

Bristol Corporation Act, 1956

4 & 5 ELIZ. 2 Ch. lx

ARRANGEMENT OF SECTIONS

Section

1. Short and collective titles.
2. Incorporation of Harbours Act 1847.
3. Interpretation.
4. Reclassification of tonnage rates under Bristol Corporation Act 1911.
5. Increase of rates.
6. Power to make byelaws as to lights etc.
7. Amendment of section 70 of Bristol Corporation Act 1926.
8. Recovery of penalties.
9. Restriction on right to prosecute.
10. Inquiries by Minister of Transport and Civil Aviation.
11. Application of general provisions of Public Health Act 1936.
12. Costs of Act.

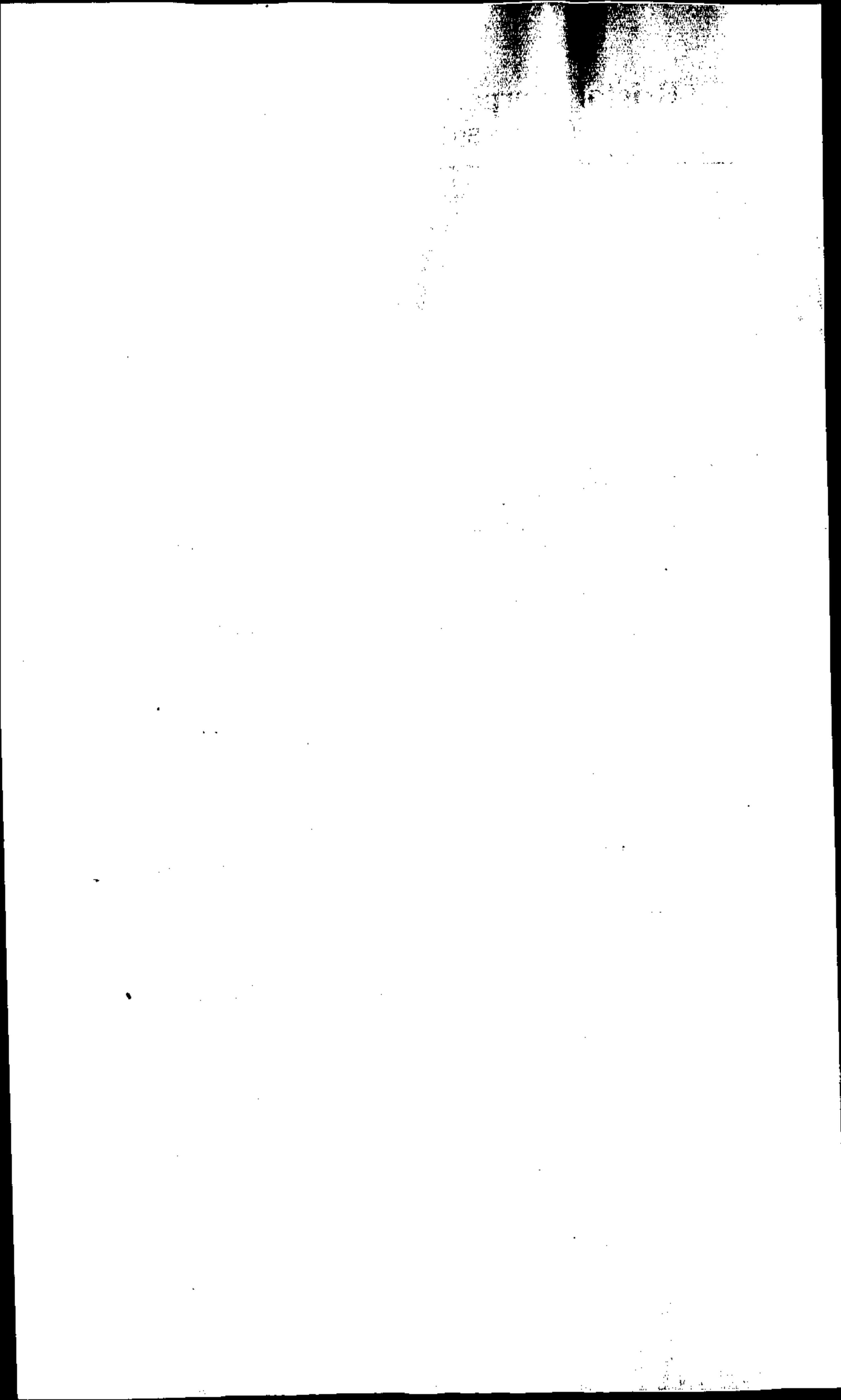
SCHEDULES :

First Schedule—Rates of tonnage on vessels entering or departing from the port of Bristol.

Part I.

Part II.

Second Schedule—Maximum rates to which section 5 (Increase of rates) of this Act does not apply.





CHAPTER lx

An Act to authorise the lord mayor aldermen and burgesses of the city of Bristol to increase certain of the maximum rates dues tolls and charges leviable in respect of their dock undertaking to confer further powers upon them with reference to their dock undertaking and for other purposes. [5th July 1956.]

WHEREAS the city and county of Bristol (hereinafter referred to as "the city") is a county borough under the government of the lord mayor aldermen and burgesses of the city (hereinafter referred to as "the Corporation") acting by the council of the city:

And whereas the Corporation are the owners of the docks known respectively as the City Docks the Avonmouth Docks and the Portishead Docks and also are both the port and harbour authority of the port and harbour of Bristol:

And whereas the rates dues tolls and charges which the Corporation may levy and charge in respect of vessels and goods and of various other matters and things and of various services rendered by them in connection with their dock undertaking are for the most part limited by the Bristol Dock Acts 1848 to 1955 or some of those Acts and the Acts incorporated with or referred to in those Acts respectively to certain specified maxima and it is expedient that certain of the said maxima should be increased as by this Act provided:

And whereas for the safety and convenience of navigation within the port and harbour of Bristol it is expedient to confer on the Corporation such other powers in relation to their dock undertaking and in their capacity as the port authority as are in this Act contained:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

And whereas the purposes of this Act cannot be attained without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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 (that is to say):—

Short and
collective
titles.

1.—(1) This Act may be cited as the Bristol Corporation Act 1956.

(2) The Bristol Dock Acts 1848 to 1955 and this Act may be cited together as the Bristol Dock Acts 1848 to 1956.

Incorporation
of Harbours
Act 1847.

2. The provisions of the Harbours Act 1847 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are incorporated with and form part of this Act with the following exceptions and modifications:—

(a) The definition of the word "vessel" in section 3 (Interpretations in this and the special Act) of the said Act shall be deemed to include a seaplane on the surface of the water:

Provided that nothing in the said Act shall require or authorise the harbour master to require the dismantling of a seaplane or any part thereof or the making of any alteration whatever of the structure or equipment of a seaplane;

(b) The definition of the word "rate" in the said section 3 shall be deemed to include the licence fees chargeable by the Corporation under section 7 (Licences) of the Bristol Corporation Act 1951;

(c) Sections 12 and 13 sections 16 to 19 and sections 25 and 26 of the said Act shall not be incorporated with this Act.

Interpretation.

3.—(1) In this Act the following words and expressions have the several meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction (that is to say):—

"the city" means the city and county of Bristol;

"the Corporation" means the lord mayor aldermen and burgesses of the city acting by the council of the city;

“craft” means any boat barge lighter trow pontoon or raft and includes amphibious craft;

“enactment” includes an enactment in this Act or in any general or local Act and any order byelaw or regulation for the time being in force within the port;

“the Harbours Act 1847” means the Harbours Docks and Piers Clauses Act 1847;

“the harbour master” means the several officers of the Corporation having the powers of a harbour master under the Harbours Act 1847;

“the maximum rates” means the rates dues tolls and charges leviable or chargeable by the Corporation in connection with their dock undertaking by virtue of the Bristol Dock Acts 1848 to 1955 or of any one or more of those Acts or any Act incorporated with or referred to in any of those Acts respectively;

“the port” means the port and harbour of Bristol being the area described in Part II of the schedule to the Bristol Corporation Act 1955;

“vessel” includes any ship craft or any seaplane on the surface of the water.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

4.—(1) As from the date of the passing of this Act the Second Schedule to the Bristol Corporation Act 1911 shall be read and have effect as if for the rates of tonnage therein specified there were substituted the rates of tonnage specified in the First Schedule to this Act and section 3 (Increase of maximum rates) of the Bristol Corporation Act 1919 section 5 (Increase of rates) of the Bristol Corporation Act 1951 and section 5 (Increase of rates) of this Act shall be read and have effect accordingly.

(2) Subsection (2) of section 6 (Increase of minimum tonnage due) of the Bristol Corporation Act 1951 is hereby repealed.

5. The maximum rates other than the rates dues tolls and charges specified in the Second Schedule to this Act are hereby increased by an amount equal to twenty-five per centum of the respective amounts thereof and the Corporation may levy or charge such increased rates accordingly:

Provided that nothing in this section shall interfere with or affect any rights of the Corporation with reference to the amount of any rates dues tolls or charges leviable or chargeable by them for which no maximum is prescribed by the Bristol Dock Acts 1848 to 1955 or by the Acts incorporated with or referred to in those Acts respectively.

Power to
make
byelaws as
to lights etc.

6.—(1) Notwithstanding anything in the Bristol Dock Acts 1848 to 1955 the Corporation may make byelaws with respect to all or any of the following matters:—

- (a) prescribing the lights and signals to be carried exhibited or made by vessels while being used navigated or moored within the port;
- (b) prescribing the lights and signals to be exhibited or made by wreck-marking vessels or by other devices used for the purpose of marking obstructions within the port;
- (c) prescribing the lights and signals to be exhibited or made by vessels aground within the port;
- (d) prescribing steering and sailing rules for the regulation of vessels used or navigated within the port.

(2) In this section the word “signals” includes sound signals.

(3) (a) The provisions of the Harbours Act 1847 with respect to the byelaws to be made by the undertakers shall apply to all byelaws made under this section but no byelaw made under this section shall come into operation until it shall have received the confirmation of the Minister of Transport and Civil Aviation which shall be sufficient for all purposes.

(b) In its application to any byelaws made under this section section 84 (Byelaws may be enforced by imposition of penalties) of the Harbours Act 1847 shall be read and have effect as if for the words “five pounds” there were substituted the words “twenty pounds” and as if after the words “for each breach of such byelaws” there were inserted the words “and in the case of a continuing offence a fine not exceeding five pounds for each day on which the offence is continued after conviction thereof.”

(4) Different byelaws may be made under this section in relation to different classes of vessel.

(5) Nothing in this section or in any byelaw made thereunder shall derogate from or affect the powers conferred on the harbour master by the Bristol Dock Acts 1848 to 1956 or by any Act incorporated with any of those Acts.

Amendment of
section 70
of Bristol
Corporation
Act 1926.

7. Section 70 (Penalty for working or navigating craft contrary to Act) of the Bristol Corporation Act 1926 shall be read and have effect as if at the end thereof there were inserted the words “Provided that in any case in which proceedings can be taken either under this section or under some other corresponding enactment (as defined in the Bristol Corporation Act 1956) those proceedings shall be taken under that enactment and not under this section.”

Recovery of
penalties.

8. All penalties recoverable by virtue of section 6 (Power to make byelaws as to lights etc.) of this Act may be recovered in a summary manner.

9. Proceedings in respect of an offence against any byelaw Restriction made in pursuance of section 6 (Power to make byelaws as to on right to lights etc.) of this Act shall not without the written consent of prosecute. the Attorney-General be taken by any person other than a party aggrieved or the Corporation.

10. The Minister of Transport and Civil Aviation may cause Inquiries by such local inquiries to be held as he may consider necessary Minister of in regard to the giving of any confirmation for the purposes of Transport and Civil section 6 (Power to make byelaws as to lights etc.) of this Act Aviation. and subsections (2) to (5) of section 290 of the Local Government Act 1933 shall apply in relation to any such inquiry.

11. The following sections of the Public Health Act 1936 Application shall have effect as if references therein to that Act included of general a reference to this Act:— provisions of Public Health Act 1936.

- Section 284 (Authentication of documents);
- Section 286 (Proof of resolutions etc.);
- Section 297 (Continuing offences and penalties);
- Section 304 (Judges and justices not to be disqualified by liability to rates); and
- Section 328 (Powers of Act to be cumulative).

12. All the costs charges and expenses preliminary to and of Costs of Act. and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund of the city.

FIRST SCHEDULE

RATES OF TONNAGE ON VESSELS ENTERING OR DEPARTING
FROM THE PORT OF BRISTOL

PART I

Per
register
ton.
s. d.

Class 1

For every vessel entering from or departing for any port or place in Great Britain Northern Ireland Eire the Isle of Man or the Channel Islands (other than Barry Penarth Cardiff Newport and any other port or place on or within the Bristol Channel and the river Severn to the eastward of the Holmes)

6

Class 2

For every vessel entering from or departing for Barry Penarth Cardiff Newport or any other port or place on or within the Bristol Channel and the river Severn to the eastward of the Holmes ...

3

PART II

Class 3

For every vessel entering from or departing for any port or place in Europe to the westward of the North Cape (Norway) and without the Straits of Gibraltar other than any such port or place—

- (a) on or within the Cattegat to the southward of an imaginary straight line drawn through the Skaw and the island of Styrso ; or
- (b) on or within the Baltic Sea the Gulf of Bothnia the Gulf of Finland or the Gulf Riga

1 1

Class 4

For every vessel entering from or departing for any port or place—

- (a) within the Straits of Gibraltar or on or within the western part of the Mediterranean Sea and contained within an imaginary line drawn straight from Cape Spartivento (Italy) to Point Delimara and thence to Cape Bon ;
- (b) on or within the Cattegat to the southward of an imaginary straight line drawn through the Skaw and the island of Styrso ; or

(c) on or within the Baltic Sea the Gulf of Bothnia the Gulf of Finland or the Gulf Riga	1	5
---	---	---

Class 5

For every vessel entering from or departing for any port or place not elsewhere enumerated in this schedule	1	9
--	---	---

SECOND SCHEDULE

MAXIMUM RATES TO WHICH SECTION 5 (INCREASE OF RATES)
OF THIS ACT DOES NOT APPLY

1. The rates of tonnage for goods wares merchandises and commodities conveyed upon the canal (known as "the feeder canal") between Netham Lock (formerly known as "the engine-mills") and the river Avon opposite Temple Meads specified in the First Schedule to the Bristol Dock Act 1848.

2. The rates of tonnage specified in Part I of the Second Schedule to the Bristol Corporation Act 1911 (being the rates also specified in Part I of the First Schedule to this Act).

3. The licence fees specified in the schedule to the Bristol Corporation Act 1951 with respect to open boats canoes and other craft manually propelled and having no other means of propulsion.

4. The licence fees specified in the schedule to the Bristol Corporation Act 1951 with respect to motor and sailing boats and other craft not manually propelled or in respect of which no licence fee is otherwise prescribed under that schedule.

Table of Statutes referred to in this Act

Short title	Session and chapter
Harbours Docks and Piers Clauses Act 1847	10 & 11 Vict. c. 27
Bristol Dock Act 1848	11 & 12 Vict. c. xliii
Bristol Corporation Act 1911	1 & 2 Geo. 5. c. xlv.
Bristol Corporation Act 1919	9 & 10 Geo. 5. c. xii.
Bristol Corporation Act 1926	16 & 17 Geo. 5. c. xcix.
Local Government Act 1933	23 & 24 Geo. 5. c. 51.
Public Health Act 1936	26 Geo. 5 and 1 Edw. 8. c. 49.
Bristol Corporation Act 1951	14 & 15 Geo. 6. c. xxxii.
Bristol Corporation Act 1955	4 Eliz. 2. c. 20.

PRINTED BY JOHN ROUGHTON SIMPSON, C.B.

Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

Price 9d. net

PRINTED IN GREAT BRITAIN

(37575)