

1988 No. 1495

HARBOURS, DOCKS, PIERS AND FERRIES

**The Penzance and Newlyn (Pilotage) Harbour Revision
Order 1988**

Made - - - - - *18th August 1988*

Coming into force *1st October 1988*

ARRANGEMENT OF ARTICLES

1. Citation and Commencement.
2. Interpretation.
3. Extension of Limits of Jurisdiction for Purposes of Pilotage in Mounts Bay.

The Secretary of State for Transport in exercise of the powers conferred by section 14 of the Harbours Act 1964^(a) and now vested in him^(b) and of all other powers enabling him in that behalf, and on the application of the Penwith District Council and Newlyn Pier and Harbour Commissioners in accordance with section 7(5) of the Pilotage Act 1987^(c) hereby makes the following Order:—

1. Citation and Commencement

This Order may be cited as the Penzance and Newlyn (Pilotage) Harbour Revision Order 1988 and shall come into force on 1st October 1988.

2. Interpretation

In this Order—

“the Harbours” means Penzance Harbour as described in section 15 of the Penzance Corporation Act 1883 and Newlyn Harbour as described in section 6 of the Newlyn Pier and Harbour Order 1906^(d).

“the Harbour Authorities” means, in relation to Penzance Harbour, the Penwith District Council, in relation to Newlyn Harbour, the Newlyn Pier and Harbour Commissioners and, in relation to the area described in Article 3, both acting jointly.

“signed plan” means the plan signed in triplicate by an Under Secretary in the Department of Transport, two copies of which have been deposited at that Department and one copy of which has been deposited at the offices of the Penwith District Council, Council Offices, St Clare, Penzance, Cornwall TR18 3QW.

(a) 1964 c.40; section 14 and Schedule 3 were amended by the Transport Act 1981 (c. 56), section 18 and Schedule 6 paragraphs 2 to 4.

(b) S.I. 1981/238.

(c) 1987 c.21.

(d) 1906 c.cxiii.

3. Extension of Limits of Jurisdiction for Purposes of Pilotage in Mounts Bay.

The limits within which the Harbour Authorities shall have jurisdiction for the purposes of pilotage under Part 1 of the Pilotage Act 1987 shall include (in addition to the Harbours) the area coloured pink on the signed plan, being so much of the area within an imaginary straight line between Penzer Point (Latitude 50° 04'.150 N, longitude 5° 32'.500 W) and Saint Michael's Mount (Latitude 50° 07'.000 N, longitude 5° 28'.600 W).

Signed by authority of the Secretary of State

18th August 1988

J. W. S. Dempster
An Under Secretary in the Department of Transport

EXPLANATORY NOTE

(This note is not part of the Order)

By virtue of section 7(5) of the Pilotage Act 1987 a direction given by a harbour authority for the purpose of making pilotage compulsory for ships navigating in a specified area shall not apply to any area which is outside the authority's harbour unless the limits of jurisdiction of the authority for pilotage purposes have been extended to cover that area.

This Order accordingly extends the limits of jurisdiction of the harbour authorities for Penzance and Newlyn Harbours for pilotage purposes under Part 1 of the Pilotage Act 1987 so as to include an area outside the harbours in respect of which the authorities consider that pilotage should be compulsory.

The applicants for this Order are the Penwith District Council and Newlyn Pier and Harbour Commissioners.

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