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THE PILOTAGE ACT

THE PILOTAGE (AMENDMENT) REGULATIONS, 2017

In exercise of the power conferred upon the Port Authority by section 25(1) of the Pilotage Act, and of every other power enabling, the following Regulations are made, with the approval of the Minister:—

1. These Regulations may be cited as the Pilotage (Amendment) Regulations, 2017, and shall be read and construed as one with the Pilotage Regulations, 1975, (hereinafter referred to as the “principal Regulations”) and all amendments thereto.

2. Regulation 25 of the principal Regulation is amended—

(a) in paragraph (1), by deleting the words “in the Third Schedule” and substituting therefor the words “in Part I of the Third Schedule”;

(b) by deleting paragraphs (2), (3) and (4) and substituting therefor the following—

“ (2) Where pilotage services are provided between the hours of 8:00 p.m. and 4:00 a.m, the pilotage fee payable shall be equivalent to the sum of—

(a) the pilotage fee appropriate to that ship as specified in Part I of the Third Schedule; and

(b) ten per cent of that pilotage fee (hereinafter referred to as “the premium fee”).

Part I. (3) The pilotage fee in respect of pilotage service rendered
Third to ships of the categories specified in the first column of
Schedule. Part I of the Third Schedule, shall be the amount as specified in relation to each such category in the second and third column of Part I of the Third Schedule.”

3. Regulation 28 of the Principal Regulations is amended by deleting the words “in the Third Schedule” and substituting therefor the words “in Part I of the Third Schedule”.

4. Regulation 29 of the principal Regulations is amended by deleting the words “in the Third Schedule” wherever they appear and substituting therefor, in each case, the words “in Part I of the Third Schedule”.

5. The principal Regulations are amended by inserting next after regulation 30, the following—

“

Boat Fees

Boat fees. 30A. There shall be payable to the Authority in respect of pilotage services within the limits of any pilotage area and for any coastal pilotage, the boat fees specified in Part II of the Third Schedule.”

Part II.
Third
Schedule.

6. The principal Regulations is amended by deleting regulation 31 and substituting therefor the following—

“Detention fees. 31. Where a pilot is delayed beyond the time appointed for the arrival or departure of a ship, there shall be paid to the Authority in respect of that period, the detention fee specified in Part III of the Third Schedule.”

Part III.
Third
Schedule.

7. Regulation 32 of the principal Regulations is amended by deleting paragraph (2) and substituting therefor the following—

“ (2) Where the time appointed for the arrival or departure of a ship is subsequently altered to some later time, no detention fee shall be payable to the Authority in respect of any period prior to such later time, except such detention fee as may be due at the time when the pilot is informed of the postponement.”

8. The principal Regulations are amended by—
- (a) renumbering regulation 32A as regulation 32B; and
 - (b) inserting next after regulation 32 the following as regulation 32A—

Cancellation Fee

“Cancellation fee. 32A.—(1) There shall be payable to the Authority in respect of of the cancellation of pilotage services within the limits of any pilotage area and for any coastal pilotage, a cancellation fee of twenty United States dollars (US\$20.00).

(2) Cancellation of pilotage services may occur—

- (a) by agreement between an agent and pilot; or
- (b) in the circumstances set out in regulation 32B.”.

9. The principal Regulations are amended by inserting next after regulation 33 the following as regulation 33A—

“United States dollars as currency for payment. 33A. The requirement for payment in United States dollars (US\$) applies to the extent that the payment is not contractually or otherwise precluded by law.”.

10. The principal Regulations are amended by inserting next after regulation 34, the following—

“ *Travelling allowance*

Travelling allowance. 34A. Subject to regulation 34, there shall be payable to the Authority in respect of the transport of pilots to provide pilotage services within the limits of any pilotage area and for any coastal pilotage, the travelling allowance specified in Part IV of the Third Schedule.

Part IV.
Third
Schedule.

Subsistence allowance

Subsistence allowance. 34B. Subject to regulation 34, there shall be payable to the Authority in respect of the subsistence of pilots to provide pilotage services within the limits of any pilotage area and for any coastal pilotage, the subsistence allowance of one hundred and fifty-five United States dollars (US\$155.00), which includes eighty United States dollars (US\$80) payable in respect of hotel accommodations.”.

11. The principal Regulations are amended by deleting the Third Schedule and substituting therefor the following—

“ THIRD SCHEDULE (Regulations 25, 28, 29, 30A, 31 and 34A)

Part I

Pilotage Services Fees

1. The fees payable in respect of pilotage services shall be as follows—

Registered Tonnage of Ships	Movement	
	In or Out	Shifting
Maximum Gross	US\$	US\$
(a) 500 tons and under	51.94	25.97
(b) Above 500 tons and not exceeding 1,000 tons	67.50	33.75
(c) Exceeding 1,000 tons and not exceeding 1,500 tons	75.33	37.67
(d) Exceeding 1,500 tons and not exceeding 2,000 tons	83.10	41.55
(e) Exceeding 2,000 tons and not exceeding 3,000 tons	96.10	48.05
(f) Exceeding 3,000 tons and not exceeding 4,000 tons	114.27	57.14
(g) Exceeding 4,000 tons and not exceeding 5,000 tons	132.48	66.24
(h) Exceeding 5,000 tons and not exceeding 6,000 tons	148.04	74.02
(i) Exceeding 6,000 tons and not exceeding 7,000 tons	166.24	83.12
(j) Exceeding 7,000 tons and not exceeding 8,000 tons	181.82	90.91
(k) Exceeding 8,000 tons and not exceeding 9,000 tons	199.12	99.56

Maximum Gross Registered Tonnage of Ships	Movement	
	In or Out	Shifting
	US\$	US\$
(l) Exceeding 9,000 tons and up to 10,000 tons	218.19	109.10
(m) For each additional 100 tons in excess of 10,000 tons	1.35	1.35

2. The fees payable in respect of coastal pilotage shall be at the rate of US\$46.65 per 50 miles or part thereof.

3. The fee payable in respect of pilotage services provided between the hours of 8:00 p.m. and 4:00 a.m., shall be an amount equivalent to the sum of the relevant fee specified in item 1, in addition to the premium fee.

Part II

Boat Fees

The boat fees payable in respect of pilotage services shall as follows—

Specified Port	Movement	
	In or Out	Shifting
	US\$	US\$
Falmouth	182.71	45.67
Kingston	244.42	61.10
Montego Bay	182.71	45.67
Ocho Rios	182.71	45.67
Rio Bueno	127.05	31.76

Part III

Detention Fees

The detention fee payable in respect of the delay or detention of a pilot on a ship shall be as follows—

Specified Port	Duration of Delay/Detention	Fee US\$
Kingston	For the first hour	50.00
	For each consecutive hour or any part thereof	75.00
Outports	For the first hour	75.00
	For each consecutive hour or any part thereof	75.00

Part IV

Travelling Allowance

The travelling allowance payable in respect of pilotage services shall be as follows—

Specified Port	Distance	
	(Miles)	US\$
Black River	220	363.00
Discovery Bay	162	267.30
Falmouth		
—Cruise ships	200	300.00
—Other ships	200	330.00
Kingston	—	57.75
Lucea	298	491.70
Montego Bay		
—Cruise ships	244	366.00
—Other ships	244	402.60
Ocho Rios		
—Cruise ships	118	177.00

Specified Port	Distance	
	(Miles)	US\$
—Other ships	118	194.70
Old Harbour	80	132.00
Port Antonio		
—Cruise ships	160	240.00
—Other ships	160	264.00
Port Esquivel	80	132.00
Port Kaiser	170	280.50
Port Morant	80	132.00
Rio Bueno	17	283.80
Rocky Point	90	148.50
Salt River	86	141.90
Savanna-la-Mar	274	452.10
Other ports US\$1.65 per mile		

Dated the 1st day of June, 2017.

NIGEL CLARKE
Chairman, Port Authority

Approved:

ANDREW HOLNESS
Minister of Economic Growth and Job Creation.

