

ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

****

CAP. LXVIII.

An Act to enable Her Majesty in Council to authorize Ships and Vessels belonging to Countries having Treaties of Reciprocity with the United Kingdom to be piloted, in certain Cases, without having a licensed Pilot on board; and also to regulate the Mode in which Pilot Boats shall be painted and distinguished.

[7th *August* 1840.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Law respecting Pilots and Pilotage, and also for the better Preservation of Floating Lights, Buoys, and Beacons*, it is amongst other things provided, that from and after the passing thereof it shall and may be lawful for His Majesty, by and with the Advice of His Privy Council, or by any Order or Orders in Council, to permit and authorize Ships and Vessels not exceeding the Burthen of Sixty Tons, and not having a *British* Register, to be piloted and conducted without having a duly licensed Pilot on board, upon the same Terms and Conditions as are by that Act imposed on *British* Ships and Vessels not exceeding the like Burthen: And whereas it is by the said Act also provided and enacted, that nothing in that Act contained shall extend 6 G.4. c.125.

or be construed to extend to subject to any Penalty the Master or Mate of any Ship or Vessel, being the Owner or a Part Owner of such Ship or Vessel, and residing at *Dover*, *Deal*, or the *Isle of Thanet*, for conducting or piloting such his own Ship or Vessel from any of the Places aforesaid up or down the River *Thames* or *Medway*, or into or out of any Port or Place within the Jurisdiction of the Cinque Ports: And whereas the said last-recited Proviso and Enactment has been found to prevent the Subjects of Foreign Countries having Treaties of Reciprocity with the United Kingdom from being placed on an equal Footing with the Subjects of the said United Kingdom in regard to Pilots and Pilotage, in conformity with the Spirit of the said Treaties; and in order to remedy such Inconvenience it is expedient that the Powers vested by the said first-recited Proviso in Her Majesty in Council should be extended in manner herein-after mentioned; 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, That from and after the passing of this Act, whenever the Owner or Owners of any Ship or Ships not having a *British* Register, but belonging to the Subjects of Foreign Countries having Treaties of Reciprocity with the United Kingdom, shall make it appear that he or they are deprived of the Benefit enjoyed by *British* Subjects under the said recited Proviso and Enactment, it shall be lawful for Her Majesty in Council from Time to Time to make and issue Orders or Certificates under the Hand of the Clerk of the Privy Council, declaring thereby upon what Terms, and subject to what Conditions, and within what Limits, and for how long, such Ships in such Orders or Certificates mentioned may be piloted without having a duly licensed Pilot on board; and from and after the granting of any such Order or Certificate, and so long as the same remains in force, the Master of any such Ship in such Order or Certificate mentioned shall and may lawfully, and without being subject to any Penalty in that Behalf, conduct his said Ship without having a duly licensed Pilot on board, when and so long as he shall be conducting her within the Limits in such Order or Certificate mentioned, and in conformity with the Terms and Conditions thereby imposed, and without the Aid or Assistance of any other Person than the ordinary Crew of the said Ship: Provided always, that the said last-mentioned Provision, and the Orders or Certificates to be made and issued by virtue thereof, shall cease and be void on the passing of any general Act for the Regulation of Pilots and Pilotage.

Her Majesty in Council may authorize Ships belonging to Countries having Treaties of Reciprocity with the United Kingdom to be piloted in certain Cases without having a licensed Pilot.

When foregoing Provision to cease.

II. And whereas by an Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Prevention of Smuggling*, Provisions are made respecting the painting or tarring of Vessels or Boats employed on the Coasts of the United Kingdom in piloting, which Provisions are inconsistent with certain other Provisions contained in the said in part recited Act of the Sixth Year of the Reign of His said late Majesty King *George* the Fourth, and Doubts have arisen touching the Effect of such Provisions respectively; be it therefore enacted, That so much of the said in part recited Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth as requires "that every

3 & 4 W. 4. c. 53. s. 13.

Certain Parts of 6 G. 4. c. 125. s. 32. as to the Mode

Pilot Boat or Vessel or other Boat or Vessel in the Pilot Service of any Corporation or Society established by Law in relation to Pilotage, or of or belonging to any Person authorized to act as a Pilot by such Corporation or Society, shall at all Times and on every Station be fitted with Black Sides, and have the upper Streak next the Gunwale painted White," shall be and the same is hereby from henceforth repealed; and from and after the passing of this Act every such Boat or Vessel as aforesaid shall be painted or tarred entirely Black, except the Name or other Description now required by Law to be painted on such Boat or Vessel.

of painting Pilot Vessels, repealed.

Boats to be painted or tarred entirely Black, except the Name, &c.

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