



ALTERNATIVE FEES SCHEME

Introduction

This scheme provides, on a ship by ship basis, an alternative method of paying for certain services provided by the Marine Administration of the Department of Trade and Industry in connection with the statutory survey and certification of ships. Operators who contract into and remain within the Scheme will be exempted from the Merchant Shipping (Fees) Regulations 1999 ^(a), to the extent specified within the Scheme.

The Scheme applies to **cargo ships and mobile offshore drilling units** and is available:

- (a) **for ships coming onto the IOM Register**, once a ship has been fully registered and all the registration processes and pre-registration surveys have been completed.
- (b) **for ships already on the IOM Register** from a date agreed by the Marine Administration.

It is anticipated that in both of the above cases, the following survey/inspection date of the ship by a Department surveyor would be set to coincide, where applicable, with the due date for the ISM Code audit of the ship.

The Scheme encompasses the Department's mandatory survey requirements for a Manx registered ship (*refer to the Merchant Shipping (Survey and Certification) Regulations 1999(b)*) and allows the operator to budget with accuracy for the costs involved in survey and certification of a ship by a surveyor from Department, regardless of ship location. The Scheme will further let the operator take advantage of and optimise on any block fee arrangements with Recognised Organisations.

(a) SD 662/99

(b) SD 352/99

PRICE : 75p.

THE SCHEME

1. Interpretation

(1) In this Scheme -

“**Department**” means the Department of Trade and Industry;

“**Manx ship**” has the meaning assigned to it by section 1 of the Merchant Shipping Registration Act 1991 ^(c) but does not include any ship which is not registered;

“**operator**” means the owner, manager, demise charterer, or any person other than the master having immediate control over the day to day employment and operation of the ship;

“**quarter**” means a period of 3 months beginning on the date on which notice is given under paragraph 5(3)(a) and the subsequent periods; and “**quarterly**” shall be construed accordingly

(2) The Interpretation Act 1976 ^(d) shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act.

2. Application

(1) This Scheme applies to cargo ships and mobile offshore drilling units which are Manx ships.

(2) This Scheme does not apply to;

- (a) passenger ships;
- (b) fishing vessels; or
- (c) pleasure yachts.

(3) This Scheme has effect from 22nd May 2000.

3. Payment of Alternative Fees.

Subject to the following provisions of this Scheme, the fixed fees are **£160** per ship per month from the date of commencement.

(c) 1991 c. 3

(d) 1976 c. 20.

4. Election to pay alternative fees.

An operator may elect to pay the fixed fees specified in paragraph 3. with effect from a date which is either:

- (a) the date of first registry in the Island in the case of a ship which is first registered after the date on which this Scheme has effect; or
- (b) any other date agreed by the Department, provided that the date selected coincides with an inspection of the ship by a surveyor from the Department.

5. Payment of alternative fees

(1) The fixed fee paid under paragraph 3 shall apply in respect of the services specified in sub-paragraph (2).

- (2) The services referred to in sub-paragraph (1) are -
 - (a) the issue of the statutory certificates listed in the Schedule, for a ship whenever due provided the ship complies with the Regulatory requirements for the issue of such certificates;
 - (b) the appointment of surveyors from a Recognised Organisation ^(e) whenever required to conduct statutory surveys on behalf of the Department;
 - (c) two inspections of the ship and shipboard operations by a surveyor of the Department within a period of 5 years and at intervals not exceeding 3 years;
 - (d) the issue of a Crew Accommodation Certificate of Compliance and the intermediate and renewal surveys for the continued maintenance of this certificate;
 - (e) the conduct by a surveyor of the Department, of an intermediate or a renewal audit for the ship's Safety Management Certificate and the issue of a Safety Management Certificate (but only when this audit corresponds with the inspection referred to in sub-paragraph (c) above);
 - (f) the conduct of a survey for compliance with the requirements of ILO Convention 180 in respect of crew welfare and working conditions and the issue of a certificate of compliance;
 - (g) such other services including necessary statutory surveys, as the operator may reasonably request while a Department surveyor is on board.

(e) To the extent of and within the terms of the agreement between the Department and the Recognised Organisation.

(3) An operator who elects to pay the fixed fees to the Department in accordance with this Scheme shall -

- (a) give notice to the Department in writing of his intention to do so in respect of any particular ship;
- (b) pay to the Department in advance either -
 - (i) monthly an amount equal to the fixed fee specified in paragraph 3, or
 - (ii) quarterly, that amount multiplied by three.

(4) The payment of fees in accordance with this Scheme shall not entitle the operator to any services other than those specified in sub-paragraph (2). Any additional visits to the ship by a Department surveyor for any reason, or additional survey work associated with the ship, or the issue of any other certification, exemptions, or other services shall be charged on the basis specified in the Merchant Shipping (Fees) Regulations 1999.

(5) Fees paid in accordance with this Scheme are not refundable.

6. Non-payment of fees

If an operator, who has elected to make payment in accordance with paragraph 5, does not make payment of any advance monthly or quarterly payment on or before the commencement of the relevant month or quarter, then this Scheme shall cease to apply in respect of the ship notified under paragraph 5(3)(a) with effect from the beginning of the relevant month or quarter.

Paragraph 5(2)(a)

SCHEDULE

Listed below are the statutory certificates which would be issued to the ship in accordance with the Scheme :

- (International) Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk;
- (International) Certificate of Fitness for the Carriage of Liquefied Gases in Bulk;
- Cargo Ship Safety Equipment Certificate;
- Cargo Ship Safety Radio Certificate;
- Cargo Ship Safety Certificate;
- International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk;
- International Oil Pollution Prevention Certificate;
- Safety Management Certificate;
- Renewal of an Exemption Certificate previously issued in respect of any of the above certificates;
- Documents of Compliance.