

1995-12 Gibraltar Merchant Shipping (Registration)

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Subsidiary Legislation made under s.86(a) of the and s.118(1)(e) of the Gibraltar Merchant Shipping (Safety, etc.) Act 1993.

Gibraltar Merchant Shipping (Fees, Charges and Taxes) Regulations 2009

LN.2009/032

Commencement **1.7.2009**

Amending enactments	Relevant current provisions	Commencement date
LN. 2012/039 Sch.		1.5.2012
2012/071 Sch.		1.5.2012
2022/137 Sch.		1.6.2022
2022/332 Sch.		15.12.2022

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ARRANGEMENT OF REGULATIONS

Regulation

1. Title and commencement.
2. Fees, Charges and Taxes.
3. Revocations.

SCHEDULE

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In exercise of the powers conferred on it by section 86(a) of the Gibraltar Merchant Shipping (Registration) Act, 1993 and section 118(1)(e) of the Gibraltar Merchant Shipping (Safety, etc.) Act 1993, and of all other enabling powers, the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Fees, Charges and Taxes) Regulations 2009 and come into operation on 1 July 2009.

Fees, Charges and Taxes.

2.(1) The fees, charges and taxes shown in the Schedule shall be charged and payable in respect of the service shown.

(2) The Maritime Administrator may refuse to provide any service to a registered agent from whom any fees payable are outstanding or to a ship in respect of which any fees payable are outstanding.

Revocations.

3. The Gibraltar Merchant Shipping (Ship Registration) (Amendment) Regulations 2005, (Legal Notice No. 87 of 2005), the Gibraltar Merchant Shipping (Survey Fees and Charges) (Amendment) Regulations 2006 (Legal Notice No. 50 of 2006) and all Fee scales in Administrative Instructions under the Merchant Shipping (Safety, etc.) Act 1993 (Legal Notice. 2004/068) are revoked.

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SCHEDULE

Regulation 2

Table ‘A’ – Ship Registration Fees

SHIP REGISTRATION FEES	Fee £
Application to register a ship (Full/Bareboat/Under Construction)	660
Administration fee for initial registration	520
Application for provisional registration	540
Registration following provisional registration	420
Application for extension of provisional registration	240
Application for renewal of registration	660
Application for re-issue of certificate of bareboat registration	330
Transfer of registry	420
Application to change name of ship	420
Transfer of ownership	420
Recording/Discharge/Transfer of mortgage	240
Endorsement of counterpart of recorded mortgage	240
Application for issue/re-issue of Certificate of Permission	240
Issue of Certificate of Deletion	240
Issue of Duplicate Certificate	132
Restoration of registration	132
Transcript of register	132
Alteration of registered particulars	132
Inspection of register	60
Letter of Consent	60
Administration/office hourly fee (not involving Surveyors)	65
CLC/Bunker Certificate/Wreck Convention Certificate (Gibraltar registered vessel)	78
Wreck Convention Certificate (Non Gibraltar registered vessel)	250

Table ‘B’ – Seafarers’ Certification & Service Fees

SEAFARERS	Fee £
Issue of Record of Sea Service (Discharge Book)	132
Gibraltar Endorsement for Master or Chief Engineer Officer	78
Gibraltar Endorsement for OOW (Nav) / OOW (Eng)	78

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Gibraltar Endorsement for Chief Mate / Second Engineer Officer	78
Watch rating/Ship's Cook/Able Seaman Certificate/Dispensation	78
Tanker Endorsement (without Gibraltar Endorsement)	48
Tanker Endorsement (with Gibraltar Endorsement)	48
Revalidation/extension of a certificate/endorsement	48
Duplicate (re-issue) of endorsement	48
Boat master Examination (full)	228
Boat master Certificate	48
Marine Engine Operator Examination	228
Marine Engine Operator Certificate	48

Annual Tonnage Tax

1. An Annual Tonnage Tax (ATT) shall be due and paid in respect of every ship registered, other than a ship of less than 24 metres registered length or under 150 gross registered tons which is plying in the Port of Gibraltar and licensed by the port authority under the Port Act.
2. The ATT shall be payable in advance before the first day of January of the year in respect of which it is due.
3. The ATT fee would be payable on a pro-rata basis by any vessel registered after the 1st of January, on a daily basis. For example, a vessel of 2400 GT registering on the 1st December would pay a pro-rata fee of £169.86 on registration (i.e. £2,000 ÷ 365 x 31 days).
4. The ATT, based on the vessel's Gross Tonnage (GT), shall be payable at the following rates—

Table 1	
Vessel Tonnage (Gross Tons)	Annual Tonnage Tax
Up to 3000 GT	£ 2,000
3000 to 10,000 GT	£ 2,500
10,000 to 50,000 GT	£ 4,000
50,000 to 100,000 GT	£ 5,000
Over 100,000 GT	£ 6,000

5. The fees and tonnage tax payable and paid shall not be refundable.

DISCOUNTS

- (a) Multiple vessel registration discounts

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A discount of the ATT per vessel annually (payable on 1st January) is available to owners who register multiple ships with the Gibraltar ship register. The discounts applied will be as specified in Table 2 below—

Table 2	
Number of ships	Discount on ATT per ship per annum
1-2	0%
3-5	10%
6-9	15%
10-24	30%
25+	50%

(b) Green vessel discounts

1. Energy Efficiency Design Index (EEDI) discounts

Vessels which adopt energy efficient designs which exceed IMO's MARPOL Annex VI Energy Efficiency Design Index (EEDI) reduction factors specified within MARPOL Annex VI Regulation 21 Table 1, as amended, will be eligible to have the initial registration fees waived and a 20% discount of the ATT.

For owners with 10 or more ships registered in Gibraltar, the ATT discount will be increased to 50% applicable to those ships which exceed the EEDI reduction factors specified in MARPOL Annex VI Regulation 21 Table 1, as amended.

2. Green Ship Technologies and Systems discounts

Vessels, which produce evidence substantiated by the vessel's Classification Society or other acceptable industry standards, deemed acceptable to the Maritime Administrator, implementing one of the following technologies or systems, may be eligible to have the initial registration fees waived and a 20% discount of the ATT:

- (i) adoption of propulsion engines capable of using Liquefied natural gas (LNG), Liquefied Petroleum Gas (LPG) and zero-carbon fuels or systems (e.g. ammonia, hydrogen, fuel cells or battery systems) as its primary fuel;
- (ii) purposely designed Shore-Side Energy (SSE) system (approved by a Gibraltar accepted Classification Society) which allow for the supply of uninterrupted electrical power to the ships equipment while alongside without the need for main and auxiliary engines to be operational.

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The Maritime Administrator may in his discretion, consider acceptance of technologies or systems other than those referred to above.

Survey, Audits and Inspection

Except where specifically provided in any Gibraltar Merchant shipping legislation for any fees or charges to be paid for the services of any surveyor appointed under section 52 of the Gibraltar Merchant Shipping (Safety, etc.) Act 1993, the Maritime Administrator shall charge fees in accordance with Table C below for carrying out surveys, audits or other inspections by a surveyor in Gibraltar.

Table ‘C’ – Survey Division Fees

SURVEY DIVISION FEES	Fee £
Issue of Safe Manning Document SMD (standard fee)	150
Issue of Exemption Certificate	150
Issue of other certificates / documents (DOC, SEC, SMC, ISSC, etc.)	150
Issue of Continuous Synopsis Record CSR	150
Certificate to operate government/local vessels	150
Surveyor’s Hourly Fee - Survey	
a) From 8am to 8pm;	115
b) From 8pm to 8am;	150
All International survey/audit work will be charged at a minimum of 8 hours. If necessary, any additional hours will be charged at the applicable hourly fees rate.	
Surveyor’s Hourly Fee – Non Survey	
a) Office Hours;	65
b) Outside Office Hours.	95
Surveyor’s Hourly Fees – Travel rate	65
Surveyor’s waiting day	520
Assessment and approval of Exemption/Equivalent arrangement (Inclusive of associated certification).	435

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If necessary, any additional hours will be charged at the applicable hourly fees rate. For sister ships, where the exemption, equivalent or alternative arrangement are identical to the ship which has already been previously approved, the charge will be based on the hourly fees rate. The associated Certificate will be charged at the appropriate fee.	
Assessment and approval of Minimum safe manning documents/manuals/plans (e.g. SMD, SMS, SSP, DMLC Part II, ship plans etc.) (Inclusive of associated documentation). If necessary, any additional hours will be charged at the applicable hourly fees rate. For sister ships, which are identical to the ship and which have already been previously approved, the charge will be based on the hourly fees rate. The associated documentation will be charged at the appropriate fee.	435
Assessment and issuance of dispensation/waiver (Inclusive of associated documentation). If necessary, any additional hours will be charged at the applicable hourly fees rate.	435
Re-issue/Extension of existing dispensation/waiver	150
Exceptional fee related to out of hours emergencies (safety and security):	
a) Outside Office Hours	330
b) Weekends and Public Holidays	440
MLC Recruitment and placement inspections – MLC Title 1.4 inspections on organisations providing private seafarer recruitment and placement services – Hourly fee	115
MLC Recruitment and placement Certificate of Compliance	150

Note: Any work not covered by the above fees will be charged at the applicable hourly fee rate.

Annual indexation of fees.

1. Subject to the provisions of this regulation, the fees set out in Tables A, B and C above must be revised annually in accordance with the Index of Retail Prices published by the Government Statistician.

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2. The first revision under this regulation shall apply as from the 1 May 2023 and shall apply the index of retail prices as at the 1 January 2023, and subsequent revisions shall apply on each subsequent 1 May and apply the index of retail prices prevailing on the preceding 1 January of that year.

3. Any figure revised pursuant to paragraph 1 shall be rounded up to the next whole pound.”.