Revised Regulations of Anguilla: A57-5

ANGUILLA AIR AND SEA PORTS AUTHORITY ACT (R.S.A. c. A57)

TONNAGE DUES REGULATIONS

Note: These Regulations are enabled under section 86 of the Anguilla Air and Sea Ports Authority Act, R.S.A. c. A57.

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SCHEDULE: Scale for Computation of Tonnage Dues when Weights or Measurements Not Shown in Freight Lists or Bills of Lading.

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Tonnage dues payable

1. (1) Subject to subsection (2), there shall be levied, paid and collected for the public use of Anguilla, tonnage dues of $8.00 per ton on all cargo landed from any vessel entering at any port and of $5.00 per ton on all cargo taken on board any vessel clearing from any port.

(R.A. 2/2003, s. 1 and R.A. 11/2021, s. 2)

(2) No tonnage dues shall be levied, paid or collected on cargo landed for transshipment and taken on board any vessel clearing from any port on which tonnage dues payable on the landing thereof have been paid within 1 year previously.

(3) There shall be levied, paid and collected for the public use of Anguilla tonnage dues of $1.00 per ton on all cargo exported to the European Economic Community pursuant to the Council of Ministers' Decision of 25 July 1991 (91/482/EEC) Article 101 paragraph 2.

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Computation of tonnage dues

2. Tonnage dues shall be paid by the master to the Superintendent and shall be computed and determined upon the weight and measurement of the goods comprising the cargo shown in the freight lists and bills of lading and, when the weights and measurements are not shown in the freight lists and bills of lading, they shall be computed in accordance with the scale set out in the Schedule.

Computation of tonnage dues in respect of vessels under 30 tons

3. In lieu of tonnage dues payable under section 2, the tonnage dues in respect of vessels of less than 30 tons burthen registered in Anguilla shall be assessed and computed on an annual basis at the rate of $5.00 per registered ton payable on the first arrival and entry in each year of such vessel on exhibition to the Superintendent of the certificate of the registry of the vessel.

(R.A. 2/2003, s. 2 and R.A. 11/2021, s. 3)

Payment of tonnage dues by agent

4. Where a registered vessel has an accredited agent in Anguilla, the payment of tonnage dues may, by arrangement with the Superintendent, be paid by such agent within 4 days of entry or clearance, if a freight list of all cargo to be landed or loaded together with the bills of lading thereof are delivered by the agent to the Superintendent.

Tonnage dues not payable

5. Tonnage dues shall not be chargeable or payable in respect of—

(a) vessels which arrive or depart in ballast only;

(b) vessels landing or taking on passengers and their personal baggage and which do not break bulk or dispose of any part of their cargo or take on board any cargo;

(c) that portion of the cargo of any vessel which consists of salt produced in Anguilla; or

(d) any cargo or portion of cargo of any vessel which consists of sand.

Cargo to or from Sombrero Island exempted

6. Cargo to or from Sombrero Island shall be exempt from the payment of tonnage dues.

Transferred cargo exempted

7. Cargo transferred from one vessel to another for the purpose of being carried to any place outside Anguilla shall be exempt from tonnage dues but, where any such goods are landed or brought into consumption at any place within Anguilla, such goods shall be subject to tonnage dues.

Tonnage dues to be paid by the master of vessel

8. The tonnage dues imposed under these Regulations shall be paid by the master of every vessel before clearance (except as provided in section 4).

Bills of lading and where no bills of lading

9. (1) It shall be lawful for the Superintendent to demand the production by the master of any vessel, or the agent, of the bills of lading of and relating to all cargo in respect of which the tonnage dues imposed by these Regulations are payable, for the purpose of computing same.

(2) Where there is no bill of lading of such cargo or any part thereof, the Superintendent may enter such vessel to weigh and measure such cargo and may detain such vessel until such weighing and measurement has

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been completed; and any master or agent who shall refuse or neglect to produce such bills of lading or to permit such entry, weighing and measuring is guilty of an offence and is liable on conviction to a fine of $10,000.

Expenses of weighing, etc., cargo to be added to tonnage

10. Any expenses incurred by the Superintendent in weighing and measuring such cargo shall be added to the tonnage dues payable and be recoverable in like manner.

Failure to produce certificate of registry

11. If the master of any vessel arriving in Anguilla fails to exhibit the certificate of registry of such vessel when demanded by the Superintendent or wilfully delivers an untrue certificate, or any cargo is either loaded or unloaded from any such vessel before the tonnage dues in respect thereof have been paid, he is guilty of an offence and is liable on conviction to a fine of $10,000.

Citation

12. These Regulations may be cited as the Tonnage Dues Regulations, Revised Regulations of Anguilla, A57-5.

SCHEDULE

(Section 2)

SCALE FOR COMPUTATION OF TONNAGE DUES WHEN WEIGHTS OR MEASUREMENTS NOT SHOWN IN FREIGHT LISTS OR BILLS OF LADING

Asses, calves and foals	2 to 1 ton
Cows, horses, mules and other cattle	1 to 1 ton
Sheep, goats, pigs and other small animals	10 to 1 ton
Lumber (board measurement)	500 ft. to 1 ton
Oil and petroleum products	200 gals. to 1 ton
Wines and spirits in wood	150 gals. to 1 ton
Wines and spirits in bottles and cases	50 gals. to 1 ton
Measurement	40 cu. ft. to 1 ton
Weight	2240 lbs. to 1 ton

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