L.N. 170 of 2011

MERCHANT SHIPPING ACT
(CAP. 234)

Merchant Shipping Act (Substitution of First Schedule) Regulations, 2011

IN exercise of the powers conferred by articles 6(2) and 374 of the Merchant Shipping Act, the Minister for Infrastructure, Transport and Communications, with the concurrence of the Minister of Finance, the Economy and Investment 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, 2011, 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 June, 2011:

Provided that these regulations shall also apply to registration fees due in respect of a year commencing on or after the 1st June, 2011 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

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			
a. Fishing vessels of category A, B and C	€70	€25	€36
b. Commercial Yachts	€115	€150	€175
c. Pleasure Yachts less than 50 gross tonnage	€115	€25	€175

All other ships of less than 24 metres length overall			
d. less than 50 gross tonnage	€115	€25	€200
e. of 50 gross tonnage or more		€150	

Ships of 24 metres length overall or more			
(ii) Pleasure yachts	25 cents per net tonnage subject to minimum of €187.50	€255	40 cents per net tonnage subject to minimum of €400
(iii) Commercial Yachts which do not fall under category (iv)	Rates as appear in para B	€625 for year of registration €1095 thereafter	Rates as appear in para B
(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	€150	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		€255	
(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	€370 for year of registration €840 thereafter	Rates as appear in para B subject to reduction or increase as appear in para C
Ships of 300 gross tonnage or more		€625 for year of registration €1095 thereafter	

A.ii Subject to the provisions of article 7(4) 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 article 19(7) of this Act in respect of laid up vessels shall apply *mutatis mutandis*.

B. The rates per net tonnage payable on registration and annual tonnage tax when referred to in paragraph A–

Ship of Net Tonnage (NT)		Fee on Registration	Annual Tonnage Tax
Exceeding	**Not Exceeding**		
0	2,500	€625	€1000
2,500	8,000	€625 plus 25 cents for every NT in excess of 2,500 NT	€1000 plus 40 cents for every NT in excess of 2,500 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
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
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
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
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
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

C. Reduction or increase on the rates per net tonnage on registration and annual tonnage tax, when referred to in paragraph A –

Age of Ship		Reduction on Fee on Registration %	Reduction or Increase on Annual Tonnage Tax %	
Exceeding	**Not Exceeding**			
Years				
0	5	50	– 30	
5	10	25	– 15	
10	15	–	–	
15	20	–	+ 5	
20	25	–	+ 10	Subject to minimum increase of €1,500
25	30	–	+ 25	
30		–	+ 50	

D. Registration 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 payable in terms of these regulations.

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;

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

"fishing vessel" means a vessel granted a licence or permit to fish in terms of the Cap. 425 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) of this Act.".

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