



Statutory Document No. 80/95

HARBOURS (ISLE OF MAN) ACT 1961

HARBOUR DUES (PLEASURE CRAFT AND HOUSE BOATS)  
REGULATIONS 1995

*Approved by Tynwald  
Coming into operation*

*21st. March 1995  
1st. April 1995*

In exercise of the powers conferred on the Department of Transport by section 55(1) of the Harbours (Isle of Man) Act 1961(a), and of all other powers enabling it in that behalf, the following Regulations are hereby made:-

***Citation, commencement and revocation***

1. (1) These Regulations may be cited as the Harbour Dues (Pleasure Craft and House Boats) Regulations 1995 and, subject to section 55(5) of the Act, shall come into operation on the 1st April 1995.

(2) Chapter IV (pleasure vessels) of part 2 of the Schedule to the Harbour Dues Regulations 1993(b) is revoked.

***Interpretation***

2. In these regulations-

"the Act" means the Harbours (Isle of Man) Act 1961;

"fishing vessel" means a vessel which is for the time being used for or in connection with sea fishing but does not include a vessel for fishing otherwise than for profit;

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(a) Vol.XIX p.538. (b) G.C. No. 7/93.

"overall length"	means the distance between the foreside of the foremost fixed permanent structure and the aftside of the aftermost fixed permanent structure;
"pleasure craft"	means any vessel used for pleasure purposes (including a vessel used for recreational fishing but not being a fishing vessel) and not used primarily for business purposes other than it being hired out for reward to be used for pleasure purposes;
"house boat"	means any vessel (including a pleasure craft) at any time when it is being used principally for the purpose of habitation, whether or not it is also used for the purposes of navigation;
"year"	means the period of 12 months ending on the 31st March.

### *Application*

3. These regulations apply to pleasure craft and house boats.

### *Harbour dues*

4. (1) The dues specified in the Schedule shall be the harbour dues prescribed for the purposes of section 55 of the Act and shall be charged from the 1st April 1995 in respect of pleasure craft and house boats.

- (2) In the case of a pleasure craft in respect of which a payment of harbour dues is made the dues shall be treated as paid in respect of all harbours.

- (3) In the case of a house boat in respect of which a payment of harbour dues is made, the dues shall be treated as paid in respect only of the harbour in which the vessel is lying, moored or berthed at the time the dues are paid:

(4) Without prejudice to section 62 of the Act, where a vessel is obliged to enter a harbour to -

- (a) land a crew member or a passenger for urgent medical treatment; or
- (b) obtain emergency services with respect to safety of life on board,

no dues shall be payable under the Schedule provided that the vessel leaves the harbour as soon as is practicable in the circumstances.

Regulation 4

## SCHEDULE

### PART I

#### PLEASURE CRAFT

1. This Part applies to pleasure craft, being vessels other than those to which Chapter I of Part 2 of the Schedule to the Harbour Dues Regulations 1993 applies.

#### *Periodical payment*

2. Except where payment of dues has been made under paragraph 3, dues shall be charged in accordance with Pleasure Craft Table 1 in respect of pleasure craft.

#### PLEASURE CRAFT TABLE 1

	£
For any number of entries to any harbour or using any quay, pier or mooring in any harbour or laid up or lying in any harbour -	
(a) for a period not exceeding 24 hours	5.00
(b) for a period exceeding 24 hours but not exceeding 96 hours, per 24 hours or any period less than 24 hours	5.00

- (c) for a period exceeding 96 hours,  
per 7 days or any period  
less than 7 days 25.00

*Annual payment*

3. A person liable to pay dues under this Part may at any time during the year elect to pay dues for the remaining part of the year in accordance with the Pleasure Craft Table 2.

PLEASURE CRAFT TABLE 2

	£
For a vessel entering any harbour or using any quay, pier or mooring in any harbour or laid up or lying in any harbour, per metre of overall length:	6.95 and
for part of a metre, per 10 centimetres or part of 10 centimetres	0.695
For a vessel (not being a house boat) which is at no time unattended, berthed, moored, laid up or lying in any harbour for any period between sunset and sunrise; per vessel per annum	20.00

PART II

HOUSE BOATS

4. This Part applies to any vessel when it is being used as a house boat notwithstanding that Harbour Dues are payable or have been paid on the vessel in accordance with Part 2 of the Schedule to the Harbour Dues Regulations 1993, or Part I of this Schedule.

*Periodical payment*

5. Dues shall be charged in accordance with the House Boats Table in respect of vessels used as house boats in harbour.

## HOUSE BOATS TABLE

	£
For each entry to harbour	5.00 and
For using any quay, pier or mooring in harbour	25.00 and
For remaining in harbour at any quay, pier or mooring, or being laid up or otherwise lying in harbour-	
for a period exceeding 7 days, per 7 days or any period less than 7 days	25.00

Made 22nd. February 1995

DAVID NORTH  
Minister for Transport

## EXPLANATORY NOTE

(This note does not form part of the Regulations)

### *Isle of Man Harbours*

Harbour Dues Regulations apply to the harbours vested in the Department of Transport:

DOUGLAS; LAXEY; RAMSEY; PEEL; PORT ERIN; PORT ST. MARY; CASTLETOWN, & DERBYHAVEN.

### *Liability to pay Harbour Dues*

Chapter II of the Harbours (Isle of Man) Act 1961 makes provision as to the liability of persons to pay harbour dues (which may be on a vessel entering and using a harbour, goods landed or loaded, and passengers embarked or disembarked). It is the master or owner of the vessel who is liable to pay those harbour dues (except fish landing dues).

### *Harbour Dues (Pleasure Craft and House Boats) Regulations 1995*

The Harbour Dues (Pleasure Craft and House Boats) Regulations 1995 provide for new rates of Harbour Dues to be applied with effect from 1st. April 1995 in respect of pleasure craft and house boats, and replace dues in respect of such vessels which were applied by the Harbour Dues Regulations 1993 (SD7/93). Dues are calculated according to the length of stay of the vessel or the overall length of the vessel. On pleasure craft, Dues may be paid for short periods by the day or week or they may be paid on an annual basis for the year ending 31st. March if the owner elects (but this does not apply to any vessel which enters harbour as, or becomes used in harbour as, a habitation, i.e. if it becomes chargeable to harbour dues as a house boat). Dues on any vessel used as a house boat may be paid only on a periodical basis of up to 7-day steps.

Dues paid on a pleasure craft are paid for entry of the vessel to any harbour during the period for which dues are paid. Dues paid on a vessel which is used as a house boat are paid only in respect of the harbour in which the dues are paid.

The Regulations amend the Harbour Dues Regulations 1993 (SD 7/93) and replace those Regulations in so far as they relate to Tonnage Dues on pleasure craft or on any vessel at a time when it is being used as a house boat.

The Harbour Dues shown in the Regulations do not include any Value Added Tax which is payable in addition