

Island of  Guernsey

Ordinance of the States **LXIII**

1976

Made ... .. 16th December, 1976.  
Coming into Operation ... 1st January, 1977.

**The Harbour Facilities (Charges)  
Ordinance, 1976**

THE STATES, in pursuance of their Resolution of the thirtieth day of September, nineteen hundred and seventy-six, hereby order:—

1. There shall be payable for the use of any crane, ramp or grab at the harbour of Saint Peter Port or the harbour of Saint Sampson charges at the rates in accordance with such of the Scales A, B or C set out in the Schedule to this Ordinance as the States Board of Administration (hereinafter referred to as “the Board”) may, in its absolute discretion in any particular case, determine.

Charges for use of cranes, ramps and grabs.

2. (1) Any charges payable in pursuance of the provisions of the last preceding section shall be paid by the person (hereinafter referred to as “the contractor”) by whom or on whose behalf the use of a crane, ramp or grab is requested.

Payment and recovery of charges.

(2) Any charges payable in pursuance of the provisions of the last preceding section may be

recovered from the contractor as a civil debt due to the States.

(3) In this section the expression "contractor" includes an agent.

Furnishing  
of information etc.

3. (1) The owner of any vessel who requests the use of a crane, ramp or grab shall, within the twenty-four hours next following the date of the use of such crane, ramp or grab requested as aforesaid, furnish to the Harbourmaster such information relating to the vessel or any goods or vehicles forming part of the cargo thereof as the Harbourmaster may require and such owner shall produce to the Harbourmaster and permit him to inspect and take copies of any invoice, manifest, bill of lading or other book or document relating to the vessel or to any goods or vehicles forming part of the cargo thereof as the Harbourmaster may require.

(2) Any person who, without reasonable cause, refuses or fails to comply with any requirement made in pursuance of the provisions of the last preceding subsection shall be guilty of an offence and liable, on conviction, to a fine not exceeding twenty pounds and, in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.

(3) Any person who makes any statement or furnishes any information which he is required to make or furnish under subsection (1) of this section which he knows to be false or recklessly makes any such statement or furnishes any such information which is false in a material particular shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred pounds.

(4) Where a person convicted of an offence under this section is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

(5) In this section, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“Harbourmaster” means the States Harbourmaster and includes any person acting by or under the authority of the States Harbourmaster;

“owner” includes a charterer and an agent.

4. This Ordinance may be cited as the Harbour Citation. Facilities (Charges) Ordinance, 1976.

5. This Ordinance shall come into force on the first day of January, nineteen hundred and seventy-seven. Commence-  
ment.

## SCHEDULE

Section one

*Charges for the use of cranes, ramps and grabs**Scale A: Tonnage or vehicle rate*

- |                                   |   |
|-----------------------------------|---|
| (a) All goods other than vehicles | £1.30 per metric ton<br>or part thereof |
| (b) Private vehicles              | £1.50 per vehicle                       |
| (c) Commercial vehicles           | £2.25 per vehicle                       |

*Calculation of charges under Scale A*

In calculating the amount of any charges payable under this Scale:—

- (a) goods carried in or on a vehicle other than the personal effects or baggage of the driver thereof or a passenger therein or thereon shall be charged in addition to the charges in respect of the vehicle;
- (b) a trailer whether accompanied by a prime mover or any other towing vehicle shall be charged separately as a private vehicle or a commercial vehicle, as the case may be;
- (c) an articulated vehicle shall be charged as one vehicle;
- (d) where any goods are landed or embarked in a container specially designed or adapted for the conveyance of goods the charges under this Scale shall not be chargeable in respect of any such container but shall be charged only on the goods forming the contents thereof.

*Interpretation of Scale A*

In this Scale, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“commercial vehicle” means any vehicle which, in the opinion of the Board, is designed or constructed for use wholly or mainly for the carriage of goods or for the carriage of passengers for hire or reward;

“private vehicle” means any vehicle which, in the opinion of the Board, is designed or constructed for use wholly or mainly for social, domestic or pleasure purposes;

“vehicle” includes a trailer.

*Scale B: Hourly rate*

- |  |                                   |
|--|-----------------------------------|
| (a) Portal cranes                                      | £5 per half hour or part thereof  |
| (b) Derrick cranes                                     | £8 per half hour or part thereof  |
| (c) Sand, aggregate or coal loaded or unloaded by grab | £15 per half hour or part thereof |

Provided that under this Scale a minimum period of one hour shall be chargeable.

*Scale C: Lift rate*

- |   |  |
|---|--|
| (a) All goods other than boats  | £3 per lift not exceeding 7 metric tons plus £1.50 per metric ton in excess of 7 metric tons:<br>Provided that the maximum amount chargeable under this item of this Scale shall be £7 per lift. |
| (b) Boats—  |  |
| (a) not exceeding 20 feet length overall including any fixed bowsprit, pulpit, bumkin and davit                       | £5 per lift  |
| (b) exceeding 20 feet but not exceeding 25 feet length overall including any fixed bowsprit, pulpit, bumkin and davit | £6.25 per lift   |

- (c) exceeding 25 feet but not exceeding 30 feet length overall including any fixed bowsprit, pulpit, bumkin and davit. £7.50 per lift
- (d) exceeding 30 feet length overall including any fixed bowsprit, pulpit, bumkin and davit. £8.25 per lift

*Calculation of charges under Scale B and Scale C*

In calculating the amount of any charges under Scale B or Scale C the Board shall be entitled, in addition to the charges under those Scales respectively, to include the amount of any overtime of enhanced payments made to employees of the States in accordance with any agreement on the wages and conditions of service of any such employees or any category thereof from time to time in force.

R. H. VIDELO,  
Her Majesty's Greffier.