



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART VIII

#### LIGHTHOUSES

##### *Functions of general lighthouse authorities*

#### **197 General powers of general lighthouse authority.**

- (1) Subject to subsection (2) below, a general lighthouse authority shall, within their area, have power—
  - (a) to erect or place any lighthouse, with all requisite works, roads and appurtenances;
  - (b) to add to, alter, or remove any lighthouse;
  - (c) to erect or place any buoy or beacon, or alter or remove any buoy or beacon;
  - (d) to vary the character of any lighthouse or the mode of exhibiting lights therein.
- (2) A general lighthouse authority shall not in the area of a [<sup>F1</sup>statutory harbour authority]—
  - (a) erect or place any lighthouse, works, roads or appurtenances under subsection (1)(a) above, or
  - (b) erect or place any buoy or beacon under subsection (1)(c) above,except in pursuance of a direction given by the Secretary of State.
- (3) The Secretary of State may give such a direction to a general lighthouse authority if he considers it appropriate to do so in the interests of general navigation.
- (4) Where any improved light or beacon, or any siren or any description of fog signal has been added to an existing lighthouse, the light or beacon, siren or signal may, for the purposes of this Part, be treated as if it were a separate lighthouse.
- (5) A general lighthouse authority may acquire any land which may be necessary for—
  - (a) the exercise of their powers under subsection (1) above;

*Changes to legislation: Merchant Shipping Act 1995, Section 197 is up to date with all changes known to be in force on or before 19 April 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*

- (b) the maintenance of their works; or
  - (c) the residence of the light keepers.
- (6) For the purposes of the acquisition of land by a general lighthouse authority under subsection (5) above the following provisions shall apply—
- (a) if the land is in England and Wales, the provisions of Part I of the <sup>M1</sup>Compulsory Purchase Act 1965 (so far as applicable) except sections 4 to 8, 27 and 31;
  - (b) if the land is in Scotland, the provisions of the Lands Clauses Acts (so far as applicable) except sections 120 to 125, 127, 142 and 143 of the <sup>M2</sup>Lands Clauses Consolidation (Scotland) Act 1845;
  - (c) if the land is in Northern Ireland, the provisions of the Lands Clauses Acts (so far as applicable) except sections 16 to 20, 92 to 94, 123, 127 to 132, 150 and 151 of the <sup>M3</sup>Lands Clauses Consolidation Act 1845.

(7) A general lighthouse authority may sell [<sup>F2</sup>or lease] any land belonging to them.

<sup>F3</sup>(8) .....

<sup>F3</sup>(9) .....

<sup>F3</sup>(10) .....

<sup>F3</sup>(11) .....

**Textual Amendments**

- F1** Words in s. 197(2) substituted (17.7.1997) by 1997 c. 28, s. 29(1), **Sch. 6 para. 7**; S.I. 1997/1539, art. 2, **Sch.**
- F2** Words in s. 197(7) inserted (17.7.1997) by 1997 c. 28, **s. 19(1)**; S.I. 1997/1539, art. 2, **Sch.**
- F3** **S. 197(8)-(11)** omitted (26.6.2013) by virtue of Marine Navigation Act 2013 (c. 23), **ss. 9(2)**, 13; S.I. 2013/1489, art. 2

**Marginal Citations**

- M1** 1965 c. 56.
- M2** 1845 c. 18.
- M3** 1845 c. 19.

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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.)