lease the undertaking or any part thereof (hereafter in this section referred to as " such undertaking ") and the purchaser or lessee, to the extent authorised by his conveyance or lease, shall have and may exercise all or any of the powers conferred upon the Council by the existing enactments, including those of this

section, in relation to such undertaking and shall be subject to all the restrictions, liabilities and obligations in respect of such undertaking to which the Council are subject and shall perform all the duties of the Council under the existing enactments in respect of such undertaking.

(2) The Council shall, within one month after the date of any conveyance or lease made under this section, deposit a certified copy thereof at the Department of Transport.

(3) The first purchaser or lessee from the Council and any subsequent purchaser, lessee or sub-lessee thereafter shall not dispose of such undertaking otherwise than in accordance with the provisions of this section.

Charges for use of pier.

8. The Council shall have power to demand, take and recover such rates as they think fit for the use of the pier authorised by the Order of 1901.

Repeal.

9. The enactments specified in columns (1) and (2) of the Schedule to this Order are hereby repealed to the extent specified in column (3) of that Schedule.

Costs of Order.

10. 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 Council.

SCHEDULE

Section 9.

ENACTMENTS REPEALED

Chapter of Act, or Act confirming Provisional Order (1)	Short title (2)	Extent of repeal (3)
60 & 61 Vict. c. cciv.	Great Yarmouth Corporation Act 1897.	Section 42.
1 Edw. 7. c. clix.	Great Yarmouth Wellington Pier Order 1901.	Sections 17, 18, 19 and 23. In section 22 the words "under this Order", First Schedule.
11 & 12 Geo. 5. c. c.	Great Yarmouth Wellington Pier Order 1921.	The whole Order.

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