

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4579 of 30 May, 2019

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LEGAL NOTICE NO.106 OF 2019

## PORT ACT

### PORT (AMENDMENT) RULES 2019

In exercise of the powers conferred on it by section 19 of the Port Act, the Government has made the following Rules—

#### **Short title and commencement.**

1. These Rules may be cited as the Port (Amendment) Rules 2019 and shall be deemed to have come into operation on the 1st day of April 2018.

#### **Amendments to rule 2 of the Port Rules.**

2. Rule 2.(1) of the Port Rules is amended by inserting the following definition after the definition of “fireworks”-

““Licensed Bunker Barge” means a vessel that is licensed by the Gibraltar Port Authority to carry out the supply of oil or petroleum derived fuel to ships;”.

#### **Amendment to rule 70.**

3. Rule 70 of the Port Rules is amended by substituting the words “by the Minister” for the words “in that behalf by the Governor”.

#### **Amendments to Schedule 4 of the Port Rules.**

4. Schedule 4 of the Port Rules is amended -

(a) in section 7-

(i) in the heading “Boat, Lighter and Pontoon licences for use within the Port”, by substituting the words “Licensed Bunker Barge” for the word “Lighter”; and

(ii) under heading “Boat, Lighter and Pontoon licences for use within the Port”-

(A) by substituting for the entries “For a lighter, per tonne deadweight (subject to a minimum of £100).....£0.50” the following sliding scale dependent on size of per supply vessel-

“For a Licensed Bunker Barge-

(i)	0.....3,000 grt	£5,000.00
(ii)	3,001.....5,000 grt	£10,000.00
(iii)	5,001.....7,500 grt	£12,000.00
(iv)	7,501 grt onwards	£15,000.00”;

(B) by deleting the following entries-

“For a carrier of petroleum, water or any other product (other than a lighter) used within the port whether seagoing or not, per tonne dead weight (subject to a minimum of £100)- £0.50”; and

(b) in section 9, under heading “Charges for Port Operation,” by substituting the following paragraph, for paragraph “(c)” and the entries-

“(c) Annual Fee for a-

(i)	Bunkering Licence	£50,000
(ii)	Stevedoring Licence	£3,000
(iii)	Ship Repair Licence	£1,000
(iv)	Ship Agency Licence	£1,000
(v)	Ship Chandlery Licence	£1,000
(vi)	Tug Operators Licence	£1,000
(vii)	Service Craft Operator Licence	£1,000
(viii)	Waste Operator Licence	£1,000
(ix)	Commercial Diving Licence	£1,000
(x)	Dock Work Licence	£1,000
(xi)	Ancillary Licence	£250
(xii)	Any other commercial or Industrial Licence	£1,000

”;

- (c) in section 10-
- (i) by substituting “£0.20” for “9p” against the entries for bunkering charges in the 2<sup>nd</sup> paragraph; and
  - (ii) by deleting the following entries under heading “ship to ship operations:”
    - “(a) Charge for Verification and Audit of delivering vessel £1,000 (applicable to all vessels)”;
- (d) by inserting the following sections after section 13-

**“14.Super Yacht Tariff Card**

DESCRIPTION	RATE
Berthing Fees (including at anchor)	(i) Set at £5/m per day  (ii) A 25% discount shall apply to yachts whose main purpose of call is bunkers, and depart within 24 hours.
Discounts for visits of more than 4 days shall also apply on a case by case basis	(i) 5 to 7 days @ 2%.  (ii) Up to 14 days @ 3.5%.  (iii) Up to 30 days @ 5%.  (iv) Up to 60 days @ 7.5%.  (v) Up to 90 days @10%.  (vi) For over 90 days at such rate as may be determined by the Captain of the Port on his discretion.

**15. Wharfage Fees.**

In the case when a bunker company is assigned a berth by the Captain of the Port, the Captain of the Port shall charge a monthly fee in consideration of priority usage of berthing areas within the port primarily for bunker supply purposes within the range of 20% of the nominal berthing dues that could be otherwise generated in those berths which they are assigned to permanently and 10% for those berths which they are assigned priority.” .

**Amendment to Schedule 5.**

5. Schedule 5 of the Port Rules is amended -

(a) by inserting the following paragraph after paragraph 10-

“10A. Licensed Bunker Barge including on return trips.”; and

(b) by substituting “Minister” for “Governor” in paragraph 11.

Dated 30th May, 2019.

G H LICUDI QC,  
Minister for Maritime Services,  
For the Government.

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**EXPLANATORY MEMORANDUM**

These Rules amend the Port Rules in order to increase different fees and for reorganising the list of port operations licences under Schedules 4. These Rules also make other changes in Schedules 4 and 5 of the Port Rules.