1973. No. 4

HARBOURS

Warrenpoint Harbour Authority (Amendment) Order 1973

Made . . . . . *5th January* 1973

Coming into operation . . . *28th February* 1973

To be laid before the Parliament of the United Kingdom under paragraph 4(5)(b) of the Schedule to the Northern Ireland (Temporary Provisions) Act 1972.

The Ministry of Commerce on behalf of the Secretary of State and in exercise of the powers conferred upon it by section 1 of the Harbours Act (Northern Ireland) 1970(a) and of all other powers enabling it in that behalf, and after such consultation as is required by the said section, hereby makes the following Order:—

Citation and commencement

1.—(1) This Order may be cited as the Warrenpoint Harbour Authority (Amendment) Order (Northern Ireland) 1973 and shall come into operation on the 28th February 1973.

(2) This Order shall be construed as one with the Warrenpoint Harbour Authority Order (Northern Ireland) 1971(b) and that Order and this Order may be cited together as the Warrenpoint Harbour Authority Orders (Northern Ireland) 1971 and 1973.

Amendment of the Warrenpoint Harbour Authority Order (Northern Ireland) 1971

2. The Warrenpoint Harbour Authority Order (Northern Ireland) 1971 is hereby amended as follows:—

(*a*) At the end of Article 2 there shall be inserted the following words:

"'the harbour limits of the Carlingford Lough Commissioners' means the limits specified in the Harbour of Carlingford Lough Improvement Order 1864 as confirmed by the Pier and Harbour Orders Confirmation Act 1864(c) and as amended by the Newry Port and Harbour Trust Act 1901(d);

'the Commissioners' means the Commissioners of Carlingford Lough appointed for the execution of the Harbour of Carlingford Lough Improvement Order 1864 as confirmed by the Pier and Harbour Orders Confirmation Act 1864";

(*b*) At the beginning of paragraph (2) of Article 6 there shall be inserted the following words:—"Subject to paragraph (1A) of Article 7";

(*c*) After paragraph (1) of Article 7 there shall be added the following paragraphs:—

"(1A) Subject to the provisions of this Order the harbour authority shall have power, with the consent in writing of the

(a) 1970. c. 1 (N.I.).
(b) S.R. & O. (N.I.) 1971, No. 136.
(c) 27 & 28 Vict. c. xciii.
(d) 1 Edw. 7 c. xci.

Carlingford Lough Commissioners, to carry out and thereafter maintain such works of improvement in Carlingford Lough within the harbour limits of the said Commissioners as the harbour authority may deem necessary or expedient for the efficient operation of the harbour and as shall be agreed in writing between the harbour authority and the said Commissioners.

(1B) The Carlingford Lough Commissioners shall have power to give any consent or enter into any agreement for the purposes of paragraph (1A).";

(*d*) In paragraph (2) of Article 7 for the words "the foregoing paragraph" there shall be substituted the words "paragraphs (1) and (1A)".

Savings for the Carlingford Lough Commissioners and the Newry Port and Harbour Trust

3. Article 14 is hereby revoked and the following article substituted therefor:—

"14. Except as provided by Articles 7 and 13 nothing in this Order shall prejudice or derogate from or in any way affect the rights or privileges, or the jurisdiction or authority of the Carlingford Lough Commissioners or the Newry Port and Harbour Trust."

Sealed with the Official Seal of the Ministry of Commerce this 5th day of January 1973.

(L.S.) *Kenneth Darwin,*
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Warrenpoint Harbour Authority Order (Northern Ireland) 1971 to provide that the Warrenpoint Harbour Authority may, with the consent of the Carlingford Lough Commissioners, carry out certain works of improvement within the jurisdiction of the Commissioners.