



BERMUDA

BERMUDA AIR TERMINAL (FEES) REGULATIONS 1952

SR&O 44 / 1952

*[made under section 6(2)(k) of the Civil Airports Act 1949 and brought into operation on 3 July 1952]*

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Citation

- 1 These Regulations may be cited as the Bermuda Air Terminal (Fees) Regulations 1952.

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### Interpretation

2 In these Regulations—

“the Bermuda Air Terminal” means the civil airport in St. George’s Parish, comprising that part of Kindley Air Force Base designated by the Government of the United States of America for the use of the Government of Bermuda as a civil airport, together with any other land owned or leased by the Government of Bermuda adjacent thereto and used for the purpose of civil aviation;

“civil aircraft” includes any aircraft which is not a military or State aircraft, that is to say, an aircraft for the time being used for naval, military or air force purposes or an aircraft the property of the Government of any State approved by the Governor for that purpose;

“gross weight”, in relation to—

- (a) a civil aircraft, means the maximum take-off weight authorized by the current certificate of airworthiness issued in respect of that aircraft by the State in which that aircraft is registered; and
- (b) a military aircraft, means the maximum take-off weight authorized by the State of which the military aircraft is the property;

“passenger load”, in relation to civil aircraft, means the number of persons, excluding infants under two years of age, carried in the aircraft as passengers and shown in the General Declaration for the aircraft.

*[Regulation 2 amended by BR 64/1995 effective 29 December 1995; by BR 19/1997 effective 4 April 1997; “passenger load” inserted, “US Pre-Clearance” deleted, by BR 26/2003 effective 2 April 2003]*

### Fees

3 (1) Subject to paragraph (3), the fees set out in, and assessed in accordance with, the First and Second Schedules shall be paid by or on behalf of the owner or operator of every aircraft which uses, or, as the case may be, remains in, the Bermuda Air Terminal.

(2) The fees set out in the Third, Fourth and Fifth Schedules shall be paid by or on behalf of the owner or operator of every aircraft in respect of each enplaned passenger.

(3) Notwithstanding paragraph (1), the General Manager of Airport Operations may, subject to such general or special directions as the Minister may give in that behalf, declare that no fee, or part only of the fee otherwise payable shall be paid in respect of the use of the Bermuda Air Terminal by an aircraft in circumstances which could not be avoided.

*[Regulation 3 replaced by BR 64/1995 effective 29 December 1995; amended by BR 19/1997 effective 4 April 1997; by BR 26/2003 effective 2 April 2003; by BR 75 / 2015 reg. 2 effective 1 September 2015]*

3A *[revoked by BR 5/2009]*

*[Regulation 3A inserted by BR 24/2004 effective 16 April 2004; revoked by BR 5/2009 reg.4 effective 9 January 2009]*

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### Payment

4 (1) The fees to be paid under regulation 3 shall be paid to the Minister at such times and in such manner as the Minister may from time to time direct; and the Minister shall cause all such fees to be paid into the Consolidated Fund.

(2) The Minister, by general or special direction given in that behalf, may refuse clearance for the departure from Bermuda of a civil aircraft in respect of which any fees to be paid under regulation 3 have not been paid.

(3) Any fees to be paid by or on behalf of the owner or operator of a civil aircraft under regulation 3 may be recovered before a court of summary jurisdiction, without limit of amount, in the manner provided by the Magistrates Act 1948 [*title 8 item 15*], for the recovery of a debt or liquidated demand.

*[Regulation 4 amended by BR 19/1997 effective 4 April 1997]*

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FIRST SCHEDULE

TERMINAL FEES TO BE PAID IN RESPECT OF AIRCRAFT USING THE BERMUDA AIR TERMINAL

1 In this Schedule—

“passenger load”, in relation to civil aircraft, means the number of persons, excluding infants under two years of age, carried in the aircraft as passengers and shown on the General Declaration for the aircraft;

“weight of air cargo” in relation to—

- (a) a civil aircraft, means the weight of the total cargo (excluding mail) consigned to or from Bermuda or for trans-shipment in Bermuda as shown on the [General Declaration] for the aircraft; and
- (b) a military aircraft, means the weight of the total cargo as shown on the General Declaration for that aircraft.

2 The assessment of the amount of the terminal fees to be paid in respect of the use of the Bermuda Air Terminal by aircraft shall be based on—

- (a) the gross weight of the aircraft;
- (b) in the case of a civil aircraft only, on its arrival passenger load; and
- (c) on the weight of its air cargo,

and such assessment shall be at the rates set out in the following Table.

TABLE

(a) Gross Weight of Aircraft	Fees
Up to 150,000 lbs.	\$72.25
Over 150,000 lbs. and up to 300,000 lbs.	\$0.1597 per 1,000 lbs.
Over 300,000 lbs. and up to 700,000 lbs.	\$0.2707 per 1,000 lbs.
Over 700,000 lbs.	\$204.45
(b) Passenger Loads (Scheduled service)	
For arriving passengers with effect from 1 April 2000 with effect from 1 April 2001	\$1.05 each \$1.20 each
For passengers in transit	\$0.4498 each

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(b) Passenger Loads (Non-scheduled service)	
For arriving passengers	\$1.00 each
For passengers in transit	\$0.75 each
(c) Air Cargo	
For every kilo	\$0.025

3 Notwithstanding anything in the foregoing provisions of this Schedule the Minister may allow the fees payable by or on behalf of the owner of civil aircraft regularly arriving at the Bermuda Air Terminal to be calculated monthly on the basis of the total number of aircraft of that owner or operator which actually arrive at the Bermuda Air Terminal during the month in respect of which the calculation is to be made, and taking into account the average gross weight, passenger load, and air cargo of those aircraft.

*[Table amended by BR 36/1990 effective 8 June 1990; by BR 2/2000 effective 1 April 2000; and by BR 26/2003 effective 2 April 2003]*

*[First schedule amended by BR 19/1997 effective 4 April 1997]*

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SECOND SCHEDULE  
PARKING FEES

1 In this Schedule—

“designated parking area” means an area designated as such by the Director of Civil Aviation in respect of a particular aircraft.

2 A parking fee calculated in accordance with the following Table shall be payable in respect of each aircraft remaining in a designated parking area in the Bermuda Air Terminal in respect of each period of twenty-four hours, occurring after the elapse of a period of three hours running from the time the aircraft arrives in the Bermuda Air Terminal.

TABLE  
Amount of Parking Fees

(a) Gross Weight of Aircraft	Parking Fee
Up to 150,000 lbs.	\$25.00
Over 150,000 lbs. and up to 300,000 lbs.	\$0.1675 per 1,000 lbs. or part thereof
Over 300,000 lbs.	\$0.190 per 1,000 lbs. or part thereof

3 Any parking fee payable in respect of an aircraft shall be payable in addition to any terminal fee to be paid in respect thereof.

*[Table amended by BR 36/1990 effective 8 June 1990]*

*[Second Schedule amended by BR 19/1997 effective 4 April 1997]*

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THIRD SCHEDULE

(regulation 3(2))

PASSENGER FACILITY CHARGE

(Enplaned passengers)

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For passengers travelling to, or through, the United States of America	\$4.00 each
For passengers travelling to other countries	\$3.00 each

*[Third schedule inserted by BR 64/1995 effective 29 December 1995; amended by BR 73/1996 effective 1 January 1997; and substituted by BR 26/2003 effective 2 April 2003]*

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FOURTH SCHEDULE  
AVIATION SECURITY FEE

For each enplaned passenger travelling to, or through, the United States of America	\$8.25
For each enplaned passenger travelling to other countries	\$7.25

*[Fourth Schedule inserted by BR 88/2001 effective 1 January 2002; amended by BR 75 / 2015 reg. 3 effective 1 September 2015]*



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FIFTH SCHEDULE  
BERMUDA AIRPORT IMPROVEMENT FEE

For each enplaned passenger \$16.00

*[Fifth Schedule inserted by BR 75 / 2015 reg. 4 effective 1 September 2015]*

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*[Amended by:*

SR&O 1968 / 7  
SR&O 1969 / 1  
1970 : 518  
1971 : 83  
SR&O 1973 / 24  
SR&O 1975 / 10  
SR&O 1975 / 63  
BR 13 / 1978  
BR 50 / 1980  
BR 19 / 1982  
BR 36 / 1990  
BR 64 / 1995  
BR 73 / 1996  
BR 19 / 1997  
BR 2 / 2000  
BR 88 / 2001  
BR 26 / 2003  
BR 24 / 2004  
BR 5 / 2009  
BR 75 / 2015]