
STATUTORY INSTRUMENTS

1987 No. 420

The Padstow Harbour Revision Order 1987

**PART IV
CHARGES**

Charges for harbour facilities

34.—(1) The Commissioners may demand, take and recover in respect of anything done or provided by them or on their behalf in relation to the Port such reasonable charges as they may determine.

(2) In paragraph (1) above, “charge” does not include ship passenger or goods dues as defined by section 57 of the Harbours Act 1964.

Charges on certain floating articles

35. In addition to their power to demand, take and recover ship, passenger and goods dues under section 26 of the Harbours Act 1964 the Commissioners may demand, take and recover in respect of any dracone or floating dock, crane rig, drilling rig or other floating plant (not being a ship within the meaning of section 57 of that Act) entering, using, or leaving the Port such charges as the Commissioners think fit, and the provisions of sections 30 and 31 of that Act (which require lists of charges to be available for inspection and sale and give a right of objection to ship, passenger and goods dues) shall, with any necessary modifications, apply to charges authorised by this article as they apply to ship, passenger and goods dues.

Conditions relating to payment of charges

36. Charges shall be payable subject to such conditions as the Commissioners may from time to time specify in their published list of charges.

Payment of charges

37.—(1) The several charges which the Commissioners are for the time being authorised to demand, take and recover in respect of vessels, other floating articles and goods shall be due and payable before the removal from the Port of any vessel, other floating article or goods in respect of which they are payable and may be demanded, taken and recovered by such persons and at such places and times as the Commissioners may from time to time appoint.

(2) Charges shall be payable by the owner of any vessel or goods in relation to which the charges are payable.

(3) Where charges may be recovered by the Commissioners from more than one person, the persons from whom they may be recovered shall be jointly and severally liable.

Payment of charges on warehoused goods

38. Notwithstanding the provisions of article 16 of this Order, the owner or person having the charge of any goods warehoused, placed, stored or yarded in a warehouse, transit shed or area, store or yard of the Commissioners shall, before the removal of any of the goods therefrom and at such date or dates as shall be fixed by the Commissioners, pay such charges as shall be then due and payable on the goods.

Recovery of charges

39. In addition to any other remedy afforded by this Order and by the Act of 1847 as incorporated with this Order, and whether or not the demand required by section 44 of that Act has been made, the Commissioners may recover charges as a debt in any court of competent jurisdiction.

Exemption of lifeboat crew from charges

40. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and all persons brought ashore from any vessel in distress shall at all times have free ingress, passage and egress to, along and from the Port without payment.

Exemption of Officers

41. Officers of the Department of Transport and of the Ministry of Agriculture, Fisheries and Food and constables acting in the execution of their duty shall at all times have free ingress, passage and egress to, along and from the Port without payment.