

# QUÉBEC PORT AUTHORITY

## NOTICE Q-4 HARBOUR DUES 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.

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Harbour Dues are applicable to any Ship that enters, stops, or uses the services of the Québec Port Authority (hereinafter referred to as "the Authority") within the Authority's Jurisdictional Boundaries. These fees are applied in particular to recover costs associated with marine traffic and berth dredging. They are paid by the Owner of the Ship.

## **1. GENERAL**

- a) This notice may be cited as: **Harbour Dues 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) **"Ship"** means any vessel, barge, or floating craft intended for commercial purposes;
- c) **"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 authorised representative;
- d) **"Jurisdictional Boundaries of the Québec Port Authority"** refers to all navigable waters and territory under the jurisdiction of the Authority as defined in the Authority's letters patent and supplementary letters patent.

## **3. SUBJECT SHIPS**

The Harbour Dues set out in Schedule 1 are payable on any Ship that enters the Jurisdictional Boundaries of the Authority and carries out commercial or non-commercial operations there for the whole year or part of the year and on any Ship that uses the Port.

## **4. CALCULATION OF FEES**

- a) Subject to Section 6, the applicable Harbour Dues will be calculated according to the rates and features established and set out in Schedule 1 forming an integral part hereof.

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- b) In the event of a change of flag, Owner, or for a mooring period of more than 180 days, the Harbour Dues will be applied again, except for Ships that are permanently based within the Jurisdictional Boundaries of the Authority.
- c) Tonnage:
  - i) Ship Owners must produce a tonnage certificate, from a tonnage measurer approved by the Authority, as required by section 32 of the *Port Authorities Operations Notices*.
  - ii) The gross tonnage of a Ship must correspond or be equivalent to the method for calculating a Ship's gross tonnage provided for in the notices for given tonnage appended to the *Canada Shipping Act* or notices 2 to 7 of Appendix 1 of the *International Convention on Tonnage Measurement of Ships, 1969* (gross registered tonnage).
  - iii) If the Owner is unable to produce said certificate, the Authority may assess the gross tonnage of the Ship, at the Owner's expense, and the estimated gross tonnage will be considered the gross registered tonnage of that Ship, for the purposes of this notice;
  - iv) When two (2) different gross tonnages are recorded on a Certificate, the highest tonnage will be used for the purpose of calculating the fees provided for in this notice;
  - v) If the Owner of a Ship produces a tonnage certificate bearing a gross tonnage that has not been calculated by a method provided for in paragraph 4 d) above, the Authority will bill the Owner for an additional amount equivalent to twenty percent (20%) of the fees payable in addition to the fees payable on the gross tonnage indicated on the certificate;
  - vi) If the Owner of a non-commercial Ship is unable to provide the Authority with a tonnage certificate and the Ship is unable to dock within Bassin Louise, the Authority will charge the berthage fees as if the Ship were docked within Bassin Louise at the rate provided for in the *Notice respecting the marina fee schedule* (NQ-7).
  - vii) If, within six (6) months of paying the additional amount described in paragraph vi), the Owner of the Ship submits to the Authority a certificate bearing a gross tonnage calculated in accordance with a method provided for in paragraph 4 d) i), the berthage and mooring fees payable by the Owner will be adjusted in accordance with the gross tonnage and the difference between the amount due and that paid by the Owner will be remitted to the latter.

## 5. ENFORCEABILITY AND PAYMENT OF FEES

- b) The Harbour Dues provided for in this notice and in Schedule 1 are payable by the Owner as soon as their Ship enters the Jurisdictional Boundaries of the Authority.
- c) Ships operating and remaining within the Jurisdictional Boundaries of the Authority must pay an annual fee at the beginning of each calendar year.
- d) The fees must be paid to the Authority's head office within sixty (60) days of the Ship's departure date, in legal Canadian tender.
- e) The fees are payable in accordance with the provisions of the *Notice respecting payment terms and penalties for unpaid fees* (NQ-9).

## 6. EXCEPTION

The following ships are not required to pay Harbour Dues:

- i) 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.
- b) Pleasure craft not engaged in any commercial activity.

**NOTICE Q-4  
HARBOUR DUES  
Schedule 1**

**Effective 60 days after publication**

Art. Description	Rate
<p>1. A vessel that is based within the jurisdictional limits of the Port Authority and is engaged in commercial activities therein, by year or part thereof :</p> <p>a) Self-propelled vessel</p> <ul style="list-style-type: none"> <li>i. 300 tons, or less, registered gross tonnage</li> <li>ii. 301 to 600 tons registered gross tonnage</li> <li>iii. 601 to 1000 tons registered gross tonnage</li> <li>iiii. 1001 tons, or more, registered gross tonnage</li> </ul> <p>b) Non-self-propelled vessel</p> <p><i>Note : Article 2 shall apply to the ships referred to in Article 1 as soon as they leave and return within the harbor limits of the Administration.</i></p>	
<p>2. Every vessel entering port waters</p> <p>a) For each entry in port waters, per gross registered ton</p> <p>b) Minimum rate under paragraph (2) a)</p>	