STATUTORY INSTRUMENTS

1980 No. 1350

MERCHANT SHIPPING

PILOTAGE

The Pilotage Commission Provision of Funds Scheme 1980 (Confirmation) (Amendment) Order 1980

Made - - - -	*5th September* 1980
Laid before Parliament	*9th September* 1980
Coming into Operation	*1st October* 1980

The Secretary of State, having considered every statement of objections and of reasons for objections to the scheme set out in the Schedule hereto given to him in pursuance of section 2(2)(*b*)(iii) of the Merchant Shipping Act 1979(a), in exercise of the powers conferred on him by section 2(3) of the said Act and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Pilotage Commission Provision of Funds Scheme 1980 (Confirmation) (Amendment) Order 1980 and shall come into operation on 1st October 1980.

2. The Scheme made by the Pilotage Commission under section 2(1) of the said Act and set out in the Schedule hereto is hereby confirmed.

3. The Pilotage Commission Provision of Funds Scheme 1980 (Confirmation) Order 1980(b) is hereby revoked.

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

5th September 1980.

(a) 1979 c. 39.

(b) S.I. 1980/1243.

SCHEDULE

THE PILOTAGE COMMISSION

SCHEME UNDER SECTION 2 OF THE MERCHANT SHIPPING ACT 1979

The Pilotage Commission, in exercise of its powers under section 2 of the Merchant Shipping Act 1979, hereby makes the following Scheme:—

1. This Scheme may be cited as the Pilotage Commission Provision of Funds Scheme 1980.

2. In this Scheme:—

"the Act" means the Merchant Shipping Act 1979;

"the Commission" means the Pilotage Commission;

"month" means calendar month;

"operative period" means twelve months from the date of coming into force of this Scheme;

"relevant receipts" means, in relation to each pilotage authority, all pilotage dues received for the pilotage district or districts for which it is the pilotage authority, excluding charges for the boarding and landing of pilots.

3. Each pilotage authority shall pay to the Commission one per centum of the relevant receipts received during the operative period. Payments shall be made monthly and payment in respect of any one month's receipts shall be made within the month following.

4.—(1) Each pilotage authority which does not employ pilots shall, in addition to and in the same manner as the payments required by article 3 of this Scheme, pay to the Commission one-half per centum of the relevant receipts received during the operative period.

(2) The payments received by the Commission under paragraph (1) above shall be allocated by the Commission for the purpose of funding such scheme as may be established by the Commission pursuant to section 12(3) of the Act.

5.—(1) Each pilotage authority shall furnish the Commission with information reasonably required by the Commission for the purpose of ascertaining or confirming the amount of relevant receipts in any month within the operative period.

(2) If it appears to the Commission that a pilotage authority has failed to furnish it with reliable information as to the relevant receipts in any month within the operative period, it may estimate as best it can the amount of relevant receipts in that month and payment shall be made by the authority on that basis.

6. Pursuant to section 2(1)(*b*) of the Act, a statement prepared by the Commission indicating how the sums payable under this Scheme are related to the Commission's estimates of its expenditure during the operative period shall accompany this Scheme when it is submitted to the Secretary of State and when it is copied to pilotage authorities and any licensed pilot, harbour authority and shipowner in accordance with section 2(2) of the Act.

16th May 1980.

EXPLANATORY NOTE

(This Note is not part of the Order.)

By this Order the Secretary of State confirms a Scheme made and submitted to him by the Pilotage Commission under section 2 of the Merchant Shipping Act 1979 for imposing on pilotage authorities charges to provide funds for the Commission for the purposes mentioned in section 2(1). The Scheme is set out in the Schedule.

The Order revokes the Pilotage Commission Provision of Funds Scheme 1980 (Confirmation) Order 1980 which contained textual errors.

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