



# Merchant Shipping Act 1894

## 1894 CHAPTER 60

### PART XI

#### LIGHTHOUSES.

##### *Construction of Lighthouses, &c.*

#### **638 General powers of lighthouse authorities.**

A general lighthouse authority shall, within their area but subject, in the case of the Commissioners of Northern Lighthouses and the Commissioners of Irish Lights, to the restrictions enacted in this Part of this Act, 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.

#### **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 Restrictions on exercise of lighthouse powers by Commissioners.**

- (1) When the Commissioners of Northern Lighthouses or the Commissioners of Irish Lights propose to exercise any of their lighthouse powers, they shall submit a scheme

to the Trinity House specifying the mode in which they propose to exercise the power, and their reasons for wishing to exercise the same, and they shall not exercise any such power until they have so submitted a scheme to the Trinity House and obtained the sanction of the Board of Trade in manner provided by this Act.

- (2) The Trinity House shall take into consideration any scheme so submitted to them, and shall make a report, stating their approval or rejection of the scheme with or without modification, and shall send a copy of the report to the Commissioners by whom the scheme is submitted.
- (3) For the purpose of obtaining the sanction of the Board of Trade to any scheme so submitted to the Trinity House, the Trinity House shall send a copy of the scheme and of their report thereon, and of any communications which have passed with reference thereto between them and the Commissioners by whom the scheme is submitted, to the Board of Trade, and that Board may give any directions they think fit with reference to the scheme, and may grant or withhold their sanction either wholly or subject to any conditions or modifications they think fit.
- (4) The Commissioners by whom a scheme is submitted may, before a decision on the scheme is given by the Board of Trade, forward either to that Board or to the Trinity House any suggestions or observations with respect to the scheme or the report of the Trinity House thereon, and the Board of Trade in giving any decision on the scheme shall consider those suggestions or observations.
- (5) The decision of the Board of Trade with reference to any scheme shall be communicated by that Board to the Trinity House, and by the Trinity House to the Commissioners by whom the scheme is submitted, and those Commissioners shall act in conformity with the decision.

#### **641 Power of Trinity House to direct lighthouse works to be done.**

- (1) The Trinity House may, with the sanction of the Board of Trade, direct the Commissioners of Northern Lighthouses or the Commissioners of Irish Lights—
  - (a) to continue any lighthouse, buoy, or beacon :
  - (b) to erect or place any lighthouse, buoy, or beacon, or add to, alter, or remove any existing lighthouse, buoy, or beacon:
  - (c) to vary the character of any lighthouse or the mode of exhibiting lights therein :and the Commissioners shall be bound within a reasonable time to obey any directions so given and sanctioned.
- (2) For the purpose of obtaining the sanction of the Board of Trade to any direction under this section, the Trinity House shall make a written application to the Board of Trade showing fully the work which they propose to direct and their reasons for directing the same, and shall give notice in writing of the application to the Commissioners to whom they propose to give the direction at their principal office in Edinburgh or Dublin, as the case may be.
- (3) Before the Board of Trade decide on any such application an opportunity shall be given to the Commissioners to whom it is proposed to give the direction for making any representation which they may think fit to make with regard to the application to the Board of Trade or the Trinity House.

**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.