

This is an unofficial translation. The binding version is the official Hebrew text.

Readers are consequently advised to consult qualified professional counsel before making any decision in connection with the enactment, which is here presented in translation for their general information only.

Prevention of Sea Water Pollution by Oil Regulations (Marine Environment Protection Fee), 5743-1983

By the power vested in me under section 17 to the Prevention of Sea Water Pollution by Oil Ordinance [New Version], 5740-1980, and with the consent of the Knesset's Internal Affairs and Environment Committee, I hereby make these regulations:

Definitions

1. In these regulations –

“Owner” – In respect of vessels of different types – the owner, lessee, operator or captain of the vessel as well as the agent of each; in respect of a terminal – the owner, lessee, holder of the land or supervisor of the terminal;

“Port Director” – As per its meaning in the Ports Ordinance [New Version], 5731 – 1971 (hereafter – Ports Ordinance)

“Vessel” - As per its meaning in the Shipping Law (Vessels), 5720-1960 (hereafter – Shipping Law), except for a small vessel;

“Small vessel” – one of these:

- 1) A vessel of up to 24 meters long and which is propelled by a motor;
- 2) A port vessel;
- 3) A fishing boat;

“Israeli vessel” – A vessel registered in the Israeli vessels registry as per its meaning in the Shipping Law, or which requires registration as aforesaid;

“Tanker” – A vessel most of whose cargo space is constructed or adapted for transporting oil in bulk, whether loaded with oil or ballast water or empty, including a vessel that is

adapted for transportation in bulk, ores or oil alternately, and which transports oil in practice;

“Terminal” – A facility used for mooring a vessel for the purpose of transferring oil from the vessel to coastal facilities or vice versa;

“Port” – As per its meaning in the Ports Ordinance;

“EAPC” – The Eilat Ashkelon Pipeline Company Ltd.;

“Ports Authority” – As per its meaning in the Ports Authority Law 5721-1961.

Imposition of a fee

2. A Marine Environment Protection Fee is hereby imposed (hereafter – the Fee) as follows:
 - 1) On the owner of a vessel – A fee at a rate of 25% of the lighthouse fee applying to the same vessel under regulations 190, 198 and 202 to the Ports Regulations, 5731-1971 (hereafter – Ports Regulations).
 - 2) On the owner of a tanker in the Port of Eilat and in the Port of Ashkelon – A fee at the rate of the lighthouse fee as aforesaid in section 9(a)(1) to the Fifth Schedule of the Ports Regulations.
 - 3) On the owner of a terminal – A fee at a rate of 0.13 shekels per ton of weight of an oil cargo transferred to the terminal from the vessel; this rate shall be adjusted according to the changes in the U.S. Dollar exchange rate, in accordance with the method set in regulation 189 regarding a lighthouse fee.
 - 4) On the owner of a small Israeli vessel – A fee at a rate of 4% of the sum of the general inspection fee imposed on the same vessel as specified in the Fifteenth Schedule to the Ports Regulations (Sailing Safety), 5743-1982.

Fee payment and collection methods

3.
 - a) An owner of a vessel who is obliged to pay the fee under regulation 2(1) and (2) shall pay the fee as hereafter specified:

- 1) In the ports of the Ports Authority except for the EAPC terminal in the Port of Eilat - to the relevant Port Director, together with the lighthouse fee;
- 2) In the Port of Ashkelon and in the EAPC terminal that is in the Port of Eilat – to the Director of the EAPC;
- 3) In the other ports – to the relevant Port Director.

The Port Director or the Director of EAPC, as the case may be, shall transfer the fee collected to the controller of the Ministry of the Interior for the Fund, on a monthly basis.

- b) The owner of a vessel who is obliged to pay the fee under regulation 2(4) shall pay the fee in the Postal Bank together with the general inspection fee – to the favor of the controller of the Ministry of the Interior, for the Fund.
- c) The owner of a terminal who is obliged to pay the fee under regulation 2(3) shall pay the fee to the controller of the Ministry of the Interior for the Fund, once a month for the previous month.