STATUTORY INSTRUMENTS

1988 No. 297

MERCHANT SHIPPING

PILOTAGE

The Pilotage Commission Provision of Funds Scheme 1988 (Confirmation) Order 1988

Made - - - -	*23rd February 1988*
Laid before Parliament	*1st March 1988*
Coming into force	*1st April 1988*

The Secretary of State for Transport, having considered the statement of objection and of reasons for objection to the Scheme set out in the Schedule hereto given to him in pursuance of section 3(2)*(b)*(iii) of the Pilotage Act 1983(**a**), in exercise of the powers conferred on him by section 3(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 1988 (Confirmation) Order 1988 and shall come into force on 1st April 1988.

2. The Scheme made by the Pilotage Commission under section 3(1) of the said Act and set out in the Schedule hereto is hereby confirmed.

3. The Pilotage Commission Provision of Funds Scheme 1987 (Confirmation) Order 1987(**b**) is hereby revoked.

Signed by authority of the Secretary of State

David B. Mitchell
Minister of State,
Department of Transport

23 February 1988

(**a**) 1983 c.21. (**b**) S.I. 1987/295.

SCHEDULE

THE PILOTAGE COMMISSION
SCHEME UNDER SECTION 3 OF THE PILOTAGE ACT, 1983.

The Pilotage Commission, in exercise of its powers under Section 3 of the Pilotage Act, 1983, hereby makes the following Scheme:—

1. This Scheme may be cited as the Pilotage Commission Provision of Funds Scheme, 1988.

2. In this Scheme:—

" the Act " means the Pilotage Act, 1983;

" 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 cent of the relevant receipts received from the date of coming into force of this Scheme until 31st March 1989, inclusive. 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 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.

5. Pursuant to Section 3(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 pilots, harbour authority and shipowner in accordance with Section 3(2) of the Act.

EXPLANATORY NOTE

(This note is not part of the Order)

By this Order the Secretary of State confirms a Scheme made by the Pilotage Commission under section 3 of the Pilotage Act 1983 for imposing on pilotage authorities charges to provide funds for the Commission for the purposes mentioned in section 3(1). The Scheme is set out in the Schedule.

The Order revokes the Pilotage Commission Provision of Funds Scheme 1987 (Confirmation) Order 1987, to which was scheduled the text of the previous Scheme.

The Scheme is in a form similar to the previous Scheme but the general levy on pilotage receipts is increased to 1%. The operative period of the Scheme is twelve months.

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