



Merchant Shipping Act 1979

1979 CHAPTER 39

Other provisions relating to pilotage

6 Review of pilotage services and non-compulsory pilotage areas

- (1) It shall be the duty of the Commission—
- (a) to keep under consideration the organisation of pilotage services at ports in and waters off the coasts of the United Kingdom, to consider suggestions for changes in the organisation of those services which are made to the Commission by persons appearing to the Commission to be interested in the organisation of them and to make proposals for such changes in the organisation of those services as the Commission considers appropriate;
 - (b) without prejudice to the generality of the preceding paragraph, to consider what numbers of pilots are needed in order to provide efficient pilotage services in pilotage districts and to make to the pilotage authorities concerned such recommendations about the numbers as the Commission considers appropriate ; and
 - (c) to carry out such investigations as the Commission considers appropriate in order to ascertain whether pilotage should be made compulsory at places in or off the coasts of the United Kingdom where it is not compulsory and to make proposals for pilotage to be made compulsory at such places as the Commission considers appropriate in consequence of the investigations.
- (2) Accordingly sections 1 and 2 of the Pilotage Act 1913 (which among other things provide for the Secretary of State to initiate changes in the organisation of pilotage services and changes in byelaws to achieve uniformity of administration) shall cease to have effect and section 22 of that Act (which provides for information to be furnished to the Secretary of State by pilotage authorities) shall have effect as if—
- (a) the duties imposed by that section to deliver returns and furnish statements of accounts to the Secretary of State and to allow inspection of books and documents by him or a person appointed by him were duties to deliver the returns and furnish the statements to the Commission and to allow inspection by the Commission or a person appointed by the Commission ; and

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (b) in subsection (1) the words " and any returns so delivered shall, as soon as may be, be laid before both Houses of Parliament " were omitted ; and
 - (c) in subsection (4) for the first reference to the Secretary of State there were substituted a reference to the Commission.
- (3) If the Commission considers that a pilotage order or byelaws should be made for the purpose of giving effect to such a proposal as is mentioned in paragraph (a) or (c) of subsection (1) of this section and that an application for such an order or for confirmation of byelaws which are appropriate for that purpose has not been made to the Secretary of State by a pilotage authority affected by the proposal within a period which the Commission considers reasonable in the circumstances, the Commission may apply to the Secretary of State for a pilotage order for that purpose or, as the case may be, may exercise for that purpose the power to make byelaws which is conferred on the pilotage authority by section 17(1) of the Pilotage Act 1913.
- (4) It shall be the duty of the Commission—
- (a) before it performs a function conferred on it by subsection (1) of this section, to consult the persons in the United Kingdom who the Commission considers are likely to be affected by the performance of the function or to consult persons appearing to the Commission to represent those persons ; and
 - (b) to send to the Secretary of State, and to publish in such manner as the Commission thinks fit, copies of the returns and statements received by the Commission by virtue of subsection (2)(a) of this section ;
- and it shall be the duty of the Secretary of State to lay before Parliament copies of any document he receives in pursuance of paragraph (b) of this subsection.