

**Byelaw of the Port Authority.** See Pt XI (ss 161-169) of this Act, and Sch 11, para (h) post.

**Customs and Excise Act 1952.** Mostly repealed by the Customs and Excise Management Act 1979, s 177 (3), Sch 6 and replaced by provisions of that Act. The Latest act is the Commissioners for Revenue and Customs Act 2005 brought into force by a Commencement Order on 18 April 2005, SI 2005/1126 which unites the revenue with the customs.

**Docks.** See also s 182 post. The Port Authority no longer owns or administers any docks or canals.

**Land Drainage Act 1930, s81.** Repealed by the Land Drainage Act 1976, s 117(3), Sch 8 (The Land Drainage Act 1976 has for the most part been replaced by the Land Drainage Act 1991 and the Water Resources Act 1991); for the meaning of "internal drainage boards ", see now s 1 of the Land Drainage Act 1991. The majority of the Water Resources Act 1963 has been repealed by the Water Consolidation (Consequential Provisions) Act 1991.

**Lee Conservancy Catchment Board.** This Board was constituted by the Land Drainage Act 1930. s 80(2) (repealed) and abolished by the Water Act 1973, s 33(d) (repealed). The Board's functions which were then exercised by the British Waterways Board have now been taken over by the Canal & River Trust under the British Waterways Board (Transfer of Functions) Order 2012 in force 1 July 2012 .

**Magistrates' Courts Act 1980, s 32(9) has been amended.**

**Port of London Act 1908, s 16.** Repealed with savings by the Port of London (Consolidation) Act 1920, s 3, Sch 3, and now wholly repealed by s 208, Sch 9, Pt I post.

**Port of London Acts 1920 to 1967.** Those Acts (so far as unrepealed) are (with the exception of the Port of London and Midland Railway Act 1922 (which is amended by s 210 of this Act) and the Port of London (Dock Charges) Act 1923) repealed with savings by ss 208, 209, 212 and Schs 9-11 post.

**Port of London Authority.** By Section 1(4) the Port of London Authority was excluded from being a relevant port authority under the Ports Act 1991. Part II of the Act dealt with the disposal by the Port of London Authority of the Port of Tilbury.

**Port of London Authority (Financial Provisions) Revision Order 1967.** SI 1967/1813, revoked by s 208, Sch 9, Pt II post.

**Port Stock** "A port stock" has now been repaid.

**Registered British Vessel.** For provision as to the registration of British ships see, in particular, the Merchant Shipping Act 1995, s8. For provision as to certificates of registration, see the Merchant Shipping Act 1995, s10(2)(d), and regulations made or having effect thereunder. The tonnage of British ships is ascertained in accordance with s 19 of the 1995 Act, and regulations made thereunder. As to the tonnage of ships of foreign countries, see s 12 of the 1995 Act.

**Richmond Footbridge, Sluices, Locks and Slipway Act 1890.** Repealed by s 208, Sch 9, Pt I post.

**River authority.** All river authorities were abolished by the Water Act 1973, s 33, (repealed) and replaced by water authorities established under s 2 of that Act (repealed). The functions of the water authorities were transferred to the National Rivers Authority under the Water Act 1989, s1, Sch 1 (repealed in so far as they related to the establishment of the NRA, by the Water Consolidation (Consequential Provisions) Act 1991). The NRA was continued in its existence by the Water Resources Act 1991, s1 Sch 1 (repealed). By the Environment Act 1995, s2, the NRA was abolished and all its functions were transferred to the Environment Agency.

**Salmon and Freshwater Fisheries Act 1923.** Repealed by the Salmon and Freshwater Fisheries Act 1975, s 43, Sch 5. For the meaning of "salmon", "trout", "freshwater fish" and "eels", see now s 41(1) of the 1975 Act.

**The Surrey Canal.** The canal was finally closed on 31 January 1971; see the Port of London Act 1970, s 3.

**The Thames.** See also the definition of "the limits" in this section.

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## PART II

### Constitution of the Port Authority

#### [3. Constitution

The Port Authority shall consist of not less than [seven] and not more than [twelve] members, and Part I of Schedule 2 of this Act shall have effect with respect to the constitution and members of the Port Authority.]

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## Notes

*This section was substituted by the Port of London Authority (Constitution) Revision Order 1975, SI 1975/1890, art 5(2)*

*The numbers six and twelve were substituted by the Port of London Harbour Revision Order 1992, art 2(1) SI 1992/3011. The number seven was then substituted for six by the Port of London Authority (Constitution) Harbour Revision Order 2005 in force 28 December 2005.*

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## 4. Proceedings

Part II of Schedule 2 to this Act shall have effect with respect to the proceedings of the Port Authority.

## PART III

### Duties And General Powers Of The Port Authority

## 5. General duties and powers

- (1) [It shall be the duty of the Port Authority to take such action as they consider necessary or desirable for or incidental to the improvement and conservancy of the Thames.
- (1A) The Port Authority shall have power to provide, maintain, operate and improve such port and harbour services and facilities in, or in the vicinity of, the Thames as they consider necessary or desirable and to take such action as they consider incidental to the provision of such services and facilities, and]
- (2) The Port Authority shall have power either themselves or by arrangement between themselves and another person to take such action as the Port Authority consider necessary or desirable whether or not in, or in the vicinity of, the Thames-
- (a) for the purpose of discharging or facilitating the discharge of any of their duties, including the proper development or operation of the undertaking ;
  - (b) for the provision, maintenance and operation of-
    - (i) warehousing services and facilities ;
    - (ii) services and facilities for the consignment of goods on routes which include the port premises ;
  - (c) for the purpose of turning their resources to account so far as not required for the purposes of the undertaking.
- (3) Particular powers conferred or particular duties laid upon the Port Authority by this Act shall not be construed as derogating from each other or from the generality of subsections (1), [(1A)] and (2) of this section.

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## Notes

*The substitution of subsection (1), the insertion of subsection (1A) and the addition in subsection (3) were made by the Port of Tilbury Transfer Scheme 1991 Confirmation Order 1992 SI 1992/284.*

**General Note.** *Additional powers were granted by Section 21 of the Ports Act 1991. As to the application of this section to the Town and Country Planning acts, see s 175 post.*

**Definitions.** *For the "Port Authority", "the Thames" and "undertaking", see s 2(1) ante.*

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## [General duties and powers of the Company