



THE LIGHTHOUSE ACT, 1927



CONTENTS

PRELIMINARY

- 1 Short title, extent and commencement.
- 2 Definitions.
- 3 Appointment of officers.
- 4 Advisory committees.

GENERAL LIGHTHOUSES

- 5 Management of general lighthouses by the Federal Government and delegation of management
LOCAL LIGHT HOUSES.

- 6 Power to inspect local lighthouses.
- 7 Control of local lighthouses by the Federal Government.
- 8 Management of local lighthouses by the Federal Government.
LIGHT-DUES

- 9 Levy and collection of light-dues.
- 10 Rates of light-dues leviable.
- 11 Receipts for light-dues.
- 12 Ascertainment of tonnage.
- 13 Recovery of light dues, expenses and costs.
- 14 Refusal of port-clearance.
- 15 Determination of disputes as to liability for payment.
- 16 Light-dues payable at one port recoverable at another.
- 17 Penalty for evading payment of light-dues.
- 18 Exemption from payment of light-dues.
- 19 Refund of excess payments.

ACCOUNTS

- 20 Accounts, etc.
RULES

- 21 Power to make rules.
REPEALS

- 22 [Repealed.]

THE SCHEDULE.

[Repealed.]

THE LIGHT HOUSE ACT, 1927

¹Act No. XVII OF 1927

[21st September, 1927]

An Act to consolidate and amend the law relating to the provision, maintenance and control of lighthouses by the Government in ²[Pakistan].

WHEREAS it is expedient to consolidate and amend the law relating to the provision, maintenance and control of lighthouses by the Government in ²[Pakistan] ; it is hereby enacted as follows :-

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the ³*Lighthouse Act, 1927.

⁴[(2) It extends to the whole of Pakistan.]

(3) It shall come into force on such date⁵ as the ⁶[Federal Government] may, by notification in the ⁷[official Gazette] appoint.

2. Definitions. In this Act unless there is anything repugnant in the subject or context :-

⁸(a) ⁹[Collector of Customs] means an officer of customs exercising the powers of a Customs-collector under the ¹⁰[Customs Act 1969 (IV of 1969)], and includes any person appointed by the ⁶[Federal Government] to discharge the functions of a Customs-collector under this Act;

(b) “district” means an area defined as a district for the purposes of this Act under section 3;

(c) “general lighthouse” means any lighthouse which the ⁶[Federal Government] may, by notification in the ⁷[official Gazette], declare to be a general lighthouse for the purposes of this Act;

¹For statement of Objects and Reasons, see Gazette of India, 1927, pt. V, p.53, and for Report of Select committee, see *ibid.*, p.215.

²Subs. by the Central Laws (Statute Reform) ordinance, 1960 (21 of 1960), s.3 and 2nd Sch. (with effect from 14th October, 1955), for “the Provinces and the Capital of the Federation” which had been subs. by A.O. 1949, for “British India”.

³The word “Indian” omitted by A.O., 1949.

⁴Subs. by Ordinance 21 of 1960, s.3 and 2nd Sch (with effect from the 14th October, 1955), for sub-section (2) as amended by A.O. 1949.

⁵The 1st April, 1929; see Gazette of India, 1929, Part I, p.96.

⁶Subs. by F.A.O., 1975 Art.2 and Table, for “Central Government” which was previously amended by A.O., 1937, for “G.G.in C”.

⁷Subs by A.O., 1937, for “Gazette of India”.

⁸For Notifn. under this caluse, see Gaz. of P., 1960, Pt. I, p.25.

⁹Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (279, 1981), S.3 and Sch., II, for “Customs-Collector”.

¹⁰Subs. *ibid.* for “Sea Customs Act, 1878”.

- (d) “lighthouse” includes any light-vessel, fog-signal, buoy, beacon, or any mark, sign or apparatus exhibited or used for the guidance of ships;
- (e) “local lighthouse” means any lighthouse which is not a general lighthouse;
- (f) “local lighthouse authority” means a ¹[Provincial Government], local authority or other person having the superintendence and management of a local lighthouse;
- (g) “owner” includes any part-owner, charter, or mortgagee in possession and any agent to whom a ship is consigned;
- (h) “port” means any port, as defined in the Ports Act, 1908 (XV of 1908), to which that Act extends; and
- (i) words and expressions used in this Act and not otherwise defined have the same meanings respectively as in the Merchant Shipping Act, 1923 (XXI of 1923).

3. Appointment of officers. The ²[Federal Government] may, by notification in the ³[official Gazette],—

- ⁴(a) define areas to be districts for the purposes of this Act;
- (b) appoint a person to be the Superintendent of Lighthouses in each district;
- (c) appoint a person to be the Chief Inspector of Lighthouses in ⁵[Pakistan]; and
- (d) appoint persons to be Inspectors of Lighthouses.

4. Advisory Committees.—(1) The ²[Federal Government] shall appoint a Central Advisory Committee and shall consult it in regard to—

- (a) the erection or position of lighthouses or of any works appertaining thereto;
- (b) additions to, or the alteration or removal of, lighthouses;
- (c) the variation of the character of any lighthouse or of the mode of use thereof;
- (d) the cost of any proposals relating to lighthouses; or
- (e) the making or alteration of any rules or rates of dues under this Act.

(2) The ²[Federal Government] may, if ⁶[it] thinks fit, appoint an Advisory Committee for any district for the purpose of advising in regard to any of the matters specified in sub-section (1) in so far as the interests of the district are affected thereby.

¹ Subs. by A.O., 1937, for “L.G.”.

² Subs. by F.A.O., 1975, Art.2 and Table, for “Central Government” which was previously amended by A.O., 1937, for “G.G. in C.”.

³ Subs. by A.O., 1937, for “Gazette of India.”

⁴ For notifi. issued under this clause, see Gaz. of P., 1956, Pt.I, pp.436-437.

⁵ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for “the Provinces and the Capital of the Federation” which had been subs. by A.O., 1949, for “British India”.

⁶ Subs. by A.O., 1937, for “he”.

(3) Advisory Committees shall consist of persons representing interests affected by this Act or having special knowledge of the subject-matter thereof.

GENERAL LIGHTHOUSES

5. Management of general lighthouses by the Federal Government and delegation of management.—(1) The superintendence and management of all general lighthouses are vested in the ¹[Federal Government].

(2) The ¹[Federal Government] may require any local light-house authority to undertake the superintendence and management of any general lighthouse situated in or adjacent to the local limits within which the authority exercises its powers, and shall pay to the authority such sums to defray the cost of superintendence and management as ²[the ³[Federal Government]] may determine.

LOCAL LIGHTHOUSES

6. Powers to Inspect local lighthouses.—(1) The Chief Inspector of Lighthouses may, at any time, and any Superintendent or Inspector of Lighthouses may, if authorised in this behalf by a general or special order in writing of the ¹[Federal Government], enter upon and inspect any local lighthouse and make such inquiries in respect thereof or of the management thereof as he thinks fit.

(2) Every person having the charge of, or concerned in the management of, any lighthouse shall be bound to furnish to any officer authorised by or under sub-section (1) to inspect the light-house all such information regarding the same as the officer may require.

(3) Every local lighthouse authority shall furnish to the ¹[Federal Government] all such returns and other information in respect of the lighthouses under its supervision and management, or of any of them, as ²[the ³[Federal Government]] may require.

7. Control of local light-houses by the Federal Government. If, after an inspection under section 6 or such other inquiry as ²[it] thinks fit, the ¹[Federal Government] is satisfied a direction under this sub-section is necessary or expedient for the safety, or otherwise in the interests, of shipping, ²[it] may direct any local lighthouse authority—

- (a) to remove or discontinue or to refrain from moving or discontinuing any lighthouse under its superintendence and management or to make or refrain from making any variation in the character or mode of use of any such lighthouse, or
- (b) to erect, place or maintain, or to refrain from erecting, placing or maintaining, any lighthouse within the local limits within which the local lighthouse authority exercises its powers.

¹Subs. by F.A.O., 1975, Art. 2 and Table, for "Central Government" which was previously amended by A.O., 1937, for "G.G. in C.".

²Subs. by F.A.O., 1937, for "he".

³Subs. by F.A.O., 1975, Art. 2 and Table, for "Central Government".

(2) A local lighthouse authority shall not erect, place, remove or discontinue any lighthouse or vary the character or mode of use of any lighthouse, unless it has given to the ¹[Federal Government] at least one month's notice in writing of its intention so to do:

Provided that, in cases of emergency, a local lighthouse authority may take such action as it deems necessary and shall give immediate notice of the same to the ¹[Federal Government] and, so far as is possible, to all shipping approaching or in the vicinity of the lighthouse.

(3) If a local lighthouse authority-

(a) fails to comply with any direction made under sub-section (1), or

(b) fails to exercise or perform, or exercises or performs in an improper, inefficient or unsuitable manner, any power or duty relating to the superintendence or management of lighthouses conferred or imposed upon it by or under any law for the time being in force, or

(c) fails to make adequate financial provision for the performance of any such duty,

the ¹[Federal Government], may, by order in writing, require the local lighthouse authority to comply with the direction, or to make arrangement to ²[the satisfaction of the ³[Federal Government]] for the proper exercise of the power or performance of the duty, or to make financial provision to ²[the satisfaction of the ³[Federal Government]] for the performance of the duty, as the case may be within such period as ⁴[the ³[Federal Government]] may specify.

(4) If the local lighthouse authority fails to comply with an order made under sub-section (3) within the specified period or within such further time as the ¹[Federal Government] may allow, the ¹[Federal Government] may exercise the power or perform the duty or make the requisite financial provision, as the case may be, and the local lighthouse authority shall be liable to repay to the ¹[Federal Government] any expenditure incurred by ⁵[it] in so doing.

8. Management of local lighthouses by the Federal Government. The ¹[Federal Government] may, at the request of a local lighthouse authority, undertake the superintendence and management of any local lighthouse on its behalf, and the local lighthouse authority shall pay to the ¹[Federal Government] such sums to defray the cost of superintendence and management as may be agreed.

LIGHT-DUES

9. Levy and collection of light-dues. For the purpose of providing or maintaining or of providing and maintaining lighthouses for the benefit of ships voyaging to or from ⁶[Pakistan] or between ports in ⁶[Pakistan], the ¹[Federal Government] shall, subject to the provisions of this Act, cause light-dues to be levied and collected in respect of every ship arriving at or departing from any port in ⁶[Pakistan].

¹Subs. by F.A.O., 1975, Art.2 and Table, for "Central Government" which was previously amended by A.O., 1937, for "G.G. in C.".

²Subs. by A.O., 1937, for "his satisfaction".

³Subs. by F.A.O., 1975, Art 2 and Table, for "Central Government."

⁴Subs by A.O., 1937, for "he".

⁵Subs. *ibid.* for "him".

⁶Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s.3 and 2nd Sch. ((with effect from the 14th October, 1955) for "the Provinces and the Capital of the Federation" which had been subs. by A.O., 1949, for "British India".