

QUÉBEC PORT AUTHORITY

NOTICE NQ-6 PASSENGER AND OTHER CRUISE SERVICES FEE SCHEDULE

Effective date

January 1, 2019

This notice is adopted and issued under the [Canada Marine Act](#), Chapter 10, 46-47 Elizabeth II, 1997-1998, pursuant to the powers granted by the latter.

Passenger fees and other cruise service fees are applicable to all ships carrying passengers that stop within the Jurisdictional Boundaries of the Québec Port Authority (hereinafter referred to as “the Authority”). These fees are applied to recover the costs associated with the use of property required to accommodate Cruise Ships and Sightseeing Vessels and for cruise management and operations. They are paid by the ship’s Owner.

1. GENERAL

- a) This notice may be cited as: **Passenger and Other Cruise Services Fee Schedule**.
- b) The fees provided for in this notice are in addition to any other fees provided for in other notices or which may be due to the Authority contractually or otherwise.
- c) The Authority acts as an agent of Her Majesty in right of Canada for the purposes of this notice.
- d) The rights provided for in this notice are binding on Her Majesty in right of Canada or a province.

2. DEFINITIONS

In this notice, the expression:

- a) **“Authority”** means the Québec Port Authority as defined in the *Canada Marine Act*, its letters patent issued on May 1, 1999, and its issued or upcoming supplementary letters patent;
- b) **“Cruise Ship”** means a ship that transports passengers who can sleep on board and spend at least one night in beds or berths reserved for this purpose;
- c) **“Sightseeing Vessel”** means a ship that transports passengers for an excursion lasting less than one day with no option to stay aboard overnight;
- d) **“Owner”** means the owner of the ship, but can also mean the shipping agent, the charter agent, the shipowner, the shipbroker, the shipowner’s agent, the master of the Ship, or any other duly authorized representative;
- e) **“Jurisdictional Boundaries of the Québec Port Authority”** includes all navigable waters and territory under the jurisdiction of the Authority as defined in the Authority’s letters patent and supplementary letters patent;
- f) **“Lower Bed”** means the ship’s passenger capacity based on the two lower beds and berths per cabin as well as all single-occupancy cabins.

3. SUBJECT SHIPS

- a) Passenger fees and other cruise service fees apply to ships carrying passengers that stop within the Jurisdictional Boundaries of the Authority. These same fees apply to ships operating in Canadian waters as well as to those operating, in whole or in part, in international waters.

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- b) The same passenger fees and other cruise services fees apply to Sightseeing Vessels that have been authorised to moor at one of the berths within the Jurisdictional Boundaries of the Authority.

4. CALCULATION OF FEES

- a) Subject to Section 6, passenger fees and other cruise services fees are calculated according to the rates and features set out in schedules 1 and 2 forming an integral part hereof, which may be amended at the Authority's discretion, subject to compliance with the provisions of Canada Marine Act.
- b) The Authority must be provided with a certificate (manifest) attesting to the number of passengers at least 24 hours before the Cruise Ship or Sightseeing Vessel arrives in or departs from the Jurisdictional Boundaries of the Authority.
- c) In the event that the Owner of the ship is unable to provide a manifest, the Authority is justified in charging the fees based on the maximum passenger capacity of the ship.
- d) Given that dock reservations are scheduled several months in advance, the Authority will be justified in charging a penalty to the Owner of the ship in the event of cancellation, which will be determined as follows:
 - i) Less than 24 hours (100% of the applicable fees on 80% of the Lower Bed);
 - ii) Between 1 and 7 days (50% of the applicable fees on 80% of the Lower Bed);
 - iii) Between 8 and 90 days (25% of the applicable fees on 80% of the Lower Bed);
 - iv) More than 91 days (no penalty).
- e) Fees related to other cruise services, including, but not limited to, bridge services, are payable in addition to the fees provided for in this notice.

5. ENFORCEABILITY AND PAYMENT OF FEES

- a) The fees described in this notice are payable by the Owner of the Cruise Ship or Sightseeing Vessel.
- b) Fees are payable to the Authority as soon as the Cruise Ship or Sightseeing Vessel leaves the Port and must be paid to the Authority's head office within sixty (60) days of the ship's departure date, in legal Canadian tender.
- c) The fees are payable in accordance with the provisions set out in the *Notice respecting payment terms and penalties for unpaid fees* (NQ-9).

6. EXCEPTION

The following ships are not required to pay passenger and other cruise services fees:

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- a) Royal Canadian Warships, auxiliary ships of the Royal Canadian Navy, ships under the command of the Canadian Armed Forces, ships from visiting forces present in Canada within the meaning of the Visiting Forces Act, or ships under the command of the Royal Canadian Mounted Police.

7. RIGHT AND RESPONSIBILITY OF THE AUTHORITY

No berths are guaranteed by the Authority and, as a result, Cruise Ships and Sightseeing Vessels must be moored at the berth designated by the Authority.