



STATUTORY INSTRUMENTS.

S.I. No. 595 of 2010



MERCHANT SHIPPING (FEES) REGULATIONS 2010

(Prn. A10/1853)

MERCHANT SHIPPING (FEES) REGULATIONS 2010

I, NOEL DEMPSEY, Minister for Transport, in exercise of the powers conferred on me by section 463 of the Merchant Shipping Act 1894, section 26 of the Merchant Shipping (Load Lines) Act 1968 (No. 17 of 1968), sections 3 and 8 (as amended by section 91 of the Merchant Shipping Act 2010 (No.14 of 2010)) of the Merchant Shipping (Certification of Seamen) Act 1979 (No. 37 of 1979), sections 18, 19, 20 (all as amended by section 47 of the Maritime Safety Act 2005 (No. 11 of 2005)as amended by section 15 of the Merchant Shipping Act 2010 (No. 14 of 2010)) and section 31 (as amended by section 44 of the Merchant Shipping (Investigation of Marine Casualties) Act 2000 (No. 14 of 2000)) of the Merchant Shipping Act 1992 (No. 2 of 1992) and the Maritime Transport, Safety and Security (Transfer of Departmental Administration and Ministerial Functions) Order (S.I. No. 842 of 2005), with the consent of the Minister for Finance, hereby make the following regulations:

1. (1) These Regulations may be cited as the Merchant Shipping (Fees) Regulations 2010.

(2) These Regulations come into operation on 15 December 2010.

2. In these Regulations—

“Act of 1992” means the Merchant Shipping Act 1992 (No. 2 of 1992);

“Act of 2010” means the Merchant Shipping Act 2010 (No. 14 of 2010);

“examination” means an examination under section 3 (as amended by section 91 of the Act of 2010) of the Merchant Shipping (Certification of Seamen) Act 1979 (No. 37 of 1979);

“GT” means gross tonnage as measured in accordance with regulation 7 of the Mercantile Marine (Tonnage) Regulations 2007 (S.I. No. 369 of 2007);

“Load Line Rules” mean the Merchant Shipping (Load Line) Rules 2001 (S.I. No. 424 of 2001);

“passenger boat” has the meaning assigned to it by section 2 of the Act of 1992;

“passenger ship” has the meaning assigned to it by section 2 of the Act of 1992;

“sister ship” means a ship which corresponds in all major respects relevant to the measurement for tonnage with a ship the tonnage of which has been previously ascertained under the Tonnage Regulations, and for which the calculation for

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 17th December, 2010.*

tonnage is available to the Certifying Authority to which, prior to the commencement of its measurement for tonnage, application has been made in writing by or on behalf of the owner of the ship requesting it to be treated as a sister ship;

“Superintendent” means a superintendent of a Mercantile Marine Office or duly appointed deputy.

3. (1) The fee payable in respect of a passenger boat licence issued under section 15 of the Act of 1992 shall be €29.

(2) The fee payable to an authorised person in respect of an initial inspection of a passenger boat for the purposes of Part III of the Act of 1992 shall be-

(a) €115, and

(b) where subsequent inspection is required in connection with an application for the grant of the licence to which the initial inspection related, an amount of €58 for each hour taken by the authorised person to carry out such subsequent inspection.

4. (1) The fees specified in Part 1 of Schedule 1 shall be payable in respect of an initial survey of passenger ships referred to in that Part.

(2) The fees specified in Part 2 of Schedule 1 shall be payable in respect of a renewal survey of passenger ships referred to in that Part.

5. (1) The fees specified in Part 1 of Schedule 2 shall be payable in respect of the load line surveys and inspections specified in Chapters A, B and C of that Part.

(2) The fees specified in Part 2 of Schedule 2 shall be payable in respect of other examinations and inspections required by the Load Line Rules.

(3) The fees specified in Part 3 of Schedule 2 shall be payable in respect of seaworthiness surveys.

6. For the purposes of sections 3 and 8 (as amended by section 91 of the Act of 2010) of the Merchant Shipping (Certification of Seamen) Act 1979 (No. 37 of 1979), the fees specified in Schedule 3 are prescribed as the fees payable in respect of examinations relating to the competency certification of ship personnel referred to in that Schedule.

SCHEDULE 1

PASSENGER SHIPS

Part 1

1. Initial survey of a passenger ship for the carriage of more than 36 passengers:

GT of ship (1)	Fee (2) €
Not exceeding 50	1,084
Exceeding 50 and not exceeding 100	2,023
Exceeding 100 and not exceeding 500	3,056
Exceeding 500	3,056 plus an additional €1,937 for each 500GT or part thereof by which the ship exceeds 500GT

2. The fee payable for an initial survey of a passenger ship for the carriage of not more than 36 persons shall be €380.

3. The fees payable in respect of an initial survey of a ship referred to in paragraphs (1) and (2) of this Part shall be paid in full in respect of a new ship or a ship coming under survey for the first time even though a certificate for 12 months may not be required.

Part 2

1. Renewal survey of passenger ships for the carriage of more than 36 passengers:

GT of ship (1)	Fee (2) €
Not exceeding 50	545
Exceeding 50 and not exceeding 100	1,011
Exceeding 100 and not exceeding 500	1,528
Exceeding 500	1,528 plus an additional €469 for each 500GT or part thereof by which the ship exceeds 500GT.

2. The fee payable for a renewal survey of a passenger ship for the carriage of not more than 36 passengers shall be €186.

3. (1) Subject to subparagraph (2), where a passenger ship certificate is required for a period of less than 12 months, the fee payable in respect of a renewal survey shall be-

- (a) determined on the basis of the period remaining between the date of termination of the survey and the date of expiration of the certificate, and

(b) calculated at the rate of one-twelfth of the fee specified in paragraphs 1 and 2 of this Part for each month or part of a month.

(2) Where the renewal survey relates to a certificate for a period of more than 30 days, the fee payable shall be no less than-

(a) in the case of a ship not exceeding 100GT, one quarter of the appropriate fee specified in the Table at paragraph 1 or €545, whichever is the greater,

(b) in the case of a ship exceeding 100GT, one quarter of the appropriate fee specified in the Table at paragraph 1 or €818, whichever is the greater,

(c) in any case where, in accordance with a declaration of survey, a passenger certificate has been issued for a limited period owing to a requirement for further surveys to be carried out as specified in the declaration of survey the total fee payable shall not exceed that required for a certificate issued for 12 months.

SCHEDULE 2

LOAD LINE SURVEYS AND INSPECTIONS, LOADING OF GRAIN CARGOES AND SURVEYS
FOR SEAWORTHINESS**Part 1**

LOAD LINE SURVEYS AND INSPECTIONS

1. The fees payable in respect of each survey or inspection mentioned in Chapters A, B and C of Part 1 of this Schedule shall be determined by the amount of work involved, charged at an hourly rate of €72.

2. Notwithstanding paragraph 1, the fees payable in respect of each survey or inspection mentioned in Chapters A, B and C shall not exceed the amounts prescribed in those Chapters.

3. Reference in Chapters B or C to a standard fee are references to the fee set out in Section A appropriate to the tonnage of the ship concerned.

Chapter A

4. Table of standard fees for load line surveys and inspections:

GT of Ship (1)		Initial Survey (2)	Periodical Survey (3)	Periodical Inspection (4)
Exceeds	Does not Exceed			
0	50	€868.00	€825.00	€459.00
50	100	€1,550.00	€1,456.00	€911.00
100	500	€1,550.00	€3,278.00	€911.00 plus an additional €50.00
500	3,000	€1,550.00	€3,278.00	for each 100GT or part thereof by which the ship exceeds 100GT
3,000	8,000	€14,542.00	€3,278.00	€2,275.00
8,000		€14,929.00	€5,452.00	€2,275.00

Chapter B

5. Adjustments of Standard Fees:

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
5.1	For an initial survey of a classed ship	30% of the standard fee for an initial survey
5.2	Fee for a periodical survey of a classed ship.	125% of the standard periodical inspection fee

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
5.3	For a survey or inspection of a ship carried out concurrently with a survey for passenger ship certification and/or safety certificates-	
5.3.1	for an initial survey	12.5% of the standard fee for an initial survey.
5.3.2	for a periodical survey	50% of the standard periodical inspection fee.
5.3.3	for a periodical inspection	No fee.
5.4	For a survey of a ship in respect of which a load line certificate or load line exemption certificate is in force, where alterations have been made to the ship which involve the assignment of new freeboards but are not such as to necessitate a complete survey of the ship for that purpose.	The standard periodical inspection fee.
5.5	For the survey of a ship where the survey involves the attendance of a surveyor at the loading trial of the ship in respect of which the owners apply for exemption from the necessity to fit hatch covers.	The standard fee appropriate to the survey, plus an additional fixed fee of €1,177 for the surveyor's attendance at the first loading trial and of €567 for attendance at any subsequent loading trial.
5.6	For the survey or inspection of a ship not exceeding 25GT or, if unregistered, not exceeding 15 metres in overall length which on voyages to sea carries neither cargo nor more than 12 passengers.	50% of the appropriate standard fee for survey or inspection.

6. Stability Requirements:

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
6.1	For the survey of a ship where it is necessary to determine compliance in respect of the ship with stability requirements in accordance with the Load Line Rules where the ship—	
6.1.1	does not exceed 2,000GT	the standard fee appropriate to the survey plus an additional fee of €1,643
6.1.2	exceeds 2,000GT	€1,643 plus an additional €129 for each 1,000GT or part thereof by which the ship exceeds 2,000GT subject to a maximum fee of €5,739

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
6.2	For the survey of a ship where it is necessary to determine compliance in accordance with the Load Line Rules of the ship's ability to withstand the flooding of compartments	the standard fee appropriate to the survey plus an additional fee of €1,794

7. In respect of a survey of a sister ship for stability requirements the fee payable shall be 20 per cent of the appropriate fee specified in the Table at paragraph 6 for the first ship of the same type.

Chapter C

Fees for Survey and Inspection Special Cases

8. Exemptions for deeper loading:

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
8.1	For the survey or inspection (except in a case to which Ref No. 8.2 applies) carried out on a ship in respect of which a load line certificate is in force for the purpose of an exemption for deeper loading-	
8.1.1	for a first survey for the exemption	25% of the standard fee for an initial survey plus 50% of the standard periodical inspection fee.
8.1.2	for a subsequent survey or inspection for the continuing of the exemption in force-	
	made concurrently with a periodical inspection carried out by a surveyor of ships appointed by the Minister	No fee
	not so made	The standard periodical inspection fee
8.2	For the survey or inspection as described in Ref No. 8.1 where the ship is a classed ship and the load line Assigning Authority (as defined for the purposes of the Load Line Rules) certify in writing that the scantlings of the ship are sufficient for the deeper loading-	
8.2.1	a first survey for the exemption	25% of the standard fee for an initial survey plus the standard periodical inspection fee.

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
8.2.2	A subsequent survey or inspection for the continuing of the exemption in force- made concurrently with a periodical survey or a periodical inspection carried out by a surveyor of ships appointed by the Minister, not so made	No fee the standard periodical inspection fee.

9. Exemptions for single voyages:

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
9.1	For the survey carried out on a ship in respect of which a load line certificate or load line exemption certificate is in force and the owners of which require it to make a single voyage outside the limits specified in that certificate, not being a long international voyage	The standard periodical inspection fee
9.2	For the survey carried out on a ship in respect of which a load line certificate or load line exemption certificate is not in force and the owners of which require it to make either a single short international voyage or a single coastal voyage	25% of the standard initial survey fee
9.3	For the survey carried out on a ship in respect of which a load line certificate or load line exemption certificate is in force for prescribed coastal limits and the owners of which require it to make a single long international voyage	25% of the standard initial survey fee
9.4	For the survey carried out on a ship in respect of which a load line certificate or load line exemption certificate is not in force and the owners of which require it to make a single long international voyage	50% of the standard initial survey fee
9.5	For the survey carried out on a ship the owners of which require it to make a single voyage under tow	Standard fee

10. There shall be a fee of €172 payable in respect of the issue, in substitution for an existing load line certificate, or load line exemption certificate, of a corresponding certificate showing amended or extended plying limits (including such survey or inspection as may be necessary).

11. There shall be a fee of €86 payable in respect of the endorsement of a load line exemption certificate.

Part 2

1. Loading of Grain Cargoes:

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
1.1	For examination of a plan of loading of specially suitable ships or ships with grain fittings	1,377
1.2	For examination of a plan of loading of ships without fittings, other than specially suitable ships	711
1.3	For examining and certifying a copy of a plan of loading subsequent to the examination of the original plan	286
1.4	For examination of an alteration in plan of loading	286
1.5	For inspection of an alteration in the plan of loading	143
1.6	For witnessing of an inclining experiment or of a light ship check	368

Part 3

SEAWORTHINESS SURVEYS

1. Fees for survey for seaworthiness:

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
1.1	For the survey of a ship by direction of a Court under section 463 of the Merchant Shipping Act 1894 by a Surveyor of Ships appointed under section 724 of that Act in respect of the following:	
1.1.1	A ship not exceeding 500GT	380
1.1.2	A ship exceeding 500GT but not exceeding 750GT	507

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
1.1.3	A ship exceeding 750GT	507 plus €69 for each 500GT or part thereof by which the ship exceeds 750GT.
1.2	For the survey of a ship by a Surveyor of Ships appointed under section 724 of the Merchant Shipping Act 1894 or by the Court under section 463 of that Act in respect of the following:	
1.2.1	A ship not exceeding 500GT	444
1.2.2	A ship exceeding 500GT but not exceeding 750GT	571
1.2.3	A ship exceeding 750GT	571 plus €76 for each 500GT or part thereof by which the ship exceeds 750GT
1.3	For the survey of a ship finally detained or where it appears that a ship provisionally detained was at the time of that detention an unsafe ship-	
1.3.1	if the ship is detained because of overloading, improper loading, insufficient ventilation of coal cargoes, undermanning, or defective equipment (such as chronometers or charts)	The fee payable is the same as the fee specified at Ref No. 1.1 according to the GT of the ship detained
1.3.2	if the ship is detained because of defective hull or machinery	The fee payable is the same as the fee specified at Ref No. 1.2 according to the GT of the ship detained.
1.4	For the survey of a ship detained under sections 4 or 5 of the Merchant Shipping (Load Lines) Act 1968-	
1.4.1	if detained because of the submersion of the appropriate load line	The fee payable is the same as the fee specified at Ref No. 1.1 according to the GT of the ship detained
1.4.2	if detained for being unmarked or being improperly marked with load lines or failure to deliver up an expired load line certificate- for each visit by a surveyor	143 (subject to a maximum fee irrespective of number of visits) of 567.
1.5	For a survey before transfer to a foreign flag	The fee payable is the same as the fee specified at Ref No. 1.2 according to the GT of ship.

2. The fee payable for survey for seaworthiness, prior to re-registry of a ship whose registry has been closed on account of wreck shall be determined by the amount of work involved charged at the hourly rate of €72.

Regulation 6.

SCHEDULE 3

EXAMINATIONS, TESTS AND RELATED SERVICES

1. Deck Officer Certificates of Competency:

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
1.1	For written examinations for deck officer certificates of competency for the following:	
1.1.1	Deck Officer, Chief Mate and Master (full exam fees)	495
1.1.2	Deck Officer, Officer of the Watch (full exam fees)	222
1.2	For Deck Officer signals examinations	50
1.3	For practical oral examinations for the following:	
1.3.1	Deck Officer, Master	134
1.3.2	Deck Officer, Chief Mate	121
1.3.3	Deck Officer, Officer of the Watch	87
1.3.4	Deck Officer, Domestic (Master or Officer of the Watch)	53
1.4	For an administration fee for the processing of documents and issue of Certificates of competency for the following:	
1.4.1	Deck Officer, Master and Chief Mate	53
1.4.2	Deck Officer, Officer of the Watch	26
1.5	For the 5 yearly re-validation of Certificates of Competency in accordance with the International Maritime Organisation (IMO) Convention on the Standards of Training and Certification of Watchkeepers 1978, as amended (STCW Convention)	53
1.6	For the issue of Certificate of Equivalent Competency in accordance with the IMO STCW Convention	53

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
1.7	For each occasion on which a candidate applies for a Dangerous Cargo Endorsement on Desk Officer Certificates of Competency	35
1.8	For each occasion on which a candidate attends for the removal of a service restriction	35

2. Marine Engineer Officer Certificates of Competency and Marine Engine Operator Licences

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
2.1	For written examinations for Marine Engineer Officer Certificates of Competency and Marine Engine Operator Licences for the following:	
2.1.1	Marine Engineer Officer, Chief Engineer and Second Engineer	495
2.1.2	Marine Engineer Officer, Officer of the Watch	200
2.2	For practical oral examinations for the following:	
2.2.1	Marine Engineer Officer, Chief Engineer	134
2.2.2	Marine Engineer Officer, Second Engineer	121
2.2.3	Marine Engineer Officer, Officer of the Watch	81
2.2.4	Marine Engine Operator	76
2.3	For an administration fee for the processing of documents and issue of Certificates of Competency for the following:	
2.3.1	Marine Engineer Officer, Chief Engineer and Second Engineer	53
2.3.2	Marine Engineer Officer, Officer of the Watch	26
2.4	For the 5 yearly re-validation of Certificates of Competency in accordance with the IMO STCW Convention	53
2.5	For the issue of a Certificate of Equivalent Competency in accordance with the IMO STCW Convention	53

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
2.6	For each occasion on which a candidate applies for a Dangerous Cargo Endorsement of a Marine Engineer Officer Certificate of Competency	35

3. Certificates of Competency for Fishing Vessel Deck Officers

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
3.1	For written examination for Fishing Vessel Deck Officer Certificates of Competency for the following:	
3.1.1	Skipper (Full)	279
3.1.2	Second Hand (Full)	200
3.1.3	Second Hand (Limited)	100
3.2	For endorsement of Second Hand (Full) Certificate of Competency as Skipper (Limited)	35
3.3	For endorsement of Second Hand (Limited) Certificate of Competency as Second Hand (Special)	35
3.4	For practical oral examinations for the following:	
3.4.1	Skipper (Full)	93
3.4.2	Second Hand (Full)	67
3.4.3	Second Hand (Limited)	60
3.4.4	Command Endorsements	34
3.5	For an administration fee for processing documents and the issue of Certificates of Competency for the following:	
3.5.1	Skipper (Full) and Second Hand (Full)	53
3.5.2	Second Hand (Limited)	26

4. Certificates of Competency for Fishing Vessel Engineer Officer

Ref No. (1)	Matter in respect of which Fee is payable (2)	Fee € (3)
4.1	For written examination for Engineer Officer (Fishing Vessel) Certificates of Competency for the following:	
4.1.1	Engineer Officer Class 1 (Parts A and B of examination)	330
4.1.2	Engineer Officer Class 1 (Part A only of examination)	135
4.1.3	Engineer Officer Class 1 (Part B only of examination)	200
4.1.4	Engineer Officer Class 2 (Parts A and B of examination)	200
4.1.5	Engineer Officer Class 2 (Parts A or B)	50% of the fee specified at Ref No. 4.1.4
4.1.6	Engineer Officer Class 1 or 2 (one subject only of Part A)	50% of the Engineer Officer Class 1 (Part A) or of the Engineer Officer Class 2 (Part A) fee is payable.
4.2	For practical oral examination for the following:	
4.2.1	Engineer Officer Class 1	93
4.2.2	Engineer Officer Class 2	67
4.2.3	Engineer Officer Class 3	60
4.3	For an administration fee for processing documents and issue of Certificates of Competency for the following:	
4.3.1	Engineer Officer Class 1	53
4.3.2	Engineer Officer Class 2	53
4.3.3	Engineer Officer Class 3	26

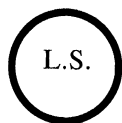
5. Able Seaman (AB) and Efficient Deck Hand (EDH) Certificates

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
5.1	For sitting examination as Able Seaman or Efficient Deck Hand	21

Ref No. (1)	Matter in respect of which fee is payable (2)	Fee € (3)
5.2	For a Certificate of Competency issued under Regulation 7(2) of the Merchant Shipping (Certification of Able Seamen) Regulations 1973 (S.I. No. 91 of 1973)	21
5.3	For a certificate of qualification as Efficient Deck Hand	21

6. The fee payable on each occasion on which a candidate attends for examination for a Certificate of Proficiency in Survival Craft (CPSC) shall be €21.

7. The fee payable on each occasion on which a candidate attends for examination for a Certificate of Proficiency as a Ship's Security Officer shall be €21.



GIVEN under my Official Seal,
26 November 2010

NOEL DEMPSEY,
Minister for Transport.

The Minister for Finance consents to the making of the foregoing Regulations.



GIVEN under the Official Seal, of the Minister for Finance,
13 December 2010

BRIAN LENIHAN,
Minister for Finance.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations prescribe the fees payable for various services in relation to shipping and seamen under certain Merchant Shipping Acts including the Merchant Shipping (Load Lines) Act 1968 and the Merchant Shipping (Certification of Seamen) Act 1979.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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