



Tonga

HARBOURS (AMENDMENT NO 2) ACT 1994

No. 3 of 1994

AN ACT TO AMEND THE HARBOURS ACT

I assent,
TAUFA'AHAU TUPOU IV,
23rd June, 1994.

[31st May, 1994]

BE IT ENACTED by the King and Legislative Assembly of Tonga in the Legislature of the Kingdom as follows:

1.
 - (1) This Act may be cited as the Harbours (Amendment No. 2) Act 1994.
 - (2) The Harbours Act (Cap. 137), as amended, is in this Act referred to as the Principal Act.
 - (3) This Act shall come into effect on a day to be appointed by His Majesty in Council.
2. The part with the heading "EXEMPTIONS" in the Schedule to the Principal Act is amended by inserting after the words "OTHER CHARGES" the words and comma "TUGBOATS SERVICE CHARGES,".
3. The Schedule to the Principal Act is amended by adding at the end thereof the following:

“TUGBOAT SERVICE CHARGES

1. Where the services of a tugboat are used, or deemed to be used, the following charges shall be payable:

Vessel Gross Registered Tonnage (GRT)	\$ per Hour
1000 and less	173
1001 - 2000	200
2001 - 3000	250
3001 - 6000	300
6001 - 8000	350
8001 - 10000	400
10001- 15000	450
15001- 20000	500
20001- and above	550

2. Where a vessel with GRT in excess of 1000 tonne makes a movement within a port without the use of a tugboat the owner, charterer or agent shall pay an amount equivalent to the charge that would have been incurred in respect of the services of a tugboat during the period of that movement by the vessel.
3. The Secretary for Marine and Ports may, at his discretion, direct that the services of a tugboat must be used by any vessel of 1000 GRT or less.
4. The hire of a tugboat shall be calculated by the basic unit of one hour and any hire lasting less than one hour shall be counted as one hour. Any hire time beyond the first one hour shall be calculated on an hourly basis with any fraction of hire time less than half-hour counted as half-hour.
5. For the purposes of computing the charges payable, the time a tug is employed shall be deemed to commence from the time the services of the tugboat was originally booked for until such time the tugboat is released or have completed the operation.
6. Where the services of a tugboat is booked and is then amended or cancelled less than two hours before the time originally booked, the tugboat shall be deemed to have been used for one hour and charges payable accordingly.”

Passed by the Legislative Assembly this 31st day of May, 1994.