

139. Register of watermen and lightermen

The Port Authority shall keep a register of licensed watermen and lightermen which shall be open to inspection by any person at reasonable hours upon payment of a reasonable fee.

Notes

Definitions. For "lighterman" and "waterman", see s 2(1) ante.

140. Fees for licences and list of fares

- (1) The Port Authority may charge a reasonable fee for the issue or renewal of a licence to act as a waterman or lighterman.
- (2) The Port Authority may make a reasonable charge for supplying copies of the list of fares which a waterman is for the time being authorised by the Port Authority to charge for his services.

Notes

Authorised. As to the authentication of documents given or issued by the Port of London Authority, see s 183 post.

Definitions. For "lighterman" and "waterman", see s 2(1) ante.

PART IX

GOODS TRAFFIC

(a) General

141. Account of imports to be given to Port Authority

- (1) The master of a vessel carrying cargo which enters the docks shall, within twelve hours after entering the docks or being reported at the Custom House, whichever first occurs give the Port Authority two copies of the manifest or report of the cargo signed by him.
- (2) A master who fails to comply with this section shall be guilty of an offence and liable to a fine not exceeding [£20].

Notes

The fine was increased to £20 by the Port of London Act 1982, s 3(1), Sch 1, Pt I.

Definitions. For "Custom House", "docks", "master" and "vessel", see s 2(1) ante.

142. Power to survey goods

- (1) The Port Authority may survey and examine-
 - (a) goods at the port premises; and
 - (b) goods on board a vessel at the port premises when those goods are to be or have been handled by the Port Authority or when the master of the vessel asks for a survey or examination to be made by the Port Authority.
- (2) The Port Authority may make a reasonable charge for a survey or examination carried out under this section.

- (3) Where a written report is made on a survey or examination under this section, the Port Authority shall on request supply a copy of the report at a reasonable price to the owner or consignee of the goods and, if the survey was requested by the master of a vessel, to that master.

Notes

Definitions. For "goods", "master", "port premises" and "vessel", see s 2(1) ante.

143. Power to remove goods

- (1) The Port Authority may remove to another part of the port premises or to a place of storage elsewhere goods-
- (a) which are obstructing or interfering with the use of the port premises; or
 - (b) which remain at a place used for the deposit or storage of goods for a longer time than that specified in relation to that place in a schedule of charges published by the Port Authority;
- and such removal and storage shall be carried out at the risk and expense of the owner.
- (2) Remedies available to the Port Authority for the recovery of their charges on or in respect of goods shall be available to them for the recovery of the expenses of removal and storage of goods removed under this section.
- (3) Goods removed under this section to a place of storage outside the port premises shall be deemed to be on the port premises for the purposes-
- (a) of the provisions in this Act relating to recovery of the Port Authority's charges on or in respect of goods by the seizure, detention and sale of goods; and
 - (b) of those provisions as applied by subsection (2) of this section.

Notes

General Note. As to customs entries relating to certain goods that the Port of London Authority intend to remove under this section, see s 145 post.

Published by the Port Authority. See s 185 post.

Recovery of ... charges. See ss 22, 23 35, 36, 38 and 39 ante.

Definitions. For "goods", "port premises" and "published", see s 2(1) ante.

144. Removal and disposal of offensive goods

- (1) The Port Authority may by notice require the owner of goods at the port premises which are, or have become, offensive to remove the goods from the port premises within such a period not being less than twenty-eight days as is specified in the notice.
- (2) If a person to whom notice is given under subsection (1) of this section fails to comply with the notice within the time specified, the Port Authority may dispose of the goods at such time and in such manner as they think fit and may recover the expense of so doing from the person to whom the notice under this section was given as a debt in any court of competent jurisdiction.

Notes

General Note. As to customs entries relating to certain goods that the Port of London Authority intend to remove under this section, see s 145 post.

By notice. As to the service of notices under this Act, see s 184 post.

Definitions. For "goods" and "port premises", see s 2(1) ante.

145. Customs entry by Port Authority

- (1) An authorised officer of the Port Authority may make and a customs officer may accept a customs entry relating to imported goods at the port premises which-
 - (a) the Port Authority intend to remove under section 143 (Power to remove goods), section 144 (Removal and disposal of offensive goods) or section 149 (As to entry of dangerous goods) of this Act; or
 - (b) it is expedient to enter for customs in order to prevent their removal to a Queen's Warehouse by a customs officer, or for any other good and sufficient reason.
 - (2) An officer of the Port Authority when making an entry under subsection (1) of this section shall not be obliged to provide more information about the goods to be entered than is-
 - (a) within his personal knowledge; or
 - (b) ascertainable from any label or mark on the packing or from any document in the Port Authority's possession relating to the goods in question.
 - (3) The Port Authority may charge for making a customs entry under this section.
 - (4) Remedies available to the Port Authority for the recovery of their charges on or in respect of goods shall be available to them for the recovery of duties of customs or excise and purchase tax paid by them on goods entered under this section.
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Notes

Authorised. As to the authentication of documents given or issued by the Port of London Authority, see s 183 post.

Recovery of ... charges. See ss 22, 35, 36 and 39 ante.

Definitions. For "customs officer", "duties of customs and excise", "goods" and "port premises", see s 2(1) ante.

146. Warrants for goods

- (1) The Port Authority may at the request of a person-
 - (a) warehousing or depositing goods in a warehouse or place at the port premises specially appropriated for the purpose; or
 - (b) entitled to goods so warehoused or deposited;issue to him a warrant for the delivery of the goods so warehoused or deposited or such part thereof as may be specified in the warrant:

Provided that the Port Authority shall not issue a warrant under this section relating to imported goods if they have been given notice effective under subsection (2) of this section that the goods in question are subject to-

 - (a) a claim for freight by the owner of the vessel in which the goods were imported; or
 - (b) a claim to which the goods were subject before being warehoused or deposited with the Port Authority.

- (2) A notice under subsection (1) of this section-
- (a) shall not be effective unless it is given-
 - (i) within seven days of the discharge of the goods in question from the importing vessel; and
 - (ii) before the Port Authority have issued a warrant relating to the goods specified in the notice;
 - (b) shall remain effective for twenty-eight days and may be renewed for successive periods of twenty-eight days.
- (3) (a) Unless the contrary is clearly stated on the face of the warrant, goods which are the subject of a warrant issued under this section shall not be liable to detention or sale by the Port Authority on account of an unpaid charge of the Port Authority on or in respect of those or other goods incurred before the issue of the warrant.
- (b) In this subsection "charge" includes expenses incurred by the Port Authority in relation to goods which by virtue of this Act are recoverable by the same means as a charge.
- (4) A warrant issued under this section shall be transferable by endorsement and shall entitle the person named therein or the last endorsee thereof to the delivery of the goods specified therein and the goods so specified shall for all purposes be deemed to be his property.
- (5) A warrant under this section may be issued under the hand of an officer of the Port Authority authorised for that purpose.

Notes

Notice. As to the service of notices under this Act, see s 184 post.

Sub-s (3): Goods ... subject ... to detention or sale. See ss 36 and 39 ante.

Expenses ... recoverable ... as a charge. See s 143 ante.

Sub-s (5): Authorised. As to the authentication of documents given or issued by the Port of London Authority, see s 183 post.

Definitions. For "goods", "owner", "port premises" and "vessel", see s 2(1) ante.

147. Passes for goods

- (1) A member of the Port Authority's police force, or other person appointed by the Port Authority to act as gatekeeper at-
- (a) the port premises; or
 - (b)
- may refuse to allow goods to leave the port premises, unless the person having charge of the goods produces to the constable, or other person appointed by the Port Authority as gatekeeper, a pass for the goods signed, in the case of goods leaving the port premises, by a duly authorised officer of the Port Authority
- (2) The Port Authority may make regulations relating to the duties of a gatekeeper, the removal of goods from the port premises, and the form of pass to be provided under subsection (1) of this section.

Notes

References to Section 158 and specified premises shall be treated as having ceased to have effect under the provisions of the Port of Tilbury Transfer Scheme 1991 Confirmation Order 1992 SI1992/284.

Port Authority's police force; constable. See ss 154 et seq post.

Authorised. As to the authentication of documents given or issued by the Port of London Authority, see s 183 post.

Definitions. For "goods", "port premises" and "specified premises", see s 2(1) ante.

148. Accommodation for customs officers

The Port Authority shall, so long as the accommodation is required for use by customs officers-

- (a) maintain the external parts of, and carry out structural repairs to, any accommodation provided by them at the port premises for customs officers which is in use for that purpose immediately before the commencement of this Act; and
 - (b) by agreement with the Commissioners [for Revenue and Customs], provide at new works forming part of the port premises accommodation for customs officers on a similar scale to that provided by the Port Authority at the commencement of this Act.
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Notes

The Commissioners for Revenue and Customs Act 2005 brought into force by a Commencement Order on 18 April 2005, SI 2005/1126 united the revenue with the customs.

Commencement of this Act means 26 July 1968.

Definitions. For "customs officers" and "port premises", see s 2(1) ante.

(b) *Safety precautions*

149. As to entry of dangerous goods

(1) The Port Authority may-

- (a) refuse entry into the port premises of any goods which in their opinion would endanger or be liable to endanger persons or property; or
- (b) permit the entry of any such goods subject to compliance with such terms and conditions (including the part or parts of the port premises where such entry is permitted) as they think fit.

(2) The Port Authority shall publish a schedule of such goods-

- (a) entry of which is forbidden by them; and
- (b) entry of which is permitted by them only upon terms and conditions specified in the schedule.

(3) A person who after publication of the schedule referred to in subsection (2) of this section-

- (a) brings or causes or permits to be brought into the port premises any goods the entry of which is forbidden; or
- (b) fails in relation to any goods brought into the port premises to comply with any terms or conditions imposed by the Port Authority under subsection (1) of this section;

shall-

- (i) be guilty of an offence and liable ... to a fine not exceeding [the statutory maximum], and on conviction on indictment, to a fine; and

- (ii) indemnify the Port Authority against all claims, demands, proceedings, costs, damages and expenses which may be made against or recovered from or incurred by the Port Authority in consequence of the commission of the offence;

and the Port Authority may remove the goods in question and may recover from the owner or offender the costs of such removal and of placing or storing the goods elsewhere.

Notes

The words omitted from sub-s (3) were repealed by the Port of London Act 1982, s 7, Sch 2 and the words in square brackets in that subsection were substituted by s 3(2) of, Sch 1, Pt II, para 7 to, that Act.

General Note. *As to customs entries relating to certain goods that the Port of London Authority intend to remove under this section, see s 145 ante.*

Publish. *As to the publication of documents by the Port of London Authority, see s 185 post.*

Conviction or indictment; fine. *See note to s 77 ante.*

Definitions. *For "goods", "port premises" and "the statutory maximum", see s 2(1) ante.*

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Repealed by the Dangerous Substances in Harbour Areas Regulations 1987 SI1987/37

Note

Although the Regulations provide for a partial repeal there is a full repeal in so far as they apply within harbours and harbour areas and within those harbours and harbour areas, to the extent that they apply in relation to dangerous substances to which the Dangerous Substances in Harbour Areas Regulations 1987 SI 1987/37 apply see Regs 2(1), 5, 47(5), Sch 8, Pt II. This is the case in Sections 150-152.

153. Under declaration of weight of goods

- (1) If a person knowingly under-declares the weight of any goods brought into the port premises, he shall be guilty of an offence and liable to a fine not exceeding [level 3 on the standard scale].
- (2) It shall be a defence to a person charged with an offence under subsection (1) of this section to prove that the safety of persons handling goods at the port premises was not, or was not likely to be, endangered as a consequence of the under-declaration of the weight of the goods in question.
- (3) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against.
- (4) In subsection (3) of this section, "director" in relation to any body corporate which is established by or under any enactment for the purpose of carrying on or under national ownership any industry or part of an industry or undertaking the affairs of which are managed by the members thereof, means a member of that body.

Note

The reference to level 3 on the standard scale in sub-s (1) is substituted by virtue of the Criminal Justice Act 1982, s 46. (The