
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the fees to be paid for various functions carried out by the Maritime and Coastguard Agency relating to the survey, inspection and testing of ships and hovercraft and their equipment and to the examination of, and issuing of certificates of competence etc. to, seafarers. Fees are also prescribed in relation to mortgages of ships, seafarers' documents, certificates of compulsory insurance, waste management, exemptions from statutory requirements and other miscellaneous functions of the Agency.

The Regulations replace the Merchant Shipping (Fees) Regulation 2006, as amended. For fees calculated by reference to the amount of work involved, the hourly rate is increased from £94 to £120 for work carried out after the coming into force of these Regulations, and to £147 for work carried out a year after the coming into force of these Regulations. Additional fees for out of hours work are also increased. Other, fixed, fees set out in the 2006 Regulations have, in the main, been increased.

The Regulations are to cease to have effect seven years after they come into force (Regulation 1). Regulation 2 contains definitions. Certain fees attract an additional charge for “premium service”, where an applicant attends in person at a “local office” or at the office where the register of British ships is kept. Footnotes to the definition of “local office” provide internet links to lists and details of these offices: printed copies of these may also be obtained free of charge from the Maritime and Coastguard Agency, Spring Place, 105 Commercial Road, Southampton SO15 1EG.

Regulations 3 and 4 provide for the fees specified in, or ascertained under, Schedule 1 to be paid for the specified services, and for the Maritime and Coastguard Agency to recover travel and other expenses associated with providing those services. Regulation 5 contains transitional provisions, and regulation 6 provides for the revocation of the 2006 and other Regulations, which are listed in Schedule 2. Regulation 7 makes amendments so that references to the 2006 Regulations in other Regulations are made references to these Regulations. Copies of the Merchant Shipping Notices and Marine Guidance Notes referred to may be obtained free of charge from the websites referenced or printed copies from the Maritime and Coastguard Agency at the address above.

Regulation 8 requires the Secretary of State to review the operation and effect of these Regulations and publish a report within five years after they come into force. Following the review it will fall to the Secretary of State to consider whether the Regulations should be allowed to expire as regulation 1 provides, be revoked early, or continue in force with or without amendment. A further instrument would be needed to continue the Regulations in force with or without amendments or to revoke them early.

A full regulatory impact assessment of the effect that this instrument will have on the costs of business has been produced. Copies may be obtained from the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR. Alternatively, copies can be obtained from the Department for Transport's website, which is at www.gov.uk. It is also published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Fees) Regulations 2018.