STATUTORY INSTRUMENTS

1980 No. 1234

MERCHANT SHIPPING

The Pilotage Charges Regulations 1980

Made - - - - 13*th August* 1980

Coming into Operation 3*rd September* 1980

The Secretary of State, in exercise of his powers under section 9 of the Merchant Shipping Act 1979**(a)** (hereinafter referred to as "the 1979 Act") and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Pilotage Charges Regulations 1980 and shall come into operation on 3rd September 1980.

2. For the purposes of section 9(1) of the 1979 Act, the prescribed form of the list which a pilotage authority may make of the charges to be paid, by persons who make use in the district of the authority of the services of a pilot licensed by the authority, for the services of the pilot and in respect of the pilotage services of the district, shall be the form set out in the Schedule to these Regulations.

3. The prescribed manner of publication of the list of charges by the pilotage authority shall be by

(1) exhibiting a copy of the list at the principal office of the pilotage authority for the pilotage district in respect of which the charges are to apply, and

(2) by sending a copy of the list to each of the following bodies:

(*a*) the Transport and General Workers Union;

(*b*) the United Kingdom Pilots' Association;

(*c*) the General Council of British Shipping;

(*d*) the British Ports Association

and each such copy shall include a statement that any objection to the list shall be addressed in writing to the Pilotage Commission at their address.

4. For the purposes of section 9(1)(*d*) of the 1979 Act, the prescribed period after which a charge may be increased shall be one month and the prescribed scale shall be as follows:—

	Percentage Increase
Period after charge becomes due	
Exceeding one month but not exceeding two months ..	5%
Exceeding two months but not exceeding three months ..	10%
Exceeding three months but not exceeding four months ..	15%
Exceeding four months but not exceeding five months ..	20%
Exceeding five months	30%

(a) 1979 c. 39.

5. Where an objection to the list has been made to the Pilotage Commission, the prescribed manner of service by the Pilotage Commission on the pilotage authority concerned of a notice in writing cancelling or altering the list shall be by sending it by post by the recorded delivery service.

Norman Tebbit,
Parliamentary Under Secretary of State,
Department of Trade.

13th August 1980.

Regulation 2

SCHEDULE

PILOTAGE CHARGES

.....Pilotage District

Pursuant to section 9 of the Merchant Shipping Act 1979, ... as pilotage authority for the.....pilotage district, hereby make the following list of pilotage charges:

Service	Charge
Services of a pilot.	
Services of an assistant for the pilot.	
Fees and expenses of the pilot and assistant (if any) during periods spent outside the district in anticipation or in consequence of his activities as a pilot or assistant.	
Additional charge for the services of a pilot and assistant (if any) where a master has not complied with the requirements as to requests for pilots.	
Provision, maintenance and operation of pilot boat for the district.	
Costs of providing and maintaining the pilotage organisation.	
Amount in respect of sums payable or paid by the authority to the Pilotage Commission by virtue of section 2 of the Merchant Shipping Act 1979.	

(Note: If no charge is to be specified for any particular service, the service need not be mentioned, or, if appropriate, may be mentioned as combined with another, or the entry may read "no extra (or separate) charge" or the like.)

(1) The charges specified in the above list shall be payable in respect of services used on and after.....

(Note: The date to be inserted must be not less than 28 days from the date when the list is first published.)

(2) If charges incurred are not paid within one month from the date on which they become due, the following increases shall be payable:—

Period after charge becomes due	Percentage Increase
Payment after one month but not exceeding two months ..	5%
Payment after two months but not exceeding three months ..	10%
Payment after three months but not exceeding four months ..	15%
Payment after four months but not exceeding five months ..	20%
Payment after five months	30%

(Note: This item should be omitted if it is not to be applied.)

(3) This list alters/cancels [delete as applicable] the previous list(s) of charges made by the authority under section 9 of the Merchant Shipping Act 1979, payable in respect of services used on and after.....

(4) Any objections to this list:

(*a*) by the persons specified in section 9(3)(*a*) of the Merchant Shipping Act 1979; and

(*b*) on one or more of the grounds specified in section 9(3)(*b*),

should be addressed to the Pilotage Commission at [state address]

.....
(Signature on behalf of the Authority.)

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations prescribe the form in which lists of pilotage charges are to be made, the manner in which they are to be published, the scale of increase if the charges are not paid when they fall due, and the manner in which the Pilotage Commission may cancel or alter a list of charges.

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