



Transport Act 1962

1962 CHAPTER 46

PART III

TRANSPORT CHARGES AND FACILITIES

Miscellaneous

53 Coastal shipping

- (1) If at any time a complaint is made to the Minister by any body appearing to him to be representative of the interests of persons engaged in coastal shipping as to—
 - (a) the charges for the carriage of goods by rail made by the Railways Board in competition with coastal shipping, or
 - (b) the charges made by the Railways Board for the carriage by rail to or from any harbour of goods which are to be or have been carried by coastal shipping,the Minister may give directions to the Board with regard to the charges which are the subject of the complaint.
- (2) The Minister shall not give a direction under this section with regard to any such charges as are mentioned in paragraph (a) of the foregoing subsection unless it appears to him—
 - (a) that the charges in question are inadequate having regard to the full cost of affording the service or services in respect of which they are made, and
 - (b) that a grant out of money provided by Parliament has been or is likely to be made under this Act to the Railways Board to meet a deficit on revenue account for the year in which those charges are made.
- (3) The Minister shall not give a direction under this section with regard to any such charges as are mentioned in paragraph (b) of subsection (1) of this section unless it appears to him—
 - (a) that the charges in question are excessive having regard to the full cost of affording the service or services in respect of which they are made, and

Status: This is the original version (as it was originally enacted).

- (b) that the goods in question cannot reasonably be carried by coastal shipping unless they are carried by rail to or from the harbour specified in the complaint.
- (4) If it appears to the Minister that a body making a complaint under subsection (1) of this section has a reasonable case to make in support of the complaint, he shall refer the complaint for investigation to a person appearing to him to have suitable qualifications for that purpose, and the Minister shall consider the report of that person before giving a direction upon the complaint under this section:

Provided that this subsection shall not apply to a complaint if it appears to the Minister that he has no power to give a direction upon the complaint by reason of paragraph (b) of subsection (2), or paragraph (b) of subsection (3), of this section.
- (5) If it appears to the Minister on a complaint by any such body as is mentioned in subsection (1) of this section—
 - (a) that the Railways Board have refused to quote a charge for the carriage by rail to or from any harbour of goods which are to be or have been carried by coastal shipping, and
 - (b) that the goods in question cannot reasonably be carried by coastal shipping unless they are carried by rail to or from the harbour specified in the complaint,the Minister may give directions to the Board requiring them to quote a charge for the carriage in question.
- (6) The procedure on any complaint under this section (including any reference of the complaint for investigation) shall be such as the Minister may determine.
- (7) In this section, references to a charge made by the Railways Board for the carriage of any goods include references to a charge at which the Board hold themselves out as willing to carry any goods.
- (8) The Coastal Shipping Advisory Committee established under section seventy-one of the Transport Act, 1947, is hereby abolished.