



Statutory Document No. 85/95

HARBOURS (ISLE OF MAN) ACT 1961

HARBOUR DUES (FISHING VESSELS AND TUGS)  
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 (Fishing Vessels and Tugs) Regulations 1995 and, subject to section 55(5) of the Act, shall come into operation on the 1st April 1995.

(2) Chapter II(fishing vessels) and Chapter III(tugs) of part 2, and items 5 and 6(fish landing dues) in Table K in part 3 of the Schedule to the Harbour Dues Regulations 1993(b) are 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.

"ton" means a ton of the gross registered tonnage of a vessel.

Where a vessel -

- (a) has more than one gross registered tonnage, the larger shall apply;
- (b) has its tonnage determined under both Part II and regulation 16 of the Merchant Shipping (Tonnage)(Isle of Man) Regulations 1984(c), the tonnage shall be that determined under regulation 16

"tug" means a vessel constructed solely for the purposes of, and normally used for, providing external motive power for floating objects or vessels;

"year" means the period of 12 months ending on the 31st March.

### ***Amendment of Harbour Dues Regulations 1993***

3. In Chapter I of Part 2 of the Schedule to the Harbour Dues Regulations 1993, for paragraph 1 the following is substituted-

"1. This Chapter applies to vessels other than those to which-

- (a) the Harbour Dues (Pleasure Craft and House Boats) Regulations 1995(d) apply; or
- (b) the Harbour Dues (Fishing Vessels and Tugs) Regulations 1995 apply".

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(c) G.C. No. 234/84

(d) S.D. No. 80/95

### *Application*

4. These regulations apply to-
- (a) fishing vessels; and
  - (b) tugs operating in the territorial waters and harbours of the Island, but shall not apply in respect of an entry for loading or unloading of cargo to which paragraph 3(b) of Chapter I in part 2 of the Schedule to the Harbour Dues Regulations 1993 applies.

### *Harbour dues*

5. (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 fishing vessels and tugs.

(2) In the case of a fishing vessel or a tug in respect of which a payment of harbour dues is made the dues shall be treated as paid in respect of all harbours.

(3) 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 vessel dues shall be payable under the Schedule provided that the vessel leaves the harbour as soon as is practicable in the circumstances.

## SCHEDULE

## PART I

## VESSEL DUES

1. This Part applies to fishing vessels and tugs, 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 Vessel Table 1 in respect of fishing vessels or tugs entering a harbour.

## VESSEL TABLE 1

	£
For each entry to a harbour	25.00
	and
in addition, for each ton in excess of 125 tons	0.20
Laid up or lying in a harbour for each period of 3 days or any period less than 3 days, after the first 3 days following entry to the harbour	25.00
	and
in addition, for each such period, per ton in excess of 125 tons	0.20

*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 Vessel Table 2.

## VESSEL TABLE 2

	£
Vessels not exceeding 15 tons	50.50
Vessels exceeding 15 tons but not exceeding 40 tons	50.50 and
in addition, for every ton or part of a ton in excess of 15 tons	3.37
Vessels exceeding 40 tons but not exceeding 65 tons	134.72
Vessels exceeding 65 tons	218.92

## PART II

### GENERAL HARBOUR DUES

4. (1) This Part applies to-
- (a) goods landed from or shipped onto a fishing vessel or tug within the limits of a harbour; and
  - (b) passengers embarking or disembarking from a fishing vessel or tug.
- (2) For the purposes of this Part, "fish" means-
- (a) herring, mackerel, demersal and other fish; and
  - (b) shell fish, molluscs, squid or crustaceans.
5. (1) Goods dues and passenger dues are payable in addition to vessel dues charged in accordance with Part I, but no goods dues are payable on fish landed from a fishing vessel.
- (2) Goods dues shall be calculated and charged in accordance with Tables I, J and K of part 3 of the Schedule to the Harbour Dues Regulations 1993.

(3) Passenger dues shall be calculated and charged in accordance with Table L of part 4 of the Schedule to the Harbour Dues Regulations 1993.

Made 22nd. February 1995

DAVID NORTH

Minister for Transport

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**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 when it is the first purchaser of the fish).

***Harbour Dues (Fishing Vessels and Tugs) Regulations 1995***

The Harbour Dues (Fishing Vessels and Tugs) Regulations 1995 provide for new rates of Harbour Dues to be applied with effect from 1st. April 1995 in respect of fishing vessels and tugs, 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 and the gross registered tonnage of the vessel. Dues may be paid for each entry to harbour or for short periods. They may be paid on an annual basis for the year ending 31st. March if the owner elects.

If goods or passengers are landed from or loaded onto a tug or fishing vessel, goods or passenger dues are chargeable at the same rates as apply to other merchant vessels. However, goods dues on fish landed from a fishing vessel will cease to be charged from 1st. April 1995.

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 fishing vessels and tugs, and in so far as they relate to goods dues on fish landed by a fishing vessel.