



Government Circular No. 42/90

DEPARTMENT OF HIGHWAYS, PORTS AND PROPERTIES

**ISLE OF MAN HARBOURS**

HARBOURS (ISLE OF MAN) ACT 1961

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**HARBOUR DUES REGULATIONS 1990**

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*Approved by Tynwald on 20th. March 1990:  
Coming into operation on 1st. April 1990*

1. The *Harbour Dues Regulations 1990*, a copy of which is attached, come into operation on 1st. April 1990. The Regulations supersede the previous *Harbour Dues Regulations 1988*, which came into operation on 1st. January 1989. An *Explanatory Note* is given at page 13. For convenience, reference is made below to arrangements affecting tonnage dues on fishing vessels, some tugs, and pleasure vessels.

2. There are important differences from previous regulations, relating to the payment of annual dues on fishing vessels, tugs and pleasure vessels.

a) Where a person is liable to pay tonnage dues by "Periodical Payment", he may at any time during the year elect to pay the Tonnage Dues for the remaining part of the year in accordance with "Annual Payment" tables set out in the Regulations. Until such time as an Annual Payment is made, liability to pay Periodical Payments is incurred for entries to harbour and periods of stay in harbour.

b) Annual payment of dues will, from 1st April 1991, be in respect of the period 1st. April to 31st. March. In the meantime, transitional provisions will apply:

Annual dues paid during 1990 will be in respect of the year ending 31st. December 1990, and for the three-month period 1st. January 1991 to 31st. March 1991 "annual dues" may be paid at 25% of the annual rate set out in these Regulations. Until 31st. December 1990, the rates of annual due will remain at the existing (1989) rates of:

♦ £2.60 per gross registered ton, for fishing vessels and tugs;  
(note that vessels between 40grt and 65grt will continue to pay at the rate applicable to 40grt. And vessels exceeding 65grt will continue to pay at the rate applicable to 65grt.)

♦ £1.30 per foot, for pleasure vessels. (£1.50 inc. VAT).

c) A special annual rate for pleasure vessels which do not use harbours between sunset and sunrise will become available from 1st. January 1991.

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**Price: £1.00**

**HARBOURS DIVISION: 21.3.90**



HARBOURS (ISLE OF MAN) ACT 1961

HARBOUR DUES REGULATIONS 1990

In exercise of the powers conferred on the Department of Highways, Ports and Properties by section 55(2) of the Harbours (Isle of Man) Act 1961(a), and of all other powers enabling it in that behalf, the following Regulations are hereby made :-

Citation, commencement and revocation

1. (1) These Regulations may be cited as the Harbour Dues Regulations 1990 and, subject to section 55(3) of the Act, shall come into operation on the 1st April 1990.

(2) Except as provided in regulation 3, the Harbour Dues Regulations 1988(b) are revoked.

Harbour dues

2. (1) The dues specified in the Schedule shall be the dues prescribed for the purposes of section 55 of the Act and, subject to regulation 3, shall be charged from the 1st April 1990.

(2) In the case of a vessel in respect of which an annual payment of harbour dues is made, the dues shall be treated as paid in respect of all harbours.

(3) In the case of a pleasure vessel in respect of which a periodical payment of harbour dues is made, the dues shall be treated as paid in respect of all harbours for the period to which the dues relate.

(4) Without prejudice to section 62 of the Act, where a vessel is obliged to enter a harbour to -

(a) land a crew member or a passenger for urgent

medical treatment; or

- (b) obtain emergency services with respect to safety of life on board,

no dues shall be payable under Part 2 of the Schedule provided that the vessel leaves the harbour as soon as is practicable in the circumstances.

Transitional

3. (1) Paragraphs 6, 9 and 12 of Part 2 of the Schedule shall have effect with respect to the year commencing on the 1st April 1991.

(2) In the Schedule to the Harbour Dues Regulations 1988(b), paragraph 5(4) and (5) of Section B and paragraph 4(4) of Section C shall have effect in respect of the year ending on the 31st December 1990 and shall cease to have effect at the end of that year; accordingly in that year -

- (a) the references in paragraphs 5 and 8 of the Schedule to these Regulations to paragraphs 6 and 9 shall be construed as references to paragraph 5(4) and (5) of Section B of the Schedule to the 1988 Regulations; and
- (b) the reference in paragraph 11 of the Schedule to these Regulations to paragraph 12 shall be construed as a reference to paragraph 4(4) of Section C of the Schedule to the 1988 Regulations.

(3) Any person liable to pay tonnage dues under Chapter II

or III or IV of Part 2 of the Schedule during the period from the 1st January 1991 to 31st March 1991 may at any time during that period elect to pay tonnage dues for the remaining part of that period at the rate of 25% of the appropriate amount set out in paragraphs 6, 9 and 12 of Part 2 of the Schedule.

HARBOUR DUES

PART 1  
INTERPRETATION

In this Schedule -

"bulk" means homogeneous goods without packaging carried in the hold or tank of a vessel, including mineral or agricultural produce normally carried in a loose granular, liquid, or gaseous form; and for the purposes of charging goods dues includes such granular goods carried as homogeneous cargo in sacks or bags in the hold of a vessel;

"fishing vessel" means a vessel which is for the time being used for or in connection with sea fishing but does not include a vessel used for fishing otherwise than for profit;

"GRT" means the gross registered tonnage of a vessel, and where a vessel -

- (a) has more than one gross registered tonnage, the larger shall apply;
- (b) has its tonnage determined under both Part II and regulation 16 of the Merchant Shipping (Tonnage)(Isle of Man) Regulations 1984(c), the tonnage shall be that determined under regulation 16;

"motor tractor" means a mechanically propelled vehicle which is not constructed itself to carry a load, but is constructed to haul goods or trailers;

"tug" means a vessel constructed solely for the purposes of, and normally used for, providing external motive power for floating objects or vessels;  
 "vehicle" includes a container when carried on a roll-on roll-off vessel;  
 "year" means the period of 12 months ending on the 31st March.

PART 2  
 TONNAGE DUES

CHAPTER I  
General

1. This chapter applies to vessels other than those to which Chapter II, III or IV applies.
2. Tonnage dues shall be calculated in accordance with Table A in respect of -
  - (a) vessels entering harbour for loading or unloading of cargo if the aggregate of the weights of the cargoes loaded and unloaded does not exceed 40 tonnes;
  - (b) vessels entering harbour other than in the circumstances to which Table B applies.

TABLE A

	£
Per ton or part of a ton (GRT) for each entry.....	0.12
Minimum charge for each entry.....	15.00
Maximum charge for each entry.....	115.00
Laid up or lying in a harbour longer than 14 days; for each month or part of a month, per ton or part of a ton.....	0.23

3. Tonnage dues shall be charged in accordance with Table B in respect of a vessel entering harbour -

- (a) for embarking or disembarking passengers, or loading or unloading cargo other than in the circumstances to which paragraph 2(a) applies;
- (b) if it is a tug entering harbour for the purpose of towing a barge to which sub-paragraph (a) applies.

TABLE B

Per ton or part of a ton (GRT) for each entry.....	No charge
Where a vessel is laid up or lying in a harbour for more than 14 days, a charge for each month or part of a month, per ton or part of a ton (GRT).....	£0.23

CHAPTER II  
Fishing Vessels

4. This Chapter applies to fishing vessels.

Periodical payment

5. Except where payment of tonnage dues has been made under paragraph 6, tonnage dues shall be charged in accordance with Table C in respect of fishing vessels entering a harbour.

TABLE C

For each entry to a harbour.....	£ 15.00
In addition, for each ton (GRT) in excess of 125 tons.....	0.12
Laid up or lying in a harbour for each period of seven days or part thereof after the first seven days following entry to the harbour.....	15.00
In addition, for each such period per ton (GRT) in excess of 125 tons.....	0.12

Annual payment

6. (1) A person liable to pay tonnage dues under this Chapter may at any time during the year elect to pay tonnage dues for the remaining part of the year in accordance with Table D.

TABLE D

Vessels not exceeding 15 tons (GRT).....	£42.00	
Vessels exceeding 15 tons but not exceeding 40 tons.....	42.00 and in addition, for every ton or part of a ton in excess of 15 tons.....	2.80
Vessels exceeding 40 tons but not exceeding 65 tons.....	112.00	
Vessels exceeding 65 tons.....	182.00	

CHAPTER III

Tugs

7. This Chapter applies to tugs operating in the territorial waters and harbours of the Island, but shall not apply in respect of an entry to which paragraph 3(b) applies.

Periodical payment

8. Except where payment of tonnage dues has been made under paragraph 9, tonnage dues shall be charged in accordance with Table E in respect of tugs entering a harbour.

TABLE E

For each entry to a harbour.....	£15.00
In addition, for each ton (GRT) in excess of 125 tons.....	0.12
Laid up or lying in a harbour for each period of seven days or part thereof after the first seven days following entry to the harbour.....	15.00
In addition, for each such period per ton (GRT) in excess of 125 tons.....	0.12



Annual payment

9. (1) A person liable to pay tonnage dues under this Chapter may at any time during the year elect to pay tonnage dues for the remaining part of the year in accordance with Table F.

TABLE F

	£	
Vessels not exceeding 15 tons (GRT).....	42.00	
Vessels exceeding 15 tons but not exceeding 40 tons.....	42.00 and in addition, for every ton or part of a ton in excess of 15 tons.....	2.80
Vessels exceeding 40 tons but not exceeding 65 tons.....	112.00	
Vessels exceeding 65 tons.....	182.00	

CHAPTER IV

Pleasure vessels

10. This Chapter applies to pleasure vessels.

Periodical payment

11. Except where payment of tonnage dues has been made under paragraph 12, tonnage dues shall be charged in accordance with Table G in respect of pleasure vessels.

TABLE G

	£
For any number of entries to any harbour or using any quay or pier in any harbour or laid up or lying in any harbour -	
(a) for a period not exceeding 24 hours.....	3.48
(b) for a period exceeding 24 hours but not exceeding 96 hours, per 24 hours or part thereof.....	3.48
(c) for a period exceeding 96 hours, per 7 days or part thereof.....	13.92

Annual payment

12. (1) A person liable to pay tonnage dues under this Chapter may at any time during the year elect to pay tonnage dues for the remaining part of the year in accordance with Table H.

TABLE H

£

For a vessel entering any harbour  
or using any quay or pier in any harbour  
or laid up or lying in any harbour,  
per foot or part of a foot of overall  
length.....1.39

For a vessel which is at no time  
unattended, moored, laid up or lying  
in any harbour at any time between  
sunset and sunrise.....10.43

PART 3

GOODS DUES ..

1. This Part applies to goods landed from or shipped onto a vessel within the limits of a harbour in the Island.
2. Goods dues are payable in addition to tonnage dues and passenger dues.
3. Goods dues shall be calculated in accordance with Table I.

TABLE I

£

(a) On all general cargo (including  
containers) per tonne.....1.20

(b) On all bulk goods (except those  
to which sub-paragraph (d) applies) ..  
per tonne.....1.10  
But where at least 80% of the total  
cargo by weight is not made up of  
bulk cargo of a single kind or class,  
sub-paragraph (a) shall apply.

(c) On a full container of scrap metal  
shipped onto a vessel, per container.....12.00

- (d) On bulk agricultural products and materials, per tonne.....1.05  
But where at least 80% of the total cargo by weight is not made up of agricultural cargo of a single kind or class, sub-paragraph (a) shall apply.
- (e) On all liquid fuel oils, per tonne.....1.55
- (f) On all liquid gas, per tonne.....1.74
- (g) On dangerous explosive substances for which special handling arrangements or precautions are required at harbour (not including fuel oils or liquid gases referred to in (e) or (f) above): for each tonne loaded or unloaded, per tonne.....10.00
- (h) In respect of each scooter, motor-cycle, or motor-cycle combination.....1.19
- (i) In respect of each private motor car.....3.57
- (j) In respect of each non-commercial trailer, caravan trailer or other vehicle (not being a vehicle to which sub-paragraph (h) or (i) applies).....2.38
- (k) In respect of each commercial vehicle or trailer (including load) -
  - (i) which is not constructed or adapted to carry goods of more than 3 tonnes, not being a vehicle or trailer to which head (ii) applies.....9.19
  - (ii) which is a motor tractor, an articulated goods vehicle, and any other goods vehicle which is constructed or adapted to carry or haul goods in excess of 3 tonnes, per metre or part metre of length.....2.40
  - (iii) in the case of a a vehicle or trailer which is shipped onto a vessel and is carrying a full load of scrap metals.....12.00
  - (iv) in respect of a vehicle or trailer carrying or constructed to carry bulk liquid fuels, in addition

to charges under sub-paragraph (i)  
 or (ii) above, the sum of,  
 per load.....3.74

- (l) in respect of each coach or bus -
  - (i) carrying passengers.....5.00
  - (ii) not carrying passengers.....17.87
- (m) On all herring landed, a goods  
 due calculated on and deductible from  
 the gross value of such catch at first  
 purchase and being at the rate thereof  
 of.....0.50 %
- (o) On all white fish, shell fish,  
 molluscs and crustaceans landed, a  
 goods due calculated on and deductible  
 from the gross value of such catch at  
 first purchase and being at the rate  
 thereof of.....0.50 %

PART 4  
 PASSENGER DUES

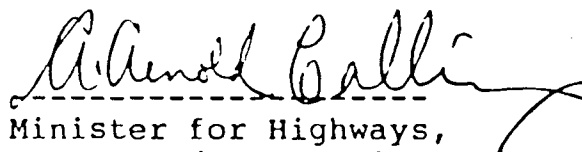
1. This Part applies in respect of any vessel entering or  
 leaving the limits of a harbour and which is carrying  
 passengers.
2. Passenger dues are payable in addition to tonnage dues and  
 goods dues.
3. Passenger dues shall be calculated in accordance with Table  
 J.

TABLE J

- £
- (a) Passenger Dues (other than in the  
 circumstances specified in (b), (c) or  
 (d)) shall be charged in respect  
 of each passenger as follows -
    - (i) an adult.....0.77
    - (ii) a child under age 16.....0.38
    - (iii) a child under age 5.....No charge

- (b) Passenger Dues shall be charged in respect of a passenger who is the holder of a day-excursion ticket, as follows -
- (i) an adult, or a child under age 16.....0.10
  - (ii) a child under age 5.....No charge
- (c) In respect of passengers from a visiting Cruise Liner a single due in respect of all passengers, per vessel.....175.00
- (d) in respect of a passenger embarked in or disembarked from a vessel in respect of carriage for a distance of less than ten nautical miles.....No charge

Made this 27th. day of February 1990

  
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 Minister for Highways,  
 Ports and Properties

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EXPLANATORY NOTE

GC 42/90

(This note does not form part of the Regulations)

*Isle of Man Harbours*

Harbour Dues Regulations apply to the harbours vested in the Department of Highways, Ports and Properties:

*DOUGLAS; LAXEY; RAMSEY; PEEL; PORT ERIN; PORT ST. MARY; CASTLETOWN; and DERBYHAVEN.*

*Liability to pay Harbour Dues*

Chapter II of the Harbours (Isle of Man) Act 1961 makes provision as to the liability of persons to pay tonnage dues, goods dues and passenger dues. Normally it is the master or owner of the vessel who is liable to pay those harbour dues, but in the case of goods dues in respect of fish landed from any vessel within the limits of any harbour, the goods dues are payable by the first purchaser of the fish from the master or owner of the vessel from which the fish is landed. This applies whether the first purchaser of the fish is acting on his own behalf or as an agent for some other person.

*Harbour Dues Regulations 1990*

The Harbour Dues Regulations 1990 provide for new rates of Harbour Dues to be applied with effect from 1st. April 1990. Tonnage Dues on a Fishing Vessel, a Tug (where relevant), or on a Pleasure Vessel, may be paid on an annual basis if the owner so elects.

The Regulations replace the Harbour Dues Regulations 1988 (GC 342/88) which introduced new rates with effect from 1st. January 1989.

A change of commencement date from 1st. January to 1st. April is therefore introduced by the Harbour Dues Regulations 1990. As a consequence, transitional provisions provide that annual harbour dues paid on a fishing vessel, a tug, or on a pleasure vessel in 1990 will be in respect of the year ending 31st. December 1990 and will be payable at the "Reduced Annual Dues" rates provided for in the Harbour Dues Regulations 1988. Payment of annual tonnage dues for the three-month period 1st. January 1991 to 31st. March 1991 may be made at 25% of the annual rates of tonnage dues set out in these Regulations. As from 1st. April next year, 1991, the transitional provisions will cease to apply, and from that date all tonnage dues paid on the annual basis will be for the period 1st. April to 31st. March in any year.

*Pleasure Vessels: Value Added Tax (VAT)*

Value Added Tax is payable on all Harbour Dues in respect of Pleasure Vessels set out in Chapter IV of Part 2 of the Regulations.

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