



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Government Notice

MINISTRY OF WORKS AND TRANSPORT

No. 39 2009

MERCHANT SHIPPING FEES REGULATIONS: MERCHANT SHIPPING ACT, 1951

Under section 356 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), I have -

- (a) made the regulations set out in the Schedule; and
- (b) repealed the Merchant Shipping Fees Regulations published under Government Notice No. 80 of 3 April 1998.

H. ANGULA
MINISTER OF WORKS AND TRANSPORT

Windhoek, 26 February 2009

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PART I
PRELIMINARY PROVISIONS

Definitions and interpretation

1. (1) In these regulations a word or an expression that is defined in the Act has that meaning and, unless the context indicates otherwise -

“BCH Code certificate” means a Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk;

“chemical tanker” has the same meaning as in regulation 1(1) of Annex II to MARPOL 73/78;

“document of compliance”, except in regulation 22(d), means a document of compliance issued pursuant to regulation 4(1) of the Merchant Shipping (Dangerous Goods) Regulations, 1997;

“IBC Code certificate” means an International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk;

“IGC Code certificate” means an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk;

“INLS certificate” means an International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk issued in conformity with Annex II to MARPOL 1973/78;

“IOPP certificate” means an International Oil Pollution Prevention Certificate issued in conformity with Annex I to MARPOL 1973/78;

“ISM Code certificate” means a document of compliance or an International Safety Management Certificate;

“ISPS Code Part A” means the mandatory part of the International Ship and Port Security Code promulgated in the SOLAS Convention Chapter 11-2;

“length” means-

- (a) in the case of a registered ship, the length shown in the certificate of registry;
- (b) in the case of a ship that is licensed under section 68 of the Act, the length shown in the license; and
- (c) in the case of a ship that is neither registered nor licensed, the horizontal distance measured between perpendiculars erected at the extreme ends of the outside of the hull;

“MARPOL 1973/78” means the International Convention for the Prevention of Pollution from Ships, 1973;

“oil tanker” has the same meaning as in regulation 1(4) of Annex I to MARPOL 73/78;

“pilot” means a person, not belonging to a ship, who has the conduct thereof;

“pollution safety certificate” means a certificate referred to in section 24 of the Prevention and Combating of Pollution of the Sea by Oil Act, 1981 (Act No. 6 of 1981);

“port facility security assessment” has the same meaning as defined in the ISPS Code Part A;

“port facility security plan” has the same meaning as defined in the ISPS Code Part A;

“recognised security organisation” has the same meaning as defined in the ISPS Code Part A;

“register” means the special book referred to in section 15 of the Act, and “registered” has a corresponding meaning;

“security level” has the same meaning as defined in ISPS Code Part A;

“service” means any service or facility provided by the Ministry, and includes any inspection or survey and the issue of any certificate or other document;

“ship security assessment” has the same meaning as defined in the ISPS Code Part A;

“ship security plan” has the same meaning as defined in the ISPS Code Part A;

“the Act” means the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

“ton”, in relation to a ship, means gross tonnage as calculated in accordance with the tonnage measurement rules contained in Annex I of the International Convention on Tonnage Measurement of Ships, 1969; and

“tonnage certificate” means a certificate referred to in regulation 11 of the Tonnage Regulations, 1986.

(2) In these regulations the expression of a charge in Namibia Dollars per hour or part thereof includes an officer’s time spent travelling for the purpose of providing the service in question plus the time spent processing the results of the survey or inspection.

Application

2. These regulations apply to the services specified herein.

By whom charges are payable

3. Except where otherwise expressly provided, charges are payable by the person requesting the service, whether on his or her own behalf, or on behalf of another.

When charges are payable

4. (1) Charges are payable before the issue of any certificate or other document.

(2) Notice of cancellation of any pre-arranged service, or of any change thereto, must be given not later than 24 hours before the date or time appointed for the service in question, failing which the full charge for that service is payable.

(3) The following provisions have effect in relation to Part IV -

- (a) if, through circumstances beyond his or her control, a candidate is unable to sit an examination for which a charge has been paid, the candidate is entitled to the refund of the charge;
- (b) if a candidate cannot, due to deafness or other physical or mental impairment, attempt or complete an examination for which a charge has been paid, the candidate is entitled to the refund of the charge;
- (c) if a candidate who has paid the charge for an examination for a certificate of competency or an endorsement thereto fails in either or both parts of the colour and form vision tests and elects not to complete the rest of the examination, the candidate is entitled to the refund of the charge, less N\$70 (being the charge for the colour and form vision test);
- (d) subject to subparagraph (c), a candidate who fails in any part of an examination is not entitled to the refund of any relative charge;
- (e) where a candidate is assessed by an examiner to have insufficient sea time to attempt an examination for which a charge has been paid, the candidate is entitled to the refund of half the charge;
- (f) an applicant for dispensation is not entitled to the refund of any relative charge if the application is unsuccessful.

To whom charges are payable

5. All charges are payable to the Ministry that must issue a receipt to the payer for the amount paid stating the reason for payment.

Value added tax

6. All charges are subject to value-added tax at the applicable rate.

Certificates and other documents

7. (1) Except where otherwise expressly provided, these charges cover the issue, alteration or endorsement of any relative certificate or other document.

(2) A charge of N\$145 is payable for the issue of a safe manning document under regulation 13 of the Manning of Ships Regulations published under Government Notice No. 240 of 20 November 2003, except if it is issued together with a local general safety certificate in respect of the same vessel.

(3) Subject to subregulation (4), a charge of N\$810 is payable for the issue of any of the following certificates on the strength of a survey report or a calculation provided by a recognised organisation or by a recognised person other than an officer -

- (a) a safety certificate;
- (b) IGC Code certificate;
- (c) IBC Code certificate;
- (d) BCH Code certificate;
- (e) ISM Code certificate;
- (f) load line certificate;
- (g) a load line exemption certificate;
- (h) IOPP certificate;
- (i) INLS certificate;
- (j) a tonnage certificate;
- (k) a pollution safety certificate; and
- (l) any other statutory certificate or non-statutory certificate.

(4) Where a safety certificate is issued in respect of a small vessel in circumstances described in subregulation (3), a charge of N\$79 is payable.

(5) For the purposes of this regulation “safety certificate” means a passenger ship safety certificate, a cargo ship safety construction certificate, a cargo ship safety equipment certificate, a cargo ship safety radio certificate, an exemption certificate, a local general safety certificate or a local safety exemption certificate.

(6) Except where otherwise expressly provided, the following charges are payable for the replacement of, or a copy of -

- (a) a lost, mutilated or damaged certificate of competency, certificate of service or license as compass adjuster:.....N\$242;
- (b) a lost, mutilated or damaged certificate of competence as skipper (small vessels) or certificate of qualification:.....N\$79;
- (c) any other statutory certificate or document:..... N\$115.

PART II
SHIP REGISTRATION AND TONNAGE MEASUREMENT

Ship registration

8. The following charges are payable for the specified services -

- (a) (i) issuing a carving and marking note: N\$405 per hour or part thereof with a minimum charge of two hours;
- (ii) Renewing a ship's registration: N\$405 plus applicable charges specified in paragraph (c);
- (b) (i) registering a ship in Namibia for the first time (excluding ships on bareboat charter);
- (ii) changing a ship's home port;
- (iii) registering a ship upon change of ownership;
- (iv) registering a ship upon sale under certificate of sale;
- (v) registering a ship as a result of alterations to the ship;
- (vi) registering a ship on bareboat charter:

Item	Tonnage of ship	Charge
1	Not exceeding 200 GT	N\$1 625
2	More than 200 GT but not exceeding 1 000 GT	N\$3 251
3	More than 1 000 GT	N\$3 251 plus N\$326 for every 500 GT or part thereof over 1 000 GT, subject to a maximum of N\$16 241

- (c) (i) granting a new registration where the original has been mislaid, lost or destroyed;
- (ii) registering alterations to a ship;
- (iii) registering the transfer or transmission of ownership of a ship or of a share in a ship;
- (iv) registering a mortgage instrument;

- (v) registering the transfer of a mortgage;
- (vi) registering the transmission of an interest in a mortgage;
- (vii) registering the discharge of a mortgage;
- (viii) issuing a deletion certificate,

according to the gross tonnage of the ship transferred or mortgaged or in respect of which a certificate is to be issued:

Item	Tonnage of ship	Charge
1	Not exceeding 500 GT	N\$405
2	More than 500 GT	N\$810

- (d) the survey of a ship to determine its suitability to be registered in Namibia, including verifying the ship's particulars:

Item	Tonnage of ship	Charge
1	Not exceeding 50 GT (ship other than passenger ship)	N\$810
2	Not exceeding 50 GT (passenger ship)	N\$11 613
3	More than 50 GT but not exceeding 100 GT	N\$2 417
4	More than 100 GT but not exceeding 300 GT	N\$3 220
5	More than 300 GT but not exceeding 500 GT	N\$4 834
6	More than 500 GT	N\$4 834 plus N\$2 for every GT or part thereof over 500 GT

- (e) granting a temporary pass in the place of a registration certificate: N\$483;
- (f) inspecting the register: N\$94, payable in all cases, whether or not extracts are made;
- (g) certifying a copy of an extract from the register at the time of registration: N\$242;
- (h) certifying a copy of the particulars of transactions recorded in the register after registration: N\$242;

Tonnage measurement

9. (1) Subject to subregulation (2), the following charges are payable for the tonnage measurement of a ship in terms of the Tonnage Regulations, 1986:

Item	Registered length of ship	Charge
1	Less than 24 meters	N\$2 393
2	24 meters or more but not exceeding 36 meters	N\$4 828
3	More than 36 meters but not exceeding 55 meters	N\$6 350
4	More than 55 meters but not exceeding 68 meters	N\$12 706
5	More than 68 meters	N\$15 915

(2) The charges in subparagraph (1), divided by a factor of two, apply in respect of the checking of a tonnage computation where -

- (a) the ship has been measured by a competent person recognised by the Authority;
- (b) in consequence of any alteration in the form or capacity of the ship, not being an alteration affecting the volume of the hull below the upper deck, the ship is only partially re-measured; or,
- (c) the ship is of equal dimensions (sister ship) to a ship already measured in terms of the tonnage regulations.

(3) Where an officer finds it necessary to visit a ship because the ship's plans are inadequate, an additional charge of N\$810 per hour or part thereof, and travel and subsistence expenses, are payable.

- (4) A charge of N\$405 is payable for providing particulars of a tonnage computation.

PART III SHIP SAFETY AND POLLUTION PREVENTION

Division 1-Ship safety services

Survey of passenger ship for safety certificate

10. (1) Subject to subregulations (4) and (5), the following charges are payable for the survey of a passenger ship for a passenger ship safety certificate, with or without an exemption certificate, or a local general safety certificate, with or without a local safety exemption certificate:

Item	Tonnage of ship	Charge
1	Less than 25 tons	N\$810
2	25 tons or more but not exceeding 50 tons	N\$1 613
3	More than 50 tons but not exceeding 100 tons	N\$2 417
4	More than 100 tons but not exceeding 300 tons	N\$3 220
5	More than 300 tons but not exceeding 500 tons	N\$5 630
6	More than 500 tons	N\$6 368 plus N\$2 per ton or part thereof over 500 tons

- (2) The charges in subregulation (1) cover -

- (a) two visits to the ship; and
- (b) the survey of all parts of the ship, except the hull where the survey thereof requires the ship to be dry-docked, slipped or lifted by a synchro-lift or crane, and the ship's radio installations, but do not cover the scrutiny of plans or stability books.

(3) For the purposes of survey of a passenger ship, the ship is of equal dimensions to a ship (sister ship) already measured in terms of the Tonnage Regulations.

(4) The charges in subregulation (1), multiplied by a factor of four, apply in respect of a newly constructed ship or a ship undergoing rebuilding or refurbishing and cover eight visits to the ship.

(5) If visits in addition to those referred to in subregulation (2)(a) or (4) are required to complete the survey, an additional charge of N\$810 per hour, and travel and subsistence expenses, are payable in respect of each such visit.

Survey of ship for cargo ship safety construction certificate

11. (1) Subject to subregulation (4), the following charges are payable for the survey of a ship for a cargo ship safety construction certificate, with or without an exemption certificate:

Tonnage of ship	Charge		
	(1)	(2)	(3)
	Initial survey	Renewal survey	Intermediate or annual survey
500 tons or more	N\$15 915 plus N\$4 per ton or part thereof over 500 tons	N\$3 251 plus N\$2 per ton or part thereof over 500 tons	N\$1 625 plus N\$2 per ton or part thereof over 500 tons to a maximum of N\$20 000

(2) The charges in column (1) of the table in subregulation (1) cover -

- (a) any number of visits to the ship for the purpose of completing the survey;
- (b) the survey of all parts of the ship, including the hull when the survey thereof and of the other parts of the ship are conducted at the same time; and
- (c) the scrutiny of plans.

(3) The charges in columns (2) and (3) of the table in subregulation (1) cover -

- (a) two visits to the ship; and
- (b) the survey of all parts of the ship, including the hull when the survey thereof and of the other parts of the ship are conducted at the same time.

(4) If visits in addition to those referred to in subregulation (3)(a) are required to complete the survey, an additional charge of N\$405 per hour or part thereof, and travel and subsistence expenses, are payable in respect of each such visit.

Survey of ship for cargo ship safety equipment certificate

12. (1) Subject to subregulations (4) and (5), the following charges are payable for the survey of a ship for a cargo ship safety equipment certificate, with or without an exemption certificate:

Item	Tonnage of ship	Initial or Renewal survey	Intermediate or Annual survey
1	500 GT or more but not exceeding 1 600 GT	N\$7 927	N\$3 964
2	More than 1 600 GT but not exceeding 3 000 GT	N\$9 546	N\$4 773
3	More than 3 000 GT but not exceeding 10 000 GT	N\$11 105	N\$5 553
4	More than 10 000 GT but not exceeding 20 000 GT	N\$12 694	N\$6 344
5	More than 20 000 GT but not exceeding 50 000 GT	N\$14 289	N\$7 148
6	More than 50 000 GT	N\$15 915	N\$7 957

- (2) The charges in subregulation (1) cover -
- (a) two visits to the ship; and
- (b) the survey of all parts of the ship, except the ship's radio installations referred to in regulation 18.
- (3) The charges in subregulation (1) do not cover the scrutiny of plans or stability books referred to in regulation 25.
- (4) The charges in subregulation (1), multiplied by a factor of four, apply in respect of a newly constructed ship or a ship undergoing rebuilding or refurbishment and cover eight visits to the ship.
- (5) If visits in addition to those referred to in subregulation (2)(a) or (4) are required to complete the survey, an additional charge of N\$405 per hour or part thereof, and travel and subsistence expenses, are payable in respect of each such visit.

Survey of ship (other than passenger ship) for local safety certificate or certificate of fitness

13. (1) Subject to subregulations (3), (4) and (5), the following charges are payable for the survey of a ship (other than a passenger ship) for a local general safety certificate, with or without a local safety exemption certificate, or a certificate of fitness:

Item	Description of ship	Charge
1	Rowing boats not exceeding 6 metres in length	N\$115
2	Mechanically propelled ships and sailing ships not exceeding 6 metres in length	N\$181
3	Ships of more than 6 metres but less than 9 metres in length	N\$284
4	Ships of 9 metres or more in length but less than 25 tons	N\$574
5	Ships of 25 tons or more but not exceeding 100 tons	N\$1 196
6	Ships of more than 100 tons but not exceeding 500 tons	N\$1 988
7	Ships of more than 500 tons but not exceeding 1 600 tons	N\$3 184
8	Ships of more than 1 600 tons but not exceeding 3 000 tons	N\$4 767
9	Ships of more than 3 000 tons	N\$6 368

- (2) The charges in subregulation (1) cover -
- (a) two visits to the ship; and
- (b) the survey of all parts of the ship, except the hull, where the survey thereof requires the ship to be dry-docked, slipped or lifted by a Synchro-Lift or crane, and the ship's radio installations, but do not cover the scrutiny of plans or stability books.
- (3) Subject to subregulation (4), where the period of validity of the local safety certificate or certificate of fitness to be issued in respect of a ship referred to in item 1, 2, 3 or 4 of the table in subregulation (1) is less than 12 months, one twelfth of the charge in that subregulation is payable in respect of each month or part thereof of the certificate's period of validity, subject to a minimum of one half of the full charge.
- (4) The charges in subregulations (1) and (3), multiplied by a factor of four, apply in respect of a newly constructed ship or a ship undergoing rebuilding or refurbishment and cover eight visits to the ship.

(5) If visits in addition to those referred to in subregulation (2)(a) or (4) are required to complete the survey, an additional charge of N\$405 per hour or part thereof, and travel and subsistence expenses, are payable in respect of each such visit.

Survey of ship for IGC Code certificate

14. The following charges are payable for the survey of a ship for an IGC Code certificate -

- (a) initial or renewal survey: N\$11 117;
- (b) intermediate, annual or additional survey: N\$405 per hour or part thereof.

Survey of ship for IBC Code certificate

15. The following charges are payable for the survey of a ship for an IBC Code certificate -

- (a) initial or renewal survey: N\$7 939;
- (b) intermediate, annual or additional survey: N\$405 per hour or part thereof.

ISM Code certificates

16. (1) The following charges are payable for the specified verification audits in respect of the specified ISM Code certificates -

- (a) document of compliance -
 - (i) initial verification: N\$19 032;
 - (ii) renewal verification: N\$ 12 694;
 - (iii) annual or additional verification: N\$6 350;
- (b) safety management certificate:
 - (i) initial verification: N\$7 939;
 - (ii) renewal verification: N\$5 559;
 - (iii) intermediate verification: N\$3 976.

(2) The charges in paragraph (a) of subregulation (1) allow the following maximum number of hours for completion of the particular verification -

- (a) subparagraph (i): 40 hours;
- (b) subparagraph (ii): 20 hours;
- (c) subparagraph (iii): 10 hours,

and if additional hours are required to complete the verification, an additional charge of N\$405 per hour or part thereof, is payable in respect of each such hour.

(3) The charges in paragraph (b) of subregulation (1) cover two visits to the ship, and if additional visits are required to complete the verification, an additional charge of N\$405 per hour or part thereof, and travel and subsistence expenses, are payable in respect of each such visit.

Survey of ship for load line certificate

17. (1) Subject to subregulations (2) and (3), the following charges are payable for the survey of a ship for a load line certificate or a load line exemption certificate, and for the calculation and assignment of a load line:

Item	Tonnage of ship	Charge	
		(1)	(2)
		Initial or renewal survey, and calculation and assignment of load line	Intermediate, partial or annual survey and renewal of load line exemption
1	Less than 100 GT	N\$1 275	N\$405
2	100 tons or more but less than 300 tons	N\$2 223	N\$810
3	300 tons or more but less than 500 tons	N\$3 806	N\$1 903
4	500 tons or more but less than 1 600 tons	N\$6 350	N\$3 178
5	1 600 tons or more but less than 10 000 tons	N\$9 522	N\$4 761
6	10 000 tons or more	N\$12 694	N\$6 344

(2) The charges in column (1) of the Table in subregulation (1) apply in respect of the provisional assignment of freeboard, in which case no charge is payable for a subsequent initial survey for a load line certificate.

(3) The charges in column (2) of the Table in subregulation (1) apply in respect of the partial survey of a ship for a change of freeboard in consequence of minor alterations to the ship.

(4) The charges in this regulation cover two visits to the ship, and if additional visits are required to complete the survey or calculation, an additional charge of N\$810 per hour or part thereof, and travel and subsistence expenses, are payable in respect of each such visit.

Inspection of radio installations

18. (1) Subject to subregulation (2), the following charges are payable for the inspection of the radio installation(s) on a ship:

Item	Description of ship	Charge
	<i>GMDSS ships</i>	
1	Ships of 25 tons or more	N\$2 393
	<i>Non-GMDSS ships</i>	
2	Passenger ships of less than 25 tons, and all other ships of 25 tons or more but less than 100 tons	N\$272
3	Ships of 100 tons or more but less than 300 tons	N\$393
4	Ships of 300 tons or more but less than 1 600 tons	N\$1 196
5	Ships of 1 600 tons or more	N\$2 375
<p><i>Note</i>-A GMDSS ship is a ship that is fitted with radio equipment operating in the Global Maritime Distress and Safety System.</p>		

(2) The charges in subregulation (1) cover two visits to the ship, and if additional visits are required, to complete the inspection, an additional charge of N\$405 per hour or part thereof is payable in respect of each such visit.

(3) Where an inspection is carried out outside the harbour areas of Walvis Bay or Lüderitz, travel and subsistence expenses are payable in addition to the charges referred to in subregulation (1).

(4) A charge of N\$405 is payable for the issue of a cargo ship safety radio certificate, with or without an exemption certificate, including a record of radio equipment (if any).

(5) A charge of N\$405 is payable for the issue of a radio installation exemption certificate.

Hull surveys

19. (1) Subject to subregulations (2) and (3) and regulations 49 and 50, the following charges are payable for the survey of the hull of a ship:

Item	Length or tonnage of ship	Charge
1	Less than 9 metres	N\$181
2	9 metres or more but not exceeding 25 tons	N\$405
3	More than 25 tons but not exceeding 100 tons	N\$810
4	More than 100 tons but not exceeding 500 tons	N\$1 196
5	More than 500 tons but not exceeding 5 000 tons	N\$2 393
6	More than 5 000 tons but not exceeding 10 000 tons	N\$3 184
7	More than 10 000 tons but not exceeding 20 000 tons	N\$4 767
8	More than 20 000 tons but not exceeding 50 000 tons	N\$7 939
9	More than 50 000 tons	N\$9 522

(2) The charges in subregulation (1) cover two visits to the ship, and if additional visits are required to complete the inspection, an additional charge of N\$405 per hour or part thereof, and travel and subsistence expenses, are payable in respect of each such visit.

(3) Where a dry-docking certificate is issued for a period exceeding 12 months, an additional charge of one twelfth of the applicable charge specified in subregulation (1) is payable in respect of each month or part thereof of the period exceeding 12 months.

Inspection and approval of life-saving appliances and life-raft service stations

20. (1) A charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810, is payable for -

- (a) the examination of the design of each individual type of life-saving appliance;
- (b) the inspection of the first appliance manufactured to that design and, if required, the issue of a certificate of approval;
- (c) the inspection during construction and for the certification, or re-certification, of a buoyant apparatus, life-boat, rescue boat, life-raft or other boat carried in a ship and intended for use as a life-saving appliance; and
- (d) the issue of a report of inspection.

(2) The following charges are payable for the inspection and stamping of life-jackets, subject to a minimum charge of N\$810 per visit -

- (a) inspection and stamping, per life-jacket: N\$10;
- (b) inspection only, per life-jacket: N\$7.

(3) A charge of N\$405 per hour or part thereof is payable for attendance at a life-raft service station at the request of the service station or the master or owner of the ship to which the life-raft belongs.

(4) A charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810, is payable for the approval of an individual item of life-saving equipment on the strength of an approval issued by another competent authority.

(5) Subject to subregulation (6) a charge of N\$1 625 is payable for the inspection and approval of a life-raft service station.

(6) The charge in subregulation (5) covers two visits to the station, and if additional visits are required to complete the inspection and approval, an additional charge of N\$810 per hour or part thereof, and travel and subsistence expenses, are payable in respect of each such visit.

Inspection and approval of fire appliances and fire appliance service stations

21. (1) A charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810, is payable for -

- (a) the examination of the design of a fire appliance;
- (b) the inspection of the first appliance manufactured to that design and, if required, the issue of a certificate of approval;
- (c) the witnessing of tests of fire extinguishers, fire detecting apparatus, smoke helmets and breathing apparatus, fire pumping units, spray nozzles and similar appliances; and
- (d) the issue of a report of inspection.

(2) A charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810, is payable for the approval of a fire appliance on the strength of an approval issued by another competent authority.

(3) Subject to subregulation (4), a charge of N\$1 625 is payable for the inspection and approval of a fire appliance service station.

(4) The charge in subregulation (3) covers two visits to the station, and if additional visits are required to complete the inspection and approval, an additional charge of N\$810 per hour or part thereof, and travel and subsistence expenses, are payable in respect of each such visit.

Dangerous goods cargoes

22. The following charges are payable for the specified services -

- (a) granting of an exemption: N\$405 per hour or part thereof;

- (b) inspection of a ship in which explosives or other dangerous goods are proposed to be carried, to determine -
- (i) before loading, whether the ship is equipped and in all other respects suitable to carry such goods: N\$405 per hour or part thereof, subject to a minimum charge of N\$810;
 - (ii) whether the proposed stowage complies with the applicable requirements: N\$405 per hour or part thereof; and
 - (iii) during loading and upon completion of loading, whether the goods have been handled and stowed in accordance with the applicable requirements: N\$405 per hour or part thereof, subject to a minimum charge of N\$810;
- (c) inspection of an empty magazine or container to determine its suitability to carry dangerous goods: N\$405 per magazine or container plus N\$405 per hour or part thereof in excess of two hours, and travel and subsistence expenses;
- (d) inspection of a magazine or container loaded with dangerous goods to determine its suitability for carriage by sea: N\$405 per hour or part thereof, and travel and subsistence expenses;
- (e) inspection of a ship for a document of compliance: N\$405 per hour or part thereof for the inspection, subject to a minimum charge of N\$810.

Grain cargoes

23. A charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810 is payable for any work relating to services in terms of the Act.

Timber-deck cargoes

24. A charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810, is payable for the inspection of stowage plans, fittings, and stowage and securing arrangements in respect of timber deck cargoes.

Approval of plans and stability books

25. (1) A charge of N\$405 per hour or part thereof is payable for the scrutiny and approval of plans in respect of any new construction, alteration, rebuilding, registration or refurbishment of a ship.

(2) Subject to this subparagraph, the following charges are payable for the inspection and approval of a ship's stability book or stability statement:

Item	Tonnage of ship	Charge	
		Passenger ships	Other ships
I	Not exceeding 100 tons	N\$1 601	N\$792
2	More than 100 tons but not exceeding 500 tons	N\$2 426	N\$1 196
3	More than 500 tons but not exceeding 1 600 tons	N\$2 393	N\$1 583
4	More than 1 600 tons but not exceeding 10 000 tons	N\$3 994	N\$3 184
5	More than 10 000 tons	N\$1 6670	N\$15 860

(3) The charges in subregulation (2) cover the initial submission and inspection of a stability book or statement and one re-submission and inspection, if further re-submissions and inspections are required to complete the approval, an additional charge of N\$810 is payable in respect of each re-submission or inspection.

(4) A charge of N\$405 per hour or part thereof is payable for the witness and verification of an inclining experiment.

Division 2-Pollution prevention services

Survey of ship for IOPP certificate

26. The following charges are payable for the survey of a ship for an IOPP certificate -

(a) initial or renewal survey -

(i) oil tanker not exceeding 4 000 DW:..... N\$4 767;

(ii) oil tanker of more than 4 000 DW:..... N\$6 350;

(iii) any other ship of -

(aa) 400 tons or more but not exceeding 1 000 tons:..... N\$810;

(bb) more than 1 000 tons but not exceeding 3 000 tons:..... N\$1 196;

(cc) more than 3 000 tons: N\$1 909;

(b) annual survey -

(i) oil tanker:..... N\$1 275;

(ii) any other ship of -

(aa) 400 tons or more but not exceeding 1 000 tons:..... N\$405;

(bb) more than 1 000 tons but not exceeding 3 000 tons:..... N\$598;

(cc) more than 3 000 tons: N\$973;

(c) intermediate or additional survey:..... N\$1 625.

Survey of ship for INLS certificate

27. The following charges are payable for the survey of a ship for INLS certificate -

(a) initial or renewal survey -

(i) chemical tanker (all ship-types):..... N\$7 939;

(ii) oil tanker capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank:..... N\$810;

(b) annual survey -

- (i) chemical tanker:..... N\$3 251;
- (ii) oil tanker capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank:..... N\$405;
- (c) intermediate or additional survey -
 - (i) chemical tanker:..... N\$3964;
 - (ii) oil tanker capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank:..... N\$405.

Survey of ship for BCH Code certificate

- 28.** The following charges are payable for the survey of a ship for a BCH Code certificate -
- (a) initial or renewal survey:..... N\$7 939;
 - (b) intermediate, annual or additional survey: N\$405 per hour or part thereof.

Survey of offshore installation for pollution safety certificate

29. A charge of N\$5 000 plus N\$405 per hour or part thereof, and travel and subsistence expenses, are payable in respect of the survey of an offshore installation for a pollution safety certificate.

CLC insurance certificates

30. A charge of N\$3 976 is payable for the issue of a certificate of insurance or other financial security.

Inspection equipment and documents under MARPOL 1973/78

31. (1) Where an officer conducts an inspection to determine whether certain equipment or documents comply with the applicable requirements of MARPOL 1973/78, a charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810, is payable.

(2) Where a certificate of inspection is desired, an additional charge of N\$405 is payable.

(3) A charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810, is payable for the approval of any item of equipment required by MARPOL 1973/78 on the strength of an approval issued by another competent authority.

Inspection of cargo spaces under Annex II to MARPOL 1973/78

32. (1) Where an officer conducts an inspection of cargo spaces to determine whether the provisions of Annex II to MARPOL 1973/78 have been complied with, a charge of N\$405 per cargo space inspected is payable.

(2) Where a certificate of inspection is desired, an additional charge of N\$405 is payable.

Provisional assessment of noxious liquid substances

33. A charge of N\$3 976 is payable in respect of each noxious liquid substance provisionally assessed in terms of regulation 3(4) of Annex II to MARPOL 1973/78.

Transhipment of oil

34. A charge of N\$405 per hour or part thereof and travel and subsistence expenses, are payable for attendance by a representing officer during a transhipment of oil operation in accordance with the Pollution of the Sea by Oil Act, 1981.

Division 3-Miscellaneous**Partial surveys**

35. (1) A charge of N\$405 per hour or part thereof is payable for any partial survey or survey for the issue of an optional alternative certificate, not otherwise provided for in this Part.

(2) Where a ship is surveyed for the purposes of the alteration of any statutory certificate, a charge of N\$405 per hour or part thereof is payable.

(3) Travel and subsistence expenses are payable in addition to the charges referred to in subregulation (1) or (2).

Detained ships

36. (1) Subject to subregulation (2), the following charges are payable in respect of a ship that is detained:

Item	Tonnage of ship	Charge
1	Less than 25 tons	N\$1 142
2	25 tons or more but not exceeding 500 tons	N\$2 145
3	More than 500 tons but not exceeding 750 tons	N\$3 571
4	More than 750 tons but not exceeding 1 000 tons	N\$8 574
5	More than 1 000 tons but not exceeding 3 000 tons	N\$17 140
6	More than 3 000 tons	N\$25 721

(2) The charges in subregulation (1) cover two visits to the ship, and if additional visits are required before the ship can be released from detention, an additional charge of N\$6 110 per hour or part thereof is payable in respect of each such visit.

(3) Travel and subsistence expenses are payable in addition to the charges specified in subregulation (1).

PART IV
CERTIFICATION OF SEAFARERS

Certificates of competency for personnel aboard fishing vessels

37. (1) Subject to subregulation (2), the following charges are payable in respect of full or partial examination for the specified certificates of competency -

- (a) Deck Officer Class 6 (Mate II - F; Skipper II - F);..... N\$242;

(b) Deck Officer Class 5 (Mate I - F; Skipper I - F):..... N\$405;

(2) If a candidate is examined or re-examined separately in the signalling part of the examination for a certificate referred to in subregulation (1), a charge of N\$163 is payable in respect of each examination or re-examination.

(3) The following charges are payable in respect of examination for the specified certificates of competency -

(a) Engineer Officer Class 6 - II - F (Second Engineer - F <750 KW):..... N\$242;

(b) Engineer Officer Class 6 - I - F (Chief engineer - F <750 KW):..... N\$242;
(Second Engineer - F <1200KW)

(c) Engineer Officer Class 5 - F -(Chief Engineer - F <12000 KW):..... N\$405;
(Second Engineer - F <3000 KW)

(d) Engineer Officer Class 4/3 - F (Chief Engineer - F <3000 KW):..... N\$556;
(Second Engineer -F Propulsion machinery unlimited)

(e) Engineer Officer Class 2/1 - F (Chief Engineer - F Propulsion machinery unlimited):
..... N\$556.

(4) A charge of N\$163 is payable for exchanging an existing certificate of competency for a new format certificate.

(5) A charge of N\$121 is payable where an examiner is requested to assess a candidate's sea service or eligibility to attempt an examination for a certificate of competency referred to in subregulations (1) or (3).

Certificates of competency for engineer officers

38. (1) The following charges are payable in respect of examination for the certificates of competency for engineer officers -

(a) Engineer Officer Class 4:..... N\$556;

(b) Engineer Officer Class 3:..... N\$634;

(c) Engineer Officer Class 2:..... N\$810;

(d) Engineer Officer Class 1:..... N\$1 275.

(2) A charge of N\$163 is payable for the exchange of an existing certificate of competency for a new format certificate.

(3) A charge of N\$163 is payable for the issue of any endorsement in respect of a certificate referred to in subregulation (1).

(4) A charge of N\$242 is payable for the revalidation of a certificate referred to in subregulation (1).

(5) A charge of N\$121 is payable where an examiner is requested to assess a candidate's sea service or eligibility to attempt an examination for a certificate of competency referred to in subregulation (1) or (2).

Certificates of competency for deck officers

39. (1) Subject to subregulation (2), the following charges are payable in respect of examination for the specified certificates of competency -

- (a) Deck Officer Class 4:..... N\$556;
- (b) Deck Officer Class 3:..... N\$634;
- (c) Deck Officer Class 2:..... N\$810;
- (d) Deck Officer Class 1:..... N\$1 275.

(2) If a candidate is examined or re-examined separately in the signalling part of the examination for a certificate referred to in subregulation (1), a charge of N\$163 is payable in respect of each examination or re-examination.

(3) A charge of N\$163 is payable for exchanging an existing certificate of competency for a new format certificate.

(4) A charge of N\$163 is payable for the issue of any endorsement in respect of a certificate referred to in subregulation (1).

(5) A charge of N\$242 is payable for the revalidation of a certificate referred to in subregulation (1).

(6) A charge of N\$121 is payable where an examiner is requested to assess a candidate's sea service or eligibility to attempt an examination for a certificate of competency referred to in subregulation (1) or (3).

Licences for compass adjusters

40. The following charges are payable in respect of the examination and licensing of compass adjusters -

- (a) Compass Adjuster (Restricted) -
 - (i) full examination:..... N\$810;
 - (ii) partial examination:..... N\$405;
- (b) Compass Adjuster(Unrestricted) -
 - (i) full examination:..... N\$1 196;
 - (ii) partial examination:..... N\$598.

Moderation of examination papers and scripts, and accreditation of training institutions

41. (1) A charge of N\$405 is payable for the moderation of an examination paper, and includes the moderation, and one remark, of any examination script relating to that paper.

(2) A charge of N\$405 per hour or part thereof is payable for the setting of an examination paper.

(3) A charge of N\$405 per hour or part thereof is payable in respect of services relating to the accreditation of a training institution or the approval of any training programme.

Colour and form vision tests

42. (1) Subject to subregulation (2), a charge of N\$91 is payable in respect of colour and form vision tests.

(2) The charge referred to in subregulation (1) is not refundable if the applicant fails to be in attendance at the appointed date and time, unless the applicant produces a medical certificate or other acceptable evidence of his or her inability to attend.

(3) No charge is payable if the colour and form vision tests are taken at the same time as the examination for the certificates or licences referred to in regulations 37(1), 39(1) or 40.

PART V MISCELLANEOUS

Inspection of crew accommodation

43. (1) A charge of N\$405 per hour or part thereof is payable for the inspection of compartments in accordance with the Crew Accommodation Regulations, 1961, and for the marking of accommodation prior to registration or re-registration of the ship in Namibia.

(2) A charge of N\$405 per hour or part thereof is payable by the owner of the ship concerned for any inspection of crew accommodation that is conducted as a result of a reasonable complaint about such accommodation.

Discharge of seamen

44. (1) Where a seaman is discharged before an officer in terms of the Act, at an office of the Directorate: Maritime Affairs, a charge of N\$85 is payable by the master or owner of the ship from which the seaman is discharged.

(2) Where a seaman is discharged on board a ship at a port in Namibia, a charge of N\$70 plus N\$405 per visit that an officer makes to the ship to complete the discharge is payable by the master or owner of the ship.

Extra and special attendance

45. (1) Subject to subregulation (2), the Ministry's normal business hours are from 08:00 to 16:00 daily, excluding Saturdays, Sundays and public holidays.

(2) The Ministry from time to time determines and publishes details of the times and places at which officers are available to conduct surveys of bottom accessible small vessels, and if attendance by an officer is required at another time or place, the charge for the particular service plus an additional charge of N\$405 per hour or part thereof, and travel and subsistence expenses, are payable.

(3) Where, in relation to any other matter, attendance by an officer is required outside the Ministry's normal business hours, the charge for the particular service plus an additional charge of N\$405 per hour or part thereof, and travel and subsistence expenses, are payable.

Services at sea or outside Namibia

46. Where attendance by an officer is required at sea or outside Namibia, the charge for the particular service plus an additional charge of N\$405 per hour or part thereof, subject to a maximum charge of N\$3 240 per calendar day, and travel and subsistence expenses, are payable, and if attendance includes Saturday, Sunday or public holiday, the hourly rate on those days is N\$810 per hour or part thereof, subject to a maximum daily charge of N\$6 480.

Inland services

47. (1) Where attendance by an officer is required at any place in Namibia away from that officer's normal place of work, the charge for the particular service plus an additional charge of N\$405 per hour or part thereof, subject to a maximum charge of N\$3 240 per calendar day, and travel and subsistence expenses, are payable, and if attendance includes Saturday, Sunday or public holiday, the hourly rate on those days is N\$810 per hour or part thereof, subject to a maximum daily charge of N\$6 480.

(2) In this regulation, "normal place of work" means the area within the jurisdiction of the Ministry of Works and Transport concerned, extending inland not further than 50 kilometres from the coast.

Consultancy services

48. (1) A charge of N\$405 per hour or part thereof, subject to a minimum charge of N\$810, is payable in respect of consultancy services.

(2) A "consultancy service" is any service in respect of which no charge is otherwise provided for in these regulations, and includes the compilation of any repair list for the purpose of assisting compliance with applicable statutory requirements.

(3) Where an officer is requested to provide a written interpretation of any statutory requirement, a charge of N\$405 per hour or part thereof is payable.

Travel and subsistence

49. All travel and subsistence expenses payable in respect of an officer are to be calculated in accordance with the applicable tariffs for staff members in the public service.

Miscellaneous charges

50. The following charges are payable for -

- (a) a Code of Safe Working Practices for Fishing Vessels:..... N\$50;
- (b) an Official Logbook:..... N\$65;
- (c) a Radio logbook:..... N\$65;
- (d) a Seaman's Record book: N\$163, except if the book was lost through shipwreck or fire aboard the ship, in which case it is free of charge;
- (e) photocopies: N\$0,60 per A4 size page or part thereof;
- (f) any publication on compact disc:..... N\$100.

Refusal of services

51. (1) An officer may discontinue or refuse to conduct any survey or inspection if he or she is satisfied on reasonable grounds that the ship, premises or thing to be surveyed or inspected has not been properly prepared for that purpose.

(2) Where an officer discontinues or refuses to conduct a service pursuant to subregulation (1), a charge of N\$810 per hour or part thereof, and travel and subsistence expenses, are payable at the discretion of the Permanent Secretary.

Overdue charges

52. Interest at the applicable prime bank overdraft rate charged by the Banker, plus one per cent compounded monthly, is payable in respect of the outstanding balance of any charge after the due date.

Variation and waiver of charges

53. Charges provided under these regulations may not be varied or waived.

PART VI
SHIP AND PORT SECURITY

Declaration of security level

54. A charge payable for declaring the security level to be applied aboard a ship or a port facility is N\$181, and if the security level is changed an additional charge of N\$181 is payable for each change of security level.

Declaration of port facility

55. A charge payable for declaring a facility in the port as a port facility is N\$370 plus any costs incurred in getting to the port facility.

Approving a Recognised Security Organisation

56. A charge of N\$405 per hour or part thereof is payable for the inspection of premises, scrutiny of personnel, security training records and security equipment of a security organisation and the issuing of an approval certificate.

Approving ship security assessment or port facility security assessment

57. A charge of N\$405 per hour or part thereof is payable for an officer of the Ministry to scrutinize, evaluate and approve a ship security or a port facility security assessment, and in addition, any cost of conveyance to and from the ship or port facility is payable.

Approving ship security plan or port facility security plan

58. A charge of N\$405 per hour or part thereof is payable for an officer of the Ministry to scrutinize, evaluate and approve a ship security or a port facility security plan, and in addition, any cost of conveyance to and from the ship or port facility is payable.

Reviewing ship or port facility security plan

59. A charge of N\$405 per hour or part thereof is payable for an officer to scrutinize, evaluate and review a ship security or a port facility security plan, and in addition, any cost of conveyance to and from the ship or port facility is payable.

Issuing certificate of compliance

60. A charge of N\$181 is payable for the issue of a certificate of compliance for a ship or a port facility.
