

**SECOND SUPPLEMENT TO THE GIBRALTAR  
GAZETTE  
No. 3706 of 9 April, 2009**

---

---

LEGAL NOTICE NO. 23 OF 2009.

**PORT ACT**

**PORT OPERATIONS (REGISTRATION AND LICENSING) ACT**

**PORT (AMENDMENT) RULES 2009**

In exercise of the powers conferred on it by section 19 of the Port Act, and on the Minister by section 16 of the Port Operations (Registration and Licensing) Act and all other enabling powers, the Government has made the following rules—

**Title.**

1. These rules may be cited as the Port (Amendment) Rules 2009.

**Amendments to the Port Rules.**

2. Schedule 4 to the Port Rules is replaced by the following—

Rule 171

**“SCHEDULE 4**

**1. Tonnage dues.**

- (a) Subject to sub-paragraphs (b), (c) and (d) below, the following tonnage dues shall be payable on all vessels, arriving at, touching at, or having communication with Gibraltar, or the anchorage, port or harbour thereof in respect of each period of four days or part thereof that a vessel remains at Gibraltar—

	<b>All vessels except Cruise Ships</b>	<b>Cruise Ships</b>
	<b>£</b>	<b>£</b>
Vessels of up to 10 tons gross register	49.45	15.00

Vessels over 10 tons gross and up to 50 tons gross	49.45	17.50
Vessels over 50 tons gross and up to 200 tons gross	49.45	22.50
Vessels over 200 tons gross and up to 1,000 tons gross	49.45	32.50
Vessels over 1,500 tons gross and up to 1,500 tons gross	96.39	40.00
Vessels over 1,500 tons gross and up to 2,000 tons gross	96.39	47.50
Vessels over 2,000 tons gross and up to 5,000 tons gross	200.00	75.00
Vessels over 5,000 tons gross and up to 7,000 tons gross	264.44	80.00
Vessels over 7,000 tons gross and up to 10,000 tons gross	264.44	87.50
Vessels over 10,000 tons gross and up to 15,000 tons gross	384.06	90.00
Vessels over 15,000 tons gross and up to 20,000 tons gross	503.00	97.50

Vessels over 20,000 tons gross and up to 30,000 tons gross	503.00	105.00
Vessels over 30,000 tons gross and up to 40,000	917.00	112.50
Vessels over 40,000 tons gross and up to 50,000	917.00	120.00
Vessels over 50,000 tons gross and up to 70,000	1,674.38	135.00
Vessels over 70,000 tons gross and up to 100,000	1,674.00	150.00
Vessels over 100,000	2,167.00	200.00

- (b) The tonnage dues set out in sub-paragraph (a) above shall include—
- (i) the component of charges set by the Minister with responsibility for the Port and Shipping for the purpose of regulation 14 of the Gibraltar Merchant Shipping (Port Waste Reception Facilities) Regulations, 2002 (Legal Notice No. 98 of 2002); and
  - (ii) any costs involved in connection with the provision of port security;
- (c) The component of tonnage that relates to charges or costs referred to in sub-paragraph (b) above shall only be paid once in respect of each call at Gibraltar by a vessel;
- (d) Except in the case of the component of tonnage that relates to charges or costs referred to in sub-paragraph (b) above, the following discounts on the standard rates of tonnage shall apply to the specified classes of vessel—

Vessels calling to discharge/load containers	30%
Bunker calls	50%
Vessels within dry dock	100%

**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 or harbour of Gibraltar at the following rates—

(a)	HOME TRADE vessels not exceeding 1000 Tons Gross other than vessels detailed under(i)	5p
(b)	HOME TRADE vessels over 1000 Tons Gross other than vessels detailed under(d)(e)(f)(g) or (i)	7p Full Rate
(c)	FOREIGN GOING vessels other than vessels detailed under (d)(e)(f)(g)(h) or (i)	5.5p Full Rate
(d)	For every vessels berthing at the DETACHED MOLE solely and exclusively for REPAIRS OR FOR UNDERWATER CLEANING	5p
(e)	For every, vessel berthing anywhere in the port other than the DETACHED MOLE solely and exclusively for REPAIRS or for UNDERWATER CLEANING	10p
(f)	For every vessels berthing solely and exclusively for BUNKERS or to take on SUPPLIES OF FRESH WATER whilst so bunkering or taking on supplies of fresh water	2p Bunkers
(g)	For every CRUISE SHIP	1p Cruise
(h)	HOME TRADE and FOREIGN GOING vessels laid up or under Admiralty arrest	5p

- All vessels the master, owners or agents of
- (i) which at the time of berthing express the intention of remaining in Gibraltar for a period in excess of three months and remain for such period with the Captain of the Port At such rate as may be agreed
  - (j) For every VESSEL DISCHARGING any CARGO at the Port 7p Full Rate
  - (k) For every PASSENGER FERRY registered in Gibraltar and operating a regular service within a distance of 50 miles from Gibraltar 2p
  - (l) For every pure CAR CARRIER over 20,000 Tons Gross discharging at the Port 5p
  - (m) Any other category not listed above 7p

The above rates for vessels under all sub-paragraphs are chargeable from the time of arrival alongside with a minimum charge per vessel of £5 per 24 hours of part thereof – charges are per 24 hour period supplement 1p per GRT beyond.

**Vessels chargeable under sub-paragraph (f)–**

- (i) may make 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) (e) (g) (h) (i) (j) (k) (l) or (m) 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 4 hours whilst such vessel is not bunkering or taking on supplies of fresh water: provided that if the vessel stays longer for whatever reason it shall be charged under sub-paragraph (a) (b) or (c) as appropriate.

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 reberthing.

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, shall be exempt from berthing charges.

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

**3. Small Boat Moorings.**

Length of Boat	Yearly Rate (Payable Quarterly)	Weekly Rate
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

**4. Guards.**

The following charges shall be payable for the services of guards supplied by the Captain of the Port for any purposes of the Quarantine Rules, the Port Rules or the Admiralty Waters (Gibraltar) Regulations, 1972:

Per guard per hour or part thereof	£15.00
------------------------------------	--------

**5. Hire.**

The following hire charges shall be payable—

(a) Port Launch

Weekdays (excluding public holidays) between 8.00 am and 5.00 pm	£100 per hour
Weekdays (excluding public holidays) between 5.00 pm and 8.00 am	£200 per hour
Weekends and public holidays	£200 per hour

(b) Floating fender

For the first 30 days hire £30 per day or part of  
a day

Thereafter £15 per day or part  
thereof

**Charges for Port Operations.**

(a) Registration as Port employer for an entity first registered after 3 May 2001	£1,000
(b) Annual re-registration as a Port employer.	£100
(c) Annual fee for a—	£10,000
(i) bunkering licence	£3,000
(ii) stevedoring licence	£1,000
(iii) ship repairing licence £	£1,000
(iv) ship agency licence	£1,000
(v) Ship chandlery	£1,000
(vi) dolphin boat operator licence	£250
(vii) any other port operator licence	£1,000
(viii) ancillary service provider	£250

**Part 2**

*Fees for registration and re-registration of port workers:*

1. Annual fee for registration of a port worker	£2
2. Annual fee for re-registration of a port worker	£2

**Part 3**

*Fees for certificates and licences:*

- |    |   |    |
|----|---|----|
| 1. | Fees for the issue or renewal of a certificate of registration as a port operator | £5 |
| 2. | Fees for the issue or renewal of a certificate of registration as a port worker   | £5 |
| 3. | Fee for the issue of a duplicate certificate                                      | £5 |
| 4. | Fee for the endorsement of a certificate of registration                          | £5 |
| 5. | Fee for the amendment of a certificate of registration                            | £5 |

**Part 4.**

*Fees for inspection and copies:*

- |    |  |     |
|----|--|-----|
| 1. | Fee for inspection of a licence                      | £10 |
| 2. | Fee for a certified copy of a licence or certificate | £5  |
| 3. | Fee for inspection of an application                 | £5  |
| 4. | Fee for a copy of an application                     | £5  |

**6. Bunkering charges.**

In addition to any other charges payable under these Rules there shall be payable in respect of every vessel that takes on board bunker fuel for its own use or for export, a bunkering charge at the following rate per tonne of bunker fuel supplied. 8p

Ship to ship operations payable by the delivery from a tanker to another tanker excluding mothership operation 8p  
Charge in respect of the first grant of bunkering licence. £250,000



**7. Miscellaneous charges.**

Overland containers unloading at Port	£50
Issue of what is commonly known as a Suez Canal Certificate	£250
Issue of harbour craft passenger certificates	£100
Pratique certificate for super yachts	£250
Petroleum Licence	£200
Pleasure boat licence	£20
Any other certificate	£100

**8. Space for storage.**

A person who wishes to use any space for the storage of oil drums or anything else within the confines of the Port at a location approved by the Captain of the Port shall be liable to pay a fee @ £2.50 per sq.ft.

**9. Portacabins.**

An operator wishing to have a portacabin shall be liable to pay a fee @ £2.50 per sq. ft.”.

**Revocation.**

3. The Port Operations (Fees) Regulations 2005 are revoked.

Dated 9 th April, 2009.

J J HOLLIDAY,  
for the Government.

---

**EXPLANATORY MEMORANDUM**

These rules increase some of the fees due for Port Operations.

---

**Printed by the Gibraltar Chronicle Limited  
Printing Office, 2, Library Gardens,  
Government Printers for Gibraltar,  
Copies may be purchased at 6, Convent Place, Price £0.60p**