

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE
No. 2,184 of 20th SEPTEMBER, 1984.**

LEGAL NOTICE No. 80 of 1984.

**PORT ACT.
(Cap. 127).**

PORT (AMENDMENTS) RULES, 1984.

In exercise of the powers conferred on him by section 19 of the Port Act and of all other enabling powers the Governor in Council has made the following rules:

Title and Commencement.

1. (1) These rules may be cited as the Port (Amendment) Rules, 1984.

(2) These rules shall come into operation on the 1st day of October, 1984.

Amendment of Fourth Schedule of Booklet 2 of cap. 127.

2. The Fourth Schedule to the Port Rules is amended by omitting Item 2 BERTHING CHARGES and substituting therefor the following new item:

"2. BERTHING CHARGES

"In addition to the tonnage dues payable under paragraph 1 of this Schedule, berthing charges shall be payable by every vessel which is berthed at or alongside any quay, wharf or jetty in the Port (other than the Auxiliary Camber) at the following rates:

*Rates per gross
registered ton per
24 hours or part
thereof.*

- (a) Home Trade vessels not exceeding
1000 Tons Gross other than
vessels detailed under
(g) or (k)

3p

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|-----|---|------|
| (b) | Home Trade vessels over 1000 Tons Gross other than vessels detailed under (d), (e), (f), (h) or (k) | 4.5p |
| (c) | Foreign going vessels other than vessels detailed under (d), (e), (f), (i), (j) or (k) | 4.5p |
| (d) | For every vessel berthing at the Detached Mole solely and exclusively for major engine repairs or hull repairs or for underwater cleaning | 2p |
| (e) | For every vessel berthing solely and exclusively for bunkers or to take on supplies of fresh water whilst so bunkering or taking on supplies of fresh water | 0.3p |
| (f) | For every cruise ship | 0.6p |
| (g) | Home Trade vessels under 1000 Tons Gross laid up or under arrest | 2p |
| (h) | Home Trade vessels over 1000 Tons Gross but not exceeding 20,000 Tons Gross laid up or under arrest | 2p |
| (i) | Foreign Going Vessels under 20,000 Tons Gross laid up or under arrest | 2p |

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- (j) All vessels over 20,000 Tons
Gross laid up or under arrest
- At such rate as may
be agreed with the
Captain of the Port.*
- (k) All vessels the masters, owners
or agents of which at the time
of berthing express the intention
of remaining in Gibraltar for a
period in excess of 3 months
and do so remain for such
period
- At such rate as may
be agreed with the
Captain of the Port.*

The above rates for vessels under all sub-paragraphs are chargeable from the time of arrival alongside with a minimum charge per vessel of £3 per 24 hours or part thereof and £12 per period of seven days. Subject to the minimum charge per vessel, the maximum tonnage rate for each period of seven days or part thereof is 12p per gross registered ton in respect of vessels under sub-paragraph (a), 18p per gross registered ton under sub-paragraph (b) and (c) 8p per gross registered ton in respect of vessels under sub-paragraph (d), (g), (h) and (i).

Vessels chargeable under sub-paragraph (e) -

- (i) may take on ship's stores for consumption on board without becoming liable to be charged under any other sub-paragraph but shall, if passengers (whether fare paying or not) embark or disembark or if cargo (whether freight earning or not) is loaded or discharged cease to be chargeable under that sub-paragraph and be charged under sub-paragraph (a), (b), (c), (d), (f), (g), (h), (i), (j) or (k) whichever may be appropriate;
- (ii) may, in the discretion of the Captain of the Port be allowed to be berthed for a period not exceeding eight hours whilst such vessel is not bunkering or taking on supplies of fresh water; provided that if during such period the vessel is unable to leave the berth or the

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master or officer in charge refuses to move the vessel from where it is berthed immediately after receiving instruction from the Captain of the Port to do so the vessel shall be charged under sub-paragraph (a), (b) or (c) as appropriate;

- (iii) in addition to the tonnage dues payable under paragraph 1 of the Schedule, berthing charges shall be payable by every vessel which is berthed at or alongside the Auxiliary Camber at the following rates:

<i>Length of Boat</i>	<i>Yearly Rate (Payable quarterly)</i>	<i>Weekly Rate</i>
Up to 15 feet	£ 20	38p
Over 15 feet but not exceeding 20 feet	£ 40	77p
Over 20 feet but-not exceeding 25 feet	£ 80	£1.54
Over 25 feet but not exceeding 30 feet	£120	£2.31
Over 30 feet but not exceeding 40 feet	£200	£3.85
Over 40 feet but not exceeding 50 feet	£320	£6.15
Over 50 feet	£480	£9.23

Berthing charges shall run continuously, irrespective of changes of berth during any one call, except where berthing is discontinued for a period exceeding three hours when berthing charges shall be payable afresh on re-berthing.

Harbour craft which are exclusively used within the Port of Gibraltar and do not proceed to sea and which are licensed by the Captain of the Port under these Rules or under the Licensing and Fees Act and any vessel under three

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gross registered tons berthing for the sole purpose of unloading fresh provisions, shall be exempt from berthing charges in respect of berthing at Waterport.

A vessel shall be deemed to be berthed until the last mooring rope is cast off."

Dated this 20th day of September, 1984.

By Command,

J. K. E. BROADLEY,

Deputy Governor.