VERŻJONI ELETTRONIKA

L.N. 127 of 2018

MERCHANT SHIPPING ACT
(CAP. 234)

Merchant Shipping Act (Substitution of First Schedule) Regulations, 2018

IN exercise of the powers conferred by articles 6(2) and 374 of the Merchant Shipping Act, the Minister for Transport, Infrastructure and Capital Projects, with the concurrence of the Minister of Finance has made the following regulations:-

Title and commencement.

1. (1) The title of these regulations is the Merchant Shipping Act (Substitution of First Schedule) Regulations, 2018, and these regulations shall be read and construed as one with the First Schedule to the Merchant Shipping Act, hereinafter referred to as "the First Schedule".

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(2) These regulations shall come into force on the 1st May, 2018:

Provided that these regulations shall also apply to registration fees due in respect of a year commencing on or after the 1st May, 2018 even if such fees are paid prior to such date:

Substitutes the First Schedule.

2. For the First Schedule, there shall be substituted the following:

"**FIRST SCHEDULE**
(Article 6)

REGISTRATION FEES AND TONNAGE TAX

A. i. The fee on registration and the annual fee for non-tonnage tax ships shall be as follows:

Ships	**Fee on Registration**	**Annual Fee**	
		Basic Fee	**Register Fee**
(i) Ships less than 24 metres length overall			
a. Fishing Vessel	€70	€25	€36

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<table>
<tr><td>b. Commercial Yacht</td><td>€115</td><td>€150</td><td>€250</td></tr>
<tr><td>c. Pleasure Yacht less than 50 gross tonnage</td><td>€115</td><td>€25</td><td>€175</td></tr>
<tr><td colspan="4">All other ships of less than 24 metres length overall</td></tr>
<tr><td>d. less than 50 gross tonnage</td><td rowspan="2">€115</td><td>€25</td><td rowspan="2">€400</td></tr>
<tr><td>e. of 50 gross tonnage or more</td><td>€150</td></tr>
<tr><td colspan="4">Ships of 24 metres length overall or more</td></tr>
<tr><td>(ii) Pleasure Yacht</td><td>25 cents per net tonnage subject to minimum of €187.50</td><td>€255</td><td>40 cents per net tonnage subject to minimum of €400</td></tr>
<tr><td>(iii) Commercial Yacht which does not fall under category (iv)</td><td>Rates as appear in para B</td><td>€625 for year of registration
€1095 thereafter</td><td>Rates as appear in para B</td></tr>
<tr><td>(iv) Non-propelled Barge, bareboat charter registered in a foreign registry, laid up or under construction excluding ships in category (ii)</td><td rowspan="2">Rates as appear in para B subject to reduction as appear in para C</td><td>€150</td><td rowspan="2">Rates as appear in para B subject to reduction as appear in para C</td></tr>
<tr><td>(v) Commercial Vessel and Fishing Vessel less than 2500 gross tonnage and do not fall under category (ii), (iii) and (iv) above</td><td>€255</td></tr>
<tr><td colspan="4">(vi) All other ships of 24 metres length overall or more and do not fall under categories (ii), (iii), (iv) and (v) above</td></tr>
<tr><td>a. Ship less than 300 gross tonnage</td><td rowspan="2">Rates as appear in para B subject to reduction as appear in para C</td><td>€370 for year of registration
€840 thereafter</td><td rowspan="2">Rates as appear in para B subject to reduction or increase as appear in para C</td></tr>
<tr><td>b. Ship of 300 gross tonnage or more</td><td>€625 for year of registration
€1095 thereafter</td></tr>
</table>

A.ii. The fee on registration and the annual fee for tonnage tax ships shall be

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as follows:

<table>
<tr><th colspan="2" rowspan="2">Ships</th><th rowspan="2">Fee on Registration</th><th colspan="3">Annual Fee</th></tr>
<tr><th>Basic Fee</th><th>Register Fee</th><th>Tonnage Tax</th></tr>
<tr><td colspan="5">(i) Ships less than 24 metres length overall</td><td></td></tr>
<tr><td>a.</td><td>Commercial Yacht</td><td>€115</td><td>€150</td><td>€100</td><td>€250</td></tr>
<tr><td>b.</td><td>less than 50 gross tonnage</td><td rowspan="2">€115</td><td>€25</td><td rowspan="2">€350</td><td rowspan="2">€400</td></tr>
<tr><td>c.</td><td>of 50 gross tonnage or more</td><td>€150</td></tr>
<tr><td colspan="6">(ii) Ships of 24 metres length overall or more</td></tr>
<tr><td>a.</td><td>Commercial Yacht</td><td>Rates as appear in para B</td><td>€625 for year of registration
€1095 thereafter</td><td>Rates as appear in para B</td><td>Rates as appear in para B</td></tr>
<tr><td>b.</td><td>Ship less than 300 gross tonnage</td><td rowspan="2">Rates as appear in para B subject to reduction as appear in para C</td><td>€370 for year of registration
€840 thereafter</td><td rowspan="2">Rates as appear in para B subject to reduction or increase as appear in para C</td><td rowspan="2">Rates as appear in para B subject to reduction or increase as appear in para C</td></tr>
<tr><td>c.</td><td>Ship of 300 gross tonnage or more</td><td>€625 for year of registration
€1095 thereafter</td></tr>
</table>

A.iii Subject to the provisions of article 7(4), when there is a change in the particulars or category of a registered ship and the new applicable fee or tonnage tax payable on registration or annually is higher than that already payable, the provisions of article 19(7) in respect of laid up vessels shall, *mutatis mutandis,* apply.

B. The rates per net tonnage payable on registration, annual register fee and annual tonnage tax when referred to in paragraph A.i and A.ii:

Ship of Net Tonnage (NT)		Fee on Registration	Annual Register Fee for non-tonnage tax ships	Annual Register Fee for tonnage tax ships	Annual Tonnage Tax
Exceeding	Not Exceeding				
0	6,250	€1562.50	€2,500	€500	€2,500

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6,250	8,000	€1562.50 plus 25 cents for every NT in excess of 6,250 NT	€2,500 plus 40 cents for every NT in excess of 6,250 NT	€500 plus 8 cents for every NT in excess of 6,250 NT	€2,500 plus 40 cents for every NT in excess of 6,250 NT
8,000	10,000	€2,000 plus 7 cents for every NT in excess of 8,000 NT	€3,200 plus 19 cents for every NT in excess of 8,000 NT	€640 plus 1 cent for every NT in excess of 8,000 NT	€3,200 plus 19 cents for every NT in excess of 8,000 NT
10,000	15,000	€2,140 plus 7 cents for every NT in excess of 10,000 NT	€3,580 plus 14 cents for every NT in excess of 10,000 NT	€660 plus 1 cent for every NT in excess of 10,000 NT	€3,580 plus 14 cents for every NT in excess of 10,000 NT
15,000	20,000	€2,490 plus 7 cents for every NT in excess of 15,000 NT	€4,280 plus 12 cents for every NT in excess of 15,000 NT	€710 plus 1 cent for every NT in excess of 15,000 NT	€4,280 plus 12 cents for every NT in excess of 15,000 NT
20,000	30,000	€2,840 plus 7 cents for every NT in excess of 20,000 NT	€4,880 plus 9 cents for every NT in excess of 20,000 NT	€760 plus 1 cent for every NT in excess of 20,000 NT	€4,880 plus 9 cents for every NT in excess of 20,000 NT
30,000	50,000	€3,540 plus 7 cents for every NT in excess of 30,000 NT	€5,780 plus 7 cents for every NT in excess of 30,000 NT	€860 plus 1 cent for every NT in excess of 30,000 NT	€5,780 plus 7 cents for every NT in excess of 30,000 NT
Exceeding 50,000		€4,940 plus 7 cents for every NT in excess of 50,000 NT	€7,180 plus 5 cents for every NT in excess of 50,000 NT	€1060 plus 1 cent for every NT in excess of 50,000 NT	€7,180 plus 5 cents for every NT in excess of 50,000 NT

C. Reduction or increase on the rates per net tonnage on registration, register fee and tonnage tax when referred to in paragraph A.i or A.ii:

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Age of Ship		Reduction on Fee on Registration %	Reduction or Increase on Register Fee and Tonnage Tax %	
Equal to or Exceeding	Less than			
Years				
0	5	50	– 30	
5	10	25	– 15	
10	15	–	–	
15	20	–	+5	
20	25	–	+10	Subject to minimum increase (compounded for both register fee and tonnage tax as applicable) of €1,500
25	30	–	+25	
Equal to or exceeding 30		–	+50	

D. Annual fees for any one year paid after the anniversary of registration for that year shall be increased by ten per cent.

E. Dues on any ship shall be rounded upwards to the nearest whole euro.

F. The Minister may, under such conditions as he may deem appropriate, exempt any ship or any class of ships from the payment of all or part of the fees, excluding the Annual Tonnage Tax payable in terms of this Schedule.

G. For the purposes of this Schedule:

"age" in relation to a ship, means the difference between the year in which the ship was built and the year in respect of which the fee is due;

S.L. 499.23

"commercial vessel" means a vessel granted a licence or permit to operate in terms of the Commercial Vessels Regulations, and which is valid;

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"fishing vessel" means a vessel registered in the Fishing Vessels Register in terms of the Fisheries Conservation and Management Act;

"gross tonnage", "length overall" and "net tonnage" shall be that as may be ascertained in terms of the tonnage regulations made under this Act;

"laid up vessel" means a vessel which is not a pleasure yacht or a commercial yacht and which qualifies as a laid up vessel in terms of article 19(7);

S.L. 234.43.

"tonnage tax ship" shall have the same meaning as assigned to it in the Merchant Shipping (Taxation and Other Matters Relating to Shipping Organisations) Regulations.

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