L.N. 439 of 2007

MERCHANT SHIPPING ACT(CAP. 234)

Merchant Shipping Act (Amendment of First Schedule) Regulations, 2007

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

Title and commencement.

1. (1) The title of these regulations is the Merchant Shipping Act (Amendment of First Schedule) Regulations, 2007, and they shall be read and construed as one with the First Schedule to the Merchant Shipping Act, hereinafter referred to as "the First Schedule".

(2) These regulations shall come into force on the 1st January, 2008:

Provided that these regulations shall also apply to registration fees due in respect of a year commencing on or after the 1st January, 2008 even if such fees are paid prior to such date.

Substitutes table in paragraph A of the First Schedule.

2. For the table in paragraph A of the First Schedule there shall be substituted the following table:

A.i. The fee on registration and the annual fee for all ships shall be as follows

Ship	Fee on registration	Annual	
		Basic fee	Tonnage Tax
(i) Ships less than 24 metres length overall			
Fishing vessels of category A, B and C	€ 70	€ 25	€ 36
Commercial Yachts	€ 115	€ 105	€ 175
All other ships less than 24 metres length overall			
Less than 50 gross tonnage	€ 115	€ 25	€ 175
of 50 gross tonnage or more		€ 105	
Ships of 24 metres length overall or more:			
(ii) Pleasure yachts	23 cents per net tonnage subject to minimum of € 172.50	€ 220	35 cents per net tonnage subject to minimum of € 350
(iii) Commercial yachts; which do not fall under category (iv)	Rates as appear in para B	€ 590 for year of registration	Rates as appear in para B
		€ 1060 thereafter	
(iv) Non-propelled barges, bareboat charter registered in a foreign registry, laid up or under construction excluding ships in category (ii)	Rates as appear in para B subject to reduction as appear in para C	€ 115	Rates as appear in para B subject to reduction as appear in para C
(v) Commercial vessels and fishing vessels less than 2500 gross tonnage, and do not fall under categories (ii), (iii) and (iv) above		€ 220	
(vi) All other ships of 24 metres length overall or more and do not fall under categories (ii), (iii), (iv) and (v) above			
Ships less than 300 gross tonnage	Rates as appear in para B subject to reduction as appear in para C	€ 335 for year of registration	Rates as appear in para B subject to reduction or increase as appear in para C
		€ 805 thereafter	
Ships of 300 gross tonnage or more		€ 590 for year of registration	
		€ 1060 thereafter	

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

3. In paragraph B of the First Schedule, for the title there shall be substituted the words "The rates per net tonnage payable on registration and annual tonnage tax when referred to in paragraph A." Amends paragraph B of the First Schedule.

4. In paragraph C of the First Schedule, for the title there shall be substituted the words "Reduction or increase on the rates per net tonnage on registration and annual tonnage tax, when referred to in paragraph A.". Amends paragraph C of the First Schedule.

Amends paragraph G of the First Schedule.

5. Paragraph G of the First Schedule shall be amended as follows:

(a) immediately after the definition "age", there shall be inserted the following definition:

" "commercial vessel" means a vessel granted a licence or permit to operate in terms of the Commercial Vessels Regulations, 2002 and which is valid;";

L.N. 284 of 2002.

(b) in the definition "fishing vessel", immediately after the words "Management Act", there shall be added the words "and which is valid;"; and

(c) immediately after the definition " "gross tonnage", "length overall" and "net tonnage" ", there shall be inserted the following definition:

" "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 sub-article (7) of article 19 of this Act.".

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