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GENERAL NOTICES

NOTICE 920 OF 2013

SOUTH AFRICAN MARITIME SAFETY AUTHORITY

SOUTH AFRICAN MARITIME SAFETY AUTHORITY ACT, 1998 (ACT No. 5 OF 1998)

DETERMINATION OF CHARGES

The South African Maritime Safety Authority, under section 44 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998), revokes the determinations published by General Notice 807 of 30 July 2009 and has, under those sections, makes the determination in the accompanying Schedule, with effect in each case from 1 November 2013.

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PART 1

GENERAL

1 Definitions

(1) In this determination any word or expression given a meaning in the Act has the given meaning and, unless the context indicates otherwise—

"BCH Code certificate" means a Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk as defined in regulation 1(1) of the Marine Pollution (BCH Code) Regulations, 1998;

"cargo ship safety construction certificate", "cargo ship safety equipment certificate" and "cargo ship safety radio certificate" have the same meanings as in section 2(1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

"certificate of fitness" has the same meaning as in regulation 2(1) of the Merchant Shipping (National Small Vessel Safety) Regulations, 2007;

"charge" means a charge imposed by this determination;

"chemical tanker" has the same meaning as in regulation 1(1) of Annex I to MARPOL73/78;

"continuous synopsis record" means a continuous synopsis record within the meaning of the Merchant Shipping (Continuous Synopsis Record) Regulations, 2004;

"Declaration of Maritime Labour Compliance" means the Declaration of Maritime Labour Compliance referred to in regulation 8 of the Merchant Shipping (Maritime Labour Convention) Regulations¹;

"document of compliance" has the same meaning as in regulation 3(1) of the Merchant Shipping (Safety Management) Regulations, 2003;

"exemption certificate" has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951;

"IBC Code certificate" means an International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk as defined in regulation 1(1) of the Merchant Shipping/Marine Pollution (IBC Code) Regulations, 1998;

"IGC Code certificate" means an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk as defined in regulation 1(1) of the Merchant Shipping (IGC Code) Regulations, 1998;

"INLS certificate" means an International Pollution Prevention Certificate for the Carriage of

¹ This will come into force with immediate effect when the Regulations are signed into law.

Noxious Liquid Substances in Bulk issued in conformity with Annex II to MARPOL 1973/78;

"Interim Maritime Labour Certificate" means the Maritime Labour Certificate referred to in regulation 9 of the Merchant Shipping (Maritime Labour Convention) Regulations²;

"interim ISSC" has the same meaning as in regulation 3(1) of the Merchant Shipping (Maritime Security) Regulations, 2004;

"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 a safety management certificate;

"ISSC" means an International Ship Security Certificate within the meaning of the Merchant Shipping (Maritime Security) Regulations, 2004;

"ISSC verification" means determining whether a ship is ISSC verified in terms of regulation 79(1) of the Merchant Shipping (Maritime Security) Regulations, 2004;

"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 licenced under section 68 of the Merchant Shipping Act, 1951, the length shown in the licence; 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 (LOA);

"load line certificate" and "load line exemption certificate" have the same meanings as in section 2(1) of the Merchant Shipping Act, 1951;

"local general safety certificate" has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951;

"local safety certificate" and "local safety exemption certificate" have the same meanings as in section 2(1) of the Merchant Shipping Act, 1951;

"MARPOL 1973/78" means the International Convention for the Prevention of Pollution from Ships, 1973, as amended by the 1978 Protocol;

"master" means the person having command or charge of a ship, excluding a pilot;

"Maritime Labour Certificate" means the Maritime Labour Certificate referred to in regulation 7 & 8 of the Merchant Shipping (Maritime Labour Convention) Regulations³;

² This will come into force with immediate effect when the Regulations are signed into law.

³ This will come into force with immediate effect when the Regulations are signed into law.

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

"owner", in relation to a ship, means the person to whom the ship or a share in the ship belongs;

"passenger ship" has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951;

"passenger ship safety certificate" has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951;

"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 Marine Pollution (Control and Civil Liability) Act, 1981 (Act No. 6 of 1981);

"port" has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951;

"principal officer" has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951;

"seafarer recruitment and placement service" means a person that recruits seafarers or carries on business of recruiting and placing of seafarers on behalf of a shipowner or places seafarers with a shipowner referred to in regulation 5 of the Merchant Shipping (Seafarer Recruitment and Placement) Regulations⁴;

"register" means the South African Ships Register established by section 33 of the Ship Registration Act, 1998 (Act No. 58 of 1998); and "registered" has a corresponding meaning;

"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, a local safety exemption certificate or a certificate of fitness;

"safety management certificate" has the same meaning as in regulation 3(1) of the Merchant Shipping (Safety Management) Regulations, 2003;

"service" means any service or facility provided by the Authority, and includes any inspection or survey and the issue of any certificate or other document;

"ship security plan" has the same meaning as in regulation 3(1) of the Merchant Shipping (Maritime Security) Regulations, 2004;

"small vessel" has the same meaning as in section 2(1) of the Merchant Shipping Act, 1951;

"ton", in relation to a ship, means its 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;

"tonnage certificate" means a certificate referred to in regulation 11 of the Tonnage Regulations, 1986,

⁴ This will come into force with immediate effect when the Regulations are signed into law.

(2) In this determination the expression, in relation to a service, of a charge in rand per hour is taken to include an officer's time spent travelling for the purpose of providing the service.

2 Application

This determination applies to the specified services, wherever provided.

3 By whom charges payable

Except where otherwise expressly provided, charges are payable by the person requesting the service, whether or not for another.

4 When charges payable, etc.

(1) Charges are payable either before or after provision of the relative service, as the Chief Executive Officer may determine, the Chief Executive Officer or his designated representative or the Principal Officer in the case of a port office, may direct that the issue of any certificate or other document be refused unless the relative charge has been paid or satisfactory arrangements for the payment thereof have been made.

(2) Notice of cancellation of any prearranged service, or of any change thereto, must be given not later than 48 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 4 (Certification of seafarers, etc.):

- (a) If, through circumstances beyond his or her control, a candidate is unable to sit or complete an examination for which a charge has been paid, the candidate is entitled to the refund of the charge. An administration fee of 30% will be charged on such refund.
- (b) Not used.
- (c) If a candidate has already paid the charge for an examination for a certificate of competency or an endorsement thereto and 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 examination charge. An administration fee of 30% will be charged on such refund.
- (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 service 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.
- (g) A candidate who submits false or misleading documentation in an application

for certification or examination is not entitled to the refund of any relative charge.

- (4) Any charge paid in advance to the Authority is taken to be forfeited to the Authority if, without fault of the Authority, the relative service is not completed within the period expiring six months after the date of payment. In such a case, continuation of the service is subject to the further payment of the full charge.

5 To whom charges payable

All charges are payable to the Authority, who must issue to the payer a receipt for the amount paid stating the reason for payment.

6 Value added tax

Charges do not include value added tax.

7 Certificates and other documents

- (1) Except where otherwise expressly provided, these charges cover the issue, alteration or endorsement of any relative certificate or other document.
- (1A) A charge of R820 is payable for the issue of a safe manning document under the Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2013. However, there is no charge for the document if it is issued together with a local general safety certificate for the same vessel.
- (2) (a) Except where otherwise expressly provided, a charge of R1640 is payable for the issue of any of the following certificates on the strength of a survey report or calculation provided by a person other than an officer: safety certificate; IGC Code certificate; IBC Code certificate; BCH Code certificate; ISM Code certificate; load line certificate; load line exemption certificate; IOPP certificate; INLS certificate; tonnage certificate; pollution safety certificate; or any other statutory or non-statutory certificate.
- (b) For vessels contemplated under the Merchant Shipping (National Small Vessel Safety) Regulations, 2007 that are surveyed outside of the Republic by a third party; a fee of R820 is payable.
- (3) Except where otherwise expressly provided, the following charges are payable for the replacement of or for a copy of—
- (a) a lost, mutilated or damaged certificate of competency, certificate of service or license as compass adjuster—R370;
- (b) a lost, mutilated or damaged certificate of competence as skipper (small vessels) or certificate of qualification—R370;
- (c) any other statutory certificate or document—R370.

PART 2

SHIP REGISTRATION, LICENSING AND TONNAGE MEASUREMENT

8 Ship registration etc.

The following charges are payable for the specified services:

- (a) (i) issuing a carving and marking note and inspection of the marking—R820, which covers one visit to the ship. If additional visits are required to complete the inspection, an additional charge of R820 per hour, and travel and subsistence expenses, are payable for each such visit;
- (ii) renewing a ship's registration—R820 (if registration particulars are to be amended, the applicable charges specified in subparagraphs (b) and (c) are also payable);
- (b) (i) registering a ship in the Republic for the first time (excluding ships on bareboat charter);
- (ii) Not used;
- (iii) registering a ship anew upon change of ownership;
- (iv) registering a ship anew upon sale under a certificate of sale;
- (v) registering a ship anew as a result of alterations to the ship;
- (vi) registering a ship on bareboat charter:

Item	Tonnage of ship	Charge
1	≤ 25 tons and Pleasure vessels <24m	R1755
2	< 25 but ≤ 200 tons	R3300
3	> 200 but ≤ 1 000 tons	R6600
4	> 1 000 tons	R6600 plus R665 for every 500T over 1000T (or part thereof) subject to a maximum of R21060

- (c) (i) granting a new registration certificate where the original has been mislaid, lost or destroyed;
- (ii) registering alterations to a ship in the register;
- (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 mortgage;
- (viii) changing a ship's home port;
- (ix) issuing a deletion certificate,

A fee of R1055 is payable and includes the issue or endorsement of any certificate.

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

Item	Tonnage of ship	Charge
1	≤ 50 tons ships (other than passenger ships) and pleasure vessels <100 tons	R1640
2	≤ 50 tons (passenger ships)	R3265
3	> 50 but ≤ 100 tons	R4900
4	> 100 but ≤ 300 tons	R6535
5	> 300 but ≤ 500 tons	R9800
6	> 500 tons	R9800 plus R400 for every additional 500T over 500T (or part thereof) subject to a maximum of R21060

- (e) granting a temporary pass in the place of a registration certificate—R820;
- (f) issuing a continuous synopsis record, or any amendment or revision of the record, for a ship—R390;
- (g) certifying a copy of an extract from the register at time of registration—R820
- (h) certifying a copy of the particulars of transactions recorded in the register after registration—R820.

8A Ship licensing

- (1) The following charges are payable for the issue or renewal of a licence in terms of sections 68 and 69, respectively, of the Merchant Shipping Act, 1951 (Act No. 57 of 1951):

Item	Tonnage of Ship	Charge	
		Issue	Renewal
1	≤ 25 tons (or <14m LOA)	No charge at present	No charge at present
2	> 25 but ≤ 500 tons	R1640	R410
3	> 500 tons	R2455	R410

9 Tonnage measurement

- (1) Subject to subparagraph (2), the following charges are payable for the measurement of a ship in terms of the Tonnage Regulations, 1986:

Item	Registered length of ship	Charge
1	≤ 24metres	R4855
2	≥ 24 but ≤ 36 metres	R9790
3	≥ 36 but ≤ 55 metres	R12890
4	≥ 55 but ≤ 68 metres	R25785
5	> 68 metres	R32295

- (2) Where an officer finds it necessary to visit a ship because the ship's plans are inadequate, an additional charge of R820 per hour or part thereof, and travel and subsistence expenses, are payable.
- (3) A charge of R820 per hour is payable for providing particulars of a tonnage computation.

PART 3

SHIP SAFETY AND SECURITY, AND POLLUTION PREVENTION

Division 1—Ship safety services

10 Survey of passenger ship for safety certificate

- (1) (a) Subject to subparagraphs (2) and (3), 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	≤ 25 tons	R1640
2	> 25 but ≤ 50 tons	R3265
3	> 50 but ≤ 100 tons	R4900
4	> 100 but ≤ 300 tons	R6535
5	> 300 but ≤ 500tons	R11436
6	> 500 tons	R11436 plus R4 per ton over 500 tons; subject to a maximum of R63180.

- (b) The charges in item (a) cover—
- (i) one visit to the ship; and
 - (ii) 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 ships radio installations but do not cover the scrutiny of plans or stability books .
- (2) Subparagraph (1)(a) does not apply to ships under construction or undergoing rebuilding or refurbishment. Visits to such a ship are to be charged at the hourly rate plus travel and subsistence expenses, as specified in subparagraph (3), until such time as the ship is ready for final survey and certification, whereupon the charges in subparagraph (1)(a) become applicable.
- (3) If visits in addition to those referred to in subparagraph (1)(b)(i) are required to complete the survey, an additional charge of R820 per hour, and travel and subsistence expenses, are payable for each such visit.

11 Survey of ship for cargo ship safety construction certificate

- (1) (a) Subject to subparagraph (2), 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	R31675 plus R12 per ton over 500 tons; subject to a maximum of R199015	R6600 plus R6 per ton over 500 tons; subject to a maximum of R98980	R3290 plus R12 per ton over 500 tons; subject to a maximum of R66340

- (b) The charges in column (1) of the table in item (a) cover—
- any further of visits to the ship for the purpose of completing the survey;
 - 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
 - the scrutiny of plans.
- (c) The charges in columns (2) and (3) of the table in item (a) cover—
- one visits to the ship; and
 - 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.
- (2) If visits in addition to those referred to in subparagraph (1)(c)(i) are required to complete the survey, an additional charge of R820 per hour, and travel and subsistence expenses, are payable for each such visit.

12 Survey of ship for cargo ship safety equipment certificate

- (1) (a) Subject to subparagraphs (2) and (3), 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	Charge	
		Initial or renewal survey	Intermediate or annual survey
1	≥ 500 but ≤ 1 600 tons	R16080	R8045
2	> 1 600 but ≤ 3 000 tons	R19360	R9675
3	> 3 000 but ≤ 10 000 tons	R22525	R11270
4	> 10 000 but ≤ 20 000 tons	R25740	R12870
5	> 20 000 but ≤ 20 000tons	R28985	R14490
6	> 50 000tons	R33605	R16805

- (b) The charges in item (a) cover—

- (i) one visit to the ship; and
- (ii) the survey of alt parts of the ship, except the ship's radio installations,

- (c) The charges in item (a) do not cover the scrutiny of plans or stability books.

- (2) Subparagraph (1)(a) does not apply to ships under construction or undergoing rebuilding or refurbishment. Visits to such a ship are to be charged at the hourly rate plus travel and subsistence expenses, as specified in subparagraph (3), until such time as the ship is ready for final survey and certification, whereupon the charges in subparagraph (1)(a) become applicable,
- (3) If visits in addition to those referred to in subparagraph (1)(b)(i) are required to complete the survey, an additional charge of R820 per hour, and travel and subsistence expenses, are payable for each such visit.

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

- (1) (a) Subject to subparagraphs (2), (3) and (4), 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	R235
2	Mechanically propelled ships and sailing ships ≤ 6 metres in length	R365
3	Ships > 6 but ≤ 9 metres in length	R580
4	Ships > 9 metres in length but ≤ 25 tons (or $\leq 14\text{m}$ LOA)	R1165
5	Ships > 25 (or $> 14\text{m}$ LOA) but ≤ 100 tons (or $\leq 24\text{m}$ LOA)	R2445
6	Ships > 100 but ≤ 500 tons	R4035
7	Ships > 500 but $\leq 1\,600$ tons	R6470
8	Ships $> 1\,600$ but $\leq 3\,000$ tons	R9670
9	Ships $> 3\,000$ tons	R12925

- (b) The charges in item (a) cover—

- (i) one visit to the ship; and
- (ii) the survey of all parts of the ship, except the hull [paragraph 19], 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, nor the scrutiny of plans or stability books.
- (iii) If visits in addition to those referred to in subparagraph (1)(b)(i) are required to complete the survey, an additional charge of R820 per hour, and travel and subsistence expenses, are payable for each such visit.

- (2) Not used
- (3) Subparagraph (1)(a) does not apply to ships under construction or undergoing rebuilding or refurbishment. Visits to such a ship are to be charged at the hourly rate plus travel and subsistence expenses, as specified in subparagraph (4), until such time as the ship is ready for final survey and certification, whereupon the charges in subparagraph (1)(a), as the case may be, become applicable.
- (4) Where a service is provided in calculating and issue of a SAMSA buoyancy certificate or related document a fee of R820 per hour is payable;
- (5) Where surveys are conducted by appointed local small vessel surveyors other than officers, an administration fee of R100 is payable by the surveyor to SAMSA with each return of the documentation. This fee includes the issuing of a local general safety certificate or a certificate of fitness and is not an additional charge to those

contemplated in paragraph 1(a) above. The charges in 1(a) may not be amended by the surveyors who must issue a receipt as envisaged by regulation 5. The R100 due to SAMSA is borne by the surveyor concerned and payable at the responsible SAMSA office.

14 Survey of ship for IGC Code certificate

The following charges are payable for the survey of a ship for an IGC Code certificate:

- (a) initial or renewal survey—R22550;
- (b) intermediate, annual or additional survey—R11270.

15 Survey of ship for IBC Code certificate

The following charges are payable for the survey of a ship for an IBC Code certificate:

- (a) initial or renewal survey—R16105;
- (b) intermediate, annual or additional survey—R8050.

16 ISM Code certificates

- (1) The following charges are payable for the specified verification audits for the specified ISM Code certificates:

- (a) document of compliance:
 - (ii) renewal verification—R25750;
 - (iii) annual or additional verification—R12890;
- (b) safety management certificate:
 - (i) initial verification—R16105;
 - (ii) renewal verification—R21810;
 - (iii) intermediate verification—R8070.

- (2) (a) The charges in subparagraph (1)(b) cover one visit to the ship or premises. If additional visits are required to complete the verification, an additional charge of R820 per hour or part thereof, and travel and subsistence expenses, are payable for each such visit.

17 Survey of a ship for load line certificate

- (1) Subject to subparagraphs (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	Description 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	< 100 tons	R2590	R820
2	≥ 100 but < 300 tons	R4510	R1640
3	≥ 300 but < 500 tons	R7725	R3870
4	≥ 500 but < 1 600 tons	R12810	R6545
5	≥ 1 600 but < 10 000 tons	R19315	R9670
6	≥ 10 000 tons	R24530	R12870

- (2) The charges in column (1) of the table in subparagraph (1) apply to the provisional assignment of freeboard, in which case an additional charge is payable for a subsequent initial survey for a load line certificate.
- (3) The charges in column (2) of the table in subparagraph (1) apply to the partial survey of a ship for a change of freeboard in consequence of minor alterations to the ship.
- (4) The charges in this paragraph cover one visit to the ship. If additional visits are required to complete the survey or calculation, an additional charge of R820 per hour, and travel and subsistence expenses, are payable for each such visit.

18 Inspection of radio installations

- (1) (a) Subject to item (b), the following charges are payable for the inspection of the radio installation(s) on a ship:

Item	Description of ship	Charge
	GMDSS ships	
1	Ships ≥ 25 tons	R4870
	Non-GMDSS ships	
2	Ships ≥ 25 but < 100 tons	R555
3	Ships ≥ 100 but < 300 tons	R800
4	Ships ≥ 300 but $< 1\,600$ tons	R2435
5	$\geq 1\,600$ tons	R4825
Note—A GMDSS ship is a ship that is fitted by statute with radio equipment operating in the Global Maritime Distress and Safety System.		

- (b) The charges in item (a) cover one visit to the ship. If additional visits are required to complete the inspection, an additional charge of R820 per hour, and travel and subsistence expenses, are payable for each such visit.
- (2) A charge of R475 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).
- (3) A charge of R820 is payable for the issue of a total radio installation exemption certificate.

19 Hull surveys

- (1) (a) Subject to item (b) and subparagraph (2), the following charges are payable for the survey of the hull of a ship:

Item	Length or tonnage of ship	Charge
1	≤ 9 metres	R365
2	> 9 metres but ≤ 25 tons (or ≤ 14 m LOA)	R865
3	> 25 (or > 14 m LOA) but ≤ 100 tons (or ≤ 24 m LOA)	R1640
4	> 100 but ≤ 500 tons	R2435
5	> 500 but $\leq 5\,000$ tons	R4855
6	$> 5\,000$ but $\leq 10\,000$ tons	R6470
7	$> 10\,000$ but $\leq 20\,000$ tons	R9670
8	$> 20\,000$ but $\leq 50\,000$ tons	R16105
9	$> 50\,000$ tons	R19315

- (b) The charges in item (a) cover two visits to the ship. If additional visits are required to complete the inspection, an additional charge of R820 per hour, and travel and subsistence expenses, are payable for each such visit.
 - (2) Where an extension to a dry-docking certificate is required, a partial survey must be carried out as per Regulation 35(2) and the certificate amended accordingly.
 - (3) Where surveys are conducted by appointed local small vessel surveyors other than officers, an administration fee of R100 is payable by the surveyor to SAMSA with each return of the documentation. This fee includes the issuing of a dry docking certificate and is not an additional charge to those contemplated in paragraph 1(a) above. The charges in 1(a) may not be amended by the surveyors who must issue a receipt as envisaged by regulation 5. The R100 due to SAMSA is borne by the surveyor concerned and payable at the responsible SAMSA office.
- 20 Approval of safety appliances and equipment (SOLAS and safety related; see regulation 31 for MARPOL)
- (1) A charge of R820 per hour or part thereof, is payable for any work carried out in relation to the approval of any safety appliance and includes the issue of any relative report or certificate.
 - (a) inspection and stamping, per lifejacket— R15;
- 21 Approval of service providers
- A charge of R820 per hour or part thereof, is payable for any services provided in relation to the approval of any service station, premises or doctor's practice, and includes the issue of any relative report or certificate.
- 22 Dangerous goods
- A charge of R820 per hour, is payable for services and inspections provided in terms of the Merchant Shipping (Dangerous Goods) Regulations, 1997.
- 23 Grain cargoes
- A charge of R820 per hour, is payable for grain cargo services in terms of the Merchant Shipping (Carriage of Cargoes) Regulations, 2004.
- 24 Timber deck cargoes
- A charge of R820 per hour, is payable for the inspection of stowage plans, fittings, and stowage and securing arrangements for timber deck cargoes.
- 25 Approval of plans and stability books
- (1) A charge of R820 per hour is payable for the scrutiny and approval of plans for any new construction, alteration, rebuilding, registration or refurbishment of a ship.

- (2) (a) 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
1	< 25 tons (or $\leq 14\text{m}$ LOA)	R820	R820
2	≥ 25 tons (or $> 14\text{m}$ LOA) but < 100 tons (or $\leq 24\text{m}$ LOA)	R3245	R1610
3	≥ 100 but < 500 tons	R4080	R2435
4	≥ 500 but < 1 600 tons	R4855	R3210
5	$\geq 1\,600$ but < 10 000 tons	R8100	R6470
6	$\geq 10\,000$ tons	R33805	R32160

- (b) The charges in item (a) cover the initial submission. The service includes one ship visit, and the initial inspection of the stability book or statement.

If further ship visits, re-submissions and inspections are required to complete the approval due to any act or omission of the owner, an additional charge of R820 per hour plus subsistence and travel is payable for each re-submission or inspection.

- (3) A charge of R820 per hour, or part thereof is payable for the witnessing and verification of an inclining experiment, or conducting a heeling test, including a report if necessary;
- (4) Double the charges specified in subparagraphs (1), (2) and (3) apply in respect of services performed at the request of a foreign flag state.

Division 1A—Ship security services

25A Ship security plans

A charge of R820 per hour is payable for the approval of a ship security plan, or any variation or revision of the plan, for a ship.

25B ISSCs

- (1) A charge of R820 per hour or part thereof, subject to a minimum charge of R1640 and a maximum charge of R6580, is payable for the ISSC verification of a ship for the issue, maintenance or renewal of an ISSC for the ship.

- (2) A charge of R475 is payable for the issue of an interim ISSC for a ship.

25C Approved ISSC equivalents

A charge of R820 per hour is payable for the approval of an ISSC equivalent under regulation 85(3) of the Merchant Shipping (Maritime Security) Regulations, 2004.

Division 1 B – Maritime Labour Convention

25D Inspection of a ship for Maritime Labour Certificate

(1) (a) Subject to paragraphs (2), the following charges are payable for the survey of a ship for a Maritime Labour Certificate.

Item	Tonnage of ship	Charge	
		Initial or renewal inspection	Intermediate or Additional inspection
1	< 500	R 3930	R 1965
2	> 500 but ≤1600	R 4710	R 2355
3	>1600 but ≤3000	R 5420	R 2710
4	>3000 but ≤10000	R 6230	R 3115
5	> 10000 but ≤20000	R 7480	R 3740
6	>20000	R 8970	R 4485

(b) The charges in item (a) cover –

- (i) two visits to the ship;
- (ii) the inspection of all relevant parts of the ship; and
- (iii) the review of the documentation and procedures submitted by the owner, Declaration of Maritime Labour Compliance-Part II.

(2) The charges for the issue of an Interim Maritime Labour Certificate are the same as those listed in paragraph (X) (1) (a).

(3) If visits and/or further documentary reviews in addition to those referred to in subparagraph (b) are required to complete the inspection, an additional charge of R 820 per hour or part thereof, and travel and subsistence expenses are payable for each such visit.

25E Accreditation of seafarer recruitment and placement services

(1) A charge of R820 per hour or part thereof is payable for the services of accrediting a seafarer recruitment and placement service.

(2) The charges in subparagraph (1) cover one visit to the ship or premises. If additional visits are required to complete the verification, an additional charge of R820 per hour or part thereof, and travel and subsistence expenses, are payable for each such visit.

Division 2—Pollution prevention services

26 Survey of ship for IOPP certificate

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—R9670;
 - (ii) oil tanker of more than 4 000 DW—R12880;
 - (iii) any other ship—
 - (aa) of 400 tons or more but not exceeding 1 000 tons—R1640;
 - (bb) of more than 1 000 tons but not exceeding 3 000 tons—R4445;
 - (cc) of more than 3 000 tons—R4000.
- (b) annual survey:
 - (i) oil tanker—R820 per hour;
 - (ii) any other ship—
 - (aa) of 400 tons or more but not exceeding 1 000 tons—R820;
 - (bb) of more than 1 000 tons but not exceeding 3 000 tons—R1225;
 - (cc) of more than 3 000 tons—R1980;
- (c) intermediate or additional survey—R3300.

27 Survey of ship for INLS certificate

The following charges are payable for the survey of a ship for an INLS certificate:

- (a) initial or renewal survey:
 - (i) chemical tanker (all ship-types)—R16105;
 - (ii) oil tanker capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank—R1640;
- (b) annual survey:
 - (i) chemical tanker—R6600;
 - (ii) oil tanker capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank—R820;

- (c) intermediate or additional survey:
 - (i) chemical tanker—R8045;
 - (ii) oil tanker capable of carrying specified noxious liquid substances in bulk in designated cargo tanks, per tank—R820.

28 Survey of ship for BCH Code certificate

The following charges are payable for the survey of a ship for a BCH Code certificate:

- (a) initial or renewal survey—R16105;
- (b) intermediate, annual or additional survey—R820 per hour.

29 Survey of offshore installation for pollution safety certificate

- (1) A charge of R820 per hour or part thereof, subject to a minimum charge of R5580 is payable for any work relating to the initial issue of a pollution safety certificate for an offshore installation.
- (2) A charge of R820 per hour or part thereof is payable for any subsequent audit, inspection, survey or other work undertaken in connection with the offshore installation.
- (3) Transportation to offshore facilities relating to the initial issue of the safety pollution certificate as well as any subsequent audits must be arranged and paid for by the owners or operators.

30 CLC insurance certificates

A charge of R8070 is payable for the issue of a certificate of insurance or other financial security referred to in section 14 of the Marine Pollution (Control and Civil Liability) Act, 1981 (Act No. 6 of 1981).

31 Inspection of equipment and documents under MARPOL 1973/78

- (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 R820 per hour.
- (2) Where a certificate of inspection is issued, an additional charge of R820 is payable.
- (3) A charge of R820 per hour 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.

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

- (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 R820 per cargo space inspected is payable.
- (2) Where a certificate of inspection is issued, an additional charge of R475 is payable.

33 Provisional assessment of noxious liquid substances

A charge of R8070 is payable for each noxious liquid substance provisionally assessed in terms of regulation 3(4) of Annex II to MARPOL 1973/78.

34 Transshipment of oil

A charge of R820 per hour or part thereof, and travel and subsistence expenses, are payable for attendance by a representing officer referred to in regulation 17 of the Prevention and Combating of Pollution of the Sea by Oil Regulations, 1984.

Division 3—
Miscellaneous

35 Partial surveys

- (1) A charge of R820 per hour 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 or non-statutory certificate, a charge of R820 per hour is payable.
- (3) Travel and subsistence expenses are payable in addition to the charges referred to in subparagraphs (1) and (2).

36 Detained ships

- (1) (a) Subject to item (b), the following charges are payable for a ship that is detained:

Item	Tonnage of ship	Charge
1	< 25 tons (or <14m LOA)	R2325
2	≥25 (or ≥14m LOA) but ≤ 500 tons	R4355
3	> 500 but ≤ 750 tons	R7245
4	>750 but ≤ 1 000 tons	R17390
5	> 1 000 but ≤ 3 000 tons	R34375
6	> 3 000 tons	R52165

- (b) The charges in item (a) cover two visits to the ship. If additional visits are required before the ship can be released from detention an additional charge of R820 per hour is payable for each such visit.
- (2) Travel and subsistence expenses are payable in addition to the charges specified in subparagraph (1).

PART 4

CERTIFICATION

37 Fishermen and marine motormen

- (1) (a) Subject to item (b), the following charges are payable for full or partial examination for the specified certificates of competency (or their equivalents);
 - (i) Fisherman Grade 4 (Skipper or Watchkeeper)—R370;
 - (ii) Fisherman Grade 3—R535;
 - (iii) Fisherman Grade 2—R840;
 - (iv) Fisherman High Seas Command Endorsement—R840.
- (b) If a candidate is examined or re-examined separately in the signaling part of the examination for a certificate referred to in item (a), an additional charge of R370 is payable for each examination or re-examination.
- (2) The following charges are payable for examination for the specified certificates of competency (or their equivalents):
 - (a) Marine Motorman Grade 3—R370;
 - (b) Marine Motorman Grade 2—R535;
 - (c) Marine Motorman Grade 1—R840;
 - (d) Marine Motorman Higher Grade—R840.
- (3) A charge of R370 is payable for exchanging an existing certificate of competency for a new format certificate or revalidating an existing certificate.
- (4) A charge of R265 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 subparagraphs (1) or (2).

38 Engineer officers

- (1) The following charges are payable for examination for the specified certificates of competency (or their equivalents):
 - (a) Second Engineer Officer (Port Operations) / Marine Engineer Officer: Endorsed for CE <1500kW Port Ops (non-STCW) / Engineer Officer (STCW):
 - (i) full examination or level 3 assessment—R1895;
 - (ii) partial examination—R1000;

- (b) Chief Engineer Officer (Port Operations) / Marine Engineer Officer & Service Endorsement for CE < 750 kW (non-STCW) / Endorsement as chief engineer officer of a ship operating within a port operations area:
 - (i) full examination or level 3 assessment—R1895;
 - (ii) partial examination—R1000;
 - (c) Second Engineer Officer of a ship of 3 000 kW propulsion power or more / Second Engineer Officer of a ship of less than 3 000 kW propulsion power / Endorsement as Chief Engineer officer of a ship of less than 750 kW propulsion power—R2210;
 - (d) Chief Engineer Officer of a ship of 3 000 kW propulsion power or more / Chief Engineer Officer of a ship of less than 3 000 kW propulsion power / Endorsement as chief engineer officer of a ship of less than 3 000 kW propulsion power—R2525;
 - (e) Chief Engineer Officer Special Grade—R6315.
- (2) A charge of R370 is payable for the exchange of an existing certificate of competency for a new format certificate.
 - (3) A charge of R1000 is payable for the revalidation of a certificate referred to in subparagraph (1). A charge of R1000 is payable for the revalidation of a certificate referred to in subparagraph (1). This charge includes the renewal of any number of additional qualifications processed per application (FF, PISC, FA, PSSR etc.).
 - (4) A charge of R370 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 subparagraphs (1) or (2).

39 Deck officers

- (1) (a) Subject to item (b), the following charges are payable for examination for the specified certificates of competency (or their equivalents):
 - (i) Skipper (Port Operations, Coastal or Unlimited)—R1580;
 - (ii) Mate (Coastal), with or without the mining operations limitation—R1895;
 - (iii) Master (Coastal), with or without the mining operations limitation / Master (Port Operations)—R1895;
 - (iv) Deck Officer, with or without the mining operations limitation—R1895 (includes the issue of Able Seafarer Deck Certificate if required);
 - (v) Chief Mate, with or without the mining operations limitation / Endorsement as chief mate of a ship of less than 3 000 GT on unlimited voyages—R2210;

- (vi) Master, with or without the mining operations limitation / Endorsement as master of a ship of less than 500 GT, or of less than 3 000 GT, on unlimited voyages—R2525;
 - (ix) Master Special Grade:
 - (aa) full examination—R6315;
 - (bb) partial examination—R3145.
 - (2) A charge of R370 is payable for exchanging an existing certificate of competency for a new format certificate.
 - (3) A charge of R1000 is payable for the revalidation of a certificate referred to in subparagraph (1)(a). This charge includes the renewal of any number of additional qualifications processed per application at the same time (FF, PISC, FA, PSSR etc.).
 - (4) A charge of R370 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 subparagraphs (1) or (2).
- 40 Radio operators
- (1) A charge of R370 is payable for any written and/or oral examination;
 - (2) A charge of R370 is payable for the initial issue or subsequent re-issue of any radio related Certificate of Competence;
 - (3) A charge of R370 is payable for the revalidation of a GMDSS General Operators Certificate of Competence or any other STCW compliant Marine Radio Operators Certificate.
- 41 Small vessel skippers
- (1) The following charges are payable for the examination of competence as skipper (small vessels):
 - (a) Examination only;
 - (i) for a vessel more than 9 metres in length;
 - (aa) Theory examination —R370;
 - (bb) Practical and/or oral examination – R210;
 - (ii) for a vessel of 9 metres or less in length;

(aa) Theory examination – R210;

(bb) Practical and/or oral examination – R210;

- (b) if the candidate holds a valid certificate of competence as skipper (small vessels) that was issued before 1 April 2004 and that is evaluated for conversion to the new national certificate an administration fee of R100 is payable;
 - (c) If the candidate holds a valid certificate of competence as skipper (small vessels) that requires an evaluation before exchanging for, or upgrading to, the new format certificates, a fee of R100 is payable;
 - (d) An additional charge of R370 is payable in all instances to SAMSA for the issuing of a National Small Vessel Certificate of Competency.
- (2) The following additional charges are payable for endorsements to a certificate of competence as skipper (small vessels):
- (a) if an examination for any endorsement to a certificate is required —R370;
 - (b) if no actual examination is required an administrative fee of R370 is payable;
 - (c) A charge of R370 is payable to SAMSA for the re-issue of a certificate of competence reflecting the additional endorsements. No charge is payable where the certificate is issued under 41(1)(c)

42 Certificates of qualification and additional qualification

- (1) A charge of R370 is payable for the issue of any certificate of qualification (AB, OS, Oiler, Wiper Cook etc. or equivalents).
- (a) A charge of R370 is payable for exchanging an existing certificate of qualification for a new format certificate.
- (b) A charge of R370 is payable for the issue or re-issue of certificates of additional qualification required for insertion into the sleeve of a certificate of competency or qualification, where this service is provided separately to re-validation of a certificate of competency. (Regulation 38(3) and 39 (4))

43 Licences for compass adjusters

The following charges are payable for the examination and licensing of compass adjusters:

- (a) Compass Adjuster (Restricted):
 - (i) full examination—R1580;
 - (ii) partial examination—R790;

- (b) Compass Adjuster (Unrestricted):
 - (i) full examination—R1895;
 - (ii) partial examination—R950.
- 44 Moderation, etc. of examination papers and scripts, accreditation of training institutions.
 - (1) A charge of R820 is payable for the moderation of any examination paper, and includes the moderation, and one re-mark, of any examination scripts relating to that paper.
 - (2) A charge of R820 per hour or part thereof is payable for the setting of an examination paper.
 - (3) A charge of R820 per hour is payable for services relating to the accreditation of a training institution or the approval of any training programme.
- 45 Crewing arrangements
 - (1) The following non-refundable charges are payable for an application for an authorisation under section 83 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951):
 - (a) where authorisation is granted for a certificate that has previously been evaluated— R2580 per month or part thereof, calculated with reference to the desired duration of the authorisation;
 - (b) where the certificate concerned has to be evaluated, in addition to the charge specified in item (a) R820 per hour or part thereof;
 - (c) a charge of R2315 is payable where the application is for an endorsement under regulation 98 of the Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2013.
 - (2)
 - (a) Where a candidate is to be evaluated prior to granting permission under section 85 of the Merchant Shipping Act, 1951, a charge of R820 is payable.
 - (b) A charge of R2580 per month, or part thereof calculated with reference to the desired duration of the permission, is payable for permission under section 85 of the Merchant Shipping Act, 1951.
- 46 Colour and form vision tests
 - (1) A charge of R370 is payable for colour and form vision tests. The charge is not refundable if the applicant fails the tests or 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.

PART 5

MISCELLANEOUS

47 Inspection of crew accommodation

- (1) A charge of R820 per hour, or part thereof is payable for the inspection of compartments in accordance with the Maritime Labour Convention, and for the marking of accommodation prior to registration or re-registration of the ship in the Republic.
- (2) A charge of R820 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.

48 Discharge of seamen

- (1) Where any seafarers are discharged in terms of section 113(1) or (4) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), at an office of the Authority, a charge of R390 is payable by the master or owner of the ship concerned,
- (2) Where any seafarers are discharged in terms of section 113(1) or (4) of the Merchant Shipping Act, 1951, on board a ship at a port in the Republic, a charge of R390 plus R820 per hour or part thereof is payable by the master or owner of the ship concerned.

49 Extra and special attendance

- (1) Subject to subparagraph (2), the Authority's normal business hours are from 08:00 to 16:00 daily, excluding Saturdays, Sundays and public holidays.
- (2) The Authority will from time to time determine and publish details of the times and places at which officers will be available to conduct surveys of bottom accessible small vessels. If attendance by an officer is required at another time or place, the charge for the particular service plus an additional charge of R820 per hour, and travel and subsistence expenses, are payable.
- (3) Where, in relation to any other matter, attendance by an officer is required outside the Authority's normal business hours, the charge for the particular service plus—
 - (a) for a charge expressed wholly or partly as an hourly rate, an additional charge of R820 per hour, or part thereof and travel and subsistence expenses, are payable; or
 - (b) for any other charge, an additional charge of R1640 per hour or part thereof, and travel and subsistence expenses, are payable.

50 Services at sea or outside Republic

Where attendance by an officer is required at sea or outside the Republic, the charge for the particular service plus an additional charge of R820 per hour and travel and subsistence expenses are payable. If attendance includes a Saturday, Sunday or public holiday, the hourly rate for those days is R1640 per hour.

51 Inland services

52 Consultancy and other services

- (1) A charge of R820 per hour, or part thereof is payable for consultancy or other unspecified services. A consultancy or unspecified service is any service for which a charge is not otherwise provided by this determination, and includes the compilation of any repair list for the purpose of assisting compliance with applicable statutory requirements.
- (2) Where an officer is requested to provide a written interpretation of any statutory requirement, a charge of R820 per hour is payable.

53 Travel and subsistence

- (1) All travel and subsistence expenses for an officer are to be calculated in accordance with the applicable tariffs determined from time to time by the Chief Executive Officer.
- (2) Where a kilometer rate is charged to a client the rate shall be as prescribed by the CFO.

54 Miscellaneous charges

The following charges are payable for—

- (a) any code of safe working practice published by the Authority—R65
- (b) official logbook – R160
- (c) radio logbook—R160
- (d) seaman's record book—R400, except if the book was lost through shipwreck or fire aboard ship, in which case it is free of charge;
- (e) A4 photocopies of any documents, black and white—R1.60 per page and colour—R3.20;
- (f) Training record book for cadets and ratings— R370
- (g) SAMSA code of qualification (STCW)—R420 (Free on internet or via email).
- (i) Courier services

Where a service other than the standard use of registered mail is required, the actual fee will be passed on to client;

- (a) Domestic—R150;
- (b) Foreign— R400
- (j) SAMSA Interim Certificates of Competence and Certificates of Fitness issued to appointed examiners and surveyors, other than officers - R10 per certificate;

(k) Access to Information

In accordance with the Promotion of Access to Information Act 2 of 2000; the prescribed "request fee" of R35 is payable with every application and where the release of documents has been approved, the prescribed fee of R0.60 per page will be levied; and any amendments to the fees (request fee and access fee) under the Act will apply automatically to this provision.

55 Refusal, etc. of services

- (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 subparagraph (1), a charge of R350 per hour, or part thereof and travel and subsistence expenses, are payable at the discretion of the Chief Executive Officer or his designated representative or the Principal Officer in the case of a port.

56 Overdue charges

Interest at the applicable prime bank overdraft rate charged by the Authority's banker, plus one per cent, compounded monthly, is payable on the outstanding balance of any charge after the due date.

57 Variation and waiver of charges

The Chief Executive Officer or the principal officer in the case of a port, may in special cases reduce or waive any charge on such conditions (if any) as he or she thinks fit.

NOTICE 921 OF 2013**SOUTH AFRICAN MARITIME SAFETY AUTHORITY****SOUTH AFRICAN MARITIME SAFETY AUTHORITY LEVIES ACT, 1998
(ACT No. 6 OF 1998)****DETERMINATION OF LEVIES**

The South African Maritime Safety Authority intendeds, under section 2 of South African Maritime Safety Authority Levies Act, 1998 (Act No. 6 of 1998), to revoke the determinations published by General Notices 808 of 30 July 2009 and has, under that section, made the determination in the accompanying Schedule, with effect in each case from 1 November 2013.

SCHEDULE**Definitions**

1. In this determination any word or expression given a meaning in the Act has the given meaning and, unless the context indicates otherwise—

"Chief Executive Officer" has the meaning it has in section 1 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998);

"coasting ship" means any ship that is a coasting ship for the purposes of liability for light dues in terms of the applicable tariffs determined by the National Ports Authority;

"commercial port" means a harbour of which Transnet Limited has become the owner in terms of section 3 of the Legal Succession to the South African Transport Services Act, 1989 (Act No. 9 of 1989);

"fishing vessel" means any ship used for the catching, storage or processing of fish or other living resources of the sea for financial gain or reward;

"overall length", in relation to a ship, means the distance between—

- (a) a vertical line passing through a point, being the foremost part of the stem of the ship; and
- (b) a vertical line passing through a point, being the aftermost part of the stern of the ship;

"port" has the meaning it has in section 2(1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

"sport or recreation" has the meaning it has in section 2(1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951);

"the Act" means the South African Maritime Safety Authority Levies Act, 1998 (Act No. 6 of 1998);

"the National Ports Authority" means the National Ports Authority of South Africa, being the division of Transnet Limited responsible for commercial ports;

"ton", in relation to a ship, means—

- (a) the gross tonnage of the ship as stated in its tonnage certificate issued in conformity with the International Convention on Tonnage Measurement of Ships, 1969; or
- (b) where the ship's tonnage certificate is not available, the ship's highest tonnage as reflected in Lloyds Register of Shipping.

2. This determination does not apply to—

- (a) ships in distress;
- (b) ships in innocent passage;
- (c) ships used solely for sport or recreation;
- (d) ships belonging to the South African Police Service;
- (e) ships belonging to the South African National Defence Force or the defence force of another state; or
- (f) ships belonging to the National Sea Rescue Institute.

Imposition of levies

3. (1) The levies in the Annex are hereby imposed.

(2) The Annex has effect according to its terms.

(3) A levy that is payable in accordance with the Annex, is payable by the ship's owner, charterer, operator or agent.

(4) If—

- (a) the Authority has received an amount in respect of levy; and
- (b) the person who paid the amount applies for a refund; and
- (c) the amount is not due to the Authority,

the Authority must refund the amount to that person.

(5) Nothing in this paragraph prevents the collection directly by the Authority of any levy that is stated to be payable to the National Ports Authority.

Overdue levies

4. Interest at the applicable prime bank overdraft rate charged by the Authority's banker, plus one per cent, compounded monthly, is payable in respect of the outstanding balance of any levy after the due date.

Variation and waiver of levies

5. The Chief Executive Officer may reduce or waive any levy on the conditions (if any) that he or she thinks fit.

ANNEXURE
(Paragraph 3)

LEVIES

Item	Description of ship	Rate of levy	Additional remarks
1	Ships required to hold a local safety certificate issued in terms of the Merchant Shipping Act, 1951 (Act No. 57 of 1951)	R14.18 per metre overall length or part thereof per calendar year or part thereof	Payable to the Authority at the same time as the charge for the initial or renewal survey of the ship for the issue of a local safety certificate, unless proof of prior payment to the National Ports Authority is produced.
2	Fishing vessels not required to hold a local safety certificate issued in terms of the Merchant Shipping Act, 1951 (Act No. 57 of 1951)	R97.06 per 100 tons or part thereof	Payable to the National Ports Authority upon each call at a commercial port.
3	Coasting ships (not being ships referred to in item 1)	R97.06 per 100 tons or part thereof per calendar month or part thereof	(a) Payable to the National Ports Authority. (b) If a coasting ship calls at a port outside the Republic of South Africa or the Republic of Namibia, then item 4 also applies.
4	All other ships	R97.06 per 100 tons or part thereof	(a) Payable upon first entry into the territorial waters of the Republic after a voyage from a port or place outside the Republic, except in the case of a ship engaged solely in victualing or changing crew beyond port limits. (b) Payable to the National Ports Authority in the case of a ship calling at a commercial port, or to the Authority in any other case unless proof of prior payment to the National Ports Authority is produced.

Notes:

1. To avoid doubt, the amounts in the table exclude value-added tax (VAT).
2. A levy is payable in accordance with the relative assessment issued by the Authority or the National Ports Authority, as the case may be.

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