



**SAINT JOHN PORT AUTHORITY**

**HARBOUR DUES**

**BY-LAW**

**APPLICABLE AT THE HARBOUR OF THE**  
**SAINT JOHN PORT AUTHORITY**

This By-Law is issued pursuant to Section 49(1),  
Part 1 of the Canada Marine Act, Bill C-9.

EFFECTIVE: FEBRUARY 1, 2009

**Canada**<sup>132</sup>

# SAINT JOHN PORT AUTHORITY BY-LAW RESPECTING HARBOUR DUES

## Short Title

1. This By-law may be cited as the Saint John Harbour Dues By-law.

## Interpretation

2. In this By-law,

"Authority" means the Saint John Port Authority; (Administration)

"harbour" means the harbour of Saint John; (port)

"harbour dues" means the rates on a vessel that comes into or uses the harbour; (droits de port)

"registered gross tonnage" means the gross tonnage of a vessel calculated

- (a) on a basis that corresponds with or is equivalent to the method of calculating the gross tonnage of a vessel set out in sections 94 to 107 of the Canada Shipping Act, or
- (b) in accordance with the Regulations set out in Annex I to the International Convention on Tonnage Measurement of Ships, 1969; (jauge brute au registre)

"tonnage measurement certificate" means a certificate that is issued by a surveyor of ships appointed under section 103 of the Canadian Shipping Act and that sets out the registered gross tonnage of a vessel. (certificat de jaugeage)

## Application

3. This By-law is binding on Her Majesty in right of Canada and in right of any province.

## Harbour Dues

4. (1) Subject to Section 7, harbour dues calculated in accordance with this By-law are payable in respect of a vessel that comes into or uses the harbour.
- (2) The harbour dues payable in respect of a vessel
  - (a) are due as soon as they are incurred and shall be paid within 60 days from the date due to the Authority at its office at the harbour; and

- (b) are in addition to fees, charges, rates or tolls that are imposed by any other By-law or fixed under Section 49(1) of Part 1 of the Canada Marine Act or that may be owing to the Authority.

### **Calculation of Harbour Dues**

- 5. Harbour dues shall be calculated as set out in the schedule.

### **Measurement of Vessels**

- 6. (1) Where two registered gross tonnages are recorded on a tonnage measurement certificate, the greater of those tonnages shall apply for the purposes of this By-law.
- (2) Where the owner of a vessel is not able to produce to the Authority a tonnage measurement certificate, the Authority may estimate the gross tonnage of that vessel and the gross tonnage so estimated shall be the registered gross tonnage for the purposes of this By-law.

### **Exemptions**

Harbour dues are not payable in respect of a vessel:

- 7. (a) that is of a non-commercial type or design and belongs to Her Majesty in right of Canada or a province or to a foreign government;
- (b) that is a pleasure craft not engaged in commerce;
- (c) that comes into the harbour in distress under its own power or under tow;
- (d) that is of Canadian registry, is not more than 50 tons gross register and is engaged exclusively in fishing;
- (e) that operates as a ferry and maintains a regular running schedule in the harbour; or
- (f) that comes into the harbour, departs from it within a period of 12 consecutive hours from the time it comes into the harbour and does not engage in any commercial activity therein.

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ITEM	DESCRIPTION	RATE \$
1.	A vessel that ordinarily uses only the harbour and is engaged in commercial activity therein, for each year or part thereof,	
	a) in the case of a self-propelled vessel,	
	(i) not more than 100 tons gross register	104.88
	(ii) more than 100 but not more than 200 tons gross register	209.78
	(iii) more than 200 tons gross register	1048.93
	b) in the case of a scow,	
	(i) not more than 50 tons gross register	
	(ii) more than 50 but not more than 100 tons gross register	104.88
	(iii) more than 100 tons gross register	149.86 269.71
	c) in the case of a non-self-propelled vessel other than a scow	269.71
2.	1) A vessel referred to in item 1 that departs from and comes into the harbour again, for each time it comes into the harbour, per gross registered ton	0.0226
	2) The minimum rate under sub-item (1) is	19.52
3.	1) A vessel other than a vessel referred to in item 2 that comes into the harbour, for each time it comes into the harbour	
	a) In the case of a vessel of Canadian registry engaged, at the time it comes into the harbour, in the carriage by water of goods or passengers from a place in Canada to another place in Canada, per gross registered ton	0.0296
	b) In the case of a vessel other than a vessel referred to in paragraph (a), per gross registered ton	0.0598
	2) The minimum rate under paragraph (1)(a) is	19.52
	3) The minimum rate under paragraph (1)(b) is	39.05