



# Mersey Docks and Harbour Act 1992

## 1992 CHAPTER x

An Act to confer additional powers upon The Mersey Docks and Harbour Company; to amend the Mersey Docks and Harbour Act 1971 and the Mersey Docks and Harbour Act 1986; and for connected or other purposes. [18th June 1992]

WHEREAS—

- (1) By the Mersey Docks and Harbour Act 1857 the Mersey Docks and Harbour Board (“the Board”) was incorporated in order to consolidate the docks at Liverpool and Birkenhead into one estate and to vest control and management of them into one public trust and by that Act and subsequent enactments relating to the Board various powers were from time to time conferred on the Board:
- (2) The Board was reconstituted as The Mersey Docks and Harbour Company (“the Company”) by the Mersey Docks and Harbour Act 1971 (“the 1971 Act”);
- (3) It is expedient that certain further powers should be conferred upon the Company in order to ensure its commercial future:
- (4) It is expedient that various provisions of the 1971 Act should be repealed:
- (5) It is expedient that the other provisions of this Act should be enacted:
- (6) The objects of this Act cannot be attained without the authority of Parliament:

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:—

### **1 Short and collective titles**

- (1) This Act may be cited as the Mersey Docks and Harbour Act 1992.
- (2) The Mersey Docks and Harbour Acts and Orders 1857 to 1988 and this Act may be cited as the Mersey Docks and Harbour Acts and Orders 1857 to 1992.

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## **2 Interpretation**

- (1) In this Act, unless the context otherwise requires,—
- “the Company” means The Mersey Docks and Harbour Company;
  - “harbour” has the same meaning as in the Harbours Act 1964;
  - “the port” means the port of Liverpool as defined in the 1971 Act (including all land within the ring ownership boundary as defined in section 11 of the Mersey Docks and Harbour Board Act 1971); and references to “the port” include references to any other harbour owned or managed by the Company or any of its subsidiaries;
  - “subsidiary” has the same meaning as in section 736 of the Companies Act 1985;
  - “the 1971 Act” means the Mersey Docks and Harbour Act 1971.
- (2) References in the Mersey Docks and Harbour Acts and Orders 1857 to 1988 to the undertaking of the Company shall be construed as including references to any undertaking carried on by the Company or any of its subsidiaries under or by virtue of this Act.

## **3 Further powers of Company**

- (1) Schedule 1 to this Act shall have effect for the purpose of conferring further powers upon the Company.
- (2) The Company shall exercise its control over its subsidiaries so as to ensure that they do not engage in activities which the Company itself has no power to engage in.

## **4 1971 Act: repeals**

- (1) The following provisions of the 1971 Act shall cease to have effect, namely:—
- (a) so much of section 7 (2) as requires the approval of the Secretary of State to a change of the Company’s name;
  - (b) so much of section 37 (2) as excludes from the Company’s power to alter its articles any article giving effect to the proviso to section 48 (1) (c); and
  - (c) the proviso to section 48 (1) (c) (which requires the first articles of the Company to prescribe that a majority of the directors are to be elected by the members and that one director shall be appointed in consultation with the trade unions recognised by the Company in its negotiations with its employees, the manner of such consultation to be approved by the Secretary of State for Employment).
- (2) The provisions of the 1971 Act specified in column (1) of Schedule 2 to this Act (which include spent or obsolete enactments) are hereby repealed to the extent specified in column (2) of that Schedule.

## **5 Amendment of 1986 Act**

In the Schedule to the Mersey Docks and Harbour Act 1986 (provisions of Companies Act 1985 applied to Company), after the entry relating to section 186 there shall be inserted—

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“188	Issue and effect of share warrant to bearer.	—.”
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