

MERCHANT SHIPPING (AIDS TO NAVIGATION) REGULATIONS, 2014

IN EXERCISE of the powers conferred on the Minister under section 456 of the Merchant Shipping Act 2013, these Regulations are made.

1. Interpretation

In these Regulations, unless the context otherwise requires-

“Act” means the Merchant Shipping Act 2013;

“Administration” means the Gambia Maritime Administration;

“aids to navigation” has the meaning assigned to it by section 442 of the Act

“Director General” means the Director General of the Gambia Maritime Administration;

“foreign ship” means a ship that is not a Gambian ship;

“fishing vessel” has the meaning assigned to it by section 3 of the Act;

“Gambian ship” has the meaning assigned to it by section 3 of the Act.

2. Application

These regulations apply to -

- (a) every Gambian ship unless exempted by these regulations; and
- (b) all foreign ships when in a Gambian port or waters;

3. Levy, collection and disposition in respect of aids to navigation

(1) The Administration hereby imposes aids to navigation dues of twenty five Dalasis per gross tonnage in respect of an entry of a ship, other than a fishing vessel, in a port within The Gambia.

(2) With regard to a fishing vessel, the aids to navigation dues at the rate referred to in sub-regulation (2) shall be valid for numerous port calls up to a period of three months.

(3) The aids to navigation dues shall be paid to the Administration or its authorised staff at the port of departure before clearance is obtained.

(4) The Gambia Ports Authority and the Customs authority shall collaborate with the Administration to ensure effective payment of the aids to navigation dues.

(5) All dues paid in respect of aids to navigation shall be used to improve and add to the effectiveness of the aids to navigation in place.

4. Penalty for contravention

(1) The owner or master of a ship who attempts or proceeds to sea without payment of the dues in respect of aids to navigation commits an offence and is liable on conviction to a fine equivalent to four times the outstanding dues.

(2) The ship in respect of which the fine is imposed may be detained until such time that the outstanding dues and the fine have been paid.

5. Exemption

A naval vessel, a government ship on non-commercial service, a vessel belonging to the Gambia Ports Authority and a pleasure vessel shall be exempt from the requirement to pay dues in respect of aids to navigation.

6. Lighting marks and features of aids to navigation

In establishing any aid to navigation, the Administration or the Director-General shall ensure that it conforms to the specifications, recommendations and guidelines of International Association of Lighthouse Authorities.

DATED THIS..... DAY OF2014

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HON. BALLA GARBA JAHUMPA
MINISTER OF WORKS, CONSTRUCTION AND INFRASTRUCTURE