



Statutory Document No. 7/93

HARBOURS (ISLE OF MAN) ACT 1961

HARBOUR DUES REGULATIONS 1993

*Approved by Tynwald
Coming into operation*

*16th. February 1993
1st. April 1993*

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 1993 and, subject to section 55(3) of the Harbours (Isle of Man) Act 1961, shall come into operation on the 1st April 1993.

(2) The Harbour Dues Regulations 1992(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 shall be charged from the 1st April 1993.

(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.

(a) Vol.XIX p.538. (b) G.C. no. 42/92.

regulation 2

SCHEDULE

HARBOUR DUES

PART I

INTERPRETATION

In this Schedule -

"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;

"overall height" in relation to a vehicle, container, tank, pallet or other unitised cargo means its height including road wheels and any load, being the distance between the lowest point of the lowest fixed permanent structure or of road-wheels (if they are or could be attached) and the highest point of the fixed permanent structure or of the load, whichever is the higher;

"overall length" means the distance between the foreside of the foremost fixed permanent structure and the aftside of the aftmost fixed permanent structure;

"tug" means a vessel constructed solely for the purposes of, and normally used for, providing external motive power for floating objects or vessels;

"year" means the period of 12 months ending on the 31st March.

(c) G.C. no. 234/84.

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	0.16
Minimum charge for each entry	20.00
Maximum charge for each entry	160.00
Laid up or lying in a harbour longer than 14 days; for each 14 days or any period less than 14 days, per ton or part of a ton	0.32

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
- (b) for loading or unloading cargo other than in the circumstances to which paragraph 2(a) applies; or
- (c) if it is a tug entering harbour for the purpose of towing a barge to which sub-paragraph (b) 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 14 days or any period less than 14 days, per ton or part of a ton (GRT)	£0.32

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.....	20.00; and
in addition, for each ton (GRT) in excess of 125 tons	0.16
Laid up or lying in a harbour for each period of 3 days or any period less than 3 days, after the first 3 days following entry to the harbour.....	20.00; and
in addition, for each such period per ton (GRT) in excess of 125 tons.....	0.16

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)	49.05
Vessels exceeding 15 tons but not exceeding 40 tons	49.05 and
in addition, for every ton or part of a ton in excess of 15 tons	3.27
Vessels exceeding 40 tons but not exceeding 65 tons	130.80
Vessels exceeding 65 tons	212.55

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.....	20.00; and
in addition, for each ton (GRT) in excess of 125 tons	0.16
Laid up or lying in a harbour for each period of 3 days or any period less than 3 days, after the first 3 days following entry to the harbour.....	20.00; and
in addition, for each such period per ton (GRT) in excess of 125 tons.....	0.16

Annual payment

9. 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)	49.05
Vessels exceeding 15 tons but not exceeding 40 tons	49.05 and
in addition, for every ton or part of a ton in excess of 15 tons	3.27
Vessels exceeding 40 tons but not exceeding 65 tons	130.80
Vessels exceeding 65 tons	212.55

CHAPTER IV

Pleasure vessels

10. This Chapter applies to pleasure vessels within the meaning of section 55(1)(a) of the Harbours (Isle of Man) Act 1961.

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	4.51
(b) for a period exceeding 24 hours but not exceeding 96 hours, per 24 hours or any period less than 24 hours	4.51
(c) for a period exceeding 96 hours, per 7 days or any period less than 7 days	18.04

Annual payment

12. 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 metre of overall length:	6.13; and
for part of a metre, per 10 centimetres or part of 10 centimetres	0.62
For a vessel which is at no time unattended, moored, laid up or lying in any harbour at any time between sunset and sunrise; per vessel per annum	13.07

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 Tables I, J and K.

TABLE I

Goods Dues chargeable by length in respect of a motor vehicle, trailer, container, tank, pallet or other unitised cargo which either:

- (i) exceeds 6 metres in overall length; or
- (ii) exceeds 2 metres in overall height.

	£
Per metre	2.82; and
for part of a metre, per 10 centimetres or any length less than 10 centimetres	0.28; except that:

- £
- (i) where a goods vehicle or container is fully laden with scrap metal or waste material for environmental recycling, and is shipped onto a vessel, a maximum charge in respect of that vehicle or container of; 12.00; or
- (ii) in the case of a bus or coach, a maximum charge in respect of that vehicle of 5.86.

TABLE J

Goods Dues chargeable by vehicle, in respect of a vehicle which does not exceed 6 metres in overall length and does not exceed 2 metres in overall height:

	£
1. A scooter, motor-cycle, or motor-cycle combination	1.39
2. A motor car, or any other motor vehicle not elsewhere specified in this Table	4.34
3. A trailer	2.79

TABLE K

Goods Dues calculated by weight:

This Table does not apply to any goods which is contained in or on a motor vehicle, trailer, container, tank, pallet or other unitised cargo which is chargeable in accordance with Tables I or J.

	£
1. Liquid gas, per tonne or part of a tonne	2.09
2. Liquid fuel oils, per tonne or part of a tonne	1.86
3. Dangerous explosive substances for which special handling arrangements or precautions are required at harbour (not including liquid gases or liquid fuel oils referred to in entry 1 or 2): for each tonne loaded or unloaded, per tonne or part of a tonne	11.72
4. Bulk or general cargo, not elsewhere specified in this Table per tonne or part of a tonne	1.12

£

5. On all herring, mackerel, demersal, and other fish landed (other than fish included in entry 6) goods dues calculated on and deductible from the gross value of such catch at first purchase and being at the rate thereof of, per tonne or part of a tonne 1.07; but
- if the weight landed is less than 1 tonne, per 100 kg or any weight less than 100 kg 0.11; but
- if the weight landed is less than 100 kilogrammes No Charge.
6. On all shell fish, molluscs, squid, or crustaceans landed, goods dues calculated on and deductible from the gross value of such catch at first purchase and being at the rate thereof of, per purchased pound weight or part thereof: per lb 0.005; or
- if accounted for in kilogrammes, per 10 kg or any weight less than 10 kg 0.11; but
- if the weight purchased is less than 10 kg No Charge.

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 L.

TABLE L

£

1. Passenger Dues (other than in the circumstances specified elsewhere in this Table) shall be charged in respect of each passenger as follows -

- (i) an adult..... 1.00
 - (ii) a child under age 16 0.50
 - (iii) a child under age 5..... No charge
2. Passenger Dues shall be charged
in respect of a passenger
whose contract of carriage prohibits
him from carrying luggage, as follows -
- (i) an adult, or a child
under age 16 0.12
 - (ii) a child under age 5..... No charge
3. In respect of passengers from
a visiting Cruise Liner a single
due in respect of all passengers,
per vessel 240.00
4. In respect of a passenger embarked
in or disembarked from a vessel which
is licensed to ply for hire as a pleasure
boat or ferry boat under the Harbour Bye
Laws 1905 No charge

Made this 18th. day of January 1993

DAVID NORTH

Minister
for Highways, Ports and Properties

EXPLANATORY NOTE

S.D. No. 7/93

(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, & 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 1993

The Harbour Dues Regulations 1993 provide for new rates of Harbour Dues to be applied with effect from 1st. April 1993. Tonnage Dues on a Fishing Vessel, Tug (where relevant) or on a pleasure vessel may be paid on an annual basis for the year ending 31st. March if the owner so elects.

The Regulations replace the Harbour Dues Regulations 1992 (GC 423/92).

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 Schedule to the Regulations.