



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

POTABLE WATER AND/ OR NON POTABLE WATER SUPPLIER 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 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.
- 6) 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 operator will be given access to the restricted areas of the Port for the purpose of the business of the applicant.
- 7) The applicant will, by his 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 compliment 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 engagement as a Port Operator in the Port of Gibraltar.

(c) The applicant must demonstrate his knowledge of the relevant "Port 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.
- 8) 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.



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

POTABLE WATER AND/ OR NON POTABLE WATER SUPPLIER LICENCE

- 9) 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. Please also refer to Insurance Conditions which are required to be included in insurance policy.
- 10) A port operator may only carry out activities within the Port for the class or classes of activities for which he/they are licensed.
- 11) If the applicant plans to use a boat of 24 metres or less, the vessel must fully comply with the UK MCA 'Code of Practice for the Safety of Small Workboats and Pilot Boats'.
- 12) If the applicant plans to use a boat 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:
 1. Lloyds Register of Shipping
 2. American Bureau of Shipping
 3. Bureau Veritas
 4. Det Norske Veritas
 5. Germanischer Lloyd
 6. Registro Italiano Navale
 7. Nippon Kaiji Kyokai
- 13) 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
- 14) The applicant shall ensure that the vessel meets all applicable national and international safety requirements and carries sufficient life-saving aids for the complement of passengers and crew it is licensed to carry.
- 15) All statutory and classification certification is to be valid and in order for the type of vessel and cargoes to be carried.
- 16) 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.
- 17) The applicant will ensure that all safety and navigation equipment, as well as the machinery, is efficiently maintained, and kept on board in a serviceable condition.
- 18) The person in charge of the vessel must have a Certificate of Competency as a Gibraltar Boatmaster and all crew members must have a valid Medical Certificate and Eyesight Test and appropriate qualifications.
- 19) The vessel must have a Radio Station Licence and one crew member must have a valid GMDSS Operators Licence.
- 20) Copies of Licences, Crew Certificates and other relevant documents must be available for inspection on board at any time.



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

POTABLE WATER AND/ OR NON POTABLE WATER SUPPLIER LICENCE

- 21) 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.
- 22) All flexible hoses used in transfers are required to be in good condition and are to be reserved for freshwater transfer only.
- 23) The applicant must comply with any rules, regulations or conditions as required by the Environmental Agency or Ministry for the Environment
- 24) The supply of **Potable** Water is governed by regulation namely Public Health (Potable Water) Rules, 1994 Rule 10. For supply of **Potable** Water, the applicant must be in possession of a valid licence pursuant to Part V (A) of the Public Health Act.
- 25) The supply vessel shall maintain full records, as required by the Environmental Agency, of quality and quantity of water supplied to each vessel.
- 26) For **Non-Potable** water, prior to every delivery, receiving vessel's Master is to be advised in writing of the water quality (i.e non - potable for industrial use only, not for dietetic or domestic use) in advance. Only on receipt of written confirmation in the form of a letter, appropriately signed and stamped by receiving vessel's Master of his acceptance of the water quality, will supply of the non – potable water be permitted.
- 27) On completion of every delivery of water, a copy of the signed and stamped letter and copy of the actual receipt to be sent to the GPA and Environment Agency This letter has to state the quantity of water supplied, date and time of operation, the name of the vessel and the printed name of the Master.
- 28) Records of the sale and supply of water to vessels must be kept as required by the Environmental Agency.
- 29) The applicant must abide by the Port Rules and the authority of the Captain of the Port.
- 30) 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
- 31) 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.
- 32) A Port Operator Licence is valid for twelve months and must be renewed annually.
- 33) An applicant shall, within seven days of being notified that he has been licensed or re – licensed by the Authority, send to the Authority 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



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



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

Guide to Port Applications Requirements
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	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 GP A to consider the application		
Specific details to this Application:		
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 letter 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) For supply of Potable Water applicant must be in possession of a valid licence pursuant to Part V (A) of the Public Health Act issued by the Gibraltar Environmental Agency		