

2018 No. 1104

MERCHANT SHIPPING

The Merchant Shipping (Fees) Regulations 2018

Made - - - - *16th October 2018*

Laid before Parliament *22nd October 2018*

Coming into force - - *13th November 2018*

The Secretary of State, in exercise of the powers conferred by section 302 of the Merchant Shipping Act 1995^(a) and article 35 of the Hovercraft (General) Order 1972^(b), and with the consent of the Treasury, makes the following Regulations.

Citation, commencement and expiry

1.—(1) These Regulations may be cited as the Merchant Shipping (Fees) Regulations 2018 and come into force on 13th November 2018.

(2) They cease to have effect at the end of the period of seven years beginning with the day on which they come into force.

Interpretation

2. In these Regulations—

“the Act” means the Merchant Shipping Act 1995;

“the Agency” means the Maritime and Coastguard Agency, an executive agency of the Department for Transport;

“inspection” includes audit, survey and test;

“issue” includes amendment, endorsement, re-issue and renewal;

“local office” means—

- (i) one of the Agency’s Marine Offices^(c),
- (ii) an office of the Marine Management Organisation^(d),
- (iii) an office of Marine Scotland^(e), or
- (iv) an office of the Department of Agriculture for Northern Ireland^(f);

“premium service”, in relation to a fee, means a service performed for an applicant attending in person at a local office or at the office where the register of British ships is kept;

“standard hourly rate” means—

(a) 1995 c.21.
(b) S.I. 1972/674, amended by S.I. 1989/1351, 1996/3173 and 2004/302.
(c) See <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency/about/access-and-opening>.
(d) See <https://www.gov.uk/government/organisations/marine-management-organisation>.
(e) See <http://www.gov.scot/Topics/marine/contact> and <http://www.gov.scot/Resource/0044/00447445.pdf>.
(f) See <https://www.dardni.gov.uk/contact>.

- (i) £120 per hour in respect of any work carried out after 12th November 2018 and before 13th November 2019, and
 - (ii) £147 per hour in respect of any work carried out after 12th November 2019; and
- “vessel” has the same meaning as “ship” in the Act.

Fees payable to the Agency

3.—(1) The fee payable in respect of a service or other function described in Schedule 1 is the fee—

- (a) specified in that Schedule in relation to that service or function, or
- (b) otherwise determined under that Schedule.

(2) Where a fee is payable in respect of the issue of a certificate, the Agency is not required to issue the certificate until that fee has been paid.

Payment for travel, subsistence and other expenses

4.—(1) Where a fee is determined by reference to the amount of work involved, the fee includes an amount for the time spent travelling, except that travelling time in excess of —

- (a) 4 hours for each visit to a ship in the United Kingdom, and
- (b) 10 hours in any period of 24 hours for travel from the United Kingdom to a ship located abroad and back to the United Kingdom,

is to be disregarded.

(2) The reasonable cost of travel and subsistence incurred in visiting a ship outside the United Kingdom is to be reimbursed to the Agency in addition to the fee payable under these Regulations.

(3) Paragraph (4) applies to expenses reasonably incurred in respect of any assistance provided to the Agency by a person not employed by it.

(4) To the extent that the expenses referred to in paragraph (3) relate to a service or function of the Agency for which a fee is payable under these Regulations, they are to be reimbursed to the Agency in addition to that fee.

Transitional provisions

5.—(1) Subject to paragraph (2), where an application for a service or other function for which a fee is payable under these Regulations is made before the day they come into force, but the service or function is provided on or after that date, the fee payable in respect of that service or function is the fee prescribed immediately before the coming into force of these Regulations.

(2) Paragraph (3) applies where—

- (a) an application for a service or other function is made before these Regulations come into force,
- (b) the fee payable in respect of that service or function is to be calculated by reference to an hourly rate, and
- (c) any work to conduct that service or function is carried out after these Regulations come into force.

(3) The hourly rates prescribed under these Regulations apply for the purpose of calculating—

- (a) the fee in respect of the service or other function carried out after the date these Regulations come into force, and
- (b) any additional fee which becomes payable under Part 14 of Schedule 1 by reason of an event occurring after that date.

Revocation

6. The Regulations specified in Schedule 2 are revoked.

Amendments

7.—(1) In each of the regulations specified in paragraph (2), for “Merchant Shipping (Fees) Regulations 2006” substitute “Merchant Shipping (Fees) Regulations 2018”.

(2) The regulations specified for the purposes of paragraph (1) are—

- (a) regulations 11(1) and 13(1)(b) of the Merchant Shipping (Prevention of Air Pollution From Ships) Regulations 2008(a),
- (b) regulations 11(1) and 13(1)(b) of the Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008(b),
- (c) regulation 8(1) of the Merchant Shipping (Passenger Ships) Safety Code for UK Categorised Waters) Regulations 2010(c),
- (d) regulation 22(3) of the Merchant Shipping (Port State Control) Regulations 2011(d), and
- (e) regulations 15(1)(c) and 17(2) of the Merchant Shipping (Prevention of Pollution from Noxious Liquid Substances in Bulk) Regulations 2018(e).

Review

8.—(1) The Secretary of State must—

- (a) carry out a review of the regulatory provision contained in these Regulations, and
- (b) publish a report setting out the conclusions of the review.

(2) The report must be published before 13th November 2023.

(3) Section 30(4) of the Small Business, Enterprise and Employment Act 2015(f) requires that the report published under this regulation must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),
- (b) assess the extent to which those objectives are achieved,
- (c) assess whether those objectives remain appropriate, and
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(4) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

Signed by authority of the Secretary of State for Transport

16th October 2018

Nusrat Ghani
Parliamentary Under Secretary of State
Department for Transport

We consent to the making of these Regulations

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- (a) S.I. 2008/2924, amended by S.I. 2010/895, 2010/3035, 2011/3056, 2014/3076 and 2016/1025.
 - (b) S.I. 2008/3257, amended by S.I. 2010/897, 2011/3056, 2014/3306 and 2016/1025.
 - (c) S.I. 2010/680, amended by S.I. 2010/1075 and 2011/3056.
 - (d) S.I. 2011/2601, amended by S.I. 2017/825.
 - (e) S.I. 2018/68.
 - (f) 2015 c. 26.

SCHEDULE 1 Regulation 3
FEES UNDER THE MERCHANT SHIPPING ACT 1995

PART 1

Surveys, Inspections and Applications for Exemption

Interpretation

1. In this Part, “the statutory requirements” means requirements imposed by or under—

- (a) the Act, and
- (b) the statutory instruments listed in the Table in this Part.

Application of Part 1

2.—(1) Subject to paragraph 3, this Part applies to—

- (a) the inspection of a ship, its equipment or management, for the issue of—
 - (i) a certificate; or
 - (ii) a letter of acceptance in lieu of a certificate;
- (b) the approval and appointment of a surveyor not employed by the Agency to undertake an inspection mentioned in sub-paragraph (a), the consideration of the results thereof and the issue of a certificate or letter of acceptance in lieu of a certificate;
- (c) an application for exemption from any of the statutory requirements (and the issue of an exemption, if approved);
- (d) an inspection under section 258(1) of the Act;
- (e) an inspection pursuant to the statutory requirements which results in the detention of a ship to which Part I of the Merchant Shipping (Port State Control) Regulations 2011 applies, and any subsequent inspection relating to the deficiencies which led to the detention;
- (f) an inspection pursuant to the statutory requirements which results in the issue of a prevention of operation notice in accordance with regulation 9 of the Merchant Shipping (Mandatory Surveys for Ro-Ro Ferry and High Speed Passenger Craft) Regulations 2001(a) and any subsequent inspection relating to the deficiencies which led to the issue of that notice.

(2) In this paragraph and paragraph 3, “certificate” means a certificate of compliance with any of the statutory requirements.

3. Where a fee is prescribed under another Part of this Schedule in respect of an application for the issue of a certificate, that fee applies and not the fee prescribed under this Part.

(a) S.I. 2001/152, amended by S.I. 2004/1266.

Deposit and time for payment

4.—(1) A person applying in respect of a service mentioned in paragraph 2(1)(a) or (c) must, before commencement of the work, pay a deposit on account of the fee calculated by reference to an estimate of the duration of the work likely to be required and the standard hourly rate.

(2) The amount of deposit is subject to review during the course of the work, and the applicant must pay any additional sum calculated by reference to any increased estimate of the work likely to be required.

(3) At the conclusion of the work, the fee is to be recalculated by reference to the actual duration and the difference is to be paid by, or as the case may be, refunded to, the applicant.

Fees for inspections, etc.

5. Subject to any additional fee which may be payable under Part 14 of this Schedule, the fee for a service or function to which this Part applies performed by a person employed by the Agency is to be determined by reference to the time spent in doing the necessary work and calculated at the standard hourly rate.

Table of statutory instruments imposing statutory requirements

<i>Title of instrument</i>	<i>S.I. number</i>	<i>Amending or modifying instruments</i>
A CREW		
The Merchant Shipping (Entry into Dangerous Spaces) Regulations 1988	1988/1638	1988/2274 1993/1072 2005/2114
The Merchant Shipping (Provisions and Water) Regulations 1989	1989/102	1993/1072 2005/2114 2014/1614
The Merchant Shipping and Fishing Vessels (Medical Stores) Regulations 1995	1995/1802	1996/2821
The Merchant Shipping (Minimum Standards of Safety Communications) Regulations 1997	1997/529	1999/1704 2004/1266 2006/89
The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997	1997/2962	1998/2411 2001/54 2014/1616 2015/21 2015/1692 2016/1026
The Merchant Shipping (Compulsory Insurance: Ships Receiving Trans-shipped Fish) Regulations 1998	1998/209	2015/664
The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Employment	1998/2411	2002/2125 2002/3135

of Young Persons) Regulations 1998		2015/21
The Merchant Shipping and Fishing Vessels (Personal Protective Equipment) Regulations 1999	1999/2205	None
The Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements) Regulations 2004	2004/2110	2005/1092 2008/3145 2011/2616 2014/3306 2018/68

B CREW ACCOMMODATION

The Merchant Shipping (Crew Accommodation) (Fishing Vessels) Regulations 1975	1975/2220	1998/929 2002/2201
The Merchant Shipping (Maritime Labour Convention) (Minimum requirements for Seafarers etc.) Regulations 2014	2014/1613	2018/242 2018/667

C DANGEROUS GOODS

The Merchant Shipping (Gas Carriers) Regulations 1994	1994/2464	2004/929
The Merchant Shipping (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods) Regulations 1995	1995/2498	1999/2121 2001/1638 2004/2110 2005/1092 2008/3145 2014/3306 2018/68
The Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997	1997/2367	2004/2110 2011/2616
The Merchant Shipping (Carriage of Irradiated Nuclear Fuel etc.) (INF Code) Regulations 2000	2000/3216	None

D DIVING AND SUBMERSIBLES AND HOVERCRAFT

The Hovercraft (General) Order 1972	1972/674	1989/1351 1996/3173 2004/302
The Merchant Shipping	1981/1098	1987/306

(Submersible Craft
Construction and Survey)
Regulations 1981

The Merchant Shipping (Submersible Craft Operations) Regulations 1987	1987/311	1987/1603
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E FIRE AND LIFE-SAVING

The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998	1998/1011	1999/992 1999/1957 2000/2687 2003/2951 2004/302 2005/2114 2010/1075
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The Merchant Shipping (Fire Protection: Large Ships) Regulations 1998	1998/1012	1999/992 1999/1957 2000/2687 2001/1638 2003/2950 2003/2951 2004/302 2005/2114 2016/1025
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The Merchant Shipping (Life- Saving Appliances for Ships other than Ships of Classes III to VI(A)) Regulations 1999	1999/2721	2000/2558 2000/2687 2001/2642 2002/1473 2004/2259 2005/2114
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The Merchant Shipping (Musters, Training and Decision Support Systems) Regulations 1999	1999/2722	2004/302 2005/2114
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The Merchant Shipping (Life- Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1999	1999/2723	2000/2687 2001/2642 2010/680 2010/1075 2016/1025
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The Merchant Shipping (Fire Protection) Regulations 2003	2003/2950	2005/2114 2016/1025
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F FISHING VESSEL SAFETY

The Merchant Shipping (Official Log Books) (Fishing Vessels) Regulations 1981	1981/570	1983/1801 1997/1511 2002/1473
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The Fishing Vessels (Safety Training) Regulations 1989	1989/126	2004/2169
The Merchant Shipping and Fishing Vessels (Manual Handling Operations) Regulations 1998	1998/2857	1999/2205
The Fishing Vessels (Codes of Practice) Regulations 2017	2017/943	None

G LOAD LINES

The Merchant Shipping (Load Lines) Regulations 1998	1998/2241	2000/1335 2005/2114 2011/603 2018/155
The Merchant Shipping (Carriage of Cargoes) Regulations 1999	1999/336	None
The Merchant Shipping (International Load Line Convention) (Amendment) Regulations 2018	2018/155	None

H RADIO AND NAVIGATIONAL EQUIPMENT

The Merchant Shipping (Radio) (Fishing Vessels) Rules 1974	1974/1919	1982/1292 1994/1104 1999/3210
The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996	1996/75	2004/302 2015/664
The Merchant Shipping (Radio Installations) Regulations 1998	1998/2070	1999/1957 2000/2687 2001/1638 2004/302 2005/2114 2011/1043 2016/1025
The Merchant Shipping (Radio) (Fishing Vessels) Regulations 1999	1999/3210	2002/2201 2016/1025
The Merchant Shipping (EPIRB Registration) Regulations 2000	2000/1850	None

The Merchant Shipping (Safety of Navigation) Regulations 2002	2002/1473	2004/302 2004/2110 2005/2114 2010/680 2010/1075 2011/2978
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I CONSTRUCTION AND EQUIPMENT

The Merchant Shipping (Emergency Equipment Lockers for Ro/Ro Passenger Ships) Regulations 1988	1988/2272	None
The Merchant Shipping (Emergency Information for Passengers) Regulations 1990	1990/660	2010/680 2010/1075
The Merchant Shipping (Cargo Ship Construction) Regulations 1997	1997/1509	1999/643 2004/302 2004/2151 2005/2114
The Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998	1998/1609	2006/2055 2013/1785 2015/782 2016/354
The Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998	1998/2514	2000/2687 2001/1638 2002/1650 2004/302 2004/2884
The Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998	1998/2515	2000/2687 2001/1638 2002/1650 2004/302 2010/680 2010/1075
The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998	1998/2771	2000/482 2002/1473 2005/2114 2013/1785 2014/1614 2015/782 2016/353 2018/242
The Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000	2000/2687	2002/1473 2003/771 2004/302 2004/1107

		2004/2883 2010/680 2010/1075 2012/2636 2018/53
The Merchant Shipping and Fishing Vessels (Safety Signs and Signals) Regulations 2001	2001/3444	2015/21
The Merchant Shipping (High Speed Craft) Regulations 2004	2004/302	2004/2883 2005/2114 2006/2055 2012/2636 2016/1025
The Merchant Shipping (Ro-Ro Passenger Ships) (Stability) Regulations 2004	2004/2884	None
The Merchant Shipping (Bridge Visibility) (Small Passenger Ships) Regulations 2005	2005/2286	2010/680 2010/1075
The Merchant Shipping (Marine Equipment) Regulations 2016	2016/1025	None

J PREVENTION AND CONTROL OF POLLUTION

The Merchant Shipping (Prevention of Oil Pollution) Order 1983	1983/1106	1985/2002 1991/2885 1993/1580 2015/664
The Merchant Shipping (Prevention and Control of Pollution) Order 1987	1987/470	1990/2595 1997/2569 1998/254 2015/664
The Merchant Shipping (Prevention and Control of Pollution) Order 1990	1990/2595	None
The Merchant Shipping (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods) Regulations 1995	1995/2498	1999/2121 2001/1638 2004/2110 2005/1092 2008/3145 2014/3306 2018/68
The Merchant Shipping	1996/282	2015/664

(Prevention of Pollution) (Law
of the Sea Convention) Order
1996

The Merchant Shipping (Prevention of Oil Pollution) Regulations 1996	1996/2154	1997/1910 1999/1957 2000/483 2004/303 2004/2110 2005/1916 2009/1210 2014/3306 2015/664
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The Merchant Shipping (Oil Pollution Preparedness, Response and Co-operation Convention) Regulations 1998	1998/1056	2001/1639 2001/2568 2002/2626 2007/3224 2009/229 2014/3306 2015/386 2016/922
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The Merchant Shipping (Control of Pollution) (SOLAS) Order 1998	1998/1500	None
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The Merchant Shipping (Prevention of Air Pollution from Ships) Regulations 2008	2008/2924	2010/895 2010/3035 2011/3056 2014/3076 2016/1025
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The Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008	2008/3257	2010/897 2011/3056 2014/3306 2016/1025
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The Merchant Shipping (Prevention of Pollution from Noxious Liquid Substances in Bulk) Regulations 2018	2018/68	None
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K MANNING AND CERTIFICATION

The Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1984	1984/1115	1995/1428 1998/1013
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The Merchant Shipping (Working Time: Inland Waterways) Regulations 2003	2003/3049	2006/3223 2009/3348 2013/1956 2014/386
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		2014/431
		2017/1149
The Fishing Vessels (Working Time: Sea-fishermen) Regulations 2004	2004/1713	2009/3348 2013/1956 2014/386 2014/431

The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015	2015/782	2018/68
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L SURVEY AND CERTIFICATION

The Merchant Shipping (Mandatory Surveys for Ro-Ro Ferry and High Speed Passenger Craft) Regulations 2001	2001/152	2004/1266
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The Merchant Shipping (Maritime Labour Convention) (Survey and Certification) Regulations 2013	2013/1785	2014/1614 2018/667
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The Merchant Shipping (Survey and Certification) Regulations 2015	2015/508	2018/53
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M TONNAGE MEASUREMENT

The Merchant Shipping (Tonnage) Regulations 1997	1997/1510	1998/1916 1999/3206 2005/2114
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N SAFETY MANAGEMENT

The Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001	2001/3209	2004/302 2010/680 2010/1075 2014/1512
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The Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010	2010/680	2010/1075 2011/3056
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The Merchant Shipping (International Safety Management (ISM) Code) Regulations 2014	2014/1512	None
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O STRATEGIC SHIPS

The Merchant Shipping (Officer Nationality) Regulations 1995	1995/1427	None
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P PORT FACILITIES

The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003	2003/1809	2009/1176 2016/1211 2018/68
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Q REGISTRATION

The Merchant Shipping (Registration of Ships) Regulations 1993	1993/3138	1994/541 1998/1915 1998/2976 1999/3206 2012/1809 2017/879
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PART 2

Certificates and Examinations for Officers

Interpretation

1. In the Table of fees in this Part, references to a certificate, endorsement or examination are to a certificate or endorsement under –

- (a) the Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1984(a), or
- (b) the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015(b),

and to an examination for any such certificate or endorsement.

Cancellation of application

2. Where an application for an examination in relation to item 1 in the Table is cancelled after the prescribed fee has been paid, a refund must be made of –

- (a) £152 in the case of cancellation before a notice of eligibility has been issued, or
- (b) £130 in the case of cancellation after a notice of eligibility has been issued.

Table of fees

<i>Item</i>	<i>Subject of fee</i>	<i>Amount of fee</i>
1	The assessment of an application for a Certificate of Competency, the practical oral part of the examination, and the issue of a Certificate once the qualifying conditions are met	£220
2	Resitting an examination in relation to item 1	£159
3	An initial assessment for qualification as a marine engineer officer	£121

(a) S.I. 1984/1115, amended by S.I. 1995/1428 and 1998/1013.

(b) S.I. 2015/782.

	(merchant ship)	
4	The replacement of a lost certificate	£77
5	An application for a certificate not requiring an oral examination	£77
6	The addition or removal of, or amendment to, an endorsement or tanker endorsement	£73
7	An application for a certificate of continued proficiency and updating of knowledge	£54

PART 3

Certificates of Equivalent Competency

Interpretation

3. In the Table of fees in this Part, references to a certificate, endorsement or examination are to a certificate of equivalent competency or endorsement under—

- (a) the Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1984, or
- (b) the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015,

and to an examination for any such certificate or endorsement.

Withdrawal or rejection of application

4. Where an application in relation to item 2 in the Table is withdrawn or rejected after the prescribed fee has been paid, on the grounds that the applicant does not meet the preliminary criteria for detailed assessment, £50 must be refunded.

Table of fees

<i>Item</i>	<i>Subject of fee</i>	<i>Amount of fee</i>
1	Interim application for assessment in case of urgency	£74
2	An application for consideration of a person's qualifications for issue of a certificate, including the issue thereof	£109
3	The issue of a subsequent temporary certificate	£109
4	The issue of a certificate as an officer	£74
5	An oral examination for competency	£134
6	An oral examination to assess both a candidate's standard of English and knowledge of United Kingdom legal and administrative processes	£126
7	An oral examination to assess either (but not both) a candidate's— (a) standard of English; or (b) knowledge of United Kingdom legal and administrative processes	£86
8	The addition or removal of, or amendment to, an endorsement or tanker endorsement	£73
9	An application for a certificate of continued proficiency and updating of knowledge	£109

PART 4

Table of miscellaneous qualifications

Table of fees

<i>Item</i>	<i>Subject of fee</i>	<i>Amount of fee</i>
1	An examination for a licence as marine engine operator or senior marine engine operator under regulation 7 of the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015(a)	£215
2	An application for— (a) a certificate of qualification as efficient deck hand, or (b) a certificate of proficiency in survival craft, where the examination has been taken at a centre specially approved by the Secretary of State	£34
3	An application for a certificate of proficiency as an able seafarer deck under regulation 16, or an able seafarer engine under regulation 17, of the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015	£34
4	An examination by an approved medical practitioner for a medical fitness certificate under the Merchant Shipping (Maritime Labour Convention) (Medical Examination) Regulations 2010(b)— (a) carried out on or after 13th November 2018 but before 13th November 2019	£95
	(b) carried out on or after 13th November 2019 but before 13th November 2020	£105
	(c) carried out on or after 13th November 2020	£115
5	An application for a Vessel Traffic Services Certification Logbook in accordance with Marine Guidance Note 434(c)	£57
6	An application for a Yacht Rating Certificate in accordance with Merchant Shipping Notice 1862(d)	£57
7	An application for a Watch Rating Certificate under regulation 14 or 15 of the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015	£57
8	An examination for a Compass Adjuster’s Certificate in accordance with Marine Guidance Note 279(e)	£462

PART 5

Boatmasters’ Licences and Certificates

In this Part—

- (a) the following expressions—
“boatmaster’s licence” and related expressions,
“boatmaster’s certificate” and related expressions,
“relevant local knowledge endorsement”,
“Rhine navigation licence”, and
“supplementary licence”,

(a) S.I. 2015/782.

(b) S.I. 2010/737, amended by S.I. 2014/1614.

(c) See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/442285/MGN_434.pdf.

(d) See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/434812/MSN1862.pdf.

(e) See https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/282248/mgn279.pdf.

have the meanings respectively given in the Merchant Shipping (Boatmasters' Qualifications, Crew and Hours of Work) Regulations 2015(a); and

- (b) "specialist endorsement" means an endorsement other than a relevant local knowledge endorsement.

Table of fees

<i>Item</i>	<i>Subject of fee</i>	<i>Amount of fee</i>
1	The combined practical and oral assessment for the boatmaster's licence, taken on the same occasion	£241
2	The practical test part of the assessment for the boatmaster's licence	£195
3	The oral test part of the assessment for the boatmaster's licence	£65
4	The issue of a boatmaster's licence, certificate or paper endorsement	£23
5	The revalidation of a boatmaster's licence, certificate or paper endorsement	£31
6	The upgrading of— (a) a boatmaster's licence of any Tier or Level; or (b) a Group B boatmaster's certificate to Group A	£31
7	The inclusion of— (a) an additional operation; or (b) an additional operational area on a Tier 2 boatmaster's licence	£62
8	The replacement of a lost boatmaster's licence or boatmaster's certificate, except where the loss occurred through no fault of the holder	£23
9	An assessment for a specialist or relevant local knowledge endorsement on a boatmaster's licence— (a) if taken with a generic licence assessment; (b) if taken separately	£109 £212
10	An assessment for a supplementary licence by the holder of a Rhine navigation licence	£109

PART 6

Safe Manning Certificates

In this Part, references to "safe manning certificates" are to the documents referred to in regulation 46 of the Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015.

Table of fees

<i>Item</i>	<i>Subject of fee</i>	<i>Amount of fee</i>
1	An application for a safe manning certificate	£199
2	An application for an amendment to a certificate	£141
3	The issue of a safe manning certificate for a sister ship where the manning requirements are identical to the ship which has previously been issued a safe manning certificate	£83

(a) S.I. 2015/410.

PART 7

Exemptions

Table of fees

<i>Item</i>	<i>Subject of fee</i>	<i>Amount of fee</i>
1	An application for an exemption from the requirements of any of the statutory instruments mentioned in Section K of the Table in Part 1 of this Schedule—	
	(a) involving one ship or person only	£119
	(b) involving more than one ship or person	£119, plus £40 for each further person or ship included in the initial exemption or added later

PART 8

Registration, Transfer and Mortgage of Ships (other than Fishing Vessels) and Related Matters

Interpretation

1. In this Part, “ship” includes a ship registered under section 17 of the Act (ships bareboat chartered-in by British charterers) but does not include a fishing vessel.

Calculation of fees

2.—(1) The fees prescribed in the Table of fees are subject to sub-paragraphs (2) and (3).

(2) Where a person requests and receives premium service, the fee prescribed in column (4) is payable in addition to the fee prescribed in column (3) or, where more than one fee is prescribed in respect of one transaction, in addition to the aggregate of those fees.

(3) Where a person applies, on any one occasion, for the registration of more than one change in the Register in respect of the same ship for which more than one fee would be payable under item 9, 10 or 11 in the Table of fees—

- (a) the fee for the first change is £46;
- (b) the fee for the second and each subsequent change is £17; and
- (c) the fee for premium service is £100 in addition to the aggregate of the other fees.

Table of fees

<i>Item</i>	<i>Subject of fee</i>	<i>Amount of fee</i>	<i>Premium service fee</i>
1	The registration of a ship, including registration of a ship whose registration has expired	£153	£180
2	The registration of transfer of ownership of a registered ship—		
	(a) for the first or only transfer;	£105	£100
	(b) for the second and each subsequent transfer	£20	n/a

3	The renewal of a registration under regulation 42 of the Merchant Shipping (Registration of Ships) Regulations 1993(a)	£72	£100
4	The registration of a mortgage—		
	(a) for the first or only mortgage;	£101	£100
	(b) for the second and each additional mortgage	£19	n/a
5	The registration of a notice of intended mortgage	£37	£50
6	The issue of a duplicate certificate	£32	£50
7	Issue of transcripts of entries in the Register relating to any one ship—		
	(a) for current entries;	£29	£50
	(b) for other entries	£46	£50
8	Personal inspection of the Register (per hour or part of an hour)	£11	n/a
9	The registration of a change of name of a ship	£46	£100
10	The registration of a change of port of choice	£46	£100
11	The registration of a change of measurement, tonnage or engine particulars recorded in the Register	£46	£100
12	Transfer to a port in a British possession	£52	£100
13	Transfer from a port in a British possession	£135	£100
14	An application to the Registrar for provisional registration of a ship	£175	£140
15	The registration of a ship following provisional registration by the Registrar	£75	£50
16	The issue of a certificate of registration for a small ship in Part III of the Register, or an amended certificate or duplicate copy of the certificate	£35	£50
17	The issue of a transcript of entries in Part III of the Register relating to any one ship—		
	(a) for current entries;	£29	£50
	(b) for other entries	£46	£50

PART 9

Registration, Transfer and Mortgage of Fishing Vessels and Related Matters

Interpretation

1. In this Part, “fishing vessel” includes a vessel registered under section 17 of the Act (ships bareboat chartered-in by British charterers).

Calculation of fees

2.—(1) The fees prescribed in the Table of fees are subject to sub-paragraphs (2) and (3).

(2) Where a person requests and receives premium service, the fee prescribed in column (4) is payable in addition to the fee prescribed in column (3) or, where more than one fee is prescribed in respect of one transaction, in addition to the aggregate of those fees.

(3) Where a person applies, on any one occasion, for the registration of more than one change in the Register in respect of the same ship for which more than one fee would be payable under item 10, 11 or 12 in the Table of fees—

(a) the fee for the first change is £46;

(a) S.I. 1993/3138, relevant amending instruments are S.I. 1998/1915 and 1999/3206.

- (b) the fee for the second and each subsequent change is £17; and
(c) the fee for premium service is £100 in addition to the aggregate of the other fees.

Table of fees

<i>Item</i>	<i>Subject of fee</i>	<i>Amount of fee</i>	<i>Premium service fee</i>
1	The registration of a fishing vessel, including registration of a vessel whose registration has expired—		
	(a) with full registration;	£196	£180
	(b) with simple registration	£159	n/a
2	The registration of transfer of ownership of a registered fishing vessel—		
	(a) with full registration;	£105	£100
	(b) with simple registration;	£88	£100
	(c) where more than one transfer is registered on any occasion, for each additional transfer	£21	n/a
3	The renewal of a registration under regulation 42 of the Merchant Shipping (Registration of Ships) Regulations 1993	£70	£100
4	A change of registration from simple to full registration	£88	£100
5	The registration of a mortgage—		
	(a) where one mortgage only is registered;	£101	£100
	(b) where more than one mortgage is registered on any occasion, for each additional mortgage	£13	n/a
6	The registration of a notice of intended mortgage	£37	£50
7	The issue of a duplicate certificate	£32	£50
8	The issue of a transcript of entries in the register relating to any one fishing vessel—		
	(a) for current entries;	£32	£50
	(b) for other entries	£46	£50
9	Personal inspection of the Register (per hour or part of an hour)	£11	n/a
10	The registration of a change of name of a fishing vessel	£53	£100
11	The registration of a change of port of choice or port number or both	£53	£100
12	The registration of a change of measurement, tonnage or engine particulars recorded in the register	£53	£100
13	An application to the Registrar for provisional registration of a fishing vessel—		
	(a) with full registration;	£179	£140
	(b) with simple registration	£155	n/a
14	The registration of a fishing vessel following provisional registration by the Registrar	£75	£50

PART 10

Registration of Hovercraft

1. The fee payable on an application for the registration of a hovercraft under article 5 of the Hovercraft (General) Order 1972(a) is £153.

PART 11

Copies of, and Extracts from, Documents

1. In this part, “copy” means a certified copy of—
 - (a) a declaration or other document, a copy of which is made evidence by virtue of the Act, or
 - (b) an extract from a document declared by the Act to be admissible in evidence.
2. The fee for a copy of a document is £15 for each hour or part of an hour required for copying.
3. Where a person requests and receives premium service, a fee of £50 is payable in addition to the aggregate of the fees for copying done on the same occasion.

PART 12

Seamen’s Documents

Interpretation

1. In this Part, references to a British Seaman’s Card or to a discharge book are references to the documents of those names issued pursuant to the Merchant Shipping (Seamen’s Documents) Regulations 1987(b).

Fees for issue of documents

2. Subject to paragraph 4, the fee for the issue, or replacement, of a British Seaman’s Card or a discharge book is £55.

3. Where a person requests and receives premium service, a fee of £50 is payable in addition to the aggregate of the fees for documents issued on the same occasion.

Lost documents, etc.

4. No fee is payable in respect of a replacement British Seaman’s Card or discharge book where the document has been lost, destroyed or defaced through no fault of the holder.

PART 13

Compulsory Insurance Certificates

1. The fee payable on an application for the issue of a certificate under section 164 of the Act (which relates to certificates of compulsory insurance against liability for pollution) is £31.

2. The fee payable on an application for the issue of a certificate under section 255N(c) of the Act (which relates to wreck removal insurance satisfying the requirements of the Nairobi International Convention on the Removal of Wrecks 2007(d)) is £31.

(a) S.I. 1972/674, amended by S.I. 1989/1351, 1996/3173 and 2004/302.

(b) S.I. 1987/408, to which there are amendments not relevant to these Regulations.

(c) Section 255N was inserted by the Wreck Removal Convention Act 2011 (c. 8).

(d) The text of the Convention is set out in Schedule 11ZA to the Merchant Shipping Act 1995, which was inserted by the Wreck Removal Convention Act 2011.

PART 14

Additional Charges (Waiting Time, Abortive Visits and Attendance at Unusual Hours)

Interpretation

1. In this Part, “bank holiday” means any day to be observed as such under section 1 of, and Schedule 1 to, the Banking and Financial Dealings Act 1971(a).

Application

2.—(1) Subject to sub-paragraph (2), where an inspection is delayed or is disrupted during its course, or a visit to carry out an inspection is abortive, a fee calculated at the standard hourly rate for the delay caused or time wasted is chargeable.

(2) The fee mentioned in sub-paragraph (1) is not chargeable where—

- (a) the delay or time wasted is less than one hour in total or is due to circumstances over which the applicant has no control; or
- (b) the person carrying out the inspection is reasonably able to perform other work in the vicinity for which a fee has been paid.

3.—(1) Where any part of an inspection is carried out during the periods described in sub-paragraph (2), an additional fee of £74 per hour is chargeable for that part, unless an additional fee is chargeable under paragraphs 4 or 5.

(2) The periods mentioned in sub-paragraph (2) are—

- (a) on a day other than a Saturday or Sunday, between midnight and 8 a.m, and between 6 p.m. and midnight, and
- (b) at any time on Saturday.

4. Where any part of an inspection is carried out in Scotland at any time on a Sunday or a Bank Holiday, an additional fee calculated at the standard hourly rate is chargeable for that part.

5. Where any part of an inspection is carried out in England and Wales or in Northern Ireland at any time on a Sunday or a Bank Holiday, or on Good Friday or Christmas Day, an additional fee calculated at the standard hourly rate is chargeable for that part.

PART 15

Waste Management

1. The fee for the Secretary of State’s consideration and, if appropriate, approval or re-approval of a waste management plan prepared and submitted by a harbour authority or terminal operator in respect of a harbour or terminal pursuant, as the case may be, to regulation 6(1) or (2) or 8(1) of the Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations 2003(b) (“the Regulations”) is charged at the standard hourly rate.

2. The fee for the preparation by the Secretary of State of a waste management plan in respect of a harbour or terminal pursuant to regulation 9 of the Regulations is charged at the standard hourly rate.

3. The fee for the issue by the Secretary of State of an exemption in respect of a harbour authority or terminal operator pursuant to regulation 15(1) and (2) of the Regulations, or in respect of a ship pursuant to regulation 15(3) of the Regulations, is £147.

(a) 1971 c.80.

(b) S.I. 2003/1809, amended by S.I. 2009/1176.

PART 16

Strategic Ships

1. The fee for the issue by the Secretary of State of an exemption, pursuant to section 48 of the Act (power to exempt from manning requirements), from the requirements in regulation 3 of the Merchant Shipping (Officer Nationality) Regulations 1995(a) relating to a strategic ship is £250.

SCHEDULE 2

REGULATIONS REVOKED

Regulation 6

<i>Statutory Instrument</i>	<i>S.I. number</i>
The Hovercraft (Fees) Regulations 1997	1997/320
The Hovercraft (Fees) (Amendment) Regulations 2004	2004/1976
The Hovercraft (Fees) (Amendment) Regulations 2006	2006/2053
The Merchant Shipping (Fees) Regulations 2006	2006/2055
The Merchant Shipping (Fees) (Amendment) Regulations 2006	2006/3225
The Merchant Shipping (Fees) Regulations 2015	2015/315

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the fees to be paid for various functions carried out by the Maritime and Coastguard Agency relating to the survey, inspection and testing of ships and hovercraft and their equipment and to the examination of, and issuing of certificates of competence etc. to, seafarers. Fees are also prescribed in relation to mortgages of ships, seafarers' documents, certificates of compulsory insurance, waste management, exemptions from statutory requirements and other miscellaneous functions of the Agency.

The Regulations replace the Merchant Shipping (Fees) Regulation 2006, as amended. For fees calculated by reference to the amount of work involved, the hourly rate is increased from £94 to £120 for work carried out after the coming into force of these Regulations, and to £147 for work carried out a year after the coming into force of these Regulations. Additional fees for out of hours work are also increased. Other, fixed, fees set out in the 2006 Regulations have, in the main, been increased.

The Regulations are to cease to have effect seven years after they come into force (Regulation 1).

Regulation 2 contains definitions. Certain fees attract an additional charge for "premium service", where an applicant attends in person at a "local office" or at the office where the register of British ships is kept. Footnotes to the definition of "local office" provide internet links to lists and details

(a) S.I 1995/1427.

of these offices: printed copies of these may also be obtained free of charge from the Maritime and Coastguard Agency, Spring Place, 105 Commercial Road, Southampton SO15 1EG.

Regulations 3 and 4 provide for the fees specified in, or ascertained under, Schedule 1 to be paid for the specified services, and for the Maritime and Coastguard Agency to recover travel and other expenses associated with providing those services. Regulation 5 contains transitional provisions, and regulation 6 provides for the revocation of the 2006 and other Regulations, which are listed in Schedule 2. Regulation 7 makes amendments so that references to the 2006 Regulations in other Regulations are made references to these Regulations. Copies of the Merchant Shipping Notices and Marine Guidance Notes referred to may be obtained free of charge from the websites referenced or printed copies from the Maritime and Coastguard Agency at the address above.

Regulation 8 requires the Secretary of State to review the operation and effect of these Regulations and publish a report within five years after they come into force. Following the review it will fall to the Secretary of State to consider whether the Regulations should be allowed to expire as regulation 1 provides, be revoked early, or continue in force with or without amendment. A further instrument would be needed to continue the Regulations in force with or without amendments or to revoke them early.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business has been produced. Copies may be obtained from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR. Alternatively, copies can be obtained from the Department for Transport's website, which is at www.gov.uk. It is also published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

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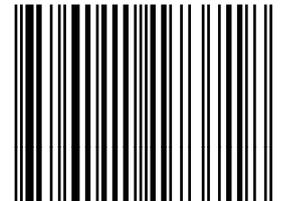
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