

GN. R. 1146
GG13937
24 April 1992

MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS) ACT, (ACT NO 2 OF 1986)

FEES REGULATIONS, 1992

[Amended by GN. R. 860 of 1995-06-05 and GN R 1612 of 1997-12-05.]

The Minister of Transport has under section 3 (1) (b) of the Marine Pollution (Prevention of Pollution from Ships) Act, 1986 (Act No. 2 of 1986), made the regulations in the Schedule hereto.

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates-

Annex II means the Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk contained in Annex II to the Convention;

Convention means the International Convention for the Prevention of Pollution from Ships, 1973, the 1978 Protocol and any subsequent amendments adopted by the International Maritime Organisation;

Deadweight (DW) means the difference in metric tons between the displacement of a ship in water of a specific gravity of 1,025 at the load waterline corresponding to the assigned summer freeboard and the lightweight of a ship;

INLS Certificate means an International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk;

IOPP Certificate means an International Oil Pollution Prevention Certificate;

LOPP Certificate

Marpol 73/78 means the Convention;

proper officer means the principal officer of the office of the Marine Division at Cape Town, Durban, Port Elizabeth, Walvis Bay, East London, Saldanha, Mossel Bay or Richards Bay;

The Act means the Marine Pollution (Prevention of Pollution from Ships) Act, 1986 (Act No. 2 of 1986);

TGT means the largest gross registered tonnage of a ship.

Application

2. These regulations shall apply to an inspection, survey, issue of a certificate or other function performed by a surveyor or other officer in the service of the Government of the Republic, in relation to the provisions of the Act or the Convention.

By whom fees shall be payable

3. The fees prescribed by these regulations for the survey or inspection of a vessel shall be payable by the owner of such vessel or his agent, and the fees prescribed for any other service shall be payable by the person requesting such service.

When fees shall be payable

4. The appropriate fee shall be payable at the time specified by the proper officer of each office of the Marine Division: Provided that no certificate contemplated in these regulations shall be issued unless the prescribed fee has been paid.

To whom fees shall be payable

5. The fees prescribed by these regulations shall be payable to the proper officer, who shall issue a receipt for the amount paid.

Issue of certificates

- 6.(1) Subject to the provisions of subregulation (2), the fees prescribed by these regulations shall cover the issue of the certificate or other document mentioned in the respective regulations.
- (2) A fee of R100 shall be payable for the issue of a INLS Certificate or an IOPP Certificate on the strength of a survey other than one conducted by an officer in the service of the Government of the Republic.
- (3) When a certificate or other document is issued in duplicate no fee shall be charged for the duplicate.
- (4) The following fees shall be payable for a copy of a certificate or other document:
 - (a) For a copy of an INLS Certificate or IOPP Certificate: R60;
 - (b) For a copy of any other certificate or other document: R35:

Provided that no fee shall be payable for any such copy which is furnish to a consular or diplomatic representative of the country to which the ship belongs.

Survey of ship for IOPP certificate

7. The following fees shall be payable in respect of the survey of a ship for an IOPP Certificate:
 - (a) For an initial or renewal survey where the period of validity of the certificate is five years:

- (i) For a ship (other than an oil tanker) over 400 TGT - R1 750;
 - (ii) for an oil tanker over 150 TGT, up to 4 000 DW - R1 750;
 - (iii) for an oil tanker over 4 000 DW - R2 750;
- (b) For an annual survey - R500;
- (c) For an intermediate survey - R1 000.

Survey of a ship for an INLS certificate

8. The following fees shall be payable in respect of the survey of a ship for an INLS Certificate:
- (a) For an initial or renewal survey where the period of validity of the certificate is five years:
- (i) For chemical tankers (all ships types) - R3 500;
 - (ii) For oil tankers capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank - R250
- (b) For an annual survey:
- (i) For chemical tankers - R1 000;
 - (ii) For oil tankers capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank - R100
- (c) For an intermediate survey:
- (i) For chemical tankers - R1 750;
 - (ii) For oil tankers capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank - R125

Survey or inspection of equipment or documents, etc.

- 9.(1) Where a surveyor carries out a survey or inspection to determine whether certain equipment or documents meet the required specifications, a fee of R175 per surveyor-hour or part thereof shall be payable.
- (2) If the master or his agent requires a certificate of inspection an additional fee of R200 shall be payable.
- (3) A fee of R80 shall be payable for the issue of a certificate of approval based on the approval of another competent authority.

Survey or inspection under the provisions of Annex II

10. Where a surveyor carries out a survey or inspection to determine whether the provisions of Annex II have been complied with, a fee of R200 per cargo tank surveyed or inspected shall be payable. The surveyor shall endorse the ship's cargo record book to the effect that the provisions of Annex II have been complied with. If the master or his agent requires a certificate of inspection an additional fee of R200 shall be payable.

Fee payable for the categorisation of noxious liquid substances for export purposes

11. Where a noxious liquid substance has to be provisionally assessed in terms of regulation 3 (4) of Annex II the owner, shipper or his agent shall supply the proper officer with such sample and documentation as he may request. A fee of R1 500 shall be payable for each noxious liquid substance provisionally assessed for the issue of a certificate.

Detention fee

12. Where a ship has been detained in terms of any provision of the Act a detention fee of R1 000 shall be payable.

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