

CHAPTER 203.

CRUISING PERMIT.

(Sections 1, 2 and 5 to 15 — 30th January, 1976.
Sections 3 and 4 — 1st March, 1976.)

1/1976
4/1977
13/1977
15/1981
13/1989

1. This Ordinance may be cited as the Cruising Permit Ordinance. Short title.

2. For the purposes of this Ordinance— Interpretation.

“charter boat” means any vessel offered for hire, with or without crew, for the conveyance of passengers for a particular period of time and any boat conveying passengers for payment or reward subject to the provisions of section 11;

“Comptroller” means Comptroller of Customs and any person acting under his express or implied authority;

“cruising” includes stopping in any part of the territorial sea but does not include mere passage through the territorial sea;

“cruising permit” means the document authorising the master or person in charge of any charter boat to cruise in the Territory;

“owner” includes the crew and any person regularly in charge of any charter boat and any person employed by him in the operation of such boat;

“territorial sea” means three nautical miles measured from the shoreline of the Territory subject to the provisions of the Geneva Convention on the Territorial Sea and Contiguous Zone, 1958.

3. No charter boat shall cruise in the territorial sea without first obtaining a cruising permit in the form set forth in the First Schedule from the Comptroller or person authorised by him to issue such permit, and it shall be the duty Issue of cruising permit etc.
13/1989.
First Schedule.

of the owner of such charter boat to carry a valid cruising permit at all times while cruising.

Charge for
cruising permit.
Second Schedule.

4. There shall be paid on the issue of such permit a fee at the rate set forth in the Second Schedule:

Provided that no fees shall be levied in respect of employed bona fide crew of charter boats.

Record of locally
based charter
boats.

5. The Comptroller shall maintain a record of every charter boat based in the Territory.

Provisions
applicable to
charter boats not
locally based.
13/1989.

5A. (1) An owner of a charter boat not based in the Territory, who proposes to bring passengers in that boat to cruise within the territorial sea, shall notify the Comptroller fourteen days before the commencement of such cruising: however where such a boat is regularly engaged in cruising within the territorial sea, notification of such cruising should be made by 1st November of each year, or on such other date as may be specified by the Comptroller.

(2) The Comptroller shall maintain a record of such charter boats.

Details of boat
for record.

6. The owner of every charter boat shall submit to the Comptroller the details of each boat required for record in the prescribed form.

Maintenance.

7. Every charter boat owner or operator shall maintain records of charters and of fees paid in such form as may be prescribed.

Appointment of
agents.

8. The owner of any charter boat may appoint an agent to act on his behalf. Such appointment shall be notified to the Comptroller in writing.

Access to records.

9. The Comptroller shall have the right to examine and take copies of all records, correspondence and documents relating to the number of persons accommodated on charter boats.

Exemption of
fees etc.

10. The Comptroller may exempt from payment of fees or authorise repayment of fees paid for any charter boat participating in any regatta, tournament or similar activity organised by any club or similar organisation accepted as such by the Comptroller.

11. Any vessel conveying passengers for payment or reward within the territorial sea—

Certain vessels not subject to Ordinance.

(a) on a scheduled journey; or

(b) on a direct journey between any two points within or without the Territory,

shall not be subject to the provisions of this Ordinance.

12. (1) The owner of any charter boat who fails to comply with the requirements of section 3 shall be guilty of an offence and shall be liable on summary conviction to a fine of five thousand dollars.

Offences and penalties. 13/1989.

(2) Subject to the provisions of subsection (3) any person who commits an offence under section 3 may compound that offence by payment of a compounding fee of thirty dollars per person found to be cruising on such a boat for each day that the offence has continued to the Comptroller within such time, not exceeding seven days, as the Comptroller may allow.

(3) The provisions of subsection (2) shall not apply to any person who—

(a) has been previously convicted of an offence under section 3; or

(b) has on two previous occasions compounded such an offence.

13. Any person who fails to comply with or contravenes any of the provisions of this Ordinance for which no penalty is otherwise provided shall be liable on summary conviction to a fine of two hundred dollars.

General penalty.

14. Prosecutions for offences committed under this Ordinance may be instituted in the Magistrate's Court by the Comptroller, but no prosecution for an offence under section 3 shall be instituted unless the person charged has either—

Criminal proceedings. 13/1989.

(a) on one previous occasion compounded offences committed by him under section 3; or

(b) failed to pay a compounding fee within the time allowed by the Comptroller.

15. (1) The Governor in Council may make regulations generally for carrying into effect the provisions of this Ordinance.

Regulations.

(2) Regulations under this section may impose penalties for contravention of the regulations punishable on summary conviction by a fine not exceeding one hundred and fifty dollars or such lower limit as may be specified in the regulations.

FIRST SCHEDULE.

S. 3.

4/1977

CRUISING PERMIT.



Note. The form shall be printed on white paper in the above design with the outer portion of the design in pale blue, the inner design in pale green and the wording in black.

SECOND SCHEDULE.

S. 4.

15/1981

Fees.

Season Rates.
(From 1st December to 30th April).

	Per person per day
	\$ c
1. All recorded charter boats	2.00
2. All non-recorded charter boats	4.00

Out of Season.
(From 1st day of May to 30th day of November).

	\$ c
1. All recorded charter boats	.75
2. All non-recorded charter boats	4.00
