

THE HARBOUR FEES ACT

ARRANGEMENT OF SECTIONS

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THE HARBOUR FEES ACT

Cap. 143.
Acts
38 of 1963,
33 of 1974.

[1st July, 1927.]

Preliminary

- 1. This Act may be cited as the Harbour Fees Act. Short title.

- 2. In this Act— Interpreta-
tion.
 - “harbour” shall include port;
 - “master” includes every person (except a pilot) having command or charge of any vessel;
 - “Port Authority” means the Port Authority established under the Port Authority Act; 33/1974
S. 2.
 - “vessel” means any decked vessel or craft, whatever may be its rig or tonnage, and whether propelled by sail, steam or otherwise.

PART I. *Harbour Fees*

- 3. Subject to the provisions of this Act all vessels entering any harbour of this Island shall pay such harbour fees as may be prescribed under this Act in respect of such harbour. Vessels
shall pay
harbour
fees.
38/1963
S. 3.

- 4. The Minister may from time to time by order prescribe the harbour fees to be paid under this Act and such order may prescribe different harbour fees in respect of— Power to
fix harbour
fees.
38/1963
S. 3.
 - (a) different harbours;
 - (b) different categories of vessels.

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Vessels paying fees not liable to again pay, unless having cleared for or made voyage to port beyond Island limits.

38/1963
S. 4.

5. Any vessel that has entered any harbour and paid the fees prescribed under this Act, shall not, on subsequently entering such harbour, without in the meantime having cleared for, and made a voyage to, some place beyond the limits of this Island, be liable to again pay the said fees :

Provided that the provisions of this section shall not apply to exonerate any vessel engaged in the coasting trade, as defined by section 172 of the Customs Act, from payment of the said fees in accordance with the provisions of this Act.

Vessels returning owing to stress of weather, etc., exempt.

6. If any vessel for which the fees have been paid be obliged, from stress of weather, or other sufficient cause, after leaving the harbour to return to the same harbour with the same cargo, no fees shall be payable in respect of such return to the harbour of such vessel.

All other vessels liable.

7. Save as herein excepted, every vessel which shall come to an anchor, or which shall be moored, within the limits of any harbour, shall be liable for the fees under this Act.

PART II. *General*

Exemptions.
33/1974
S. 4.

8. The following vessels shall be exempt from the payment of harbour fees—

- (a) vessels belonging to or employed in the service of Her Majesty or in the service of the Government of Jamaica;
- (b) vessels belonging to any foreign government not engaged in any trade;
- (c) private pleasure yachts;
- (d) vessels or classes of vessels exempted temporarily or otherwise by resolution of the House of Representatives.

9. Anything in this Act to the contrary notwithstanding, any vessel which shall enter any harbour of this Island, solely for the purpose of effecting necessary repairs or of obtaining medical assistance for any sick person on board such vessel, and any vessel which shall enter any harbour of this Island, solely for the purpose of calling for orders, or of obtaining coal, oil-fuel, water, ships' stores, or necessary provisions, shall not be liable to pay harbour fees:

Vessels entering to effect repairs, etc., not liable.

33/1974
S. 5 (a).

Provided always, that if such vessel, except for the purpose of enabling repairs to be effected, takes in or discharges any cargo or ballast, or takes on board, or lands any passenger, other than a passenger whom it is necessary to land on account of the state of his health, she shall not be entitled to any relief or exemption under this Act, and she shall before customs clearance is granted to her on her outward voyage, pay to the Collector or other proper Officer of Customs of the harbour the full harbour fees.

Except cargo or ballast discharged or taken on or passenger taken up or landed.

33/1974
S. 5 (a).

10. The master of every vessel shall be liable for the payment of harbour fees under this Act, and shall pay such fees to the Collector or other proper Officer of Customs at the time of entering such vessel, and before delivering or taking in any cargo.

Master liable for payment.
33/1974
S. 6.

11. All fees paid and collected under this Act shall be paid to the Port Authority.

Fees to be paid into Consolidated Fund.
33/1974
S. 7 (a), (b).

12. Every order made under this Act shall be subject to affirmative resolution of the House of Representatives.

Orders to be subject to affirmative resolution.
38/1963
S. 7.