

TRANSPORT

The British Transport Commission (Transfer of Functions) (Appointments and Nominations) Order 1963

Made - - - - 9th December 1963

Coming into Operation 10th December 1963

The Minister of Transport in exercise of the powers conferred upon him by section 32(5) of the Transport Act 1962(a) and of all other enabling powers hereby makes the following Order:—

1.—(1) This Order shall come into operation on the 10th December 1963, and may be cited as the British Transport Commission (Transfer of Functions) (Appointments and Nominations) Order 1963.

(2) Reference in this Order to a statutory provision is a reference to that provision as modified by section 14 of the Transport Act 1947(b).

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

2. The functions of the British Transport Commission (hereinafter referred to as “the Commission”) under the statutory provisions which are listed in column 2 of the Schedule to this Order and are provisions authorising the Commission to appoint, nominate, or concur in or approve the appointment or nomination of, members of the bodies named in column 1 of the said Schedule, shall be transferred to the Boards respectively specified in relation to those provisions in column 3 of the said Schedule, the numbers of the members affected in each instance being shown in column 4 of the said Schedule, and where the functions as respects any one body are transferred to more than one Board those functions shall be exercised separately by each Board in relation to the number of members shown for such Board in the said column 4.

3. Where by virtue of Article 2 of this Order the functions of the Commission under a statutory provision which is listed in column 2 of the Schedule to this Order and which is a provision authorising the Commission to appoint members of the body named in column 1 of the said Schedule are transferred to a Board, and there exists an associated statutory provision authorising the Commission to nominate the chairman of that body from among the members so appointed, then the functions of the Commission under that associated statutory provision shall be transferred to the same Board.

Given under the Official Seal of the Minister of Transport the 9th December 1963.

(L.S.)

O. F. Gingell,

An Under Secretary of the
Ministry of Transport.

SCHEDULE

<p align="center">Body (Column 1)</p>	<p align="center">Statutory provision under which functions as respects appointment or nomination were exercisable by British Transport Commission (Column 2)</p>	<p align="center">Board to which functions transferred (Column 3)</p>	<p align="center">Number of Members (Column 4)</p>
Barry Pilotage Authority ...	Section 3 of the Barry Pilotage Order 1921 confirmed by the Pilotage Orders Confirmation (No. 5) Act 1921 (a)	British Transport Docks Board ...	3
Blyth Harbour Commission ...	Blyth Harbour Act 1957 (b), Section 6 ...	British Railways Board ...	1
Cardiff Pilotage Authority ...	Section 3 of the Cardiff Pilotage Order 1921 confirmed by the Pilotage Orders Confirmation (No. 5) Act 1921 (a).	British Transport Docks Board ...	5
Cowes Harbour Commission ...	Cowes Harbour Act 1897 (c), Section 5 ...	British Railways Board ...	1
Dartmouth Harbour Commission.	Dartmouth Harbour Act 1951 (d), Section 10(1)(a) ...	British Railways Board ...	2
Dee and Clwyd River Board— Consultative Committee re Bala Sluices and Bala Lake Works.	Dee and Clwyd River Board Act 1951 (e), Section 6(2)(a).	British Waterways Board ...	1
Dover Harbour Board...	Dover Harbour Consolidation Act 1954 (f), Sections 5, 6 and 8.	British Railways Board ...	3
Forth Conservancy Board ...	Section 8 of the Forth Conservancy Order 1920, confirmed by the Forth Conservancy Order Confirmation Act 1921 (g).	British Transport Docks Board ...	4
Forth Pilotage Authority ...	Forth Pilotage Order 1947 (h), Section 4 ...	British Transport Docks Board ...	2
Fowey Harbour Commission...	Section 6 of the Fowey Harbour Order 1921 confirmed by the Pier and Harbours Order Confirmation (No. 2) Act 1921 (i).	British Railways Board ...	3
Gloucester Harbour Trustees ...	Section 3 of the Gloucester Harbour Order 1890, confirmed by the Pier and Harbour Orders Confirmation (No. 3) Act 1890 (j).	British Waterways Board ...	7
Gloucester Pilotage Authority...	Section 3 of the Gloucester Pilotage Order 1921, confirmed by the Pilotage Orders Confirmation (No. 5) Act 1921 (a).	British Waterways Board ...	4

Hartlepool Port and Harbour Commission.	Hartlepool Port and Harbour Act 1855 (k), Section 25, as amended by the Hartlepool Port and Harbour Act 1869 (l), Section 8.	British Transport Docks Board ...	5
Humber Conservancy Board ...	Humber Conservancy Act 1907 (m), Section 9 ...	British Transport Docks Board ...	5
King's Lynn Conservancy Board	King's Lynn Conservancy Act 1897 (n), Sections 5 to 9	British Transport Docks Board ...	2
Littlehampton Harbour Board	Littlehampton Harbour and Arun Drainage Outfall Act 1927(o), Section 13.	British Railways Board ...	1
Llanelly Harbour Trust ...	Llanelly Harbour Act 1904 (p), Section 5 ...	British Railways Board ...	1
Looe Harbour Commission ...	Looe Harbour Order 1920 (q), Section 5 ...	British Railways Board ...	1
Lymington Harbour Commission.	Section 9 of the Lymington River and Harbour Order 1951, confirmed by the Pier and Harbour Order (Lymington) Confirmation Act 1951 (r).	British Railways Board ...	3
Maryport Harbour Commission	Maryport Harbour Act 1894 (s), Sections 11 and 15 ...	British Railways Board ...	2
Newport Joint Committee on Channel Dredging.	Alexandra (Newport and South Wales) Docks and Railway Act 1916 (t), Section 6.	British Transport Docks Board ...	3
Newport (Mon.) Harbour Commission.	Newport (Monmouthshire) Corporation Act 1889 (u), Section 67.	British Transport Docks Board ...	3
Newport Pilotage Authority ...	Section 3 of the Newport Pilotage Order 1921, confirmed by the Pilotage Orders Confirmation (No. 5) Act 1921 (a).	British Railways Board ...	1
Oulton Broad Joint Committee	Section 8 of the Lowestoft (Oulton Broad) Order 1922, confirmed by the Pier and Harbour Orders Confirmation Act 1922 (v).	British Transport Docks Board ...	2
Padstow Harbour Commission	Padstow Harbour Act 1844 (w), Section 1 ...	British Railways Board ...	1
Port Talbot Pilotage Authority	Section 3 of the Port Talbot Pilotage Order 1921, confirmed by the Pilotage Orders Confirmation (No. 5) Act 1921 (a) as amended by Section 1 of the Port Talbot Pilotage (Amendment) Order 1924 (x).	British Transport Docks Board ...	4
Shoreham Harbour Trust ...	Shoreham Harbour Act 1949 (y), Section 30 ...	British Railways Board ...	1
Southampton Harbour Board...	Southampton Harbour Act 1913 (z), Section 14 ...	British Transport Docks Board ...	3

(a) 11 & 12 Geo. 5. c. cxii.
(e) 14 & 15 Geo. 6. c. xxi.
(i) 11 & 12 Geo. 5. c. lxxvii.
(m) 7 Edw. 7. c. xcvi.
(q) S.R. & O. 1920/731.
(u) 52 & 53 Vict. c. cliv.
(y) 12, 13 & 14 Geo. 6. c. lxx.

(b) 5 & 6 Eliz. 2. c. vi.
(f) 2 & 3 Eliz. 2. c. iv.
(j) 53 & 54 Vict. c. xcvi.
(n) 60 & 61 Vict. c. cxvii.
(r) 14 & 15 Geo. 6. c. xxv.
(v) 12 & 13 Geo. 5. c. l.
(z) 3 & 4 Geo. 5. c. lxxxii.

(c) 60 & 61 Vict. c. cclviii.
(g) 11 & 12 Geo. 5. c. v.
(k) 18 & 19 Vict. c. cxxvi.
(o) 17 & 18 Geo. 5. c. lxxvii.
(s) 57 & 58 Vict. c. cvi.
(w) 7 & 8 Vict. c. xxiv.

(d) 14 & 15 Geo. 6. c. xxxviii.
(h) S.R. & O. 1947/1938.
(l) 32 & 33 Vict. c. lxxxii.
(p) 4 Edw. 7. c. cvi.
(t) 6 & 7 Geo. 5. c. xliii.
(x) S.R. & O. 1924/808.

Body (Column 1)	Statutory provision under which functions as respects appointment or nomination were exercisable by British Transport Commission (Column 2)	Board to which functions transferred (Column 3)	Number of Members (Column 4)
Sutton Harbour Improvement Company. Swansea Pilotage Authority ...	Sutton Harbour Act 1847 (a), Section 27	British Railways Board	3
	Section 4 of the Swansea Pilotage Order 1921, confirmed by the Pilotage Orders Confirmation (No. 5) Act 1921 (b), as amended by Section 15 of the Great Western Railway (Swansea Harbour Vesting) Act 1923 (c).	British Transport Docks Board	5
Tees Conservancy Commission Teignmouth Harbour Commission.	Tees Conservancy Act 1956 (d), Section 5(3) Section 7 of the Teignmouth Harbours Order 1924, confirmed by the Pier and Harbour Orders Confirmation (No. 2) Act 1924 (e).	British Transport Docks Board British Railways Board	1 1
Upper Mersey Navigation Committee.	Upper Mersey Navigation Act 1876 (f), Section 8 ...	British Waterways Board	3
Yarmouth (I.O.W.) Harbour Commission.	Section 8 of the Yarmouth (Isle of Wight) Pier and Harbour Order 1931, confirmed by the Pier and Harbour Orders (Cowes and Yarmouth) (Isle of Wight) Confirmation Act 1931 (g).	British Railways Board	1

(a) 10 & 11 Vict. c. ccxcvii.

(b) 11 & 12 Geo. 5. c. cxii.

(c) 13 & 14 Geo. 5. c. xix.

(d) 4 & 5 Eliz. 2. c. xlvi.

(e) 14 & 15 Geo. 5. c. lxxxii.

(f) 39 & 40 Vict. c. civ.

(g) 21 & 22 Geo. 5. c. lxxxix.

EXPLANATORY NOTE

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

Section 32 of the Transport Act 1962 provides for the distribution among the Boards set up under the Act of those statutory functions formerly exercised by the British Transport Commission. Section 32(5) provides that, if the statutory provision concerned authorises the Commission to appoint, nominate, or concur in or approve the appointment or nomination of, a member of some body or the holder of some other office, the functions of the Commission under the statutory provision shall be transferred to such Board as the Minister may direct by order contained in a statutory instrument. This Order made in pursuance of Section 32(5) provides for the distribution among the Boards of such functions under a number of statutory provisions.