

1977 No. 1366

MERCHANT SHIPPING

PILOTAGE

The Peterhead Pilotage (Amendment) Order 1977

Made - - - - 4th August 1977

Coming into Operation 14th October 1977

Whereas application has been made in writing to the Secretary of State by the Peterhead Harbour Trustees as the Pilotage Authority for the Peterhead Pilotage District for an Order under section 7 of the Pilotage Act 1913(a) for the purpose of reconstituting the Pilotage Committee for the Peterhead Pilotage District and for permitting the members of the Committee to take part in all proceedings of the Committee except in matters where they have a direct or indirect pecuniary interest:

Now, therefore, the Secretary of State, in exercise of the powers conferred by section 7 of the said Act 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 Peterhead Pilotage (Amendment) Order 1977 and shall come into operation on 14th 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 Peterhead Pilotage Order 1920 (hereinafter referred to as “the Principal Order”) scheduled to and confirmed by the Pilotage Orders Confirmation (No. 3) Act 1920(d) shall be amended as follows:—

(1) For Article 4 of the Principal Order there shall be substituted:

“4.—(1) The Authority shall at the first meeting after their annual election in 1977 and in each succeeding year appoint a Pilotage Committee (hereinafter referred to as “the Committee”) and may delegate to the Committee any of their powers or duties under the Pilotage Act 1913. The decisions of the Committee on questions so delegated shall not require confirmation by the Authority but the Committee shall report their proceedings to the Authority. The Authority shall fix the quorum of the Committee.

(2) The Committee to be appointed under paragraph (1) above shall consist of:

(a) six members appointed by the Authority, of whom one shall be nominated by them as Chairman;

(a) 1913 c. 31.
(c) 1889 c. 63.

(b) See S.I. 1970/1537 (1970 III, p. 5293).
(d) 1920 c. cxxiv.

- (b) one member nominated by the Peterhead Bay (Management) Company Ltd., or its successor;
- (c) two members nominated by those companies who work as base operators in the Pilotage District;
- (d) one member nominated by those Shipping Agents or Ship-owners using the harbours of the Pilotage District;
- (e) one member who is a pilot and who shall be elected in such manner as may be agreed between the pilots licensed for the Pilotage District and the Authority or, in default of agreement, as may be prescribed by the Secretary of State. In the event of the pilot ceasing to hold a licence for the Pilotage District he shall be ineligible to act or continue acting as a member of the Committee;
- (f) one member being the person who, for the time being, holds the office of Captain Pilot."

(2) For Article 5(3) of the Principal Order there shall be substituted:

"5.—(3) If a member of the Committee has any pecuniary interest, direct or indirect, in any contract, proposed contract or other matter (other than a matter relating to pilotage rates leviable within the Pilotage District) and is present at a meeting of the Committee at which the contract or other matter is the subject of consideration, he shall at the meeting and as soon as practicable after its commencement disclose the fact and shall not take part in the consideration or the discussion of the contract or other matter or vote on any question with respect to it."

J. N. Archer,

An Under-Secretary of the
Department of Trade.

4th August 1977.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Peterhead Pilotage Order 1920:

- (1) by reconstituting the Pilotage Committee so as to include in the membership representatives of the major commercial users of the Harbour and Dock facilities within the Pilotage District and
- (2) by permitting members of the Committee to take part in all proceedings of the Committee except in matters where they have a direct or indirect pecuniary interest.