



Jersey

**HARBOUR AND LIGHT DUES (JERSEY)  
LAW 1947**

**Revised Edition**

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## HARBOUR AND LIGHT DUES (JERSEY) LAW 1947

### Arrangement

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Jersey

## HARBOUR AND LIGHT DUES (JERSEY) LAW 1947

A LAW to make provision for the taking of harbour and light dues

Commencement [[see endnotes](#)]

### 1 Interpretation

- (1) In this Law, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

“Committee” means the Harbours and Airport Committee;

“dues” means harbour dues and light dues;

“goods” includes merchandise, baggage and live animals, but excludes ships’ stores, the personal baggage, carried free of charge, of the passengers and crew of a ship, and mails;

“harbour” means any harbour, whether natural or artificial, and includes any port or dock, and any waters in which sea-going vessels can obtain shelter, or ship or unship goods or passengers;

“harbour dues” means dues in respect of the unloading or loading of goods or mails or the disembarkation or embarkation of passengers, or dues in respect of the use by ships of mooring space;<sup>1</sup>

“Harbour Master” means the Harbour Master appointed in pursuance of Article 2 of the Harbours (Administration) (Jersey) Law 1961<sup>2</sup> and includes any person authorized to collect the dues payable under this Law;

“light dues” means dues in respect of lighthouses, buoys and beacons and includes dues for any radio station established by the Committee for aiding navigation;

“passengers” includes all persons carried in a ship, whether gratuitously or for reward, but excludes the master and crew, and members of the Armed Forces on active service;

“ship” includes every description of vessel used in navigation.

- (2) References in this Law to Jersey include references to the whole of the Bailiwick of Jersey and to the territorial waters adjacent thereto.

## **2 Information and declarations for purpose of levying dues**

The master of every ship in respect of which dues are payable under this Law shall, on being so required by the Harbour Master, furnish the Harbour Master with such documents and other evidence and information, and shall make such declarations, as the Harbour Master may require for the purpose of levying the appropriate amount of such dues.<sup>3</sup>

## **3 Production of documents**

Every master of a ship to whom Article 2 applies shall, on being so required by the Harbour Master, produce the certificate of the registry of the ship, and all manifests, freight notes, way bills, bills of lading, passenger lists and any or all other documents relating to the carriage of passengers, goods or mails in the ship, for the purpose of verifying any information furnished and any declaration made by virtue of Article 2.

## **4 Restrictions of unloading and loading**

No goods shall be unloaded from, or loaded into, a ship –

- (a) unless due notice of intention to unload or to load, as the case may be, has been given to the Harbour Master; or
- (b) except with the permission in writing of the Harbour Master, on Sundays at any time, or on any other days except between the hours of 6 am and 8 pm.

## **5 Dues payable**

- (1) The master of every ship which arrives at a harbour in Jersey shall pay the light and harbour dues hereinafter mentioned –
- (a) a light due on the net registered tonnage of the ship;
- (b) a harbour due on all goods and mails unloaded from the ship;
- (c) a harbour due on each passenger disembarked from the ship.
- (2) The master of every ship which departs from a harbour in Jersey shall pay the harbour dues hereinafter mentioned –
- (a) a harbour due on all goods and mails loaded into the ship;
- (b) a harbour due on each passenger embarked on the ship:

Provided that where any goods or mails are loaded into a ship by way of transshipment from another vessel, no dues shall be payable under subparagraph (a) in respect of the loading of the goods or mails as aforesaid.

- (3) The master of every ship moored in the harbours of Jersey shall pay a harbour due in respect of the mooring space used by the ship:

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Provided that the amount of the dues payable under this paragraph in respect of the first month for which the ship remains in harbour shall be abated by the amount of any dues payable under paragraph (1)(b) and (c) on the arrival of the ship in Jersey.<sup>4</sup>

## **6 Tariff of dues**

The Committee, subject to the approval of the States, shall from time to time fix the tariff of dues payable under this Law, and such dues shall be fixed by reference to such considerations as the Committee thinks fit, and different dues may be fixed, and exemption from the payment of dues may be granted, in respect of different classes or descriptions of ships, passengers, goods and mails, or in respect of the same class or description of ships, passengers, goods and mails in different circumstances.

## **7 Exemptions**

- (1) There shall be exempt from the payment of dues under this Law –
- (a) ships belonging to or employed in the service of the Armed Forces of Her Majesty;
  - (b) ships belonging to or used by the general lighthouse authorities or the Board of Trade of the United Kingdom;
  - (c) ships belonging to or employed in the service of any foreign Government and not carrying passengers or goods for hire;
  - (d) yachts belonging to or chartered by members of recognized yacht clubs except when let out on hire by such members;
  - (e) open boats for the time being employed in sea fishing;
  - (f) fishing vessels belonging to countries with which treaties for the time being exist exempting such vessels from duties and port charges when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, when such vessels are forced by stress of weather to make use of any of the harbours of Jersey and do not break bulk whilst so doing:

Provided that sub-paragraph (d) shall not apply in relation to dues payable under Article 5(3).<sup>5</sup>

- (2) The Harbour Master may, subject to the approval of the Committee, exempt from the payment of light dues any ship which, having departed from Jersey, is compelled to return by reason of accident, stress of weather or other unavoidable cause.

## **8 Time for payment of dues**

- (1) All dues payable by the master of a ship under this Law shall be paid on the first demand made by the Harbour Master, and in any case before the departure of the ship from Jersey:

Provided that –

- (i) in the case of a ship engaged in a regular transport service between Jersey and any place outside Jersey, the Harbour Master may, with the approval of the Committee, make such arrangements as the Harbour Master thinks fit for the payment of dues payable under this Law in respect of such ship at periods not exceeding one calendar month from the date on which they become payable;
  - (ii) the Committee may make such agreement as it thinks fit with the owner of a ship for the payment of dues payable under this Law in respect of such ship;
  - (iii) the Harbour Master may at all times insist upon good and sufficient security for the payment of all dues payable under this Law.
- (2) If the master of a ship shall fail to pay any dues payable in respect of such ship at the time stipulated in paragraph (1), the owner or agent or broker of the ship shall be responsible for the payment of the said dues as well as of all expenses incurred in connection with the recovery of the said dues.

## **9 Payment and application of receipts**

The Harbour Master shall pay to the Treasurer of the States all moneys received by the Harbour Master under this Law as and when the Harbour Master receives them, and the Treasurer of the States shall forthwith credit such moneys to the General Revenues of the States.

## **10 Offences**

- (1) If any person –
- (a) for any of the purposes of this Law, knowingly makes any false declaration or knowingly furnishes any document, or other evidence or information, or knowingly makes any statement, which is false in a material particular; or
  - (b) obstructs or impedes any person in the execution of his or her duties under this Law,
- the person shall be liable in respect of each offence to a fine not exceeding £50 or to imprisonment for a term not exceeding 6 months.
- (2) If any person acts in contravention of or fails to comply with any provision of this Law for which no special penalty is provided or of any Regulations made under this Law, the person shall be liable in respect of each offence to a fine not exceeding £50.

## **11 Regulations**

Subject to the provisions of any legislation from time to time in force in Jersey relating to shipping and sea-navigation, the States may make Regulations for carrying any of the purposes or provisions of this Law into effect, and such Regulations may be amended by subsequent Regulations and shall remain in force until revoked.

**12 Citation**

This Law may be cited as the Harbour and Light Dues (Jersey) Law 1947.

**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Harbour and Light Dues (Jersey) Law 1947	L.7/1947	1 January 1948 (Article 6 in force 30 August 1947)
Harbour and Light Dues (Amendment) (Jersey) Law 1953	L.3/1953	25 April 1953

**Table of Renumbered Provisions**

<b>Original</b>	<b>Current</b>
12	spent, omitted from this revised edition
13	spent, omitted from this revised edition
14	12

**Table of Endnote References**

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- <sup>1</sup> Article 1(1)      *definition “harbour dues” substituted by L.3/1953*
- <sup>2</sup>                      *chapter 19.060*
- <sup>3</sup> Article 2           *substituted by L.3/1953*
- <sup>4</sup> Article 5(3)       *substituted by L.3/1953*
- <sup>5</sup> Article 7(1)       *amended by L.3/1953*