



Merchant Shipping (Mercantile Marine Fund) Act 1898

1898 CHAPTER 44

1 Abolition of Mercantile Marine Fund and constitution of General Lighthouse Fund.

- (1) As from the commencement of this Act—
 - (a) All sums accounted for and paid to the Mercantile Marine Fund, except the light dues or other sums mentioned in paragraph (i) of section six hundred and seventy-six of the Merchant Shipping Act, 1894, shall be paid into the Exchequer:
 - (b) All expenses charged on and payable out of the Mercantile Marine Fund, except the expenses relating to lighthouses, buoys, and beacons mentioned in paragraph (i) of section six hundred and seventy-seven of the same Act, and except also any expenses incurred by a general lighthouse authority under section five hundred and thirty-one of the same Act, shall, so far as they are not paid by any private person, be paid out of moneys provided by Parliament:
 - (c) The said excepted sums shall be accounted for and paid to, and the said excepted expenses shall be charged on and payable out of, a fund which shall be called the General Lighthouse Fund, and references in Part XI. and in sections five hundred and thirty-one and six hundred and seventy-nine of the Merchant Shipping Act, 1894, to the Mercantile Marine Fund shall be construed as references to the General Lighthouse Fund.
- (2) The General Lighthouse Fund shall be applied to the payment of the expenses by this Act charged thereon, and to no other purpose whatever.
- (3) The amount standing at the commencement of this Act to the credit of the Mercantile Marine Fund shall be carried to the credit of the General Lighthouse Fund, and the liabilities of the Mercantile Marine Fund existing at the commencement of this Act shall be discharged out of the General Lighthouse Fund.

2 Transfer of certain light dues and charges to General Lighthouse Fund.

- (1) All colonial light dues shall, after the commencement of this Act, be carried to the General Lighthouse Fund, subject to the prior payment thereof of any sums payable on account of money secured on those dues at the commencement of this Act in accordance with the conditions on which the money is secured.
- (2) All sums which, at the commencement of this Act, are standing to the credit of the accounts kept by the Board of Trade with respect to colonial light dues (including any sum standing to the credit of the Basses Lights Fund), shall be transferred and paid to the General Lighthouse Fund, but shall remain subject to any existing charges thereon.
- (3) All expenses incurred in constructing or maintaining any colonial lights, and the contributions made by Her Majesty's Government in respect of the lighthouse on Cape Spartel, Morocco, shall, after the commencement of this Act, be paid out of the General Lighthouse Fund.
- (4) Sections six hundred and sixty-one, six hundred and sixty-two, and six hundred and sixty-three of the Merchant Shipping Act, 1894, (which relate to the advance and borrowing of money for the purpose of the construction and repair of lighthouses) shall apply in the case of colonial lights as they apply in the case of other lighthouses, buoys, or beacons.
- (5) All expenses incurred after the commencement of this Act by the Board of Trade or any of the general lighthouse authorities in making and maintaining communication between lighthouses and the shore shall be paid out of the General Lighthouse Fund. Provided that such communication shall be available for private messages at reasonable charges, so far as may be compatible with the efficiency and safety of the lighthouse service, and all sums received in respect thereof shall be paid to the General Lighthouse Fund.

3 Fees for registration, transfer, &c. of ships.

Such fees shall be paid in respect of the registration, transfer (including transmission), and mortgage of British ships as the Board of Trade, with the consent of the Treasury, determine, not exceeding those specified in the First Schedule to this Act, and all such fees shall be paid into the Exchequer. Provided that fees shall not be payable under this section in respect of vessels solely employed in fishing or sailing ships of under one hundred tons.

4 Power to recover expenses incurred on account of distressed seamen.

Section one hundred and ninety-three of the Merchant Shipping Act, 1894 (which relates to the recovery of expenses incurred on account of distressed seamen), shall extend to expenses incurred under that Act on account of any distressed seamen within the meaning of that Act, except where it is certified in pursuance of section one hundred and eighty-eight of the Act, that the cause of a seaman being left behind is desertion or disappearance, and paragraphs (a) and (b) in sub-section one of the said section one hundred and ninety-three shall be repealed.

5 Scale of light dues.

- (1) On and after the commencement of this Act the general lighthouse authorities shall levy light dues with respect to the voyages made by ships or by way of periodical

payment, and not with respect to the lights which a ship passes or from which it derives benefit, and the dues so levied shall take the place of the dues now levied by those authorities.

- (2) The scale and rules set out in the Second Schedule to this Act shall have effect for the purpose of the levying of light dues in pursuance of this Act, but Her Majesty may, by Order in Council, alter, either generally or with respect to particular classes of cases, the scale or rules and the exemptions therefrom.
- (3) Before any Order in Council is made under this section, the draft thereof shall be laid before each House of Parliament for not less than thirty days on which that House is sitting, and if either House, before the expiration of the thirty days during which the draft has been laid before it, presents an address to Her Majesty against the draft, or any part thereof, no further proceedings shall be taken thereon, but this shall be without prejudice to the making of any new draft Order.

6 Allowance in respect of British boy sailors available for the Royal Naval Reserve.

On proof to the satisfaction of the Board of Trade that a British ship has during any financial year carried, in accordance with the scale and regulations to be made by the Board of Trade, with the concurrence of the Treasury, boys between the ages of fifteen and nineteen, there shall be paid to the owner of the ship, out of moneys provided by Parliament, an allowance not exceeding one-fifth of the light dues paid during that year in respect of that ship. Provided that no such payment shall be made in respect of any boy unless he has enrolled himself in the Royal Naval "Reserve, and entered into an obligation to present himself for service when called upon, in accordance with rules to be issued by the Admiralty. The scale and regulations aforesaid may be modified from time to time by the Board of Trade with the concurrence of the Treasury. This section shall continue in force until the thirty-first day of March one thousand nine hundred and five, and no longer, unless Parliament otherwise enact.

7 Definitions.

In this Act, unless the context otherwise requires—

The expression " colonial lights " means any lighthouses, buoys, or beacons on or near the coast of a British possession and maintained by the Board of Trade out of moneys provided by Parliament or out of colonial light dues, and includes the lighthouses mentioned in the Third Schedule to this Act.

The expression " Basses Lights Fund " means the fund referred to in section five of the Public Works Loans Act, 1887, formed by the dues levied in respect of the Basses lights.

Other expressions have the same meaning as in the Merchant Shipping Act, 1894.

8 Repeal.

The enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

9 Short title, construction, and commencement.

- (1) This Act may be cited as the Merchant Shipping (Mercantile Marine Fund) Act, 1898.

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

- (2) This Act shall be construed as one with the Merchant Shipping Act, 1894, and that Act and the Merchant Shipping Act, 1897, the Merchant Shipping (Exemption from Pilotage) Act, 1897, and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1898.
- (3) This Act shall come into operation on the first day of April, one thousand eight hundred and ninety-nine.