



Gibraltar Port Authority **Conditions for the Issue of a Port Operator Licence**

TUG OPERATOR LICENCE

- 1) Every application should be sent to the Gibraltar Port Authority (hereinafter referred to as the 'GPA') so as to reach not less than eight weeks before the date on which the applicant desires the Licence, Re – Licence, Re – Registration or amendment applied for to take effect.
- 2) An application must be submitted with evidence that a notice has been published in the Gazette and in one newspaper no later than 21 days before the date fixed by the GPA to consider the application
- 3) a) The applicant must be a fit and proper person, or if the applicant is a company or a partnership, the directors and shareholders or the partners as the case may be, are fit and proper persons to carry on the business.
b) The applicant must produce letters from two referees who are aware of or are involved in the relevant operation, stating that the applicant is a fit and proper person for the business in which he wished to engage.
- 4) The applicant must have available financial and managerial resources appropriate to the business.
- 5) The applicant must be in possession of a valid trade licence issued by the Trade Licensing Authority in Gibraltar, which relates specifically to the activity for which a Port Licence is being sought.
- 6) The applicant must provide evidence that he/they have complied with statutory requirements in respect of the commencement of the business and now complies with statutory requirements in respect of the operation of the business.
- 7) The applicant must submit documentary evidence to the Captain of the Port of the GPA copies of any pertinent licences for the purpose of operating a business in Gibraltar.
 - (a) The applicant must maintain suitable premises and warehousing appropriate to his business in Gibraltar.
 - (b) The applicant must supply the Captain of the Port of the GPA with full details of any plant and equipment which will be used for carrying out the business.
 - (c) Only vehicles owned and operated by the applicant will be given access to the restricted areas of the Port for the purpose of the business of the applicant.
- 8) The applicant will, by his/their registration, contribute to the efficiency and viability of the Port and ensure continuity of service.
 - (a) The applicant must provide the Captain of the Port of the GPA with full details of the number of staff employed and their duties, and the Captain of the Port must be satisfied that the staff complement is adequate for carrying out the business.
 - (b) The applicant must provide the Captain of the Port of the GPA a full and detailed business plan on how new business is to be generated by his/their engagement as a Port Operator in the Port of Gibraltar.
 - (c) The applicant must demonstrate his/their knowledge of "Tug Operations" work specifically, as opposed to knowledge of 'shipping' generally.
 - (d) The applicant must further provide a Certificate of Good Standing from the Registry of Companies, full details of all Directors and Shareholders, as well as a full set of audited accounts.
- 9) Persons employed by the applicant must be registered with the Employment and Training Board and fulfil all legal obligations in respect of pay, tax and social insurance.



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- 10) Prior to the issue of a licence, the applicant must produce documentary evidence to the satisfaction of the Captain of the Port of the GPA that insurance has been taken out against both personal injury and damage to vessels or property.
- 11) A Port operator may only carry out activities within the Port for the class or classes of activities for which he is licensed.
- 12) If the applicant plans to use a boat of less than 24 metres, the vessel must fully comply with the UK MCA 'Code of Practice for the Safety of Small Workboats and Pilot Boats'.
- 13) If the applicant plans to use a tug of 24 metres or over, the vessel must be classed with one of the seven societies recognised by the Gibraltar Ship Registry. The recognised societies are:
 - (a) Lloyds Register of Shipping
 - (b) American Bureau of Shipping
 - (c) Bureau Veritas
 - (d) Det Norske Veritas
 - (e) Germanischer Lloyd
 - (f) Registro Italiano Navale
 - (g) Nippon Kaiji Kyokai
- 14) In order to obtain a 'Certificate of Survey' or a 'Safety Certificate', the owner/operator of a vessel will have to apply in writing to the Maritime Administrator indicating the time and place where the vessel may be inspected
- 15) The applicant shall ensure that the vessel meets all international safety requirements and carries sufficient life-saving aids for the complement of passengers and crew it is licensed to carry.
- 16) All statutory and classification certification is to be valid and in order for the type of vessel and cargoes to be carried. Each tug will require proof of the following prior to licensing:
 - (a) Current Certificate of Class (Hull)
 - (b) Current Certificate of Class (Machinery)
 - (c) Load Line Certificate, if applicable
 - (d) Proof of Bollard Pull
- 17) A basic safety training and maintenance manual is required to be available on board every vessel operating commercially. Vessels having a valid Domestic Ship Safety Management Certificate or ISM Safety Management Certificate will already comply with this requirement.
- 18) The application must ensure that all safety and navigation equipment, as well as the machinery, is efficiently maintained, and kept on board in a serviceable condition.
- 19) The applicant must ensure that all crew members are qualified to the requirements of the Gibraltar Merchant Shipping (Manning, Training and Certification of Seafarers) Regulations, have a valid eyesight test, where applicable, and all crew have a valid Medical Fitness Certificate.
- 20) The applicant must ensure that Tug Masters and key crew are required to meet local knowledge standards.
- 21) The applicant will ensure that the vessel has a Radio Station Licence and one crew member has a valid GMDSS Operators Licence.
- 22) The conditions set out in the Stability Information Booklet must be adhered to at all times.
- 23) Towage companies should operate to ISO 9001 standards or equivalent.
- 24) Tugs must only be used in operations for which they have the capacity and are licensed.



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- 25) Passengers must not be carried on board when the tug is engaged in towing operations.
- 26) Copies of Licences, Crew Certificates and other relevant documents must be available for inspection on board at any time.
- 27) Any accident resulting in loss of life or property or damage to the environment must be communicated to the Captain of the Port as well as the Maritime Administrator as soon as is practicable. A summary report on the incident must follow within 24 hours.
- 28) The operator must abide by the Port Rules and the authority of the Captain of the Port.
- 29) If the Captain of the Port of the GPA believes that any of the above conditions are not met to his satisfaction, he may suspend or withdraw a licence at any time
- 30) A Port Operator Licence holder must settle all port dues, levies and fees within 30 days of billing, and in default, the licence may be suspended or revoked.
- 31) A Port Operator Licence is valid for twelve months and must be renewed annually.
- 32) An applicant shall, within seven days of being notified that he has been licensed or re – licensed by the Authority, send to the GPA such particulars as may be prescribed in respect of all appropriate Port Workers employed by him with an application that they be registered or re-registered as Port Workers

33) a) Charges for Port Operations:

1	On first registration as a Port Operator, for an operator first registered after 3 May 2001 a one off fee	£ 1,000
2	An Annual Re- Registration fee as a Port Operator	£ 100
3	An Annual fee for an Tug Operator Licence	£ 1,000

(b) Fees for registration and re – registration of Port Workers:

1	Annual fee for Registration of a Port Worker	£ 2
2	Annual fee for Re - Registration of a Port Worker	£ 2

(c) Fees for Certificates and licenses:

1	Fees for the Issue or Renewal of a certificate of registration as a Port Operator	£ 5
2	Fee for the Issue or Renewal of a certificate of registration as a Port Worker	£ 5
3	Fee for the Issue of a duplicate certificate	£ 5
4	Fee for the Endorsement of a certificate of registration	£ 5
5	Fee for the Amendment of a certificate of registration	£ 5

(d) Fees for Inspection and Copies:

1	Fee for Inspection of a licence	£ 10
2	Fee for a certified copy of a licence or certificate	£ 5
3	Fee for inspection of an application	£ 5
4	Fee for a copy of an application	£ 5

- 34) The Captain of the Port of the Gibraltar Port Authority reserves the right to amend the conditions for issue of a Port Operator Licence at any time.



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Guide to Port Applications Requirements
TUG OPERATOR LICENCE

	YES	NO
Application must be submitted on as shown in Form 2		
Application must be signed either by individual applying for Licence, or if body corporate, by an authorised individual		
Application must be accompanied by the fee		
Application must be received no less than 8 weeks before the date of its start, renewal or amendment		
A new application must be submitted with evidence that a notice has been published in the Gazette and in one newspaper no later than 21 days before the date fixed by the GPA to consider the application		
<i>Specific details to this Application:</i>		
a) Does the applicant have available to him, adequate premises in or near the Port, which (where appropriate) are approved by the Collector of Customs under the provisions of the Imports and Exports Ordinance? Evidence to be attached		
b) Does the applicant have available to him, adequate staffing, plant and equipment necessary (in the opinion of the GPA) for the safe and professional carrying on of the business? Evidence to be attached		
c) Is the applicant a fit and proper person (or persons in the case of a company)? Evidence of two referees letters stating applicant is fit and proper person for the business		
d) Does the applicant have available the financial and managerial resources appropriate to the business? Evidence to be attached		
e) Has the applicant complied with statutory requirements in respect of the commencement and the operation of the business?		
f) Company Organogram including individuals nominated to undertake Relevant operations		
g) Referees letter		
h) Practical evidence of relevant Port operations work		
i) Business plan		
j) Examples of relevant Port operations work		
k) Certificate of good standing from Registry of Companies, full details of all Directors and Shareholders, as well as a full set of audited accounts		
l) Employment and training board details		
m) Evidence of Insurance		
n) Copies of any Pertinent Licences		
o) Each tug will require proof of: <ul style="list-style-type: none"> i) Current Certificate Class (Hull) ii) Current Certificate of Class (Machinery) iii) Load Line Certificate, if applicable iv) Proof of Bollard Pull 		
p) Valid Trade Licence issued by Trade Licensing Authority in Gibraltar specifically related to Tug operations		