
STATUTORY INSTRUMENTS

1998 No. 683

The Porthmadog Harbour Revision Order 1998

PART III

CHARGES

Charges on certain floating articles

21. In addition to their power to demand, take and recover ship, passenger and goods dues under section 26 of the Harbours Act 1964⁽¹⁾ the Council 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 the said Act) entering, using, or leaving the harbour such charges as the Council think fit, and the provisions of sections 30 and 31 of the said 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 the charges authorised by this article as they apply to ship, passenger and goods dues.

Charges for services or facilities

22. The Council may demand, take and recover for services and facilities provided by them at the harbour such reasonable charges as they may determine.

Payment of charges

23.—(1) The several charges which the Council are for the time being authorised to demand, take and recover under this Order or any other enactment relating to the harbour may be demanded, taken and recovered by such persons, at such places, at such times and under such conditions as the Council may from time to time specify in their published list of charges and, in the case of charges payable in respect of any vessel, shall be payable before its removal from the harbour.

(2) Charges in respect of a vessel shall be payable by the owner of the vessel at the time the charges are levied or by such other person as at that time has charge of the vessel.

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

(4) Nothing in section 30 of the Harbours Act 1964 shall require the Council to include in the list of ship, passenger and goods dues to be kept, as required by subsection (1) of that section, charges which have been reduced by virtue of any rebate or compounding arrangement in respect of a due included in the said list.

(1) 1964 c. 40.

Deposit for charges

24. The Council may require any person who is liable, or may become liable, to pay a charge to the Council to deposit with their collector, or to guarantee, such sum as in the opinion of the Council is reasonable having regard to the amount or probable amount of the charge.

Recovery of charges

25. In addition to any other remedy given by this Order and by the Act of 1847 as incorporated with this Order (and, in a case where the master of a vessel in respect of which a charge is payable to the Council refuses or neglects to pay the same or any part thereof whether or not the Council's collector has gone on board the vessel and demanded the charge pursuant to section 44 of the said Act), the Council may recover any charges payable to them as a debt.

Payment of charges on warehoused goods

26. Notwithstanding the provisions of article 23 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 Council shall, before the removal of any of the goods therefrom and at such date or dates as shall be fixed by the Council, pay such charges as shall be then due and payable on the goods.

Exemption of lifeboat crew from charges

27. 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 harbour without payment.

Officers exempt from charges

28. Officers of the Department of the Environment, Transport and the Regions acting in the execution of their duty shall at all times have free ingress, passage and egress to, along and from the harbour without payment.