

CAYMAN ISLANDS



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**THE MERCHANT SHIPPING LAW
(2005 Revision)**

**THE MERCHANT SHIPPING (REGISTRATION FEES) REGULATIONS,
2006**

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2006**

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CAYMAN ISLANDS

**THE MERCHANT SHIPPING LAW
(2005 REVISION)**

**THE MERCHANT SHIPPING (REGISTRATION FEES) REGULATIONS,
2006**

The Governor, in exercise of the powers conferred on him by section 460(1) and (2) of the Merchant Shipping Law (2005 Revision), makes the following Regulations:

1. These Regulations may be cited as the Merchant Shipping (Registration Fees) Regulations, 2006 and shall come into effect on 1 October, 2006. Citation and commencement

2. In these Regulations-

Interpretation

“Authority” means the Maritime Authority of the Cayman Islands established under section 3 of the Maritime Authority of the Cayman Islands Law, 2005;

“Chief Executive Officer” means the Chief Executive Officer of the Authority appointed under section 9 of the Maritime Authority of the Cayman Islands Law, 2005;

“gross tonnage” means the gross tonnage or gross tons as shown on the ship’s tonnage certificate; save that, for the purpose of these Regulations-

- (a) where a ship claims a lower gross tonnage with respect to the application of safety requirements to that ship, such lower gross tonnage shall not be used for calculating the registration fees payable; and
- (b) where a ship is assigned only one tonnage, that tonnage shall be taken as its gross tonnage for calculating registration fees payable;

“non-coercive revenue” means any revenue not categorised as coercive revenue under the Financial Regulations (2005 Revision); and

“registration fees” means the fees specified in Part A of the Schedule;

Application and level of fees

3. (1) Registration fees shall be payable for any registration matters handled by or on behalf of the Authority with respect to ships or their owners or operators.

(2) The registration fees are payable by the applicant for registration on application.

(3) Any certificate or other document for which a registration fee is payable under these Regulations may be withheld until such fee, plus any late interest penalty under regulation 4 has been paid.

Surcharges for late payment

4. (1) Where registration fees remain unpaid beyond the due date the following late payment penalties shall apply-

(a) a 10% surcharge on the amount outstanding will be applied for amounts due and not paid within 30 days of the due date; and

(b) an additional 5% surcharge on the amount outstanding will be applied for each period of 30 days or part thereof for amounts due and not paid within 60 days of the due date.

(2) For the purposes of this regulation the due date shall be the date of issue of the invoice.

Fees and charges for services not in the Schedule

5. (1) The Chief Executive Officer may, in accordance with the policies of the Authority, and in relation to non-coercive revenue, fix the fees and charges for services not specified in the Schedule, and make any dispositions in relation thereto in accordance with the policies of the Authority.

(2) The fees and charges referred to in subregulation (1) shall be published by the Authority.

Payments to be made to the Authority

6. All registration fees are payable to the Authority, which shall remit such fees to the Financial Secretary for the benefit of the revenue of the Islands.

Costs of inquiries, investigations, proceedings and notices

7. Costs and expenses incurred by the Authority in respect of-

- (a) casualty inquiries and investigations; and
- (b) improvement and prohibition notices

are recoverable as charges from the parties who are the subjects of the inquiries, notices, investigations or proceedings, as the case may be, and Part B of the Schedule shall apply in respect of the calculation of costs and expenses.

Repeal

8. The Merchant Shipping (Fees) Regulations, 2004 are repealed.

SCHEDULE

FEES

PART A – REGISTRATION FEES

| | FEE PAYABLE | | | | | | | | |
|---|---------------------------------------|--------|--|--------|---|--------|--------------------------------|--------|--|
| | | | | | | | | | |
| | | | | | | | | | |
| (1) Registration of ships- <ul style="list-style-type: none"> • First registration of a ship; • Registration of a Demise Chartered ship transferred IN; • Registration Anew or re-Registration of a ship; • Interim Registration of a ship¹; or • Transfer of Registration of a ship between British Registers- <table> <tr> <td>of gross tonnage up to 150:</td><td>328.00</td></tr> <tr> <td>of gross tonnage over 150 and up to 400:</td><td>492.00</td></tr> <tr> <td>of gross tonnage over 400 and up to 1500:</td><td>697.00</td></tr> <tr> <td>of gross tonnage of over 1500:</td><td>984.00</td></tr> </table> | of gross tonnage up to 150: | 328.00 | of gross tonnage over 150 and up to 400: | 492.00 | of gross tonnage over 400 and up to 1500: | 697.00 | of gross tonnage of over 1500: | 984.00 | |
| of gross tonnage up to 150: | 328.00 | | | | | | | | |
| of gross tonnage over 150 and up to 400: | 492.00 | | | | | | | | |
| of gross tonnage over 400 and up to 1500: | 697.00 | | | | | | | | |
| of gross tonnage of over 1500: | 984.00 | | | | | | | | |
| <i>(¹ There will be an additional charge of \$82 for the issue of the final Certificate of Registry).</i> | | | | | | | | | |
| | | | | | | | | | |
| (2) Registration under the issue of a Provisional Certificate of Registry ¹ : <i>(¹ There will be an additional charge of \$82 for the issue of the final Certificate of Registry)</i> | 205.00 per hour or part thereof | | | | | | | | |
| | | | | | | | | | |
| (3) Registration of a ship under construction: | 246.00 | | | | | | | | |
| | | | | | | | | | |
| (4) Registration of Transfer or Transmission of Ownership of a ship of gross tonnage- <table> <tr> <td>up to 150:</td><td>246.00</td></tr> <tr> <td>over 150 and up to 400:</td><td>328.00</td></tr> <tr> <td>over 400 and up to 1500:</td><td>369.00</td></tr> <tr> <td>Over 1500:</td><td>492.00</td></tr> </table> | up to 150: | 246.00 | over 150 and up to 400: | 328.00 | over 400 and up to 1500: | 369.00 | Over 1500: | 492.00 | |
| up to 150: | 246.00 | | | | | | | | |
| over 150 and up to 400: | 328.00 | | | | | | | | |
| over 400 and up to 1500: | 369.00 | | | | | | | | |
| Over 1500: | 492.00 | | | | | | | | |
| | | | | | | | | | |

PART B – CALCULATION OF CHARGEABLE COSTS AND EXPENSES

1. Where a cost or expense is incurred by the Authority under regulation 7, the charge back to the subject parties, in addition to the cost of any legal services involved, shall be calculated taking into account the following:

- (a) for inquiries or investigations involving travel to a ship or shore establishment, charges shall include-
 - (i) the time spent conducting the visit, charged at the relevant hourly rate specified in paragraph 3, such time to include both in office and out of office time;
 - (ii) travelling time between the office and a ship or shore establishment, charged at the relevant hourly rate specified in paragraph 3, subject to a maximum charge of sixteen hours for any one occasion;
 - (iii) the cost of transport to and from the ship or shore establishment and any costs incidental thereto;
 - (iv) the cost of accommodation and subsistence for the persons conducting the inquiry or investigation; and
 - (v) any additional costs incurred in relation to the work involved, including reasonable out of pocket expenses.
- (b) for inquiries and investigations not involving travel to a ship or shore establishment, charges shall include-
 - (i) the time spent conducting the inquiry or investigation, charged at the relevant hourly rate specified in paragraph 3; and
 - (ii) reasonable out-of-pocket expenses.

2. Time shall be charged to the nearest tenth of an hour.

3. The hourly rate for chargeable time shall be:

| | CI\$ |
|--------------------------------------|-------------|
| (a) Clerical Rate (CLR) | 41.00 |
| (b) Administrative Rate (ADR) | 82.00 |
| (c) Professional Surveyor Rate (PSR) | 164.00 |
| (d) Consultative Rate (COR) | 205.00 |

The hourly rate applied shall be that appropriate to the level at which the work is necessarily carried out, as determined by the Chief Executive Officer, and more than one hourly rate may apply.

Made in Cabinet the 5th day of September, 2006.

Carmena Watler.

Clerk of the Cabinet.