



CHAPTER xxxi.

An Act to confirm a Provisional Order made by the Board of Trade under the Merchant Shipping Act Amendment Act, 1862, relating to the Pilotage district of Swansea. A.D. 1892.

[20th May 1892.]

WHEREAS a Provisional Order made by the Board of Trade under the Merchant Shipping Act Amendment Act, 1862, does not take effect unless and until it is confirmed by Act of Parliament: 25 & 26 Vict.
c. 63.

And whereas it is expedient that the Provisional Order made by the Board of Trade under the said Act, and set out in the schedule to this Act, be confirmed by Act of Parliament:

Be it therefore 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:

1. The Order set out in the schedule to this Act shall be and the same is hereby confirmed, and all the provisions thereof in manner and form as they are set out in the said schedule shall, from and after the passing of this Act, take effect and have full validity and force. Confirmation
of Order in
schedule.

2. This Act may be cited as the Pilotage Order Confirmation Act, 1892. Short title.

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Swansea.

SCHEDULE.

SWANSEA.

Order for exempting Masters and Owners of all Vessels inward bound to Swansea Harbour from Compulsory Pilotage.

Short title.

Act of 1854 and this Order to be read together.

Interpretation.

Repealing obligation to employ pilots on vessels inward bound.

Provision as to compensation.

1. This Order may be cited as The Swansea Harbour Pilotage Order, 1892.

2. This Order and the Swansea Harbour Act, 1854, shall be read and construed together as one Act or Order.

3. The following words and expressions in this Order have the meanings hereby assigned to them (that is to say) :—

“The Trustees” means the Swansea Harbour Trustees as appointed and incorporated by the Swansea Harbour Act, 1854 ;

“Pilots” means pilots duly licensed, regulated, and appointed in manner provided by section one hundred and fifty-four of the Swansea Harbour Act, 1854 ;

“Swansea Harbour” means the Harbour of Swansea as defined by section three of the Swansea Harbour Act, 1854, and extended by section fifteen of the Swansea Harbour Act, 1864, section sixteen of the Swansea Harbour Act, 1857, and section twenty-eight of the Swansea Harbour Act, 1874.

4. At the expiration of fourteen days from the date of the passing of the Act confirming this Order section one hundred and fifty-eight of the Swansea Harbour Act, 1854, the marginal note of which is “Masters of vessels inward bound refusing to take pilots to pay full pilotage,” shall be and the same is hereby repealed, and notwithstanding anything contained in the said section the masters, commanders, and owners of all vessels inward bound to Swansea Harbour shall be exempt from any obligation thereby imposed upon them to take on board or employ pilots, or to pay for pilots offering their services when such pilots are not received and employed in piloting any such vessels into Swansea Harbour.

5.—(1.) If it should be proved to the satisfaction of an arbitrator to be agreed upon by the Trustees and the pilots, or in case an arbitrator cannot be so agreed upon, then of an arbitrator to be appointed by the Board of Trade on the application of not less than one-third of the pilots licensed by the Trustees before the commencement of this Act—

(i.) that a diminution in the employment of or other loss to the pilots so licensed at Swansea has occurred ; and

(ii.) that such diminution or loss has been caused by the operation of this Order, and has not been adequately met by increased pilotage rates, or by provisions for superannuation, or by other means ;

the Trustees shall pay to any pilot licensed by them before the commencement of the Act confirming this Order in respect of the loss which he may suffer by the operation of this Order, such compensation, either by way of annual payment or otherwise, and during such period of time not exceeding the life of the pilot affected, as may be determined by the arbitrator.

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(2.) No arbitrator shall be agreed upon or appointed under this Order before the expiration of two years nor after the expiration of three years from the date of the passing of the Act confirming this Order.

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(3.) The costs of the arbitration shall be paid by the Trustees.

6. Nothing in this Order shall exempt the Trustees or any Pilotage Committee of the Trustees or Swansea Harbour or the Pilotage District within the jurisdiction of the Trustees from the provisions of any general Act of Parliament now in force or hereafter to be passed relating to pilotage or pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on shipping or on goods carried therein, or from any future revision and alteration thereof under the authority of Parliament.

Reserving
general Acts.

7. The costs, charges, and expenses of and incidental to preparing, obtaining, and passing this Order, or otherwise incurred in relation thereto, including the confirmation thereof by Parliament, shall be paid by the Trustees.

Costs of Order.

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