STATUTORY INSTRUMENTS

1977 No. 1396

MERCHANT SHIPPING

The Tyne Pilotage (Amendment) Order 1977

Made - - - - 10*th August* 1977

Coming into Operation 11*th October* 1977

Whereas application has been made in writing to the Secretary of State by the Tyne Pilotage Authority (being a person interested in the pilotage of the Tyne Pilotage District) for an order under section 7 of the Pilotage Act 1913(a) for the purpose of enabling the Authority to borrow money for the purchase of pilot boats and for other purposes in connection with the provision of such boats.

Now, therefore, the Secretary of State in exercise of powers conferred by section 7 of the Pilotage Act 1913, and now vested in him(b) and of all other powers enabling him in that behalf, hereby makes the following Order:

1.—(1) This Order may be cited as the Tyne Pilotage (Amendment) Order 1977 and shall come into operation on 11th October 1977.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2. The Tyne Pilotage Order 1922(d) shall have effect subject to the following amendments:—

(1) For Article 10 there shall be substituted the following Article:—

"10.—(1) The Authority may from time to time if they think fit acquire, own, hire or build and equip, maintain and work or enter into agreements or arrangements with any persons for the supply, use, maintenance and working of such boats or vessels as in the opinion of the Authority may be required for the efficient working of the pilotage service and may at their discretion either sell or exchange any such vessels. In order to acquire such boats or vessels, the Authority may acquire by purchase or otherwise all or any part of the shares in any company or companies owning such boats or vessels and may dispose of any shares so acquired. If a majority of the pilots concerned object to the Authority exercising these powers, or if a difference arises between the Authority and the pilots as to the conditions on which these powers should be exercised, the matter shall be referred to the Secretary of State whose decision shall be final.

(2) For the purpose of giving effect to the provisions of paragraph (1) of this Article, the Authority may borrow at interest on the security of such vessels or on any other security or without security any sum or sums which may be required therefor, provided that all the moneys so borrowed by the Authority shall be applied by them to the purposes thereof and not otherwise."

(a) 1913 2 & 3 Geo. 5. c. 31.
(b) *See* S.I. 1970/1537 (1970 III, p. 5293).
(c) 1889 c. 63.
(d) Confirmed by 1922 c. xiii.

(2) In paragraph 2 of the Schedule to the Order:

(*a*) in sub-paragraphs (2) and (4) for the word "clerk" there shall be substituted the word "Secretary";

(*b*) in sub-paragraph (2) for the words "by registered letter" there shall be substituted the words "by pre-paid post".

J. N. Archer,
An Under-Secretary,
Department of Trade.

10th August 1977.

EXPLANATORY NOTE

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

This Order extends the powers of the Tyne Pilotage Authority as prescribed by the Tyne Pilotage Order 1922, by enabling the Authority to:—

(1) acquire, own, sell and exchange boats or vessels;

(2) acquire by purchase and dispose of shares in companies owning boats or vessels; and

(3) borrow at interest on the security of such boats or vessels, or on any other security or without security, any sum or sums which may be required therefor.

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