

REGULATION ON COLLECTION OF FAIRWAY CHARGES FOR STRANDA MUNICIPALITY

Adopted by the municipal council: 26.02.2020 – case 017/20



ENTERS INTO FORCE:

APPLIES TO: [The sea area of Stranda Municipality](#)

UNDER THE PROVISIONS OF: [ACT 2019-06-21-70, section 36, REG. 2010-12-11-1838](#)

The regulation was adopted by Stranda Municipality on 26.02.2020 in case 017/20 under the provisions of ACT 2019-06-21-70 on harbours and fairways (the Harbour and Fairways Act), section 36, and REG. 2010-12-11-1838.

1. PURPOSE

The fairway charge shall cover the Municipality's costs associated with carrying out the tasks specified in the Harbour and Fairways Act, section 36, second paragraph.

2. SCOPE ETC.

- 2.1 The Regulation applies to all vessels calling at public or private harbours or at aquaculture facilities in the sea area of Stranda Municipality, cf. the Harbour and Fairways Act, section 36, first paragraph. "Vessel" and "harbour" are defined in the Harbour and Fairways Act, section 3, letters b) and d).
- 2.2 The Regulation enters into force from the day after it is adopted. The Regulation of 13 February 2019 (case 005/19) on 2019 port charges for Stranda Municipality is repealed at the same time.
- 2.3 Stranda Port Authority KF may collect fairway charges and otherwise enforce the Regulation on behalf of Stranda Municipality.
- 2.4 The following are exempt from the requirement to pay fairway charges:
 - a) Vessels of less than 15 metres in length (vessels not subject to measurement)
 - b) Icebreaker vessels carrying out tasks in connection with the Municipality's responsibility for navigability pursuant to the Harbour and Fairways Act, section 6
 - c) Salvage vessels engaged in salvage operations
 - d) Norwegian and foreign warships
 - e) The Norwegian Coastal Administration's vessels in connection with work in the fairway
 - f) Vessels calling at harbours as a result of damage or an emergency situation, provided the vessel does not load or unload cargo or take passengers on board
 - g) Vessels belonging to the police, fire or life-saving service
 - h) Other vessels carrying out tasks for Stranda Municipality associated with the Municipality's duties under the Harbour and Fairways Act.

3. BASIS OF CALCULATION

- 3.1 The fairway charge is calculated based on the vessel's gross tonnage (GT), as calculated in accordance with the International Convention on Tonnage Measurement of Ships of 23 June 1969. The vessel shall, on request, submit a valid tonnage certificate that satisfies the requirements of the above

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Convention. If the tonnage certificate is not submitted within a week, or if there is still doubt as to the basis of calculation, the Municipality shall issue an individual decision specifying the size to be used to calculate the charge.

3.2 Fairway charges are only imposed once per ship per day, even if a ship makes several port calls within the same day. A day is the 24-hour period from midnight to midnight on the same date.

3.3 Vessels with a permanent berth or slip in the Municipality's sea area are subject to a fixed annual fairway charge of:

Up to 100 BT: NOK 750

Over 101 BT: NOK 1250

4. FAIRWAY CHARGES

4.1 Subject to the exemptions listed in point 2.4, all vessels shall pay fairway charges at the following daily rates:

Gross tonnes	Range	Rate per tonne
For the first 20,000	0–20,000	NOK 0.09
For the next 30,000	20,001–50,000	NOK 0.08
For the next 40,000	50,001–90,000	NOK 0.08
For the next	90,001	NOK 0.06

There is a minimum charge of NOK 100 per day.

Seaplanes that land in the Municipality's sea area shall pay a charge of NOK 500 for each call at a harbour or aquaculture facility.

5. DUTY TO PROVIDE INFORMATION

5.1 Vessels calling at harbours in Stranda Municipality's sea area are required to provide Stranda Port Authority KF with the information required to calculate and collect fairway charges, including a tonnage certificate and invoicing address for the shipping company and agent, if applicable.

6. LIABILITY

6.1 The owner, shipping company and agent are jointly and severally liable for claims for fairway charges, cf. the Harbour and Fairways Act, section 40, first paragraph. "Owner" and "shipping company" are defined in the Harbour and Fairways Act, section 3, letters a) and i). Fairway charges past due constitute grounds for enforcement, cf. the Harbour and Fairways Act, section 41, first paragraph. Late payment of fairway charges shall be subject to late payment interest, cf. the Harbour and Fairways Act, section 41, third paragraph.

6.2 Stranda Municipality's claim against the shipping company is secured by a lien on the ship pursuant to the rules governing maritime liens in Act no. 39 of 24 June 1994, the Norwegian Maritime Code, cf. the Harbour and Fairways Act, section 41.

6.3 Individual decisions taken by Stranda Municipality may be appealed, cf. the Public Administration Act, section 2, first paragraph, letter b). The administrative appeal body is the head office of the Norwegian Coastal Administration, cf. the Fairways Regulation (REG 2019-12-11-1838), section 7, and further as delegated from the Ministry.

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