

Government Notice No. 37 of 2017

THE PORTS ACT

Regulations made by the Mauritius Ports Authority, with the approval of the Minister, under section 65 of the Ports Act

1. These regulations may be cited as the Port (Fees) (Amendment) Regulations 2017.
2. In these regulations –
“principal regulations” means the Port (Fees) Regulations 2008.
3. Regulation 2 of the principal regulations is amended –
 - (a) by deleting the definition of “Operations and Commercial Manager”;
 - (b) by inserting, in the appropriate alphabetical order, the following new definitions –
“Director Port Operations” means the Director Port Operations of the Authority;
“outer port” –
 - (a) means part of the sea water plane of the port area of Port Louis as described in the third column of the Third Schedule; but
 - (b) does not include the inner port;
4. Regulation 3 of the principal regulations is amended –
 - (a) in paragraph (2) –
 - (i) in subparagraph (a) –
 - (A) by revoking sub subparagraph (iv) and replacing it by the following sub subparagraph,

the word “or” at the end of sub subparagraph (iii) being deleted –

(iv) for the purpose of securing arms and ammunitions and transferring of security personel;

(B) by adding the following new sub subparagraph –

(v) vessels calling for the purpose of taking ship’s stores.

(ii) by revoking subparagraph (b) and replacing it by the following subparagraph –

(b) (i) The fee for port dues shall, where a vessel puts into the outer port for the purposes specified in subparagraph (a), be half the rate specified in the First Schedule, provided that in cases of prolonged stay in the outer port, the Authority reserves the right to apply the normal rates.

(ii) A vessel may, without affecting its rights to any discount for port dues under subparagraph (a)(i) to (iv), carry out concurrently –

(A) more than one activity referred to under subparagraph (a); and

(B) other ancillary activities, including taking of ship’s stores.

(iii) The fee for vessel fees shall, in respect of a vessel referred to in this subparagraph, be capped at 100,000 GT.

- (b) by inserting, after paragraph (2), the following new paragraph –

(2A) (a) Where a vessel puts into the outer port for the purpose of repairs and the vessel stays in the port for a period not exceeding 6 days, only fee for port dues shall be levied at the rate specified in the First Schedule.

(b) No anchorage fee or seamen's welfare fee shall be levied in respect of the vessel referred to in subparagraph (a) where the vessel stays in the port for a period not exceeding 6 days.

(c) Notwithstanding subparagraphs (a) and (b), where a vessel puts into the outer port for the purpose of repairs and the vessel stays in the port for a period exceeding 6 days, fee for port dues, anchorage fee and seamen's welfare fee shall be levied as from the date of its arrival.

- (c) in paragraph (4), by revoking subparagraph (a) and replacing it by the following subparagraph –

(a) in respect of a locally registered vessel, other than a locally registered fishing vessel, be at half the rates specified in the First Schedule;

- (d) by adding the following new paragraph –

(10) (a) Fees for port dues, pilotage and tug service, other than in respect of towage and assisting stranded vessels, shall, in respect of a vessel which calls for the purpose of taking bunkers and stays in port for a period not exceeding 48 hours, be at half the rates specified in the First Schedule.

(b) Fees for anchorage shall, in respect of a vessel which calls for the purpose of taking bunkers at outer anchorage and stays for –

- (i) a period not exceeding 48 hours, be at half the rate;
- (ii) a period of 48 hours up to 60 hours, be at half the rate, provided that the period of stay does not exceed 60 hours;
- (iii) a period of 48 hours up to 72 hours, be at half the rate for the first 48 hours and at 75 per cent of the rate for the next 24 hours; and
- (iv) a period exceeding 72 hours, incentives under sub subparagraph (iii) will still be applied but anchorage dues will be applied at full rate for any additional period of stay.

(c) A vessel which calls for the purpose of taking bunkers at outer anchorage but remains within port limits may, without affecting its rights to any discount for port dues under subparagraph (a), carry out ancillary activities, including taking of ship's stores.

(d) The fee for vessel fees shall, in respect of a vessel referred to in this paragraph, be capped at 100,000 GT.

5. Regulation 5 of the principal regulations is amended, in paragraph (1), by deleting the words "Operations and Commercial Manager" and replacing them by the words "Director Port Operations".

6. Regulation 12 of the principal regulations is amended, in paragraph (1), by deleting the words “Operations and Commercial Manager” and replacing them by the words “Director Port Operations”.

7. Regulation 15 of the principal regulations is amended –

(a) in paragraph (1) –

(i) in subparagraph (b), by deleting the words “within 28 days of the date of completion of discharge of the vessel” and replacing them by the words “on a second vessel”;

(ii) in subparagraph (c), by deleting the words “within 90 days of the date of completion of discharge of the vessel,” and replacing them by the words “on a second vessel”;

(b) by revoking paragraph (3).

8. The Second Schedule to the principal regulations is amended by deleting items 1.1, 1.2, 1.3 and 1.10 and their corresponding entries and replacing them by the following items and their corresponding entries –

1.1	Within port limits launch for purposes other than towing	Per hour or part thereof	5,700
		Minimum charge	8,500
1.2	Tug not exceeding 500 HP for purposes other than assisting vessel for berthing, unberthing or mooring	Per hour or part thereof	5,700
		Minimum charge	8,500

1.3	Tug exceeding 500 HP for purposes other than assisting vessel for berthing, unberthing or mooring	Per hour or part thereof	15,000
		Minimum charge	Not applicable
1.10	Tug exceeding 500 HP where a tug is supplied for towing a launch, lighter or mud boat	Per hour or part thereof	15,000
		Minimum charge	Not applicable
	Tug not exceeding 500 HP where a tug is supplied for towing a launch, lighter or mud boat	Per hour or part thereof	5,700
		Minimum charge	8,500

9. The principal regulations are amended by adding the Third Schedule set out in the Schedule to these regulations.

10. These regulations shall come into operation on 1 March 2017.

Made by the Mauritius Ports Authority on 21 February 2017 and approved by the Minister on 27 February 2017.

SCHEDULE

[Regulation 9]

THIRD SCHEDULE

[Regulation 2]

Name of port	Limits of inner port	Limits of outer port
Port Louis	The sea area extending from Point 1N (20°8.18'S and 57°29.46'E) on the Southern bank of the mouth of Rivulet Terre Rouge in a generally South-westerly direction along the sea shore up to monument no. 8 (20°9.2'S and 57°28.5'E) at the intersection of a sewerage pipe with the sea shore; thence seaward in a North-westerly direction along an imaginary line up to point 1K (20°09'S and 57°28'E) in the sea; thence in a North-easterly direction along an another imaginary line up to Point 1L (20°8'S and 57°28.5'E) in the sea; thence along an imaginary line in a North-easterly direction up to Point 1M (20°7.6'S and 57°29.1'E) in the sea; thence along an imaginary line in a South-easterly direction up to the starting point, Point 1N.	The balance of the sea water plane of the port area, after excluding the inner port.