Session and Chapter.	Short Title.	Extent of Repeal.
Edw. 7. c. 17	The Probation of Offenders Act, 1907.	In section one, subsection (3), from "and if the offender" to the end of the subsection. Subsection (4) of section six, from "In the case" to the end of the subsection.
Edw. 7. c. xxvii.	The Edinburgh Corporation (Tramways, &c.) Order Confirmation Act, 1908.	Subsections (1) and (3) of section fifteen of the Schedule.

CHAPTER 68.

An Act to provide for the improvement and better administration of the Port of London, and for purposes incidental thereto. [21st December 1908.]

BE it 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:

Establishment of Port of London Authority.

Establishment of Port of London Authority.

1.—(1) An authority (in this Act referred to as the Port Authority) shall be established for the purpose of administering, preserving, and improving the port of London and otherwise for the purposes of this Act.

(2) The Port Authority shall be a body corporate by the name of the Port of London Authority, with a common seal, having power to acquire and hold land for the purposes of this Act without licence in mortmain.

(3) The Port Authority shall consist of a chairman and vice-chairman and other members elected and appointed in manner provided by this Act.

(4) Subject to the provisions of this section, the chairman and vice-chairman shall be appointed by the Port Authority; the person to be appointed to either such office may, but need not, be an elected or appointed member.

(5) Subject to the provisions of this section, the number of elected members shall be eighteen, of whom seventeen shall be elected by payers of dues, wharfingers, and owners of river craft, and one shall be elected by wharfingers.

(6) Subject to the provisions of this section, the number of the appointed members shall be ten, appointed as follows:—

By the Admiralty - - - - -	1
By the Board of Trade - - - -	2

By the London County Council (being members of the Council) - - -	2
By the London County Council (not being members of the Council) - -	2
By the Corporation (being a member of the Corporation) - - - - -	1
By the Corporation (not being a member of the Corporation) - - -	1
By the Trinity House - - - - -	1

(7) With a view to providing for the representation of labo on the Port Authority, one of the members of the Port Authori appointed by the Board of Trade shall be appointed by t Board after consultation with such organisations representative labour as the Board think best qualified to advise them upon t matter, and one of the members of the Port Authority appointe by the London County Council shall be appointed by the counc after consultation with such organisations representative labour as the council think best qualified to advise them upo the matter.

(8) Until the time fixed by this Act for the first retirement members, two at least of the members of the Port Authorit shall be persons of experience in dock management, and, if i order to enable this requirement to be observed it is necessar to do so, the Board of Trade may appoint one or two additiona appointed members.

(9) Subject to the provisions of this section, the Por Authority may pay to the chairman, vice-chairman, and chair man of any committee, or to any of them, such salaries or salar as the Port Authority may determine.

(10) Subject to the provisions of this section, the provision contained in the First Schedule to this Act shall have effect wit respect to the constitution and proceedings of the Port Authorit and the election and appointment of members.

(11) The first elected members, instead of being elected a provided by this Act, shall be appointed by the Board of Trad after consultation with such persons and bodies having know ledge and experience of trade or shipping in the Port of Londo as the Board may think fit, and the first chairman shall, if th Board think fit, be appointed by the Board, and shall, i appointed by the Board, be paid such salary (if any) as the Boar may determine.

Powers and Duties of Port Authority as to Accommodation and Facilities.

General duties of Port Authority as to improvement of accommodation and facilities.

2.—(1) It shall be the duty of the Port Authority, as soon a may be after the appointed day, to take into consideration th state of the river and the accommodation and facilities afforde in the Port of London, and, subject to the provisions of thi Act, to take such steps as they may consider necessary for th improvement thereof.

(2) For the purposes aforesaid the Port Authority may, subject to the provisions of this Act, do all or any of the following things:—

(*a*) carry on the undertaking of any dock company transferred to the Port Authority by this Act;

(*b*) acquire and carry on any undertaking affording or intended to afford accommodation or facilities for the loading, unloading or warehousing of goods in the Port of London;

(*c*) construct, equip, maintain, or manage any docks, quays, wharves, jetties, locks, or piers, and buildings, railways, and other works in connexion therewith;

(*d*) exercise any other powers conferred on or transferred to the Port Authority by or under this Act.

Transfer to Port Authority of undertakings of dock companies.

3.—(1) As from the appointed day the undertakings of the London and India Docks Company, the Surrey Commercial Dock Company, and the Millwall Dock Company (which companies are in this Act referred to as dock companies) shall be transferred to and vest in the Port Authority, and the Port Authority shall issue to those companies, or as they may direct, as consideration for their undertakings the following amounts of port stock created under this Act—

(*a*) in the case of the London and India Docks Company, seven million nine hundred and seventy-eight thousand eight hundred and seventy-six pounds of A port stock and nine million eight hundred and ninety-three thousand eight hundred and thirty-five pounds of B port stock:

(*b*) in the case of the Surrey Commercial Dock Company, five hundred and twenty-two thousand pounds of A port stock and two million three hundred and eighty-eight thousand four hundred and eighty-five pounds of B port stock:

(*c*) in the case of the Millwall Dock Company, six hundred and fifty-one thousand two hundred and seventy-six pounds of A port stock and nine hundred and twenty-eight thousand five hundred and four pounds of B port stock.

(2) The stocks so issued shall be substituted for the existing debenture and other stocks of the dock companies in accordance with the provisions of the Second Schedule to this Act, and on such substitutions being effected the existing debenture and other stocks of those companies shall be cancelled:

Provided that no interest shall accrue due on any such existing stock in respect of any period after the appointed day, but the port stock issued in substitution therefor shall carry interest as from the appointed day.

(3) Subject to the provisions of this Act and of any order of the Board of Trade made under this section, on the transfer of

taking, and may exercise all the rights, powers, and privileges of the company, and shall, to the exclusion of the company, be subject to all the duties, obligations, and liabilities of the company (other than those in respect of the debenture stock of the company) under the Acts, whether local or general, and other provisions relating to or affecting the company, and to all other duties, liabilities, and obligations of the company existing at the appointed day, in like manner as if they were the company.

(4) The Board of Trade may make such orders as may be necessary for the purpose of enabling the transfers to be effected and enabling the Port Authority to carry on the undertakings when transferred.

Power to purchase undertakings.

4.—(1) It shall be lawful for the Port Authority and the owners of any undertaking affording or intended to afford accommodation or facilities for the loading, unloading, or warehousing of goods in the Port of London with the consent of the Board of Trade to enter into and carry into effect an agreement for the transfer of the undertaking to the Port Authority, and the Board of Trade may, on the application of the Port Authority or the owners, make such orders as may be necessary for the purpose of enabling the agreement to be carried into effect, and any such order may (amongst other things) provide, if the owners are a company, for the redemption and payment off of any debentures or debenture stock of the company, and for the dissolution of the company, and, if the whole or any part of the consideration under the agreement consists of port stock, as to the period within which provision is to be made for the redemption of that port stock.

(2) If the Port Authority desire to purchase any such undertaking but are unable to come to an agreement with the owners of the undertaking, it shall be lawful for the Port Authority to promote a Bill in Parliament for the purpose.

Power to Port Authority to enter into agreements with London County Council as to transfer of piers, &c.

5. The Port Authority and the London County Council may enter into and carry into effect agreements for or with respect to the acquisition by or transfer to the Port Authority, on such terms and conditions as may be agreed, of any piers and landing places belonging to or held by the said council, together with the powers of making byelaws, appointing tolls, rates, or charges, and of levying and enforcing the same, and with all other rights, powers, and authorities vested in or exerciseable by the said council in respect of such piers and landing places, and, upon such acquisition or transfer, all the said powers, rights, and authorities shall become vested in and exerciseable by the Port Authority.

Power of Board of Trade to authorise construction of works, &c.

6.—(1) The Board of Trade may on the application of the Port Authority make an order—

(*a*) authorising the construction and equipment of such docks, quays, wharves, jetties, or piers, and buildings, railways, and other works in connexion therewith as may be specified in the order;

(*b*) authorising the purchase and taking otherwise than by agreement of such land as may be specified in the order;

(*c*) authorising the imposition, levying, collection, and recovery of such dues, rates, tolls, and other charges in respect of the use of any works proposed to be constructed in pursuance of an order under this section, and conferring such powers of management of those works, as may be specified in the order;

(*d*) authorising the Port Authority to charge to capital as part of the cost of construction of any work authorised by the order, the interest on any money raised to defray the expenses of construction of any such work and the acquisition of land for the purpose, for such period and subject to such restrictions as may be mentioned in the order:

Provided that—

(i) no land shall be authorised by an order under this section to be acquired compulsorily which is situate to the westward of the meridian six minutes of longitude east of Greenwich or which has been acquired by the owners thereof under any Local Act, Provisional Order, or order having the force of an Act of Parliament;

(ii) an order authorising the construction of new works shall impose on the Port Authority an obligation to provide such housing accommodation for the persons to be employed at the new works when constructed as the Board of Trade may from time to time consider requisite; and

(iii) Nothing in this section shall, without the consent of the Board of Agriculture and Fisheries, authorise the acquisition of any common or commonable land, or any recreation ground, village green, or other open space dedicated to the use of the public, or any disused burial ground.

(2) Before making an order under this section, the Board of rade shall appoint an impartial person, not in the employment any Government Department, to hold a public inquiry on eir behalf, and, if he reports or if it appears to the Board of rade that by reason of the extent or situation of any land oposed to be acquired compulsorily, or the purposes for which ch land is used, or any other circumstances, the land ought t to be acquired compulsorily without the sanction of Parliament, e order of the Board shall be provisional only and shall not ve effect unless confirmed by Parliament.

(3) Any order made under this section authorising the rchase and taking of land otherwise than by agreement shall corporate the Lands Clauses Acts as if the order were a special

(4) An order other than a Provisional Order made by the Board of Trade under this section shall not take effect until a draft thereof has lain for thirty days during the session of Parliament on the table of both Houses of Parliament, and, if either House during those thirty days presents an address to His Majesty against the draft, no further proceedings shall be taken thereon but without prejudice to the making of a new order.

PROVISIONS AS TO THE THAMES CONSERVANCY.

Transfer of powers, &c. of Thames Conservators in respect of lower river.

7.—(1) Subject to the provisions of this Act, as from the appointed day there shall be transferred to the Port Authority all rights, powers, and duties of the Conservators of the River Thames (in this Act referred to as the Conservators) in respect of the River Thames below the landward limit of the Port of London and there shall also be transferred from the Conservators to the Port Authority the lower navigation fund and all liabilities in respect of, and any sinking fund applicable to the redemption of, the Thames Conservancy redeemable A debenture stock, and all property and liabilities of the Conservators held, acquired, or incurred in respect of the Thames below the landward limit of the Port of London.

(2) All enactments relating to the Conservators (except those regulating the funds and accounts of and borrowing by the Conservators) shall, so far as not repealed by this Act and so far as they relate to the rights, powers, duties, property, and liabilities transferred, have effect as if references to the Port Authority were substituted for references to the Conservators:

Provided that—

(*a*) in any such enactments references to the Port of London shall be construed as references to the Port of London as defined by this Act; and

(*b*) in any such enactments references to the River Thames above and below Teddington Lock shall be construed as references to the River Thames above and below the landward limit of the Port of London; and

(*c*) in the definition of "the Thames" in section three of the Thames Conservancy Act, 1894, for "an imaginary straight line drawn from the entrance to Yantlet Creek in the county of Kent to the city stone opposite to Canvey Island in the county of Essex," there shall be substituted "the seaward limit of the port of London"; and in that definition after the words "railway company" there shall be inserted the words "and no part of the River Medway within the jurisdiction of the Conservators of that river"; and

& 58 Vict. cixxxvii.

(*d*) for the proviso to subsection (1) of section eighty-three of the Thames Conservancy Act, 1894 (which relates to the area within which the powers of the

exerciseable), there shall be substituted, "Provided "that the Board of Trade may, on the application "of the Port Authority, by Provisional Order extend "the area within which the powers under this sub-"section may be exercised so as to include so much "of the estuary of the River Thames and the shores "thereof to the eastward of the seaward limit of "the Port of London as is westward of such line "as may be fixed by the Provisional Order"; and

(*e*) so much of the Thames Conservancy Act, 1894, as exempts from duties of tonnage, vessels for passengers only shall be repealed; and

(*f*) so much of the Thames Conservancy Act, 1905, as limits the period during which the increased duties of tonnage authorised by that Act may be demanded and received shall be repealed; and 5 Edw. 7. c. cxcviii.

(*g*) enactments relating to powers and duties as to house-boats, and pleasure boats shall not apply to the Port Authority; and

(*h*) the powers and duties of the Port Authority and their officers with respect to fishing boats, fish, and fishing, shall, unless and until such an order as is herein-after mentioned is made, extend to the line drawn from Yantlet Creek to the city stone opposite to Canvey Island but not eastward of that line, but the Board of Agriculture and Fisheries may, with the consent of the Board of Trade, make an order either—

(i) excluding from the Kent and Essex sea fisheries district such part of the Port of London as is included therein, and extending the said powers and duties of the Port Authority and their officers to the part of the Port of London eastward of the said line; or

(ii) extending the Kent and Essex sea fisheries district to such part of the Port of London westward of the said line as may be specified in the order, and excluding such part from the area within which the said powers and duties of the Port Authority and their officers may be exercised and performed;

and any order made for that purpose shall have effect as if it was an amending Order made under the Sea Fisheries Regulation Act, 1888; and 51 & 52 Vict. c. 54.

(*i*) if the Port Authority revoke any licence for any of the purposes mentioned in sections one hundred and nine and one hundred and ten of the Thames Conservancy Act, 1894, granted by the Conservators or their predecessors and in force at the appointed day, or refuse to grant a licence for any such purpose on reasonable terms, the licencee or applicant may appeal against the revocation or refusal to the Board of Trade and

the decision of the Board of Trade shall be final and binding on both parties; and

(*j*) subsection (4) of section one hundred and ninety-three of the Thames Conservancy Act, 1894, relating to the publication of alterations in and additions to byelaws shall not apply; and

(*k*) so much of any such enactments as confers powers in relation to pollution shall not apply in the case of any tributaries of the Thames in the county of Middlesex.

(3) Nothing in this section shall be construed as conferring on the Port Authority any right or interest in or to the bed or shore of the River Thames eastward of the said line drawn from Yantlet Creek to the city stone opposite to Canvey Island, or as authorising the Port Authority, except with the consent of a Government Department, to take, use, or in any manner interfere with, or to authorise any person to take, use, or interfere with any portion of the bed or shore of the Thames eastward of the said line, which, or the management of which, is vested in that Department, and sections one hundred and sixteen and two hundred and thirty-nine of the Thames Conservancy Act, 1894, shall not apply with respect to the Thames eastward of the said line; but a Government Department may transfer to the Port Authority upon such terms as may be respectively agreed on between them and the Port Authority any interest or right of His Majesty in right of His Crown, or His Duchy of Lancaster, or of the Department, in or to any portion of the bed or shore of the Thames between the said line and the line drawn from Warden Point to the entrance of Havengore Creek the management whereof is vested in the Department.

Constitution of Conservators.

8.—(1) As from the appointed day the number of Conservators shall be twenty-eight, who shall be appointed by the authorities and in the manner set forth in the Third Schedule to this Act, and the persons who immediately before that day are the Conservators shall cease to hold office as such: Provided that nothing in this section shall prevent the appointment thereunder as a Conservator of any person who was a Conservator immediately before the appointed day.

(2) As from the appointed day all moneys received by the Conservators shall be paid into, and all expenses incurred by the Conservators shall be paid out of, and all moneys borrowed by the Conservators shall be charged on the upper navigation fund, whether received, incurred, or borrowed in respect of the Thames above or below the City Stone above Staines Bridge and in sections two hundred and forty-one to two hundred and eighty-seven of the Thames Conservancy Act, 1894 (being provisions regulating the funds and accounts of, and borrowing by, the Conservators), references to the Thames above the landward limit of the Port of London shall be substituted for references to the Thames above the City Stone above Staines Bridge

(3) All moneys payable to the Conservators by the Metropolitan Water Board, the West Surrey Water Company, the South West Suburban Water Company, and the Woking Water and Gas Company, whether in pursuance of the Thames Conservancy Act, 1894, or otherwise, shall be paid to the Conservators, and no part thereof shall be paid to the Port Authority.

(4) So much of section thirty-three of the Thames Conservancy Act, 1894, as enables the Conservators to set apart a sum for the payment of the Conservators other than the chairman shall as from the appointed day be repealed:

Provided that nothing in this repeal shall prevent the Conservators paying any reasonable expenses incurred by individual Conservators in attending meetings of the Board of Conservators and committees thereof or otherwise in the execution of their duties as Conservators.

(5) One hundred and thirty thousand pounds shall be substituted for one hundred thousand pounds as the maximum sum which the Conservators are authorised to borrow under subsection (2) of section two hundred and fifty-three of the Thames Conservancy Act, 1894; and for removing doubts it is hereby declared that the powers of borrowing conferred on the Conservators by that subsection are and shall be deemed always to have been in addition to the power of the Conservators of creating and issuing debenture stock for the purposes mentioned in paragraphs (*b*) and (*c*) of subsection (2) of section two hundred and fifty-nine of that Act.

(6) The right of the Conservators to appoint a member of the Metropolitan Water Board shall be retained by the Conservators and shall not be transferred to the Port Authority.

(7) On complaint being made to the Local Government Board—

(*a*) by the Port Authority, the Metropolitan Water Board, the London County Council, or the Corporation, or by any local authority or water company who appear to the Local Government Board to be interested, that the Conservators have failed to perform the duties imposed upon them with respect to the preservation and maintenance of the flow and purity of the Thames and its tributaries, or have failed to exercise any powers conferred upon them for that purpose; or

(*b*) by the council of any county, borough, district, or parish adjoining the Thames, that the Conservators have failed to exercise any powers conferred on them for the purpose of preserving the rights and interests of the public in respect to the Thames and its towpaths which they ought to have exercised;

the Local Government Board, if they think that there is reasonable ground of complaint, shall call upon the Conservators for an explanation, and, if the Conservators shall not, within such time as the Local Government Board may fix, give a sufficient

explanation or remedy the cause of complaint, the Local Government Board may make such order as in their opinion the circumstances require, and such order shall be binding on the Conservators.

The Local Government Board may in any case in which they may think fit so to do, hold a local inquiry for the purposes of this section, and the provisions of section seventy-two of the Local Government Act, 1894, with respect to local inquiries by the Local Government Board shall apply to any local inquiry so held.

56 & 57 Vict. c. 73.

(8) The Board of Trade may by Provisional Order make such amendments, modifications, and repeals of the enactments relating to the Conservators, so far as they continue to apply to the Conservators after the appointed day, as the Board may consider to be necessary in consequence of the passing of this Act, and in particular any such Provisional Order may contain provision for—

(*a*) regulating the term of office, rotation, disqualification, removal and appointment to casual vacancies of the Conservators;

(*b*) revising the tolls, fees, and other charges (except the sums which are payable to the Conservators by the Metropolitan Water Board or any water company) leviable by the Conservators.

Substitution of port stock for Thames Conservancy redeemable debenture stock.

9.—(1) Within one year from the appointed day all the Thames Conservancy redeemable A debenture stock shall be extinguished, and the Port Authority shall issue to the holder of any such stock in substitution therefor an equal amount of port stock created under this Act.

(2) As soon as the Port Authority resolve to issue port stock in substitution for any debenture stock in accordance with this section they shall give notice of their intention to do so by advertising it once in the "London Gazette" and in two or more London daily newspapers, and by sending notice by post to each of the holders of the debenture stock to his registered address, and the notice shall specify the place and the time, not being less than three months from the date of the notice, at which the issue of the port stock will be made.

(3) Before port stock is issued under this section in substitution for any debenture stock the certificate of that stock shall be produced and delivered to the Port Authority. Provided that the Port Authority shall dispense with the production and delivery of a certificate upon receiving such indemnity as may be reasonably required.

(4) As from the time fixed by the notice for the issue of port stock in substitution for any debenture stock, that debenture stock shall be cancelled and extinguished and no interest shall after that time accrue due in respect thereof, but the port stock issued in substitution therefor shall carry interest

10.—(1) The Port Authority may make arrangements with the Conservators for the exercise by the Conservators in the Port of London on behalf of the Port Authority of the powers of the Port Authority for regulating the passage of vessels on the Thames on the occasion of a regatta, boat race, or other similar occasion. Relations between Port Authority and the Conservators.

(2) Where a steam launch has been registered, either by the Port Authority or the Conservators, and a certificate thereof is in force, its registration by the other of those authorities shall not be required, and the Port Authority and the Conservators may respectively, during office hours, inspect the register of steam launches kept by the other, and shall afford to one another all reasonable information in regard thereto.

PROVISIONS AS TO THE WATERMEN'S COMPANY, &C

11.—(1) Subject to the provisions of this Act, as from the appointed day there shall be transferred to the Port Authority all powers and duties of the Master, Wardens, and Commonalty of Watermen and Lightermen of the River Thames (in this Act referred to as "the Watermen's Company") and of the Court of Master, Wardens, and Assistants of the Watermen's Company (in this Act referred to as "the Court of the Watermen's Company") with respect to— Transfer of certain powers and duties of the Watermen's Company.

(a) the registration and licensing of craft and boats;
(b) the licensing of lightermen and watermen; and
(c) the government, regulation, and control of lightermen and watermen (including the appointment of plying places and of inspectors);

and there shall also be transferred from the Company to the Port Authority all property and liabilities of the Company held, acquired or incurred by the Company in connexion with the powers and duties so transferred:

Provided that—

(a) an arrangement shall be made, unless the Port Authority otherwise determine, between the Port Authority and the Watermen's Company for the exercise and performance by the Company on behalf of the Port Authority of any of their powers and duties with respect to the licensing of lightermen and watermen (other than the power of making byelaws with respect thereto) upon such terms and conditions as may be agreed between the Authority and the Company, but any such arrangement shall provide for an appeal lying to the Port Authority from the refusal by the Watermen's Company to license a lighterman or waterman; and

(b) nothing in this section shall be construed as transferring to the Port Authority Watermen's Hall, or the sum

nine shillings Consolidated two-and-a-half per cent stock standing in the name of the Company, or any debt of the Company outstanding at the appointed day to the discharge of which such stock as aforesaid or the proceeds thereof could legally be applied, or the sum of four thousand two hundred and twenty-five pounds six shillings and ten pence Metropolitan Water B Stock standing in the name of the Company, or the freehold property known as Nos. 16 and 17, St. Mary-at-Hill, in the parish of Billingsgate in the city of London, or any property held for charitable purposes.

(2) All enactments relating to the Watermen's Company and the Court of the Watermen's Company shall, so far as not repealed by this Act, and so far as they relate to the powers and duties transferred, have effect as if references to the Port Authority were substituted for references to the Company and to the Court:

Provided that—

& 23 Vict. cxxxiii. & 57 Vict. xxxi.

(*a*) the limits of the Watermen's and Lightermen's Amendment Act, 1859, and the Thames Watermen's and Lightermen's Act, 1893, shall, except for the purposes of sections fifty-four sixty-six and sixty-seven of the first-mentioned Act, be the limits of the Port of London as defined by this Act; and

(*b*) the Port Authority may by byelaw vary the provisions of sections fifty-six to sixty of the Watermen's and Lightermen's Amendment Act, 1859, and Part VI. of the Thames Conservancy Act, 1894, with respect to the qualifications to be possessed by applicants for lightermen's and watermen's licences and certificates and the conditions on which such licences or certificates are to be granted or renewed, and as from the date on which any such byelaw comes into operation those provisions shall be repealed to such extent as may be specified in the byelaw; but no such byelaw shall so vary those provisions as to authorise the grant of a licence or certificate to a person who has not for a period of at least two years been engaged in working on a craft or boat in the Port of London; and

(*c*) an appeal shall lie to the Board of Trade instead of to a court of summary jurisdiction against a refusal by the Port Authority to register any craft or boat or against the revocation by the Port Authority of any certificate or licence relating to any craft or boat; and

(*d*) at the end of section three hundred and eleven of the Thames Conservancy Act, 1894 (which exempts certain craft from the provisions of sections fifty-four and sixty-six of the Watermen's

Amendment Act, 1859), there shall be added the words, "or to any lighters on a voyage commencing "or ending at any place eastward or westward of "the limits of that Act, whether or not goods are in "the course of the voyage taken in or discharged "at any place within those limits," and the expression "limits of that Act," as used in that section as so amended, means the limits of that Act for the purposes of the said sections fifty-four and sixty-six; and

(*e*) so much of any such enactment as limits the fees which may be imposed in respect of the registration or licensing of craft and boats, shall be repealed, but the fees so imposed shall not exceed such as may be allowed by a Provisional Order made by the Board of Trade as soon as practicable after the passing of this Act or any Provisional Order made subsequently varying the same, or, until such first mentioned Provisional Order is confirmed, by an order made for the purpose by the Board of Trade; and

(*f*) the provisions of the Thames Watermen's and Lightermen's Act, 1893, as amended by this Act—

(i) so far as they relate to craft, shall extend to all lighters, barges, and other like craft for carrying goods, and to steam-tugs; and

(ii) so far as they relate to boats, shall extend to all boats, wherries, and other such vessels (including river steamboats) let for hire for carrying persons,

navigating either wholly or partly within the limits of that Act as so amended, except such as are expressly exempted from those provisions or as are employed solely in voyages extending entirely through those limits without taking in or discharging goods or embarking or disembarking passengers within those limits; but section seven of that Act, as so amended, shall not apply to a craft navigating occasionally or exceptionally only within those limits, and where a certificate has been granted under the Merchant Shipping Act, 1894, as to the number of passengers which any river steamboat is fit to carry, that number shall be the number of persons which she shall be licensed to carry under the said Act as so amended; and

57 & 58 Vict. c. 60

(*g*) in considering the fitness of a craft or boat for carrying goods or persons for the purposes of section sixteen of the Thames Watermen's and Lightermen's Act, 1893, the Port Authority shall take into consideration the condition as respects accommodation, sanitary arrangements, and otherwise, of the craft or boat

having regard to the purposes for which the cra or boat is intended to be employed; and

(*h*) the power of making byelaws under the Thame Watermen's and Lightermen's Act, 1893, shall in clude a power of making byelaws regulating th equipment of craft or any class of craft navigate within the limits of that Act as amended by thi Act.

Provisions as to freemen and as to Sunday ferries and other charities of the Watermen's Company.

12.—(1) Every person possessing such qualifications as th Court of the Watermen's Company may by byelaw prescrib shall as from the appointed day be qualified to be elected freeman of the Company.

(2) So much of the Watermen's and Lightermen's Amend ment Act, 1859, as relates to Sunday ferries and the appointmen and licensing of watermen or lightermen to ply on Sundays shall as from the appointed day be repealed, and the Port Authority shall pay to the Watermen's Company in respect of any Sunday ferry established under that Act, and existing at the passing of this Act, such sum as, in default of agreement, may be determined by an arbitrator appointed by the Board of Trade.

(3) Penalties and forfeitures paid to the Port Authority under section ninety of the Watermen's and Lightermen's Amendment Act, 1859, as applied by this Act, shall be applied by the Port Authority as part of their general funds, and the Port Authority shall pay to the Watermen's Company in respect of the loss of such penalties and forfeitures such sum as, failing agreement, may be determined by an arbitrator appointed by the Board of Trade.

(4) The sums to be so paid to the Watermen's Company shall be paid into and form part of and be held on the trusts affecting the Poor's Fund of the Watermen's Company.

(5) If the Charity Commissioners are at any time of opinion that by reason of any alteration in the constitution or nature of the Watermen's Company or the qualifications to be possessed by freemen, the trusts affecting the Poor's Fund of the Company require to be modified, the Charity Commissioners may, either on the application of the Watermen's Company or without any such application, establish a scheme under the Charitable Trusts Acts, 1853 to 1894, regulating the application and administration of the Poor's Fund, regard being had to the purposes to which that fund is at the passing of this Act applicable.

Financial Provisions.

rt rates on ods.

13.—(1) Subject to the provisions of this section, as from such day as may be fixed by the Board of Trade not being more than thirteen weeks after the Provisional Order embodying the schedule mentioned in subsection (2) of this section has been confirmed by Parliament, all goods imported from ports beyond

he seas or coastwise into the Port of London or exported to arts beyond the seas or coastwise from that port, shall, subject o any exemptions or rebates which may be contained in a Provisional Order under this section or allowed by the Port Authority, be liable to such port rates as the Port Authority may fix, not exceeding such rates as may be specified in any Provisional Order, made by the Board of Trade for the time being in force, but the port rates charged by the Port Authority shall at all times be charged equally to all persons in respect of the same descriptions of goods under the like circumstances, and shall be charged separately from any other dues payable to the Port Authority:

Provided that—

(*a*) Nothing in this section shall authorise the Port Authority to charge lower port rates in respect of goods to be discharged from a vessel in a dock of the Port Authority, or to be landed on the premises of or warehoused with the Port Authority, by reason only that the goods are to be so discharged, landed, or warehoused;

(*b*) The Provisional Order under this section shall provide for exempting from such rates goods imported for transhipment only, or which remain on board the ship in which they were imported for conveyance therein to another port, and may determine what goods are for the purposes of such exemption to be treated as goods imported for transhipment only.

(2) Within six months after the appointed day the Port Authority shall submit to the Board of Trade a schedule of maximum port rates on goods, and the Board of Trade shall embody the schedule in a Provisional Order made for the purposes of this section, either without modifications or with such modifications as the Board think fit, and, if the Port Authority fail within such period as aforesaid to submit to the Board of Trade such a schedule, the Board shall themselves prepare and embody in such a Provisional Order a schedule of maximum port rates on goods:

Provided that the rates specified in the Schedule shall be such that, in the opinion of the Board of Trade, the amount of revenue produced thereby will, with the other receipts on revenue account of the Port Authority, be sufficient to meet the expenditure on all the purposes to which the receipts of the Port Authority on revenue account are by this Act to be applied and to provide a reasonable margin for contingencies.

(3) If in each of two successive years the aggregate amount received from port rates on goods exceeds one-thousandth part of the aggregate value of the goods imported into and exported from the Port of London from and to parts beyond the seas in the year, or, if the amount received from port rates on goods discharged from or taken on board ships not within the premises

of the said aggregate value, it shall be the duty of the Po Authority to take the necessary steps to prevent the continuan of the excess, including, if necessary, an application to Pa liament to provide them with further means of meeting the financial obligations.

(4) A Provisional Order under this section may provide fo the method of the collection and recovery of port rates on good imposed under this section, and may for that purpose incorporat all or any of the provisions of the Harbours, Docks, and Pier Clauses Act, 1847, with respect to the collection and recovery o rates, so far as they relate to rates on goods, but shall provid that in the event of the owner or consignee of any goods liabl to pay any port rates to which those goods are subject under thi section not having paid those rates by the time when the goods are ready to be discharged, the owner or master of the vessel in which the goods are carried may himself pay such rates, and thereupon shall have a lien on the goods and all the rights and powers in respect of the same as he would have under Part VII. of the Merchant Shipping Act, 1894, in respect of unpaid freight or other charges, and where the goods are to be delivered to a public wharfinger that he may pay such rates on behalf of the owner or consignee of the goods, and thereupon shall have the like lien on the goods as he would have in respect of charges for the safe custody of the goods; and such Provisional Order may authorise the making of special arrangements respecting the time and method of payment of port rates on goods by any persons who at frequent intervals become liable to pay those rates, whether on their own account or on account of any other persons.

10 & 11 Vict. c. 27.

(5) For the purpose of this section goods shall not be treated as having been imported or exported coastwise unless imported from or exported to a place seaward of a line drawn from Reculvers Towers to Colne Point, being a line determined by the Treasury in pursuance of the power conferred upon them by section one hundred and forty of the Customs Consolidation Act 1876, or any line that may be substituted therefor by the Treasury in pursuance of such power as aforesaid:

39 & 40 Vict. c. 36.

Provided that with respect to goods originally imported from a place seaward of the said line to a place westward of the said line and thence imported into the Port of London, and with respect to goods exported from the Port of London to a place westward of the said line and thence exported to a place seaward of the said line, such goods shall for the purposes of this sub-section be considered as having been imported from or exported to a place seaward of the said line, and not from or to a place westward of the said line, unless they are landed at the latter place, but the authority having jurisdiction in the port of such intermediate place shall, if so required by the Port Authority, collect and pay over to the Port Authority the port rates to which the goods would have been liable had they been imported direct to or exported direct from the Port of London

purpose shall have all such powers of collecting rates as are by or under this section conferred on the Port Authority, and shall be entitled to be repaid by that authority any expenses properly incurred by them in the exercise of those powers.

Dock dues on vessels.

14. The provisions contained in the enactments relating to the London and India Docks Company conferring on that company power to demand and take rates, rents, and sums in respect of vessels entering, lying in, or departing from the docks, basins, cuts, or entrances of that company, or granting any exemptions or immunities from any such rates, rents, or sums, shall continue to apply in respect of vessels entering, lying in, departing from, or otherwise using the docks, basins, cuts, or entrances and shall also apply in respect of vessels entering, lying in, departing from, or otherwise using docks, basins, cuts, or entrances constructed by the Port Authority under this Act, or transferred from any other dock company to the Port Authority by this Act, and shall as respects docks, basins, cuts, or entrances so transferred be substituted for the provisions as to rates and other charges on vessels contained in the enactments relating to the companies whose undertakings have been so transferred:

Provided that—

(*a*) In the case of the undertaking of the Surrey Commercial Dock Company, this provision shall not apply to vessels passing along the canal of that company, and not otherwise using the docks of that company when transferred; and

(*b*) Nothing in this section shall be construed as extending any limitation on the immunities conferred by section twenty-eight of the Harbours, Docks, and Piers Clauses Act, 1847, to the case of any dock, basin, cut, or entrance to which that section applied without limitation at the time of the passing of this Act.

Prohibition of preferential dock charges.

15.—(1) The Port Authority shall not make any agreement, nor shall they renew any agreement subsisting at the appointed day by which any preferential dues or allowances on vessels or goods, or for discharging the same, are or may be provided for, but, subject and without prejudice to any express statutory provision and to any agreements which may be subsisting at the appointed day, all dues imposed by the Port Authority in exercise of the powers transferred to or conferred on them by or under this Act, shall be charged equally in respect of all vessels of the same description carrying the same description of goods under the same circumstances or, as the case may be, in respect of all goods of the same description under the same circumstances in the same dock.

(2) This provision shall as from the appointed day be substituted for the provisions contained in the Acts of the several

Inquiry as to equality of charges.

Port fund.

16. There shall be established a port fund, and all receipts of the Port Authority shall be carried to that fund, and all payments by the Port Authority shall be made out of that fund.

Security for transferred liabilities.

17.—(1) As from the appointed day any debentures, debenture stock, mortgage debts, or other charges, the liability for which is by or under this Act transferred to the Port Authority secured on the whole or any part of the undertaking or revenue of a dock company, or on the lower navigation fund or any revenue of the Conservators, shall, with the interest thereon, be by virtue of this enactment, secured in like manner on the port fund; and any debentures, debenture stock, mortgage debts, or other charges secured on any specific property of any such company or the Conservators, the liability for which is so transferred, shall remain charged on that property; and any debenture holder, holder of debenture stock, mortgagee or other person secured, shall have the same rights and remedies, as nearly as may be, against the Port Authority, and against the port fund or any specific property charged, as he would have had against the company or the Conservators, and against the undertaking, lower navigation fund, or revenue, or the specific property charged, if this Act had not been passed.

(2) Subject to the provisions of this Act with respect to the substitution of A port stock for Thames Conservancy A debenture stock, the Port Authority may agree with the holder of any such debentures, mortgagee, or other person secured for the substitution of such amount of port stock of such class as may be agreed for the debentures, mortgage, or other security.

Powers of borrowing.

18.—(1) The Port Authority may borrow money for the purpose of—

(*a*) raising any money payable in respect of the transfer of the undertaking of any dock company under this Act;

(*b*) purchasing, redeeming, or paying off any debentures, mortgage debt, or other charge the liability for which is transferred to the Port Authority by or under this Act;

(*c*) raising any money payable in respect of the transfer, under this Act of any undertaking affording or intended to afford accommodation or facilities for loading, unloading or warehousing goods in the Port of London;

(*d*) dredging and otherwise improving the river;

(*e*) constructing works for improving the accommodation and facilities of the Port of London, or acquiring land for any such work;

(*f*) paying any compensation payable under this Act otherwise than by way of annuity;

and, with the consent of the Board of Trade, for the purpose of any payment by the Port Authority or of any work or other thing which the Port Authority

and which or the cost of which ought, in the opinion of the Board of Trade, to be spread over a term of years.

(2) Money borrowed under this section may be borrowed in such manner as the Board of Trade may by order direct, and such money and the interest thereon shall be charged on the port fund or on such property or revenues of the Port Authority, and in such manner as the Board of Trade may sanction.

(3) Any money borrowed under this Act, if borrowed for the purpose of—

(*a*) raising any money payable in respect of the transfer of the undertaking of any dock company under this Act; or

(*b*) purchasing, redeeming, or paying off any debentures, mortgage debt, or other charge; or

(*c*) raising any money payable in respect of the transfer under this Act of any undertaking affording or intended to afford accommodation or facilities for loading, unloading, or warehousing goods in the Port of London; or

(*d*) constructing any works for improving the accommodation and facilities of the Port of London (other than dredging) or acquiring land for any such work;

shall be repaid within such period not exceeding ninety years, and, if borrowed for any other purpose, shall be repaid within such period not exceeding sixty years, from the date of the borrowing as the Port Authority with the consent of the Board of Trade may, having regard to the circumstances of each particular case, determine.

(4) For the purpose of paying off a loan raised under this Act, the Port Authority shall have the like powers of re-borrowing as a county council have under section sixty-nine of the Local Government Act, 1888, and the provisions of that section so far as they relate to re-borrowing shall apply as if they were herein re-enacted and in terms made applicable to the Port Authority and to the security on which the Port Authority are by or under this Act authorised to borrow. 51 & 52 Vict. c. 41.

Issue of port stock.

19.—(1) For the purpose of enabling the Port Authority to raise money which they are authorised to borrow, and to issue any port stock which, by or under the provisions of this Act, is to be, or may be, issued, the Port Authority may create stock, to be called Port of London Stock, and in this Act referred to as port stock.

(2) The port stock so created shall consist of A port stock bearing interest at three per cent., and B port stock bearing interest at four per cent. per annum, and, if the Port Authority so determine, of other classes of port stock ranking pari passu with B port stock and bearing interest at such rate as the Port Authority may resolve.

(3) A port stock and the interest thereon, and subject thereto all other port stock and the interest thereon, shall be charged on the port fund and on all the revenues of the Port Authority.

(4) Subject to the provisions of this Act all port stock created by the Port Authority under the powers of this Act shall be issued, transferred, dealt with, and redeemed in accordance with regulations to be made by an order of the Board of Trade prior to the issue of any such port stock, or such other regulations as the Board of Trade may from time to time by order prescribe and such regulations may without prejudice to the generality of the above provision provide for the consent of limited owners and for the application of the Acts relating to stamp duties and to cheques, and for the disposal of unclaimed dividends, and may apply for the purposes of this section with or without modifications any enactments of the Local Loans Act, 1875, and the Acts amending the same, and of any Act relating to stock issued by the County Council of London, or by the corporation of any municipal borough.

38 & 39 Vict. c. 83.

Provided nevertheless that the regulations to be made as aforesaid—

(a) shall authorise the holders of port stock of any class or classes of an aggregate nominal value of not less than five hundred thousand pounds in respect of the payment of interest on which the Port Authority have made default for a period of not less than three months to apply to the High Court for the appointment of one or more receivers and managers of the revenues, property, and undertaking of the Port Authority; and

(b) shall not make A port stock or B port stock redeemable before the expiration of twenty years from the appointed day; and

(c) shall require at least six months' notice of intention to redeem port stock to be given; and

(d) shall provide for the interest on A and B port stock being paid half-yearly and shall fix the date for the first payment of interest on A port stock not later than the first day of July nineteen hundred and nine and the date for the first payment of interest on B port stock not later than the first day of August nineteen hundred and nine.

(5) The total amount of port stock created under this Act and for the time being outstanding shall not, unless Parliament otherwise determines, exceed by more than five million pounds the amount of port stock issued as the consideration for or in connection with the transfer of the undertakings of the dock companies.

Provisions as to discharge of duties, &c.

20.—(1) The Port Authority shall, in accordance with regulations made by the Board of Trade, by the creation of one or more sinking or redemption funds or otherwise, make provision for—

(a) the redemption within a period of ninety years from the date of the transfer of the undertaking of any dock company of the amount of any port stock issued by

the Port Authority as consideration for or in connection with that transfer, or issued by the Port Authority in substitution for any debentures, mortgages, or other securities of the company the liability for which is transferred to the Port Authority by this Act; and

(b) the redemption within a period of sixty years from the date of the substitution, of any port stock issued under this Act by the Port Authority in substitution for any Thames Conservancy A debenture stock; and

(c) the repayment within the periods within which they are under this Act to be repaid of any sums borrowed by the Port Authority under this Act:

Provided that, as respects any stock issued or money borrowed, e period for the redemption or repayment of which is or may ninety years, the Port Authority shall not, during the first ten ears of the period allowed for redemption or repayment, be quired to make any payments into any sinking or redemption nd for or otherwise towards the redemption or repayment of he stock or loan.

(2) Any regulations made by the Board of Trade under this ection, so far as they relate to the repayment of any loans, may pply with or without modifications to any enactments of the ocal Loan Acts, 1875, and the Acts amending that Act, and nay contain such other provisions as appear to the Board of Trade necessary or proper, and shall have effect as if they were nacted in this Act.

Order in wh revenue to b applied.

21. The receipts of the Port Authority on revenue account n any year shall be applied to the following purposes in the ollowing order:—

(1) The payment of working and establishment expenses and the cost of the maintenance of the port, and of the execution and performance of the powers and duties of the Port Authority (including amongst other things payments on account of pensions, superannuation allowances, and compensation payable to officers and servants) properly chargeable to revenue account:

(2) The payment of interest on A port stock and any arrears thereof:

(3) The payment of interest on other classes of port stock and any arrears thereof:

(4) The payment of interest on any loan raised by the Port Authority otherwise than by the issue of port stock:

(5) The payment of any sums required under this Act to be paid into any sinking or redemption fund, or otherwise towards the discharge of any capital liability:

(6) The payment into the reserve fund created under this Act of any sums required by this Act to be paid into

and the balance, if any, shall be applicable to such purposes a in such manner, for the benefit of the port, as the Port Authori may determine:

Provided that—

(*a*) The Port Authority shall be entitled at the end of t year to carry forward such sum as may be reaso ably necessary for meeting current expenses; and

(*b*) The payment of interest on any debentures, debentu stock, mortgage debts, and other charges, the liabili for which is by this Act transferred to the Po Authority, and the payment of interest on and t repayment of such temporary advances as the Po Authority are by this Act authorised to obtain wit a view to supplying funds immediately on and fo five years after entering on the undertakings of th dock companies shall, so long as payable, rank befor the payment of interest on A port stock; and

(*c*) If the Board of Trade so direct, the payment o interest on a temporary loan, repayable in a perio not exceeding two years (other than such a tempo rary advance as last aforesaid) shall rank pari passu with the payment of interest on any class of por stock; and

(*d*) The certificate of the auditor of the accounts of the Port Authority, subject to such variations as the Board of Trade may allow, shall be conclusive as to the amount available for any of the purposes aforesaid.

Reserve fund.

22.—(1) The Port Authority shall carry to a reserve fun such part of the receipts on revenue account as is available fo the purpose until the fund amounts to one million pounds, and if the fund is subsequently reduced below that amount, the Por Authority shall carry to the fund so much of any such receipts a is required to restore the fund to that amount and is available fo the purpose.

(2) The reserve fund so formed shall be applicable onl towards meeting any deficiency on revenue account in any yea Provided that, if it is proved to the satisfaction of the Boar of Trade that it is expedient to apply any part of it to any othe purpose, the Board may by order authorise the Port Authority t apply so much thereof as may be specified in the order to suc other purpose, subject, however, to such conditions (if any) a may be specified in the order.

(3) The sums paid into the reserve fund shall be invested i the prescribed manner.

Power of Board of Trade to order increase of dues.

23.—(1) The Port Authority shall at the beginning of ever financial year of the Port Authority submit to the Board of Trad an estimate of the receipts and expenditure of the Port Authorit during that financial year, whether on account of property due

(2) If the Board of Trade are satisfied that the receipts of the Port Authority on revenue account in any year are likely to be insufficient to meet the charges payable out of revenue in that year, or that the receipts of the Port Authority on revenue account in the last preceding year were insufficient to meet the charges payable out of revenue in that year, the Board may make an order requiring the Port Authority to levy any additional or increase any existing dues which they are authorised to levy to such extent and for such period as the Board may specify in the order, and the Port Authority shall comply with the order so made, so however that neither the additional nor the increased dues shall exceed the maxima allowed by law.

Account and audit.

24.—(1) As soon as may be after the end of each financial year of the Port Authority the accounts of the Port Authority, and any committee appointed by them, and of their officers, shall be made up to the end of that year and shall be in such form and contain such particulars as may for the time being be prescribed by the Board of Trade, and shall be audited by an auditor appointed by the Board of Trade:

Provided that—

(*a*) the regulations made by the Board of Trade shall provide for the accounts of all sums expended by the Port Authority in erecting, maintaining, and managing warehouses, and of all receipts in respect of the warehousing of goods, being kept distinct from the other accounts of the Port Authority, and for those accounts being audited as a separate section of the accounts of the Port Authority; and

(*b*) in prescribing the form of accounts the Board of Trade shall have regard to the desirability of showing separately, so far as practicable, such items of receipts and expenditure on capital and revenue account as are wholly or mainly attributable to the dock undertakings of the Port Authority, and in particular the regulations shall provide that all receipts from port rates on goods discharged from or taken on board ships not within the dock premises of the Port Authority shall be shown separately from the receipts from port rates on goods discharged from or taken on board ships within such premises.

(2) The Port Authority shall give to the auditor access to such books and documents as are necessary for the purposes of the audit, and shall when required furnish to him all vouchers and information requisite for that purpose, and shall afford to him all facilities for the proper execution of his duty.

(3) If the auditor reports to the Board of Trade that the Port Authority have declined or neglected to comply with any of his recommendations or requirements, the Board may, if they think fit, after giving the Port Authority an opportunity of being heard, make an order directing the Port Authority to comply

with such recommendations and requirements, with or witho modification, as may be specified in the order.

(4) Within fourteen days after completion of the audit t Port Authority shall publish an abstract of the accounts, togeth with any report of the auditor thereon, in some one or mo London newspapers.

(5) The remuneration of the auditor shall be such as t Board of Trade direct, and that remuneration and all expen incurred by him in or about the execution of his duties, to suc an amount as the Board of Trade approve, shall be paid by t Port Authority.

Power of Board of Trade to require estimates and audit more than once a year.

25. If the Board of Trade at any time consider it desirab that estimates should be submitted, and the accounts of the Po Authority made up and audited, more than once a year, th Board may make an order to that effect, and may by the orde make such modifications in the provisions of this Act relatin to the submission of estimates and the making up and auditin of the accounts of the Port Authority as may be necessary t give effect to the order.

MISCELLANEOUS.

Powers of Port Authority to acquire land, promote Bills, &c.

26.—(1) The Port Authority shall, for the purposes of thei powers and duties under this Act, or otherwise with respect t the administration, preservation or improvement of the Port o London, have power—

(*a*) to manage, alter, remove, or enlarge any building, an to alienate any land or buildings transferred to th Port Authority under this Act or otherwise vested i them; and

(*b*) to acquire, hire, erect, and furnish such buildings an offices as they may require; and

(*c*) to acquire, purchase, or take on hire, or exchange land and

(*d*) to appoint a clerk or secretary, treasurer, and such othe officers as they may require; and

(*e*) to promote or oppose any Bill in Parliament, and prosecut or defend legal proceedings.

Provided that nothing in this section shall be construed a conferring on the Port Authority power—

(i) in the case of any land or buildings transferred to th Port Authority by this Act or otherwise vested i them subject to any right or interest therein of an other person or to the performance of any obligatio in force at the date of alienation and to be performe by the Port Authority under any Act, deed, agree ment, or other instrument, to alienate such land o buildings otherwise than subject to such right, interes or obligation; or

(ii) in the case of land or buildings vested in them subject t any restriction on alienation, to alienate the land o buildings in contravention of the

(2) For the purposes of this section, sections one hundred and seventy-six and one hundred and seventy-eight of the Public Health Act, 1875, shall, except so far as they relate to the acquisition of land otherwise than by agreement, apply as if they were herein re-enacted, with the substitution of the Port Authority for a local authority. 38 & 39 Vict. c. 55.

(3) The clerk or secretary of the Port Authority, or any officer or member thereof acting under a general or special resolution of the Port Authority, may authorise the institution and carrying on or the defence of any proceeding which the Port Authority are authorised to institute, carry on, or defend. Any information or complaint under the provisions of this Act or any other Act, whether local or general, applying to the Port Authority, or any byelaws or regulations made thereunder, may be laid or made by an officer or member of the Port Authority or by the clerk or secretary.

(4) The Superannuation (Metropolis) Act, 1866, shall apply to the Port Authority as if the Port Authority were an authority mentioned in that Act, and the Port Authority may grant superannuation allowances or pensions to any officers and servants in their employ, either in accordance with that Act as so applied, or by the extension to any such officers and servants of the provisions of any pension scheme to which the Authority are a party as successors of any dock company, or by the establishment of any other pension scheme approved by the Board of Trade, and the Port Authority may also promote, assist, or contribute towards the expenses of any institution which appears to the authority to be for the benefit of any such officers or servants either whilst in their employ or after they have ceased to be so, but nothing in this section shall affect the rights of existing officers and servants taken over by the Port Authority under this Act. 29 & 30 Vict. c. 31.

Powers of Board of Trade as to conciliation.

27.—(1) On complaint being made to the Board of Trade by any person interested that the Port Authority are acting in a manner unfairly oppressive to him by reason of the mode in which they carry on their dock or warehousing business, including charges made in respect of such business, the Board, if they think that there is a reasonable ground of complaint, shall call upon the Port Authority for an explanation and shall endeavour to settle amicably the differences between the complainant and the Port Authority, and shall from time to time submit to Parliament such reports with regard thereto as they think fit.

(2) For the purposes of this section, "person" shall include any association of persons which obtains a certificate from the Board of Trade that it is a proper body to make a complaint.

(3) If the complaint is made on behalf of a trade or a section of a trade by the London Chamber of Commerce or any other representative association interested in the trade of the Port of

London which obtains a certificate from the Board of Trade that it is a proper body to make such complaint, or relates to the mode in which the Port Authority carry on their warehousing business, the Board, if they are unable to settle the difference, may, if they think fit, after giving any persons appearing to the Board of Trade to be interested an opportunity of being heard, make such order as in their opinion the circumstances require.

Regulation of engagement of casual labour.

28.—(1) The Port Authority shall take into consideration the existing methods and conditions of engagement of workmen employed in dock, riverside, and warehouse labour in connection with the Port of London, and shall, either by themselves or in co-operation with other bodies or persons, by establishing or maintaining or assisting in the establishment or maintenance of offices, waiting-rooms, and employment registers, and by the collection and communication of information and otherwise, take such steps as they think best calculated to diminish the evils of casual employment, and to promote the more convenient and regular engagement of such workmen or any class thereof:

Provided that nothing in this section shall deprive any person of any legal right which he would otherwise possess with regard to the engagement of labour.

(2) The Port Authority may make byelaws with respect to admission to, and the maintenance of order in, such offices and waiting rooms, and otherwise for the purpose of carrying this section into effect.

Provision of accommodation for alien passengers.

1905 c. 13.

29.—(1) The Port Authority shall, if so required by the Secretary of State, provide and maintain to the satisfaction of the Secretary of State accommodation for the reception of alien passengers conditionally disembarked for the purpose of inspection, appeals, or otherwise, under the Aliens Act, 1905.

(2) On such accommodation being provided, the Port Authority may, with the consent of the Secretary of State, make byelaws imposing on immigrant ships within the meaning of that Act entering the Port of London tolls in respect of such accommodation, and requiring the conditional disembarkation at the place so provided of such alien passengers from immigrant ships as the Secretary of State may by order direct either generally or as regards any special ships.

Duty of Port Authority as to surveys.

30. The Port Authority shall as soon as may be after the appointed day take into consideration the then existing surveys of the bed and shore of the river and tidal waters within the Port of London, and if in any respect the surveys are defective they shall, after consultation with the Admiralty and the Board of Trade, take such steps as may be necessary for the purpose of remedying such defects, and the Port Authority shall publish and keep on sale at a reasonable price copies of any such existing surveys as may be considered sufficient and of the surveys so made.

Through rates in respect of dock railways.

31.—(1) Any lines and sidings forming part of any dock undertaking belonging to the Port Authority shall be deemed to be railways, and the Port Authority shall be deemed to be a railway company for the purposes of such of the provisions of the Railway and Canal Traffic Acts, 1854 to 1888, as relate to through rates:

Provided that the Railway and Canal Commission shall not fix such a through rate in any case in which it appears to them that it would be unjust or inexpedient to do so.

(2) The classification of merchandise traffic annexed to the Schedule to the Order confirmed by the Great Eastern Railway Company Rates and Charges Order Confirmation Act, 1891, as from time to time amended in pursuance of subsection (11) of section twenty-four of the Railway and Canal Traffic Act, 1888, shall apply to the Port Authority in respect of such lines and sidings as aforesaid and the maximum rates and charges which the Port Authority shall be entitled to charge and make in respect of merchandise traffic on those lines and sidings shall be the rates and charges specified in that schedule as so amended. 51 & 52 Vict. c. 25.

(3) Nothing in this section shall be construed as entitling the Port Authority to be assessed to any rate or rated on a proportion only of the value of such lines and sidings.

Provisions as to substituted stock.

32.—(1) The port stock under this Act substituted for any stock shall be held in the same rights, on the same trusts, and subject to the same powers, provisions, charges, and liabilities as those in, on, or to which the stock was held immediately before the substitution, and so as to give effect to, and not to revoke, any deed, will, or other instrument or testamentary or other disposition disposing of or affecting the stock, and every such deed, will, instrument, or disposition shall take effect with reference to the whole or a proportionate part, as the case may be, of the substituted port stock.

(2) Trustees, executors and all other holders in any representative or fiduciary capacity of any existing stock for which port stock is substituted under this Act shall accept the port stock issued in substitution therefor under this Act, and may hold, dispose of, or otherwise deal with the substituted stock in all respects as they might have held, disposed of, or otherwise dealt with the stock for which it was substituted.

Provision as to Provisional Orders, &c.

33.—(1) The Board of Trade may make such Provisional Orders as may be required for the purposes of this Act, and with respect to such Provisional Orders the provisions set out in the Fourth Schedule to this Act shall have effect.

(2) Any order, other than a Provisional Order, made by the Board of Trade under this Act shall, whilst in force, have effect as if enacted in this Act, but any such order made by the Board of Trade may be varied by a subsequent order made in the like manner and subject to the like conditions as the original

(3) The Board of Trade, subject to the consent of the Treasury, may fix the fees to be payable in respect of Provisional Orders and orders made by the Board under this Act and such fees shall be paid by such authorities and persons as the Board of Trade may determine.

(4) The Board of Trade may make regulations in relation to applications for Provisional Orders and orders under this Act and the publication of notices and advertisements and the manner in which and the time within which representations and objections with reference to the application are to be made and the holding of public inquiries in the cases in which public inquiries are required to be held under this Act and in such other cases as they may think advisable, and to any other matter of procedure respecting the obtaining and granting of Provisional Orders and orders under this Act.

Byelaws

34.—(1) The provisions of sections one hundred and ninety-three, one hundred and ninety-four, one hundred and ninety-five, and two hundred of the Thames Conservancy Act, 1894, so far as applied to the Port Authority by this Act, shall, subject to the provisions of the Board of Agriculture and Fisheries Act, 1903, extend to all byelaws made by the Port Authority whether made in exercise of their powers as successors of the Conservators, or of any dock company, or of the Watermen's Company or the court of that company, or otherwise.

3 Edw. 7. c. 31.

(2) Sections fifty-five and one hundred and ninety-one of the Thames Conservancy Act, 1894, so far as they relate to complaints of the operation of byelaws shall apply to all byelaws made by the Port Authority or their predecessors whether made under that Act or otherwise.

Personal rights to inspection of documents.

35. All minute books, books of account, vouchers, maps, plans, and other documents transferred by this Act from the Conservators or the Watermen's Company to the Port Authority shall at all reasonable times be open to the inspection, free of charge, of the Conservators or the Watermen's Company, as the case may be, and all minute books, books of account, vouchers, maps, plans, and other documents belonging to the Conservators or the Watermen's Company and not so transferred shall at all reasonable times be open to the inspection, free of charge, of the Port Authority, and, if any question arises as to whether any such documents are to be transferred to the Port Authority the question shall be decided by the Board of Trade.

Annual report.

36. The Port Authority shall make to the Board of Trade an annual report of their proceedings, and this report shall be laid annually before Parliament by the Board of Trade, and shall at the same time be on sale at a reasonable charge to the public at the offices of the Port Authority. The Port Authority shall also give to the Board of Trade such returns, statistics, and information, with respect to the exercise of the powers of the Port Authority, as the Board of Trade may require.

Qualification of justices.

37. A justice of the peace shall not be incapable of acting in any case in which the Port Authority are a party by reason only that as a payer of dues or the holder of port stock, or as one of any other class of persons, he is liable to contribute to or to be benefited by the port fund.

Provisions as to the Board of Trade. 37 & 38 Vict. c. 40.

38.—(1) The Board of Trade Arbitrations, &c. Act, 1874, shall apply as if this Act were a special Act within the meaning of the first-mentioned Act, and as if a public inquiry under this Act were an inquiry under that Act.

(2) All things required or authorised under this Act to be done by, to, or before the Board of Trade, may be done by, to, or before the President or a secretary or assistant secretary of the Board, or any person authorised in that behalf by the President of the Board.

(3) All documents purporting to be orders made by the Board of Trade and to be sealed with the seal of the Board, or to be signed by a secretary or assistant secretary of the Board, or by any person authorised in that behalf by the President of the Board, shall be received in evidence, and shall be deemed to be such orders without further proof, unless the contrary is shown.

(4) A certificate, signed by the President of the Board of Trade, that any order made or act done is the order or act of the Board, shall be conclusive evidence of the fact so certified.

Exemption of members of Port Authority from service on juries.

39. Every member of the Port Authority shall be exempt from serving on any jury.

Savings.

Saving of rights of authorities to be heard against Bills.

40. Nothing in this Act shall affect the right of any council or other authority or any person represented on the Port Authority to be heard against any Bill, Provisional Order or order promoted or applied for by the Port Authority.

Saving for Customs.

41.—(1) Nothing in this Act shall affect the limits of the Port of London for Customs purposes, or abridge or affect in any way the powers of the Treasury in respect of the port under the Customs Consolidation Act, 1876.

(2) Sections fourteen and fifteen of the Harbours, Docks, and Piers Clauses Act, 1847 (which relate to the construction and maintenance of works for the accommodation of the officers of Customs), shall apply to the Port Authority in respect of any new docks constructed by them in pursuance of the powers conferred by this Act as if they were incorporated in this Act, and shall also as from the appointed day apply to the Port Authority in respect of all docks transferred to the Port Authority by this Act which were constructed in pursuance of any special Act with which those sections are not incorporated—

(*a*) as if those sections had been so incorporated; and

(*b*) as if any watch-houses, boat-houses, huts or weighing

docks by any predecessors of the Port Authority for the accommodation of those officers had been provided in pursuance of the obligation imposed by those sections.

Provided that nothing in this provision shall prejudice or affect any right, or authority, or liability of the Commissioners of Customs, or the Commissioners of Works, under any agreement relating to any such watch-house, boat-house, hut or weighing materials made before the passing of this Act between the Commissioners of Customs, or the Commissioners of Works, and any predecessors of the Port Authority.

Saving for Admiralty.

42. Nothing in this Act shall prejudice or affect any rights, powers, or privileges of the Admiralty or the King's harbour master or other officer of the Admiralty within the limits for the time being of any dockyard port.

Saving for vessels and goods passing through the Port of London.

43. Nothing in this Act shall be construed as imposing any dues on any vessel or on any goods carried therein by reason only that the vessel passes through any part of the Port of London on a voyage between places situate on the River Medway or the River Swale and not within the Port of London and any other places not within that port, or as imposing any duties of tonnage on any vessel for passengers only plying between places situate on those rivers and places within the Port of London situate eastward of the said line drawn from Yantlet Creek to the City Stone opposite Canvey Island.

Saving in case of damage caused by dredging.

44.—(1) The Port Authority shall make compensation to all persons whose property or works are damaged by or in consequence of any operations of the Port Authority in connection with dredging or otherwise deepening and improving the channels of the river within the Port of London, in any case where such persons would have been entitled to damages if the operations had been executed otherwise than in pursuance of statutory powers and for the purposes of this provision the expression "person" shall include the Crown and any Government Department.

(2) Any works of dredging and deepening carried out under the powers of this Act which are within fifty yards of any part of any property of or under the control of any Government department, or any tunnel, bridge, pier, embankment, water intake, sewage outfall, or other property of the London County Council, or any main or tunnel of the Metropolitan Water Board, shall be executed under the supervision and to the reasonable satisfaction of the department or the engineer of the said Council or Board, as the case may be.

(3) Any works of dredging and deepening carried out under the powers of this Act which are within fifty yards of any part of any bridge belonging to the Corporation or the Essex, Kent, Middlesex or Surrey County Council or any railway company shall be executed under the supervision and to the reasonable

satisfaction of the engineer of the Corporation, the County Council, or the Company, as the case may be.

(4) The Port Authority shall not execute or carry out or permit to be carried out any works of excavating, dredging, or deepening, or operations of any kind in the bed or channel of the River Thames so as to injure, endanger, or affect any part of the Thames Tunnel, and, in the event of any injury or damage to the said tunnel being caused directly or indirectly by or resulting from any such works or operations, the Port Authority shall make full compensation to the East London Railway Company and its lessees as owners of the said tunnel in respect thereof.

(5) Any dispute or difference arising under this section shall be settled by an arbitrator appointed by the Board of Trade.

(6) If a complaint is made to the Board of Trade by the councils of not less than three riparian boroughs or urban districts who appear to the Board to be interested, that by reason of the exercise by the Port Authority of their powers of dredging the depth of water in any of the reaches of the Thames within the Port of London above Battersea Bridge has been so diminished as seriously to inconvenience navigation or materially to lower the surface of the water, the Board shall, if they think there is reasonable cause for so doing, hold a local inquiry into the matter and shall from time to time submit to Parliament such reports with regard to any such inquiry and the remedy, if any, which they recommend as they may think fit.

Saving for the borough of Southend-on-Sea.

45.—(1) Notwithstanding anything contained in this Act, the provisions of sections ninety-three, ninety-four, ninety-nine, one hundred, one hundred and nine to one hundred and seventeen, one hundred and nineteen to one hundred and thirty-four, and so much of sections one hundred and ninety and one hundred and ninety-one as relates to the regulation of bathing and the fixing of the hours during which persons may bathe, of the Thames Conservancy Act, 1894, shall not apply in any area comprised in the borough of Southend-on-Sea or between that borough and a straight line drawn from the West Shoebury buoy to the most easterly point of Canvey Island.

(2) Nothing in this Act or in the Thames Conservancy Act, 1894, shall prejudice, lessen, affect, or interfere with any powers, rights, authorities, privileges, or property of the mayor, aldermen, and burgesses of the borough of Southend-on-Sea under any Act now in force.

(3) Nothing in this section shall be construed as a recognition of any right or interest of the said mayor, aldermen, and burgesses in any part of the bed or shore of the Thames.

Saving for urban district of Sheerness.

46. Notwithstanding anything contained in this Act, the provisions of sections ninety-three, ninety-four, ninety-nine, one hundred, one hundred and nine to one hundred and seventeen, one hundred and nineteen to one hundred and thirty-four, and

and ninety-one, as relates to the regulation of bathing and the fixing of hours during which persons may bathe, of the Thames Conservancy Act, 1894, shall not apply in the urban district of Sheerness, including the foreshore opposite that district, nor as respects any part of the bed of the River Thames within one hundred yards from that foreshore.

ving for the al district Sheppey.

47. Nothing in this Act shall affect any rights of the rural district of Sheppey existing at the appointed day with regard to the construction of a sewer outfall in that district or the use of such sewer outfall when constructed.

ving for ndon, lbury, and thend lway Company

48. Nothing in this Act shall prejudice, alter, or affect the rights of the London, Tilbury, and Southend Railway Company under any Act of Parliament now in force or under any subsisting agreements or instruments whatsoever made or entered into by the London and India Docks Company or their predecessors in title with the said railway company, but all obligations thereby imposed upon the London and India Docks Company or their predecessors in title shall be read and have effect as if the Port Authority were named in such Acts of Parliament, agreements or instruments instead of the London and India Docks Company or their predecessors in title.

Definitions, Repeal, &c.

initions.

49. In this Act, unless the context otherwise requires,—

The expression "Port of London" means the port within the limits described in the Fifth Schedule to this Act:

The expression "appointed day" means the thirty-first day of March one thousand nine hundred and nine, or such earlier or later day as the Board of Trade may appoint, either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and different provisions of this Act, whether contained in the same section or in different sections, and for different companies and authorities:

The expression "undertaking" includes, in the case of an undertaking transferred by this Act, all such property, real and personal, including cash balances, reserve funds, investments, and all other interest and rights in, to, and out of the property, real and personal, and obligations, and things in action, as may be in the possession of the company, or belonging to them, immediately before the date of transfer, and all books, accounts, and documents relating thereto; but discharged and freed from any charge for securing any debenture stock of the company and from any liabilities

The expression "the Corporation" means the Mayor, Aldermen, and Commons of the City of London in Common Council assembled:

The expression "the Trinity House" means the master, wardens, and assistants of the guild, fraternity or brotherhood of the most glorious and undivided Trinity, and of St. Clement in the parish of Deptford Strond, in the county of Kent, commonly called the Corporation of the Trinity House of Deptford Strond:

The expression "goods" includes live stock, minerals, and merchandise of all descriptions:

The expression "dues" includes all duties of tonnage, port rates on goods, registration fees, and other tolls, charges, and dues payable to the Port Authority, whether in respect of ships, goods, river craft, or otherwise:

The expression "vessel" includes ship, boat, lighter, and craft of every kind, and whether navigated by steam or otherwise:

The expression "ship" includes every description of vessel used in navigation not propelled by oars:

The expression "river craft" means any tug, river steamboat, lighter, or barge registered under the Thames Watermen's and Lightermen's Act, 1893, as amended by the Thames Conservancy Act, 1894, and this Act:

The expression "wharfinger" means the occupier of a wharf, quay, warehouse, or granary adjoining the Port of London mainly used for warehousing the goods imported into the Port of London of persons other than the occupier of such premises:

The expression "prescribed" means prescribed by regulations made by the Board of Trade:

The liability of the Millwall Dock Company to the Millwall Dock Equipment Company under an agreement dated the twenty-second day of February one thousand nine hundred and one shall be deemed to be a charge the liability for which is transferred to the Port Authority.

Repeal. **50.** The enactments mentioned in the Sixth Schedule to this Act shall as from the appointed day be repealed to the extent specified in the third column to that schedule: Provided that the repeal of the words in section seven of the Thames Conservancy Act, 1905, mentioned in that schedule (which limit the period during which the increased duties of tonnage authorised by that Act may be demanded and received) shall take effect as from the first day of January one thousand nine hundred and nine, and notwithstanding that the powers of the Conservators are not transferred to the Port Authority until a later date. 5 Edw. 7. c. xcviii.

Short title. **51.** This Act may be cited as the Port of London Act, 1908.

TRANSITORY PROVISIONS.

Adjustment of property and liabilities.

52. Such adjustments as may be required for the purpose of this Act shall be made between the Port Authority and the Conservators and between the Port Authority and the Watermen's Company, and section sixty-eight of the Local Government Act, 1894, shall apply to such adjustments in like manner as it applies to adjustments required for the purposes of that Act:

Provided that references to the Board of Trade shall be substituted for references to the Local Government Board, and that the provisions as to borrowing and the application of capital sums shall not apply to the Watermen's Company.

Maintenance of undertakings of dock companies until the appointed day.

53.—(1) Until the appointed day the undertakings of the several dock companies shall be maintained and carried on as heretofore in the ordinary course of business in as efficient a condition as usual, but the amount distributed by way of dividend on the stocks other than debenture stocks of any such company for the year one thousand nine hundred and eight or in the case of the Surrey Commercial Dock Company for the last nine months of that year shall not exceed the amount of one year's, or in the case of the Surrey Commercial Dock Company nine months', interest on the amount of the port stock to be substituted under this Act for those stocks.

(2) If the Port Authority think that any contract with respect to any matter connected with the undertaking of any such company made by the company subsequently to the date of the introduction of the Bill for this Act was not reasonably necessary in the ordinary course of the business of the company they may give notice in writing to the company to that effect within six weeks after the appointed day.

(3) If the Port Authority give any such notice, it shall be referred to an arbitrator appointed by the Board of Trade to determine whether or not the contract was reasonably necessary in the ordinary course of the business of the company, and the arbitrator shall determine whether, and to what extent, as between the Port Authority and the company, any liability arising thereunder is to be transferred to the Port Authority, or is to continue as a liability of the company.

(4) Until the appointed day a dock company shall not without the previous consent in writing of the Board of Trade—

(*a*) sell, dispose of, or let for a longer period than one year any of its lands or buildings;

(*b*) apply any of its depreciation or renewal funds otherwise than for the purposes for which those funds were created and have hitherto been used, or make any distribution out of any such fund or any reserve for bad and doubtful debts among its stockholders or any class thereof, unless legally compelled to do so for the purpose of paying interest on any debenture stock;

(c) enter into any contract of any kind with shipowners, merchants, or others, extending in date beyond the thirty-first of December one thousand nine hundred and nine;

(d) raise any fresh capital, either directly or, in case of the Millwall Dock Company, indirectly, by means of any arrangement with the Millwall Dock Equipment Company Limited;

(e) undertake any expenditure on any new works.

(5) The accounts and balance sheet of each dock company for the year one thousand nine hundred and eight, and also, if the appointed day is later than the first day of January one thousand nine hundred and nine, for the period between that date and the appointed day, shall be audited by an auditor appointed by the Board of Trade, and no sums shall be distributed by the company by way of dividend except such as are certified by that auditor to be so distributable; and in any case where the audit is not completed until after the appointed day, the Port Authority shall pay to the company such an amount as may be certified by the auditor to be the balance representing profits earned in respect of the period to which the audit relates and available for immediate distribution as dividend:

Provided that—

(a) Nothing in this subsection shall be construed as preventing a dock company which has been accustomed to pay interim dividends on any of its stocks and actually paid such dividends in the year one thousand nine hundred and seven from paying such dividends during the year one thousand nine hundred and eight so, however, that the amount paid by way of interim dividend on any such stock shall not exceed the amount of the interest which would accrue during a period equal to that in respect of which the dividend is paid on the amount of port stock which under this Act is to be substituted for that stock; and

(b) The amount paid by the Port Authority to any company under this subsection when added to the amount (if any) paid by the company by way of dividend in respect of any part of the period to which the audit relates shall not exceed the amount of interest which would accrue on the amount of port stock to be issued in substitution for the stocks other than debenture stocks of the company during the like period; and

(c) In the case of the Surrey Commercial Dock Company the amount to be paid to the company in respect of the year one thousand nine hundred and eight shall be such an amount as when added to the amount paid by the company by way of dividend

that year or any part of those nine months m be certified by the auditor to be three-fourths the balance representing profits earned during th year and available for immediate distribution dividend so, however, that those amounts wh added together shall not exceed nine months' intere on the amount of port stock to be issued in su stitution for the stocks other than the debentu stock of the company, and the amount so payab shall be paid whether or not the audit of th accounts for that year have been completed befo the appointed day.

(6) If the amount certified by the auditor appointed by th Board of Trade as available for distribution as dividend amongs the stockholders of any dock company for the year one thousan nine hundred and eight, or in the case of the Surrey Commercia Dock Company, for the last nine months of that year, whe added to the amount (if any) paid by the company by way o dividends in respect of any part of that year, or those nin months, is less than one year's, or nine months', interest on th amount of port stock to be substituted for the various stocks other than debenture stocks, of the company, the Port Authorit shall pay to the company—

(i) A sum equal to the deficiency; or

(ii) A sum equal to the expense incurred by the Compan in respect of the negotiations with the Board of Trad for the transfer of its undertaking or in connectio with the passing of the Bill for this Act; or

(iii) A sum of (*a*) in the case of the London and India Dock Company five thousand pounds; (*b*) in the case of th Surrey Commercial Dock Company three thousan pounds; (*c*) in the case of the Millwall Dock Company two thousand pounds;

whichever of the said sums shall be the least.

(7) Any expenses incurred by the Board of Trade under this section shall be paid by the Port Authority.

solution dock com- nies.

54.—(1) As soon as the port stock to be issued as compensation for the transfer of the undertaking of a dock company has been issued in accordance with this Act, the company shall enter upon the liquidation of its affairs, and upon the conclusion thereof shall be dissolved in manner provided with respect to the company in the Second Schedule to this Act.

(2) The several provisions and powers contained in the several special Acts of the dock companies shall remain and be of full force as regards the dock companies respectively, so far as the same are necessary or required for the purposes of the company, up to and until the dissolution thereof:

Provided that it shall not be obligatory to fill up any vacancy in the office of director occurring after the passing of this Act, but the continuing directors for the time being

may continue in office and exercise all powers of directors up to and until the dissolution of the company.

(3) For the purpose of distributing such port stock as aforesaid and winding up its affairs any such company may, after the appointed day, temporarily retain for its own use such offices, books, accounts, and documents, and the service of such officers and servants, on such terms and conditions as may be agreed upon between the Port Authority and the company or, failing agreement, may be determined by the Board of Trade.

(4) Any costs, charges, and expenses (including all rents, rates, taxes, and other outgoings in respect of any offices and all salaries, wages, or pay of any officers or servants temporarily retained by a dock company for its own use under the last preceding subsection) certified by an auditor appointed by the Board of Trade to have been properly incurred by the company for the purposes aforesaid shall be paid to the company by the Port Authority.

Saving for existing watermen and apprentices.

55.—(1) Any person who at the passing of this Act and at the appointed day holds a licence as a licensed lighterman or waterman or qualified apprentice or a certificate under section three hundred and three of the Thames Conservancy Act, 1894, shall be entitled to receive a licence or certificate from the Port Authority, tenable on the like terms and conditions as the licence or certificate so held.

(2) Nothing in this Act shall vacate or affect any indenture of apprenticeship existing at the passing of this Act.

Temporary advances.

56.—(1) With a view of supplying funds to the Port Authority immediately on and for five years after entering on the undertakings of the dock companies the Port Authority may obtain advances of such sums of money as they may require for meeting their obligations and carrying on their business: Provided that the total amount so obtained shall not exceed five hundred thousand pounds, or such larger sum (not exceeding one million pounds) as the Board of Trade may sanction, and the sums so advanced shall be charged on the port fund, but it shall be the duty of the Port Authority to repay any advance obtained under this section, together with all interest thereon, within five years from the date of obtaining the advance.

(2) The provisions of this Act as to borrowing and the repayment of money shall not apply to advances under this section.

Pending proceedings and existing contracts.

57.—(1) If on the appointed day any proceeding or any cause of action is pending or existing by or against the Conservators, a dock company, or the Watermen's Company, the same shall not abate, be discontinued, or be in any way prejudicially affected by reason of anything in this Act, but the proceeding or cause of action may be continued, prosecuted, and enforced by or against the Port Authority as it might have been

by or against the Conservators or the company if this Act had not been passed, but not further or otherwise.

(2) All contracts, deeds, bonds, agreements, and other instruments, and all working arrangements subsisting immediately before the appointed day, and affecting the Conservators, a dock company, or the Watermen's Company, shall be of as full force and effect against or in favour of the Port Authority, and may be enforced as fully and effectually as if, instead of the Conservators or the company, the Port Authority had been a party thereto.

Provided that—

(i) With respect to contracts any liability under which is to remain a liability of a dock company, the provisions of this section shall in all respects be subject to the provisions of the sections of this Act relating to the maintenance of undertakings of dock companies until the appointed day and existing officers and servants, and shall not prejudice any remedy over by the Port Authority against a dock company in respect of any such liability; and

(ii) Nothing in this section shall affect any proceeding, cause of action, contract, deed, bond, agreement, or other instrument relating solely to any powers, duties, property, or liabilities of the Conservators or of the Watermen's Company not transferred to the Port Authority by or under this Act.

Saving for existing byelaws, &c.

58. All byelaws, rules, regulations, and dues made or enforceable by the Conservators, a dock company, or the Watermen's Company, or the Court of the Watermen's Company, shall so far as they are not inconsistent with the provisions of this Act, and until repealed, altered, or superseded, remain in force in like manner and to the like extent as if this Act had not been passed:

Provided that any byelaws, rules, regulations, or dues made or imposed in pursuance of any power by this Act transferred from the Conservators or the Watermen's Company or the Court thereof to the Port Authority, shall, subject to any order made by the Board of Trade, extend throughout the area within which the power in pursuance of which they were made or imposed is for the time being exerciseable by the Port Authority.

Compensation to directors of dock companies.

59.—(1) The Port Authority shall issue by way of compensation for the loss of office sustained by such of the directors of the several dock companies as were in office both at the date of the publication of the notice of the Bill for this Act and on the appointed day, the following amounts of A port stock:—

(*a*) to the London and India Docks Company sixty-seven thousand six hundred pounds;

(*b*) to the Surrey Commercial Dock Company forty thousand pounds;

(*c*) to the Millwall Dock Company twenty thousand pounds;

nd the stock so issued shall be distributed amongst the directors ntitled to compensation in such proportions as those directors r a majority of them determine.

(2) If any such director becomes entitled to a salary as hairman, vice-chairman, or chairman of a committee of the Port uthority a sum equal to the amount of the interest on the ort stock allotted to him as compensation under this section hall, whilst he holds the office to which the salary is attached, e deducted from the salary which would otherwise be payable him.

Existing officers and servants.

60.—(1) Subject to the provisions of this Act—

(*a*) every officer and servant of the Conservators, unless he is immediately before the appointed day employed solely or mainly in connexion with the powers and duties of the Conservators not transferred by this Act to the Port Authority; and

(*b*) every officer and servant of the several dock companies; and

(*c*) every officer and servant of the Watermen's Company immediately before the appointed day employed solely or mainly in connexion with the powers and duties of the Watermen's Company or the court of that company by this Act transferred to the Port Authority,

ll which officers and servants are in this Act referred to as xisting officers and servants) shall, as from the appointed day, ecome an officer or servant of the Port Authority, and shall old his office or situation by the same tenure and upon like erms and conditions, (including all conditions regarding pension r other superannuation allowance) under the Port Authority s he would have held the same under the body from whom e is transferred if this Act had not been passed, and while erforming the same duties shall receive not less salary, wages, r pay than he would have been entitled to if this Act had not een passed.

(2) Every existing officer and servant shall perform such uties as he may be required to perform by the Port Authority.

(3) The Port Authority may abolish the office or situation of ny existing officer or servant which they deem unnecessary, and ny existing officer or servant required to perform duties such s are not analogous, or which are an unreasonable addition to hose which as an officer or servant of the body from whom he is ansferred he was required to perform, may relinquish his office r service, and every existing officer or servant whose office is so olished or who so relinquishes his office or service as aforesaid who otherwise suffers any direct pecuniary loss in consequence this Act, shall be entitled to be paid by the Port Authority mpensation for such pecuniary loss, regard being had to the nditions on which his appointment was made, the nature of s office or employment, the duration of his service, and any her circumstances affecting the case.

(4) Subject to the provisions of this section, the provision
51 & 52 Vict. c. 41. contained in section one hundred and twenty of the Loc Government Act, 1888, relating to compensation to existin officers, shall apply to any claim for compensation by an existin officer or servant with the substitution of references to the Por Authority and port fund for references to the County Counc and county fund.

(5) If within a period of five years after the appointed da the services of any existing officer or servant are dispensed wit by the Port Authority because his services are not required, an not on account of misconduct or incapacity, or the salary to an such officer or servant is reduced on the ground that his dutie have been diminished in consequence of the provisions of thi Act, the officer or servant shall be deemed to have suffered direc pecuniary loss in consequence of this Act.

(6) Any person formerly in the employment of the Con servators, or of any dock company, or the Watermen's Company, who on the appointed day is, though not legally entitled thereto, in receipt of a pension or other superannuation allowance from the Conservators, or any dock company, or the Watermen's Company, shall continue to receive from the Port Authority the same pension or allowance unless he is guilty of grave misconduct, and any question whether he has been guilty of such misconduct shall, in case of difference be determined by the Board of Trade:

Provided that this provision shall not apply in the case of a person in receipt of a pension or superannuation allowance from the Conservators or the Watermen's Company unless the employment of the person whilst in the employ of the Conservators or Watermen's Company was of such a nature that, in the opinion of the Board of Trade, he would have been transferred to Port Authority had he been in that employment at the appointed day.

(7) In computing the time of service of any existing officer or servant for the purpose of determining the compensation to which he is entitled under this section, or of any superannuation or annual allowance that may be awarded him by the Port Authority
9 & 30 Vict. c. 31. under the provisions of the Superannuation (Metropolis) Act, 1866, as applied by this Act, or to which he may be entitled under the London and India Docks Pension Scheme, or the respective schemes of the Surrey Commercial Dock Company or otherwise, the period during which he has been in the service of the Conservators, a dock company, or the Watermen's Company shall be included:

Provided that as respects the officers mentioned in the Seventh Schedule to this Act (being officers who were appointed to their offices as specially qualified persons at an age exceeding that at which public service ordinarily begins) the provisions of this subsection shall apply as modified by that schedule.

(8) Charles James More, the engineer of the Conservators, and Thomas Henry Cullis, the secretary [illegible]

Dock Company, if they respectively continue to hold those offices till the appointed day, shall on the appointed day be entitled to relinquish their offices and to be paid by the Port Authority a superannuation allowance amounting to two-thirds of the salary payable to them respectively at the date of the introduction of the Bill for this Act.

(9) The liability of the Conservators in respect of any pension or superannuation allowance payable to James Hilditch Yough shall be transferred to the Port Authority.

(10) As respects Joseph Guinness Broodbank, the secretary to the London and India Docks Company, Thomas Hardy, the manager of that company, and Edward Francis Turner, the solicitor to that company, such of the provisions of the agreements made by that company with those officers respectively, the first two dated the eleventh day of February one thousand nine hundred and eight and the third dated the twenty-fourth day of February one thousand nine hundred and three, as determine the rights of those officers in the event of the undertaking of the company being purchased in pursuance of any statutory power (except in the case of the two first-mentioned agreements the provisions of clause six of those agreements) shall be substituted for the provisions of this section both as to the conditions of employment (if the Port Authority elect to employ them) and compensation and as respects the said provisions of those agreements the Port Authority shall, except as aforesaid, be subject to the exclusion of the company, to all the duties, liabilities, and obligations of the company under those agreements in like manner as if they were the company.

(11) Every existing officer or servant not entitled to compensation under this section, and not otherwise legally entitled to any pension or superannuation allowance, who becomes incapable of discharging the duties of his office with efficiency by reason of permanent infirmity of mind or body, or who has attained the age of sixty years, or who having been in the service of the Conservators, or a dock company, or the Watermen's Company for a period of not less than five years, is dismissed by the Port Authority on any ground other than misconduct shall, upon his resigning or otherwise ceasing to hold office, be entitled to a superannuation allowance upon the terms and conditions and according to the scale specified in the Superannuation (Metropolis) Act, 1866, as applied by this Act:

Provided that this provision shall not apply to any officer or servant who, having regard to the practice of the body from whom he is transferred with regard to pensioning their officers and servants, had no reasonable expectation of receiving a pension or superannuation allowance on retirement had he remained in the service of that body, and any question as to whether an officer or servant had such reasonable expectation shall be finally determined by the Board of Trade.

(12) If the Port Authority think—

(*a*) that any appointment to any office or service of the Conservators, a dock company, or the Watermen's Company, or any alteration in the rate of salary, wages, or pay of any existing officer or servant made subsequently to the date of introduction of the Bill for this Act, was not reasonably necessary in the ordinary course of the business of the Conservators or the company; or

(*b*) that any grant or alteration of a pension or superannuation allowance, or of any right thereto, made by the Conservators, a dock company or the Watermen's Company subsequently to that date was not in accordance with the usual practice of the Conservators or the company with respect to granting or altering pensions or allowances,

the Port Authority may give notice in writing to the Conservators the dock company or the Watermen's Company to that effect within six weeks after the appointed day, and, if the Port Authority give such a notice, it shall be referred to an arbitrator appointed by the Board of Trade to determine whether or not the appointment, alteration or grant was reasonably necessary in the ordinary course of the business, or was in accordance with the usual practice of the Conservators or the company, and the arbitrator shall determine whether, and to what extent, as between the Port Authority and the Conservators or the company any liability arising in respect thereto is to be transferred to the Port Authority or is to continue as a liability of the Conservators or the company.

(13) Nothing in this Act shall prejudice or affect the rights or interests of any person who on or immediately before the appointed day is a member of the staff of the London and India Docks Company, or who may or would become or be entitled to a superannuation allowance of and in the pension fund or other fund formed by and under the provisions of the indenture and official circular mentioned in Part I. of the Eighth Schedule to this Act; but all the provisions of such deed and official circular in favour of or affecting the members of the staff of the London and India Docks Company, and their wives and families, shall remain in full force and effect, and the Port Authority shall, as from the appointed day, be entitled to all the benefits and interests, and be subject to all the liabilities of the London and India Docks Company under such indenture and official circular.

(14) Nothing in this Act shall prejudice or affect the rights or interests of any person who on or immediately before the appointed day is a member of the staff of the Surrey Commercial Dock Company, or entitled to a superannuation allowance under the provisions of any of the superannuation deeds mentioned in Part II. of the Eighth Schedule to this Act, or except as otherwise expressly provided by this Act with respect to James

Stranach Gaskell and Gilbert William Wheeler under any resolution of the company passed previously to the introduction of the Bill for this Act by which, for the purpose of any pension or superannuation allowance, any number of years has been added to the number of years during which any such person as aforesaid has actually served the company; but all the provisions of any of the said superannuation deeds and resolutions in favour of or affecting any such person as aforesaid shall remain in full force and effect, and the Port Authority shall, as from the appointed day, be entitled to all the benefits and interests and be subject to all the liabilities of the Surrey Commercial Dock Company under the said several superannuation deeds and resolutions.

(15) If any question arises as to whether an officer or servant is transferred to the Port Authority under this section, the question shall be determined by the Board of Trade.

(16) The temporary retention after the appointed day of the services of an officer or servant by any dock company in accordance with the provisions of this Act shall in no wise prejudice or affect his rights under this section.

(17) This section shall, with the necessary adaptations, apply to the officers and servants of the Conservators who are not transferred to the Port Authority in like manner as if the Conservators, as reconstituted by this Act, had been a new authority and those officers and servants had been transferred to that authority.

Amendment of Pilotage Order Confirmation Act, 1896.

61. As from the appointed day, and unless and until a Provisional Order under section five hundred and seventy-seven of the Merchant Shipping Act, 1894, dealing with the matter is made and confirmed, a shipowners' representative on the Pilotage Committee of the Trinity House shall, instead of being elected in the manner provided by the Order scheduled to the Pilotage Order Confirmation Act, 1896, be appointed by the Board of Trade after consultation with the General Shipowners' Society of London and such other persons or bodies having knowledge or experience of shipping in the Port of London as the Board think fit, and the Order scheduled to the Pilotage Order Confirmation Act, 1896, shall be read accordingly as though references to such an appointment were substituted for references to elections by shipowners.

59 & 60 Vict. c. xcvii.

Power of Board of Trade to remove difficulties.

62.—(1) If any difficulty arises with respect to the establishment of the Port Authority, or the reconstitution of the Conservators, or to the appointment of the first members, or to the first meeting of the Port Authority or of the Conservators as reconstituted, the Board of Trade may by order make any appointment or do anything which appears to them to be necessary or expedient for the proper establishment of the Port Authority, or the reconstitution of the Conservators, and the

Provided that nothing in this section shall empower th Board of Trade to alter the number of the Conservators or alter or interfere with the right of any body under this A to appoint a Conservator or Conservators or the proportio of representation to which any such body is entitled und this Act.

(2) Any such order may modify the provisions of this A and the Thames Conservancy Act, 1894, so far as may appe to the Board of Trade necessary or expedient for carrying th order into effect.

sts of Act. **63.** All costs, charges, and expenses preliminary to and c and incidental to the preparing, applying for, obtaining, an passing of this Act incurred by the Board of Trade shall b repaid to that Board by the Port Authority when establishe under this Act.

SCHEDULES.

tion 1. ## FIRST SCHEDULE.

CONSTITUTION OF PORT AUTHORITY.

PART I.

PROVISIONS AS TO PROCEEDINGS AT MEETINGS OF PORT AUTHORITY.

(1) At every meeting of the Port Authority, the chairman, if present shall preside. If the chairman is absent, the vice-chairman, if present shall preside. If both the chairman and vice-chairman are absent, such other member as the members then present choose shall preside.

(2) Every question at a meeting of the Port Authority shall be decided by a majority of votes of the members of the Port Authority present and voting on that question, and in the case of equality of votes the person presiding at the meeting shall have a second or casting vote.

(3) The quorum of the Port Authority shall be one-third of the whole number of the Port Authority.

(4) The Port Authority may appoint such and so many committees either of a general or special nature, and consisting of such number of persons, and either wholly or partly of members of the Port Authority as they think fit, for any purposes which, in the opinion of the Port Authority would be better regulated and managed by means of committees, and may delegate, with or without any restrictions or conditions, as they may think fit, any of their powers or duties, except any power of raising money, and except any power of [illegible]

y power of making any application to Parliament or to the Board of rade in respect of any such dues, to any committee of the Port Authority appointed, and the provisions of section eighty-two of the Local overnment Act, 1888, with respect to proceedings of committees of unty councils, shall apply to committees of the Port Authority as if ey were committees of a county council: Provided that a majority of e members of every committee shall be members of the Port Authority.

(5) A minute of the proceedings of the Port Authority or of a mmittee thereof, signed at the same or the next ensuing meeting by a ember of the Port Authority or committee describing himself as, or pearing to be chairman of the meeting at which the minute is signed, all be received in evidence without further proof.

(6) Until the contrary is proved, every meeting in respect of the roceedings whereof a minute has been so made shall be deemed to have een duly convened and held, and all the members of the meeting shall be eemed to have been duly qualified; and where the proceedings are roceedings of a committee, the committee shall be deemed to have been uly constituted and to have had power to deal with the matter referred to n the minutes.

(7) Subject to the provisions of this Act, the Port Authority may egulate their own procedure.

(8) No act or proceeding of the Port Authority shall be questioned on ccount of any vacancy in their body, or on account of the election or ppointment of any member having been defective.

Part II.

rovisions as to Qualifications of Chairman, Vice-Chairman, and other Members.

(1) A person shall be disqualified for being appointed or being chairman or vice-chairman, or being elected or appointed or being a member of he Port Authority if he—

(*a*) is not a British subject resident in the United Kingdom; or

(*b*) holds any paid office under the Port Authority save as permitted by this Act; or

(*c*) is concerned in any bargain or contract entered into with the Port Authority, or participates in the profit of any such bargain or contract, or of any work done under the authority of the Port Authority:

Provided that a person shall not be disqualified for being appointed or eing chairman or vice-chairman, or being elected or appointed or being a ember, by reason of being interested—

(i) in the sale or lease of any lands, or in any loan of money to the Port Authority, or in any contract with the Port Authority for the supply from land, of which he is owner or occupier, of materials for work being done by or under the authority of the Port Authority; or

(ii) in any newspaper in which any advertisement relating to the affairs of the Port Authority is inserted; or

(iii) in any bargain or contract with the Port Authority or made in the ordinary course of the dock or warehousing business of the Port Authority.

(2) A person shall be disqualified for being chairman, vice-chairman other member of the Port Authority if he is convicted, either on

with hard labour without the option of a fine, or to any greater punishment, or is adjudged bankrupt, or makes a composition or arrangement with his creditors.

(3) If any member of the Port Authority appointed by the London County Council or the Corporation, who at the date of his appointment was a member of the appointing authority, ceases for three months to be a member of that authority, he shall at the end of that period vacate his office as member of the Port Authority, and if any member of the Port Authority appointed by the London County Council or the Corporation who at the date of his appointment was not a member of the appointing authority becomes a member of that authority he shall forthwith vacate his office as member of the Port Authority.

(4) If the chairman, vice-chairman or any other member is absent from meetings of the Port Authority for more than six months consecutively, except for some reason approved by the Port Authority, he shall, on the expiration of those months, vacate his office.

(5) Where the chairman, vice-chairman or other member becomes disqualified for holding office, or vacates his office from absence or otherwise, the Port Authority shall forthwith declare the office to be vacant, and shall notify the fact in such manner as they think fit, and thereupon the office shall become vacant.

Part III.

Provisions as to Tenure of Office, Casual Vacancies, &c.

(1) Subject to the provisions of this Schedule, the term of office of a member of the Port Authority shall be three years, and the term of office of the chairman and vice-chairman shall be three years.

(2) On the first day of April nineteen hundred and thirteen (and in the case of members appointed by the London County Council nineteen hundred and ten), and on the first day of April in every third year thereafter, all the elected and appointed members of the Port Authority shall go out of office, and their places shall be filled by new elections and new appointments to be held and made at such times as may be fixed by an Order made by the Board of Trade, but a person going out of office may, if otherwise qualified, be re-elected or re-appointed.

(3) The first business at the first meeting of the Port Authority, after the first day of April nineteen hundred and thirteen, and at the first meeting after the first day of April in every third year thereafter, shall be the new appointment of a chairman and vice-chairman, but a person going out of office may, if otherwise qualified, be re-appointed, and a chairman or vice-chairman shall continue in office until his successor is appointed.

(4) On a casual vacancy occurring in the Port Authority by reason of the death, resignation, disqualification, or absence of a member, or otherwise, the vacancy shall be filled,—

(*a*) in the case of an elected member, by a member co-opted by the remaining elected members of the Port Authority at a meeting of those members specially summoned for the purpose;

(*b*) in the case of an appointed member, by a member appointed by the authority by whom the vacating member was appointed:

and the person so co-opted or appointed shall hold office until the time when the person in whose place he is co-opted or appointed would have regularly gone out of office, and shall then go out of his office.

(5) On a vacancy occurring or being about to occur in the office of appointed member the clerk or secretary of the Port Authority shall mediately give notice to the authority by which the vacancy is to be led.

(6) On a person being elected or appointed a member, the returning ficer or the appointing authority, as the case may be, shall forthwith ve notice of the election or appointment to the Port Authority.

(7) The appointment of a member to be chairman or vice-chairman all not create a casual vacancy.

(8) On a casual vacancy occurring in the office of chairman or vice-hairman of the Port Authority by reason of the death, resignation, isqualification, or absence of the chairman or vice-chairman, or otherwise, he person appointed in his place shall hold office until the time when the erson in whose place he is appointed would regularly have gone out of ffice, and shall then go out of office.

Part IV.

Provisions as to Election of Elected Members.

(1) Subject to the provisions of this Act, elections of elected members hall be held at such times and in such manner and in accordance with uch regulations as the Board of Trade may by order direct; and those egulations may contain all things necessary, preliminary, or incidental to he election.

Provided that, in prescribing the manner in which elections are to e conducted and votes are to be recorded, the Board of Trade shall have egard to the desirability of elections being so conducted and votes being o recorded whether by allowing the voter to record a vote for a number f candidates in order of preference or otherwise as to secure that so far s possible the several interests concerned shall be adequately represented n the Port Authority.

(2) The regulations may provide that (subject to duly qualified andidates presenting themselves) the elected members shall include as early as may be an equal number of persons whose principal business s or has been mainly connected with vessels and persons whose principal usiness is or has been mainly connected with goods.

(3) A register shall be formed and revised at such times, in such anner, and in accordance with such regulations as the Board of Trade ay by order direct, comprising payers of dues, wharfingers, and owners f river craft.

(4) The register for the time being in force shall be conclusive vidence that the persons named therein and no others are entitled to ote at an election, and that those persons respectively are entitled to the umber of votes stated therein.

(5) Subject to the provisions of this Schedule, every person shall be ntitled to have his name entered on the register as a payer of dues who resident in the United Kingdom and has on his own account during the receding financial year paid to the Port Authority dues amounting in the ggregate to not less than ten pounds.

(6) Subject to the provisions of this Schedule, every person shall be ntitled to have his name entered on the register as a wharfinger who resident in the United Kingdom, and was, on the prescribed date, the ccupier of a wharf, quay, warehouse, or granary adjoining the Port of ondon mainly used for warehousing the goods imported into the port of ondon of persons other than the occupier of such premises, the rateable [illegible] which is not less than fifty pounds.

(7) Subject to the provisions of this Schedule, every person shall be entitled to have his name entered on the register as an owner of river craft who is resident in the United Kingdom and was on the prescribed date the owner of such a craft.

(8) Subject to the provisions of this Schedule, each person whose name is entered on the register shall, at any election of members to be elected by payers of dues, wharfingers, and owners of river craft, be entitled to give one or more votes according to the following scales:—

(*a*) In the case of a person entered on the register as a payer of dues—

Where the dues amount to	£ 10	but do not amount to	£ 25	Votes,	1
"	"	"	25	"	"	50	"	2
"	"	"	50	"	"	100	"	3
"	"	"	100	"	"	200	"	4
"	"	"	200	"	"	400	"	5
"	"	"	400	"	"	800	"	6
"	"	"	800	"	"	1,500	"	7
"	"	"	1,500	"	"	3,000	"	8
"	"	"	3,000	"	"	5,000	"	9

and for every additional 2,000*l.* over 5,000*l.* one vote, so, however, that the total number of votes to which any one payer of dues is entitled shall not exceed fifty.

(*b*) In the case of a person entered on the register as a wharfinger—

Where the rateable value of the premises amounts to—

50*l.*	but does not amount to	125*l.*	-	*Votes,*	1
125*l.*	"	"	250*l.*	-	"	2
250*l.*	"	"	500*l.*	-	"	3
500*l.*	"	"	1,000*l.*	-	"	4
1,000*l.*	"	"	1,500*l.*	-	"	5
1,500*l.*	"	"	2,000*l.*	-	"	6
2,000*l.*	"	"	3,000*l.*	-	"	7
3,000*l.*	"	"	4,000*l.*	-	"	8
4,000*l.*	"	"	5,000*l.*	-	"	9

Where the rateable value amounts to 5,000*l.* or over, 10 votes.

(*c*) In the case of a person entered on the register as an owner of river craft.

Where the number of craft owned amounts to—

1	but does not amount to	10	-	-	-	-	Votes,	1
10	"	"	30	-	-	-	"	2
30	"	"	50	-	-	-	"	3
50	"	"	100	-	-	-	"	4
100	"	"	150	-	-	-	"	5
150	"	"	200	-	-	-	"	6
200	"	"	300	-	-	-	"	7
300	"	"	400	-	-	-	"	8
400	"	"	500	-	-	-	"	9

Where the number of craft owned amounts to 500 or over " 10

(9) Subject to the provisions of this Schedule the persons entitled to vote at an election of a member to be elected by wharfingers shall be the persons entered upon the register as wharfingers and no others, and at such an election each person shall be entitled to give one or more votes according to the scale hereinbefore contained.

(10) Where a wharfinger is the occupier of two or more premises separately assessed, he shall be entitled to be entered on the register and to vote in respect of each of such premises in like manner as if as respects each of such premises he were a separate person.

(11) Where any dues have been paid on account of a company or a firm, or the owners of any ship or river craft who are not partners, or where a company or a firm or an association or body of persons are the occupiers of such a wharf, quay, warehouse, or granary as aforesaid, or where any river craft is owned by a company or a firm or by persons who are not partners, the dues shall be deemed to have been paid on his own account by such one of the directors or officers of the company or partners in the firm or members of the association or body or owners of the ship or river craft or other person as the directors or firm or association or body or owners may appoint in the prescribed manner, and the wharf, quay, warehouse, or granary shall be deemed to be occupied, and the craft owned, by a director or partner or owner or member similarly appointed.

(12) Where a person possesses more than one qualification he shall be entitled to be entered on the register and to vote in respect of each such qualification, in like manner as if as respects each such qualification he were a separate person.

(13) If at any time it appears to the Board of Trade that, as a result of the qualifications and scales of votes fixed by this Schedule the voting power of any voters or class of voters is disproportionate or inadequate having regard to their interest in the Port of London, the Board may by provisional order make such variations in those qualifications or scales of votes as may seem to them to be just, and may provide for different qualifications and different scales of votes for different classes of payers of dues.

(14) All proper expenses of or incidental to the formation or revision of the register, or of or incidental to an election of an elected member shall, subject to any regulations in any order of the Board of Trade made under this Part of this Schedule, be defrayed by the Port Authority.

(15) The Port Authority shall not themselves be entitled to be entered or to appoint any person to be entered, on the register in respect of any qualification possessed by the Port Authority.

(16) Any forms provided or sanctioned by the Port Authority for use in connection with the payment of any dues shall contain a column for the insertion therein of the name and address of the person on whose account the dues are paid:

Where dues paid by any person are paid by him on behalf of any other person and are directly recoverable by him from that other person that other person shall if he so requires be entered as the person by whom and on whose account the dues are paid:

Provided that where the owner or master of a ship or a public wharfinger has in pursuance of this Act paid rates on goods on behalf of some other person the rates shall for the purposes of this Schedule be deemed to have been paid by and on account of such other person.

Subject as aforesaid the person by whom the dues are paid shall for the purposes of this Schedule be deemed to be the person on whose account they are paid.

(17) For the purposes of this Schedule "dues" shall not include fees in respect of the registration or licensing of craft and boats but shall include payments in commutation of dues.

(18) For the purposes of the first election under this Act "dues" shall include dues of such classes and in respect of such services only as may be set forth in a Provisional Order to be made by the Board of

Part V.

Provision as to First Constitution and First Meeting.

(1) The Board of Trade shall take such steps as may be necessary f constituting the Port Authority as soon as may be after the passing this Act, and for summoning the first meeting of the Port Authority a regulating the proceedings thereat, and all authorities and persons sha comply with any instructions issued by the Board of Trade for that pu pose, and any expenses incurred by the Board of Trade for the purpos aforesaid shall be repaid to that Board by the Port Authority whe established.

(2) The notice of an appointment of an appointed member require by this Schedule to be given to the Port Authority shall, in the case a first appointment, be given to the Board of Trade.

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tions 3, 51.

SECOND SCHEDULE.

(1) The amount of stock to be issued to the several dock companie under this Act, as consideration for their undertakings, shall be distributed amongst the holders of the various classes of stock of the companies at th rates of substitution specified in the following scales :—

(*a*) In the case of the London and India Docks Company—

For 100*l.* 3 per cent. A Debenture stock			100*l.* A Port stock
„ 100*l.* 3 „ B „ „			100*l.* A „ „
„ 100*l.* 3 „ C „ „		there shall	100*l.* A „ „
„ 100*l.* 4 „ A preference „		be sub-	100*l.* B „ „
„ 100*l.* 4 „ B „ „		stituted	100*l.* B „ „
„ 100*l.* preferred ordinary stock -			100*l.* B „ „
„ 100*l.* deferred „ -			75*l.* B „ „

(*b*) In the case of the Surrey Commercial Dock Company—

For 100*l.* 4½ per cent. debenture stock -			150*l.* A Port stock
„ 100*l.* 4 „ (minimum) A preference stock.			112*l.* 10*s.* B Por stock.
„ 100*l.* 5 „ B preference stock		there shall	125*l.* B Port stock
„ 100*l.* 5 „ C „ „		be sub-	125*l.* B „ „
„ 100*l.* 5 „ D „ „		stituted	125*l.* B „ „
„ 100*l.* 5 „ E „ „			125*l.* B „ „
„ 100*l.* 5 „ F „ „			125*l.* B „ „
„ 100*l.* ordinary stock - - -			95*l.* B „ „

(*c*) In the case of the Millwall Dock Company—

For 100*l.* 5 per cent. debenture stock -			133*l.* 6*s.* 8*d.* A Por stock and 25*l.* Port stock.
„ 100*l.* 4 „ „ „ -		there shall	100*l.* A Port stoc and 25*l.* B Po stock.
„ 100*l.* 5 per cent. preference stock -		be sub-	94*l.* B Port stock
„ 100*l.* 4½ „ „ „ -		stituted	45*l.* B „ „
„ 100*l.* new 5 per cent. „ „ -			35*l.* B „ „
„ 100*l.* ordinary stock - -			24*l.* 10*s.* B Por

(2) Immediately after the appointed day every holder of debenture or her stock in any dock company shall deliver up to the company the rtificates of the stock held by him to be cancelled, and on such delivery e directors of the company shall issue or cause to be issued to each ch stockholder in substitution for the stock of the company so held by m the amount of Port stock to which he is entitled under the foregoing les :

Provided that the directors shall dispense with such delivery of a rtificate if the loss or destruction thereof is proved to the reasonable tisfaction of the directors.

(3) The transfer books of the several dock companies shall be finally osed on such date previous to the issue of Port stock in substitution for e existing stocks of any such company as the directors of the company ay determine, and notice of such closing shall be given by the company the secretary of the London Stock Exchange, and also by advertisement in two London daily newspapers thirty days before the date on hich such transfer books are to be closed, and after the date of closing ch transfer books the company may refuse to register any transfer of y of the company's stocks.

(4) The Port Authority shall, if so required by a dock company, fore the Port stock to be issued as consideration for the undertaking of e company is issued to the company, instead of issuing to the company e whole of the Port stock to be so issued to it, issue the Port stock to ch amounts and to such persons as the company may require, and the ue of Port stock in accordance with such requirements shall, to that tent, discharge the Port Authority of their liability to issue Port stock the company.

(5) Any money paid to a dock company by the Port Authority under e provisions of this Act shall be applied by the directors towards the yment and discharge of any liability which, under this Act, is to ntinue as a liability of the company, or is not otherwise provided for, d, subject thereto, shall be distributed amongst the various stockolders of the company in like manner as if it were profits available r immediate distribution as dividend, notwithstanding anything in any ecial Act relating to the company prescribing the date at which and e period in respect of which dividends on any particular classes of ock of the company may be distributed :

Provided that if authorised so to do by a special resolution of the mpany, the directors may pay thereout any sum in consideration of ss of office, or in recognition of any services rendered to the company.

(6) Where a dock company is unable after diligent inquiry to find e person to whom any Port stock is issuable or money payable under is schedule, or where any stock is issuable or money is payable to a rson who, or whose committee cannot give an effectual receipt for the ue, the company may transfer the stock or pay the money, as nearly may be, in manner provided for payment of money into court by any t for the time being in force for the relief of trustees, and such Act all apply with all necessary modifications to such stock and money.

(7) When all Port stock issuable to a dock company has been distrited or paid into court as aforesaid and all such money has been applied d distributed as aforesaid, the company may apply to the Board of Trade, hich, if satisfied that the said conditions have been complied with, shall e a certificate to that effect, and upon publication of such certificate the London Gazette the company shall be dissolved.

(8) The rights conferred by this Act on the holders of the various sses of stocks of a dock company shall be in substitution for the rights nferred on them in the event of the winding-up of the company under enactments relating to the company.

Section 8.

THIRD SCHEDULE.

PROVISIONS AS TO APPOINTMENT OF CONSERVATORS.

(1) The Conservators shall be appointed as follows :—

By the Board of Trade	4
By the Port Authority	1
By the Metropolitan Water Board	2
By the London County Council	3
By the Corporation	2
By the Gloucestershire and Wiltshire County Councils	1
By the Oxfordshire County Council	1
By the Berkshire County Council	1
By the Buckinghamshire County Council	1
By the Surrey County Council	1
By the Middlesex County Council	1
By the Hertfordshire County Council	1
By the Council of the City of Oxford	1
By the Council of the Borough of Reading	1
By the Council of the Borough of Kingston-upon-Thames	1
By the Councils of the Borough of Windsor and the Urban District of Eton	1
By the Council of the Borough of Henley-upon-Thames	1
By the Councils of the Borough of Maidenhead and the Urban District of Marlow	1
By the Councils of the Boroughs of Abingdon and Wallingford	1
By the Councils of the Urban Districts of Egham, Staines, Chertsey, Weybridge, Walton, and Sunbury	1
By the Councils of the Urban Districts of East and West Molesey, Esher and the Dittons, Surbiton, Hampton, Hampton Wick, and Teddington	1

(2) The mode of appointment and qualification of a Conservator appointed by two or more councils, other than the Gloucestershire and Wiltshire County Councils, shall be such as may be prescribed by regulations made by the Board of Trade.

(3) Two of the members appointed by the Board of Trade shall be appointed by the Board after consultation with such persons and associations concerned in the use of the river as a place of recreation as the Board may think fit and of the remaining two one shall be appointed by the Board after consultation with such persons and associations concerned in the use of the river for the purpose of barge traffic as the Board may think fit.

Section 33.

FOURTH SCHEDULE.

PROVISIONS AS TO PROVISIONAL ORDERS.

(1) The Board of Trade shall not make any Provisional Order under this Act unless public notice of the purport of the proposed Order has been previously given by advertisement in two successive weeks in some

(2) Before making any such Provisional Order, the Board of Trade all consider any objections which may be made thereto by any persons ected thereby, and in cases where the subject matter is one to which an niry is applicable, shall cause to be made an inquiry, of which public ice shall be given in manner aforesaid, and at which all persons erested shall be permitted to attend and make objections.

(3) A Provisional Order may contain any incidental, consequential, or plemental provisions which may appear to be necessary or proper for purposes of the Order.

(4) The Board of Trade may submit to Parliament for confirmation Provisional Order made by them in pursuance of this Act, but any h Order shall be of no force whatever unless and until it is confirmed Parliament.

(5) If while the Bill confirming any such Order is pending in either ouse of Parliament, a petition is presented against any Order comprised erein, the Bill, so far as it relates to such Order, may be referred to Select Committee, and the petitioner shall be allowed to appear and ppose as in the case of private Bills.

(6) Any Act confirming any Provisional Order made in pursuance of is Act, may be repealed, altered, or amended by any Provisional Order ade by the Board of Trade and confirmed by Parliament.

(7) The Board of Trade may revoke, either wholly or partially, any rovisional Order made by them before the Order is confirmed by Parliaent, but such revocation shall not be made whilst the Bill confirming the rder is pending in either House of Parliament.

(8) The making of a Provisional Order shall be primâ facie evidence at all the requirements of this Act in respect of proceedings required be taken previously to the making of such Provisional Order have en complied with.

FIFTH SCHEDULE.

Section 49

Description of Limits of the Port of London.

The limits of the Port of London shall commence at an imaginary raight line (in this Act referred to as the landward limit of the port of ondon) drawn from high-water mark on the bank of the River Thames at he boundary line between the parishes of Teddington and Twickenham in he county of Middlesex to high-water mark on the Surrey bank of the iver immediately opposite the first-mentioned point, and extend down oth sides of the River Thames to an imaginary straight line (in this Act eferred to as the seaward limit of the port of London) drawn from the ilot mark at the entrance of Havengore Creek, in the county of Essex, to he Land's End at Warden Point, in the Isle of Sheppey, in the county of ent, and shall include all islands, rivers, streams, creeks, waters, watercourses, channels, harbours, docks, and places within the before-mentioned imits contained, and all places which under any Act of Parliament are to e deemed to be within the port of London, but shall not include any part f the River Medway above the seaward limit of the jurisdiction of the onservators of the River Medway, or any part of the River Swale, or any art of the River Lee or Bow Creek within the jurisdiction of the Lee onservancy Board, or any part of the Grand Junction Canal.

Section 50.

SIXTH SCHEDULE.

REPEALS.

Session and Chapter.	Short Title.	Extent of Repeal.
22 & 23 Vict. c. cxxxiii.	The Watermen's and Lightermen's Amendment Act, 1859.	Sections four to seven; Section twenty-four; Section twenty-five from "subject to this proviso" to the end of the section; In section twenty-seven the words "to be named by the Conservators of the River Thames"; Sections twenty-nine to forty-one; In section fifty-two the words "subject to an appeal to the Conservators of the River Thames"; In section fifty-four the words "a freeman" where they first occur, and the words "or an apprentice qualified according to this Act to a freeman or to the widow of a freeman of the said Company"; Sections sixty-one to sixty-three; In section sixty-four the words from "and subject to an appeal" to "of the said court"; Section sixty-eight; In section seventy-one the words "with the sanction of the Conservators of the River Thames"; the words "and with the like sanction"; and from "Provided always," to the end of the section. In section eighty the words from "or with any of the byelaws" to "Conservancy of the River Thames," and from "Provided always" to the end of the section; Sections eighty-one to eighty-three; In section eighty-four the words "to work, row, or navigate any barge, lighter, boat, or other vessel, or"; Section eighty-six; Section eighty-seven; In section eighty-eight the words "freeman, apprentice, or"; Section eighty-nine;

Session and Chapter.	Short Title.	Extent of Repeal.
& 23 Vict. c. cxxxiii.—*cont.*	- - - -	In section ninety the words "at their Hall," and the words "and "shall be paid and distributed "to the poor, aged, and de- "cayed freemen of the said "company and their widows," and the words "Master, wardens, or assistants" whenever they occur; Sections ninety-one to ninety-three; Sections ninety-eight, one hundred, one hundred and one, and one hundred and three.
& 57 Vict. c. lxxxi.	The Thames Watermen's and Lightermen's Act, 1893.	In section three the definitions of "craft" and "boat"; In section sixteen the words "in a summary manner" and "in the place where is the principal waterside place of business of such owner." Section twenty-two; Section twenty-nine from "And all the provisions" to the end of the section; In section thirty the words "unless otherwise by this Act directed"; Sections thirty-three, thirty-six, and thirty-seven.
7 & 58 Vict. c. clxxxvii.	The Thames Conservancy Act, 1894.	In section three the definition of the Port of London; Sections six to nine and eleven to twenty-seven. In subsection (1) of section twenty-eight, paragraphs (A), (B), (F), and (G), and in paragraph (E) the word "county," and in paragraph (A) of subsection (2) of the same section the words "a member of the Trinity House or a member of the Common Council or," the word "county," where it secondly occurs, and the words "or a member of the board of directors or other governing body of a company or other body corporate." In section twenty-nine, subsection (2), from "in the case of a vacancy" to "in all other cases," subsection (3), subsection (5) from "or elected" to the end of the subsection, and subsection (6).

Session and Chapter.	Short Title.	Extent of Repeal.
57 & 58 Vict. c. clxxxvii.—*cont.*	- - - -	In section thirty, the words "t Admiralty," "the Trin House," "the Common Cou cil," wherever they occ "county," where it second and fourthly occurs, "or t metropolitan water compani or elected by the shipowners and "or elected," and fro "And provided that a conse vator" to the end of t section. In section thirty-one, the word "or re-elected." In section thirty-two, the word "by the Admiralty or," "or b the Trinity House, or by th Common Council" "county," where it secondly and fourthly occurs, "by the Secretary to th Admiralty or," and "or by the Secretary of the Trinity House or by the town clerk of the City of London." In section eighty-three the provis to subsection (1). Section one hundred and thirty four; In section one hundred and fifty five, the words "All vessels fo passengers only." In section one hundred an ninety-one, the words "Fo "regulating the mode of con "ducting elections of conser "vators under this Act." Sections two hundred and fort two hundred and forty-two, an two hundred and forty-three subsection (1) of section tw hundred and fifty-three, sub section (1) of section two hun dred and fifty-nine, subsectio (1) of section two hundred an eighty-six, and subsection (1 of section two hundred an eighty-seven; and in sub section (2) of the last-mentioned section paragraph (A) and i paragraph (B) the words "one fourth of." In section three hundred and two the words "and shall be entered into, executed at Watermen' Hall." Section three hundred and three from "and in case," to the end

Session and Chapter.	Short Title.	Extent of Repeal.
57 & 58 Vict. c. clxxxvii.—*cont.*	- - - -	In section three hundred and four, the words "and subject to the like appeal." Section three hundred and six. In section three hundred and seven the words "being a freeman of the company or," "as the case may be," and "admitted a freeman of the company or." Section three hundred and nine. Section three hundred and ten. Section three hundred and twelve. The Second Schedule; The Third Schedule.
2 Edw. 7. c. 41.	The Metropolis Water Act, 1902.	In the Third Schedule the paragraph numbered 5.
5 Edw. 7. c. cxcviii.	The Thames Conservancy Act, 1905.	Section four. In section seven the words "For "a period of three years from "the first day of January "1906."

SEVENTH SCHEDULE.

Section 60.

Officers entitled to Special Terms.

In respect of the following officers there shall be added to the number of years during which they have respectively actually served such number of years not exceeding twenty as the Port Authority, or on appeal, the Treasury, may think just; but the number of years so added in the case of any such officer shall not be less than will be sufficient to secure to the officer compensation or a superannuation allowance equal to one-half of the total annual emoluments which he is entitled to receive from the Port Authority at the date when his office is abolished or relinquished by him or his services are dispensed with under the provisions of this Act, or when he becomes entitled to a superannuation allowance on retirement or otherwise, as the case may be:—

Robert Philipson, secretary of the Conservators:
William Berrell, assistant engineer of the Conservators:
James Stranach Gaskell, chief engineer of the Surrey Commercial Dock Company:
Gilbert William Wheeler, assistant secretary of the Surrey Commercial Dock Company:
Walter Seth Tasker Biggs, secretary and joint manager of the Millwall Dock Company:

George Hazlehurst, superintendent and joint manager of the Millwa
Dock Company:
Louis Stephen White, clerk to the Watermen's Company:

Provided that—

(*a*) In the case of the said James Stranach Gaskell and Gille
William Wheeler the number of years to be added if they
elect shall in lieu of such number as aforesaid be the numb
of years added for the purposes of pension, under resolutio
passed by the Surrey Commercial Dock Company, dated t
twenty-third day of April one thousand nine hundred a
three, and the twenty-sixth day of March one thousand ni
hundred and eight respectively; and

(*b*) In the case of the said Walter Seth Tasker Biggs the emol
ments to which he was entitled at the date of the introducti
of the Bill for this Act as secretary of the Millwall Doc
Equipment Company shall, in the event of that Compan
being wound up on the redemption and payment off of t
stocks by the Port Authority, be treated for the purposes
compensation and pension as part of the emoluments of h
office under the Millwall Dock Company.

An appeal to the Treasury under this schedule shall not be made afte
the expiration of three months from the decision of the Port Authority.

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tion 60.

EIGHTH SCHEDULE.

PART I.

Indenture dated the seventeenth day of September one thousand eig
hundred and ninety and made between the London and India Docks Joi
Committee of the first part, Henry Willey Williams, and Edward Hen
Baily of Dock House, Leadenhall Street, London, joint managers of t
London and India Docks Joint Committee, and others of the second pa
and Rodolph Alexander Hankey of No. 7, Mincing Lane, and others
the third part.

Official Circular issued by order of the directors of the London a
India Docks Company and dated the fifteenth day of June one thousa
nine hundred and seven relating to an improved scheme of grants paya
at the death of officers and servants of that Company while in acti
service or after retirement on pension.

PART II.

(1) Indenture dated the fifteenth day of August one thousand eig
hundred and ninety (being the original superannuation deed
the Surrey Commercial Dock Company):
(2) Indenture dated the tenth day of December one thousand eig
hundred and ninety-one:
(3) Indenture dated the first day of December one thousand eig
hundred and ninety-two:
(4) Indenture dated the thirtieth day of April one thousand eig
hundred and ninety-six:

(5) Indenture dated the eleventh day of February one thousand eight hundred and ninety-seven:

(6) Indenture dated the seventh day of August one thousand nine hundred and three (the five last-mentioned Indentures being all supplemental to the first-mentioned Indenture):

(7) Another Indenture dated the seventh day of August one thousand nine hundred and three (being the new superannuation deed of the Surrey Commercial Dock Company):

(8) Indenture dated the eighteenth day of June one thousand nine hundred and eight supplemental to the last-mentioned Indenture.

CHAPTER 69.

An Act to consolidate the Companies Act, 1862, and the Acts amending it. [21st December 1908.]

BE it 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:

PART I.

CONSTITUTION AND INCORPORATION.

Prohibition of Large Partnerships.

Prohibition of partnerships exceeding certain number.

1.—(1) No company, association, or partnership consisting of more than ten persons shall be formed for the purpose of carrying on the business of banking, unless it is registered as a company under this Act, or is formed in pursuance of some other Act of Parliament, or of letters patent.

(2) No company, association, or partnership consisting of more than twenty persons shall be formed for the purpose of carrying on any other business that has for its object the acquisition of gain by the company, association, or partnership, or by the individual members thereof, unless it is registered as a company under this Act, or is formed in pursuance of some other Act of Parliament, or of letters patent, or is a company engaged in working mines within the stannaries and subject to the jurisdiction of the court exercising the stannaries jurisdiction.

Memorandum of Association.

Mode of forming incorporated company.

2. Any seven or more persons (or, where the company to be formed will be a private company within the meaning of this Act, any two or more persons) associated for any lawful purpose may, by subscribing their names to a memorandum of association and otherwise complying with the requirements