

FIJI ISLANDS GOVERNMENT GAZETTE SUPPLEMENT

No. 22

FRIDAY, 10th JUNE

2011

[LEGAL NOTICE NO. 49]

**SEA PORTS MANAGEMENT ACT 2005
(CAP. 181)****Tug Service Charges Order 2011**

IN exercise of the powers conferred upon it by section 8(d) and section 18(1)(i) of the Sea Ports Management Act 2005, the Fiji Ports Corporation Limited hereby by Order declares the following—

All Notices pertaining to Tug Service Charges approved and levied by the Fiji Ports Corporation Limited are hereby revoked and replaced with the following which takes effect from 21st March 2011:

- (1) Subject to this Order, where the services of a tug are requested or used for or in connection with the movement or proposed movement of a vessel, the owner of that vessel shall pay to the Authority charges calculated in accordance with Table 1 in the Schedule hereto.
- (2) Where a vessel berthing or unberthing at a wharf owned by the Fiji Ports Corporation Limited makes a movement without the assistance or use of a tug, the owner of such vessel shall pay to the Fiji Ports Corporation Limited an amount equivalent to the charge that would have been incurred by it, had a tug been used during the period of that movement by the vessel.
- (3) The Harbour Master may at his discretion, direct the compulsory usage of tugs for vessels below 3000 GRT and any other vessel entering, leaving or moving within a port.
- (4) Where the time originally booked for the services of a tug in respect of a vessel is cancelled or altered other than by the Fiji Ports Corporation Limited, the owner of that vessel shall pay to the Fiji Ports Corporation Limited F\$420.23 (incl. VAT) per hour or part hour unless at least 3 hours before the time originally booked for the services of the tug notice of the proposed cancellation or alteration is given to the Fiji Ports Corporation Limited.
- (5) Subject to sub-clause (6), where a tanker in respect of which no gas-free certificate has been issued is within a port and alongside a wharf, the owner of the tanker shall pay to the Fiji Ports Corporation Limited a charge calculated at the rate of F\$157.59 (incl. VAT) for each hour or part of an hour that the tanker is alongside the wharf in respect of fire watch facilities provided by the Fiji Ports Corporation Limited.

- (6) No charge shall be made under sub-clause (5) by a tanker in respect of any period where, for any reason, no tug is available to provide fire watch facilities.
- (7) Subject to sub-clause (6) where a tanker in respect of which no gas-free certificate has been issued is within a port but not alongside a wharf, the owner of the tanker shall pay to the Fiji Ports Corporation Limited a charge calculated at the rate of F\$157.59 (incl. VAT) for each hour or part of an hour that the tanker is within a port but not alongside a wharf for fire watch facilities provided by the Fiji Ports Corporation Limited.
- (8) Where the request of an owner of a vessel or at the discretion of the Harbour Master a tug is provided for the purpose of towing or shifting a vessel which is without power within the port, owner of that vessel shall pay to the Fiji Ports Corporation Limited charges calculated in accordance with Table (1) plus a surcharge of 50% of scheduled rates.
- (9) Where the services of a tug are requested or used for or in connection with the movement or proposed movement of a vessel at Vuda, the owner of that vessel shall pay to the Fiji Ports Corporation Limited, charges calculated in accordance with Table (1) plus a surcharge of F\$931.67 (incl. VAT) per movement per tug.
- (10) Where at the request of an owner or master of a vessel, hirer, or at the discretion of the Harbour Master a tug is requested to provide services not described in any previous subsection, the owner of the vessel or hirer shall pay to the Fiji Ports Corporation Limited charges calculated at the rate of F\$945.50 (incl. VAT) per hour or part hour thereof, commencing from the time of departure from the tug berth until return thereto, with the minimum of 4 hours per tug.
- (11) When special services are provided by a tug or tugs, charges shall be paid to the Fiji Ports Corporation Limited according to the value of services rendered unless such services are subject to Arbitration under the terms of Lloyds Standard Form of Salvage Agreement.

Dated this 31st day of May 2011.

F. B. KEAN
Acting Chairman
Fiji Ports Corporation Limited

SCHEDULE

TABLE (1)

<i>Unit of Charge</i>		<i>Charge for each Movement per Tug \$</i>	<i>VAT @ 15%</i>	<i>Total charge per movement per Tug \$</i>
Up to and including:				
3000	GRT	548.12	82.22	630.34
3,001 – 5,000	GRT	640.99	96.15	737.14
5,001 – 10,000	GRT	1281.99	192.30	1474.29
10,001 – 15,000	GRT	1921.47	288.22	2209.69
15,001 – 20,000	GRT	2038.71	305.81	2344.52
20,001 – 25,000	GRT	2152.90	322.94	2475.84
25,001 – 30,000	GRT	2268.61	340.29	2608.90
30,001 – 35,000	GRT	2384.32	357.65	2741.97
35,001 – 40,000	GRT	2500.05	375.01	2875.06
40,001 – 45,000	GRT	2615.75	392.36	3008.11
Over 45,000	GRT	2740.61	411.09	3151.70