



STATUTORY INSTRUMENTS.

S.I. No. 504 of 2009



HARBOUR RATES (ARKLOW HARBOUR) ORDER 2009

(Prn. A9/1810)

HARBOUR RATES (ARKLOW HARBOUR) ORDER 2009

I, NOEL DEMPSEY, Minister for Transport, in exercise of the powers conferred on me by section 104 of the Harbours Act 1946 (No. 9 of 1946) and the Maritime Transport, Safety and Security (Transfer of Departmental Administration and Ministerial Functions) Order 2005 (S.I. No. 842 of 2005), and after due compliance with section 106 of the said Act, hereby order as follows:

1. (1) This Order may be cited as the Harbour Rates (Arklow Harbour) Order 2009.

(2) This Order comes into operation on 11th day of December 2009.

2. In this Order—

“fishing vessel” means any vessel equipped or used commercially for catching fish or other living resources of the sea;

“gross tonnage” means the gross tonnage of the vessel or ship concerned, determined in accordance with the Merchant Shipping (Tonnage) Regulations 1984 (S.I. No. 369 of 1984);

“harbour” means the harbour referred to in Article 3;

“net register tonnage” means as detailed on the tonnage certificate for the vessel;

“pleasure craft” means a vessel primarily used for sport or private recreation which is not engaged in any revenue earning, commercial activity or service, and includes a pleasure yacht.

3. This Order relates to Arklow Harbour, Arklow, County Wicklow.

4. (1) Subject to paragraph (2), the appropriate rate specified in the second and, where relevant, the third column of each of the Schedules is fixed as the rate payable to the harbour authority for Arklow Harbour for, as the case may be, the use of the facility or the provision of the service or in the circumstance described in, as relevant—

(a) the first column opposite the rate concerned, and

(b) where applicable, the headings to—

(i) the relevant Schedule, and

(ii) the first, second and third columns of the relevant Schedule.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 18th December, 2009.*

(2) The following vessels are exempt from the payment of the rates referred to in paragraph (1):

- (a) warships and naval auxiliary vessels of a Member State of the European Union;
- (b) vessels expressly used for training;
- (c) vessels owned by or in the service of Arklow Harbour Commissioners;
- (d) vessels in the service of the Irish Coast Guard;
- (e) vessels in the service of the Commissioners of Irish Lights.

(3) Where a rate specified in a Schedule is to be calculated by reference to a year, a week, a day, a metre or a metric tonne, or a number of any of them, any fractional portion of such period or measurement shall be treated as a whole of the unit concerned.

5. The Harbour Rates (Arklow Harbour) Order 1987 (No. 52 of 1987) and the Harbour Rates (Arklow Harbour) Order 2007 (No. 767 of 2007) are revoked.

SCHEDULE 1

Goods rates

Rates for every metric tonne of goods described imported or exported through the harbour.

Description of Goods	Rate per metric tonne of the goods concerned
Chemicals & Spirits	€1.20.
Fuel Oil	€1.20.
China Clay	€1.90.
Potash	€1.90.
Fertiliser	€1.90.
Basic Slag	€1.90.
Timber	€1.90.
Grain	€1.10.
Coal	€1.10.
Machinery/Metals	€2.10.
Timber/Wood	€1.10.
Other Goods	€2.10.

SCHEDULE 2

Tonnage rates

Description of vessels	Rate per metric tonne of the vessel concerned
Each vessel discharging or loading in the harbour or in the new dock for each and every voyage	€1.10 on every metric tonne of the net register tonnage or of half the gross tonnage, whichever is the greater.
Each vessel (other than fishing boats or pleasure craft) sheltering or repairing in the harbour or in the new dock	€1.10 per day on every metric tonne of the net register tonnage or of half the gross tonnage, whichever is the greater.

SCHEDULE 3

Harbour entry rates for vessels engaged in fishing (net register tonnage)

Description of vessels	Rate
Each vessel less than 5 tonnes	€20.00 for each entry into the harbour, or €500.00 for the year (Jan 1 to Dec 31) payable in advance.
Each vessel 5 tonnes or more but less than 15 tonnes	€30.00 for each entry into the harbour, or €750.00 for the year (Jan 1 to Dec 31) payable in advance.
Each vessel 15 tonnes or more but less than 30 tonnes	€40.00 for each entry into the harbour, or €1,000.00 for the year (Jan 1 to Dec 31) payable in advance.
Each vessel 30 tonnes or more	€50.00 for each entry into the harbour, or €1,500.00 for the year (Jan 1 to Dec 31) payable in advance.

SCHEDULE 4

Harbour entry rates for pleasure craft (net register tonnage)

Description of pleasure craft	Rate
Each pleasure craft less than 5 tonnes	€10.00 per day.
Each pleasure craft 5 tonnes or more	€20.00 per day.

SCHEDULE 5

Laying up rates (net register tonnage)

Description of Vessels	Rate up to and including 5 weeks	Rate after 5 weeks
Each pleasure craft less than 5 tonnes	€10.00 per day	€30.00 per day.
Each pleasure craft 5 tonnes or more	€20.00 per day	€50.00 per day.
Each other vessel less than 5 tonnes	€0.80 per tonne per day	€35.00 per week.
Each other vessel 5 tonnes or more but not more than 15 tonnes	€0.90 per tonne per day	€40.00 per week.
Each other vessel more than 15 tonnes but not more than 30 tonnes	€1.20 per tonne per day	€60.00 per week.
Each other vessel more than 30 tonnes	€2.00 per tonne per day	€150.00 per week.

SCHEDULE 6

Rates to be charged for fishing vessels under repair in the harbour, starting from the first day of repair (net register tonnage)

Description of fishing vessels	Rate up to 5 Weeks	Rate after 5 Weeks
Each fishing vessel less than 5 tonnes	€0.80 per tonne per day	€1.00 per tonne per day.
Each fishing vessel 5 tonnes or more but not more than 15 tonnes	€1.00 per tonne per day	€1.20 per tonne per day.
Each fishing vessel more than 15 tonne but not more than 30 tonnes	€1.20 per tonne per day	€1.60 per tonne per day.
Each fishing vessel more than 30 tonnes	€1.50 per tonne per day	€2.00 per tonne per day.

SCHEDULE 7

Rate for use of the harbour by passenger or cruise vessels

Use of the harbour by passenger or cruise vessels	Rate
Use of the harbour by each passenger or cruise vessel requesting a landing berth to land any number of passengers	€1.20 per passenger.

SCHEDULE 8

Miscellaneous rates

Description of work done or service rendered	Rate
A compound charge will apply to each vessel using the north quay and new dock for the collection of waste	€100.00.
Unauthorised disposal of waste	€1,000.00.
Fresh Water if required	€10.00 per 100 gallons plus the cost of personnel attending.
Swing Moorings in river	€200.00 per year.
Each fishing vessel and each pleasure craft stored on the quayside, within the harbour area for any reason:	
Where the vessel concerned is less than 5 tonnes	€50.00 per week
Where the vessel concerned is more than 5 tonnes	€100.00 per week
Each container placed on quayside to be used for storage by dock users	€250.00 per year (Jan. 1 to Dec. 31).

SCHEDULE 9

Rates for Arklow Sailing Club, Arklow Marina and Arklow Slipway Ltd.

Description of vessel	Rate
Each vessel, the owner of which is a member of Arklow Sailing Club	€70.00 per year.
Each visiting vessel into Arklow Sailing Club	As per Schedule 4
Arklow Marina river pontoons as per agreement with Arklow Marina	€300.00 per year per pontoon.
Each vessel into marina or pontoons as per agreement with Arklow Marina	€30.00 per day.
Each vessel into Arklow Slipways as per vessel under repair otherwise as per pleasure craft schedule or fishing vessel schedule	As per Schedule 6, Schedule 4, Schedule 3.

SCHEDULE 10

Other rates

Heavy plant vessels

Each heavy plant vessel entering the harbour or new dock	Rate per metric tonne of the vessel concerned
Each jack-up barge	€1.10 on every metric tonne of net registered tonnage or half the gross tonnage, whichever is the greater, per day.
Each heavy duty barge	€1.10 on every metric tonne of net registered tonnage or half the gross tonnage, whichever is the greater, per day.
Each heavy duty tug	€1.10 on every metric tonne of net registered tonnage or half the gross tonnage, whichever is the greater, per day.
Each smaller dock tug	€1.10 on every metric tonne of net registered tonnage or half the gross tonnage, whichever is the greater, per day.
Each crew vessel	€1.10 on every metric tonne of net registered tonnage or half the gross tonnage, whichever is the greater, per day.
Each survey vessel	€1.10 on every metric tonne of net registered tonnage or half the gross tonnage, whichever is the greater, per day.
Laying up rate on each of the above vessels	50% of the relevant above rate applies.

SCHEDULE 11

Rate for use of the harbour by a fishing vessel in connection with the discharging or landing of fish

Description	Rate
Seed mussels and other shellfish and all other species of fish landings	€150.00 per cargo landed or €10.00 per gross tonnage.



GIVEN under my Official Seal,
11 December 2009.

NOEL DEMPSEY,
Minister for Transport.

EXPLANATORY NOTE:

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order authorises Arklow Harbour Commissioners to charge increased goods and tonnage rates at Arklow Harbour.

Schedule 10 introduces new tonnage rates for heavy plant vessels.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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