

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

CHAPTER 90

HARBOUR ACT

[23rd July, 1932]

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1. This Act may be cited as the Harbour Act.

PART I

Harbour Regulations

2. In this Act, unless the context otherwise requires -

"harbour" means the harbour of Victoria and any bay, roadstead or place within three nautical miles from any coast;

"harbour dues" means the dues and rates leviable by virtue of regulations made under section 3;

"Government" means the Government of Seychelles;

"Harbour Master" means the person for the time being performing the functions of Harbour Master in Seychelles or an officer duly authorised as Acting Harbour Master;

"vessel" includes any ship or boat or any other description of vessel used in navigation and also includes every article or thing or collection of things being or forming part of the tackle, apparel, furniture, equipments, cargo, stores or ballast of a vessel.

3. The Minister may make regulations to provide for -

- (a) (i) the control of traffic in the harbour, of wharves, landing places quays, buoys, lighters, small craft, plying boats, motor boats employed in the harbour for the transport of persons and goods, and the tariff for such boats;
- (ii) the prohibition, control and regulation of persons and goods entering or leaving the Port Security Area;
- (b) the use of pilots;
- (c) the control of -
 - (i) vessels loaded with petroleum or explosives;
 - (ii) the landing of explosives, petroleum and other dangerous goods;
 - (iii) the landing of cargo;
 - (iv) the berthing, mooring and departure of ships;
- (d) pilotage, towage, anchorage, light and other dues to be paid in respect of any vessel entering or leaving the harbour;
- (e) rates for the supply of fresh water to any vessel in the harbour;
- (f) generally for carrying any of the purposes of this Act into effect.

4. It shall further be lawful for the Minister to define by regulations the inner and outer harbour of Victoria and the Port Security Area for the purposes of regulations made under this Act, and also to define lawful wharves, landing places or mooring places.

5. Regulations made under section 3 or section 4 may impose by way of penalty a fine not exceeding twenty thousand rupees or imprisonment not exceeding two years or both such fine and imprisonment.

6. Offences against such regulations may be prosecuted by any police officer.

7. All harbour dues leviable by virtue of regulations made under section 3 shall become due and payable forthwith to Republic.

8. The Minister after consultation with the Minister for Finance may remit or reduce any charges due under this Act.

9. (1) The President may, by order, designate any areas within or in the vicinity of the harbour of Victoria as the Fishing Port of Seychelles.

(2) The President may make regulations with respect to the administration and control of the Fishing Port of Seychelles and, for that purpose, may, in particular, confer or impose powers and duties on the Seychelles Fishing Authority established by the Seychelles Fishing Authority (Establishment) Act, including powers to make changes and levy fees in prescribed circumstances.

(3) To the extent that the President makes regulations under subsection (2) those regulations shall have effect notwithstanding anything to the contrary in this or any other Act, but otherwise this Act shall continue to apply in relation to the area of the Fishing Port of Seychelles to the same extent as it would have applied if this section had not been enacted.

10 (1) Where any vessel is sunk, stranded or abandoned in any harbour the Harbour Master may -

- (a) take possession of, and clear the harbour of, raise, remove, or destroy the whole or any part of the vessel; and
- (b) light or buoy any such vessel or part until the clearing, raising, removal or destruction thereof; and
- (c) sell, in such manner as he thinks fit subject to the approval of the Minister after consultation with the Minister responsible for Finance any vessel or part so taken possession of, cleared, raised or removed and also any other property recovered in the exercise of his powers under this section, and out of the proceeds of the sale reimburse the Government for any expenses incurred by him in relation thereto under this section, and the Government shall hold the surplus, if any, of the proceeds in trust for the persons entitled thereto:

Provided that a sale shall not, except in the case of property which is of a perishable nature or which would deteriorate in value by delay, be made under this section until at least seven clear days' notice of the intended sale has been given by advertisement in the Gazette and in a newspaper circulating in Seychelles.

(2) The powers conferred by this section shall be in addition to and not in derogation of any other powers for a like object.

11 (1) In the case where harbour dues payable in respect of any vessel have not been paid, either in whole or in part, the Harbour Master, with such assistance as he may deem necessary, go on board such vessel and take, distrain, or arrest, of his own authority, such vessel or any part thereof, and detain the matters so distrained or arrested until the harbour dues are paid.

(2) In case where any of the said dues shall remain unpaid for the space of seven days next after any distress or arrestment so made, the Harbour Master may sell, in such manner as he thinks fit, subject to the approval of the Minister, after consultation with the Minister responsible for Finance, the matters so distrained or arrested or any part thereof, and with the proceedings of such sale may satisfy the harbour dues so unpaid and the expenses of taking,

keeping and selling the matters so distrained or arrested and the Government shall hold the surplus, if any, of the proceeds in trust for the persons entitled thereto.

12. Without prejudice to any other remedy, the Republic may recover harbour dues payable in respect of a vessel from the owner, master or agent of such vessel by proceedings in any court of competent jurisdiction.

13. A vessel in respect of which harbour dues are payable but have not been paid, either in whole or in part, may be detained by order of the Harbour Master and such vessel shall not receive clearance or leave harbour until such dues have been paid.

14. Any sale by the Harbour Master of a vessel or of any part thereof pursuant to his powers under section 10 or section 11 shall transfer the absolute and unqualified ownership of such vessel or part thereof to the purchaser free and discharged from encumbrances.

15. For the avoidance of doubt, it is hereby expressly enacted that sections 11 and 12 shall apply in respect of harbour dues leviable, due and payable before as well as after the date on which these sections come into force.

PART II

Pilots

16 (1) It shall be lawful for the President to appoint from time to time, and as occasion may require, such number of persons as he may think fit and as may be properly qualified, to act as pilots in and for any one or more of the Seychelles Islands.

(2) Every such appointment shall be notified in the Gazette.

17 (1) Any pilot appointed under this Act shall be under the control of the Harbour Act.

(2) Any pilot shall, besides the conduct of ships and vessel, discharge such other duties as the Minister may, from time to time, by regulation under this Act or by any order, appoint him to perform.

18. (1) No pilot shall assume the duties of his office until he shall have taken the official oath according to the Official Oaths Act, to be tendered by the Registrar of the Supreme Court before a Judge in chambers.

(2) He shall also, so soon as possible after his appointment, furnish a security bond through an approved guarantee society, in the sum of one thousand rupees, the said bond being conditioned for the careful pilotage of ships and vessel which he shall conduct in the execution of his office; and for his proper observance of all laws and regulations or orders affecting his said office.

19. No pilot who shall have executed and furnished security as provided by this Act shall be liable in damages to any party aggrieved for any act done by him in the execution of his office beyond the amount specified in the security bond.

20. The Government of Seychelles shall not be responsible to any party aggrieved for any act done by any pilot in the execution of his office beyond the amount of the security bond of such

pilot, and such responsibility shall cease on the production by the said Government of the said bond.

21. In case any party have been aggrieved by any act of such pilot done in the execution of his office, such party may, in his own name and at his own risks as to cost, recover from such pilot and the guarantee society the amount of such security bond or any portion thereof which to the competent court may seem just.

22. Any person who shall not have been appointed a pilot under the provisions of this Act, and who shall conduct as a pilot any ship or vessel into or out of the harbour or roadstead of Victoria, shall be guilty of an offence and liable for each offence to a fine not exceeding five hundred rupees without prejudice in any such case to any action in damages in which he may be answerable for any act done by him.

23. Any master or other person in charge of a ship or vessel, who shall wilfully employ as a pilot any person not qualified under the provisions of this Act to act as a pilot, shall be liable to the penalties provided in section 22.

24. The penalties enacted by sections 22 and 23 shall not be incurred in any case where any person shall have been employed as pilot to conduct a ship or vessel when such ship or vessel was in distress, or under circumstances which shall have rendered it necessary for the master or person in charge of such ship or vessel to avail himself of the best assistance which at the time could be procured.

25. A list of pilots appointed under this Act shall be and shall remain affixed to a conspicuous part of the Port Office and Customs Office in Victoria, and shall be delivered to every master or person in charge of ship or vessel at the same time as and with the quarantine regulations.

26. (1) The Minister shall have power to frame regulations providing for the qualifications of candidates for the office of pilot, the service and duties of pilots, and generally the carrying out of the provisions of this part.

(2) Such regulations may provide for a fine not exceeding two hundred rupees for any breach or contravention thereof.

27. (1) This Act shall apply to the officer acting as Government Pilot and Assistant Harbour Master.

(2) Nothing in this Act shall affect the pension rights of such officer, or of any other officer hereafter appointed as Government Pilot and Assistant Harbour Master.

28. The provisions of this Part shall apply to the following classes of vessel only if such vessels request to be supplied with a pilot:-

- (a) British or foreign men-of-war or transports, or vessels belonging to the Government of Seychelles;
- (b) private yachts;
- (c) vessels touching at Port Victoria without entering the inner harbour.

29. Notwithstanding anything in any Act or regulation, the owner or master of a vessel navigating under circumstances in which pilotage is compulsory shall be answerable for any loss or damage caused by the vessel or by any fault of the navigation of the vessel in the same manner as he would if pilotage were not compulsory.

LAWS OF SEYCHELLES

HARBOUR ACT

CHAPTER 90

SUBSIDIARY LEGISLATION

SI. 53 of 1994
SI. 19 of 1998
SI. 02 of 1999

Section 3

Harbour Dues Regulations

[12th September, 1994]

1. These Regulations may be cited as the Harbour Dues Regulations.

2. In these Regulations -

"Authority" means the Port and Marine Services Division of the Ministry of Tourism and Transport;

"GT" means a unit of the gross tonnage of a vessel determined in accordance with the International Convention on Tonnage Measurement of Ships, 1969;

"Master" includes the owner or agent of a vessel;

"Military vessels" means a vessel belonging to or used by the defence force of any country, not being a vessel used for commercial purposes;

"passenger" does not include a member of the crew;

"pleasure craft" means any vessel used for recreation not plying for hire or reward.

3. (1) Subject to these Regulations the Harbour dues and fees specified in the Schedule shall be payable by the Master in respect of any vessel entering or leaving the harbour.

(2) The harbour dues and fees payable under sub-regulation (1) shall be paid on demand by the Authority either as an advance payment, if required, or prior to departure of the vessel and the Authority shall not give port clearance to any vessel until the dues payable by the Master in respect of the vessel are paid or other arrangements for payment are made to the satisfaction of the Authority.

(3) The Master of any vessel shall on such forms as may be provided by the Authority furnish such particulars relating to the vessel and whatsoever the vessel may carry.

4. (1) A vessel belonging to the Government of Seychelles shall not be liable for Port Dues specified as tariff item 1 in the Schedule.

(2) A vessel registered under the Merchant Shipping Act shall, for three years immediately following the year of its first registration under that Act, be liable to 50% of the Port Dues specified as tariff item 1 in the Schedule provided that the ship continues to be so registered under the same name and same ownership as on its first registration under that Act.

(3) Subject to subregulation (4) a vessel that calls at Port Victoria for commercial operations shall, on its first call, be entitled to a discount of 25% of the Port Dues specified as tariff item 1 in the Schedule.

(4) Subregulation (3) shall not apply to a vessel that calls at Port Victoria only for bunkers, water or refuelling or a vessel referred to in subregulation (2).

(5) Calls made at Port Victoria for commercial purposes by the same or different liner vessels owned by a shipping line, not being a vessel referred to in subregulation (2), more than 3 times within a calendar year shall entitle the shipping line to discounts on Port Dues for calls made by its vessels in the immediately following calendar year in accordance with the following graduated scale -

Less than 3 calls	0%
4 calls to 9 calls	5%
10 calls to 12 calls	10%
over 12 calls	20%

(6) For the purposes of subregulation (5) "calendar year" means a period of 12 months ending on 31st December of any year.

5. (1) Subject to subregulation (2), the following vessels shall be exempt from utilisation of pilot services while entering, leaving or shifting within a harbour -

- (a) vessels belonging to the Government of Seychelles;
- (b) vessels registered under the Merchant Shipping Act;
- (c) vessels less than 150 G.R.T;
- (d) military vessels;
- (e) pleasure craft.

(2) Where for the safety of a vessel referred to in subregulation (1) the Harbour Master requires the vessel to be under the charge of a pilot, the vessel shall be exempt from payment of pilotage dues specified in tariff item 2 in the Schedule.

(3) Where the Harbour Master is satisfied of the competence of the crew of a vessel entering or leaving a harbour, he may exempt that vessel from the utilisation of pilot services and grant the Master of the vessel a certificate of exemption on payment of the annual fee specified in tariff item 2.5 in the Schedule.

(4) Where a certificate of exemption is granted in respect of a vessel, the certificate may be renewed if the ship had made not less than 6 calls during the period of validity of the certificate.

SCHEDULE

TARIFF ITEM

1. PORT DUES

1.1 Normal calls

Vessels calling at Port Victoria to load or discharge cargo in any form:

1.11 Cargo Containers and Oil/Cement Tankers

0 to 24 hours 0.25 c per GT

each subsequent

period of 12 hours 0.15 c per GT

or part thereof

1.12 General Cargo - Breakbulk (including vessels having containers cum breakbulk cargo)

TARIFF ITEM

0 to 72 hours 0.25 c per GT

each subsequent

period of 12 hours 0.15 c per GT

or part thereof

1.2 Special Purpose calls

For vessels calling at Port Victoria for medical, weather, mutiny or as a Port of Refuge

0 to 48 hours FREE

each subsequent

period of 12 hours 0.50 c per GT

or part thereof

1.3 Water, bunkers, supplies, crew changes or orders only

For vessels occupying an anchorage or berth for the purpose of bunkering, taking ship's supplies, changing members of crew or afloat repairs.

0 to 24 hours 0.08 c per GT

each subsequent

period of 12 hours 0.10 c per GT

or part thereof

1.4 Pleasure Craft (Sailing and Motor Yachts)

Charges per vessel for 24 hours or part thereof

GROSS TONS	First 5 Days	Over 5 to 10 Days	Over 10 Days
Less than 20 GT	SR 50.00	SR 40.00	SR 30.00
20 TO 100 GT	SR 75.00	SR 50.00	SR 40.00
Over 100 TO 300 GT	SR 150.00	SR 125.00	SR 100.00
Over 300 TO 500 GT	SR 300.00	SR 200.00	SR 150.00
Over 500 GT	SR 600.00	SR 300.00	SR 200.00

1.5 MILITARY VESSELS

0 to 24 hours SR 200.00

More than 24 hours SR 100.00 per 24 hour period

or part thereof

1.6 Reefer Vessels

0 - 96 hours SR 0.40 per GT

Each subsequent period of

24 hours or part thereof SR 0.10 per GT

1.7 Fishing Vessels

0 to 96 hours SR 0.40 per GT

Each subsequent period of

24 hours or part thereof SR 0.10 per GT

1.8 Local Schooners

A local schooner shall pay a fixed fee of R100 per month for utilisation of port facilities

2. **PILOTAGE DUES**

2.1 Pilotage Charges (includes use of a pilot launch for pilotage) for entering or leaving port

All vessels mentioned in Regulation 8(1) are obliged to accept the services of a Pilot and shall be charged as follows.

First hour SR 0.15 per GT

In excess of 1 hour SR 0.10 per GT

Subject to the following

Minimum charge SR 1,000.00

Maximum charge SR 5,000.00

2.2 Vessels not under command

Vessels not under command shall pay a rate double that specified in 2.1 above.

2.3 Pilot waiting time

If the pilot is kept waiting through any fault of the vessel or its shipping agent, there shall be a charge of SR 300.00 per hour or part thereof.

If the pilot launch is also detained, there shall be an additional charge of SR 500.00 per hour or part thereof.

2.4 Pilotage Services/Amendment/Cancellation

No fees shall be chargeable if the master, owner or agent of a vessel subsequently cancels, or amends, a request for pilotage more than 2 hours (during normal working hours) and more than 6 hours (Saturdays, Sundays and Public Holidays).

- (a) Any cancellation or amendment made or requested less than 2 hours (within the normal working hours) and less than 6 hours (on Saturdays, Sundays and Public Holidays) before service is required a SR 600.00 charge shall be applicable for each cancellation and/or amendment.

3.0 **TUGS**

3.1 **Tug Charges**

All vessels, exceeding 150 GT, entering or leaving Port Victoria or any other port in Seychelles shall accept the Tug services.

The following charges shall be payable for assisting, in attendance or shifting a vessel for berthing and unberthing operation.

First hour	SR 0.35	per GT
In excess of 1 hour	SR 0.25	per GT
Minimum charge	SR 2100.00	
Maximum charge	SR 7500.00	

3.2 A 20% discount shall be applicable on tug charges (3.1 above) if the tug remains at its station.

3.3 Vessels not under command shall pay double rate as that stated in 3.1.

3.4 **Tugs for Fire Precaution Standby**

GROSS TONNAGE	PER HOUR OR PART
150 - 5000	SR 200.00
5001 - 9999	SR 250.00
10000 AND OVER	SR 300.00

3.5 Fire Brigade for Fire Precaution standby.

Applicable to Gas Tankers only while alongside berth (in addition to 3.4 above).

Fee SR 300.00 per hour or part thereof.

3.6 **Tug Service Amendment Charge/Cancellation/Waiting time charge**

- (a) Where a tug is ordered then subsequently cancelled or amended more than 2 hours (within normal working hours) and more than 6 hours (on Saturdays, Sundays and Public Holidays) before the service is to commence, no fee shall be applicable.

- (b) Should there be any cancellation and/or amendment less than 2 hours (within the normal working hours) and less than 6 hours (on Saturdays, Sundays and Public Holidays) before tug services is to for each amendment and/or cancellation.

commence a charge of SR 3000.00 shall be applicable **4.0**

BERTH DUES (INCLUDING BUOYS OCCUPANCY)

- 4.1 Berth Dues shall be applicable to any type of vessel occupying berth including Oil/Gas/Chemical tankers, Bulk Carrier, General-Cargo, Container vessels including Ro-Ro and Car Carriers etc.

0 to 24 hours	SR 0.15	per GT
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Thereafter per 24 hour

period or part thereof	SR 0.25	per GT
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Minimum charge	SR 200.00
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Berth Dues exclusively for vessels moored on buoys shall enjoy a 50% discount of the charges specified in tariff item 4.1.

5.0 BERTHING OR UNBERTHING (MOORING GANGS)

- 5.1 Berthing or Unberthing shall include the availability of the services of the Harbour Master, his representative and mooring gang.

Charge per operation	SR 500.00
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GENERAL CHARGES

1.0 PILOT LAUNCHES

When used for purposes other than for the transporting of pilots to and from vessels the following fees shall be applicable.

Chargeable Fee	SR 500 per hour or part thereof.
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2.0 PILOTAGE EXEMPTION

Subject to Regulations 8 and 9 pilotage exemption fee shall be levied as follows:

Fishing and coastal vessels	SR 2000	annually
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Other vessels	SR 3000	annually
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3.0 TOWING OPERATIONS

Should the tug be used for towing operations outside Harbour, the charges shall be as follows:-

Small tug SR 4000.00 per hour or part thereof

Big tug SR 6000.00 per hour or part thereof

4.0 MARINE SAFETY DUES

For ensuring the marine safety within the port area vessels other than a coastal vessel above 150 gross tonnage calling at Port Victoria shall be levied a fixed fee.

Fixed amount SR 200.00

5.0 PASSENGER FEES

A SR 50.00 fee shall be applicable with respect to embarkation, disembarkation, transit of passengers in Port Victoria.

A landing fee of SR 25.00 shall be applicable for both Praslin and La Digue with respect to embarkation, disembarkation, transit of passengers. Such fees shall be payable to Port & Marine Services Division and shall be in accordance with the passenger manifest.

6.0 PIPELINE DUES

Pipeline dues shall be payable on bulk Petroleum or Petroleum Products, Liquified Natural/Pressurized Gas and Bulk cement using pipeline for the discharge shall pay the fee per metric ton. The quantity shall be as per receivers manifest.

Fee SR 15.00 per metric ton

7.0 TRANSHIPMENT FEES (FISH)

7.1 Purse seiners/Long liners – US \$4.00 per metric ton.

7.2 Landing of fish – US \$4.00 per metric ton payable by consignee.

SCHEDULE 2

TARIFF ITEM

1. PORT DUES

1.1 COASTAL VESSEL

A fixed annual fee shall be levied for all Coastal vessels registered under the Merchant Shipping Act.

ANNUAL FEE	0 - 100 GT	SR 1000.00
ANNUAL FEE	100 - OVER	SR 1400.00

2.0 PILOTAGE

- 2.1 Subject to regulations 8 and 9 and, coastal vessels may be exempted from utilizing the Pilot and an exemption certificate shall be issued and fee payable as per paragraph 2 of General Charges.

3.0 BERTH DUES

- 3.1 The berth dues shall apply to all Coastal Vessels occupying berth at Mahe Quay. These rates apply per hour or part thereof.

Gross Tons	0 - 3 Hours	3 - 6 Hours	Over 6 Hours
0 - 5 GT	FREE	SR 5.00 per hour	SR 10.00 per hour
50 - 100 GT	FREE	SR 7.00 per hour	SR 15.00 per hour
More than 100	FREE	SR 8.00 per hour	SR 20.00 per hour

4.0 DESIGNATED EMERGENCY BERTH

A designated emergency berth as marked at inter island quay Baie Ste Anne and La Digue jetty must be free from any vessel at any time, unless working cargo or passenger embarking or disembarking with sufficient crew on board to vacate the berth at very short notice.

- 4.1 Failure to comply with this paragraph shall render the master of the vessel liable to a penalty of SR 2000.00 payable within one month and possibility of detention of the vessel.

Note: Pages 11, 12 and 13 are deleted as a result of the revision of these Regulations.

Section 3

THE HARBOUR (PLYING BOATS) REGULATIONS

[5th July, 1995]

SL 24 of 1959
SL 45 of 1987
SL 24 of 1995

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Definition.

3. Application for a licence.
4. Harbour Master to arrange for survey.
5. Requirements and equipment.
6. Load-line.
7. Subject of surveyor's report.
8. Grant of licence.
9. What must licence state.
10. Plying boat not to be used without licence or contrary to the terms of licence.
11. Number and words to be painted on bows.
12. Regular surveys when to be made.
13. Harbour Master may order survey.
14. Survey may be carried out by one or more surveyors.
15. Persons who may inspect plying boat and ask for production of licence.
16. Harbour coxswains and harbour mechanics.
17. Registered boatmen.
18. Persons to be employed in plying boats.
19. Badge.
20. Fares.
21. Claim of fares beyond prescribed rates unlawful.
22. Landing places.
23. Prohibited to land elsewhere than at landing places.
24. Person who may control the movement of plying boats.
25. Lights to be exhibited.
26. Towage.
27. Offences by owner or person in charge of plying boat.
28. Offences by persons in charge of or employed in a plying boat.

29. Offences by persons in charge of a plying boat.
30. Offences for failure to render towage.
31. Offence for permitting boat to be used as plying boat without licence or during suspension of licence.

1. These regulations may be cited as the Harbour (Plying Boats) Regulations.

2. In these regulations unless the context otherwise requires -

"Licensing Authority" means the Licences Authority establishing under the Licences Act;

"plying boat" means a boat plying for hire and includes motor-boats as well as sailing boats;

"motor-boat" means a boat mechanically propelled;

"sailing boat" includes boats propelled by oars;

"harbour" means the harbour of Victoria, Mahe;

"surveyor" means a person appointed by the Harbour Master for the purposes of a survey to be carried out under the provisions of these regulations.

3. The owner of a boat desirous of using such boat as a plying boat shall apply in writing to the Licences under the Licences Act;

4. A boat in respect of which an application for a plying boat licence has been made shall, before the grant of the licence be surveyed with satisfaction of the Harbour Master.

5. A plying boat must at all times satisfy the following requirements and carry the following equipment: -

- (a) In the case of a motor-boat -

- (i) the boat must be fitted with a marine engine;

- (ii) the boat must carry -

a fire extinguisher or adequate provision of sand;

an anchor which chain or hawser at least 25 fathoms in length;

a pump;

such lengths as the Harbour Master may direct;

an efficient lamp for the engine room;

an awning and screens providing adequate shelter for passengers;
two boat-hooks;
one life buoy;
a self igniting red distress light and a kerosene torch.

(b) In the case of a sailing boat -

at least 4 good oars;
a rudder;
a sail or sails of suitable size;
a bailer, one life buoy, a lantern to show a white light.

6. A load-line below which the boat must not be loaded and the maximum number of passengers the boat can carry shall be fixed by a surveyor.

7. A surveyor shall report to the Harbour Master as to -

- (a) the sea-worthiness of the boat;
- (b) the fitness and suitability of the boat to be used as a plying boat;
- (c) the equipment found on the boat and the condition of such equipment; and
- (d) in the case of a motor-boat, the efficiency and condition of the engine.

8. After receiving the surveyor's report under regulation 7 of the Harbour Master shall notify the licensing authority as to whether the court satisfies the requirement of these Regulations.

9. The licence shall state the name of the owner, the description of the boat, the position of its load-line, the maximum number of passengers allowed and the number allotted to the boat by the Harbour Master.

10. No person shall use a boat as a plying boat without a licence issued by the licencing Authority under the Licence Act, or otherwise than in compliance with the terms of such a licence.

11. All plying boats shall have their number and words "Plying Boat" painted on their bows conspicuously in letters four inches high and two inches wide.

12. All plying boats shall be surveyed in the month of January and in the month of July in each year.

13. The Harbour Master may order a survey of any plying boat to be made whenever he deems it fit so to order:

Provided that the Harbour Master shall order a survey to be made of a plying boat after such plying boat has had an engine break-down or has been involved in a collision or an accident.

14. A survey made under the provisions of regulation 12 or regulation 13 may be carried out by one or more surveyors as the Harbour Master may decide. Such survey shall relate to all the requirements set out in regulation 7. A surveyor shall report his findings to the Harbour master.

15. It shall be lawful for any members of the Police Force, or for any officer of the Customs and in the Master regulation on the port appointed by the Harbour master, to inspect any plying boat and to require the production of its licence.

16. (1) All plying boats shall carry and be under the charge of a registered harbour coxwain. In the case of a motor-boat, the plying boat shall also carry a registered harbour mechanic.

(2) Any person wishing to register as a harbour coxwain or harbour mechanic shall apply to the Harbour Master for the appropriate certificate. Such certificate shall only be granted if the harbour Master is satisfied that the applicant is of the required standard and is a respectable and proper person. The Harbour Master may require the applicant to undergo such examination or test as he may deem necessary.

(3) A register containing the name of all those to whom a certificate has been issued shall be maintained by the Harbour Master.

(4) A certificate may be cancelled by the Harbour Master for reasonable cause. Such certificate shall be cancelled if the holder of the certificate is convicted of any offence against these regulations.

17. All boatmen employed in plying boats must be registered in a register kept for that purpose by the Harbour Master. A person shall not be so registered if the Harbour Master is of the Opinion that he is not a fit and proper person to be employed as boatmen in a plying boat. The harbour Master may for reasonable cause suspend or strike a registered boatmen off the register.

18. No person other than registered harbour coxwains, registered harbour mechanics and registered boatmen shall be employed in plying boats.

19. All persons employed in plying boats shall wear a badge on the right arm showing the number of the plying boat.

20. Fares on plying boats shall be charged at the rate set out in the schedule to these regulations. A copy of such schedule shall be posted in a conspicuous place in every plying boat.

21. It shall not be lawful for any person in charge of or beyond employed in a plying boat to claim any sum beyond the rates prescribed in the schedule to these regulations and any agreement for fares in excess of the tariff shall be void and any sum so paid may be recovered without prejudice to any penalties being incurred under these regulations.

22. The landing places for plying boats shall be the stairs leading to the Customs House at the Long Pier, Victoria.

23. No passenger and no luggage, parcel or article of any kind shall be landed from any plying boat elsewhere than at the landing places prescribed in regulation 22.

24. It shall be lawful for any police officer or for any officer of the Customs and in the Ministry responsible to the port to regulate and control the movement of plying boats alongside quays, jetties, landing place and ships in the harbour. Any officer of a ship lying in the harbour shall have similar powers to regulate and control the movement of plying boats alongside such ship.

25. Plying boats shall, between the hours of 6.30 p.m. and 6 a.m. exhibit lights as follows:-

- (a) in the case of sailing boats, a white light visible all round;
- (b) in the case of motor-boats, such lights on the Harbour Master may draft under regulation 5.

26. Any person in charge of any plying boat which suffers an engine break-down shall call upon the nearest available boat to provide towage and that boat shall render towage. The amount of compensation payable for towage shall in case of dispute be determined by the Harbour master.

27. The owner or the person in charge of a plying boat who-

- (a) fails to submit the plying boat for survey as required under regulation 12 or as ordered under regulation 13, or
- (b) fail to report to the Harbour Master that the plying boat has had an engine break-down or has been involved in a collision or an accident within twenty-four hours of such break-down, collision or accident, or
- (c) permits the plying boat to be in service in contravention of sub-regulation (1) of regulation 16 and of regulation 18, or
- (d) fails to notify the Harbour master about any change in the ownership of the plying boat, or
- (e) leaves the plying boat in service when such boat is unseaworthy or needs repair or lacks any of the items of equipment prescribed in regulation 5,

shall be guilty of an offence and shall on convictions be liable to a fine not exceeding Rs. 500 and imprisonment not exceeding three months.

28. Any person in charge of or employed in a plying boat who-

- (a) charges or claims any sum beyond the rates prescribed in the schedule, or
- (b) charges or claims a return fare per passenger, or
- (c) lands any passenger, luggage, parcel or article of any kind from any plying boat elsewhere than at the landing places prescribed in regulation 22, or

- (d) refuses without reasonable excuse to hire the whole plying boat to a member of the crew or a passenger of a ship lying in the harbour who wishes to hire the whole boat either to land from or to embark on the ship, or
- (e) refuses to comply with any lawful requirement of a police officer or of an officer of the Customs and in the Ministry responsible to the port or of a ship's officer in the performance of his duty under regulation 24,

shall be guilty of an offence and shall on conviction be liable to a fine not exceeding Rs. 500 and imprisonment not exceeding three months.

30. Any person in charge of a boat who fails to render towage when called upon by a person in charge of a plying boat the engine of which had broken down, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding Rs. 500 and imprisonment not exceeding three months.

31. The owner or the person in charge of a boat who permits such boat to be used as a plying boat without a licence issued by the Licensing Authority under these regulations or during the time the licence is suspended, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding Rs.500 and imprisonment not exceeding three months.

SCHEDULE

Rate chargeable for fares on plying boats

<i>Nature of Journey</i>	<i>Inner Limits</i>		<i>Outer Limits</i>	
	6 a.m.-7 p.m.	6 a.m.-7 p.m.	7 p.m.-6 a.m.	7 p.m.-6 a.m.
	Rs. cts.	Rs.	Rs.	Rs.
Landing or embarking only, per person	1. 50	2.	2.	3.
Hire of the whole boat to land or to embark	10.	12.	15.	18.

Luggage other than hand luggage is chargeable at .60 cents per package in all cases where the whole boat is not hired.

In this schedule -

"inner limits" means any part of the harbour lying within a radius of one mile from the end of the Long Pier, Victoria.

"outer limits" means any part of the harbour lying outside a radius of one mile from the end of the Long Pier, Victoria.

[Sections 3 and 4]

HARBOUR REGULATIONS

[3rd February, 1933]

ARRANGEMENT OF REGULATIONS

1. Definitions.
2. When pilots required.
3. Compulsory use of tug.
4. Vessels carrying explosives.
5. Red flag or light.
6. Notice.
7. Berthing of ship.
8. General rules for landing problem.
9. Watchman.
10. Inspection.
11. Sail and wrap booms.
12. Departure of vessels to be notified.
13. List of passengers to be supplied.
14. Warps to be received by vessels in harbour.
15. Control of vessels.
16. Control of mooring or berthing.
17. First or last port of call for foreign registered cruise ship or pleasure craft.
18. Firing of guns, etc.

G.N. 16/1933,
110/1934,
46/1937,
229/1940,
G.G. 1/5/1950,
Ex Co. 6/2/1950,
G.N. 301/1951,
SI. 11/1969,
SI. 51/1974,
SI. 37/1975,
SI. 95/1975,
SI. 72/1976,
SI. 99/1977,
SI. 66/1978,
SI. 33/1979,
SI. 11/1983,
SI. 46/1984,
SI. 47/1985,
SI. 63/1988,
SI. 24/1991.

19. Fumigation of vessels.
20. Tunnage, dirt, etc., not to be thrown overboard.
21. Disposal of ballast.
22. Ballast or dirt not to be thrown from shore.
23. Vessel laid up.
24. Vessel sunk or stranded.
25. Provision of mooring and buoys.
26. Government buoys.
27. Demolition of vessels.
28. Encroachments.
29. Report from master of vessel arriving.
30. Quarantine.
31. Watchmen.
32. Anchors and cables found in the harbour.
33. Timber floating.
34. Boats, timber etc. adrift.
35. Use of government quays.
36. Customs and part clearances.
37. Vessels to anchor out of way of shipping.
38. Harbour Master to control shipping in Seychelles Waters.
39. Mooring of vessels or boats.
40. Landing places. Designated landing place.
41. Landing places may not be obstructed.
42. Legal landing places for discharging or taking in cargo.
43. Landing goods on Hodoul jetty or foreshore.
44. Watering places.

45. Coral or ballast piled up in harbour.
46. Craft moving about to carry lights.
47. Lights for vessels at anchor.
48. Control of piers.
49. Boat building or repairing.
50. Control of Quays, etc.
51. Penal clause.

General Provisions, Movement of Craft, Lights, Petroleum Vessels

1. (1) These Regulations may be cited as the Harbour and Regulations.

- (2) For the purposes of these regulations the term -

"airport harbour" means the area between the foreshore and a line from Rochon Bridge east to a position latitude 4 degrees 37.95 minutes longitude 55 degrees 29.06 minutes east, then in a direction of 104 degrees true to the southernmost point of Isle Cache, and then in a direction of 070 degrees true to the centre of Harrison Rocks, then in a direction of 176 degrees true to the northernmost tip of the South-East Island;

"Foreign Port" shall mean a port or place situated elsewhere than in Seychelles;

"inner harbour" means the area in the harbour of Victoria between the foreshore and a line from Pointe Conan to Victoria lighthouse and from this point due south until Rochon Bridge bears west, then west to Rochon Bridge;

"harbour of Victoria" shall include the roadstead, the inner and outer harbour, the foreshore, piers and the sea walls or all chausse's, roads and causeways built or abutting on the foreshore;

"petroleum" includes any rock oil, Rangoon oil, Burma oil, oil made from petroleum, coal, schist, shale, peat or other bituminous substance, and any products of petroleum or any of the above-mentioned oils;

"petroleum ship" shall mean any ship having on board petroleum as cargo or part cargo;

Pleasure Craft" shall includes any yacht or vessel used for recreation not plying for hire or reward;

"outer harbour" means the area in the harbour of Victoria between the limits of the inner harbour and a line from Cedre Point to Longitude 55 degrees 29.84

minutes east, thence south to St. Anne's shore, and thence south-southwest until Rochon Bridge bears west, then west until Victoria light- house bears north;

"owner" shall mean owner or master of the petroleum ship or the owner of the petroleum;

"quay" shall mean any quay, pier, jetty, wharf, shore or other landing place within any harbour.

2. (1) Every vessel of, or exceeding 150 tons gross burthen register, excepting British or foreign men-of-war or transports, vessels belonging to the Government of Seychelles or to the Government of the British Indian Ocean Territory and private yachts, entering or leaving the inner harbour or the outer harbour or the airport harbour or anchoring or berthing or unberthing therein or moving from place to place shall do so under the charge of an authorised pilot and not otherwise.

Provided that the Government shall not be responsible for any loss or damage occasioned by the act of such pilot.

(2) Vessels under 150 tons gross burthen register shall not be required to employ a pilot, but shall be moored at the place and after the manner the Harbour Master shall order; nor shall they be moved from place to place without authority from the Harbour Master.

(3) The signal to be made by a vessel requiring a pilot shall be the Pilot Jack for British vessels and "G" flag for other vessels. The syren or whistle may also be used in addition to the above when the letter "G" may be sounded in morse.

3. (1) Except with the permission of the Port Officer, no vessel exceeding 150 tons gross burthen register shall be berthed or unberthed or moved in the inner harbour or in the outer harbour or in the airport harbour unless there is a tug in attendance on such vessel while berthing or unberthing or moving therein.

(2) The Harbour Master may, subject to such conditions as he may determine, exempt any vessel or any class or different classes of vessels from the requirements of sub-regulation (1), and any such exemption shall be notified by public notice from time to time as the Harbour Master may determine and may be revoked in like manner.

(3) Save as otherwise expressly provided by any written law, no claim or civil proceedings shall lie against the Government, its servants or agents in respect of any personal injury or loss or damage suffered by any person arising out of -

- (a) the use of a tug or its rowing gear whether in compliance with this regulation or otherwise; or
- (b) the failure or inability on the part of the Government, its servants or agents to provide a tug for use on compliance with this regulation or otherwise;

and it shall be a condition of the attendance of a tug that the owner of the vessel requiring such attendance shall indemnify the Government, its servants and agents against all or any personal injury or loss or damage incurred by reason of or arising out of such attendance or in connection therewith.

(4) In this regulation, 'tug' means a tug owned or chartered by or otherwise under the control of the Government.

4. (1) No vessel coming from a foreign port and carrying explosives shall enter the harbour of Victoria except with the permission of the Harbour Master.

(2) The owner or master of a vessel to which subsection (1) applies shall, seven days prior to the arrival of the vessel at the Harbour of Victoria, apply to the Harbour Master for permission under subsection (1) giving the following details in respect of the explosives -

- (a) type of explosive;
- (b) extract from the International Maritime Dangerous Goods (IMDG) page number for each type of explosive, its class, division and compatibility group;
- (c) the United Nations (UN) Code number for each type of explosive;
- (d) the number of packages of each type of explosives;
- (e) the type of package;
- (f) the weight of each package;
- (g) the total weight of the explosives;
- (h) the manner in which the explosives is stowed on board the vessel.

(3) The Harbour Master may, on receipt of an application for permission under subsection (2), grant, subject to such conditions as he thinks fit, or refuse, permission for the vessel to enter the harbour of Victoria.

(4) Where under subsection (3) the Harbour Master requires, as a condition for granting permission to a vessel to enter the harbour of Victoria, that the vessel or the explosives be kept under guard while the vessel is in the harbour, any expenses incurred in this connection shall be borne by the owner or master of the vessel.

(5) In this regulation -
"explosives" means -

- (i) gunpowder, nitro-glycerine, dynamite, gelignite, gun-cotton, blasting powders, fulminate of mercury or of other metals, coloured fires, and every other substance used or manufactured with a view to produce a practical effect by explosion or a pyrotechnic effect;
- (ii) fuse, firework, rocket, percussion cap, detonator, cartridge and ammunition of all description,

and includes fire arm, sporting arm and arm or weapon of all descriptions used with or in connection with any matter referred to in paragraphs (i) and (ii) of this definition.

5. The master of every petroleum ship shall, on nearing the inner or outer harbour and during the time that such ship remains in the harbour, display by day a red flat not less than three feet square, and by night a red light, at the masthead or, if the said ship has no mast, on a staff.

6. The owner of every petroleum ship on entering the harbour shall, without delay, inform the Harbour Master of the quantity of petroleum on his ship, and of the manner in which such petroleum is stowed.

7. The master of every petroleum ship shall anchor or moor his ship only at such place as the Harbour Master shall from time to time direct, and shall not remove his ship therefrom, except from the purpose of leaving the harbour, without the written order or permission of the Harbour Master.

No petroleum ship shall be anchored or moored at any place other than that approved by the Harbour Master.

8. The following general rules in respect of the unloading of petroleum within the harbour shall be duly observed :-

- (a) any petroleum is landed the owner or master shall give due to the Harbour Master of the time and place of such landing.
- (b) No petroleum shall be landed at any quay other than such quay as the Harbour Master shall direct.
- (c) Before any petroleum contained in barrels, or other vessels, is landed, the holds of a petroleum ship shall be thoroughly ventilated, and after all petroleum has been removed from any petroleum ship, the holds and tanks if any shall be thoroughly cleansed:

Provided that this rule shall not be deemed to require the cleansing of the tanks of a tank steamer which leaves the harbour immediately after the discharge of the cargo, and of which the tanks are closed up immediately after such discharge.

- (d) Petroleum shall be landed only between the hours of sunrise and sunset, except with special authority previously obtained in writing from the Harbour Master:

Provided that the tank steamers which shall have commenced to discharge not less than one hour before sunset shall be permitted to continue such discharge into reservoirs on shore or into tank barges.

- (e) From the time when the holds or tanks of a petroleum ship are first opened for the purpose of landing petroleum until such times as all petroleum shall have been removed from such ship, and the holds or tanks shall have been thoroughly cleansed as required by these regulations there shall be not fire or artificial light on board such ship at or near the place where the petroleum is being landed. Notices forbidding smoking shall be posted up in conspicuous places on deck:

Provided that this rule shall not prevent the use of an electric lighting installation or a safety lamp of a construction approved by the Harbour Master.

- (f) The owner shall take adequate steps to prevent any person from smoking at or near the place where petroleum is being landed, and to prevent any person engaged in such landing from carrying fusees, matches, or any appliances whatsoever for producing ignition.
- (g) No petroleum contained in casks, barrels, or other vessels shall be landed in the harbour unless such vessels are staunch and reasonably free from leakage, and are of such strength and construction as not to be liable to be broken or to leak except in case of gross carelessness or extraordinary accident.
- (h) All pipes and other appliances used in the landing of petroleum in bulk shall be reasonably free from leakage.
- (i) When the landing of petroleum has been commenced, such landing shall be carried out with due diligence.
- (j) No petroleum shall be landed at any quay until the ship or carriage by which the same is to be removed therefrom shall be at the place in readiness to receive the same, and all petroleum landed in the harbour shall be forthwith removed therefrom, or to some duly licensed place or storage.
- (k) No petroleum shall be discharged or allowed to escape into the water of the harbour.
- (l) The owner shall take all deprecations for the prevention of accident by fire in landing petroleum.

9. Every petroleum ship shall be watched by a customs officer on board such ship until all petroleum on board shall have been landed, and every petroleum ship shall at all times have on board a responsible person to carry out and give effect to the provisions of these regulations.

10. The owner shall when so required by the Harbour Master, or other officer duly appointed by him, or by any police officer, show to such officer of police officer all petroleum under his control or upon his ship, and shall afford every reasonable facility to enable such officer to inspect and examine such petroleum so as to ascertain whether these regulations are duly observed.

11. Booms or spars projecting over a vessel's side shall run in if the Harbour master or pilot so requires. No warps or lines may be made fast from vessel to from a vessel to a buoy or edge so as to obstruct the harbour, except by order of the pilot or other competent authority, and then only so long as is consistent with the safety of the vessel requiring them.

12. Commanders of merchant vessels, mail steamers excepted, shall give the Harbour Master notice in writing of the departure of their vessels; commanders of sailing vessels, at least twenty-four hours' notice and commanders of steamers, at least six hours' notice.

A flag shall be hoisted at the foremast from the time such notice is given until the departure of the vessel.

All vessels shall hoist code flag "P" (the Blue Peter).

13. Master or agents of vessels shall supply the Port Office with a correct list of passengers before such vessel is allowed to proceed to sea. In the case of mail steamers, the agent shall supply such list within three days of the steamer's departure. The list shall be in the form of schedule A.

14. All vessels moored in the harbour shall receive on board, make fast, or cast off the lines or warps from any vessel is allowed to proceed to sea. In the case of mail steamers, the agent shall supply such list within three days of the steamer's departure. The list shall be in the form of Schedule A.

15 (1) Subject to regulation 17 no master, or other person in charge, of any vessel coming from a foreign port shall -

- (a) anchor, moor or permit the anchoring, mooring, lying or loitering of such vessel at any place other than the harbour of Victoria; or
- (b) enter the Inner Harbour, without the permission of the Harbour Master.

(2) The Harbour Master shall not authorize vessels coming from a foreign port to enter the Inner Harbour until permission is granted by the Health Officer or any other duly authorized person.

16 (1) The Harbour Master may require any vessels in any harbour to berth, anchor or secure in such place as he may direct or he may by a direction published in the Gazette prohibit the berthing, anchoring or securing of such vessel in any particular place.

(2) The obligations imposed by sub-regulation (1) shall fall on the owners, agents or charterers in the case of any vessel without a Master, or other person in charge.

17 A foreign-registered cruise ship or pleasure craft coming from or leaving for a Foreign Port shall make its first or last place of call at the Harbour of Victoria or at Assumption Island in order to obtain port and customs clearance in accordance with these Regulations.

18 No guns, except salute, shall be fired, nor mines exploded in the harbour, without permission of the President.

19 Vessels in the inner harbour shall not be fumigated except with the permission of the Harbour Master.

20 (1) No dunnage, mats, dirt, or rubbish of any description whatever shall be thrown overboard into the waters of the inner or outer harbour.

(2) The master or other person in charge of a vessel shall, not less than once in each period of 24 hours in which the vessel remains in the harbour, cause dirt, rubbish or other refuse in the vessel to be received and carried by a person licensed in that behalf:

Provided that where any such period of 24 hours expires on a Sunday it shall not be contravention of the preceding provisions of this sub-regulation if such dirt, rubbish or other refuse is caused to be received and carried within the next succeeding period of 24 hours.

(3) A person licensed to receive and carry dirt, rubbish or other refuse from any vessel in the harbour shall not refuse or neglect to receive and carry dirt, rubbish or other refuse from a vessel in the harbour if a request in that behalf accompanied by the sum payable for such services is made by the master or person in charge of that vessel.

21 The Harbour Master shall impose conditions on the disposal of ballast in any harbour.

22 No ballast or dirt shall be thrown from the shores into the harbour without permission of the Harbour Master.

23. When vessel is laid up, the owner or commander thereof shall provide if over 30 tons net, two competent persons to take charge of her and if under 30 tons net, one; in default of his doing so, such persons may be provided by the Harbour Master at such owner's or commander's expense.

24. In case any vessel be sunk or stranded in any part of the harbour, the owners, or other person having, or pretending to have, any property therein or the commander thereof shall, upon receipt of an order to that effect given by the Master, clear the harbour of such vessel and all parts of the same within the period fixed in such order. In default of the such owner, owners, commander or other person aforesaid complying with such order, such vessel or parts of the same shall be removed in such manner as the Minister shall direct, and the expenses owners of such vessel, commander, or other person aforesaid, without prejudice to the penalties recoverable for breach of these regulations.

25. (1) The Harbour Master may place in any harbour in Seychelles such Government mooring and buoys as may in his discretion be required, and may prescribe charges for the use of such mooring and buoys as he may from time to time, determine.

(2) No person shall keep or place moorings or buoys in any harbour of Seychelles except with the sanction of the Harbour Master and subject to such conditions and charges as he may prescribe. Such moorings and buoys shall be of such nature and construction as the Harbour Master may approve.

(3) Moorings and buoys sanctioned by the Harbour Master under sub-regulation (2) shall not be made use of by any vessel other than the vessels of the person to whom such sanction has been granted, except with the consent of such person or by the direction of the Harbour Master."

26. No coasters, lighters, barges, or boats of any description whatever shall be made fast to any of the Government buoys, without special permission from the Harbour Master.

27. No vessels shall be demolished either partly or entirely in the harbour, except by special permission of the Minister, and in such place as shall be indicated by the Harbour Master.

28. No encroachments shall be made in the harbour, whether by means of jetties, landing places, pile stones, wood, rubbish, barges, boats, or rafts used for that purpose, except by special permission of the Minister on the report of the Harbour Master.

29. (1) Every master or other officer in charge of any vessel arriving at the harbour shall sign and forward to the Harbour Master a report according to the form in Schedule B hereto which will be furnished by the Harbour Master.

(2) The master shall further deliver to the Harbour Master the muster roll of the crew, and the lists of passengers on forms similar to those in Schedules A and C.

30. Vessels ordered to perform quarantine shall proceed to that part of the outer harbour or roadstead which the Harbour Master shall designate, and shall change their anchorage as the Harbour Master may direct:

Provided that in giving such orders that the Harbour Master shall have regard to the decisions of the Quarantine Committee and the quarantine regulations determining where quarantine shall be undergone.

31. During the day there shall be always one man, and during the night two men on board every vessel or coaster anchored in the harbour other than a careening hulk, or condemned or abandoned vessel; and, if necessary, the Harbour Master shall procure such men at the expense of the owners or masters of such vessel or coasters:

Provided that in the case of coasters and small craft under 30 tons net warped or tied to the pier, it shall be sufficient to have one man instead of two on board during the night.

32. All anchors and cables found in the harbour, not attached to a vessel or boat, may be taken and removed by Harbour Master, and shall not be restored to the owner thereof until he has paid to the Harbour Master expenses attending such removal and the amount of salvage to which the latter may be entitled. At the expiration of twelve months, which anchors and cables, as the case may be, if unclaimed or unredeemed, may be sold, and the proceeds credited to general revenue.

33. (1) No timber shall be allowed to float in the harbour, not being attached to any vessel, coaster or boat, or being attached thereto and not in transit. In case of infraction of this regulation the owner of such timber shall be liable to the penalty provided for such breach.

(2) Nothing in this regulation shall be deemed to prevent any person, with the approval of the Harbour Master and at such places as may be designated by him, from sinking or floating timber attached or kept fast to the pier for soaking purposes.

34. (1) Any person finding any boats, timber, stages, or other objects adrift in the harbour, or round the coast, shall be bound to give immediate notice of the same to the Harbour Master, and if required, to deliver them into his charge. The Harbour Master shall, subject to the approval of the Minister of the Consultation with the Minister for Finance, determine the amount of salvage to which such person shall be entitled.

(2) Such boats, timber, stages, or other objects as aforesaid shall, if not claimed within a month, and after two notices in the Gazette, either be sold or be disposed of by the Harbour Master in such manner as the Minister may direct.

(3) All expenses incurred and cost of salvage shall be paid out of the proceeds of sale, or from the Treasury upon vouchers made by the Harbour Master, as the case may be.

36. (1) All vessels wherever registered except a man-of-war or a pleasure craft as provided for hereafter shall obtain port and customs clearance before leaving harbour.

(2) All foreign registered pleasure craft shall when leaving for a destination outside Seychelles be subject to port and customs clearance but when leaving for a destination within Seychelles, be subject only to port clearance. Such clearance within Seychelles Waters shall be subject to any conditions as may be determined from time to time by the Harbour Master. Any such restrictions and conditions shall be noted on the Clearance Form.

(3) Port Clearance under this regulation shall be obtained by all vessels leaving a harbour on payment of -

- (i) R.50.00 per vessel up to 100 GRT;
- (ii) R.100.00 per vessel exceeding 100 GRT;

37. Vessels shall at all times anchor out of the way of shipping and ensure that no obstruction is caused to the channel or approaches to anchorages, quays and jetties throughout Seychelles.

38. The mooring timing and passage in Seychelles waters of any vessel shall be subject to the general and particular control of the Harbour Master.

39. No vessel or boat shall be permitted to be fastened to or moored alongside any road or chauss   other than the recognized piers unless by permission of the Harbour Master.

40. (1) It shall not be lawful for the public to land from any boat on any of the recognized piers, or on any road or chauss  , except at such parts thereof to be termed landing places, as may, from time to time, by notice in the Gazette, be designated by the Harbour Master with the agreement of the Collector of Customs for such purposes.

(2) The Harbour Master may, with the sanction of the Minister, prohibit landing before any particular premises, if such prohibition is considered necessary in the public interest or for the safety of the road of chauss  .

(3) Launches and boats plying between the shore and any vessel arriving from a foreign voyage shall proceed to the Mahe Quay steps.

These steps are designated under this section as the legal landing place and passengers, luggage and stores from such vessels shall not be landed at any other place.

41. (1) All landing places shall be kept clear, and no boat shall be made fast to them or shall remain alongside longer than is required to land their passengers.

(2) No goods other than personal luggage shall be landed at any steps without permission of the Harbour Master, except under such conditions as may appear desirable to the Harbour Master to prevent obstruction of, or damage to, the steps, or road, or chauss   adjoining such steps.

42. (1) No coaster, lighter or boat shall be allowed to discharge or take in cargo alongside any pier, island jetty, causeway or road other than the legal landing places mentioned in the customs laws, and subject to the provisions of the Harbour Act.

(2) No coaster, lighter or boat shall be allowed to lie alongside any such legal landing place except for the actual purpose of and when actually engaged in, discharging or

taking in such cargo without the permission of the Collector of Customs. Such permission shall only be granted after application made and expenses paid, as provided for by the Customs Management Decree, for any extra attendance of customs officers consequent on or required for the supervision and watching of any cargo or goods contained in such coaster, lighter or boat:

Provided also that in the case of a coasters of 30 tons net tonnage or over they shall not proceed alongside until actually allowed to do so by the Harbour Master.

43. (1) No timber, ballast, anchors, chains or any goods belonging to private persons shall be landed or deposited on Hodoul Jetty or Hodoul Islet or on the foreshore except by the Government, unless by permission of the Harbour Master.

(2) Provided that nothing in this regulations shall be deemed to prevent the occupier of premises contiguous and extending to the foreshore from landing or taking in any private goods or personal property belonging to such occupier.

44. No tow lighters, tanks or boats shall be allowed to lay abreast of any watering place, and no lighter or boat shall remain alongside longer than is necessary to take in water.

45. No coral or ballast or other obstruction to vessels shall be placed upon any of the reefs or anywhere in the inner harbour without permission of the Harbour Master, and except in such places as he may point out. All coral or ballast so piled upon the reefs shall have a mark or flag, to be determined by the Harbour Master, clearly visible above high-water mark and shall be removed within 15 days under pain of forfeiture.

46. (1) All mechanically propelled craft when moving in the harbour at night shall carry a white light and side lights or a tricoloured lantern showing red, white and green over the port side, the bow and starboard side respectively.

All crafts moving about Victoria Harbour, the coast of Mahã© and the surrounding waters shall be bound to observe and comply at all times with the International Regulations for preventing collisions at sea.

(2) All boats under sail at night except open boats shall carry side lights. Open boats under oars or sail shall show a white light.

(3) The mail launch shall show if necessary one additional white light, and all boats shall keep clear of her.

47. All vessels, coasters included, at anchor either in the outer or inner harbour, shall, between sunset and sunrise, exhibit where it can best be seen, but not exceeding twenty feet above the hull, a white light in a lantern so constructed as to show a clear uniform and unbroken light visible all round the horizon at a distance of at least one nautical mile.

48. The Long Pier shall be under the control and management of the Port Department:

Provided that nothing in this regulation shall be held to interfere with the power vested in officers of the customs or police department by any laws in force.

49. The Harbour Master may prohibit the building, beaching or repairing of vessels within the inner harbour.

50. (1) Notwithstanding anything in regulation 39, no vessel shall be moored or made fast to any quay without the express permission of the Harbour Master unless it is so moored or made fast for the purpose of embarking or disembarking passengers or taking on or discharging cargo or supplies.

(2) No cargo or other articles shall be left on any quay for a period exceeding -

(a) in the case of the Long Pier, 24 hours;

(b) in any other case, 12 hours,

without the express permission of the Harbour Master.

(3) No person shall leave any goods in any place on a quay in such a manner as to cause or be likely to cause any obstruction to any users of the quay.

(4) Any cargo or articles left on a quay in contravention of subregulation (2) or sub-regulation (3) may be removed by the Harbour Master, and the owner of the cargo or articles or goods will be liable for the cost of such removal and for the cost of storing the cargo or articles or goods in addition to any penalty which may be imposed by the court under regulation 50.

(5) Any person driving or using or in charge of a mechanically propelled vehicle shall at all-times when arriving at any entrance to a quay for the purpose of entering or while within such quay or when leaving such quay conduct himself in an orderly manner and shall comply with -

(a) such directions as may be issued generally or specially by the Harbour Master in respect of the driving or use of vehicles in such a quay or at any entrance to or exit from such quay;

(b) the terms of all notices or signs relating to the driving or use of vehicles and exhibited in such quay by or under the authority of the Harbour Master;

(6) No person shall, while on a quay -

(a) drive any vehicle in a manner which is dangerous to other persons or property in such quay;

(b) drive any vehicle at a speed exceeding fifteen kilometres per hour;

(c) when driving or in charge of any vehicle, disregard any signal or refuse to stop when so required by the Harbour Master or by any person authorised by the Harbour Master or by any police officer;

(d) part any vehicle at any place or in a manner otherwise than in accordance with the general or special directions of the Harbour Master;

(e) fail or refuse to move any vehicle of which he is in charge when so required or in the manner directed by the Harbour Master or by any person authorised by the Harbour Master or by any police officer;

- (f) leave any vehicle unattended in any place in such quay in such manner as to cause or be likely to cause an obstruction to other persons or vehicles using or passing that place.

51. Any person who contravenes any of the provisions of these Regulations or fails to comply with an order or direction given by the Harbour Master or any other officer empowered to give such order under these Regulations shall be guilty of an offence and shall be liable on conviction -

- (a) in the case of an offence under regulation 50(5) or regulation 50(6) to a fine of five thousand rupees and to imprisonment for two years; and
- (b) in the case of any other offence to a fine of twenty thousand rupees and to imprisonment for two years.

SCHEDULE A

OF HARBOUR REGULATIONS FRAMED UNDER

THE HARBOUR ACT

(Regulation 13)

PORT OF VICTORIA, SEYCHELLES

Return of Passengers on board the Captain from to Seychelles

Name	Profession	Where born	*Sex	Saloon or Deck

I, the undersigned, do hereby certify the above to be a true declaration of the number of Passengers, and that there is stowaway on board the said Vessel.

..... Commander.

*For Civil Status requirements.

SCHEDULE B

To be filled in and returned to the Port

Department, Seychelles, on arrival of vessel

HARBOUR REGULATIONS. REGULATION 27(1)

REPORT OF ARRIVAL, PORT VICTORIA, SEYCHELLES

Anchored at hm.

on 19 Health Officer boarded at hm

Name of vessel	Name of Master	Name of Owner	Total No.of crew	Net. Reg. Tonnage	Number and Port of Registry	Last Port of call	Date of Departure	Tonnage of cargo for Seychelles	Next port of call
Vessel's draught		No. of mail bags					Name of agents		
Forwd.		Report on visibility of the light at: Denis Island					Signature of Master		
Aft.							Date		

	: Mamelles	
	: Capucin point	
	: Victoria	

SCHEDULE C

OF HARBOUR REGULATIONS FRAMED UNDER THE HARBOUR ACT

(Regulation 29(2))

PORT OF VICTORIA, SEYCHELLES.

LIST OF CREW, INWARDS, of the called

..... belonging to the Port of Master arrived from with a cargo of

Registered Tonnage

Names and Surnames	Capacity	Nation or Naturalisation	No. of Register Ticket	Remarks

..... Master

SECTIONS 3, 4 AND 5

THE HARBOUR ORDINANCE (Chapter 197)

SI. 52 of 1973

The Harbour (Inner Harbour) (Control of Traffic) Regulations

[16th July, 1973]

1. These regulations may be cited as the Inner Harbour (Control of Traffic) Regulations.
2. In these regulations unless the context otherwise permits-

"inner harbour" means the area specified in the Schedule to these regulations;

"nautical mile" means a linear distance of 6,080 feet.

3. No boat or ship however propelled shall, while within the inner harbour, exceed a speed of five hundred nautical miles per hour.

4. The driver or person in charge of any boat or ship who drives or causes to be driven such boat or ship within the inner harbour at a speed in excess of five nautical miles per hour shall be guilty of an offence and liable to a fine of Rs.500 or to imprisonment for a period of three months or to both such fine and imprisonment.

SCHEDULE

(Regulation 2)

Inner Harbour

The Inner Harbour shall be the area enclosed by the following boundaries: -

Starting at the northernmost point of the Long Pier (Lat 4° 37' 12" S; Long 55° 27' 53" E), thence by a straight line in a northeasterly direction to Harbour, Beacon No. 7 (Lat 4° 37' 07" S; Long 55° 27' 53" E), thence by a straight line in a south-easterly direction to Harbour Beacon No. 4, (Lat 4° 37' 12" S, Long 55° 28' 01" E), thence by a straight line in a southerly direction, to the Black and White Harbour Bouy (Lat 4° 37' 24" S, Long 55° 28' 01" E), thence by a straight line in a west-south-westerly direction to the southernmost corner of the New Quay (Schooner Berth), thence to follow the New Quay to its northernmost point, thence along the High Water Mark, by the New Port Area, the Victoria Reclamation Area and the Long Pier, back to the starting point at the northernmost point of the Long Pier.

SECTION 9

Fishing Port of Seychelles

SL 57 of 1988

(Designation) Order

1. This Order may be cited as the Fishing Port of Seychelles (Designation) Order.
2. The area described in the Schedule is hereby designated as the Fishing Port of Seychelles.

SCHEDULE

(reg. 2)

FISHING PORT OF SEYCHELLES

The area comprising of land parcels V9, V6363, V6369 to V6374 and V6405 to V6407 shall constitute the Fishing Port of Seychelles.

Parcel V9, V6363, V6369 to V6374 and V6405 to V6407 are delineated on plan No ML/ADN/91 filed in the office of the Director of Land and Surveys.

Harbour (Fishing Port)

SL 88 of 1988

Regulations

ARRANGEMENT OF REGULATIONS

REGULATION

PART I - PRELIMINARY

1. Citation.
2. Interpretation.

PART II - MANAGEMENT AND FEES ETC

3. Management and administration of the Fishing Port vested in the Seychelles Fishing Authority.
4. Fishing Port Manager.
5. Fees, etc.
6. Payment of fees.
7. Lien for unpaid fees etc.
8. Fees, etc.. payable notwithstanding loss, etc., due to strike.
9. Liability of Seychelles Fishing Authority etc.,

PART III - ENTRY ETC OF PERSONS IN THE

INTERNATIONAL ZONE

10. Restriction of person entering or leaving the International Zone.
11. Working hours, etc., in International Zone.
12. Identity Card for workers.

PART IV - CONTROL OF VESSELS

13. Vessels in Fishing Port under control of Seychelles Fishing Authority
14. Restriction on vessel berthing in the Fishing Port.

15. Restriction on landing of shipping of goods in the Fishing Port.
16. Control of removal of goods from the International Zone.

PART V - CONTROL OF VEHICLES

17. General control of vehicles entering and leaving the Fishing Port.
18. Restriction in the use of vehicle in the Fishing Port.

PART VI - RESTRICTION ON ACTIVITIES AND CONDUCT OF PERSON

19. Control of trading in Fishing Port.
20. Restriction on other activities in the Fishing Port.
21. Restriction on conduct of person in the Fishing Port.

PART VII - OFFENCES AND PENALTIES

22. Offences.

First Schedule

Second Schedule

PART 1 - PRELIMINARY

1. These Regulations may be cited as the Harbour (Fishing Port) Regulations, 1988.
2. In these Regulations, unless the context otherwise requires-
 - "authorised person" means a person authorised by the Seychelles Fishing Authority to carry out any duties under these Regulations and includes the Fishing Port Manager;
 - "goods" includes all kinds of goods, wares, merchandises, animals, fish and movables;
 - "Fishing Port" means the area designated as the Fishing Port of Seychelles under section 8A (1) of the Act;
 - "Fishing Port Manager" means the person appointed as such under these Regulations;
 - "International Zone" means the area of the Fishing Port described in the First Schedule;
 - "Port Victoria" means the port declared as Port Victoria

S.I. 18 of 1975 under the Ports (Port Victoria) (Declaration) Order, 1975;

"Seychelles Fishing Authority" means the Seychelles Fishing Authority established under the Seychelles Fishing Authority (Establishment) Act, 1984.

PART II - MANAGEMENT AND FEES ETC

3 (1) The general management and administration of the Fishing Port is vested in the Seychelles Fishing Authority which shall ensure that the operations carried on, and the services and vested in facilities provided, at the Fishing Port are carried on or provided in such a manner that no undue advantage may be gained or disadvantage suffered by any person or class of persons using the Fishing Port.

(2) For the purposes of managing and administering the Fishing Port, the Seychelles Fishing Authority may require, in such manner and form as it may from time to time determine, any person or class of persons or the master or agent of any vessel using the Fishing Port to furnish the Seychelles Fishing Authority with such particulars relating to-

- (a) the vessel;
- (b) the goods being received by, on or from the vessel;
- (c) passengers embarking on or disembarking from the vessel; or
- (d) any activity, process or service which is being carried on in the Fishing Port or which is associated with the use of the Fishing Port,

as it may from time to time determine.

4 The Seychelles Fishing Authority may, for the Manager purposes of exercising its functions under these Regulations, appoint a member of its staff to be the Fishing Port Manager and may delegate, subject to such conditions as it thinks fit, to the person so appointed its functions under these Regulations.

5 (1) Subject to these Regulations, there shall be paid to the Seychelles Fishing Authority the fees, rates and rent specified in the Second Schedule in relation to the use of, or the facilities or services provided at or by, the Fishing Port or in relation to any matter specified in the Schedule.

(2) Where no fees, rates or rent is specified in the Second Schedule in relation to the use of, or facilities or services provided at or by, the Fishing Port, the Seychelles Fishing Authority shall determine the fees, rates or rent.

(3) The Seychelles Fishing Authority may, where it is of the opinion that the circumstances of the case are exceptional-

- (a) accept that the fees, rates or rent be paid in such instalments as it may determine, and
- (b) reduce or waive any part of the fees, rates or rent payable under these Regulations.

6 The fees, rates or rent under these Regulations shall -

- (a) unless the Seychelles Fishing Authority has agreed otherwise, be payable on demand or within such time as the Seychelles Fishing Authority may by notice specify, or
- (b) where the Seychelles Fishing Authority has so agreed, by the date on which the Seychelles Fishing Authority has agreed that payment shall be made.

7 (1) Where the fees, rates or rent under these Regulations have not been paid in accordance with regulation 6, the Seychelles Fishing Authority may-

- (a) detain any goods in the Fishing Port;
- (b) seize and detain any goods on board a vessel in or alongside the Fishing Port;
- (c) detain a vessel in or alongside the Fishing Port together with its appurtenance,

which belong to the person who is liable to pay the fees, rates or rent until the payment of the fees, rates or rent.

(2) Where the fees, rates or rent under these Regulations have not been paid in accordance with regulation 6 and there are no goods or no vessel which belongs to the person liable to pay the fees, rates or rent, or no goods which belong to the person on board any vessel, in or alongside the Fishing Port, the Seychelles Fishing Authority may-

- (a) detain any vessel or goods which belong to the person liable to pay the fees, rates or rent, or
- (b) seize or detain any goods which belong to the person on board any vessel,

in Port Victoria, until the payment of the fees, rates or rent.

8 The liability of any person to pay the fees, rates or rent under these Regulations shall not be affected by any loss strike or trade dispute in the Fishing Port or Port Victoria, due to even if the person has suffered any loss or damage by reason of the strike or dispute.

9 The Seychelles Fishing Authority or an employee of the Seychelles Fishing Authority shall not be liable for-

- (a) any loss of life or personal injury;
- (b) any loss, misdelivery or detention of or damage to any goods or property;
- (c) the loss or detention or damage to any vessel, and
- (d) any loss or damage arising in connection with the detention or loss, damage to or delay in the loading or unloading of any vessel,

in the Fishing Port except where such loss, injury, damage, detention, misdelivery or delay is caused by the negligent or the intentional -

- (i) in the case of the Seychelles Fishing Authority -
 - A. act, not being an act carried out in the execution of an order of the Court or the Government, of the Seychelles Fishing Authority, or
 - B. act of an employee of the Seychelles Fishing Authority in the ordinary course of his employment in the Fishing Port;
- (ii) in the case of an employee of the Seychelles Fishing Authority, act of the employee.

PART II - ENTRY ETC OF PERSONS IN

THE INTERNATIONAL ZONE

10 (1) A person shall not enter the International Zone except in accordance with the written permission of the Seychelles Fishing Authority or an authorised person.

(2) Unless otherwise authorised or directed by the Seychelles Fishing Authority, a person entering or leaving the International Zone shall do so through the entrances or exits provided for the purpose.

(3) A person who is entering or leaving or is in the International Zone shall, when requested by an authorised person, state the nature of his business in the International Zone and produce the written permission issued to him by the Seychelles Fishing Authority or an authorised person for inspection by the authorised person.

(4) A person shall not, except with the permission of the Seychelles Fishing Authority, bring or cause to be brought in the International Zone -

- (a) any domestic animal;
- (b) any goods, unless accompanied by such document as the Seychelles Fishing Authority may from time to time determine, or
- (c) any firearm, explosive or other offensive weapon.

(5) A person who is less than fourteen years shall not enter or remain in the International Zone unless he is in the care of an adult.

11 The International Zone shall be open for work during such time and on such days as the Seychelles Fishing Authority Zone may from time to time determine.

12 (1) The Seychelles Fishing Authority may give direction for workers requiring a person who is employed in the International Zone to carry and exhibit, when the person is in the International Zone, an identity card at such time and in such manner as it may direct.

(2) An identity card for the purposes of sub-regulation (1) shall be in such form and of such dimensions or colour and be made of such material as the Seychelles Fishing Authority

may from time to time determine and the Seychelles Fishing Authority may require different persons or classes of persons to wear different identity cards.

PART IV - CONTROL OF VESSELS

13 (1) All operations, other than those which under any written law fall specifically under the control and direction of the Harbour Master, relating to a vessel which is berthed alongside the Fishing Port shall be subject to the control and direction of the Seychelles Fishing Authority.

(2) The Seychelles Fishing Authority may, pursuant to subregulation (1), direct, at the expense of the owner, or operator or master of the vessel, a vessel to change its berth or to cease, resume or proceed at a slower or faster pace any operation which is being carried on by or in relation to the vessel.

14 (1) A person shall not -

- (a) berth or unberth or cause or permit to be berthed or unberthed any vessel in or alongside the Fishing Port except -
 - (i) in the case of a vessel which is not a warship or under pilotage, with the written permission of the Seychelles Fishing Authority,
 - (ii) in the case of a vessel under pilotage, in accordance with the directions of the pilot,
 - (iii) in any other case, in accordance with any written law;
- (b) change the berth or cause or permit a vessel to berth or warp alongside the Fishing Port except with the permission or in accordance with the direction of the Seychelles Fishing Authority;
- (c) cause or permit a vessel to remain in a berth alongside the Fishing Port contrary to or otherwise than in accordance with the direction of the Seychelles Fishing Authority;
- (d) work or cause or permit to be worked the engine of a vessel in or alongside the Fishing Port;
- (c) immobilise or cause or permit to be immobilised the engine of a vessel in or alongside the Fishing Port.

(2) The Master of a vessel which is berthed in or alongside the Fishing Port shall fit the vessel with -

- (a) such warp as the Seychelles Fishing Authority may direct;
- (b) rat guards of a type approved by the Seychelles Fishing Authority, and
- (c) cover over all overboard discharges.

15 (1) The landing of goods on to or the shipment of goods from the Fishing Port shall be subject to the control and goods direction of the Seychelles Fishing Authority and, unless the Fishing Seychelles Fishing Authority directs otherwise, no operation in connection with the landing or shipment of goods shall be carried out in or from the Fishing Port except with the permission of the Seychelles Fishing Authority.

(2) Without prejudice to the generality of sub-regulation (1), the following shall have effect in relation to the landing on or shipment of goods from the Fishing Port -

- (a) the landing of goods from a vessel or the shipment of goods shall, so far as practicable, be carried out in the order of arrival of vessels in the Fishing Port;
- (b) plant or animal shall not be landed from any vessel unless any certificate or other document required in respect of the plant or animal under any written law is produced to the person or authority specified in the written law or the person or authority otherwise authorises the landing of the plant or animal;
- (c) petroleum products or other dangerous or hazardous goods shall not be landed outside normal working hours on a working day or after sunset and before sunrise, on any other day except with the written permission of the Seychelles Fishing Authority;
- (d) in the case of a vessel coming from or sailing to any other place in Seychelles-
 - (i) goods shall not be loaded on or unloaded from the vessel, or
 - (ii) passengers shall not embark on or disembark from the vessel,

except with the written permission of the Seychelles Fishing Authority.

16 (1) A person shall not remove any goods from the goods International Zone unless he is in possession of a written the permit (in this regulation referred to as a "gate pass") issued by the Seychelles Fishing Authority or an authorised person authorising the removal of the goods.

(2) A person who is removing goods from the International Zone shall, on demand of an authorised person, produce his gate pass in respect of the goods and shall, if requested by an authorised person, permit the authorised person to inspect the goods at such place in the Fishing Port as the authorised person may direct.

(3) A gate pass shall be in such form and shall, subject to subregulation (4), be subject to such condition as the Seychelles Fishing Authority may determine.

(4) A gate pass shall not be valid to authorise the removal of any goods from the International Zone in respect of which trades tax requirements, or requirements of any other written law regulating the import of goods in Seychelles, have not been complied with or in respect of which any fees, rates or rent have not been paid or security for the payment of the fees, rates and rent have not been given.

PART V - CONTROL OF VEHICLES

17 (1) A vehicle while in, or when leaving, the Fishing Port shall be subject to the control and direction of the Seychelles Fishing Authority and the driver, person in charge or owner of the vehicle shall comply with any direction, or any sign or notice exhibited in the Fishing Port, issued by the Seychelles Fishing Authority.

(2) A person shall not drive or bring or cause to be driven or brought into the International Zone any vehicle unless if he is in possession of a written permit of the Seychelles Fishing Authority or an authorised person and in accordance with the permit.

18 A person shall not, while in the Fishing Port -

- (a) drive a vehicle in a manner which is dangerous to other person or to property in the Fishing Port;
- (b) drive a vehicle at a speed exceeding 15 kilometres per hour;
- (c) when driving or in charge of a vehicle, disregard any danger signal given, or refuse to stop when so required, by an authorised person;
- (d) park any vehicle in any place or in any manner otherwise than in accordance with the direction of, or any sign or notice issued by, the Seychelles Fishing Authority;
- (e) fail or refuse to move a vehicle which he is driving or which he is in charge of when required, or in the manner directed, by an authorised person;
- (f) leave a vehicle unattended in any place in the Fishing Port in such manner as to cause or be likely to cause an obstruction to other persons or vehicle in the Fishing Port;
- (g) ride a bicycle in any shed in, or along the quay front of, the Fishing Port.

PART VI - RESTRICTION ON ACTIVITIES AND CONDUCT OF PERSON

19 (1) A person shall not sell any goods, hold any auction, in carry on the business of changing money or solicit custom in the Fishing Port or from any vessel alongside the Fishing Port unless he holds a permit issued by the Seychelles Fishing Authority and wears a badge or other similar distinguishing device issued with the permit.

(2) The holder of a permit under this regulation -

- (a) shall, while in or in a vessel alongside, the Fishing Port, produce his permit when required to do so by an authorised person or a person treating with him;
- (b) shall not transfer or lend either the permit or the badge or other distinguishing device issued with the permit to any person;
- (c) shall not employ any person for the purpose of doing anything in, or in a vessel alongside, the Fishing Port which he is permitted under the permit to do without the written permission of Seychelles Fishing Authority;

(d) shall not carry on any activity except the activity specified in the permit.

(3) A permit, badge or other distinguishing device issued under this regulation shall be in such form and subject to such condition as the Seychelles Fishing Authority may determine.

20 A person shall not, without the consent of the Seychelles Fishing Authority or an authorised person -

- (a) in the Fishing Port, interfere with any board used or intended to be used for the purposes of the publication of notices in the Fishing Port issued by or under the authority of the Seychelles Fishing Authority;
- (b) stick or post any bill, placard, poster or other notices on any surface in the Fishing Port;
- (c) write, draw deface, soil or place any marking whatsoever on any surface in the Fishing Port;
- (d) except in the case of an emergency, move or interfere with any life - saving equipment, or any light, signal, fire or other equipment or appliances provided for use in the Fishing Port for the protection or safety of persons or property;
- (e) deposit any refuse, rubbish or waste sweepings in any place in the Fishing Port other than in a place and in the manner approved for this purpose by the Seychelles Fishing Authority.

21 A person shall not -

- (a) organise, or gather together with others at, any meeting in the Fishing Port whereby work or business or any operation carried on in the Fishing Port is or is likely to be obstructed or hindered;
- (b) gather together with other persons in the Fishing Port in such manner as to cause or be likely to cause a breach of the peace;
- (c) engage in or carry on any gambling or other game of chance for money or money's worth in the Fishing Port;
- (d) without lawful excuse, and the onus of proving that he has such excuse shall lie with him, loiter in the Fishing Port;
- (e) use threatening, abusive, indecent, obscene or offensive language in the Fishing Port;
- (f) while in the Fishing Port, conduct himself in a riotous, disorderly, indecent or offensive manner or in a manner likely to cause a breach of the peace;
- (h) smoke in any building or place in the Fishing Port where smoking is prohibited by the Seychelles Fishing Authority;
- (i) without the permission of the Seychelles Fishing Authority, light any fire in the Fishing Port;

- (j) be in possession of a firearm or other offensive weapon in the Fishing Port;
- (k) without the permission of the Seychelles Fishing Authority, use or ignite any fire-work or explosive substance in the Fishing Port;
- (l) throw any missile while in the Fishing Port;
- (m) engage in swimming or fishing in, from, or alongside or in the vicinity of, the Fishing Port;
- (n) enter or remain in the Fishing Port while drunk or incapable or drunk and disorderly,
- (o) without the permission of the Seychelles Fishing Authority, enter or remain in the Fishing Port while suffering from any infectious or contagious disease;
- (p) commit a nuisance in the Fishing Port;
- (q) break down or make his way through or under or over any fence or wall surrounding the Fishing Port or the International Zone;

PART VII - OFFENCES AND PENALTIES

- 22** (1) A person who -
- (a) contravenes regulation 10, 14, 15(1), 16(1) and (2), 17, 18, 19, 20, 21 or any other of regulations;
 - (b) fails to comply with any direction, or any notice or sign exhibited in the Fishing Port which is issued by the Seychelles Fishing Authority or an authorised person;
 - (c) obstructs or interferes with an authorised person in the execution of his duties in the Fishing Port,

is guilty of an offence and is liable to a fine of R.10,000 and to imprisonment for 2 years.

(2) A police officer or an authorised person may, without a warrant, arrest a person who has committed or whom he reasonably suspects of having committed an offence under these Regulations.

FIRST SCHEDULE (reg. 2)

INTERNATIONAL ZONE OF THE FISHING

PORT OF SEYCHELLES

The area made up of the following land parcels shall constitute the International Zone of the Fishing Port of Seychelles:

Parcels V69 and V6362

Parcels V69 and V6362 are delineated on plan No ML/ADN/91 filed in the office of the Director of Land and Surveys.

SECOND SCHEDULE

(reg. 5)

NOT SPECIFIED

Section 3

Harbour (Port and Harbour Dues) Regulations

(13th May 2002)

SI. 20 of 2002
SI. 4 of 2003
SI. 26 of 2005

1. These Regulations may be cited as the Harbour (Port and Harbour Dues) Regulations.

2. In these Regulations –

“Authority” means the Port and Marine Services Division of the Ministry of Tourism and Transport;

“gross tonnage” means the tonnage calculated as per the 1969 International Tonnage Regulations;

“master” includes the owner or agent of a vessel;

“military vessel” means a vessel belonging to or used by the defence force of any country, not being a vessel used for commercial purposes;

“passenger vessel” means a vessel carrying passengers only;

“passenger” means any individual on board a vessel other than a member of its crew;

“pleasure craft” means any vessel used for recreation and not plying for hire or reward;

“pilot station” means the position Latitude 04 degrees 35.8 minutes South, Longitude 55 degrees 29.6 minutes East;

“coastal vessel” means a locally registered vessel plying exclusively within the Seychelles Coastal Waters;

“harbor” means the harbour of Victoria and any bay, roadstead or place within three nautical miles from any coast within the Republic of Seychelles

“not under command” means a vessel due to exceptional circumstances being unable to manoeuvre as required by the relevant rules;

“Port Victoria” means the area in the Harbour of Victoria within a line from North Point (04 degrees 33.6 minutes South 055 degrees 26.4 minutes East) running east to longitude 055 degrees 32.0 minutes East, thence South the Northern most tip of SE island (04 degrees 40.55 South, 055 degrees 32 minutes East);

“vessel” means any craft including non-displacement craft used or capable of being used as a means of transportation on water.

3. (1) Subject to these Regulations, the Port and Harbour dues surcharges and fees specified in Schedule 1 shall be payable by the Master in respect of any vessel entering or leaving the harbour, in Seychelles Rupees or any acceptable Foreign Currency.

The tariff laid down in this regulation (schedule) for pilotage, berthing and unberthing operations shall be applicable from 0600 hours to 1800 hours.

The Harbour Master or his deputy may authorize pilotage activities after 1800 hrs, subject to a 50% surcharge on Pilotage, Mooring and Tug charges as applicable.

(2) Port and Harbour dues payable under subregulation (1) shall be paid on demand by the Authority as an advance payment, if required, or prior to departure of the vessel. The Authority shall not give port clearance to any vessel until all dues payable by the vessel are paid, or other arrangements for payment are made to the satisfaction of the Authority.

Shipping Agents shall settle any Harbour dues within 60 days of the departure of the vessel. Upon failure to do so 2% interest per month or part thereof shall be charged.

4. The Master of any vessel shall complete within 2 days from the particulars arrival such forms as may be provided by the Authority, stating particulars, including arrival report relating to the vessel and whatever it is carrying. Upon failure to comply with this regulation a penalty of SR500 shall be included in the Port invoice.

5. Any vessel registered under the Merchant Shipping Act (Cap 127A) shall, for a period of three consecutive years following the first year of first registration, benefit from a 25% discount on Port Dues specified in Schedule 1, thereafter at 15% provided that the vessel continues to be registered under the same name and ownership.

6. Calls made in the same calendar year at Port Victoria by the same or different vessels owned by a shipping company, not being a vessel referred to in regulation 5, shall entitle the shipping company to discounts on Port Dues for calls made by its vessels in the immediately following calendar year in accordance with the following graduated scale:

Up to 5 calls	6 calls to 12 calls	13 calls to 20 calls	over 20 calls
0%	5%	10%	20%

7. The Master, owner or shipping agent shall submit the claims for discount by the 15th February of the calendar year. After such period the claim shall not be considered.

8. (1) Subject to subregulation (2), the following vessels shall be exempt from utilization of pilot services while entering, leaving or shifting within the harbour:

(a) Vessels less than 150 GT

(b) Military vessels less than 300 GT

(c) Pleasure crafts less than 300 GT.

(2) Where, for the safety of a vessel referred to in subregulation (1), the Harbour Master requires the vessel to be under the charge of a pilot, the vessel shall not be exempt from payment of pilotage dues specified in Schedule 1.

9. (1) Where the Harbour Master considers the competence of the master of a vessel entering or leaving the harbour as satisfactory, he may exempt such vessel from using pilot services. A certificate of Exemption from payment of the annual fee specified in Schedule 2 shall be issued.

(2) A certified of exemption issued under sub-regulation (1) may be renewed, if 3 or more visits to Port Victoria have been made during the validity period of the certificate.

10. The Harbour Dues Regulations are hereby repealed.

SCHEDULE 1

TARIFF ITEM

1.0 PORT DUES

1. Normal calls

Vessels including OIL/GAS/CHEMICAL TANKERS, GENERAL-CARGO BULK CARRIERS, RO-RO, CAR CARRIERS and CONTAINERIZED vessels calling at Port Victoria and any other port or harbour within the Republic of Seychelles shall be subject to the following charge.

0 to 24 hours	SR 0.25	per GT
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Each subsequent

period of 24 hours	SR 0.25	per GT
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or part thereof

1.2 Special Purpose calls

(a) Vessels calling at Port Victoria for fresh water, bunkers, supplies, crew changes, repairs, orders, medical, weather, mutiny, Port of Refuge, or any emergency situation shall be subjected to the following charge.

0 to 24 hours	SR 0.10	per GT
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Each subsequent

period of 24 hours	SR 0.15	per GT
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or part thereof

(b) Research vessels, tugs and tow, Survey Ships or vessels of any other category.

0 to 24 hours SR 0.10 per GT

Each subsequent

period of 24 hours SR 0.15 per GT

or part thereof

NOTE: Tugs and two shall be charged and invoiced separately.

1.3 Passenger Vessels

Vessel embarking or disembarking passengers shall be subject to the following charge.

0 to 48 hours SR 0.40 per GT

Each subsequent

period of 24 hours SR 0.10 per GT

or part thereof

Subject to a maximum of SR 12,000

1.4 Pleasure Craft (Sailing & Motor Yachts)

Charges per vessel for 24 hours or part thereof

GROSS TONS	First 5 Days	Over 5 to 10 Days	Over 10 Days
Less than 20 GT	SR 50.00	SR 40.00	SR 30.00
20 TO 100 GT	SR 75.00	SR 50.00	SR 40.00
Over 100 TO 300 GT	SR 150.00	SR 125.00	SR 100.00
Over 300 TO 500 GT	SR 300.00	SR 200.00	SR 150.00
Over 500 GT	SR 600.00	SR 300.00	SR 200.00

1.5 Military Vessels

0 to 24 hours SR 200.00

More than 24 hours	SR 100.00	per 24 hour period
or part thereof		

1.6 Reefer Vessels

0 to 96 hours	SR 0.40	per GT
Each subsequent period of		
24 hours or part thereof	SR 0.10	per GT

1.7 Fishing Vessels

0 to 96 hours	SR 0.40	per GT
Each subsequent period of		
24 hours or part thereof	SR 0.10	per GT

2.0 **PILOTAGE DUES**

2.1 Pilotage Charges (includes use of a pilot launch for pilotage) for entering or leaving port

All vessels mentioned in Regulation 8(1) are obliged to accept the services of a Pilot and shall be charged as follows.

First hour	SR 0.15	per GT
In excess of 1 hours	SR 0.10	per GT
Subject to the following		
Minimum charge	SR 1,000.00	
Maximum charge	SR 5,000.00	

2.2 Vessels not under command

Vessels not under command shall pay a rate double that specified in 2.1 above.

2.3 Pilot waiting time

If the pilot is kept waiting through any fault of the vessel or its shipping agent, there shall be a charge of SR 300.00 per hour or part thereof.

If the pilot launch is also detained, there shall be an additional charge of SR 500.00 per hour or part thereof.

2.4 Pilotage Services/Amendment/Cancellation

No fees shall be chargeable if the Master, Owner or agent of a vessel subsequently cancels, or amends, a request for pilotage more than 2 hours (during normal working hours) and more than 6 hours (Saturdays, Sundays and Public Holidays)

Any cancellation or amendments made or requested less than 2 hours (within the normal working hours) and less than 6 hours (on Saturdays, Sundays and Public Holidays) before service is required a SR 600.00 charge shall be applicable for each cancellation and/or amendment.

3.0 TUGS

3.1 Tug Charges

All vessels, exceeding 150 GT, entering or leaving Port Victoria or any other port in Seychelles shall accept the Tug services.

The following charges shall be payable for assisting, in attendance or shifting a vessel for berthing and unberthing operation.

First hour SR 0.35 per GT

In excess of 1 hours SR 0.25 per GT

Subject to the following

Minimum charge SR 2,100.00

Maximum charge SR 7,500.00

3.2 A 20% discount shall be applicable on tug charges (3.1 above) if the tug remains at its station.

3.3 Vessels not under command shall pay double rate as that stated in 3.1.

3.4 Tugs for Fire Precaution Standby

GROSS TONNAGE	PER HOUR OR PART
150 - 5000	SR 200.00
5001 - 9999	SR 250.00
10000 AND OVER	SR 300.00

3.5 Fire Brigade for Fire Precaution standby.

Applicable to Gas Tankers only while alongside berth (in addition to 3.4 above).

Fee SR 300.00 per hour or part thereof

3.6 Tug Service Amendment Charge/Cancellation/Waiting time charge

Where a tug is ordered then subsequently cancelled or amended more than 2 hours (within normal working hours) and more than 6 hours (on Saturdays, Sundays and Public Holidays) before the service is to commence, no fee shall be applicable.

Should there be any cancellation and/or amendment less than 2 hours (within the normal working hours) and less than 6 hours (on Saturdays, Sundays and Public Holidays) before the tug services is to commence a charge of SR 3000.00 shall be applicable for each amendment and/or cancellation.

4.0 BERTH DUES (INCLUDING BUOYS OCCUPANCY)

4.1 Berth Dues shall be applicable to any type of vessel occupying berth including Oil/Gas/Chemical tankers, Bulk Carrier, General-Cargo, Container vessels including Ro-Ro and Car Carriers etc.

0 to 24 hours	SR 0.15	per GT
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Thereafter per 24 hour

period or part thereof	SR 0.25	per GT
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Minimum charge	SR200.00
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Berth Dues exclusively for vessels moored on buoys shall enjoy a 50% discount of the charges specified in tariff item 4.1.

5.0 BERTHING OR UNBERTHING (MOORING GANGS)

5.1 Berthing or Unberthing shall include the availability of the services of the Harbour Master, his representative and mooring gang.

Charge per operation SR 500.00

GENERAL CHARGES

1.0 PILOTAGE EXEMPTION

When used for purposes other than for the transporting of pilots to and from vessels the following fees shall be applicable

Chargeable Fee SR 500 per hour or part thereof

2.0 PILOTAGE EXEMPTION

Subject to Regulations 8 and 9 pilotage exemption fee shall be levied as follows:

Fishing and coastal vessels SR2000 annually

Other vessels SR3000 annually

3.0 TOWING OPERATIONS

Should the tug be used for towing operations outside Harbour, the charges shall be as follows:

Small tug SR4000.00 per hour or part thereof

Big tug SR6000.00 per hour or part thereof

4.0 MARINE SAFETY DUES

For ensuring the marine safety within the port area vessels other than a coastal vessel above 150 gross tonnage calling at Port Victoria shall be levied a fixed fee:

Fixed amount SR200.00

5.0 PASSENGER FEES

A SR 50.00 fee shall be applicable with respect to embarkation, disembarkation, transit of passengers in Port Victoria.

A landing fee of SR25.00 shall be applicable for both Praslin and La Digue with respect to embarkation, disembarkation, transit of passengers. Such fees shall be payable to Port & Marine Services Division and shall be in accordance with the passenger manifest.

6.0 PIPELINE DUES

Pipeline dues shall be payable on bulk Petroleum or Petroleum Products, Liquefied Natural/Pressurized Gas and Bulk cement using pipeline for the discharge shall pay the fee per metric ton. The quantity shall be as per receivers manifest.

Fee SR15.00 per metric ton

7.0 TRANSHIPMENT AND LANDING OF FISH FEES

7.1 Purse seiners/Long linders	0 metric tonne	US\$ 3 per metric tonne
	to 30,000 metric tonnes	
	30,001 metric tonnes	US\$ 2 per metric tonne
	to 60,000 metric tonnes	
	above 60,000 metric tonnes	US\$ 1 per metric tonne
7.2 Landing of fish	No fee.	

SCHEDULE 2

TARIFF ITEM

1. PORT DUES

1.1 COASTAL VESSEL

A fixed annual fee shall be levied for all Coastal vessels registered under the Merchant Shipping Act.

ANNUAL FEE	0 - 100 GT	SR1000.00
ANNUAL FEE	100 - OVER	SR1400.00

2.0 PILOTAGE

2.1 Subject to regulations 8 and 9 and, coastal vessels may be exempted from utilizing the Pilot and an exemption certificate shall be issued and fee payable as per paragraph 2 of General Charges.

3.0 BERTH DUES

3.1 The berth dues shall apply to all Coastal Vessels occupying berth at Mahe Quay. These rates apply per house or part thereof.

Gross Tons	0 - 3 Hours	3 - 6 Hours	Over 6 Hours
0 - 5 GT	FREE	SR 5.00 per hour	SR 10.00 per hour
50 - 100 GT	FREE	SR 7.00 per hour	SR 15.00 per hour
More than 100	FREE	SR 8.00 per hour	SR 20.00 per hour

4.0 DESIGNATED EMERGENCY BERTH

A designated emergency berth as marked at inter island quay Baie Ste Anne and La Digue jetty must be free from any vessel at any time, unless working cargo or passenger embarking or disembarking with sufficient crew on board to vacate the berth at very short notice.

4.1 Failure to comply with this paragraph shall render the master of the vessel liable to a penalty of SR2000.00 payable within one month and possibility of detention of the vessel.