



Gibraltar Port Authority
Conditions for the Issue of a Sea Side Pleasure Boat / Small Vessel License

SEA SIDE PLEASURE BOAT / SMALL VESSEL LICENSING CONDITIONS

Conditions Under

**SEASIDE PLEASURE BOATS RULES 1989 &
SMALL VESSELS (MOORINGS CONTROLS) RULES, 1990**

1) **Interpretation.**

- a) “speed boat” means any power driven vessel capable of speeds in excess of 15 knots,
- b) “small vessel” means a fishing vessel, pleasure boat or sailing boat of a length not exceeding 30ft, but does not include a fast launch.
- c) “vessel” means anything which is mechanically propelled and is constructed or used to carry, tow or pull persons or goods by on or in water, and reference to a vessel shall include a reference to those persons or goods.

2) **Restriction on use of Speed Boats.**

- a) No person who is under the age of eighteen years shall navigate a speed boat unless he is for the time being authorised in writing to do so by an authorised officer.
- b) Before giving any written authority under sub rule (a), an authorised officer may require the person to pass to the satisfaction of the authorised officer such oral or written examination and such practical test as the authorised officer may consider necessary in order to ascertain the competence of the person to navigate a speed boat.
- c) An authorised officer may at any time for sufficient cause revoke in writing any authority given under sub-rule (a).

3) **No Mooring without a Permit.**

- a) No vessel shall be moored within a designated area except under and in accordance with a written permit granted by or under the authority of the Captain of the Port.
- b) Any vessel moored in contravention of sub-rule (a) may be removed by order of the Captain of the Port at the expense of the owner of the vessel and the cost of the removal may be recovered from the owner of the vessel as a civil debt.
- c) No permit to moor a vessel within a designated area shall be granted by the Captain of the Port unless the vessel –
 - i) is a small vessel;
 - ii) the owner of the small vessel is a locally based individual, and;
 - iii) the small vessel is licensed in the Port Department.



Gibraltar Port Authority
Conditions for the Issue of a Sea Side Pleasure Boat / Small Vessel License

4) **Granting a permit.**

- a) The Captain of the Port may, in his absolute discretion, grant the owner of a small vessel or to an individual intending to purchase a small vessel a permit to moor the vessel within a designated area.
- b) A permit granted under this Rule or Rule 15 (under Small Vessels(Mooring Controls) Rules 1990) may be subject to such conditions as the Captain of the Port shall determine.
- c) A permit granted under this Rule or Rule 15 (under Small Vessels(Mooring Controls) Rules 1990) shall be personal to the individual to whom it was granted and shall cease to be valid upon any change in the ownership of the vessel.
- d) The permit granted under this Rule shall be valid in relation to the small vessel to which it is expressed to relate.
- e) The permit granted under this Rule shall be valid for a period of twelve months, unless sooner surrendered or revoked or unless the locally based individual shall have ceased to be the owner of the vessel.
- f) The permit holder shall apply for the renewal of the permit prior to the expiration of its period of validity, unless it , is either surrendered or revoked or unless the locally based individual ceases to be the owner of the vessel.

5) **Revocation of permits.**

The Captain of the Port may revoke a permit granted under Rules 4 or 15 (under Small Vessels (Mooring Controls) Rules 1990) if–

- a) the locally based individual ceases to be the owner of the small vessel: or
- b) any fee payable under Rules 5(3) or 15(3) (under Small Vessels(Mooring Controls) Rules 1990) remains unpaid for three months: or
- c) the owner of the small vessel contravenes any provision of these Rules: or
- d) the owner of the small vessel does not moor his vessel at the berth assigned to him during a continuous period of ninety days:
Provided that the Captain of the Port may in his absolute discretion extend such period if he is satisfied that the small vessel has been precluded from mooring at the berth for a justifiable reason.
- e) the owner of the small vessel does not comply with any condition imposed by or any direction or order given by the Captain of the Port: or
- f) the locally based individual transfers or attempts to transfer a permit to any other person: or
- g) the owner of the small vessel –
 - (i) is convicted of an offence against the Imports and Exports Act, 1986, the Merchant Shipping Act, the Port Act or the Fast Launches (Control) Act, 1988 or the Drugs Trafficking Offences Act 1995, or
 - (ii) is convicted of an offence under the Drugs (Misuse) Act and is sentenced to a term of imprisonment or is convicted of an offence under the Drug Trafficking Act,1987: or



Gibraltar Port Authority
Conditions for the Issue of a Sea Side Pleasure Boat / Small Vessel License

5g) cont.

(iii) uses or allows the small vessel to be used in the commission of any offence against the Imports and Exports Act, 1986, the Merchant Shipping Act, the Port Act, the Fast Launches (Control) Act 1987, the Drugs (Misuse) Act, the Drug Trafficking Offences Act 1988 or the Drug Trafficking Offences Act 1995.

6) **Assignment of Berths.**

Every small vessel whose owner has a permit to moor in a designated area shall occupy the berth assigned to her by the Captain of the Port and may be removed to any other berth which the Captain of the Port shall direct.

7) **Change of ownership**

The owner of the small vessel who has a permit under Rules 4 or 15 (under Small Vessels(Mooring Controls) Rules 1990) and who transfers the ownership of the vessel to any other person shall –

- a) forthwith inform the Captain of the Port, furnishing him with the name and address of the transferee;
- b) surrender his permit to the Captain of the Port.

8) **Identification of small vessels**

- a) The owner of a small vessel who has a permit granted under Rules 4 or 15 (under Small Vessels(Mooring Controls) Rules 1990) shall cause the name of the vessel and the number of the permit issued to be marked on it in a clearly visible place.
- b) Where the Captain of the Port grants a permit to the owner of the small vessel under the provisions of these Rules, the permit holder shall ensure that such permit is displayed at all times in a prominent position on the vessel.

9) **Restrictions**

- a) Any vessel moored in a designated area shall not be used as a house boat or for storage or for any commercial activities or purposes.
- b) Bilges that contain oil or contaminated water shall not be pumped anywhere within the designated areas.
- c) Storage lockers or any other structure shall not be erected on or in the vicinity of the moorings unless they shall have been previously authorised in writing by the Captain of the Port.
- d) No locally based individual shall be entitled to or he granted more than two individual permits to moor small vessels in the designated areas.
- e) The designated areas shall not be used for or in connection with any commercial activities or purposes.

10) **Persons within designated area**

All persons whilst in the designated area shall be subject to the lawful orders and directions of the Captain of the Port and of any person authorized by him.



Gibraltar Port Authority
Conditions for the Issue of a Sea Side Pleasure Boat / Small Vessel License

APPLICATION REQUIREMENTS FOR A
FOR A PLEASURE CRAFT / SMALL VESSEL LICENCE

- 1) No craft (fast launch or otherwise) to be allowed into Gibraltar unless the engine bears a legible serial number on an appropriate identity plaque attached to the engine.
- 2) An applicant must produce a manufacturer's certificate. In the case of an old craft, for which a manufacturer's certificate may not be available, discretion will be used in consultation with the Maritime Administrator to determine whether or not the craft can be licensed or registered in Gibraltar.
- 3) Engines Manufacturer's Certificate. The model number and serial number(s) of the engine(s) stating their rating in kilowatts and bhp is essential.
- 4) All craft must register with Captain of the Port irrespective of length.
- 5) Licence fees are payable irrespective of the length of the vessel.
- 6) The minimum requirement is for third party insurance for craft exceeding 15 knots.
- 7) Letter of confirmation of mooring(if not Government mooring).
- 8) Bill of Sale to be produced
- 9) The receipt for Import Duty must be produced .
- 10) A Licence cannot be issued to an applicant for a named user who has a conviction under the Drugs (Misuse) Act, Import and Export Act, any violation or breach of the Merchant, Shipping Act, Port Act, Fast Launches (Control) Act or any subsidiary legislation, Drug Trafficking or Criminal Justice Act.
- 11) Two identical postcard size coloured photographs of the craft are required.
- 12) The application must comply with the conditions set out in the Import and Export Control Regulations.
- 13) Any restriction on use of craft is to be included in the licence.
- 14) Fees payable in respect of permits granted:

under Small Vessels(Mooring Controls) Rules 1990, Rule 5(3) :

a) <u>Length of Boat</u>	Yearly Rate (Payable Quarterly in Advance)
Up to 15 feet	- £ 20
Over 15 feet but not exceeding 20 feet	- £ 40
Over 20 feet but not exceeding 25 feet	- £ 80
Over 25 feet but not exceeding 30 feet	- £ 120



Gibraltar Port Authority
Conditions for the Issue of a Sea Side Pleasure Boat / Small Vessel License

14) cont...

under Small Vessels(Mooring Controls) Rules 1990, Rule 15(3) :

b) <u>Length of Boat</u>	Yearly Rate (Payable Quarterly in Advance)
Over 30 feet but not exceeding 40 feet	- £ 200
Over 20 feet but not exceeding 50 feet	- £ 320
Over 50 feet	- £ 480

15) If the Chief Executive of the Gibraltar Port Authority believes that any of the above conditions are not met to his satisfaction, he may suspend or withdraw a licence at any time

16) The owner of a Pleasure boat must abide by the Port Rules and the authority of the Captain of the Port

17) The Chief Executive of the Gibraltar Port Authority reserves the right to amend the conditions for issue of a Pleasure Boat Licence at any time.



Gibraltar Port Authority
Conditions for the Issue of a Sea Side Pleasure Boat / Small Vessel Licence

Guide to Application Requirements
FOR A PLEASURE CRAFT / SMALL VESSEL LICENCE

	YES	NO
Application must be submitted on as shown in Form PL (PC)		
Application must be signed by the individual applying for the Licence		
Application must be accompanied by the fee		
<i>Specific details to this Application:</i>		
a) I/D Card or Passport		
b) Proof of address		
c) Does the vessel engine bear a legible serial number on an appropriate identity plaque attached to the engine? Evidence to be attached.		
d) Evidence of vessels Manufacturers Certificate.		
e) Model number and serial number(s) of the engine(s) stating their rating in kilowatts and bhp.		
f) Letter of confirmation of mooring.(if not Government mooring)		
g) Evidence of Insurance (third party minimum) or evidence that the vessel will be insured if the Licence is granted.		
h) Import Duty receipt from Customs		
i) Two identical postcard size coloured photographs of the craft.		
j) Bill of Sale		