

# Harbours Bill

[AS INTRODUCED]

## LEGISLATIVE COMPETENCE

At Introduction the Minister for Infrastructure had made the following statement under section 9 of the Northern Ireland Act 1998:

*“In my view the Harbours Bill would be within the legislative competence of the Northern Ireland Assembly.”*



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A

## BILL

TO

Amend the law relating to harbours and harbour authorities.

**B**E IT ENACTED by being passed by the Northern Ireland Assembly and assented to by His Majesty as follows:

### **Limitation of power to initiate transfer of harbour authorities**

1. In Article 12 of the Ports (Northern Ireland) Order 1994 (schemes initiated by the Department), after paragraph (1) insert—

5 “(1A) The powers of the Department under this Article are not exercisable in relation to any of the following relevant port authorities—

- (a) the Belfast Harbour Commissioners;
- (b) the Coleraine Harbour Commissioners;
- (c) the Londonderry Port and Harbour Commissioners;
- (d) the Warrenpoint Harbour Authority.”

### 10 **Limitation of power to issue directions to harbour authorities**

2.—(1) The Harbours (Northern Ireland) Order 2002 is amended as follows.

(2) In Article 4 (power of Department to issue directions to designated harbour authority)—

15 (a) in paragraph (1), at the end insert “, except where the designated harbour authority is mentioned in paragraph (1A)”;

(b) after paragraph (1) insert—

“(1A) The designated harbour authorities referred to in paragraph (1) are—

- (a) the Belfast Harbour Commissioners;
- (b) the Coleraine Harbour Commissioners;
- 20 (c) the Londonderry Port and Harbour Commissioners;
- (d) the Warrenpoint Harbour Authority.”

- (3) In Article 3 (designated harbour authorities), in paragraph (3)—
- (a) the words from “amend” to the end become sub-paragraph (a);
  - (b) at the end of that paragraph, insert “and—
- (b) make any consequential amendments (including omissions) to the other provisions of this Order.”.

#### **Power of harbour authorities to acquire businesses etc**

**3.**—(1) Section 24 of the Harbours Act (Northern Ireland) 1970 (power of harbour authorities to acquire a harbour business or shares in a harbour business) is amended as follows.

- (2) In subsection (1)—
- (a) omit “Subject to subsection (3),”;
  - (b) for “harbour operations” substitute “activities relating to harbours”;
  - (c) for “such operations” substitute “activities relating to harbours”.
- (3) In subsection (2)—
- (a) omit “Subject to subsection (3),”;
  - (b) for “harbour operations” substitute “activities relating to harbours”.
- (4) Omit subsection (3).

#### **Power of harbour authorities to give harbour directions**

**4.**—(1) In the Harbours Act (Northern Ireland) 1970, before section 28 (and the italic heading above it) insert—

##### *“Harbour directions*

#### **Power to give harbour directions**

- 27A.**—(1) The appropriate Department may by order authorise a harbour authority to give directions (“harbour directions”) in respect of ships—
- (a) within a harbour that the authority is improving, maintaining or managing, or
  - (b) entering or leaving such a harbour.
- (2) A harbour direction may relate to—
- (a) the movement of ships;
  - (b) the mooring or unmooring of ships;
  - (c) equipment (including nature and use);
  - (d) the crewing of ships.
- (3) A harbour direction may require the master of a ship to provide information to a specified person in a specified manner.
- (4) A harbour direction is subject to any direction under section 52 of the Harbours, Docks and Piers Clauses Act 1847 (directions by harbour master).
- (5) A harbour authority may not give a harbour direction which conflicts with an enactment.

(6) An order authorising a harbour authority may amend or repeal any statutory provision of local application which the Department making the order thinks is—

- (a) inconsistent with the power to give harbour directions, or
- (b) unnecessary as a result of the power.

(7) An order under subsection (1) is subject to negative resolution.

(8) In this section—

“appropriate Department” means—

- (a) in the case of a harbour authority of a fishery harbour, the Department of Agriculture, the Environment and Rural Affairs;
- (b) in the case of any other harbour authority, the Department for Infrastructure;

“fishery harbour” has the meaning given in Article 1(2) of the Ministries (Transfer of Functions) Order (Northern Ireland) 1973.

#### **Procedure for harbour directions**

**27B.**—(1) Harbour directions must be in writing.

(2) Before giving a harbour direction, a harbour authority must—

- (a) consult such representatives of users of the harbour as the authority considers appropriate, and
- (b) publicise the proposed harbour direction for at least 28 days.

(3) As soon as is reasonably practicable after giving a harbour direction the harbour authority must publish a notice—

- (a) stating that a harbour direction has been given, and
- (b) giving details of the arrangements for the inspection and supply of copies of the harbour direction.

(4) The notice must be published—

- (a) in a newspaper specialising in shipping news, and
- (b) on a website maintained by or on behalf of the harbour authority.

(5) A harbour authority must—

- (a) make harbour directions available for inspection, and
- (b) supply a copy of any direction to any person who requests it.

(6) A harbour authority may charge a fee for the supply of copies of a harbour direction.

#### **Enforcement of harbour directions**

**27C.**—(1) A master of a ship commits an offence if that person—

- (a) fails to comply with a harbour direction, and
- (b) does not have a reasonable excuse for failing to comply with the direction.

(2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

### Harbour directions: supplementary provision

27D. Harbour directions may—

- (a) make provision that applies generally or only in relation to specified circumstances, areas, periods or descriptions of ship,
- 5 (b) make different provision for different circumstances, areas, periods or descriptions of ship, and
- (c) be varied or revoked by subsequent harbour directions.”.

(2) In section 38(1) of the Harbours Act (Northern Ireland) 1970 (interpretation), at the appropriate place insert—

- 10 ““master” in relation to a ship, means the person who has command or charge of the ship for the time being;”;
- ““enactment” includes any assimilated direct legislation for the time being in force in Northern Ireland;”;
- ““mooring” includes casting anchor;”;
- 15 ““unmooring” includes weighing anchor;”.

### Purposes for which harbour orders may be made

5. In Schedule 1 to the Harbours Act (Northern Ireland) 1970 (objects for whose achievement harbour orders may be made)—

(a) after paragraph 13 insert—

- 20 “13A Authorising a harbour authority to delegate the performance of any of the functions of the authority except—
- (a) a duty imposed on the authority by or under any enactment;
- (b) the making of byelaws;
- (c) the levying of ship, passenger and goods dues;
- 25 (d) the appointment of harbour, dock and pier masters;
- (e) the nomination of persons to act as constables;
- (f) functions relating to the laying down of buoys, the erection of lighthouses and the exhibition of lights, beacons and sea-marks, so far as those functions are exercisable for the purposes of the safety
- 30 of navigation.”;

(b) at the end add—

- “16 Any object which, though not falling within any of the preceding paragraphs, appears to the Department making the order to be one the achievement of which will be conducive to the efficient functioning of a
- 35 harbour.”.

### Commencement and short title

6.—(1) This section comes into operation on the day after the day on which this Act receives Royal Assent.

- 40 (2) The other provisions of this Act come into operation on such day or days as the Department for Infrastructure may by order appoint.

(3) This Act may be cited as the Harbours Act (Northern Ireland) 2026.

# **Harbours Bill**

[AS INTRODUCED]

A Bill to amend the law relating to harbours and harbour authorities.

Introduced by: Ms Liz Kimmins, Minister for Infrastructure

On: 15 June 2026

Bill Type: Executive Bill

## **ACCOMPANYING DOCUMENTS**

**An Explanatory and Financial Memorandum is printed separately as  
NIA Bill 37/22-27 EFM.**





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