

# **STATES OF JERSEY**

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## **DRAFT AMENDMENT (No. 33) TO THE TARIFF OF HARBOUR AND LIGHT DUES**

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**Lodged au Greffe on 19th September 2008  
by the Minister for Economic Development**

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**STATES GREFFE**





Jersey

## **DRAFT AMENDMENT (No. 33) TO THE TARIFF OF HARBOUR AND LIGHT DUES**

### **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

in accordance with Article 6 of the Harbour and Light Dues (Jersey) Law 1947, to approve the Draft Amendment (No. 33) to the Tariff of Harbour and Light Dues as set out in the Appendix to the Ministerial Decision of the Minister for Economic Development [MD-E-2008-0185](#).

MINISTER FOR ECONOMIC DEVELOPMENT

## REPORT

Jersey Harbours is designated as a States Trading Operation under the Public Finances (Jersey) Law 2005, and as such undertakes 'the administration, management, operation, financing, development and maintenance of the harbours of Jersey and their associated facilities'.

The schedule of charges attached implements the decision of the States of Jersey to approve the Jersey Harbours Business Plan 2009.

In order to meet its obligations as a Trading Operation and under legislation relating to shipping and sea navigation, the following charges are proposed under the Tariff of Harbour and Light Dues –

- (a) To alter, with no more than a 2.5% increase in each case, the harbour dues for arriving and departing passengers and vehicles carried on 'drive on/drive off' ferries in line with the States Anti-Inflationary Strategy;
- (b) In order to cover increasing security demands by TRANSAS on port and vessel security, to introduce an additional element to the charge for passengers of £3.00 over and above the standard passenger charge for arriving and departing passengers on cruise ships only.

This element to the passenger due is being introduced in order that, in the event of an increase in cruise liner visits, the associated costs are adequately covered;

- (c) alter, with no more than a 3.9% increase in each case (and a reduction in some), the dues payable for marina, visiting craft and other mooring spaces, except for the items from Section B of Part 3 listed in the following table (which exceed a 3.9% increase) –

<i>Paragraph</i>	<i>2008</i>	<i>2009</i>
2(a)(i)	£22.00	£23.30
	£27.00	£28.16
	£36.00	£37.86
(d)	£43.63	£45.36
(e)	£58.20	£60.48
(f)	£72.74	£75.60
(g)	£71.22	£75.54
(h)	£83.08	£88.13
9	£10.17	£10.68
	£12.73	£13.59
	£16.52	£17.48

### Leisure Dues

Leisure dues are recognised as not being directly related to the Island's inflation rate. The Finance and Economics Committee previously commented in the States that: 'The Committee believes that it is important that users of marinas and moorings do not receive a service subsidised by commercial users of the Harbour or the taxpayer.' It is therefore proposed that these be increased by RPI(Y) of 3.9%.

These charges are also subject to GST as from 1st January 2009. Where the price increases are above 3.9%, this is to allow for the rounding to the nearest whole pound once GST has been applied.

There are no manpower implications and the additional income to be received is estimated at £140,000.

## Explanatory Note

This amendment to the Tariff of Harbour and Light Dues would –

- (a) increase, by 2.5%, the harbour dues for arriving and departing passengers and vehicles carried on ‘drive on/drive off’ ferries;
- (b) introduce an additional charge of £3.00 on the harbour dues for arriving and departing passengers on cruise ships;
- (c) alter, with no more than a 3.9% increase in each case (and a reduction in some), the dues payable for marina, visiting craft and other mooring spaces, except for the items from Section B of Part 3 listed in the following table (which exceed a 3.9% increase) –

<b>Paragraph</b>	<b>2008</b>	<b>2009</b>
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9	£10.17	£10.68
	£12.73	£13.59
	£16.52	£17.48

The dues were last increased with effect from 1st January 2008.





Jersey

# DRAFT AMENDMENT (No. 33) TO THE TARIFF OF HARBOUR AND LIGHT DUES

## Arrangement

### Article

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- |          |                           |
|----------|---------------------------|
| <u>1</u> | <u>Interpretation</u>     |
| <u>2</u> | <u>Section A replaced</u> |
| <u>3</u> | <u>Section B replaced</u> |
| <u>4</u> | <u>Commencement</u>       |





Jersey

# DRAFT AMENDMENT (No. 33) TO THE TARIFF OF HARBOUR AND LIGHT DUES

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE MINISTER FOR ECONOMIC DEVELOPMENT, in pursuance of Article 6 of the Harbour and Light Dues (Jersey) Law 1947<sup>[1]</sup>, and with the approval of the States given on [] 2008, has made the following amendment to the Tariff of Harbour and Light Dues<sup>[2]</sup> approved by the States on 19th August 1980 –

## 1 Interpretation

In this Amendment “Tariff” means the Tariff of Harbour and Light Dues<sup>[3]</sup> approved by the States on 19th August 1980.

## 2 Section A replaced

For Section A of Part 3 of the Tariff (which Section relates to dues payable on arrival and on departure there shall be substituted the following Section –

### “A Dues payable on arrival and on departure

1.	For each passenger disembarked from or embarked on a ship –		
	(a)	if an adult	£1.96
	(b)	if a child	98p
	(c)	if the ship is a cruise ship, an additional charge	£3.00.
2.	(a)	For each private vehicle (other than one to which any of sub-paragraphs (b), (c) and (d) applies) disembarked from or embarked on a ‘drive-on/drive-off’ ferry and accompanied by a driver	£8.20
	(b)	For each private vehicle (other than one to which either of sub-paragraphs (c) and (d) applies) disembarked from or embarked on a ‘drive-on/drive-off’ ferry and accompanied by a driver, where the fare payable depends on the dimensions or weight or any other distinguishing feature of the vehicle and any fare other than the lowest fare is payable	£8.59
	(c)	For each private motorcycle disembarked from or embarked on a ‘drive-on/drive off’ ferry and	

		accompanied by a driver	£1.61
	(d)	For each caravan, or caravanette, disembarked from or embarked on a ‘drive-on/drive off’ ferry, whether accompanied or unaccompanied by a driver	£13.27.
3.	Where at any harbour in Jersey –		
	(a)	any passenger travelling to a destination outside the Island disembarks from a ship and for the purpose of continuing the journey embarks on another ship; or	
	(b)	any private vehicle being shipped to a destination outside the Island is disembarked from a ‘drive-on/drive-off’ ferry and for the purpose of continuing its shipment is embarked on another ‘drive-on/drive-off’ ferry,	
	the appropriate dues payable under either of paragraphs 1 and 2 (other than where paragraph 1(c) applies) shall be reduced by 50%.		
4.	In this Section –		
	(a)	‘driver’ means a driver who is also a passenger; and	
	(b)	a ship is a cruise ship if in the opinion of the Harbour Master –	
	(i)	the ship is engaged in a cruise, and	
	(ii)	it is necessary or expedient to devote significant additional resources to the embarkation or disembarkation of its passengers, beyond those devoted for other ships, for reasons related to the International Code for the Security of Ships and Port Facilities adopted in London on 12th December 2002 by the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea 1974.”.	

### 3 Section B replaced

For Section B of Part 3 of the Tariff (which Section relates to dues payable in respect of mooring spaces) there shall be substituted the following Section –

#### “B Dues payable in respect of marina and other mooring spaces

1.	Ship owned by a person ordinarily resident in Jersey –	
	(a)	if moored at Saint Helier Harbour (elsewhere than at a marina, a holding pontoon at the entrance to the drying harbour at Saint Helier or the holding pontoons) or the inner harbour at Saint Aubin –
		a due payable annually in advance and equivalent to, for each year or part of a year, £10.88 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £58.23
	(b)	if moored at the inner harbour at Gorey –
		a due payable annually

			in advance and equivalent to, for each year or part of a year, £9.37 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £47.50
	(c)	if moored at the harbour at Bonne Nuit Bay, Bouley Bay or Rozel –	a due payable annually in advance and equivalent to, for each year or part of a year, £4.81 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £25.61
	(d)	if moored at Belcroute Bay, Saint Catherine's Harbour, La Rocque, Saint Brelade's Bay or the outer moorings at Saint Aubin –	a due payable annually in advance and equivalent to, for each year or part of a year, £2.33 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £12.95.
2.	Single-hulled ship owned by a person having an agreement for the use of mooring space for a period of not less than one year, and moored at La Collette Yacht Basin Marina –		
	(a)(i)	for each day or part of a day (except in July and August)	<p>ship under 8 metres overall length, £15.53</p> <p>ship of 8 metres or more, but under 10 metres overall length, £17.48</p> <p>ship of 10 metres or more, but under 12 metres overall length, £19.42</p> <p>ship of 12 metres or more, but under 14 metres overall length, £23.30</p> <p>ship of 14 metres or more, but under 16 metres overall length, £28.16</p> <p>ship of 16 metres or more, but under 20 metres overall</p>

			length, £37.86 ship of 20 metres or more overall length, £1.94 per metre or part of a metre
	(a)(ii)	for each day or part of a day in July or August	the rate specified in subparagraph (a)(i) plus £1.95, for a ship under 8 metres overall length or of 16 metres or more, but under 20 metres overall length, and plus £1.94 in any other case
	(b)	for each week, if paid in advance	6 times the daily rate specified in subparagraph (a)
	(c)	for each month or part of a month within the period from 1st October to 30th April, if paid in advance	an amount equal to the product of £19.23 and the overall length of the ship in metres
	(d)	for any continuous period of 3 months within the period from 1st October to 30th April, if paid in advance	an amount equal to the product of £45.36 and the overall length of the ship in metres
	(e)	for any continuous period of 4 months within the period from 1st October to 30th April, if paid in advance	an amount equal to the product of £60.48 and the overall length of the ship in metres
	(f)	for any continuous period of 5 months within the period from 1st October to 30th April, if paid in advance	an amount equal to the product of £75.60 and the overall length of the ship in metres
	(g)	for any continuous period of 6 months within the period from 1st October to 30th April, if paid in advance	an amount equal to the product of £75.54 and the overall length of the ship in metres
	(h)	continuously, for the period from 1st October to 30th April, if paid in advance	an amount equal to the product of £88.13 and the overall length of the ship in metres
	(i)	for any period of 12 months, if paid quarterly in advance	for a ship under 5.2 metres in overall length not having an individual mooring, an amount equal to the product of £188.56 and the overall length of the ship in metres  for a ship under 5.2 metres in overall length having an individual mooring, or a

			ship of 5.2 metres or more in overall length, an amount equal to the product of £292.07 and the overall length of the ship in metres.
3.	Ship (other than a single-hulled ship) owned by a person ordinarily resident in Jersey, and moored at La Collette Yacht Basin Marina		the same due as would be payable if it were a single-hulled ship of the same overall length moored at that marina, plus 50%.
4.	Single-hulled ship moored at Saint Helier Marina, or the holding pontoons or, where paragraph 2 is not applicable, at La Collette Yacht Basin Marina –		
	(a)	for each day or part of a day	the same due as would be payable under clause (i) or clause (ii) of paragraph 2(a), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(b)	for each week, if paid in advance	6 times the daily rate specified in sub-paragraph (a)
	(c)	for each month or part of a month within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(c), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(d)	for any continuous period of 3 months within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(d), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(e)	for any continuous period of 4 months within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(e), for a single-hulled ship of the same overall length moored at La Collette

			Yacht Basin Harbour, if paragraph 2 were applicable
	(f)	for any continuous period of 5 months within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(f), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(g)	for any continuous period of 6 months within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(g), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(h)	continuously, for the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(h), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(i)	for any period of 12 months, if paid quarterly in advance	an amount equal to the product of £282.69 and the overall length of the ship in metres.
5.	Single-hulled ship moored at Elizabeth Marina –		
	(a)	for each day or part of a day	the same due as would be payable under clause (i) or clause (ii) of paragraph 2(a), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(b)	for each week, if paid in advance	6 times the daily rate specified in sub-paragraph (a)
	(c)	for each month, for any continuous period within the period from 1st May to 30th September	£29.31 a metre or part of a metre of overall length, if paid in advance for a period of not less than 3 months and not more

			than 5 months, and £32.56 a metre or part of a metre of overall length in any other case
	(d)	for each month or part of a month within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(c), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(e)	for any continuous period of 3 months within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(d), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(f)	for any continuous period of 4 months within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(e), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(g)	for any continuous period of 5 months within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(f), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(h)	for any continuous period of 6 months within the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(g), for a single-hulled ship of the same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(i)	continuously, for the period from 1st October to 30th April, if paid in advance	the same due as would be payable under paragraph 2(h), for a single-hulled ship of the

		same overall length moored at La Collette Yacht Basin Harbour, if paragraph 2 were applicable
	(j)	for any period of 12 months if paid quarterly or annually in advance
		an amount equal to the product of £272.38 and the overall length of the ship in metres.
6.	Ship (other than a single-hulled ship) moored at Saint Helier Marina, Elizabeth Marina or the holding pontoons or, where paragraph 3 is not applicable, at La Collette Yacht Basin	the same due as would be payable if it were a single-hulled ship of the same overall length moored at that marina, plus 50% of the appropriate due specified in paragraph 4 or paragraph 5.
	Commercial ship using Saint Helier Harbour and not paying any other due in respect of cargo or passengers, or any other craft of 25 metres or more overall length and owned by a person not having an agreement for the use of mooring space for a period of not less than one year, for each day or part of a day	£2.16 a metre or part of a metre of overall length.

7.		
8.	Ship moored on a holding pontoon at the entrance to the drying harbour at Saint Helier –	
	(a)	if owned by a person having an agreement for the use of mooring space in Jersey for a period of not less than one year, for a stay not exceeding 12 hours in any period of 36 hours
	(b)	in any other case, for each day or part of a day
		Nil
		£6.72 in respect of the first 3 days of its stay, and thereafter £19.81.
9.	Ship owned by a person not ordinarily resident in Jersey and moored at a place other than La Collette Yacht Basin Marina, Saint Helier Marina, Elizabeth Marina or the holding pontoons (other than a ship to which paragraph 7 or 8 applies), for each day or part of a day –	
		ship under 8 metres overall length, £7.77
		ship of 8 metres or more, but under 10 metres overall length, £8.74
		ship of 10 metres or more, but under 12 metres overall length, £10.68
		ship of 12 metres or more, but under 14 metres overall length, £11.65
		ship of 14 metres or more, but under 20 metres overall length, £13.59
		ship of 20 metres or more, but under 25 metres overall length, £17.48.
10.	Ship laying up in Jersey, for each day or part of a day –	
		ship under 6 metres overall length, £2.16
		ship of 6 metres or more, but under 9 metres overall length, £3.25
		ship of 9 metres or more, but under 15 metres overall length, £5.17
		ship of 15 metres or more, but under 30 metres overall length, £8.60
		ship of 30 metres or more overall length, £12.89.
11.	Ship moored at the Working Berths at the French Harbour at Saint Helier, for each week or part of a week –	
		£9.79 a square metre, or part of a square metre, of the superficial area of

the ship.”

#### **4 Commencement**

This Amendment shall come into force on 1st January 2009.

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[1]

*chapter 19.080*

[2]

*chapter 19.080.50*

[3]

*chapter 19.080.50*