

REPUBLIC OF VANUATU

THE DUES, FEES AND CHARGES ORDER NO. 26 OF 1987

IN EXERCISE of the powers conferred by sections 5, 18, 31, 32 and 33 of the Ports Joint Regulation No. 12 of 1957, I hereby make the following Order:-

PORT DUES

1. (1) Port dues payable in respect of every overseas vessel, other than a yacht, which enters a port of entry from any place beyond Vanuatu shall be 14 Vatu per net registered ton.
- (2) Port dues payable in respect of every overseas yachts and pleasure crafts which enters a port of entry from any place beyond Vanuatu shall be 4.500 Vatu for any period up to and including 30 days and thereafter a surcharge shall be levied at 60 Vatu per day.
- (3) The port dues payable under subparagraphs (1) and (2) shall be payable by the shipping company or shipping agent to the Director of Ports and Marine within one month from the date of entry.
- (4) Where the port dues referred to under subparagraphs (1) and (2) are not paid within one month from the date of entry the port due payable shall be double the rate specified in paragraphs (1) or (2) as the case may be.

PILOTAGE FEES

2. (1) Pilotage fees payable in respect of every vessel, other than an exempted vessel, which uses the services of a pilot within the compulsory pilotage area of Port Vila and Luganville shall be at the rates given below:-

<u>Vessels</u>	<u>Vila</u>	<u>Luganville</u>
Between 60 and 100 metres in length	25.000 vatu	15.000 vatu
Between 101 and 130 metres in length	31.000 vatu	20.000 vatu
Between 131 and 160 metres in length	37.000 vatu	22.000 vatu
Between 161 and 200 metres in length	43.000 vatu	24.000 vatu
Over 200 metres	55.000 vatu	33.000 vatu

- (2) Pilotage fees payable under subparagraph (1) shall be payable by the shipping company or the shipping agent to the Director of Ports and Marine within one month from the completion of pilotage operations.
- (3) Where the pilotage fees referred to under subparagraph (1) is not paid within one month from the completion of pilotage operations the pilotage fee payable shall be double the rates specified in subparagraph (1).

TUG SERVICE IN PORT VILA

3. (1) The pilotage fee in Port Vila shall include the services of a tug.
- (2) The fee payable in respect of a tug line within the compulsory pilotage area of Port Vila shall be 1.500 vatu.

TUG SERVICE IN LUGANVILLE

4. The pilotage fee referred to under paragraph 2(1) in respect of the compulsory pilotage area of Luganville shall not include a charge for the services of a tug, but if the services of a tug is provided within that area the pilotage fee includes that service and the fee payable in respect of the tug line referred to in paragraph 3(2) shall be levied and shall be payable by the shipping company or shipping agent to the Director of Ports and Marine.

SURCHARGE IN RESPECT OF VESSEL AT FAULT

5. Where a vessel is not ready to receive a pilot at the appointed time or where a pilot is detained through the fault of the vessel an additional charge of 6.000 vatu per hour or part thereof shall be levied and shall be payable by the shipping company or the shipping agent to the Director of Ports and Marine.

STANDBY TIME FOR PILOT, TUG AND MOORING CREWS

6. The pilot, tug and mooring crews shall standby -

- (a) for an inward bound vessel at least one hour prior to the expected time of arrival at pilot station;
- (b) for an outward bound vessel at least thirty minutes prior to the expected time of departure.

PILOTAGE IN OTHER AREAS

7. Where pilotage operations are carried out at ports other than the ports of Vila and Luganville after approval has been granted on request, the fee specified in paragraph 2(1) in respect of the port of Luganville shall apply in addition to expenses in transporting the pilot to and from such specified place.

SURCHARGE IN RESPECT OF PILOT AND TUG

8. (1) Where pilotage operations are carried out between 1800 hours and 1600 hours or on Saturdays, Sundays or public holidays the following additional fees shall be levied and shall be payable by the shipping company or the shipping agent to the Director of Ports and Marine:-

- (a) between 1800 hours to 2400 hours 50%;
- (b) between 2400 hours to 0600 hours 100%;
- (c) on Sundays and public holidays 100%.

(2) An additional fee of 5.000 vatu per hour or part thereof shall be levied and shall be payable for the tug on standby for periods in excess of one hour.

PILOT LAUNCH

9. (1) The fee payable in respect of embarking or disembarking a pilot by a pilot launch shall be 4,500 vatu per hour or part thereof.
- (2) In the case of a pilot launch which is used for a purpose other than the purpose of embarking or disembarking a pilot between 1800 hours and 0600 hours an additional charge of 100% of the fee specified under subparagraph (1) shall be payable.
- (3) The fee payable under subparagraph (1) shall be levied and shall be payable by the shipping company or the shipping agent to the Director of Ports and Marine within one month from the completion of embarking or disembarking a pilot.
- (4) Where the fee referred to under subparagraph (1) is not paid within one month from the completion of embarking or disembarking a pilot the fee payable shall be double the rate specified in subparagraph (1).

BERTHING DUES

10. (1) Berthing dues payable in respect of every overseas vessel which berths at a Government wharf shall be 190 vatu per metre of length per day or part thereof with a minimum charge of 7,500 vatu (the normal charge).
- (2) In the case of an overseas vessel proceeding in or out of Vanuatu waters, which after obtaining the consent of the Harbour Master and the Customs Department, berths at a private wharf, the berthing due payable shall be 50% of the dues specified in subparagraph (1).
- (3) Where any overseas vessel:-
- (a) returns to a Government wharf from another port in Vanuatu for the sole purpose of loading or unloading, stevedoring or handling equipment; or
 - (b) comes to a Government wharf to replenish its supplies of fuel and water,
- the berthing due payable shall be 25% of the amount specified in subparagraph (1).
- (4) The berthing dues payable under subparagraph (1) shall be payable by the shipping company or the shipping agent to the Director of Ports and Marine within one month from the completion of berthing.
- (5) Where the berthing dues referred to under subparagraph (1) is not paid within one month from the completion of berthing the berthing due payable shall be double the rate specified in subparagraph (1).

LINE HANDLING FEES

11. (1) Line handling fees payable in respect of the handling of vessels lines at any Government wharf, or if requested at any other wharf, for vessels berthing and unberthing per hour or part thereof shall be at the rates given below:-

<u>Length of vessel</u>	<u>Rate</u>
(a) up to 30 metres	3.000 vatu;
(b) between 31 metres and 60 metres	5.000 vatu;
(c) between 61 metres and 130 metres	6.500 vatu;
(d) between 131 metres and 160 metres	8.500 vatu;
(e) Between 161 metres and 200 metres	10.000 vatu;
(f) over 200 metres	10.500 vatu.

(2) Where handling of vessels lines are carried out between 1800 hours and 0600 hours or on Sundays or Public Holidays the following additional fees shall be levied and shall be payable by the shipping company or the shipping agent to the Director of Ports and Marine:-

- | | |
|---|-------|
| (a) between 1800 hours and 2400 hours
Monday to Saturday | 50%; |
| (b) between 2400 hours and 0600 hours | 100%; |
| (c) Sundays and public holidays | 100%. |

(3) An additional fee of 4.500 vatu per hour or part thereof shall be levied and shall be payable by the shipping company or the shipping agent for berthing or unberthing staff on standby in excess of one hour.

(4) The line handling fees payable under subparagraph (1) shall be payable by the shipping company or the shipping agent to the Director of Ports and Marine within one month from the completion of handling of vessels lines.

(5) Where the line handling fees referred to under subparagraph (1) is not paid within one month from the completion of handling of vessels lines the line handling fees payable shall be double the rates specified in subparagraph (1).

WHARFAGE CHARGE FOR LOADING AND DISCHARGING

12. (1) Wharfage charges payable in respect of loading and discharging of all cargo to or from an overseas destination passing through the ports of Vila and Luganville or other port which the Minister has by Order declared it as a port for the purposes of loading and discharging cargo shall be at the rates given below based on the cargo manifest and any amending documents:-

- (a) imported cargo at 280 vatu per freight ton;
- (b) exported cargo at 140 vatu per freight ton.

(2) The minimum charge shall be 140 vatu per freight tonnage on a simple bill of lading.

- (3) Notwithstanding the provisions of subparagraph (1), a wharfage charge of 50% of the normal charges as specified in subparagraph (1) and (2) shall be payable in respect of any cargo from any overseas destination intended for exportation as an export commodity from Vanuatu and is exported as such either in its original state or otherwise and provided that at all material times the cargo or the goods comprised therein are not removed from the limits of the wharves or such other restricted custom areas as the Director of Customs may in writing specify.
- (4) In the event of non-payment of his remuneration or of the charges provided for under subparagraphs (1), (2) and (3) the stevedore shall have the right to retain possession of the cargo until such time as full payment has been made.
- (5) The stevedore may arrange:-
 - (a) for perishable cargo to be transported into a refrigerated warehouse for the account and at the expense of the consignee; and
 - (b) for non-perishable cargo to be transported into a customs warehouse if the owner of such cargo has not collected them within seven days of their arrival on the wharf.
- (6) The wharfage charges payable under subparagraphs (1) and (3) shall be payable by the stevedore to the Director of Ports and Marine within one month from the date the cargo reaches the wharf or when the loading is completed.
- (7) Where the wharfage charges referred to under subparagraph (1) is not paid within one month from the date the cargo reaches the wharf or when the loading is completed the wharfage charges payable shall be double the rates specified in subparagraph (1).

STORAGE CHARGES

13. (1) Storage charges payable in respect of any cargo stored at a Government wharf, warehouse or in the open but within the controlled port areas of Vila or Luganville shall be at the rates, per metric ton or part thereof, given below:-

(a) first five working days	Free;
(b) second five working days	300 vatu;
(c) third five working days	700 vatu;
(d) fourth five working days	1.300 vatu.
- (2) The storage charges payable under subparagraph (1) shall be payable by the shipping company or the shipping agent to the Director of Ports and Marine within one month from the date the cargo reaches the wharf, warehouse or in the open but within controlled port areas, as the case may be.
- (3) Where the storage charges referred to under subparagraph (1) is not paid within one month from the date the cargo reaches the wharf, warehouse or in the open but within the controlled port areas, as the case may be, an additional charge of 1.300 vatu per day per metric ton or part thereof is payable by the shipping company or the shipping agent to the stevedoring contractor.

(4) After a period of three months from the date on which the storage charges are due, the stevedore may with the written consent of the Director of Ports and Marine, take legal proceedings for the forfeiture and sale of goods in question.

(5) In the event of a dispute, the stevedore shall undertake the necessary weighing and measuring operations to establish the charges prescribed by this Order.

(6) If the weights and measurements:-

(a) are greater than those declared, the cost of such weighing and measuring operations shall be borne by the consignee or shipping agent;

(b) are lower than those declared, the cost of such weighing and measuring operations together with that caused by the resulting delay shall be borne by the stevedore.

REPEAL

The following subsidiary legislations are repealed:-

(a) Joint Ports (Pilotage and Wharf Charges)(Vila) Rules No. 6 of 1973;

(b) Fees and Charges (Amendment) Order No. 15 of 1985;

(c) Ports Order No. 58 of 1985.

COMMENCEMENT

This Order shall come into force on the day of its publication in the Gazette.

MADE at Port Vila this 24th day of April, 1987.

ALBERT SANDE
Minister of Transport,
Communication and Public Works