
STATUTORY INSTRUMENTS

1996 No. 3243

The Merchant Shipping (Fees) Regulations 1996

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Fees) Regulations 1996 and shall come into force on 1st February 1997.

Interpretation and revocation

2.—(1) In these Regulations:

“the Act of 1995” means the Merchant Shipping Act 1995;

“Marine Safety Agency” means the Marine Safety Agency, an executive agency of the Department of Transport;

“Radio Rules” means the following:

- (i) the Merchant Shipping (Radio) (Fishing Vessels) Rules 1974(1);
- (ii) regulations 125A, 125B, 125C, 130 and 131 of the Fishing Vessels (Safety Provisions) Rules 1975(2);
- (iii) the Merchant Shipping (Radio Installations) Regulations 1992(3);
- (iv) the Merchant Shipping (Navigational Equipment) Regulations 1993(4); and
- (v) the Merchant Shipping (Survey and Certification) Regulations 1995(5), so far as those Regulations relate to radio installations on cargo ships;

“tons” means gross tons, and the tonnage of a ship having alternative gross tonnages shall be taken to be the larger of those tonnages.

(2) Subject to regulation 3 below,

(a) the following Regulations are hereby revoked:

The Merchant Shipping (Fees) Regulations 1995(6);

The Merchant Shipping (Fees) (Amendment) Regulations 1996(7);

(b) in the Merchant Shipping (Certificates of Competency as A.B.) Regulations 1970(8) Schedule 3 shall be omitted.

3. Nothing in these Regulations shall apply to any work involved in carrying out a service before these Regulations come into force.

4. Where a fee is determined by the amount of work involved on or off the ship—

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- (1) S.I. 1974/19/19, amended by S.I. 1982/1292 and S.I. 1994/1104.
 - (2) S.I. 1975/330; relevant amendment is S.I. 1991/1342.
 - (3) S.I. 1992/3 to which there is an amendment not relevant to these Regulations.
 - (4) S.I. 1993/69.
 - (5) S.I. 1995/1210, amended by S.I. 1996/2418.
 - (6) S.I. 1995/1893.
 - (7) S.I. 1996/2419.
 - (8) S.I. 1970/294; Schedule 3 was substituted by S.I. 1995/1893.

- (a) travelling time in excess of 4 hours for each visit to a ship in the United Kingdom shall be disregarded;
- (b) travelling time includes the time taken to travel from the United Kingdom to a ship overseas and back to the United Kingdom, subject to a maximum of 10 hours in any 24 hour period;
- (c) the cost of travelling and subsistence incurred in visiting a ship outside the United Kingdom shall be charged additionally to the hourly rate;
- (d) where the work is carried out in conjunction with a non-statutory survey for which fees are not payable under these Regulations, the work involved shall be the extra time taken to ensure compliance with the requirements for which fees are charged under these Regulations;
- (e) any specific costs incurred in respect of computer or outside services shall be charged additionally to the hourly rate;
- (f) in the case of fees payable for services in connection with the Radio Rules where the amount of work chargeable for is not an exact hour, the time shall be rounded up to the nearest quarter hour.

5.—(1) The fees payable for the services specified in the Schedule to these Regulations shall be the fees specified in relation thereto in that Schedule.

(2) The fee in the case of a survey or periodical inspection for the issue, renewal or endorsement of a certificate shall cover the issue or endorsement of that certificate except in the case of the issue of a certificate pursuant to the Radio Rules where the survey for the purpose of such a certificate was performed abroad by a locally appointed surveyor. In such a case the work involved in the issue of the certificate shall be charged for separately at the hourly rate of £23 for fishing vessels and £26 for other ships.

(3) Where a fee is payable under these Regulations is for, or covers, the issue or endorsement of, a certificate, the certificate need not be issued or endorsed unless that fee has been paid.

Signed by authority of the Secretary of State for Transport

18th December 1996

Goshen
Parliamentary Under Secretary of State,
Department of Transport

We consent to the making of these Regulations.

19th December 1996

Bowen Wells
Richard Ottaway
Two of the Lords Commissioners of Her
Majesty's Treasury