



REPUBLIC OF NAURU  
GOVERNMENT GAZETTE  
PUBLISHED AUTHORITY  
EXTRAORDINARY

No. 73

3<sup>rd</sup> October, 2006

Nauru

G.N.No. 284 / 2006

*PORT AUTHORITY ACT 2006*  
(Sections 26 and 28)

# PORT OF NAURU SCHEDULE OF FEES & RATES 2006

(Effective 29<sup>th</sup> September 2006)

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## SHORT TITLE

1. This is the *Port of Nauru Schedule of Fees & Rates 2006*.

## GENERAL INFORMATION

2. The Port of Nauru is deep sea port (approximately 550 metres deep) where the visiting vessels tie up to a system of buoys. There are twelve buoys in the system and eight are employed when mooring. Incoming cargo is preferred to be in 20 ft containers, although break bulk is accommodated. Cargo is transferred ashore by a barge or raft. Fuel is transferred ashore via a hose that is suspended from the phosphate loading cantilever. Phosphate is loaded by the two cantilevered conveyors.

3. The *Port Authority Act 2006* (the Act) established the Port Authority of Nauru to manage and operate the Port of Nauru.

4. The functions of the Authority are to establish, improve, maintain, operate and manage port, services and facilities in connection with the operation of the port, including, but not limited to –

- (a) the management and maintenance of adequate and efficient port, facilities, services and security in the port;
- (b) the provision of goods and services necessary to give effect to the objectives of the Authority;
- (c) the regulation of navigation and maintenance of navigation aids within the port;
- (d) the marketing and promotion of the use, improvement and development of the port; and
- (e) the co-ordination of all operations within the port.

## INTERPRETATION

5. In this Standing Order, including the Schedule herein, unless the context otherwise requires-

“**Act**” means the Port Authority Act 2006;

“**Authority**” means the Port Authority of Nauru established by section 4 of the Act;

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“**berthage**” means a charge in respect of the time during which a vessel is secured to or moored to buoys or any other location at the port where a vessel may be moored;

“**buoy**” includes a floating object of any size, shape and colour which is moored to the seabed and serves as an aid to navigation or for other specific purpose;

“**container**” means an article of transport equipment of a permanent character designed for repeated use, constructed to facilitate the multi-modal transportation of goods, capable of being secured and readily handled, having corner fitting for those purposes and being of a standard ISO size;

“**day**” means a period of twenty-four consecutive hours;

“**GRT**” means the gross registered tonnage of a vessel;

“**harbour dues**” means a toll on a vessel that comes into or uses the port;

“**Harbour Master**” means the office established by section 12 of the Act;

“**Master**” includes every person, except a pilot, having command or charge of any vessel;

“**Minister**” means the Minister responsible for the Act;

“**moorage**” means the tying up of a vessel to one or more moorings for the safe and secure holding of the vessel while at berth;

“**owner**” when used in relation to —

(a) goods, includes any person being, or holding himself or herself out to be, the owner, importer, exporter, consignor consignee, shipper or agent responsible for the sale, custody, loading, handling, discharge or delivery of such goods or any person entitled to possession; and

(b) when used in relation to a vessel, includes every person acting as agent for the owner responsible for receiving freight or paying other charges in respect of the vessel and any part-owner, charterer, operator, or mortgagee in possession, and any duly authorised agent of any such person;

“**pilotage**” means the control of a vessel by a licensed pilot provided by the Authority for the purpose of navigating a vessel within a pilotage area of the port;

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**“port”** means any place described or declared to be a port pursuant to section 3 of the Act;

**“storage”** means a charge payable on goods that remain at or in a building of the Port;

**“tonnage measurement certificate”** means a certificate issued by a measurement authority recognised by the Authority that sets out the gross registered tonnage of a vessel;

**“wharfage”** means a charge imposed in accordance with this Standing Order in respect of all goods and goods in containers that are loaded or unloaded from a vessel at the Port and landed or placed in the water at the Port.

### **PORT FEES & RATES**

6. The Act provides that the Port Authority may levy fees for the use of any of its infrastructure, facilities, assets or equipment, or the provision of any service provided by its employees, agents or sub-contractors.

### **Application**

7. Owners, operators, charters or agents of all vessels shall be liable to pay fees in respect of any vessel using the port, its facilities or services.

8. The operator of the vessel shall be responsible for notifying the Harbour Master of the party responsible for payment of Port Fees in respect of that vessel.

9. Where this notice has not been provided in advance of the arrival of the vessel, the Master of the vessel shall be responsible for notifying the Harbour Master.

10. The notice shall include the name of the person liable along with that person's designation/position and full contact details and the name and details of the company the person represents.

11. Any person entitled to possession of shipped goods either as owner or agent for the owner shall be liable to pay any cargo handling and storage fees.

12. Any person using the port, its facilities or services shall be liable for any other fees and charges applicable.

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### **Documentation**

13. Complete documentation, including Ships particulars or tonnage measurement certificates, in respect of vessels coming to the Port shall be provided by the Master of the vessel to the Authority when requested.

14. Complete documentation, including bills of lading, in respect of inward and outward goods and/or goods in containers of a vessel shall be provided by the Master of the vessel to the Authority when requested.

### **Classification and Calculation of fees**

14. Fees shall be calculated on the basis set out in the Schedule.

15. The Authority reserves the right to classify any goods and its decision in this regard shall be final and binding.

16. The Authority reserves the right in its sole discretion, to either accept the registered or documented tonnage of a vessel, or mass or volume of goods, or to determine the tonnage of any vessel, or mass or volume of goods and the tonnage, mass or volume so determined shall be deemed to be the tonnage, mass or volume for the purposes of calculating any fees payable.

### **Invoices**

15. The Authority shall issue an invoice for the fees payable in respect of:-  
(a) any vessel using the port, its facilities or services, or  
(b) any cargo or goods handled by the Authority, or  
(c) any other services

16. Unless otherwise authorised in writing by the Harbour Master, all fees shall be due upon issue of the invoice and shall be paid in full:-  
(a) in respect of vessels, prior to the departure of the vessel  
(b) in respect of cargo and goods, prior to the release of the cargo or goods  
(c) in respect of other services, within 7 days

### Receipts

17. Receipts for fees paid shall be issued by Treasury and given to the person paying them.

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18. The receipt must be produced whenever requested by a duly authorised employee of the Authority.

Powers of entry onto vessels

19. Duly authorised employees of the Authority may board and inspect any vessel within the port in order to ascertain the amount of the fees payable, after Customs and Immigration clearance has been given.

Failure to pay fees

20. Where a vessel has failed to pay any fees or fails to provide a receipt or satisfactory proof of payment of the fees, the Authority may detain the vessel and may withhold the granting of the shipping clearance until the fees are fully paid or secured to the satisfaction of the Authority.

21. Where the owner or agent of shipped goods has failed to pay any fees or fails to provide a receipt or satisfactory proof of payment of the fees, the Authority may seize such cargo or goods until the fees are fully paid or secured to the satisfaction of the Authority.

22. Where fees for such cargo or goods are not satisfied within 60 days, the Authority may dispose or sell the goods as it deems fit.

23. It is an offence to evade or attempt to evade any of the fees chargeable under the *Port Authority Act 2006*.

24. The Authority may charge interest on any fees not paid within 30 days at a rate of 10% per annum.

**Exemption or Reduction of Fees**

25. The Harbour Master may, with notice to the Minister:-

- (a) exempt any vessel or goods or classes of vessels or goods;
  - (b) reduce, refund or waive, in whole or in part,
- any fees or interest payable to the Authority.

26. Fees are not payable in respect of any vessel or goods carried on any vessel that is exempt from the payment of fees by the terms of agreement between Nauru and any foreign country or as otherwise directed by Cabinet.

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27. Naval vessels of any country are exempted all port fees and charges.

**Payment Procedures**

28. Upon receipt of an invoice for fees payable from the Authority, the person liable shall pay the fee either by:-

(a) cash deposit during normal business hours to:

Revenue Office  
Treasury  
Department of Finance  
Government Buildings  
Yaren District  
NAURU

(b) by direct transfer to:

Westpac Banking Corporation  
90 Collins St  
Melbourne, 3000  
Account Name: Republic of Nauru Treasury  
BSB Number: 033157  
Account Number: 271950

29. It is an offence under the *Port Authority Act 2006* to make any payment or provide any pecuniary benefit directly to the Harbour Master or any employee of the Authority and all payments must be made to the Treasury.

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**SCHEDULE OF FEES & RATES**

NAURU PORT AUTHORITY  
**Port of Nauru Schedule of Fees and Rates 2006**

Item	Rate	Unit
<b>Vessel Fees</b>		
Harbour Dues	\$0.25	per GRT per vessel visit
Pilotage	\$0.25	per GRT per vessel visit
Moorage	\$0.20	per GRT per vessel visit, up to maximum of three moorings
Moorage - Extra	\$0.20	per GRT for each additional in/out
Berthage	\$0.10	per GRT per day or part thereof
Agency	\$2,500	fixed per vessel visit
Wharfage		
(ship to shore OR shore to ship: charge per movement)		
20ft Container	\$150	per container - dry or re Fridgerated
Break Bulk Cargo	\$5	per cubic metre or per metric tonne
Heavy machinery	\$10	per cubic metre or per metric tonne
Boats & Trailers	\$5	per cubic metre or per metric tonne
Buses & Trucks > 7 tonnes	\$90	per unit
Buses & Trucks < 7 tonnes	\$70	per unit
Large vehicles	\$60	per unit
Cars	\$50	per unit
Motor bikes	\$20	per unit
<b>Consignee Fees</b>		
<i>Handling</i>		
(shore handling: includes all cargo movement within Port until transfer to consignee and cleaning of containers)		
20ft Container	\$150	per container - dry or re Fridgerated
Break Bulk Cargo	\$5	per cubic metre or per metric tonne
Heavy machinery	\$5	per cubic metre or per metric tonne
Boats & Trailers	\$5	per cubic metre or per metric tonne
Buses & Trucks > 7 tonnes	\$50	per unit
Buses & Trucks < 7 tonnes	\$30	per unit
Large vehicles	\$20	per unit
Cars	\$10	per unit
Motor bikes	\$5	per unit

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<b>Storage</b>		
(applicable after a free storage period of seven days from departure of the vessel)		
20ft Container	\$5	per day or part thereof
Break Bulk Cargo	\$5	per cubic metre or per metric tonne
<b>Other Fees</b>		
<b>Hire of Equipment</b>		
Heavy Lift Crane (P&H)	\$340	per hour
Medium Lift Crane (Austin Weston)	\$150	per hour
Heavy Fork Lift (Kalmar)	\$340	per hour
Light Fork Lift (2 Ton)	\$35	per hour
Overhead Gantry	\$40	per hour
Water Craft & Barges	\$40	per hour
Air Compressor - Large	\$60	per hour
Air Compressor - Small	\$40	per hour
Welder	\$35	per hour
Winch	\$50	per hour
<b>Miscellaneous</b>		
Filling of Breathing Air Bottles	\$5	per bottle
Labour - normal business hours	\$4	per hour per person
Labour - after hours	\$8	per hour per person
Stuffing/Destuffing of containers	\$150	per container
Photocopying	\$2	per page
Preparing Bill of Lading	\$3	per Bill

NOTES : All amounts in Australian Dollars

Fees will be calculated on the greater of weight or volume of the cargo

Handling of cargo outside of the Port area will incur additional "Hire Fees"