



# Marine Navigation Act 2013

## 2013 CHAPTER 23

### *General lighthouse authorities*

#### **9 General lighthouse authorities: commercial activities**

(1) After section 197 of the Merchant Shipping Act 1995 insert—

##### **“197A General lighthouse authorities: commercial activities**

- (1) A general lighthouse authority may enter into agreements—
  - (a) for the use by others of assets of the authority (“hire agreements”);
  - (b) for the provision of consultancy or other services by the authority (“service agreements”).
- (2) But an authority may enter into a hire or service agreement only if—
  - (a) they are satisfied that it is not likely to prejudice the discharge of their functions under section 195, and
  - (b) the Secretary of State consents.
- (3) Where an authority enter or seek to enter into hire or service agreements—
  - (a) expenditure of the authority incurred in connection with the agreements, and with the Secretary of State’s consent, must be paid out of the General Lighthouse Fund, and
  - (b) sums received by the authority under the agreements must be paid into the General Lighthouse Fund.
- (4) The Secretary of State may consent to expenditure in acquiring an asset for the purpose of entering into hire agreements only if the Secretary of State thinks that the expenditure is merely preparatory or subsidiary to hire agreements in respect of other assets (such as in the case of acquiring one asset to be used with another or to be used in fitting, maintaining or converting another).
- (5) An authority must send a copy of any hire or service agreement to the Secretary of State.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Consent under this section—
- (a) may be subject to conditions,
  - (b) may be general or specific, and
  - (c) may be prospective or retrospective.”

(2) In section 197 omit subsections (8) to (11) (power to exploit spare capacity).