
STATUTORY INSTRUMENTS

1997 No. 320

HOVERCRAFT

The Hovercraft (Fees) Regulations 1997

Made - - - - - *10th February 1997*

Coming into force - - - *10th March 1997*

The Secretary of State for Transport, in exercise of the powers conferred on him by article 35 of the Hovercraft (General) Order 1972⁽¹⁾ and of all other powers enabling him in that behalf, and with the approval of the Treasury, hereby makes the following Regulations:

PART 1

PRELIMINARY

1. These Regulations may be cited as the Hovercraft (Fees) Regulations 1997 and shall come into force on 10th March 1997.
2. The Hovercraft (Fees) Regulations 1992⁽²⁾ and the Hovercraft (Fees) Regulations 1994⁽³⁾ are hereby revoked.

PART 2

**FEES IN CONNECTION WITH PART I OF THE
HOVERCRAFT (GENERAL) ORDER 1972**

3. A fee of £45 shall be payable, on application, for the issue of a certificate of registration pursuant to article 5(7) of the Hovercraft (General) Order 1972.

(1) S.I.1972/674: relevant amendment is S.I. 1996/3173.
(2) S.I. 1992/1478.
(3) S.I. 1994/1382.

PART 3

FEEES IN CONNECTION WITH PARTS II AND III OF THE HOVERCRAFT (GENERAL) ORDER 1972

4. Nothing in this part of these Regulations shall apply to any work involved in carrying out a service before these Regulations come into force.

5. Subject to regulation 9 below, a fee shall be payable for the services specified in regulation 6 below, determined by the amount of work involved, charged at an hourly rate of £60.

6. The services to which regulation 5 relates are—

- (a) any survey or inspection of a hovercraft or its equipment for the issue, amendment, endorsement or renewal of a certificate or permit in accordance with or showing compliance with Parts II or III of the Hovercraft (General) Order 1972;
- (b) consideration of any application for an exemption or approval in accordance with the provisions of the Hovercraft (General) Order 1972.

7.—(1) A fee shall be paid when application for a service referred to in regulation 6 is made, and the applicant is informed of the amount thereof.

(2) Subject to the following paragraph, any fee based upon the amount of work involved shall be calculated by reference to the Secretary of State’s estimate of the duration of the work, including travelling time, likely to be required and the application of the appropriate hourly rate.

(3) If during the course of the work the Secretary of State estimates that the duration of the work is likely to be greater than the amount estimated under paragraph (1) above, the fee shall be recalculated by reference to that greater estimate, and the excess, if any, over the fee originally payable shall be paid by the applicant.

(4) If the duration of the work actually required in consequence of the application is greater or less than its estimated duration, the fee shall be recalculated by reference to the actual duration and the difference shall be paid by, or, as the case may be, refunded to, the applicant.

8.—(1) The fee in the case of a survey or periodical inspection for the issue or renewal of a certificate or permit shall cover the issue or renewal of that certificate or permit.

(2) Where a fee payable under regulation 5 above is for, or covers, the issue of a certificate or permit, the certificate or permit need not be issued unless that fee has been paid.

9.—(1) Subject to paragraph (2) below,

- (a) when an inspector or surveyor is unable to start an inspection or survey at the appointed hour, unless this is for reasons over which the applicant, his agent or supplier has no control; or
- (b) where (except for the reasons set out in sub-paragraph (a) above) an inspection or survey is disrupted; or
- (c) where an inspector or surveyor is called upon to perform services in the United Kingdom at unusual hours, or outside the United Kingdom;

an additional fee in accordance with the following table shall be payable:

	per hour or part thereof
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<p>1. For waiting time prior to the commencement of and during the course of a survey or inspection:</p>	<p>No fee.</p>
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	per hour or part thereof
for periods not in excess of one hour	
for periods in excess of one hour—	£60
for surveys in the United Kingdom	
for surveys abroad	£120
2. For abortive visits in the United Kingdom: £60	
for the time wasted in excess of one hour at the place of survey or inspection plus time occupied in travelling to and from the place of survey	
3. When a surveyor or inspector is called upon to perform services at unusual hours; for work undertaken during the following hours, including time occupied in travelling: £30	
Mondays to Fridays inclusive between 6 pm and 8 am and all day Saturday	
Sundays and Public Holidays	£60

(2) Where the inspector or surveyor is able to avoid waiting time by carrying out other available surveys or inspection work in the vicinity, for which the appropriate fees have been paid, such additional fees will not be payable.

10.—(1) Where a fee is determined by the amount of work involved on or off a hovercraft:

- (a) travelling time in excess of 4 hours for each visit to a hovercraft in the United Kingdom shall be disregarded;
- (b) travelling time includes the time taken to travel from the United Kingdom to a hovercraft 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 hovercraft outside the United Kingdom shall be charged additionally to the hourly rate;
- (d) any specific costs incurred in respect of computer or outside services shall be charged additionally to the hourly rate.

Signed by authority of the Secretary of State for Transport

5th february 1997

Goschen
Parliamentary Under Secretary of State,
Department of Transport

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

We approve the making of these Regulations.

10th February 1997

Patrick McLoughlin
Roger Knapman
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Hovercraft (Fees) Regulations 1992, and the Hovercraft (Fees) Regulations 1994 and provide for a new structure of fees payable for services pursuant to the Hovercraft (General) Order 1972 as amended. The Regulations prescribe the fees payable to the Secretary of State for—

- (1) the issue of certificates of registration (regulation 3); and
- (2) services provided in connection with Parts II and III of the Hovercraft (General) Order 1972 (safety certification and Operating Permits). As a result of the Hovercraft (General) (Amendment) Order 1996, functions under Part II of that 1972 Order are now performed by the Marine Safety Agency, not the Civil Aviation Authority; and that Part II only applies to hovercraft constructed before 1st January 1996.