



Merchant Shipping Act 1995

1995 CHAPTER 21

PART VIII

LIGHTHOUSES

General light dues

205 Light dues leviable by general lighthouse authorities.

- (1) This section applies to dues leviable by a general lighthouse authority in respect of lighthouses, buoys or beacons under their management (in this Part called “general light dues”).
- (2) A general lighthouse authority may demand, take and recover general light dues in accordance with this section and for that purpose appoint persons to collect them.
- (3) General light dues shall be levied only by reference to the voyages made by ships or by way of periodical payments.
- (4) General light dues shall be payable in respect of all ships whatever, except—
 - (a) ships belonging to Her Majesty, and
 - (b) ships exempted from payment in pursuance of subsection (5) below.
- (5) The Secretary of State may make regulations with respect to the amounts and the levying of general light dues (including the cases in which the dues are not to be levied) and the regulations may make different provision for different circumstances.
- (6) A copy of the regulations in force under subsection (5) above in respect of general light dues shall be kept at—
 - (a) the principal office of the general lighthouse authority, and
 - (b) the office of the appointed collector at every port where such dues are collected;

and shall be open for inspection there during reasonable hours by any person without charge.

Changes to legislation: Merchant Shipping Act 1995, Cross Heading: General light dues is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (7) Every person appointed by a general lighthouse authority to collect general light dues shall collect all such dues payable at the port at which he is so appointed or (as the case may be) such of those dues as he is appointed to collect, whether they are collected on account of that authority or on account of one of the other general lighthouse authorities.
- (8) Any person appointed by a general lighthouse authority to collect general light dues shall pay over to that authority, or as that authority directs, the whole of the general light dues received by him.
- (9) A general lighthouse authority receiving dues (whether themselves or from a collector) shall keep accounts of the dues and shall cause the dues to be remitted [^{F1}to the Secretary of State or as he directs, and in such manner as he directs.].

Textual Amendments

- F1** Words in s. 205(9) substituted (17.7.1997) by 1997 c. 28, s. 29(1), **Sch. 6 para. 12**; S.I. 1997/1539, art. 2, **Sch.**

206 Information to determine light dues.

- (1) A general lighthouse authority may, for the purpose of determining whether any and, if so, what general light dues are payable in respect of any ship, require any relevant authority or any person who is liable to pay general light dues in respect of the ship, to furnish to the general lighthouse authority such information in that authority's or person's possession or control relating to the arrival or departure of the ship at or from any port within their area as they may reasonably require for that purpose.
- (2) A general lighthouse authority may require any relevant authority to furnish to them such information in the relevant authority's possession or control relating to the movements within the relevant authority's area of ships or ships of any class or description for the purpose of determining whether any and, if so, what general light dues are payable in respect of the ships.
- (3) The powers conferred on a general lighthouse authority by subsections (1) and (2) above shall also be available to the person appointed by them to collect dues at a port.
- (4) It shall be the duty of a relevant authority or person of whom a requirement for information is made under subsection (1), (2) or (3) above to furnish information as soon as is reasonably practicable.
- (5) In this section "relevant authority" means—
 - (a) a harbour authority;
 - (b) the Commissioners of Customs and Excise; and
 - (c) a conservancy authority.

207 Recovery of general light dues.

- (1) The following persons shall be liable to pay general light dues in respect of any ship in respect of which such dues are payable, namely—
 - (a) the owner or master; or

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- (b) such consignees or agents of the owner or master as have paid, or made themselves liable to pay, any other charge on account of the ship in the port of her arrival or discharge.
- (2) General light dues so payable in respect of any ship may, in England and Wales and Northern Ireland, be recovered summarily as a civil debt.
- (3) In Scotland general light dues shall, for the purposes of their recovery, be regarded as a debt due to the general lighthouse authority.
- (4) Any consignee or agent (not being the owner or master of the ship) who is, by this section, made liable for the payment of general light dues in respect of any ship may, out of any money received by him on account of the ship or belonging to its owner, retain the amount of all general light dues paid by him, together with any reasonable expenses he may have incurred by reason of the payment of the dues or his liability to pay them.

208 Distress on ship for general light dues.

- (1) If the owner or master of any ship fails, on demand of the appointed collector, to pay the general light dues due in respect of the ship, the collector may enter the ship and distrain the goods or any equipment or other thing belonging to, or on board, the ship and detain that distress until those dues are paid.
- (2) If payment of the dues so demanded is not made within the period of five days following the distress, the collector may, at any time during the continuance of the non-payment, cause the distress to be independently appraised and thereupon sold by public auction.
- (3) The collector shall apply the proceeds of the sale in payment of—
 - (a) the general light dues due; and
 - (b) all reasonable expenses incurred by him under this section;and shall pay the surplus (if any), on demand, to the owner or master of the ship.
- (4) The remedy conferred by this section is in addition to any other remedy available to the collector or the general lighthouse authority by whom he was appointed.
- (5) This section does not apply to Scotland.

209 Receipt for general light dues and its production.

- (1) A receipt for general light dues shall be given to the person paying them by the authority or person receiving them from him.
- (2) A ship may be detained at any port until the receipt for any general light dues due in respect of the ship is produced to the proper officer of customs and excise or the person appointed to collect general light dues at the port.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 145(2)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 13\(2\)](#)
- s. 145(2)(a)(ia) words substituted by [2015 c. 2 Sch. 11 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2)(a)(ia) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)
- s. 145(2A) inserted by [2003 c. 44 Sch. 36 para. 13\(3\)](#)
- s. 145(2A) words substituted by [2015 c. 2 Sch. 11 para. 16\(3\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2A) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)