

Island of  Guernsey

Ordinance of the States **XXIV**

1986

Made 24th September, 1986.
Coming into Operation ... 1st January, 1987.

**The Harbour Facilities Charges Ordinance,
1986**

THE STATES, in pursuance of their Resolution of the 28th day of May 1986, hereby order:—

1. (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 such rates as the States may, from time to time, by Resolution determine.

Charges for use of cranes, ramps and grabs.

(2) A Resolution passed under subsection (1) of this section may—

- (a) determine different rates for different vessels and vehicles or different classes of vessels and vehicles, for different facilities and for different circumstances;
- (b) empower the Board, in its absolute discretion in any particular case, to determine which of two or more alternative charges shall be payable;
- (c) exempt any person or class of persons from all or any charges;

- (d) be varied or revoked by a subsequent Resolution so passed.

Payment and recovery of charges.

2. Any charges payable pursuant to a Resolution under section 1 of this Ordinance may be recovered as a civil debt due to the States from the person by whom, or on whose behalf, use of the crane, ramp or grab concerned was requested or from any agent of that person.

Furnishing of information etc.

3. (1) The owner of a vessel shall, not later than the end of the day following that on which he uses a crane, ramp or grab—

- (a) provide the Harbourmaster with such information as he may require; and
- (b) produce to him, and allow him to inspect and take copies of, any document whose production he may require,

relating to the vessel or to any goods or vehicles forming part of the cargo of the vessel.

(2) A person who—

- (a) fails without reasonable cause to comply with a requirement made under subsection (1) of this section; or
- (b) in purported compliance with such a requirement, knowingly or recklessly makes any materially false or misleading statement or furnishes any materially false or misleading information,

shall be guilty of an offence and liable, on conviction, to a fine not exceeding £100.

(3) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and liable to be proceeded against and punished accordingly.

(4) In this section—

“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. The Harbour Facilities (Charges) Ordinance, 1976(a) and the Harbour Facilities (Charges) (Amendment) Ordinance, 1985(b) are repealed. **Repeals.**

5. This Ordinance may be cited as the Harbour Facilities Charges Ordinance, 1986. **Citation.**

6. This Ordinance shall come into force on the 1st day of January 1987. **Commencement.**

K. H. TOUGH,
Her Majesty's Greffier.

(a) Recueil d'Ordonnances Tome XX, p. 469.
(b) Ordinance No. XLIII of 1985.