

No. 16 of 2017

VIRGIN ISLANDS

CRUISING PERMIT (AMENDMENT) ACT, 2017

ARRANGEMENT OF SECTIONS

Sections

1. Short title and commencement.
2. Section 2 amended.
3. Section 4 amended.
4. Section 5 amended.
5. Section 5A amended.
6. Section 11 replaced.
7. Insertion of section 14A.
8. Second Schedule replaced.

I Assent

**(Sgd.) John S. Duncan, OBE,
Governor.
13th June, 2017**

VIRGIN ISLANDS

No. 16 of 2017

An Act to amend the Cruising Permit Ordinance (Cap. 203).

[Gazetted 16th June, 2017]

ENACTED by the Legislature of the Virgin Islands as follows:

Short title and
commencement.

1. (1) This Act may be cited as the Cruising Permit (Amendment) Act, 2017.

(2) This Act shall come into force on such date as may be appointed by the Minister by notice published in the *Gazette*.

Section 2
amended.
Cap. 203

2. The Cruising Permit Ordinance (hereinafter referred to in this Act as “the principal Ordinance”) is amended in section 2 by inserting in appropriate alphabetic sequence the following definitions:

““foreign based charter boat” means any charter boat other than a home based charter boat;

“home based charter boat” means a charter boat

- (a) operating in the Virgin Islands;
- (b) generally maintained in the Virgin Islands; and
- (c) managed by a company or any other legal entity incorporated, registered or licensed in the Virgin Islands,

for a period of five (5) months or more in any twelve month period.”.

3. Section 4 of the principal Ordinance is amended by inserting immediately after the word “Schedule”, the words “in respect of home based charter boats and foreign based charter boats”.

Section 4 amended.

4. Section 5 of the principal Ordinance is amended by replacing the words “charter boat based in the Territory.” with the words “home based charter boats.”.

Section 5 amended.

5. Section 5A of the principal Ordinance is amended in subsection (1) by replacing the words “charter boat not based in the Territory” with the words “foreign based charter boat”.

Section 5A amended.

6. The principal Ordinance is amended by deleting section 11 and replacing with the following:

Section 11 replaced.

“11. A ferry as defined under section 2 of the British Virgin Islands Ports Authority Act, 1990, shall not be subject to the provisions of this Ordinance.”.

Act No. 12 of 1990

7. The principal Ordinance is amended by inserting after section 14 the following new section:

Insertion of section 14A.

“Power to amend Second Schedule.

14A. (1) With the approval of Cabinet, the Minister may, by Order published in the *Gazette* and a newspaper of wide circulation in the Territory, amend the Second Schedule of this Ordinance.”

(2) An Order made under subsection (1) shall be subject to a negative resolution of the House of Assembly.”.

8. The Second Schedule to the principal Ordinance is replaced with the following:

Second Schedule replaced.

“SECOND SCHEDULE

(Section 4)

Classification	Fees per person per day
Home based charter boats	\$6.00
Foreign based charter boats	\$16.00

Passed by the House of Assembly this 6th day of June, 2017.

(Sgd) Ingrid Moses-Scatliffe,
Speaker.

(Sgd) Joann Vanterpool,
Deputy Clerk of the House of Assembly.