
STATUTORY INSTRUMENTS

2016 No. 151

The Newhaven Harbour Revision Order 2016

PART 4

MISCELLANEOUS AND GENERAL

Information for the purpose of landing charges

27.—(1) When passengers are embarked on or disembarked from, or cargo is loaded onto or unloaded from, a vessel within the harbour the owner or master of the vessel, if requested to do so by the Company, must provide to the Company details in writing of the number of persons embarking on or disembarking from the vessel and the weight, quantity, volume and composition of cargo being loaded onto or unloaded from the vessel so as to enable the Company to determine whether any of the Company's published landing fees or other charges are payable in respect of those persons or cargo, in accordance with section 26(2) of the Harbours Act 1964 or other legislation applicable to the harbour.

(2) A request made under paragraph (1) may apply to a single vessel movement or (in the case of a vessel which habitually uses the harbour) to every occasion upon which the vessel arrives at or departs from the harbour.

(3) The owner or master of a vessel in respect of which a request is made under paragraph (1) must provide the details so requested within such period (being not less than 24 hours) after the arrival of the vessel as may be specified by the Company, and in any event prior to the departure of the vessel.

(4) Paragraph (1) shall not apply in relation to non-commercial vessels occupying moorings within the harbour under licences granted by the Company, or to vessels paying visitor berthing rates to the Company.

(5) For the purposes of paragraph (4) "non-commercial vessel" means a vessel used for sport or recreation other than a vessel which is carrying, or is available to carry, members of the general public for hire or reward.

(6) A person who, without reasonable excuse, fails to comply with a requirement made under paragraph (1) in accordance with paragraph (3), or who in compliance with such a requirement provides information which he knows to be false, or recklessly provides information which is false, in a material particular, is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.