



# HARBOUR DUES (PLEASURE VESSELS, HOUSE BOATS, LARGE COMMERCIAL YACHTS AND TALL SHIPS) REGULATIONS 2013

## Index

<b>Regulation</b>	<b>Page</b>
1 Title .....	3
2 Commencement .....	3
3 Interpretation.....	3
4 Application .....	5
5 Harbour Dues.....	5
6 Revocation .....	5
<b>SCHEDULE</b>	<b>7</b>
<b>HARBOUR DUES</b>	<b>7</b>
<b>PART 1 – VESSEL DUES</b>	<b>7</b>
<b>PART 2 – GOODS AND PASSENGER DUES</b>	<b>12</b>



Statutory Document No. 0081/2013



*Harbours Act 2010*

## HARBOUR DUES (PLEASURE VESSELS, HOUSE BOATS, LARGE COMMERCIAL YACHTS AND TALL SHIPS) REGULATIONS 2013

*Approved by Tynwald:* 19 March 2013  
*Coming into Operation:* 1 April 2013

The Department of Infrastructure makes the following Regulations under section 38(1) and (2) and 39 of the Harbours Act 2010.

### 1 Title

These Regulations are the Harbour Dues (Pleasure Vessels, House Boats, Large Commercial Yachts and Tall Ships) Regulations 2013.

### 2 Commencement

If approved by Tynwald, these Regulations come into operation on 1 April 2013.

### 3 Interpretation

(1) In these Regulations —

“**the Act**” means the Harbours Act 2010;

“**crew**” means —

- (a) a person who is employed on the vessel; or
- (b) in relation to a pleasure craft, any person carried on the vessel;

“**Department**” means the Department of Infrastructure;

“**fishing vessels**”, “**work boats**” and “**construction barges**” have the same meaning as in the Harbour Dues (Fishing Vessels, Work Boats and Construction Barges) Regulations 2013<sup>1</sup>;

“**house boat**” has the meaning given in paragraph (2);

<sup>1</sup> SD 82/13

“**large commercial yacht**” means any vessel (motor or sail) of 24 metres overall length or over which is used for recreation or pleasure or is in commercial use at the time;

“**overall length**” in relation to a vessel means the distance between the foreside of the foremost fixed permanent structure and the afterside of the aftermost fixed permanent structure;

“**passenger**” in relation to a vessel, means any person carried on the vessel, other than the crew of the vessel;

“**pleasure ferry**” means a vessel licensed to ply for hire as a pleasure boat or a ferry boat under the Harbour Bye-Laws 1905<sup>2</sup> if any person on the vessel is employed to navigate the vessel;

“**pleasure vessel**” means a pleasure craft or a pleasure ferry; and “**visiting pleasure vessel**” means a vessel not registered in the Isle of Man;

“**principal Regulations**” means the Harbour Dues (Merchant Vessels) Regulations 2013<sup>3</sup>;

“**tall ship**” means a large, traditionally rigged sailing vessel with at least two tall masts;

“**training vessel**” means a vessel which is being used only for the purpose of bona-fide training as crew of persons carried on the vessel, irrespective of whether that training is vocational or recreational, and where the vessel is owned by a non-profit making organisation; and

“**year**” means the period of 12 months ending on 31 March.

(2) In these Regulations “**house boat**” means a vessel which is used, or is constructed or adapted for use, for the purpose of permanent habitation in a harbour; but a pleasure craft so used is not a house boat if at all times whilst it is in a harbour it is equipped, maintained and crewed in a condition of readiness for use in navigation as a pleasure craft and the master of the vessel complies with those provisions of the Act and bye-laws having effect under the Act which apply to pleasure craft.

(3) For the purposes of paragraph (2), “**adapted for use**” means that the vessel has been made apt for use as a habitation, whether by —

- (a) alteration of the vessel or alteration of the equipment, apparatus, fitments or furnishings on the vessel; or
- (b) the installation by or for the master of the vessel of equipment, apparatus, fitments or furnishings in the harbour in relation to that vessel which are provided for or in connection with that particular vessel and its use as a habitation.

---

<sup>2</sup> Made 19 May 1905

<sup>3</sup> SD 80/13

- (4) Expressions which are not defined in paragraphs (1) to (3) but which are defined in the principal Regulations shall have the meaning given by those Regulations.

#### **4 Application**

Except in circumstances prescribed by the provisions of Part 1 of the Schedule, these Regulations apply to pleasure vessels, house boats, large commercial yachts, and tall ships entering, using, or leaving a harbour, or entering or leaving part of a harbour to which section 41 of the Act applies.

#### **5 Harbour Dues**

The Schedule sets out the harbour dues prescribed in respect of pleasure vessels, house boats, large commercial yachts and tall ships.

#### **6 Revocation**

The Harbour Dues (Pleasure Vessels, House Boats, Large Commercial Yachts and Tall Ships) Regulations 2012<sup>4</sup> are revoked.

**MADE: 18<sup>TH</sup> FEBRUARY 2013**

**D C CRETNEY**  
*Minister for Infrastructure*

---

<sup>4</sup> SD 107/12



**SCHEDULE**

**HARBOUR DUES**

(Regulation 5)

**PART 1 – VESSEL DUES**

**1 General**

- (1) This Part applies to vessels entering or using a harbour (including remaining in, or being laid up or lying in, a harbour, or using a harbour facility).
- (2) But for the purposes of this Part, a pleasure vessel (being a pleasure craft or a pleasure ferry) is not regarded as using a harbour if it is occupying an area on a pier, quay or land above high water mark specified in a licence or agreement granted by the Department as a place where the vessel may be parked, provided that the vessel is parked on that specified area in accordance with the terms of the licence or agreement.
- (3) No dues shall be charged in accordance with this Part if 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, provided that the vessel leaves the harbour as soon as is practicable in the circumstances.
- (4) Tonnage dues shall not be charged in respect of any vessel, other than one conveying goods for hire, that –
  - (a) belongs to or is employed in the service of Her Majesty's forces;
  - (b) is in the service of the Northern Lighthouses Board, the Corporation of Trinity House or the Commissioners of Irish Lights;
  - (c) is a lifeboat; or
  - (d) is in the service of, or under detention or seizure by, the Treasury.
- (5) Payment of vessel dues in respect of a pleasure vessel shall be treated as a payment in respect of all harbours.

**2 Pleasure craft**

- (1) Except where annual payment of dues has been made in accordance with Table 2, dues shall be charged in accordance with Table 1 in respect of pleasure craft entering or using a harbour.

- (2) A person liable to pay dues in accordance with Table 1 may at any time during the year elect to pay dues for the remaining part of the year in accordance with Table 2.
- (3) Vessel dues in respect of a pleasure craft entering or using a harbour shall be calculated and charged –
  - (a) in accordance with Table 1 by reference to the day or number of days during which the vessel is to enter and use harbours, or otherwise by reference to the day or number of days during which the vessel has entered and used harbours; or,
  - (b) if a person having responsibility for the vessel elects to make a payment of vessel dues in respect of the year or the remaining part of the year, by reference to the overall length of the vessel, in accordance with Table 2.
- (4) Except where vessel dues are due in accordance with Table 6, a visiting pleasure vessel shall be liable to pay dues in accordance with Table 1 up to a period of 90 days, thereafter Table 7 applies.

### **3 Pleasure ferries**

- (1) Vessel dues in respect of a pleasure ferry entering or using a harbour shall be calculated and charged by reference to the overall length of the vessel in accordance with Table 2.
- (2) If a pleasure ferry is also a fishing vessel or work boat, vessel dues shall be charged in accordance with the Harbour Dues (Fishing Vessels, Work Boats and Construction Barges) Regulations 2012 (as they apply to fishing vessels and work boats) and not in accordance with this Part as it applies to pleasure ferries.

### **4 House boats**

- (1) A payment of vessel dues in respect of a house boat shall be treated as a payment in respect only of the harbour at which liability to vessel dues arises by reason of the vessel entering or using that harbour.
- (2) Subject to paragraph (3), vessel dues in respect of a house boat entering or using a harbour shall be calculated and charged in accordance with Table 3 –
  - (a) for each entry, and
  - (b) even though the vessel may have previously entered or remained in harbour other than as a house boat, by reference to –
    - (i) the use of any pier, quay or mooring at a time when the vessel is a house boat, and
    - (ii) the number of days during which the vessel remains in harbour as a house boat using any such facilities.



- (3) But if a house boat ceases to be a house boat there shall be charged in respect of the vessel, from the day of cessation, vessel dues applicable to a pleasure vessel calculated and charged in accordance with Table 1 or (if an annual payment is made) in accordance with Table 2, unless —
- (a) vessel dues are otherwise chargeable in accordance with the principal Regulations; or
  - (b) paragraph (4) applies.
- (4) If a vessel to which sub-paragraph (3) applies resumes being a house boat vessel dues in respect of the vessel shall be charged in accordance with Table 3 for entry into or use of a harbour on and after the day on which the vessel resumed being a house boat.

**5 Large commercial yachts**

Vessel dues in respect of a large commercial yacht entering or using harbour facilities shall be calculated and charged by reference to the gross tonnage of the vessel in accordance with Table 4.

**6 Tall ships**

Vessel dues in respect of a tall ship entering or using harbour facilities shall be calculated and charged by reference to the overall length of the vessel in accordance with Table 5.

**7 Tables**

Table 1 applies to pleasure vessels.

<b>TABLE 1 PLEASURE VESSELS (Periodical payment)</b>	
<p>(a) A vessel (other than a house boat) not berthed in the impounded areas of Douglas and Peel inner harbours for a period not exceeding 24 hours and for every subsequent period of 24 hours or part thereof —</p> <ul style="list-style-type: none"> <li>(i) a single-hulled vessel per metre or part of a metre;</li> <li>(ii) a multi-hulled vessel 150% of the dues which would have been charged had the vessel been a single- hulled vessel of the same length.</li> </ul>	£1.12
<p>(b) A vessel (other than a house boat) berthed in the impounded areas of Douglas and Peel inner harbours for a period not exceeding 24 hours and for every subsequent period of 24 hours or part thereof —</p> <ul style="list-style-type: none"> <li>(i) a single-hulled vessel per metre or part of metre;</li> <li>(ii) a multi-hulled vessel 150% of the dues which would have been</li> </ul>	£1.67

**SCHEDULE**

charged had the vessel been a single- hulled vessel of the same length.	
In this Table -"impounded area" means any part of a harbour in which water is impounded by means of a flapgate or lockgate allowing vessels to remain afloat at all states of the tide.	

Table 2 applies to pleasure vessels.

<b>TABLE 2 PLEASURE VESSELS (Annual payment)</b>	
(a) Harbour Dues — A vessel (other than a house boat or a vessel for which "Slipway Dues" are payable under paragraph (b) are payable) entering or remaining in any harbour, per metre or part of a metre of overall length per annum.	£13.73
(b) Slipway Dues A vessel (not being a house boat) entering or remaining in any harbour which does not at any time during the period from sunset to sunrise remain unattended, berthed, moored laid up or lying in a harbour per annum	£7.78 per metre or part of a metre of overall length

Table 3 applies to vessels at any time when they are used as house boats.

<b>TABLE 3 HOUSE BOATS</b>	
For remaining in harbour at any quay, pier or mooring, or being laid up or otherwise lying in harbour —	
(i) for a period not exceeding 24 hours; and	£9.61
(ii) for every subsequent 24 hours or part thereof.	£9.61



Table 4 applies to vessels at any time when they are used as large commercial yachts.

<b>TABLE 4 LARGE COMMERCIAL YACHTS</b>	
A vessel entering or remaining in any harbour –	
(i) for a period not exceeding 24 hours per ton or part of a ton	£1.12
(ii) and for every 24 hours or part of thereafter per ton or part of a ton.	£1.12

Table 5 applies to vessels at any time when they are used as tall ships.

<b>TABLE 5 TALL SHIPS</b>	
A vessel entering or remaining in any harbour –	
(i) for a period not exceeding 24 hours per metre or part of metre	£1.12
(ii) and for every 24 hours or part of thereafter per metre or part of metre.	£1.12

Table 6 applies to visiting vessels during the season

<b>TABLE 6 PLEASURE VESSELS Seasonal charge for visiting vessels (up to 24 metres in length overall)</b>	
A visiting pleasure vessel berthed in any harbour, per metre or part of a metre for each cumulative period of 90 days between 1 April to 30 September.	£13.73

Table 7 applies to visiting pleasure vessels out of season, or if staying for a period in excess of the “cumulative period” in Table 6.

<b>TABLE 7 PLEASURE VESSELS Long stay charge for visiting vessels (up to 24 metres in length overall)</b>	
A visiting pleasure vessel berthed in any harbour at any quay, pier or mooring, or being laid up or otherwise lying in harbour between 30 September and 31 March, or for a period in excess of those laid out in Table 6. For each 24 hours or part thereof.	£11.28

**PART 2 – GOODS AND PASSENGER DUES****8 Application**

- (1) This Part applies to –
  - (a) goods unloaded from or loaded onto a pleasure vessel, house boat, large commercial yacht or tall ship; and
  - (b) passengers embarking on or disembarking from a pleasure vessel, house boat, large commercial yacht or tall ship
- (2) Goods dues shall not be charged in respect of –
  - (a) naval, victualling or Ordnance stores, or other stores or goods for the service of, or being the property of, Her Majesty;
  - (b) stores or goods for the service of, or being the property of, the Northern Lighthouses Board, the Corporation of Trinity House or the Commissioners of Irish Lights;
  - (c) the outfit, stores or provisions of any vessel;
  - (d) any apparatus for saving life; and
  - (e) any goods under detention or seizure by the Treasury.
- (3) Passenger dues shall not be charged in respect of any person using a lifeboat, nor in respect of any person employed –
  - (a) in the service of Her Majesty or the Northern Lighthouse Board, the Corporation of Trinity House or the Commissioners of Irish Lights, or
  - (b) on any pilot boat,  
embarking or disembarking in the execution of his or her duty.
- (4) Goods dues are payable in addition to vessel dues charged in accordance with Part 1 and shall be calculated and charged in accordance with the principal Regulations but no goods dues shall be charged in respect of a pedal cycle or motor-assisted pedal cycle.

**9 Passenger Dues**

- (1) No passenger dues are payable in respect of any person embarking on or disembarking from a pleasure ferry engaged on voyages wholly within territorial sea of the Isle of Man.
- (2) Subparagraph (1) does not apply to passenger dues payable in accordance with the principal Regulations in respect of passengers who embark on, or disembark from, another vessel and who are carried to or from that other vessel on a pleasure vessel, house boat, large commercial yacht or tall ship.
- (3) Passenger dues are payable in addition to vessel dues in respect of any passenger embarking or disembarking from a pleasure vessel, house

boat, large commercial yacht or tall ship when working as a pleasure ferry engaged on voyages to and from destinations outside territorial sea of the Isle of Man.

***EXPLANATORY NOTE******(This note is not part of the Regulations)***

These Regulations provide for an increase of 3% in the rates of Harbour Dues to be applied to pleasure vessels, house boats, large commercial yachts and tall ships. Dues are calculated according to the length of stay of the vessel or the overall length of the vessel, or whether the vessel is single-hulled or multi-hulled. The amount of dues also depends on whether or not the vessel is berthed in Peel and Douglas inner harbours where they can remain afloat over the low water period. In respect of pleasure craft, dues may be paid for short periods by the day or, if the owner elects they may be paid annually. If a vessel becomes liable to pay dues because it is a house boat (used for habitation) dues may be paid on a daily basis.

The Regulations also provide for the introduction of a seasonal and long stay rate for visiting vessels.