



MONTSERRAT

CHAPTER 7.02

HARBOUR MASTER ACT and Subsidiary Legislation

Revised Edition

showing the law as at 1 January 2019

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

HARBOUR MASTER ACT

Act 1 of 1907 .. in force 6 March 1907

Amended by Acts: 9 of 1977

9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)

14 of 2013 .. in force 1 November 2013 (S.R.O. 58/2013)

BOARDING OFFICERS RULES – Sections 2 and 4

S.R.O. 10/1936

Page

3

5



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S.R.O. 10/1936

Page

3

5

CHAPTER 7.02

HARBOUR MASTER ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Appointment of Harbour Master
3. Boatmen guilty of disorderly conduct, etc., liable to a penalty of \$24
4. Rules
5. Fees payable for bills of health
6. Exemptions

CHAPTER 7.02

HARBOUR MASTER ACT

(Acts 1 of 1907, 9 of 1977, 9 of 2011 and 14 of 2013)

Commencement

[6 March 1907]

Short title

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

Appointment of Harbour Master

2. The Governor in Council acting on the advice of Cabinet may appoint* a Harbour Master for Montserrat, and it shall be the duty of the Harbour Master or of any officer of the Treasury or Customs or Board of Health department deputed by the Harbour Master, with the approval of the Governor acting on the advice of Cabinet, to board all vessels arriving in Montserrat, subject to such rules for his guidance as may be made by the Governor acting on the advice of Cabinet. *(Amended by Act 9 of 2011)*

Boatmen guilty of disorderly conduct, etc., liable to a penalty of \$24

3. Any person plying for hire as a boatman in the roadstead of Montserrat who shall be guilty of disorderly conduct, or who shall by

* Under section 18(4) of the Port Authority Act, the Port Manager is the Harbour Master for the purposes of the Harbour Master Act.

careless or reckless use or management of his boat or oars endanger the life or property of any person embarking or disembarking on or from any vessel, shall, on conviction thereof before a Magistrate, be liable to a penalty of \$24, and, in default of payment, to imprisonment for two months.

Rules

4. The Governor acting on the advice of Cabinet may, make such rules, to be enforced by such fines and penalties recoverable on summary conviction as to him shall seem fit, for regulating the place and mode of anchorage for vessels arriving in Montserrat and generally for the more effectual carrying out of the provisions of this Act. *(Amended by Act 9 of 2011)*

Fees payable for bills of health

5. Subject to section 6, the Harbour Master, or any other officer appointed by the Governor acting on the advice of Cabinet to issue bills of health to vessels, is authorised to demand and receive for each bill of health a fee of \$25 and the fee shall be paid into the Treasury.

(Substituted by Act 14 of 2013)

Exemptions

6. No fee shall be paid in respect of the issue of a bill of health to a vessel of less than twenty five tons burthen registered in Montserrat, or in respect of vessels of Her Majesty's navy or of any foreign navy, or in respect of any private yacht.

BOARDING OFFICERS RULES – SECTIONS 2 AND 4

(S.R.O. 10/1936)

Short title

1. These Rules may be cited as the Boarding Officers Rules.

Interpretation

2. In these Rules—

“**day**” means any time between 6 a.m. and 6 p.m. on any day (excluding Public Holidays and Sundays);

“**Harbour Master**” includes any person deputed by him orally or in writing;

“**roadstead**” means the roadstead, Montserrat.

Boarding Vessel

3. The Harbour Master shall, on any day, board vessels that arrive in the roadstead.

Boarding fees

4. The Harbour Master shall not be entitled to demand or receive boarding fees from the Master of any vessel admitted to pratique during any day, but may do so in respect of any vessel arriving at any other hour at the following rates—

	<i>Between 6 a.m. and 6 p.m. on Sundays and Public Holidays</i>	<i>Between 6 p.m. and 9 p.m.</i>	<i>Between 9 p.m. and midnight</i>	<i>Between midnight and 6 a.m.</i>
Officer	\$1.68	\$1.68	\$2.40	\$2.88
Boatmen	\$.72	\$.72	\$1.20	\$1.92

Provided that, no fee shall be payable in respect of any warship, vessel of or belonging to the Royal Yacht Squadron or the Government of Montserrat.
