



## Gibraltar Port Authority Conditions for the Issue of a Port Operator License

### **CONDITIONS FOR SHIP REPAIR LICENCE – WEF 1 JULY 2022**

- 1) Every application should be sent to the Gibraltar Port Authority (hereinafter referred to as the 'GPA') so as to reach not less than eight weeks before the date on which the applicant desires the Licence, Re – Licence, Re – Registration or amendment applied for to take effect.
- 2) A new application must be submitted with evidence that a notice has been published in the Gazette and in one newspaper no later than 21 days before the date fixed by the GPA to consider the application.
- 3 (a) The applicant must be a fit and proper person or if the applicant is a company or a partnership, the directors and shareholders or the partners as the case may be, are fit and proper persons to carry on the business.  
  
(b) The applicant must produce letters from two referees for each director and shareholder who are aware of or are involved in shipping, stating that the applicant is a fit and proper person for the business in which he wished to engage. One reference must be from a financial institution.
- 4) The applicant must have available financial and managerial resources appropriate to the business and must submit a full business proposal including financial projections. An organogram must also be included.
- 5) The applicant must comply with statutory requirements in respect of health and safety matters regarding any repairs undertaken on vessels in Gibraltar waters. The applicant must also provide evidence of its health and safety systems and plans in force which must meet the satisfaction of the GPA. The applicant must also provide details of ISO accreditation.
- 6) 'Hot work' carried out on vessels of any description while anchored or berthed in Gibraltar can only take place following receipt (in advance) by the Captain of the Port of a 'gas-free' certificate from a Government-approved individual.
- 7) Permission to undertake work on a 'dead ship' will only be given by the Captain of the Port on receipt of an application in writing.
- 8) Should there be a need to move all vessels at anchor to the Eastern Anchorage in the event of an emergency, the cost of towing a 'dead ship' undergoing repairs will be submitted to the local agent consigned to that vessel.
- 9) The applicant must submit documentary evidence to the Captain of the Port in the form of copies of any pertinent licences for the purpose of operating a ship repair business in Gibraltar and if appropriate, of the permission from the Collector of Customs to use premises for restricted purposes, ie: bonded warehouse.
- 10) The applicant must maintain suitable premises and warehousing appropriate to its business in Gibraltar. Suitable premises must be fit for both the administration of the business and also the storage of equipment either in the form of separate or whole premises. A copy of the rental agreement, leasehold agreement or confirmation of ownership of property for all premises must also be submitted showing that the activity for which licence is being applied for is included.
- 11) The applicant must supply the Captain of the Port of the GPA with full details of the plant and equipment which will be used for carrying out its business in the form of an inventory, together with details of where such equipment or plant will be stored.
- 12) Only vehicles owned and operated by the applicant will be given access to the restricted areas of the Port for the purpose of the applicant's business.
- 13) The applicant will, by its registration, contribute to the efficiency and viability of the Port and ensure continuity of service.



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(a) The applicant must therefore provide the Captain of the Port with full details of the number of staff to be employed/currently employed along with details of their duties, and the Captain of the Port must be satisfied that the staff complement is adequate for carrying out the business. A list of employees must also be submitted along with confirmation of where the employee will operate from if different premises are used.

(b) Detached Worker Permits will only be accepted for individuals who have a specialist role which cannot be serviced by locally registered individuals. Additionally, Detached Worker Permits will only be accepted for the period of time that the works in question are planned for and must be accompanied by the individual's qualifications and, where applicable, their medical confirmation.

The applicant is required to notify the Gibraltar Port Authority in advance of the works being undertaken that individuals holding a Detached Worker Permit will be used.

Employment legislation should be complied with where the same individual is utilised on multiple occasions using the Detached Worker Permit.

(c) It should be noted that all other employees of the licensed operator must be registered locally with the Department of Employment and fulfil all legal obligations in respect of pay, tax and social insurance.

14) The applicant must further provide a Certificate of Good Standing from the Registry of Companies, full details of all Directors and Shareholders, as well as a full set of audited accounts. If audited accounts are not available due to the company being recently registered, then a simple balance sheet of assets will be acceptable.

15) The applicant must provide evidence that a local bank account is held.

16) The applicant must demonstrate his/their knowledge of ship repair work – this should be outlined within the business proposal.

17) Prior to the issue of a licence, the applicant must produce documentary evidence to the satisfaction of the Captain of the Port that adequate insurance has been taken out against both personal injury and damage to vessels or property and that third party liability cover is also in place at a minimum level set by the Gibraltar Port Authority. In addition, cover must also be in place for ship repair liability insurance or warranty of works. For ship repair services, the minimum level of cover is £10 million. The insurance policy must be in English and must include Gibraltar as the legal jurisdiction.

(a) Additional insurance conditions must also be included as per our published 'Insurance Conditions'.

18) The applicant must abide by the Port Rules and the authority of the Captain of the Port and be cognisant of all ISPS requirements.

19) A Port Operator Licence holder must settle all port dues, levies and fees within 30 days of billing, and in default, the licence may be suspended or revoked.

20) A port operator may only carry out activities within the Port for the class or classes of activities for which they are licensed

21) A Port Operator Licence is valid for twelve months and must be renewed annually.

22) An applicant shall, within seven days of being notified that he/they have been licensed or re – licensed by the Authority, send to the GPA such particulars as may be prescribed in respect of all appropriate Port Workers employed by him with an application that they be registered or re-registered as Port Workers.

(a) Port Worker passes will only be issued to locally registered employees. Any individuals working under the Detached Worker Permit will be issued with a daily visitor pass.



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23) If the Captain of the Port of the GPA believes that any of the above conditions are not met to his satisfaction, he may suspend or withdraw a licence at any time.

24) Charges for Port Operations:

1	On first registration as a Port Operator, for an operator first registered after 3 May 2001 a one off fee	£ 1,000
2	An Annual Re- Registration fee as a Port Operator	£ 100
3	An Annual fee for a Ship Repair Licence	£ 1,000

(b) Fees for registration and re – registration of Port Workers:

1	Annual fee for Registration of a Port Worker	£ 2
2	Annual fee for Re - Registration of a Port Worker	£ 2

(c) Fees for Certificates and licenses:

1	Fees for the Issue or Renewal of a certificate of registration as a Port Operator	£ 5
2	Fee for the Issue or Renewal of a certificate of registration as a Port Worker	£ 5
3	Fee for the Issue of a duplicate certificate	£ 5
4	Fee for the Endorsement of a certificate of registration	£ 5
5	Fee for the Amendment of a certificate of registration	£ 5

(d) Fees for Inspection and Copies:

1	Fee for Inspection of a licence	£ 10
2	Fee for a certified copy of a licence or certificate	£ 5
3	Fee for inspection of an application	£ 5
4	Fee for a copy of an application	£ 5



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**Guide to Port Applications Requirements**  
**SHIP REPAIR LICENCE**

DESCRIPTION	YES	NO
Application must be submitted as shown in Form 2		
Application must be signed either by individual applying for Licence, or if body corporate, by an authorised individual.		
Application must be accompanied by the fee (see charges for Port Operations)		
Application must be received no less than 8 weeks before the date of its start, renewal or amendment.		
A new application must be submitted with evidence that a notice has been published in the Gazette and in one newspaper no later than 21 days before the date fixed by the GPA to consider the application.		
<b><i>Specific details to this Application:</i></b>		
a) The applicant must maintain suitable premises and warehousing appropriate to its business in Gibraltar. Suitable premises must be fit for both the administration of the business and also the storage of equipment either in the form of separate or whole premises. A copy of the rental agreement, leasehold agreement or confirmation of ownership of property for all premises must also be submitted showing that the activity for which licence is being applied for is included.		
b) The applicant must submit documentary evidence to the Captain of the Port in the form of copies of any pertinent licences for the purpose of operating a ship repair business in Gibraltar and if appropriate, of the permission from the Collector of Customs to use premises for restricted purposes, ie: bonded warehouse.		
c) The applicant must supply the Captain of the Port of the GPA with full details of the plant and equipment which will be used for carrying out its business in the form of an inventory, together with details of where such equipment or plant will be stored.		
d) The applicant must produce letters from two referees for each director and shareholder who are aware of or are involved in shipping, stating that the applicant is a fit and proper person for the business in which he wished to engage. One reference must be from a financial institution.		
e) The applicant must have available financial and managerial resources appropriate to the business and must submit a full business proposal including financial projections. An organogram must also be included including individuals nominated to undertake the ship repair operations.		
f) The applicant must comply with statutory requirements in respect of health and safety matters regarding any repairs undertaken on vessels in Gibraltar waters. The applicant must also provide evidence of its health and safety systems and plans in force which must meet the satisfaction of the GPA. The applicant must also provide details of ISO accreditation.		
g) The applicant must full details of the number of staff to be employed/currently employed along with details of their duties, and the Captain of the Port must be satisfied that the staff complement is adequate for carrying out the business. A list of employees must also be submitted along with confirmation of where the employee will operate from if different premises are used.		
h) Detached Worker Permits will only be accepted for individuals who have a specialist role which cannot be serviced by locally registered individuals. Please provide details of proposals for Detached Worker Permits (if applicable).		
i) The applicant must demonstrate his/their knowledge of ship repair work – this should be outlined within the business proposal.		



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j) The applicant must further provide a Certificate of Good Standing from the Registry of Companies, full details of all Directors and Shareholders, as well as a full set of audited accounts. If audited accounts are not available due to the company being recently registered, then a simple balance sheet of assets will be acceptable.		
k) The applicant must provide evidence that a local bank account is held.		
l) Prior to the issue of a licence, the applicant must produce documentary evidence to the satisfaction of the Captain of the Port that adequate insurance has been taken out against both personal injury and damage to vessels or property and that third party liability cover is also in place at a minimum level set by the Gibraltar Port Authority. In addition, cover must also be in place for ship repair liability insurance or warranty of works. For ship repair services, the minimum level of cover is £10 million. The insurance policy must be in English and must include Gibraltar as the legal jurisdiction.  Additional insurance conditions must also be included as per our published 'Insurance Conditions'.		
m) Evidence of Government Licenses issued by a competent authority under the Public Health Waste Regulations		