

[LEGAL NOTICE NO. 81]

MARITIME TRANSPORT DECREE 2013
(DECREE NO. 20 OF 2013)

Maritime (Survey Fees) Regulations 2014

IN exercise of the powers conferred upon me by section 242 of the Maritime Transport Decree, I hereby make these Regulations—

PART 1—PRELIMINARY

Short title and commencement

1. These Regulations may be cited as the Maritime (Survey Fees) Regulations 2014 and shall come into force on a date appointed by the Minister by notice in the *Gazette*.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“Authority” means the Maritime Safety Authority of Fiji;

“Decree” means the Maritime Transport Decree 2013;

“surveying service” means a surveying service as specified under Schedule 1;
and

“surveyor” means a person appointed or recognised by the Chief Executive Officer of the Authority.

Purpose

3. The purpose of these Regulations is to specify the fees to be paid in respect of surveying services provided by the Authority.

PART 2—SURVEY FEES REQUIREMENTS

Survey fees

4.—(1) The fees charged for a surveying service specified in Schedule 1 shall be calculated according to the number of hours a surveyor is employed in undertaking a surveying service.

(2) For any surveying service provided, a minimum number of hours as shown in Schedule 1, shall be charged and must be paid before a surveying service is undertaken.

(3) If a surveyor is engaged in undertaking a surveying service for more than the minimum number of hours required under sub-regulation (2), an additional charge for each additional half hour, or part thereof, during which he or she is so engaged, shall be charged and must be paid before any certificate or other document can be issued as a result of the survey.

Surveyor's hourly rate

5.—(1) Subject to sub-regulation (2), the charge for each half hour that a surveyor is engaged in undertaking a surveying service specified in Schedule 1 or in travelling in connection with a surveying service shall be as follows—

(a) \$20 (VIP) in the case of a—

- (i) registered ship or a ship that may be registered; or
- (ii) a ship under construction that is to be or could be registered on completion; and

(b) \$25 (VIP) in any other case.

(2) Where a surveyor—

- (a) carries out a surveying service outside normal working hours; or
- (b) travels in connection with a surveying service specified, outside normal working hours,

the hourly rate in respect of the service or travel carried out outside normal working hours shall be double that rate as prescribed under sub-regulation (1).

Travelling time

6.—(1) Where a surveyor travels from his or her normal place of employment to another place to carry out a surveying service, there shall be charged, in addition to the fee specified for that surveying service, a charge for the surveyor's travelling time.

(2) The travelling time referred to in sub-regulation (1) shall be charged in accordance with the following—

<i>Item</i>	<i>Location where surveying service undertaken</i>	<i>Travelling time to be paid for</i>
1	(a) Between— <ul style="list-style-type: none"> (i) Nausori and Deuba; (ii) Denarau, Lautoka and Ba; or (iii) Levuka and Buresala; or (b) Taveuni	—
2	On Viti Levu or Vanua Levu (other than a place referred to in Item 1)	2 hours
3	Other than a place referred to in Item 1 or 2	Actual travelling time

Travel and subsistence expenses

7. A person for whom a surveying service is carried out shall pay to the Authority a charge equal to any cost incurred by the Authority in respect of the travel, meals and accommodation of the surveyor while carrying out that surveying service

Inspections in respect of hulls, engines and safety equipment

8.—(1) Subject to sub-regulation (2), the survey fee payable in respect of an inspection of a ship's hull, engines or safety equipment shall be in respect of one visit to the ship by a surveyor.

(2) If, on a visit by a surveyor in accordance with sub-regulation (1), a ship is not ready for completion, the surveyor shall issue a defect list to the ship's owner and shall make a second visit to the ship to ascertain whether the defects specified in the list have been rectified.

(3) A visit in accordance with sub-regulation (2) shall be free however, any subsequent visit shall charge a fee in accordance with Schedule 1.

Progressive surveys of machinery

9.—(1) Prior to the construction of a ship, a ship owner shall submit for assessment and approval all required ship plans and drawings.

(2) The construction of a ship shall be surveyed progressively with the hull and each unit of machinery being surveyed by way of a special survey shall incur a fee in accordance with Item 6 of Schedule 1.

(3) A Certificate of Survey in respect of a ship must not be granted in respect of any period which extends beyond the estimated date that any unit of machinery on the ship becomes out of survey.

Tonnage measurement surveys

10.—(1) The fees specified in Schedule 2 shall apply in respect of a tonnage measurement survey of a ship.

(2) Before a tonnage measurement survey is carried out, a fee calculated at the rate of \$4.00 (VIP) for each metre of the overall length of the ship must be paid.

(3) The fee paid under sub-regulation (2) shall be deducted from the fee payable on completion of the survey as calculated in accordance with Schedule 2.

(4) Where adequate ship plans are not available during the time taken in carrying out any necessary extra measurement of the ship, the ship owner or operator shall incur a fee at the rate applicable to a special survey in accordance with Item 6 of Schedule 1.

Load line surveys

11.—(1) The fees specified in Schedule 3 shall apply in respect of a load line survey carried out on a ship whose flag State is not a party to the Load Line Convention and, must be paid before the survey is carried out.

(2) Where adequate ships' plans are not available, any time taken in carrying out any extra measurement of the ship, shall be charged to the ship owner or operator at the rate applicable to a special survey in accordance with Item 6 of Schedule 1.

Inclining test

12.—(1) The fees specified in Schedule 4 shall apply in respect of the provisions of a surveyor to supervise an inclining test on a ship and the provision of any approved stability information in respect of the ship.

(2) The fees specified in Schedule 4 shall not cover the provision of any weight or personnel, other than the surveyor.

Exemption

13. Notwithstanding the provisions of these Regulations, the Chief Executive Officer may, after consultation with the Minister, by written notice grant an exemption in accordance with section 33 of the Decree for the payment of prescribed fees under these Regulations.

Made this 14th day of December 2014.

P. TIKODUADUA

Minister for Infrastructure and Transport

SCHEDULE 1
(Regulation 4(1))

TABLE OF MINIMUM HOURS

<i>Item</i>	<i>Surveying Service</i>	<i>Minimum number of hours to be paid for</i>
1	(1) (a) ship under 10 gross tonnes	1
	(b) ship 10 gross tonnes or more but under 50 gross tonnes	2
	(c) ship 50 gross tonnes or more but under 150 gross tonnes	2½
	(d) ship 150 gross tonnes or more but under 500 gross tonnes	2½
	(e) ship over 500 gross tonnes or more	2½
	(2) Additional fee if ship intended to carry more than 40 passengers – for each unit of 40 passengers or any lesser number	½
2	<i>Semi-annual sight survey</i>	
	(a) ship under 10 gross tonnes	1
	(b) ship 10 gross tonnes or more but under 50 gross tonnes	2
	(c) ship 50 gross tonnes or more but under 150 gross tonnes	2½
	(d) ship 150 gross tonnes or more but under 500 gross tonnes	2½
	(e) ship 500 gross tonnes or more	2½

Item	Surveying Service	Minimum number of hours to be paid for
3	<i>Annual survey-afloat</i> (a) ship under 10 gross tonnes (b) ship 10 gross tonnes or more but under 50 gross tonnes (c) ship 50 gross tonnes or more but under 150 gross tonnes (d) ship 150 gross tonnes or more but under 500 gross tonnes (e) ship 500 gross tonnes or more	2 3 6 8 10
4	<i>Annual survey-on slip</i> (a) ship under 10 gross tonnes (b) ship 10 gross tonnes or more but under 50 gross tonnes (c) ship 50 gross tonnes or more but under 150 gross tonnes (d) ship 150 gross tonnes or more but under 150 gross tonnes (e) ship 500 gross tonnes or more (This fee includes an initial sighting of the hull immediately when the ship is hauled out of the water at the discretion of the surveyor if requested by the owner of the ship)	3 6 8 12 16
5	<i>Four year survey-on slip</i> (a) ship under 10 gross tonnes (b) ship 10 gross tonnes or more but under 50 gross tonnes (c) ship 50 gross tonnes or more but under 150 gross tonnes (d) ship 150 gross tonnes or more but under 500 gross tonnes (e) ship 500 gross tonnes or more	4 8 10 15 20
6	<i>Special survey</i>	1
7	<i>Extension sight survey</i> To extend a safety survey certificate for a period not exceeding one month when permitted in special circumstances - half the time indicated in Item 2 (semi-annual sight survey)	
8	<i>Survey of lifeboat equipment</i> (a) boat certified to carry less than 40 people (b) boat certified to carry 40 people or more	2½ 3

<i>Item</i>	<i>Surveying Service</i>	<i>Minimum number of hours to be paid for</i>
9	<i>Buoyancy test of lifejacket</i> Per 6 life jackets (or any less number to be tested)	1
10	<i>Design approval of a lifejacket</i> <i>(a)</i> Visual check of a sample model and perusal of a test report from an approved Standards Institute or Maritime Safety Department <i>(b)</i> Stamping jackets with an approval stamp of the Fiji Marine Board-per 10 jackets (or any less number to be stamped)	2 1
11	<i>Compass adjusting</i> – per compass on ship— <i>(a)</i> under 10 gross registered tonnes <i>(b)</i> 10 gross registered tonnes but less than 50 <i>(c)</i> 50 gross registered tonnes or more	1 1½ 2
12	<i>Issuing towing permit</i> <i>(Not to be issued unless towing ship has a valid seagoing certificate)</i> <i>(a)</i> special survey of ship being towed to be carried out (Item 6) if ship does not have a seagoing certificate <i>(b)</i> approval of towing arrangement of each ship and of towline <i>(c)</i> approval of tow master's voyage plan	As per Item 6 2 ½

SCHEDULE 2
(Regulation 10(1))

TONNAGE MEASUREMENT SURVEYS

<i>Item</i>	<i>Ship-tonnage as measured</i>	<i>Fee (VIP)</i>
1	Less than 50 gross tonnes	\$8.03 for each tonne
2	50 gross tonnes or more but less than 100 gross tonnes	\$401.70 + \$5.46 for each tonne in excess of 50 gross tonnes
3	100 gross tonnes or more but less than 200 gross tonnes	\$669.50 + \$4.02 for each tonne in excess of 100 gross tonnes
4	200 gross tonnes or more but less than 500 gross tonnes	\$1138.15 + \$2.68 for each tonne in excess of 200 gross tonnes

<i>Item</i>	<i>Ship-tonnage as measured</i>	<i>Fee (VIP)</i>
5	500 gross tonnes or more but less than 1000 gross tonnes	\$1,941.55 + \$1.34 for each tonne in excess of 500 gross tonnes
6	1000 gross tonnes or more but less than 2000 gross tonnes	\$2611.05 + \$0.67 for each tonne in excess of 100 gross tonnes
7	2000 gross tonnes or more	\$3200.55 + 0.27 for each tonne in excess of 2000 gross tonnes

SCHEDULE 3
(Regulation 11(1))

LOAD LINE SURVEYS

<i>Item</i>	<i>Ship</i>	<i>Fee (VIP)</i>
1	Less than 50 gross tonnes	\$133.90
2	50 gross tonnes or more but less than 100 gross tonnes	\$160.68
3	100 gross tonnes or more but less than 200 gross tonnes	\$187.46
4	200 gross tonnes or more but less than 500 gross tonnes	\$200.85
5	500 gross tonnes or more	\$267.80

SCHEDULE 4
(Regulation 12(1))

INCLINING TEST

<i>Item</i>	<i>Ship</i>	<i>Fee (VIP)</i>
1	Less than 50 gross tonnes	\$52
2	50 gross tonnes or more but less than 100 gross tonnes	\$78
3	100 gross tonnes or more	\$78 plus \$20 for each half hour (or part thereof) the surveyor is employed in the supervision.