



# Ports Act 1991

## 1991 CHAPTER 52

### PART III

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Lighthouses*

### **32 General transfer of local lighthouses from general lighthouse authorities to harbour authorities**

- (1) Before such date as may be specified in a direction given by the Secretary of State to each of the general lighthouse authorities, each of those authorities shall submit to the Secretary of State proposals in writing for the transfer under this section to the appropriate harbour authorities of such of the lighthouses, buoys and beacons held by the general lighthouse authority concerned as—
  - (a) are situated in the area of any harbour authority or on land adjacent to the area, or any part of the area, of such an authority; and
  - (b) appear to the general lighthouse authority concerned to be of benefit solely or mainly to ships within, or entering or leaving, that harbour authority's area.
- (2) For the purposes of this section, a harbour authority are the appropriate harbour authority in relation to any such lighthouse, buoy or beacon if the lighthouse, buoy or beacon is situated in that authority's area or on land adjacent to that area or any part of it.
- (3) The proposals submitted by each general lighthouse authority shall—
  - (a) specify the lighthouses, buoys and beacons which the authority consider are required by subsection (1) above to be covered by the proposals;
  - (b) specify in relation to each lighthouse, buoy or beacon specified in the proposals the harbour authority who are the appropriate harbour authority in relation to it; and
  - (c) specify in relation to each harbour authority so specified any property of the general lighthouse authority which has been used up to the date of the

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*Status: This is the original version (as it was originally enacted).*

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proposals exclusively in connection with the exercise by that authority of their functions in relation to lighthouses, buoys or beacons so specified which are situated in that harbour authority's area or on land adjacent to that area or any part of it.

- (4) The proposals may specify in relation to any harbour authority so specified any property of the general lighthouse authority—
  - (a) which has been used up to the date of the proposals substantially but not exclusively as mentioned in subsection (3)(c) above; and
  - (b) which the general lighthouse authority consider it would be appropriate to transfer to that harbour authority.
- (5) Before submitting any proposals under this section a general lighthouse authority shall consult each harbour authority specified in the proposals.
- (6) The Secretary of State may make such modifications of any proposals submitted to him in accordance with this section as he thinks fit after consulting the general lighthouse authority who submitted the proposals; and, if he does so, references in subsection (8) below to any proposals under this section are references to the proposals as modified.
- (7) Before deciding whether to make any such modifications—
  - (a) affecting any harbour authority specified in the proposals; or
  - (b) by virtue of which provision would be included in the proposals for the transfer to a harbour authority under this section of any lighthouse, buoy or beacon;the Secretary of State shall consult the harbour authority concerned.
- (8) On such day as the Secretary of State may by order appoint as the transfer date for the purposes of this section—
  - (a) all lighthouses, buoys and beacons specified in any proposals under this section; and
  - (b) any other property of a general lighthouse authority so specified;shall be transferred and vest in accordance with the proposals.