



Merchant Shipping Act 1894

1894 CHAPTER 60 57 and 58 Vict

PART XI

LIGHTHOUSES

Modifications etc. (not altering text)

- C1** Pt. XI (ss. 634–675) amended by [Merchant Shipping \(Mercantile Marine Fund\) Act 1898 \(c. 44\), s. 1\(4\)](#); amended by [S.I. 1986/2285, art. 2](#); and extended by [S.I. 1987/171, art. 2](#)
- C2** Power to extend Pt. XI conferred by [Merchant Shipping Act 1979 \(c. 39\), s. 34\(3\)](#)

General Management

634 Management of lighthouses, buoys, and beacons.

(1) Subject to the provisions of this Part of this Act, and subject also to any powers or rights now lawfully enjoyed or exercised by any person or body of persons having by law or usage authority over local lighthouses, buoys, or beacons, (in this Act referred to as “local lighthouse authorities,”) the superintendence and management of all lighthouses, buoys, and beacons shall within the following areas be vested in the following bodies; namely,—

- (a) Throughout England and Wales, and the Channel Islands, and the adjacent seas and islands, [^{F1}and at Gibraltar], in the Trinity House;
- (b) Throughout Scotland and the adjacent seas and islands, and the Isle of Man, in the Commissioners of Northern Lighthouses; and
- (c) Throughout Ireland and the adjacent seas and islands, in the Commissioners of Irish Lights,

and those bodies are in this Act referred to as the general lighthouse authorities, and those areas as lighthouse areas.

(2) Subject to the provisions of this Part of this Act, the general lighthouse authorities shall respectively continue to hold and maintain all property now vested in them in

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that behalf in the same manner and for the same purposes as they have hitherto held and maintained the same.

Textual Amendments
F1 Words repealed (*prosp.*) by Merchant Shipping Act 1988 (c. 12, SIF 111), ss. 48, 57(5), 58(2), Schs. 5, 7 (with s. 58(4), Sch. 8 para. 1)

[^{F2}634A **Joint discharge of functions by general lighthouse authorities.**

- (1) Two or more of the general lighthouse authorities may discharge any of their functions jointly; and for that purpose—
 - (a) those authorities may share any part of their respective establishments, and
 - (b) any of them may, in the area of another and on that other’s behalf, execute any works or do any other thing which the authority have power to execute or do in their own area;
 and any enactment relating to the functions in question or to the authorities by whom or the areas in which those functions are to be discharged shall be construed accordingly.
- (2) Any expenses incurred by any of the general lighthouse authorities in pursuance of this section shall be apportioned between that authority and the other authority or authorities concerned in such manner as may be agreed between them or (in default of agreement) determined by the Secretary of State.]

Textual Amendments
F2 S. 634A inserted by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 41 (with s. 58(4), Sch. 8 para. 1)

635 Returns and information to Board of Trade.

The general lighthouse authorities, and their respective officers, shall at all times give to the Board of Trade all such returns, explanations or information, in relation to the lighthouses, buoys, or beacons within their respective areas, and the management thereof, as the Board require.

636 Power of Board of Trade to inspect on complaint made.

- (1) The Board of Trade may, on complaint that any lighthouse, buoy, or beacon under the management of any of the general lighthouse authorities, or any work connected therewith, is inefficient or improperly managed or is unnecessary, authorise any persons appointed by them to inspect the same.
- (2) A person so authorised may inspect the same accordingly, and make any inquiries in respect thereof, and of the management thereof, which he thinks fit; and all officers and others having the care of any such lighthouses, buoys, or beacons, or concerned in the management thereof, shall furnish any information and explanation in relation thereto which the person inspecting requires.

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Textual Amendments

F3 Ss. 637, 640, 641 repealed by [Merchant Shipping Act 1979 \(c. 39\)](#), [Sch. 7 Pt. II](#)

Construction of Lighthouses, &c.

638 General powers of lighthouse authorities.

A general lighthouse authority shall, within their area . . . ^{F4}, have the following powers (in this Act referred to as Lighthouse powers); namely, powers—

- (a) to erect or place any lighthouse, with all requisite works, roads, and appurtenances:
- (b) to add to, alter, or remove any lighthouse:
- (c) to erect or place any buoy or beacon, or alter or remove any buoy or beacon:
- (d) to vary the character of any lighthouse or the mode of exhibiting lights therein.

Textual Amendments

F4 Words repealed by [Merchant Shipping Act 1979 \(c. 39\)](#), [Sch. 7 Pt. II](#)

639 Powers as to land.

- (1) A general lighthouse authority may take and purchase any land which may be necessary for the exercise of their lighthouse powers, or for the maintenance of their works or for the residence of the light keepers, and for that purpose the Lands Clauses Acts shall be incorporated with this Act and shall apply to all lighthouses to be constructed and all land to be purchased under the powers thereof.
- (2) A general lighthouse authority may sell any land belonging to them.

640, ^{F5}
641.

Textual Amendments

F5 Ss. 637, 640, 641 repealed by [Merchant Shipping Act 1979 \(c. 39\)](#), [Sch. 7 Pt. II](#)

642 Additions to lighthouses.

Where any improved light, or any siren or any description of fog signal has been added to an existing lighthouse, the light, siren or signal may, for the purposes of this Part of this Act, be treated as if it were a separate lighthouse.

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Light Dues

643 Continuance of light dues.

.....^{F6} light dues shall be payable in respect of all ships whatever, except ships belonging to Her Majesty, and ships exempted from payment thereof in pursuance of this Act.

Textual Amendments
F6 Words repealed by Merchant Shipping (Mercantile Marine Fund) Act 1898 (c. 44), **Sch. 4**

VALID FROM 01/05/1994

[643A ^{F7}**Information to determine light dues.**

- (1) A general lighthouse authority may, for the purpose of determining whether any and, if so, what light dues are payable in respect of any ship, require any relevant authority or any person who is liable to pay light dues in respect of the ship, to furnish to the general lighthouse authority such information in that authority's or person's possession or control relating to the arrival or departure of the ship at or from any port within their area as they may reasonably require for that purpose.
- (2) A general lighthouse authority may require any relevant authority to furnish to them such information in the relevant authority's possession or control relating to the movements within the relevant authority's area of ships or ships of any class or description for the purpose of determining whether any and, if so, what light dues are payable in respect of the ships.
- (3) The powers conferred on a general lighthouse authority by subsections (1) and (2) above shall also be available to the person appointed by them to collect dues at a port.
- (4) It shall be the duty of a relevant authority or person of whom a requirement for information is made under subsection (1), (2) or (3) above to furnish information as soon as is reasonably practicable.
- (5) In this section "relevant authority" means—
 - (a) a harbour authority;
 - (b) the Commissioners of Customs and Excise; and
 - (c) a conservancy authority.]

Textual Amendments
F7 S. 643A inserted (1.5.1994) by 1993 c. 22, s. 8(3), **Sch. 4 para.41**; S.I. 1993/3137, **art. 3(2)**

644–^{F8}
646

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Textual Amendments

F8 Ss. 644–646 repealed by [Merchant Shipping \(Mercantile Marine Fund\) Act 1898 \(c. 44\)](#), [Sch. 4](#)

647 Publication of light dues and regulations.

Tables of all light dues, and a copy of the regulations for the time being in force in respect thereof, shall be posted up at all custom houses in the United Kingdom, and for that purpose each of the general lighthouse authorities shall furnish copies of all such tables and regulations to the [^{F9}Commissioners of Customs and Excise] in London, and to the chief officers of customs resident at all places where light dues are collected on account of that lighthouse authority; and those copies shall be posted up by the [^{F9}Commissioners of Customs and Excise] at the Custom House in London, and by the chief officers of customs at the custom houses of the places at which they are respectively resident.

Textual Amendments

F9 Words substituted by virtue of [Customs and Excise Management Act 1979 \(c. 2\)](#), [Sch. 4 para. 1](#)

648 Application and collection of light dues.

- (1) ^{F10}
- (2) Every person appointed to collect light dues by any of the general lighthouse authorities shall collect all light dues payable at the port at which he is so appointed [^{F11}or (as the case may be) such of those dues as he is so appointed to collect], whether they are collected on account of the authority by whom he was appointed or on account of one of the other general lighthouse authorities.
- (3) Any person so appointed to collect light dues shall pay over to the general lighthouse authority by whom he was appointed, or as that authority directs, the whole amount of light dues received by him; and the authority receiving the dues shall keep accounts thereof, and shall cause the dues to be remitted to Her Majesty's Paymaster-General in such manner as the Board of Trade direct.

Textual Amendments

F10 S. 648(1) repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), ss. 48, 57(5), [Schs. 5, 7](#) (with s. 58(4), [Sch. 8 para. 1](#))

F11 Words inserted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), s. 48, [Sch. 5](#) (with s. 58(4), [Sch. 8 para. 1](#))

649 Recovery of light dues.

- (1) The following persons shall be liable to pay light dues for any ship in respect of which light dues are payable; namely,—
 - (a) The owner or master; or

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- (b) Such consignees or agents thereof as have paid, or made themselves liable to pay, any other charge on account of the ship in the port of her arrival or discharge;

and those dues may be recovered in the same manner as fines of a like amount under this Act.

- (2) Any consignee or agent (not being the owner or master of the ship) who is hereby made liable for the payment of light dues in respect of any ship, may, out of any moneys received by him on account of that ship or belonging to the owner thereof, retain the amount of all light dues paid by him, together with any reasonable expenses he may have incurred by reason of the payment of the dues or his liability to pay the dues.

650 Distress on ship for light dues.

- (1) If the owner or master of any ship fails, on demand of the authorised collector, to pay the light dues due in respect thereof, that collector may, in addition to any other remedy which he or the authority by whom he is appointed is entitled to use, enter upon the ship, and distrain the goods, guns, tackle, or any thing belonging to, or on board, the ship, and detain that distress until the light dues are paid.
- (2) If payment of the light dues is not made within the period of three days next ensuing the distress, the collector may, at any time during the continuance of non-payment, cause the distress to be appraised by two sufficient persons or sworn appraisers, and thereupon sell the same, and apply the proceeds in payment of the light dues due, together with all reasonable expenses incurred by him under this section, paying the surplus (if any), on demand, to the owner or master of the ship.

651 Receipt for light dues.

A receipt for light dues shall be given by the person appointed to collect the same to every person paying the same, and a ship may be detained at any port where light dues are payable in respect of any ship, until the receipt for the light dues is produced to the proper [^{F12}officer of customs and excise].

Textual Amendments

F12 Words substituted by virtue of [Customs and Excise Management Act 1979 \(c. 2\)](#), [Sch. 4 para. 1](#)

Local Lighthouses

652 Inspection of local lighthouses.

- (1) It shall be the duty of each of the general lighthouse authorities, or of any person authorised by that authority for the purpose, to inspect all lighthouses, buoys, and beacons situate within their area, but belonging to or under the management of any local lighthouse authority, and to make such inquiries in respect thereof and of the management thereof as they think fit.
- (2) All officers and others having the care of any such local lighthouses, buoys, or beacons, or concerned in the management thereof, shall furnish all such information and explanations concerning the same as the general lighthouse authority require.

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- (3) All local lighthouse authorities and their officers shall at all times give to the general lighthouse authority all such returns, explanations, or information concerning the lighthouses, buoys, and beacons under their management and the management thereof, as the general lighthouse authority require.
- (4) The general lighthouse authority shall communicate to each local lighthouse authority the results of the inspection of their lighthouses, buoys, and beacons, and shall also make general reports of the results of their inspection of local lighthouses, buoys, and beacons to the Board of Trade . . . ^{F13}

Textual Amendments

F13 Words repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), ss. 48, 57(5), Schs. 5, 7 (with s. 58(4), Sch. 8 para. 1)

653 Control of local lighthouse authorities by general lighthouse authorities.

- (1) A general lighthouse authority may, within their area, with the sanction of the Board of Trade, and after giving due notice of their intention, direct a local lighthouse authority to lay down buoys, or to remove or discontinue any lighthouse, buoy, or beacon, or to make any variation in the character of any lighthouse, buoy, or beacon, or in the mode of exhibiting lights in any lighthouse, buoy, or beacon.
- (2) A local lighthouse authority shall not erect or place any lighthouse, buoy, or beacon, or remove or discontinue any lighthouse, buoy, or beacon, or vary the character of any lighthouse, buoy, or beacon, or the mode of exhibiting lights in any lighthouse, buoy, or beacon, without the sanction of the general lighthouse authority.
- (3) If a local lighthouse authority having power to erect, place, or maintain any lighthouse, buoy, or beacon, at any place within a lighthouse area, fail to do so, or fail to comply with the direction of a general lighthouse authority under this section with respect to any lighthouse, buoy, or beacon, Her Majesty may, on the application of the general lighthouse authority, by Order in Council, transfer any powers of the local lighthouse authority with respect to that lighthouse, buoy, or beacon, including the power of levying dues, to the general lighthouse authority.
- (4) On the making of any Order in Council under this section, the powers transferred shall be vested in the general lighthouse authority to whom they are transferred, and the lighthouse, buoy, or beacon in respect of which the Order is made, and the dues leviable in respect thereof, shall respectively be subject to the same provisions as those to which a lighthouse, buoy, or beacon provided by that general lighthouse authority under this Part of this Act, and the light dues leviable under this Part of this Act are subject.
- (5) Nothing in this section shall apply to local buoys and beacons placed or erected for temporary purposes.

654 Surrender of local lighthouses.

- (1) A local lighthouse authority may, if they think fit, surrender or sell any lighthouse, buoy, or beacon held by them to the general lighthouse authority within whose area it is situated, and that general lighthouse authority may, with the consent of the Board of Trade, accept or purchase the same.

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- (2) The purchase money for any lighthouse, buoy, or beacon so sold to a general lighthouse authority shall be paid out of [^{F14}the General Lighthouse Fund].
- (3) On the surrender or sale of a lighthouse, buoy, or beacon under this section to a general lighthouse authority,—
- (a) the lighthouse, buoy, or beacon surrendered or sold shall, together with its appurtenances, become vested in the general lighthouse authority, and shall be subject to the same provisions as if it had been provided by that authority under this Part of this Act; and
 - (b) the general lighthouse authority shall be entitled to receive either the dues which were leviable in respect of the lighthouse, buoy, or beacon surrendered or sold at the time of the surrender or sale, or, if Her Majesty so directs by Order in Council, such dues as may be fixed by Order in Council, and those dues shall be subject to the same provisions and regulations as light dues for a lighthouse completed by a general lighthouse authority under this Act.

Textual Amendments

- F14** Words substituted by virtue of [Merchant Shipping \(Mercantile Marine Fund\) Act 1898 \(c. 44\), s. 1\(1\)\(c\)](#)

655 Light dues for local light.

- [^{F15}(1) If any lighthouse, buoy, or beacon is erected or placed, or reconstructed, repaired, or replaced by a local lighthouse authority, Her Majesty may, on the application of that authority, by Order in Council, fix such dues to be paid to that authority in respect of every ship which enters the port or harbour under the control of that authority or the estuary in which the lighthouse, buoy, or beacon is situate, and which passes the lighthouse, buoy, or beacon and derives benefit therefrom as Her Majesty may think reasonable.]
- (2) Any [^{F16}dues fixed under this section (in this Act referred to as] local light dues) shall be paid by the same persons and may be recovered in the same manner as light dues under this Part of this Act.
- [^{F15}(3) Her Majesty may by Order in Council reduce, alter, or increase any local light dues, so that those dues, so far as possible, may be sufficient and not more than sufficient for the payment of the expenses incurred by the local lighthouse authority in respect of the lighthouses, buoys, or beacons for which the dues are levied.]

Textual Amendments

- F15** [S. 655\(1\)\(3\)](#) repealed (E.W.)(S.) by [Harbours Act 1964 \(c. 40\), Sch. 6](#)
- F16** Words repealed (E.W.)(S.) by [Harbours Act 1964 \(c. 40\), Sch. 6](#)

Modifications etc. (not altering text)

- C3** [S. 655](#) amended (E.W.)(S.) by [Harbours Act 1964 \(c. 40\), s. 29\(3\)\(4\)](#)

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656 Application of local light dues.

- (1) All local light dues shall be applied by the authority by whom they are levied for the purpose of the construction, placing, maintenance, and improvement of the lighthouses, buoys, and beacons in respect of which the dues are levied, and for no other purpose.
- (2) The local lighthouse authority to whom any local light dues are paid shall keep a separate account of the receipt and expenditure of those dues, and shall, once in every year or at such other time as the Board of Trade may determine, send a copy of that account to the Board of Trade, and shall send the same in such form and shall give such particulars in relation thereto as the Board of Trade requires.

Modifications etc. (not altering text)

C4 S. 656 amended (E.W.)(S.) by [Harbours Act 1964 \(c. 40\)](#), s. 29(3)(4)

[^{F17} 657 Reduction of local light dues.

A local lighthouse authority may, with the consent of Her Majesty in Council (if they have not otherwise power to do so), reduce all or any dues receivable by them in respect of lighthouses, buoys, and beacons.]

Textual Amendments

F17 S. 657 repealed (E.W.)(S.) by [Harbours Act 1964 \(c. 40\)](#), [Sch. 6](#)

Expenses of General Lighthouse Authorities

[^{F18} 658 Expenses of general lighthouse authorities to be paid out of General Lighthouse Fund.

Any expenses incurred by the general lighthouse authorities in connection with the discharge of their functions under this Part of this Act shall be paid out of the General Lighthouse Fund.]

Textual Amendments

F18 S. 658 substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), s. 48, [Sch. 5](#) (with s. 58(4), [Sch. 8](#) para. 1)

659 Establishments of general lighthouse authorities.

- (1) [^{F19}The Secretary of State may determine]the establishments to be maintained by each of the general lighthouse authorities on account of the services of lighthouses, buoys, and beacons, or the annual or other sums to be paid out of [^{F20}the General Lighthouse Fund] in respect of those establishments.
- (2) If it appears that any part of the establishments of the general lighthouse authorities is maintained for other purposes as well as for the purposes of their duties as general

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lighthouse authorities, [^{F19}the Secretary of State may determine] the portion of the expense of those establishments to be paid out of [^{F20}the General Lighthouse Fund].

- (3) An increase of any establishment or part of an establishment [^{F21}determined] under this section shall not be made without the consent of the Board of Trade.

Textual Amendments
F19 Words substituted by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 48, **Sch. 5** (with s. 58(4), Sch. 8 para. 1)
F20 Words substituted by virtue of Merchant Shipping (Mercantile Marine Fund) Act 1898 (c. 44), **s. 1(1)(c)**
F21 Word substituted by Merchant Shipping Act 1988 (c. 12, SIF 111), s. 48, **Sch. 5** (with s. 58(4), Sch. 8 para. 1)

Modifications etc. (not altering text)
C5 S. 659 extended by Merchant Shipping (Amendment) Act 1920 (c. 2), **s. 1**
C6 S. 659 amended by Merchant Shipping (Amendment) Act 1920 (c. 2, SIF 111), **s. 1**

660 Estimates or accounts of expenses sent to Board of Trade.

- (1) An expense of a general lighthouse authority in respect of the services of lighthouses, buoys, and beacons shall not be paid out of [^{F22}the General Lighthouse Fund] or allowed in account, unless either it has been allowed as part of the establishment expenses under this Act, or an estimate or account thereof has been approved by the Board of Trade.
- (2) For the purpose of approval by the Board of Trade, each of the general lighthouse authorities shall submit to that Board an estimate of all expenses to be incurred by them in respect of lighthouses, buoys, or beacons, other than expenses allowed under this Act on account of their establishments, or, in case it is necessary in providing for any sudden emergency to incur any such expense without waiting for the sanction of an estimate, shall as soon as possible submit to the Board of Trade a full account of the expense incurred.
- (3) The Board of Trade shall consider any estimates and accounts so submitted to them, and may approve them either with or without modification.

Textual Amendments
F22 Words substituted by virtue of Merchant Shipping (Mercantile Marine Fund) Act 1898 (c. 44), **s. 1(1)(c)**

661 ^{F23}

Textual Amendments
F23 S. 661 repealed with saving by National Loans Act 1968 (c. 13), **Sch. 6 Pt. I**

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[^{F24}**662 Borrowing powers of general lighthouse authorities.**

- (1) A general lighthouse authority may, with the consent of the Secretary of State and the Treasury, borrow money for the purpose of defraying any expenses incurred or to be incurred by the authority in connection with the discharge of their functions under this Act.
- (2) A general lighthouse authority may, in connection with any advance to them under this section, mortgage any land or other property belonging to them.
- (3) Any sums payable by a general lighthouse authority under the terms of an advance under this section by way of principal, interest or otherwise shall be paid out of the General Lighthouse Fund.]

Textual Amendments

F24 Ss. 662, 662A, 662B substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), s. 42(1), (with s. 58(4), Sch. 8 para. 1)

[^{F25}**662A Limit on borrowing under s. 662.**

- (1) The aggregate amount outstanding in respect of the principal of any sums borrowed under section 662 of this Act shall not at any time exceed £100 million.
- (2) The Secretary of State may, by order made by statutory instrument with the approval of the Treasury, increase or further increase that limit, but not by more than £33 million at a time.
- (3) An order shall not be made under subsection (2) of this section unless a draft of the order has been laid before and approved by a resolution of the House of Commons.]

Textual Amendments

F25 Ss. 662, 662A, 662B substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), s. 42(1), (with s. 58(4), Sch. 8 para. 1)

[^{F26}**662B Guarantees by Secretary of State.**

- (1) The Secretary of State with the consent of the Treasury may guarantee, in such manner and on such conditions as he thinks fit, the repayment of the principal of, the payment of interest on, and the discharge of any other financial obligation in connection with, any sums borrowed by a general lighthouse authority under section 662 of this Act.
- (2) Immediately after a guarantee is given under this section, the Secretary of State shall lay a statement of the guarantee before each House of Parliament, and where any sum is issued for fulfilling a guarantee so given the Secretary of State shall, as soon as possible after the end of each financial year beginning with that in which the sum is issued and ending with that in which all liability in respect of the principal of the sum and in respect of interest thereon is finally discharged, lay before each House of Parliament a statement relating to that sum.
- (3) Any sums required by the Secretary of State for fulfilling any guarantee under this section shall be paid out of money provided by Parliament.

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- (4) If any sums are issued in fulfilment of any guarantee given under this section there shall be made to the Secretary of State out of the General Lighthouse Fund, at such times and in such manner as the Secretary of State may determine with the consent of the Treasury, payments of such amounts as the Secretary of State may so determine in or towards repayment of the sums so issued, and payments of interest on what is outstanding for the time being in respect of sums so issued at such rate as the Secretary of State may so determine.
- (5) The Secretary of State, with the consent of the Treasury, may vary or revoke any determination made by him under subsection (4) of this section.
- (6) Any sums received by the Secretary of State under that subsection shall be paid into the Consolidated Fund.]

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Textual Amendments

F26 Ss. 662, 662A, 662B substituted by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), s. 42(1), (with s. 58(4), Sch. 8 para. 1)

663 **F27**

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Textual Amendments

F27 S. 663 repealed by [Merchant Shipping Act 1988 \(c. 12, SIF 111\)](#), ss. 42(2), 57(5), **Sch. 7** (with s. 58(4), Sch. 8 para. 1)

664 Accounts of general lighthouse authorities.

Each of the general lighthouse authorities shall account to the Board of Trade for their receipts from light dues and for their expenditure in respect of expenses paid out of [^{F28}the General Lighthouse Fund] in such form and at such times, and with such details, explanations, and vouchers, as the Board of Trade require, and shall, when required by that Board, permit all books of accounts kept by or under their respective direction to be inspected and examined by such persons as that Board appoint for that purpose.

.....

Textual Amendments

F28 Words substituted by virtue of [Merchant Shipping \(Mercantile Marine Fund\) Act 1898 \(c. 44\)](#), s. 1(1) (c)

665 **F29**

.....

Textual Amendments

F29 S. 665 repealed by [Superannuation Act 1972 \(c. 11\)](#), s. 29(4), **Sch. 8**

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Offences in connexion with Lighthouses, &c.

666 Injury to lighthouses, &c.

- (1) A person shall not wilfully or negligently—
 - (a) injure any lighthouse or the lights exhibited therein, or any buoy or beacon;
 - (b) remove, alter, or destroy any lightship, buoy, or beacon; or
 - (c) ride by, make fast to, or run foul of any lightship or buoy.
- (2) If any person acts in contravention of this section, he shall, in addition to the expenses of making good any damage so occasioned, be liable for each offence to a fine not exceeding [^{F30} [^{F31}£500]] [^{F30}level 4 on the standard scale].

Textual Amendments

F30 Words “level 4 on the standard scale” substituted (E.W.S.) for “£500” by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), s. 289G](#)

F31 Word substituted by virtue of [Merchant Shipping Act 1979 \(c. 39\), s. 43\(1\), Sch. 6 Pt. III](#)

667 Prevention of false lights.

- (1) Whenever any fire or light is burnt or exhibited at such place or in such manner as to be liable to be mistaken for a light proceeding from a lighthouse, the general lighthouse authority within whose area the place is situate, may serve a notice upon the owner of the place where the fire or light is burnt or exhibited, or on the person having the charge of the fire or light, directing that owner or person, within a reasonable time to be specified in the notice, to take effectual means for extinguishing or effectually screening the fire or light, and for preventing for the future any similar fire or light.
- (2) The notice may be served either personally or by delivery of the same at the place of abode of the person to be served, or by affixing the same in some conspicuous spot near to the fire or light to which the notice relates.
- (3) If any owner or person on whom a notice is served under this section fails, without reasonable cause, to comply with the directions contained in the notice, he shall be guilty of [^{F32}an offence and liable to a fine not exceeding [^{F33}one thousand pounds]] [^{F33}level 5 on the standard scale]].
- (4) If any owner or person on whom a notice under this section is served neglects for a period of seven days to extinguish or effectually screen the fire or light mentioned in the notice, the general lighthouse authority may, by their servants or workmen, enter upon the place where the fire or light is, and forthwith extinguish the same, doing no unnecessary damage; and may recover the expenses incurred by them in so doing from the owner or person on whom the notice has been served in the same manner as fines may be recovered under this Act.

Textual Amendments

F32 Words substituted by [Merchant Shipping Act 1979 \(c. 39\), Sch. 6 Pt. VI para. 10](#)

Status: Point in time view as at 01/02/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, PART XI. (See end of Document for details)

F33 Words “level 5 on the standard scale” substituted (E.W.S.) for “one thousand pounds” by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 46 and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), s. 289G

Commissioners of Northern Lighthouses

668 Incorporation of Commissioners of Northern Lights.

- (1) The persons holding the following offices shall be a body corporate under the name of the Commissioners of Northern Lighthouses; (that is to say,)
 - (a) The Lord Advocate and the Solicitor-General for Scotland;
 - (b) The lords provosts of Edinburgh, Glasgow, and Aberdeen, and the ^{F34}chairmen of the Inverness and Argyll district councils];
 - (c) ^{F35}
 - ^{F36}(d) The sheriffs principal of all the sheriffdoms in Scotland]
 - ^{F37}(dd) a person nominated by the Lieutenant-Governor of the Isle of Man and appointed by the Secretary of State]
 - (e) Any person elected under this section.
- (2) The Commissioners shall have a common seal; and any five of them shall constitute a quorum, and shall have power to do all such matters and things as might be done by the whole body.
- (3) The Commissioners may elect the ^{F34}chairman of any district council which include in their area] any part of the coasts of Scotland . . . ^{F38} to be a member of their body.

^{F39}(4) The Commissioners may elect, as members of their body, not more than ^{F40}five other persons; but a person shall not be elected in pursuance of this subsection after section 33(2) of the ^{M1}Merchant Shipping Act 1979 comes into force unless either he appears to the Commissioners to have special knowledge and experience of nautical matters or three persons who so appear are members of the said body.]
- (5) A person appointed by the Secretary of State under subsection (1)(dd) above, or a person appointed by the Commissioners under subsection (4) above, shall hold office for three years, but shall be eligible for re-appointment.]

Textual Amendments

- F34** Words substituted by Local Government (Scotland) Act 1973 (c. 65), Sch. 27 Pt. II para. 25
- F35** S. 668(1)(c) repealed by Local Government (Scotland) Act 1973 (c. 65), Sch. 29
- F36** S. 668(1)(d) substituted by S.I. 1974/2087, Sch. II
- F37** S. 668(1)(dd) inserted by Merchant Shipping Act 1974 (c. 43), s. 18(1)(2)
- F38** Words repealed by S.I. 1974/2087, Sch. III
- F39** S. 668(4)(5) added by Merchant Shipping Act 1974 (c. 43), s. 18(1)(3)
- F40** Words substituted by Merchant Shipping Act 1979 (c. 39), s. 33(2)

Marginal Citations

- M1** 1979 c. 39.

Status: Point in time view as at 01/02/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1894, PART XI. (See end of Document for details)

Provision as to Channel Islands

669 Restriction on exercise of powers in Channel Islands.

- (1) The powers of the Trinity House under this Part of this Act with respect to lighthouses, buoys, or beacons already erected or placed, or hereafter to be erected or placed, in the islands of Guernsey or Jersey (other than their powers with respect to the surrender or purchase of local lighthouses, buoys, and beacons, and the prevention of false lights) shall not be exercised without the consent of Her Majesty in Council.
- (2) Dues for any lighthouse, buoy, or beacon erected or placed in or near the islands of Guernsey, Jersey, Sark, or Alderney shall not be taken in the islands of Guernsey or Jersey without the consent of the States of those Islands respectively.

670– **F41**
672

Textual Amendments

F41 S. 670–672 repealed by [Merchant Shipping Act 1979 \(c. 39\)](#), **Sch. 7 Pt. II**

673 **F42**

Textual Amendments

F42 S. 673 repealed by [Merchant Shipping \(Mercantile Marine Fund\) Act 1898 \(c. 44\)](#), **Sch. 4**

674 **F43**

Textual Amendments

F43 S. 674 repealed with saving by [National Loans Act 1968 \(c. 13\)](#), **Sch. 6 Pt. I**

675 **F44**

Textual Amendments

F44 S. 675 repealed by [Merchant Shipping Act 1979 \(c. 39\)](#), **Sch. 7 Pt. II**

Status:

Point in time view as at 01/02/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Merchant Shipping Act 1894, PART XI.