

**CHAPTER 273**

**HARBOUR DUES**

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SCHEDULE — Landing Rates and Pierage Charges



## CHAPTER 273

## HARBOUR DUES

**An Act to provide for the levying of harbour dues and other rates, dues and charges in connection with the use of harbour facilities and to establish a fund and matters relating thereto.**

39 *cf* 1954  
 37 *cf* 1958  
 3 *cf* 1959  
 1 *cf* 1961  
 24 *cf* 1963  
 33 *cf* 1964  
 43 *cf* 1964  
 21 *cf* 1973  
 E L A O , 1974  
 4 *cf* 1984  
 20 *cf* 1984  
 7 *cf* 1993  
 10 *cf* 2003

*[Commencement 22nd July, 1954]*

1. This Act may be cited as the Harbour Dues Act. Short title.
2. In this Act, unless the context otherwise requires — Interpretation.
  - “cargo” means any commodity, article or thing not produced, gathered, raised or manufactured within The Bahamas;
  - “foreign port” means any port or place without The Bahamas;
  - “Minister” means the Minister of Finance; E L A O , 1974
  - “Prince George’s Wharf” means the wharf in the Harbour of Nassau opposite Rawson Square;
  - “ton” means in relation to any cargo two thousand pounds weight or forty cubic feet measurement;
  - “vessel” means every description of ship, vessel or boat (including aircraft) used in navigation and however propelled.
3. (1) There shall be charged, levied, collected and paid to the Comptroller the landing rates set out in Part I of the Schedule hereto. Landing and other rates.  
Schedule.
  - (2) Notwithstanding the provisions of subsection (1) of this section it shall be lawful to land cargo from a port without The Bahamas on Prince George’s Wharf and subsequently to trans-ship the said cargo from Prince George’s Wharf to a port without The Bahamas on payment of the sum of forty-three cents in respect of each and every ton of such cargo. 20 *cf* 1984, s 2  
and Sch
  - (3) The provisions of paragraphs (a), (b) and (e) of Part I of the Schedule hereto shall not apply to cargo landed on Prince George’s Wharf from a foreign port by any vessel drawing less than fourteen feet.

Schedule. (4) Except in the case of cargo landed in the circumstances mentioned in paragraph (d) of Part I of the Schedule hereto or in subsection (2) of this section, there shall be charged, levied, collected and paid to the Comptroller the rates set out in Part II of the Schedule hereto.

*E L A O, 1974* (5) Notwithstanding the provisions of subsection (1) of this section it shall be lawful for the Minister, upon such terms and conditions as he may think fit, to remit one-third of the rates imposed by that subsection in the case of any vessel which, in his opinion, is maintaining a regular and satisfactory service between The Bahamas and a foreign port.

Pierage charges. 4. (1) There shall be charged, levied, collected and paid to the Comptroller in respect of each and every period of twenty-four hours or part thereof during which any vessel lies alongside of Prince George's Wharf the pierage charges set out in Part III of the Schedule hereto.

Schedule. Exemptions. (2) The following vessels shall be exempted from the payment of pierage charges —

- (a) ships of war;
- (b) the Imperial Lighthouse Service Tender;
- (c) Bahamas Government Tenders.

*E L A O, 1974; 20 cf 1984, s 2 and Sch* (3) Notwithstanding the provisions of subsection (1) of this section it shall be lawful for the Minister upon such terms and conditions as he may think fit, to remit all pierage charges in excess of eleven dollars and forty-four cents for every period of twenty-four hours or part thereof in the case of any vessel which, in his opinion, is maintaining a regular and satisfactory service between The Bahamas and a foreign port under the terms of an agreement in writing made between the owner or charterer of such vessel and the Minister for Tourism of The Bahamas in respect of the carriage of passengers to and from The Bahamas.

*24 cf 1963*

Tonnage dues. 5. (1) There shall be charged, levied, collected and paid to the Comptroller on all vessels (except on such vessels as are hereinafter expressly excepted) entering the Harbour of Nassau from a foreign port, and on all vessels entering the said Harbour of Nassau whose voyage

*20 cf 1984, s 2 and Sch*

originated without The Bahamas, tonnage dues at the rate of four cents for each and every net registered ton of every such vessel.

(2) Where tonnage of any vessel has been ascertained according to the rules for the time being in force for the measurement of ships under the Merchant Shipping Act, or any Act in replacement of the same, the net registered tonnage of such vessel may be ascertained from the Certificate of Registration of the vessel.

*43 cf 1964, Third Sch*

Ch. 268.

(3) Where the tonnage of a vessel cannot be ascertained in pursuance of subsection (2) of this section it shall be lawful for a person authorised in that behalf by the Comptroller to proceed on board such vessel to ascertain her tonnage in accordance with the rules for the time being in force for the measurement of ships under the Merchant Shipping Act, or any Act in replacement of the same, and the fees and expenses so incurred shall be a charge on the vessel and it shall be lawful to withhold clearance of such vessel until such fees and expenses have been paid.

(4) The following vessels shall be exempt from the payment of the tonnage dues authorised by subsection (1) of this section, that is to say —

Exemptions.

- (a) ships of war, transports and other vessels employed solely on Government service;
- (b) the Imperial Lighthouse Service Tender;
- (c) vessels in distress and vessels, not originally bound for ports in The Bahamas, seeking shelter from severe weather conditions, provided that no such vessels land cargo;
- (d) yachts employed in pleasuring only;
- (e) cable ships and aircraft;
- (f) all vessels enjoying preferential rates under subsection (5) of section 3 or subsection (3) of section 4 of this Act.

*33 cf 1964, s 2*

6. Notwithstanding the provisions of sections 4 and 5 of this Act there shall be charged, levied, collected and paid in respect of all vessels entering the Harbour of Nassau and carrying less than two hundred tons of cargo fifty per centum of the rates and charges provided by the said sections.

50% of harbour dues payable by vessels carrying less than 200 tons.

Collections to be made by Comptroller.

7. All rates, pierage and other charges imposed by this Act and paid to and collected by the Comptroller shall be paid by him to the Treasurer.

Expenses.

8. All expenses incurred in carrying out the provisions of this Act shall be payable out of the Consolidated Fund by warrant in the usual manner.

20 *cf* 1984, s 2  
and *Sch*

### SCHEDULE (Section 3(1))

#### LANDING RATES AND PIERAGE CHARGES

##### PART I

7 *cf* 1993, s 3  
10 *cf* 2003

- (a) On each and every ton of cargo brought into the Harbour of Nassau from a foreign port and landed on any dock or wharf other than Potters Cay Dock direct from any vessel — four dollars;
  - (b) On each and every ton of cargo discharged into lighters from any vessel lying in the Harbour of Nassau and afterwards landed on Prince George's Wharf — one dollar and fourteen cents;
  - (c) On each and every ton of cargo brought into the Harbour of Nassau from a foreign port by any vessel drawing fourteen feet and over and not landed on Prince George's Wharf — thirty-six cents;
  - (d) On each and every ton of cargo discharged into lighters from any of the hatches of any vessel lying at Prince George's Wharf, when there is not sufficient berthing space for cargo from such hatches to be landed direct on to Prince George's Wharf, and afterwards landed on Prince George's Wharf — eighty-four cents;
  - (e) On each and every ton of cargo landed on Prince George's Wharf otherwise than as mentioned in paragraphs (a), (b) and (d) of this Part of the Schedule — eighty-four cents;
  - (f) On each and every ton of cargo loaded into any vessel lying at Prince George's Wharf or in the dredged basin or channel of the Harbour of Nassau — forty-three cents;
- 37 *cf* 1958, s 2
- (g) On each and every ton of cargo landed on Clifton Pier direct from any vessel — one dollar and seventy-one cents;
  - (h) On each and every ton of cargo discharged into lighters from any vessel lying in South West Bay and afterwards landed on Clifton Pier — one dollar and fourteen cents;

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- (i) On each and every ton of cargo brought into South West Bay by any vessel drawing fourteen feet and over and not landed on Clifton Pier — thirty-six cents;
  - (j) On each and every ton of cargo discharged into lighters from any of the hatches of any vessel lying at South West Bay, when there is not sufficient berthing space for cargo from such hatches to be landed on to Clifton Pier and afterwards landed on Clifton Pier — eighty-four cents;
  - (k) On each and every ton of cargo landed on Clifton Pier otherwise than as mentioned in paragraphs (g), (h) and (j) of this Part of the Schedule — eighty-four cents.

**PART II (Section 3(4))**

*20 cf 1984, s 2  
and Sch*

On each and every ton of cargo landed from any vessel arriving from a foreign port drawing less than fourteen feet —

- (a) on the public abutment or wharf between the eastern boundary of East Street and the western boundary of Rawson Square; or
- (b) lying in the Harbour of Nassau but not at such public abutment or wharf and deposited in the building known as “The Customs Baggage Shed” at Rawson Square,

at the rate of eighty-four cents.

**PART III (Section 4(a))**

*20 cf 1984, s 2  
and Sch*

- (a) On all vessels (except such vessels as are hereinbefore expressly exempted) of less than 750 tons gross lying at the east, south or west side of Prince George’s Wharf — seven cents for each and every foot of the registered length of the vessel, whether a full berth is available or not;
- (b) On all other vessels (except such vessels as are hereinbefore expressly exempted) lying at Prince George’s Wharf — thirty-six cents for each and every foot of the registered length of the vessel, whether a full berth is available or not:

Provided that the minimum charge for each and every twenty-four hours or part thereof in respect of paragraph (a) shall be five dollars and seventy-two cents.