

STATES OF JERSEY



DRAFT AMENDMENT (No. 29) TO THE TARIFF OF HARBOUR AND LIGHT DUES

**Lodged au Greffe on 26th October 2004
by the Harbours and Airport Committee**

STATES GREFFE

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, as amended, to approve the draft Amendment (No. 29) to the Tariff of Harbour and Light Dues as set out in the Appendix to the Report of the Harbours and Airport Committee dated 26th October 2004.

HARBOURS AND AIRPORT COMMITTEE

REPORT

It is proposed to increase the dues for –

- (a) arriving and departing passengers and vehicles by 4.3%, as agreed with Port Users and by the Finance and Economics Committee under delegated powers;
- (b) leisure moorings and spaces by 5.3%;
- (c) daily and weekly (visitors) leisure berthing by £1 and £3 in July and August.

Passengers and Private Vehicle Dues

The proposed increase in these “commercial” charges is made up of 2.5% to meet Jersey Harbour’s approved 2005 budget commitments and the remainder to recover approximately one third of the costs of the International Port and Ship Security Code ISPS. This was the subject of the States Report and Proposition of 18th November 2003. The shortfall of £202,294 pa needed to recover the remainder of the ISPS costs will be absorbed within Harbour budgets until a decision is made regarding the best method to recover Harbour and Airport Security costs in the Economic Development Committee’s Transport Strategy due to be debated early next year. The passenger dues budget for 2005 is thus £1,460,545 (an increase of £87,116 on 2004 forecast) and that of private vehicles £908,020 (an increase of £52,879 on 2004 forecast).

Leisure Dues – Residents

In recent times these dues have been recognised as not being directly related to the Island’s inflation rate and have received the approval of the States in regard to increase, at or just below the Jersey Retail Price Index. Last year, following a review of major replacements and maintenance costs over the next twenty years, a shortfall in income was identified. The Proposal was either to charge an additional premium per berth, reduce expenditure or a combination of the two. In the event the Department was able to avoid any additional premium by reorganisation of resources and sale of new added value facilities. The Harbour’s business account now indicates that this area of trading is beginning to match its other trading areas by becoming self-sufficient for the first time. 2005 income is expected to achieve £2,115,477 (an increase of £106,477 on 2004 forecast) based on the proposed increase and projected activity.

It is prudent to continue the policy to maintain these dues at current value in accordance with the Jersey Retail Price Index. However, the demand for marina space and moorings is very strong and as a trading entity the Department is increasingly taking a more “commercial” view on the income generated from this area. The need to encourage the development of the marine leisure industry and the creation of new facilities is now a question of making small enhancements and improvements to existing infrastructure.

It is the Committee’s intention however to examine the need to continue to deal with these charges by legislation as it would be more able to respond to market forces and balance this with its social and community responsibilities by other means. Such an opportunity may be provided by the new Harbour Charges Law upon which the Committee is still receiving advice.

Leisure dues – Visiting Yachts

It is proposed that daily rates for visitors be increased by £1 and in July and August by £3 for each category. This is estimated to raise a further £13,000 in 2005 based on projected activity and the fee increase. Analysis shows that of the total of 6,925 yachts in 2003, almost 60% visited the Island during the months of July and August and thus a larger price increase at this time is unlikely to adversely affect the visitor’s market, bearing in mind there has not been an increase for a number of years. Moreover, early indications are that visiting yacht numbers have increased again in 2004 (+9.7%) showing that the Department’s fee and marketing strategy has been effective to the extent that the market will bear this increase next year.

26th October 2004.

Explanatory Note

The effect of this Amendment to the Tariff of Harbour and Light Dues would be to revise dues in the following way –

- (a) Harbour dues for arriving and departing passengers, and vehicles carried on “drive on/drive off” ferries would be increased by 4.3 per cent.
- (b) Dues payable in respect of marina and other mooring spaces (other than those to which paragraph (c) refers) would be increased by 5.3 per cent.
- (c) Dues payable for boats moored on a daily or weekly basis at La Collette Yacht Basin Marina, Saint Helier Marina, Elizabeth Marina or the holding pontoons would be increased by £1 except during July and August. In those 2 months, they would be increased by £3.

However, paragraph (c) would not apply to boats of at least 20 metres overall length, for which dues would be increased by 5.3 per cent.

The new charges will come into force on 1st January 2005.



Jersey

DRAFT AMENDMENT (No. 29) TO THE TARIFF OF HARBOUR AND LIGHT DUES

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE HARBOURS AND AIRPORT COMMITTEE, in pursuance of Article 6 of the Harbour and Light Dues (Jersey) Law 1947,^[1] and with the approval of the States given on [] 2004, has made the following amendment to the Tariff of Harbour and Light Dues approved by the States on 19th August 1980^[2] (in this Amendment called “the Tariff”) –

1 Section A replaced

For Section A of Part III of the Tariff^[3] (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; | £1.79 |
| | (b) if a child. | 90p |
| 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 | £7.42 |
| | (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; | £7.79 |
| | (c) For each private motorcycle disembarked from or embarked on a ‘drive-on/drive off’ ferry and accompanied by a driver | £1.45 |
| | (d) For each caravan, or caravanette, disembarked from or embarked on a ‘drive-on/drive off’ ferry, whether accompanied or unaccompanied by a | |

- driver £12.02.
3. Where at any harbour in the Island –
 - (a) any passenger travelling to a destination outside the Island disembarks from a ship and for the purpose of continuing his 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 shall be reduced by 50%.
 4. In this Section, ‘driver’ means a driver who is also a passenger.”.

2 Section B replaced

For Section B of Part III of the Tariff^[4] (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, £9.35 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £50.06
 - (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, £8.06 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £40.84
 - (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, £4.14 a


		square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £22.02
(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, £2.01 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £11.13.
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)	ship under 8 metres' overall length, £13.00
		ship of 8 metres or more, but under 10 metres' overall length, £15.00
		ship of 10 metres or more, but under 12 metres' overall length, £17.00
		ship of 12 metres or more, but under 14 metres' overall length, £19.00
		ship of 14 metres or more, but under 16 metres' overall length, £24.00
		ship of 16 metres or more, but under 20 metres' overall length, £32.00
		ship of 20 metres or more overall length, £1.71 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 sub-paragraph (a)(i) plus £2.00
(b)	for each week, if paid in advance	six 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 an amount equal to the product of £16.53 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 £39.98 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 £51.99 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 £64.98 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 £63.62 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 £74.22 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 £162.12 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 £251.11 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

six 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

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|----|--|--|
| | | 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 £243.05 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 | six times the daily rate specified in subparagraph (a) |
| | (c) for each month, for any continuous period within the period from 1st May to 30th September | £25.20 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 6 months, and £28.00 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 £234.19 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%. the appropriate due specified in paragraph 4 or 5, plus 50%. the appropriate due specified in paragraph 4 or 5, plus 50%.
	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	£1.88 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 Nil
- (b) in any other case, for each day or part of a day £5.77 in respect of the first three days of its stay, and thereafter £17.03.

- | | | |
|-----|--|---|
| 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 – | <p>ship under 8 metres overall length, £6.78</p> <p>ship of 8 metres or more, but under 10 metres overall length, £7.87</p> <p>ship of 10 metres or more, but under 12 metres overall length, £9.08</p> <p>ship of 12 metres or more, but under 14 metres overall length, £10.16</p> <p>ship of 14 metres or more, but under 20 metres overall length, £11.37</p> <p>ship of 20 metres or more, but under 25 metres overall length, £14.76.</p> |
| 10. | Ship laying up in Jersey, for each day or part of a day – | <p>ship under 6 metres overall length, £1.88</p> <p>ship of 6 metres or more, but under 9 metres overall length, £2.83</p> <p>ship of 9 metres or more, but under 15 metres overall length, £4.50</p> <p>ship of 15 metres or more, but under 30 metres overall length, £7.47</p> <p>ship of 30 metres or more overall length, £11.24.</p> |
| 11. | Ship moored at the Working Berths at the French Harbour at Saint Helier, for each week or part of a week – | £8.65 a square metre, or part of a square metre, of the superficial area of the ship.”. |

3 Revocations

The following Amendments are revoked –

- (a) Amendment (No. 22) to the Tariff of Harbour and Light Dues; ^[5]

- (b) Amendment (No. 23) to the Tariff of Harbour and Light Dues; [\[6\]](#)
- (c) Amendment (No. 24) to the Tariff of Harbour and Light Dues; [\[7\]](#)
- (d) Amendment (No. 25) to the Tariff of Harbour and Light Dues; [\[8\]](#)
- (e) Amendment (No. 26) to the Tariff of Harbour and Light Dues; [\[9\]](#)
- (f) Amendment (No. 27) to the Tariff of Harbour and Light Dues; [\[10\]](#)
- (g) Amendment (No. 28) to the Tariff of Harbour and Light Dues. [\[11\]](#)

4 Commencement

This Amendment shall come into force on 1st January 2005.

[1] *Recueil des Lois, Tome VII, page 399.*

[2] *Nos. 6845, 9346, 9488, 9489, 153/2000, 154/2000, 190/2001, 191/2001, 162/2003.*

[3] *Nos. 6845, 9346 and 162/2003.*

[4] *Nos. 6845, 9346 and 162/2003.*

[5] *No. 9488.*

[6] *No. 9489.*

[7] *No. 153/2000.*

[8] *No. 154/2000.*

[9] *No. 190/2001.*

[10] *No. 191/2001.*

[11] *No. 162/2003.*