

GUERNSEY STATUTORY INSTRUMENT

2020 No 88

**The Mooring Charges (Guernsey) Regulations, 2020**

<i>Made</i>	10 <sup>th</sup> September, 2020
<i>Coming into operation</i>	1 <sup>st</sup> April, 2021
<i>Laid before the States</i>	, 2020

**THE STATES' TRADING SUPERVISORY BOARD**, in exercise of the powers conferred upon it by section 2 of the Vessels and Speedboats (Compulsory Third-Party Insurance, Mooring Charges and Removal of Boats) (Guernsey) Law, 1972<sup>a</sup>, sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007<sup>b</sup>, and all other powers enabling it in that behalf, hereby makes the following regulations:-

**Charges.**

1. (1) The charges set out in the Schedule to these Regulations shall have effect.

(2) Subject to subsection (3), the charges as prescribed by the

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<sup>a</sup> Ordres en Conseil, Vol. XXIII, p. 515; as amended by Vol. XXIX, p. 340; Vol. XXX, p. 243; Vol. XXXI, pp. 25, 256 and 278; Vol. XXXV(2), p. 634; Vol. XLI, p. 681; Order in Council No. XXI of 2002; Recueil d'Ordonnances Tome XXII, p. 134; Tome XXVI, p. 311; Ordinance XXXIII of 2003; and No. IX of 2016;

<sup>b</sup> Order in Council No. VII of 2008; as amended by Order in Council No. VIII of 2010; No. IV of 2016; Ordinance No. VII of 2008; No. IV of 2011; No. XLIII of 2013; No. XLIII of 2014; No. IX of 2016; and No. XLI of 2017.

Mooring Charges (Guernsey) (No. 2) Regulations, 2019<sup>c</sup>, shall cease to have effect.

(3) The ceasing of effect of the charges referred to in subsection (2) is without prejudice to any right, privilege, obligation or liability acquired, accrued or incurred in respect of those charges.

**Interpretation.**

2. In these regulations, unless the context requires otherwise –

"**Area A**" means the area(s) more particularly shown and delineated on the Moorings Map and thereon marked "Area A",

"**Area B**" means the area(s) more particularly shown and delineated on the Moorings Map and thereon marked "Area B",

"**Area C**" means the area(s) more particularly shown and delineated on the Moorings Map and thereon marked "Area C",

"**Board**" means the States' Trading Supervisory Board,

"**boat**" means anything for the conveyance by water of human beings or of property,

"**casual use**" means use by a boat whose owner has allocated a temporary mooring in circumstances appearing to the Board to be of an ad hoc nature, or for over-wintering,

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<sup>c</sup> G.S.I. No. 94 of 2019.

"**fishing boat**" means a boat of which the owner has satisfied the Board –

- (a) that the boat is used wholly or principally for catching fish for profit as a business, and
- (b) that his income is derived wholly or mainly from such business,

"**Moorings Map**" means either the Saint Peter Port moorings map or the Saint Sampson moorings map, as the case may be,

"**overall beam**" means the greatest breadth of the boat including anything fixed to it but excluding portable fenders,

"**overall length**" includes the boat and anything fixed to it,

"**registered boat**" means a boat for the time being registered under the provisions of the "Boats and Vessels (Registration, Speed Limits and Abatement of Noise") Ordinance, 1970<sup>d</sup>,

"**registered fishing boat**" means a fishing boat which is a registered boat,

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<sup>d</sup> Recueil d'Ordonnances Tome XVI, p. 346 as amended by Tome XIX, p. 220; Tome XXI, p. 16; Tome XXVI, p. 308; Tome XXIV, p. 418; Tome XXVII, p. 148; Ordinance No. XXXIII of 2003; No. XV of 2005; Ordinance No. IX of 2008; No. XV of 2009; No. XV of 2010; No. IX of 2016; and G.S.I. No. 24 of 2010.

"**Saint Peter Port moorings map**" means the map marked "Saint Peter Port moorings map - the Mooring Charges (Guernsey) Regulations, 2015", and lodged at the Greffe,

"**Saint Sampson moorings map**" means the map marked "Saint Sampson moorings map - the Mooring Charges (Guernsey) Regulations, 2015", and lodged at the Greffe, and

"**square foot**" shall be calculated by multiplying the overall length of the boat by its overall beam, and

- (a) any part of the overall length of the boat which is less than one foot shall be deemed to be one foot, and
- (b) any part of the overall beam of the boat which is –
  - (i) less than six inches shall be disregarded, and
  - (ii) more than six inches but less than one foot shall be deemed to be six inches.

**Revocation.**

3. The Mooring Charges (Guernsey) (No. 2) Regulations, 2019 are revoked.

**Citation and commencement.**

4. These regulations may be cited as the Mooring Charges (Guernsey) Regulations, 2020, and shall come into force on the 1<sup>st</sup> April, 2021

Dated this 10<sup>th</sup> day of September 2020.



DEPUTY P T R FERBRACHE

President of the States' Trading Supervisory Board

For and on behalf of the Board

## SCHEDULE

Regulation 1(1).

### 1.1 LEISURE BOATS

Registered boats (other than registered fishing boats) moored in either the harbour of Saint Peter Port or the harbour of Saint Sampson in the following areas –

<b>Area (as defined and marked on the Moorings Map)</b>	<b>Charge per square foot (per annum)</b>
Albert, QEII and the Saint Sampson Marinas	£ 5.90

Registered boats (other than registered fishing boats) moored in either the harbour of Saint Peter Port or the harbour of Saint Sampson in the following areas –

<b>Area (as defined and marked on the Moorings Map)</b>	<b>Charge per foot length (per annum)</b>
Area A	£20.96
Area B	£10.13
Area C	£ 5.90

### 1.2 VISITING BOATS

Boats other than registered boats or fishing boats moored in either the harbour of Saint Peter Port or the harbour of Saint Sampson –

<b>Overall Length of Boat in metres ("LOA")</b>	<b>Charge for each period of 24 hours or part thereof</b>
Up to 7.99	£22
8.00 – 9.99	£27
10.00 – 11.99	£34
12.00 – 13.99	£38
14.00 – 15.99	£44
16.00 – 17.99	£48
18.00 – 19.99	£52
20.00 – 21.99	£63
22.00 – 23.99	£68
24.00 – 25.99	£75
26.00 – 39.99	£133

40.00 – 49.99	£199
50.00 – 69.99	£243
70+	£277

### 1.3 FISHING BOATS

Registered fishing boats moored in the harbour of Saint Peter Port or the harbour of Saint Sampson in the following areas –

Area	Charge per square foot (per annum)
Albert Dock - Pontoon Mooring	£ 6.74
- Wall Mooring	£ 4.51
- Mud Mooring	£ 2.20
Area (as defined and marked on the Moorings Map)	Charge per foot length (per annum)
Area A	£20.96
Area B	£ 10.13
Area C	£ 5.90

### 1.4 MISCELLANEOUS

*Casual usage by local vessels, including "overwintering"*

1.4.1 Subject to paragraph 1.4.2, the "Visiting Boats" rate set out at paragraph 1.2 applies to use of facilities or areas in the harbour of Saint Peter Port or the harbour of Saint Sampson by vessels not ordinarily moored within either harbour under a mooring agreement.

1.4.2 The rate shown immediately below applies for vessels entering the harbour of Saint Peter Port or the harbour of Saint Sampson between 1 September and 30 June.

Length in metres	Discount of rate set out at paragraph 1.2	Daily rate
Up to 7.99	90%	£ 2.20
8.00 – 9.99	80%	£ 5.40
10.00 – 11.99	70%	£10.20
12.00 – 13.99	60%	£15.20
14.00 +	50%	50% of relevant rate set out at paragraph 1.2

<b>LAY UPS / STANDING AREAS</b>	
<b>Monthly charges payable in respect of any vessel deposited or allowed to remain in a standing area or careening area</b>	<b>Charge per square foot (per month)</b>
Registered or non-registered boat on a contract for a minimum period of 30 days	£0.38
In respect of any other case	£0.98