



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

YACHT CHARTER 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 shipping, 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 produce a letter from his bank confirming he is a client in whom they have full confidence.
- 7) The applicant has 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.
- 8) The applicant will, by his registration, contribute to the efficiency and viability of the Port and ensure continuity of service.
- 9) The applicant must demonstrate his knowledge of 'Yacht Chartering' work specifically, as opposed to knowledge of 'shipping' generally.
- 10) 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.
- 11) Any yacht used for charter purposes must be surveyed by the Maritime Administration at least once a year and be issued with a 'Safety Survey Certificate'. The 'Safety Survey Certificate' is valid for 12 months from the date of the initial survey. The vessel should be presented out of the water during survey. This Certificate must then be presented to the GPA as part of an application for a Port Operators Licence.
- 12) For issue of a 'Safety Survey Certificate' for yachts, the UK Department of Transport's 'Code of Practice - The Safety of Small Commercial Sailing Vessels' is used as the standard. This covers the construction, machinery, equipment, stability, operation and examination of sailing vessels, of up to 24 metres in Load Line length, in commercial use and which do not carry cargo or more than 12 passengers.
- 13) For vessels which fall outside these parameters, the GPA will assess applications on an individual basis.
- 14) Where chartered vessels are involved in racing, the above-mentioned Code does not apply, **providing** the yacht is racing under the International Yacht Racing Union, the Offshore Racing Council or if the vessel is of a national or international class and it complies with class rules.
- 15) Yacht Charter Operators should be aware of the categories applicable for equipment to be carried on yachts and for qualifications of skippers. As per the above mentioned Code, a licence in Gibraltar will be based on the following three categories:
 - a) Category 2 up to 60 miles from a safe haven
 - b) Category 1 up to 150 miles from a safe haven
 - c) Category 0 unrestricted service
- 16) The operator must abide by the Port Rules and the authority of the Captain of the Port



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- 17) 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.
- 18) 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.
- 19) A port operator may only carry out activities within the Port for the class or classes of activities for which he is licensed
- 20) A Port Operator Licence is valid for twelve months and must be renewed annually.
- 21) 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
- 22) 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 a Yacht Charters 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

- 23) The Captain of the Port of the GPA 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 –
YACHT CHARTERS LICENCE

	YES	NO
Application must be submitted 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 GP A to consider the application.		
<i>Specific details to this Application:</i>		
a) 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		
b) Is the applicant a fit and proper person (or persons in the case of a company)? Evidence of two referees letter - Stating applicant is fit and proper person for the business.		
c) Does the applicant have available the financial and managerial resources appropriate to the business? Evidence to be attached		
d) Practical evidence and examples as 'Yacht Charterer'		
e) Employment and training board details		
f) Bank letter		
g) Evidence of Safety Survey Certificate		
h) Valid Trade Licence issued by Trade Licensing Authority in Gibraltar specifically related to Yacht Charter.		