



NOTICE N-1

“Berthage and Anchorage Fees Tariff”

Effective Date: **February 1, 2020**

*This Notice is issued pursuant to section 49 of
Part I of the Canada Marine Act, Chapter 10,
46-47 Elizabeth II, 1997-98.*

NOTICE N-1
“Berthage and Anchorage Fees Tariff
for Montreal Port Authority Facilities”
Effective on February 1, 2020

1. General

- (1) This Notice may be cited as the **Berthage and Anchorage Fees Tariff**.
- (2) This Notice is subject to the definitions given under Section 2.
- (3) This Notice is binding upon Her Majesty.

2. Definitions

In this Notice,

- (1) *“Authority”* means the Montreal Port Authority as defined under Sections 2 and 8 of Part I of the Canada Marine Act and by its letters patent issued on March 1st, 1999;
- (2) *“Authority property”* means any property under the administration, management or control of or under lease from or to the Corporation;
- (3) *“harbour”* or *“Port of Montreal”* legal and physical designation of all real properties that the Montreal Port Authority manages, holds or occupies as set out in Appendix A entitled “Description of Navigable Waters” and Appendix B entitled “Description of Federal Real Property” of its Letters Patent issued on March 1st, 1999, as stipulated in the Canada Marine Act;
- (4) *“owner”* designates the vessel owner, the ship agent, charterer by demise or master of a vessel;
- (5) *“registered gross tonnage”* means the gross tonnage of a vessel calculated on a basis that corresponds with or is equivalent to the method of calculating the gross tonnage of a vessel set out in the Rules as to the Measurement of Tonnage in the Canada Shipping Act; or
in accordance with the rules set out in the International Convention of Tonnage Measurement of Ships, 1969;
- (6) *“tonnage measurement certificate”* means a certificate issued by a measurement authority that sets out the registered gross tonnage of a vessel. The measurement authority must be recognized by the Authority;

2. Definitions (Cont'd)

- (7) “*vessel moored continuously*” or “*continuous berthing*” refers to a vessel occupying a berth without interruption for more than ten (10) days in a row during a period of the year;
- (8) “*prescribed*” means prescribed by this Notice;
- (9) “*day*” means a period included between 0001 hours and 2400 hours of a day;
- (10) “*month*” means a period included between the 1st day and the 30th (31th or 28th) day of a calendar month.

3. Fees

- (1) Standard berthage fees are as set out in Schedule I.
- (2) Although berthage fees for vessels moored continuously in the harbour are published, the Authority shall be under no obligation to provide berths for that purpose. Continuous berthing shall remain subject to the availability of berths otherwise unused and, during the winter season, priority shall be given to Canadian Great Lakes vessels.
- (3) Standard anchorage fees are as set out in Schedule II.

4. Extent

- (1) Berthage means a fee on a vessel:
 - (a) while occupying a berth;
 - (b) while fast to or tied up alongside any other vessel occupying a berth at Authority property; or
 - (c) not moored at but loading or unloading by lighter from or to Authority property.
- (2) Anchorage means a fee on vessels occupying an anchorage area in the harbour.

5. Exceptions

- (1) No anchorage fees shall be payable where a vessel is required by the Harbour Master to anchor while awaiting for a berth at Authority property.
- (2) The fees prescribed by this Notice are not payable in respect of:
 - (a) a vessel that is of a non-commercial type or design and belongs to Her Majesty in right of Canada or a province;
 - (b) a Canadian warship, naval auxiliary ship or other ship under the command of the Canadian Forces or of the Royal Canadian Mounted Police, neither in respect of a warship of a visiting foreign force;
 - (c) a vessel that is a pleasure craft not engaged in commerce;
 - (d) a vessel that has been authorized by the Harbour Master to moor in the harbour in the interests of the safety of navigation and does not engage in any commercial activity therein;
 - (e) a tug that is assisting a vessel to dock or to leave a berth;
 - (f) a lighter that is loading or unloading goods from or to Authority property to or from another vessel not moored at such property; or
 - (g) a vessel carrying out activities or works strictly at the express request of the Authority.

6. Calculation of Fees

- (1) Fees will be calculated on the basis indicated in Schedules I and II.
- (2) For the purpose of determining time at berth:
 - (a) a vessel shall be regarded as occupying a berth from the time the first line is made fast until the last line is cast off;
 - (b) a vessel that occupies two or more berths in succession shall be regarded as occupying a berth from the time the first line is made fast to the first berth until the last line is cast of at the last berth, with the time for going to or returning from an anchorage area, as the case may be, excluded from the calculation;

6. Calculation of Fees (cont'd)

- (c) a vessel moored continuously in the harbour and not engaged in any activity of loading or unloading goods or in marine passenger-transport for a ten (10) days period or less, the regular Berthage fees prescribed at item 1 are applied for each day that the vessel spend occupying a berth during said period of ten (10) days or less;
 - (d) a vessel moored continuously in the harbour and not engaged in any activity of loading or unloading goods or in marine passenger-transport for over a ten (10) days period, can ask to be charged the berthage fee prescribed at item (2) from the 11th day spent alongside.
- (3) For the purpose of determining gross registered tonnage:
- (a) in conformity with Article 32 (2) of the regulation regarding the operation of port authorities, the owner of a vessel shall produce a tonnage measurement certificate where the gross tonnage of the vessel will have been calculated on a basis that corresponds with or is equivalent to the method of calculating the gross tonnage of a vessel set out in the Rules as to the Measurement of Tonnage in the Canada Shipping Act or in accordance with Regulations 2 to 7 set out in Annex I to the International Convention on Tonnage Measurement of Ships, 1969;
 - (b) where the owner of a vessel produces a tonnage measurement certificate but the gross tonnage shown therein has not been calculated as described under subsection 6 (3)(a), the owner of the vessel shall deposit with the Authority, in addition to the fees payable on the basis of the gross tonnage so shown, an amount equal to twenty per cent (20%) of those fees; and
 - (c) if, within six (6) months of the date of the vessel's arrival, a certificate showing the gross tonnage calculated as described under subsection 6 (3)(a) is presented to the Authority, by the owner, the fees payable by him shall be re-calculated on the basis of the gross tonnage shown on that certificate. Any portion of the additional amount referred to in subsection 6 (3)(b) shall then be returned to the owner if not required for payment of fees;
 - (d) where the owner of a vessel is not able to produce a tonnage measurement certificate, as regard in Article 32 (2) of the regulation regarding the operation of port authorities, the Authority may estimate, at the expense of the owner, the gross tonnage of that vessel and the gross tonnage so estimated shall be regarded as the registered gross tonnage for the purposes of this Notice;

6. Calculation of Fees (cont'd)

- (e) where two (2) registered gross tonnages calculated as described under subsection 6 (3)(a) are recorded on a tonnage measurement certificate, the lesser of those tonnages shall apply for the purposes of this Notice;
- (4) There shall be no corrector invoice for amounts of less than five (5) dollars.

7. Accrual and Payment of Fees

- (1) Berthage fees are claimable as soon as a vessel is:
 - (a) occupying a berth;
 - (b) tied up alongside another vessel at berth;
 - (c) being loaded or unloaded by lighter on Authority property.
- (2) Anchorage fees are claimable as soon as a vessel is anchored.
- (3) All fees referred to in subsection (1) and (2) must be paid within 30 days of the date of invoice. Where fees are not paid within the said period, an additional charge of 1½% of the fees payable shall be due for each subsequent 30 day period, or portion thereof, that the fees remain unpaid.

Fees referred to in subsection (3) must be paid within 30 days of the due date. Where fees are not paid within the said period, a compound interest of 1½% (18% per year) is payable monthly.
- (4) Fees prescribed by this notice are claimable from the owner of the vessel as defined under section 2.
- (5) Fees prescribed by this notice are in addition to any fees prescribed in any other notice or that may be owing to the Authority.
- (6) Prescribed fees are payable to the Authority.

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SCHEDULE I

Berthage Fees

Item	Description	Fee \$
1.	Regular berthage fees per gross registered ton are:	
1.1.	For a vessel engaged in activities of loading or unloading goods or in marine passenger-transport:	
	a) for the first period of 12 hours or part thereof	0.0684
	b) for the second period of 12 hours or part thereof	0.0684
	c) for each succeeding period of 12 hours or part thereof	0.0412
1.2.	For a vessel moored continuously in the harbour and not engaged in any activity of loading or unloading goods or in marine passenger-transport for a ten (10) days period or less:	
	a) for the first period of 12 hours or part thereof	0.0943
	b) for the second period of 12 hours or part thereof	0.0943
	c) for each succeeding period of 12 hours or part thereof	0.0566
2.	Berthage fees for a vessel moored continuously in the harbour and not engaged in any activity of loading or unloading goods or in marine passenger-transport for more than 10 days:	
	(1) Fees per month or part of for a vessel berthing without interruption are starting from the 11 th day to the 365 th day:	
	a) for a vessel of 200 m and under in length	2,057.00
	b) for a vessel over 200 m in length	3,078.00
	(2) Berthage fees per month or part of for a vessel berthing without interruption for more than 365 days and not engaged in commercial activity are starting from the 366 th day :	
	a) for a vessel of 200 m and under in length	4,114.00
	b) for a vessel over 200 m in length	6,155.00
3.	Berthage fees for a vessel moored as described under item 2 but engaged in activities of loading or unloading goods or in marine passenger-transport during part of the period are the sum of the following fees:	
	a) the applicable fee set out under item 2 for that vessel; and	
	b) per gross registered ton per month or part of during which the vessel is so engaged	0.0608

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SCHEDULE I (Cont'd)

Berthage Fees

Item	Description	Fee \$
4.	Berthage fees for a non-self-propelled equipment which is not engaged in any activity, per metre of length per day is	0.32
5.	Berthage fees for bunkering barges are calculated according to Item 1 by limiting billing for each barge to a maximum of 31 days or 62 periods of 12 hours each year.	
6.	Berthage fees for tugs are: a) for each tug having been duly declared and accepted by the Authority at the beginning of the year (for each gross registered ton declared per year) b) for any additional tug accepted by the Authority after the month of January (per day) The minimum fee per year, or until the time the tug exits the harbour waters, in accordance with paragraphs 6 (a) and 6 (b) is	2.42 2.42 202.00
7.	Except for tugs aimed at Item 6 and notwithstanding the rates specified in this Schedule, the minimum fee for berthage is	93.00

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SCHEDULE II
Anchorage Fees

Item	Description	Fee \$
1.	a) for the first period of 24 hours or part thereof	312.00
	b) for each succeeding period of 12 hours or part thereof	156.00

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