

LEGAL NOTICE No. 221

REPUBLIC OF TRINIDAD AND TOBAGO

THE SHIPPING ACT, 1987

REGULATIONS

MADE BY THE MINISTER OF WORKS, INFRASTRUCTURE AND DECENTRALIZATION
UNDER SECTION 225(1) OF THE SHIPPING ACT

THE SHIPPING (NAVIGATIONAL AIDS DUES) (NO. 2)
REGULATIONS, 1989

- 1. These Regulations may be cited as the Shipping (Navigational Aids Dues) (No. 2) Regulations, 1989. Citation
- 2. In these Regulations "the Act" means the Shipping Act, 1987. Interpretation
No. 24 of
1987
- 3. Navigational aids dues shall be levied in accordance with— Navigational
aids dues
Schedule
 - (a) the scale of payments set out in Part II of the Schedule; and
 - (b) the rules set out in Part III of the Schedule.
- 4. Navigational dues shall not be levied in the cases listed in Part IV of the Schedule. Exemptions
- 5. The Shipping (Navigational Aids Dues) Regulations, 1989 are hereby revoked. Revocation
- 6. These Regulations have effect from 1st January, 1990. Commence-
ment

SCHEDULE

PART I

DEFINITIONS

In this Schedule—

- (a) a ship's tonnage shall be its net or registered tonnage, as the case may be, entered in its certificate of registry or certificate of tonnage issued by or on behalf of the administration of the State of Registry; except that where the tonnage is less than one thousand tons it shall be deemed to be one thousand tons, and where it is more than twenty thousand tons it shall be deemed to be twenty thousand tons;
- (b) "Caricom Ship" means a ship that is registered in a Caricom Member State;
- (c) "cruise ship" means a ship that makes a call at a port in Trinidad and Tobago for the purpose of embarking or disembarking passengers and while in Trinidad and Tobago waters, the ship does not load or discharge any cargo or mails, at any such port;

24/1/1989

- (d) "foreign fishing vessel" means a fishing vessel registered as a fishing vessel under the law of a foreign country;
- (e) "foreign ship" means a ship that is not a Caricom ship;
- (f) "length" in relation to a fishing vessel means the registered length shown in the vessel's certificate of registry and in relation to a fishing vessel having no registered length, means the length which would be the registered length if the vessel was registered under the Act. In calculating the payment of navigational aids dues where a fishing vessel's length is not a multiple of one metre, any excess not exceeding half a metre shall be rounded down and any excess over a half a metre shall be rounded up to the nearest of such multiple;
- (g) a year shall be reckoned from 1st January.

PART II

SCALE OF PAYMENTS OF NAVIGATIONAL AIDS DUES

(Regulation 3(a))

1. Caricom ships—
- | | | | | | |
|--------------|-----|-----|-----|-----|---------------------------|
| Full rate | ... | ... | ... | ... | \$0.15 per ton per voyage |
| Reduced rate | ... | ... | ... | ... | \$0.03 per ton per voyage |
2. Foreign ships—
- | | | | | | |
|--------------|-----|-----|-----|-----|---------------------------|
| Full rate | ... | ... | ... | ... | \$0.30 per ton per voyage |
| Reduced rate | ... | ... | ... | ... | \$0.07 per ton per voyage |
3. Navigational aids dues shall be levied on cruise ships in accordance with the reduced rate as specified in paragraphs 1 and 2.
4. Instead of payments per voyage the following payments of Navigational aids dues shall be applicable:
- (a) for pleasure craft, which the Director of Maritime Services is satisfied are ordinarily kept or used outside the waters of Trinidad and Tobago, a payment of thirty dollars per visit for every period of thirty days or less comprised in such visit with an additional payment of thirty dollars for every period of thirty days or less exceeding the initial period of thirty days;
- (b) for ships, with the exception of pleasure craft and fishing vessels, licensed under the Act or the Motor Launches Act, an annual payment of two hundred dollars;
- (c) for ships, other than fishing vessels, registered under the Act and trading solely within the waters of Trinidad and Tobago, an annual payment of one dollar per ton;
- (d) for foreign registered ships trading solely within the waters of Trinidad and Tobago an annual payment of two dollars per ton;
- (e) for foreign fishing vessels of ten metres or more in length, an annual payment of one thousand dollars per vessel plus a payment of fifteen dollars for each metre of length in excess of ten metres; or
- (f) for foreign fishing vessels, a payment of two hundred dollars per visit for up to ten visits in any year.

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PART III

RULES

(Regulation 3(b))

1. In any year, navigational aids dues shall not be levied on a ship—
- (a) for more than fourteen voyages, in the case of a Caricom ship;
- (b) for more than seven voyages, in the case of a foreign ship.

2. The annual payments in accordance with the scale shall be payable at the commencement of the year in respect of which they are due except that a vessel which is put into service after June 30th of any year shall only be required to pay fifty per cent of the annual payment for that particular year.

3. Every payment referred to in paragraph 4(a) of Part II shall be paid at the commencement of the period in respect of which it is due save that a vessel shall not be required to make payments in excess of two hundred and ten dollars in any one year.

4. Dues payable in accordance with these Regulations shall be paid at the office of the Division of the Maritime Services, or at such other place as may be approved by the Director of Maritime Services.

5. Where navigational aids dues are not paid, the outstanding amount remains a charge against the ship and the ship may be detained until full payment is made by the owner or master of the ship.

PART IV

EXEMPTIONS

(Regulation 4)

There shall be exempt from navigational aids dues—

- (a) ships including naval and research vessels, belonging to the Government of Trinidad and Tobago or to a foreign Government unless they are carrying cargo or passengers for freight or fares respectively, or are engaged in any other type of commercial activity;
- (b) ships putting in for bunkers, stores or provisions for their own use on board;
- (c) ships putting in as a result of stress of weather or damage or for the purpose of repairs, if they do not discharge or load cargo other than cargo which is discharged with a view to such repairs and is to be re-shipped afterwards;
- (d) dredgers and hoppers for the time being employed solely in dredging channels or deepening water for or on behalf of a harbour authority or a conservancy authority, within the area in which that authority has jurisdiction, or in disposing, within or without such area otherwise than by way of sale or exchange, of the spoil from such operations;
- (e) sailing yachts or other craft which are not registered or licensed in Trinidad and Tobago, and which, as determined to the satisfaction of the Director of Maritime Services, come into the waters of Trinidad and Tobago with the sole object of taking part in racing regattas, so long as such vessels are coming into, remaining in, or leaving such waters solely in connection with that object;
- (f) Trinidad and Tobago licensed ships in respect of any year ending 31st December during the whole period of which they are laid up;
- (g) tugs and other utility craft owned by a harbour or port authority when employed by that authority within the area in which that authority has jurisdiction;
- (h) such other ships as the Minister may specifically or generally exempt in writing.

Made this 21st day of December, 1989.

C. CHARLES

*Minister of Works, Infrastructure and
Decentralization*