

2008 No. 1817

HARBOURS, DOCKS, PIERS AND FERRIES

The Port of Tyne Harbour Revision Order 2008

Made - - - - *8th July 2008*

Coming into force - - *14th July 2008*

The Port of Tyne Authority (“the Authority”) have applied for a harbour revision order under section 14 of the Harbours Act 1964(a).

The Secretary of State is the appropriate Minister under section 14(7)(b) of that Act and is satisfied as mentioned in section 14(2)(b) of that Act.

The Secretary of State in exercise of the powers conferred by that section and now vested in her(c) makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Port of Tyne Harbour Revision Order 2008 and comes into force on 14th July 2008.

(2) The Port of Tyne Reorganisation Scheme 1967 Confirmation Order 1968(d), the Port of Tyne Act 1970(e), the Port of Tyne Revision Order 1972(f), the Port of Tyne Authority (Constitution) Revision Order 1974(g), the Port of Tyne (North Shields Fish Harbour) Act 1974(h), the Port of Tyne Revision Order 1982(i), the Port of Tyne (Pilotage) Harbour Revision Order 1989(j), the Port of Tyne Act 1989(k), the Port of Tyne Act 1990(l), the Port of Tyne Harbour Revision Order 1998(m), the Port of Tyne Harbour Revision Order 2001(n) and this Order may be cited together as the Port of Tyne Acts and Orders 1968 to 2008.

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- (a) 1964 c.40; section 14 was amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6, paragraphs 2 to 4(1) and 14, and section 40 and Schedule 12 (Part II), and by the Transport and Works Act 1992 (c. 42), section 63(1) and Schedule 3, paragraph 1.
- (b) For the definition of “the Minister” (mentioned in section 14(7)) *see* section 57(1).
- (c) S.I. 1981/238.
- (d) S.I. 1968/942.
- (e) 1970 c.lxvi.
- (f) S.I. 1972/733.
- (g) S.I. 1974/923.
- (h) 1974 c.xxxvi.
- (i) S.I. 1982/723.
- (j) S.I. 1989/1407.
- (k) 1989 c.i.
- (l) 1990 c.xxxi.
- (m) S.I. 1998/3277.
- (n) S.I. 2001/416.

Borrowing powers

2.—(1) The Authority (including any subsidiary of the Authority) may from time to time borrow, by any methods they see fit, such sums of money as they think necessary for the purposes of meeting their obligations in carrying out their functions; and where moneys are borrowed by the Authority under this article, the Authority may, if they see fit, borrow those moneys upon the security of some or all of their assets for the time being or of some or all of their revenues or of some or all of both their assets and their revenues.

(2) In this article “subsidiary” means a subsidiary formed under the Port of Tyne Act 1989.

Revocations

3. The following are revoked—

- (a) Articles 59, 60 and 61 of the Port of Tyne Reorganisation Scheme 1967(a);
- (b) the Port of Tyne Revision Order 1972; and
- (c) the Port of Tyne Revision Order 1982.

Signed by authority of the Secretary of State for Transport

8th July 2008

Richard Bennett
Head of Ports Division
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the borrowing powers of the Port of Tyne Authority (“the Authority”).

The Authority’s borrowing powers and those of their subsidiaries were capped at £5 million for permanent borrowings and £4 million for temporary borrowings unless the Secretary of State consented in either case to a higher amount.

Article 2 authorises the Authority and their subsidiaries to borrow without any limit such sums of money as they think necessary.

Article 3 revokes the earlier borrowing powers.

(a) The Port of Tyne Reorganisation Scheme 1967 is set out in the Schedule to the Port of Tyne Reorganisation Scheme 1967 Confirmation Order 1968.

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