

[43 & 44 VICT.] *Bristol Channel Pilotage (Cardiff)* [Ch. cxxiv.]  
Act, 1880.



### CHAPTER cxxiv.

An Act to amend the Bristol Channel Pilotage Act, 1861, so far as relates to the Cardiff Pilotage Board; and for other purposes. A.D. 1880.  
[2nd August 1880.]

**W**HEREAS by the Bristol Channel Pilotage Act, 1861, (hereinafter referred to as "the principal Act") provisions were made for the regulation of the pilotage service of the Bristol Channel so far as relates to vessels navigating or passing up and down the Bristol Channel bound to or from the ports of Cardiff, Newport, or Gloucester, and by that Act it was enacted, inter alia (section five), that on the ninth day of November one thousand eight hundred and sixty-one, or within one week thereafter, a pilotage board should be appointed for the Port of Cardiff, such board to consist of the persons following; (that is to say,) the mayor of Cardiff for the time being, three persons to be appointed by the mayor, aldermen, and burgesses of the borough of Cardiff, one person to be appointed by the Company of Proprietors of the Glamorganshire Canal Navigation, three persons to be appointed by the owners for the time being of the Bute Docks, and in case the Penarth Harbour, Dock, and Railway Company should, under the power for that purpose therein-after contained, consent that the pilots for the Port of Cardiff should also be the pilots for the harbour of Penarth, then two other persons to be appointed by such company: 24 & 25 Vict.  
c. 236.

And whereas provisions were made by the principal Act (sections nine to fourteen) for the retirement in rotation of the members so to be appointed, and for the appointment of successors by the same corporations, persons, and companies by whom the original members were appointed, but no powers were given for the addition of any representatives of the shipowning interests and the pilots of Cardiff:

And whereas the Penarth Harbour, Dock, and Railway Company did, in pursuance of the power given them for that purpose, consent that the pilots for the Port of Cardiff should also be the pilots for the harbour of Penarth:

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And whereas it is just and equitable that the shipowners and pilots of the said port should respectively be directly represented on the said Pilotage Board ;

And whereas the objects of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. In citing this Act, for any purpose whatsoever, it shall be sufficient to use the expression the Bristol Channel Pilotage (Cardiff) Act, 1880.

Act and principal Act to be read as one Act.

2. This Act and the principal Act, as amended by this Act, shall be read as one Act.

Interpretation of terms.

3. In the construction of this Act all words and expressions defined in the principal Act shall have the same meaning as in that Act (except as herein-after provided), and the following words and expressions shall have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction :

“The Board” shall mean the Pilotage Board for the Port of Cardiff ;

The word “shipowner” shall mean any person whose name appears on the register book of ships kept at the port of Cardiff as the owner of a vessel or vessels, or a part or parts of a vessel or vessels ; the word “shipowner” shall also include firms of shipowners, and also duly incorporated companies, and the persons entitled to the privileges of this Act on behalf of any firm or company shall be such member thereof as shall be registered with the Board to represent the firm or company for the purposes of this Act by writing under the hands of all the members of such firm or under the seal of the company, or in default of such registration, then (in the case of firms only) the first-named member of such firm.

Additional members of Board.

4. On the ninth day of November one thousand eight hundred and eighty, or within one week thereafter, five additional persons shall be appointed as members of the Board, in addition to the persons whose appointment is provided for by the principal Act ; such persons shall be appointed in the manner and proportions following ; (that is to say,) three persons shall be appointed in

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manner herein-after provided by the shipowners out of their number, and two other persons shall be appointed by the pilots of the port of Cardiff in manner herein-after provided. A.D. 1880.

5. Such additional members of the Board shall be subject to the same or like provisions as to retirement from office, rotation, and re-election as are provided by the principal Act. Retirement  
from office,  
&c.

6. The three persons to be appointed by the shipowners shall be elected by a majority of votes of the shipowners of the port of Cardiff at an election to be held in the following manner; (that is to say,) Appointment  
of shipown-  
ing members.

(1.) The Board shall, on or before the sixteenth day of September in each year, apply to the registrar of shipping at the Custom House, Cardiff, for a list of the shipowners registered on the fifteenth day of September preceding, together with their addresses on the register, and such registrar shall, on or before the twenty-sixth day of September in each year, supply such list certified under his hand, and the same shall be sufficient evidence of the persons named therein being shipowners entitled to take part and vote in the election to be made under this Act; the said registrar shall supply a copy of such list to every person requiring the same on payment of the sum of sixpence for every hundred words of such copy, and a copy of such list shall be open to public inspection, without any fee, at the office of the Board:

(2.) On or before the twenty-first day of October in any year in which an election is to be made the persons proposed to fill the vacancy or vacancies about to occur in that year shall be nominated, and each nomination shall be signed by two shipowners whose names are upon the list of shipowners so prepared as aforesaid:

(3.) If the number of persons so nominated shall not exceed the vacancy or number of vacancies to be filled up the person or persons so nominated shall be deemed duly elected, but if the persons nominated shall exceed the number to be elected the election shall be made in manner herein-after provided for:

(4.) A list of the persons so nominated as aforesaid shall (in the event of a poll becoming necessary) be forwarded by post by the Board to each person whose name appears on the said list of shipowners, at his registered address, with proper instructions as to the time and method of voting,

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before the first day of November next following such nomination :

- (5.) Each shipowner shall vote by making a mark opposite the name or names of the person or each of the persons (not exceeding the full number to be elected) for whose election he votes, and shall deliver the same to the chairman of the Board, or to such person as he shall appoint to receive the same, before the ninth day of November :
- (6.) If any persons obtain an equal number of votes the chairman of the Board shall be entitled to a casting vote :
- (7.) The chairman of the Board shall in every case declare the result of the election by letter addressed to the mayor of Cardiff, and sent or delivered to him on the ninth day of November, or within one week thereafter.

Election of  
pilots.

7. The persons to be appointed by the pilots of the Port of Cardiff shall be appointed in manner following ; (that is to say,)

- (1.) The Board shall, before the first day of October in each year, cause a list to be made out of the pilots of the Port of Cardiff ; provided that any errors or omissions in such list may at any time be corrected by the Board. Such list shall be open to public inspection, without any fee, at the office of the Board :
- (2.) On or before the twenty-first day of October in any year in which an election is to be made the names of persons proposed to fill the vacancy or vacancies about to occur in that year shall be nominated, and each nomination shall be signed by two pilots whose names are upon the list of pilots so prepared as aforesaid :
- (3.) If the number of persons so nominated shall not exceed the vacancy or number of vacancies to be filled up the person or persons so nominated shall be deemed duly elected, but if the persons nominated shall exceed the number to be elected the election shall be made in manner hereinafter provided for :
- (4.) A list of the persons so nominated as aforesaid shall (in the event of a poll becoming necessary) be forwarded by the Board to each pilot, at his registered address, with proper instructions as to the time and method of voting, before the first day of November following such nomination :
- (5.) Each pilot shall vote by making a mark opposite the name or names of the person or persons (not exceeding the full number to be elected) for whose election he votes, and

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shall deliver the same to the chairman of the Board, or to such person as he shall appoint to receive the same, before the ninth day of November : A.D. 1880.

(6.) If any persons obtain an equal number of votes the chairman of the Board shall be entitled to a casting vote :

(7.) The chairman of the Board shall in every case declare the result of the election by letter addressed to the mayor of Cardiff, and sent or delivered to him on the ninth day of November, or within one week thereafter.

8. In the event of any neglect on the part of any person, board, corporation, company, or public officer to do any act or make any return within the time fixed by this Act the power shall not lapse, but may be extended by a resolution of the Board passed either before or after the expiry of the time for doing such act. Time for any act may be extended.

9. The power of the Board shall not be affected by any vacancy in their body, or the omission of any of the persons, corporations, companies, or bodies who are hereby or by the principal Act authorised to make such appointment, but the powers of the Board may be exercised by the members who shall be duly elected thereon. Powers of Board not to be affected by omissions to nominate.

10. The Board may pay any expenses properly incurred by them in the performance of the duties imposed on them by this Act, other than any expenses to be incurred in or incident to the election of members of the Board, out of the pilot fund of the Port of Cardiff ; and all the expenses of each election of shipowners or pilots under this Act shall be payable by the persons nominated as candidates and consenting thereto in equal shares, and the proportion due from each candidate may be recovered by the Board from him as a simple contract debt. Board may pay expenses out of pilot fund.

11. The powers vested in the Board of Trade by Part V. of the Merchant Shipping Act Amendment Act, 1862, may hereafter be exercised with respect to the Board and the Port of Cardiff as if the Board had been a pilotage authority constituted by the Board of Trade under that Act. Powers to Board of Trade.

