CHAPTER lxviii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Llandudno Galway and Scrabster. A.D. 1903.

[30th June 1903.]

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

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act and set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore enacted by the King'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 Orders in schedule.

1. The several Orders set out in the schedule to this Act shall be and the same are 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.

Special provisions as to houses of labouring class.

60 & 61 Vict. c. 38.

2. The Undertakers mentioned in the said Orders shall not under the powers of this Act or of the said Orders purchase or acquire in any borough or other urban district or in any parish or part of a parish not being within an urban district or in any district in Scotland within the meaning of the Public Health (Scotland) Act 1897 as the case may be ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants

A.D. 1903.

or lodgers or except with the consent of the Local Government Board or in Scotland of the Secretary for Scotland ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

If any Undertakers acquire or appropriate any house or houses under the powers of this Act or of the said Orders in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court in England or Ireland or by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

For the purposes of this section the expression "labouring class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them and the expression "house" means any house or part of a house occupied as a separate dwelling.

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 1) Act 1903.

SCHEDULE.

A.D. 1903.

LLANDUDNO VICTORIA PIER.

Provisional Order for Amending the Llandudno Victoria Pier Order 1897 *with respect to the time for the commencement and completion of the Works under that Order.* *Llandudno.*

Short title and commencement.

1.—(1) This Order may be cited as "the Llandudno Victoria Pier Order 1903" and shall be construed as one with the Llandudno Victoria Pier Order 1897 (in this Order referred to as "the Order of 1897") and this Order and the Order of 1897 as amended by this Order may be cited together as the Llandudno Victoria Pier Orders 1897 and 1903.

(2) This Order shall come into operation on the day when the Act confirming this Order is passed and that day is in this Order referred to as the commencement of this Order.

Revival of powers of Order of 1897.

2. The powers conferred by the Order of 1897 for commencing and executing the works authorised by that Order or otherwise in relation thereto are hereby revived and extended and may be exercised by the Company notwithstanding anything contained in Section 20 of the Order of 1897.

Powers to cease in certain events.

3.—(1) If within two years after the commencement of this Order any of the works authorised by the Order of 1897 are not substantially commenced the powers given by the Order of 1897 and this Order for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by special direction of the Board of Trade.

(2) If at any time after the commencement of this Order any of the works authorised by the Order of 1897 after having been substantially commenced are virtually suspended for twelve consecutive months the powers given by the Order of 1897 and this Order for executing such works or otherwise in relation thereto shall cease except as to so much of such works as are then completed unless such powers are by the special direction of the Board of Trade continued and directed to remain in force for any period not exceeding five years from the commencement of this Order.

(3) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced or have been virtually suspended for twelve consecutive months shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

(4) Section 20 of the Order of 1897 is hereby repealed.

Order of 1897 confirmed.

4. Subject to the provisions of this Order and except as expressly varied by this Order the Order of 1897 shall remain in full force and effect.

Costs of Order.

5. All costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Company.

A.D. 1903.

GALWAY HARBOUR.

Galway.

Provisional Order for altering for the purposes of rating the method of calculating the register tonnage of steam vessels and steam tugs respectively entering using or touching at the Port and Harbour of Galway and for other purposes.

Short title.

1. This Order may be cited as "the Galway Harbour Order 1903."

Interpretation.

2. In this Order the expression "the Commissioners" means the Galway Harbour Commissioners and the expression "the Port" means the Port and Harbour of Galway.

Commencement of Order.

3. This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as the commencement of this Order.

Meaning of rateable tonnage.

4.—(1) The "rateable tonnage" of steam vessels (other than steam tugs) shall for the purposes of this Order mean such proportion not exceeding fifty per centum of the gross tonnage as the Commissioners shall from time to time determine and in default of and until such determination shall mean the register tonnage.

(2) The "rateable tonnage" of steam tugs shall for the purposes of this Order mean such proportion not exceeding eighteen per centum of the gross tonnage as the Commissioners shall from time to time determine and in default of and until such determination shall mean the register tonnage.

Advertisements.

5. The Commissioners shall by public advertisement in the "Shipping Gazette" and also in some newspaper published or circulating in the town of Galway give one calendar month's notice of the proportion of gross tonnage from time to time determined on by them as constituting the rateable tonnage of steam vessels and steam tugs respectively.

Calculation of rates.

6. Subject to the provisions of section 7 of this Order from and after the commencement of this Order such of the rates tolls or duties collectable recoverable or leviable by the Commissioners in respect of steam vessels and steam tugs respectively as were previously to the commencement of this Order calculated by reference to the register tonnage of such steam vessels and steam tugs respectively shall be calculated by reference to the rateable tonnage of such steam vessels and steam tugs respectively.

Exception of certain steam vessels.

7. The provisions of section 6 of this Order shall not apply to steam vessels or steam tugs the register tonnage of which is greater than their rateable tonnage.

Application of certain sections of the Harbours Docks and Piers Clauses Act 1847. 10 & 11 Vict. c. 27.

8. Sections 49 and 50 of the Harbours Docks and Piers Clauses Act 1847 shall apply to the accounts of the Commissioners.

A.D. 1903.

Galway.

9.—(1) The Commissioners within one month after sending to the Clerk of the Peace a copy of the annual account in abstract shall send a copy of it to the Board of Trade and section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any such account. Annual account to be sent to the Board of Trade. 25 & 26 Vict. c. 19.

(2) If the Commissioners refuse or neglect to comply with this section they shall for each refusal or neglect be liable to a penalty not exceeding twenty pounds.

10.—(1) The rates to be received by the Commissioners shall be adjusted by them in such a manner that as far as possible the income of the harbour shall be sufficient and not more than sufficient for the purposes of the harbour. Adjustment of rates.

(2) If at any time it appears to the Board of Trade from the annual account to be sent to them under this Order that the clear annual income derived from the harbour on the average of the then three last preceding years after payment of all expenses and outgoings exceeds the amount sufficient for the purposes of the harbour the Board may if they think fit reduce the maximum rates leviable by the Commissioners to such sum as shall be sufficient to provide the amount aforesaid and may at any time raise those rates again.

(3) Provided that the rates so adjusted shall at no time exceed the maximum rates leviable by the Commissioners under the Act or Acts of Parliament relating to the harbour as amended by this Order.

11. All costs charges and expenses of and incident to the preparation and obtaining of this Order or otherwise incurred in relation thereto shall be paid by the Commissioners out of any of their funds. Costs of Order.

SCRABSTER HARBOUR.

Scrabster.

Provisional Order for reviving the powers for the construction of Works at the Harbour of Scrabster in the County of Caithness authorised by the Scrabster Harbour Order 1897.

1. This Order and the Scrabster Harbour Order 1897 (in this Order called "the Order of 1897") as amended by this Order shall be read and construed together as one Order and this Order may be cited as the Scrabster Harbour Order 1903 and the Order of 1897 and this Order may be cited together as the Scrabster Harbour Orders 1897 and 1903. Short title.

2. The Trustees of the Harbour of Scrabster (herein-after called "the Trustees") shall be the Undertakers for carrying this Order into execution and shall have and may exercise the powers conferred by the Order of 1897 and this Order. Undertakers.

A.D. 1903.

Scrabster.

Commencement of Order.

3. This Order shall come into force and take effect on the day when the Act confirming this Order is passed which day is in this Order referred to as the commencement of this Order.

Revival of powers of Order of 1897.

4. The powers conferred by the Order of 1897 for commencing and executing the works authorised by that Order (so far as the same are not already completed) or otherwise in relation thereto are hereby revived and extended and may be exercised by the Trustees notwithstanding anything contained in section 21 of the Order of 1897.

Powers to cease in certain events.

5.—(1) If within two years after the commencement of this Order any of the works authorised by the Order of 1897 are not substantially commenced the powers given by the Order of 1897 and this Order for executing such works or otherwise in relation thereto shall cease unless the time for commencement be extended by special direction of the Board of Trade.

(2) If at any time after the commencement of this Order any of the works authorised by the Order of 1897 after having been substantially commenced are virtually suspended for twelve consecutive months the powers given by the Order of 1897 and this Order for executing such works or otherwise in relation thereto shall cease except as to so much of such works as are then completed unless such powers are by the special direction of the Board of Trade continued and directed to remain in force for any period not exceeding five years from the commencement of this Order.

(3) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced or have been virtually suspended for twelve consecutive months shall for the purposes of this Order be conclusive evidence of the fact stated in such certificate.

(4) Section 21 of the Order of 1897 is hereby repealed.

Order of 1897 confirmed.

6. Subject to the provisions of this Order and except as expressly varied thereby the Order of 1897 shall remain in full force and effect.

Costs of Order.

7. The costs charges and expenses of and incidental to preparing obtaining and passing this Order shall be paid by the Trustees.

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