

STATUTORY INSTRUMENTS

1964 No. 932

MINISTERS OF THE CROWN

The Defence (Transfer of Functions) (Dover Harbour)
Order 1964

Made - - - - 23rd June 1964
Laid before Parliament 29th June 1964
Coming into Operation 30th June 1964

At the Court at Buckingham Palace, the 23rd day of June 1964

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 3(1) of the Defence (Transfer of Functions) Act 1964(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, interpretation and commencement

1.—(1) This Order may be cited as the Defence (Transfer of Functions) (Dover Harbour) Order 1964.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) This Order shall come into operation on 30th June 1964.

Amendments of the Dover Harbour Consolidation Act 1954 and repeal of section 34 thereof.

2.—(1) In the provisions of the Dover Harbour Consolidation Act 1954(c) mentioned in the Schedule to this Order there shall be made the amendments specified in relation to them in the second column of the Schedule.

(2) Section 34 of the said Act of 1954 is hereby repealed.

W. G. Agnew.

SCHEDULE

Provisions of the said Act of 1954	Amendment
Section 3	In proviso (iv) of subsection (2), for the words "interest of the War Department of the Admiralty or" there shall be substituted the words "naval or military interest of the Ministry of Defence or any interest" and for the words "Her Majesty's Principal Secretary of State for the War Department by the Admiralty" there shall be substituted the words "the Secretary of State".

(a) 1964 c. 15.

(b) 52 & 53 Vict. c. 63.

(c) 2 & 3 Eliz. 2. c. iv.

Provisions of the said Act of 1954	Amendment
Section 6	For the words "First Lord of the Admiralty" there shall be substituted the words "Secretary of State".
Section 8	In subsection (1)(a), for the words "First Lord of the Admiralty" there shall be substituted the words "Secretary of State" and in subsection (3), after the words "the Admiralty" there shall be inserted the words "or the Secretary of State".
Sections 21 and 22	In subsection (2) of section 21 and in proviso (ii) of section 22, for the references to the Admiralty there shall be substituted references to the Secretary of State.
Section 33	In proviso (a) of subsection (1), for the reference to the Admiralty in the first place where it occurs and in subsection (3), for the reference to the Admiralty in the last place where it occurs, there shall be substituted a reference to the Secretary of State.
Section 64	For the references to the Admiralty there shall be substituted references to the Secretary of State.
Section 117	In subsection (1), for the reference to the Admiralty in the second place where it occurs there shall be substituted a reference to the Secretary of State.
Section 118	For the words "War Department" in the first and second places where they occur there shall be substituted the words "Secretary of State".
	For paragraph (1) there shall be substituted the following paragraph:—
	"(1) In this section—
	"the Secretary of State" means the Secretary of State for Defence;
	"Ministry of Defence land" means for the purposes of paragraphs (3), (5) and (6) any land in the harbour leased to or vested in the Secretary of State and for the purposes of paragraphs (2), (4) and (7) the said land and any land so leased or vested adjacent thereto or in the neighbourhood thereof;
	"Ministry of Defence works" means works from time to time constructed in or on Ministry of Defence land:";

Provisions of the said Act of 1954	Amendment
Section 118— <i>cont.</i>	<p>In paragraphs (2) to (7), for the references to the War Department, War Department land and War Department works there shall be respectively substituted references to the Secretary of State, Ministry of Defence land and Ministry of Defence works, and in subparagraph (c) of paragraph (3), for the words "at their own cost" there shall be substituted the words "at his own cost";</p> <p>In paragraph (8) the words "War Department" in the first place where they occur shall be omitted, after the words "and materials" there shall be inserted the words "intended for use for the purposes of the Ministry of Defence" and for the words "War Department" in the second place where they occur there shall be substituted the words "Secretary of State".</p>
Section 121	For the words from "naval and military officers" to "Admiralty service" there shall be substituted the words "all personnel of Her Majesty's naval and military forces and other persons employed for any naval or military purpose of the Ministry of Defence".
Section 128	In subsection (1), for the words "on the parties thereto" there shall be substituted the words "on the Secretary of State for Defence and the Board," in subsection (2), for the words "War Department" in the second and third places where they occur and in subsection (3), for the word "Admiralty" there shall be substituted the words "Secretary of State for Defence", and in the proviso to that subsection, the words "the War Department and", the words "the War Department or" and the words "as the case may be" shall be omitted.

EXPLANATORY NOTE

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

This Order makes adaptations in the Dover Harbour Consolidation Act 1954 which arise out of the transfers of functions and property effected by the Defence (Transfer of Functions) Act 1964 or out of the defence re-organisation referred to in the Act. The Order also repeals section 34 of the 1954 Act as no longer required.

STATUTORY INSTRUMENTS

1964 No. 932

MINISTERS OF THE CROWN

The Defence (Transfer of Functions) (Dover Harbour)
Order 1964

Printed in England and published by
HER MAJESTY'S STATIONERY OFFICE: 1964
FIVEPENCE NET