

STATES OF JERSEY

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DRAFT AMENDMENT (No. 31) TO THE TARIFF OF HARBOUR AND LIGHT DUES

**Lodged au Greffe on 24th October 2006
by the Minister for Economic Development**

STATES GREFFE



Jersey

DRAFT AMENDMENT (No. 31) 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. 31) to the Tariff of Harbour and Light Dues as set out in the Appendix to the Report of the Minister for Economic Development dated 24th October 2006.

MINISTER FOR ECONOMIC DEVELOPMENT

There are no manpower implications and the financial implications are as set out in the report below.

REPORT

It is proposed to increase the dues for –

- (a) arriving and departing passengers and vehicles by 2.5%, in line with Treasury and Resources guidelines on States charges.
- (b) leisure moorings, visiting yachts and leisure spaces by 3.6% in accordance with the retail price Index.

Passengers and private vehicle dues

The proposed increase in these charges is made up of 2.5% to meet Jersey Harbours' 2007 budget commitments and in accordance with the Treasury and Resources Anti-Inflation Strategy. During 2006 the bulk of the 2.5% increase for 2006 was returned by way of incentive. The 2007 commitment will continue to absorb two-thirds, approximately £177,000, of the International Ship and Port Security Code. The proposed increase, which is below the rate of inflation, will generate a projected income of £2.55 million. However, growth in ferry passenger numbers is predicted to be 3% on 2006 overall with a decline in the U.K. route. (Compared with 2005, prior to the demise of Emeraude, 2007 will be down by approximately 13%.)

The Minister intends to commit income from passenger and passenger vehicle landings towards targeting specific areas of ferry traffic in order increase passengers arriving in Jersey and by targeting only those areas which can be shown to increase over predicted numbers.

Leisure dues

Leisure dues (fees) are recognised as not being directly related to the Island's inflation rate. The Finance and Economics Committee have previously commented in the States that: "The Committee believes that it is important that the users of Marinas and moorings do not receive a service subsidised by commercial users of the Harbour or the taxpayer ---". Moorings and Marinas remain full, with significant waiting lists, and visiting yacht numbers have increased slightly since last year by 1.2%. It is therefore proposed that these be increased by the retail price index of 3.6% which will generate an income of £2.07 million.

The Minister intends to examine the need to continue to deal with these charges by legislation, as it would be more in the interests of economic growth to be able to flex to market forces and balance this with its social and community responsibilities by other means. Such an opportunity will arise from the new Harbour Charges Law which is continuing its passage through the consultative process.

24th October 2006

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) increase, by 3.6%, the dues payable for marina, visiting craft and other mooring spaces.

The dues were last increased 1 year ago.



Jersey

DRAFT AMENDMENT (No. 31) TO THE TARIFF OF HARBOUR AND LIGHT DUES

Arrangement

Regulation

<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. 31) 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^[1], and with the approval of the States given on made the following amendment to the Tariff of Harbour and Light Dues approved by the States on 19th August 1980^[2] –

1 Interpretation

In this Amendment “Tariff” means the Tariff of Harbour and Light Dues 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 | £1.88 |
| | (b) if a child | 94p. |
| 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 | £7.80 |
| | (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 | £8.18 |
| | (c) For each private motorcycle disembarked from or | |

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| embarked on a ‘drive-on/drive off’ ferry and accompanied by a driver | £1.53 |
| (d) For each caravan, or caravanette, disembarked from or embarked on a ‘drive-on/drive off’ ferry, whether accompanied or unaccompanied by a driver | £12.63. |
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 shall be reduced by 50%.
4. In this Section, ‘driver’ means a driver who is also a passenger.”.

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, £10.04 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £53.73
- (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, £8.65 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £43.83

- (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, £4.44 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £23.63
- (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, £2.15 a square metre, or part of a square metre, of the superficial area of the ship, with a minimum charge of £11.95.

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)
- ship under 8 metres' overall length, £14.50
- ship of 8 metres or more, but under 10 metres' overall length, £16.58
- ship of 10 metres or more, but under 12 metres' overall length, £18.65
- ship of 12 metres or more, but under 14 metres' overall length, £20.72
- ship of 14 metres or more, but under 16 metres' overall length, £25.90
- ship of 16 metres or more, but under 20 metres' overall length, £34.19
- ship of 20 metres or more overall length, £1.84 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 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 an amount equal to the product of £17.75 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 £41.83 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 £55.80 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 £69.74 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 £68.28 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 £79.65 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 £174 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 £269.52 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

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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 £260.86 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 subparagraph (a) |
| | (c) for each month, for any continuous period within the period from 1st May to 30th September | £27.05 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 £30.05 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 £251.35 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	£2.02 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 £6.20 in respect of the first 3 days of its stay, and thereafter £18.28.

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| 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, £7.27</p> <p>ship of 8 metres or more, but under 10 metres overall length, £8.44</p> <p>ship of 10 metres or more, but under 12 metres overall length, £9.75</p> <p>ship of 12 metres or more, but under 14 metres overall length, £10.91</p> <p>ship of 14 metres or more, but under 20 metres overall length, £12.20</p> <p>ship of 20 metres or more, but under 25 metres overall length, £15.84.</p> |
| 10. | Ship laying up in Jersey, for each day or part of a day – | <p>ship under 6 metres overall length, £2.02</p> <p>ship of 6 metres or more, but under 9 metres overall length, £3.04</p> <p>ship of 9 metres or more, but under 15 metres overall length, £4.83</p> <p>ship of 15 metres or more, but under 30 metres overall length, £8.02</p> <p>ship of 30 metres or more overall length, £12.06.</p> |
| 11. | Ship moored at the Working Berths at the French Harbour at Saint Helier, for each week or part of a week – | £9.16 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 2007.

[1]

chapter 19.080

[2]

chapter 19.080.50