



BY AUTHORITY

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# SOLOMON ISLANDS GAZETTE

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NO. 189

Thursday 9<sup>th</sup> June

2022

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## EXTRA-ORDINARY GAZETTE

### LEGAL NOTICE

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# **SUPPLEMENT to the Solomon Islands Gazette**

Thursday 9<sup>th</sup> June, 2022

S.I. No. 159

[Legal Notice No. 188]

## **SOLOMON ISLANDS MARITIME AUTHORITY (FEES, CHARGES AND LEVIES) MARITIME ORDER 2022**

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**SOLOMON ISLANDS MARITIME AUTHORITY ACT**  
 (No. 9 OF 2018)

**SOLOMON ISLANDS MARITIME AUTHORITY (FEES, CHARGES  
 AND LEVIES) MARITIME ORDER 2022**

The Solomon Islands Maritime Authority, under section 66 of *Solomon Islands Maritime Authority Act 2018*, makes the following maritime order:

**PART 1 PRELIMINARY MATTERS**

**1 Citation**

This Maritime Order may be cited as the *Solomon Islands Maritime Authority (Fees, Charges and Levies) Maritime Order 2022*.

**2 Commencement**

This Maritime Order commences on the day it is published in the *Gazette*.

**3 Interpretation**

(1) In this Maritime Order, unless the context otherwise requires:

“**charge**” means a charge prescribed by this Maritime Order and payable for the service, facility or regulatory function for which it is prescribed;

“**collection officer**” means a person appointed by paragraph 20(1), or authorised under paragraph 20(2), to be a collection officer;

“**fee**” means a fee prescribed by this Maritime Order and payable for the service, facility or regulatory function for which it is prescribed;

“**hourly rate**” means the rate of \$82.33 per hour or part of an hour;

“**levy**” means a levy prescribed by this Maritime Order and payable for the service, facility or regulatory function for which it is prescribed;

“**owner or operator of a vessel**” includes a person who:

- (a) is appointed by the owner or operator of the vessel to be the agent for the vessel and, by that authorisation, is authorised to sign any document required or permitted to be signed under the Act and pay fees, charges and levies in relation to the vessel; and
  - (b) notifies the Director in writing that the person is the vessel’s agent.
- (2) A word or expression which is not used in the Act, but which is defined in the *Shipping Act 1998* and used in this Maritime Order, has the same meaning as it has in the *Shipping Act 1998*.

*Note to paragraph 3:*

*In this Maritime Order:*

- (a) in accordance with section 63(3) of the Interpretation and General Provisions Act (Cap. 85), a reference to “the Act” is a reference to the Solomon Islands Maritime Authority Act 2018; and
- (b) in accordance with section 63(4) of the Interpretation and General Provisions Act (Cap. 85), subject to section 3(2) and except where the context otherwise requires, words and expressions used in this Maritime Order have the same meaning as they have in the Act.

## PART 2 FEES, CHARGES AND LEVIES

### 4 Fee payable by domestic vessel for marine aids to navigation

- (1) The owner or operator of a vessel that is registered in Solomon Islands must pay an annual fee for navigational aid services.
- (2) The fee:
  - (a) is the sum of \$531.31 per meter LOA; and
  - (b) is payable:
    - (i) each year, on a day determined by the Director by notice published in the Gazette; or
    - (ii) if the Director does not determine a day under paragraph (a), at the time of the annual survey of the vessel.

### 5 Fee payable by foreign vessel for marine aids to navigation

- (1) The owner or operator of a vessel that is not registered in Solomon Islands must pay a fee for marine aids to navigation services if the vessel:
  - (a) enters a port; or
  - (b) berths, anchors, stops or drifts at a place in Solomon Islands waters other than a port for:
    - (i) loading or unloading cargo, passengers or crew; or

- (ii) carrying out ship-to-ship operations; or
  - (iii) engaging in other commercial activities.
- (2) The fee is the sum of USD\$30.79 per metre LOA.
- (3) However, the owner or operator of the vessel is not liable to pay a fee for marine aid to navigation services if:
- (a) after entering the first port of entry, or berthing, anchoring, stopping or drifting for the first time, in Solomon Islands, the vessel enters more than one port or berths, anchors, stops or drifts at more than one place during the course of a single voyage to Solomon Islands; and
  - (b) the fee was paid after entering the first port of entry or berthing, anchoring, stopping or drifting for the first time; and
  - (c) the person in charge or command of the vessel provides evidence to a collection officer of having already paid the fee since entering Solomon Islands.

## **6 Fees for applications**

- (1) The fee specified in column 2 of the table in Schedule 1 is payable for the application described in column 1 of the table, in the same row.
- (2) The fee is payable at the time the application is made.

## **7 Fees for registration of vessels and related interests**

The fee specified in column 2 of the table in Schedule 2 is payable for registration of a vessel, registration of a related interest in a vessel or a service relating to the Register described in column 1 of the table, in the same row.

## **8 Fees for surveys and safety certification**

The fee specified in column 2 of the table in Schedule 3 is payable for the survey or safety certification in relation to a registered vessel described in column 1 of the table, in the same row.

## **9 Fees for seafarers' assessments and certification**

The fee specified in column 2 of the table in Schedule 4 is payable for the application for the examination or other assessment of competency, or the certification, described in column 1 of the table, in the same row.

## **10 Fees for pilotage certification**

- (1) The fee specified in column 2 of the table in Schedule 5 is payable for the application or annual fee described in column 1 of the table, in the same row.
- (2) The application fees specified in Schedule 5 are non-refundable.
- (3) The annual fee for a pilotage exemption certificate is payable:

- (a) at the time the certificate is issued; and
- (b) in each subsequent year, on the anniversary of the date the certificate was issued.

**11 Fees for security certification and verification**

- (1) The fee specified in column 2 of the table in Schedule 6 is payable for the security certification or verification matter described in column 1 of the table, in the same row.
- (2) The fee is payable by the owner or operator of the vessel or facility for which the certificate is issued.

**12 Fees for use of vessel for scientific research**

- (1) The fee specified in column 2 of the table in Schedule 7 is payable for the matter relating to the use of vessels for scientific research described in column 1 of the table, in the same row.
- (2) The fee for the application for approval to use a vessel to carry out scientific research specified in Schedule 7 is:
  - (a) payable at the time of making the application; and
  - (b) non-refundable.

**13 Fees for SIMA services and facilities not otherwise prescribed**

The fee specified in column 2 of the table in Schedule 8 is payable for the service or facility provided by SIMA described in column 1 of the table, in the same row.

**14 Expenses incurred by SIMA**

- (1) If SIMA incurs expenses in the course of providing a service or facility or performing a regulatory function (whether or not a service, facility or regulatory function for which a fee, charge or levy is payable), SIMA may charge the person to whom the service or facility is provided or the function performed with an amount to reimburse expenses incurred.
- (2) Expenses incurred include amounts paid for the following:
  - (a) printing;
  - (b) copying;
  - (c) sales tax;
  - (d) travel;
  - (e) accommodation and meals;
  - (f) the time taken to provide the service or facility or perform the function;
  - (g) the cost of engaging by contract a person to carry out work to provide

the service or facility or perform the regulatory function.

- (3) The amount of expenses charged:
  - (a) may be full or partial reimbursement of the amount of expenses incurred; or
  - (b) if incurred in the course of providing a service, facility or performing a regulatory function for which a fee, charge or levy is payable, must be supported by documentary evidence of the expense having been incurred and paid for.

## **15 Fees, charges and levies to increase annually**

- (1) Each fee, charge or levy prescribed by these Regulations increases by 7.5% per annum on and from 1 January of each year.
- (2) The Director must publish a list of the increased fees, charges and levies not later than 14 January each year by:
  - (a) publishing the list on a SIMA website to which the public has free access in a format that enables a person to access and download a copy of the list; and
  - (b) displaying the list, and making copies of the list available for viewing or purchasing, at SIMA's offices.

## **PART 3 ADMINISTRATIVE PROVISIONS**

### **16 Payment of fees, charges and levies**

- (1) A fee, charge or levy prescribed under Part 2 must be paid for the service or facility provided by SIMA or the performance of SIMA's regulatory function for which the fee, charge or levy is prescribed.
- (2) SIMA may require that a fee, charge or levy be paid:
  - (a) in instalments, which may be payable before, while or after SIMA provides the service or facility or performs the regulatory function for which the fee, charge or levy is payable; or
  - (b) in full before SIMA provides the service or facility or performs the regulatory function for which the fee, charge or levy is payable; or
  - (c) in full when provision of the service or facility or performance of the regulatory function for which the fee, charge or levy is payable is completed.
- (3) SIMA must specify in writing to a person when the person must pay a fee, charge or levy or an instalment of a fee, charge or levy.

**17 Director may provide estimate of fee, charge or levy**

If requested, the Director may provide an estimate of a fee, charge or levy payable under this Maritime Order.

**18 Unpaid fees, charges and levies**

If a fee, charge or levy, or an instalment of a fee, charge or levy, (other than if SIMA requires the fee, charge or levy or instalment to be paid in advance), is not paid within one month after the day SIMA required it to be paid:

- (a) interest is payable on the amount of fee, charge, levy or instalment unpaid of 1.5% per month compounded monthly; and
- (b) both the amount of the fee, charge, levy or instalment, and the amount of unpaid interest, is a debt due and payable to SIMA.

**19 Waiver and extension of time for payment of fee, charge or levy**

SIMA may, if satisfied that payment of a fee, charge or levy would cause financial hardship to a person required to pay the fee, charge or levy:

- (a) waive payment of all or part of the fee, charge or levy; or
- (b) extend the time for payment of the fee, charge or levy.

**20 Collection officers**

- (1) The Director and each Deputy Director are collection officers.
- (2) The Director may authorise other members of the staff of SIMA to be collection officers.
- (3) The function of a collection officer is to:
  - (a) ascertain (including by making a calculation) fees, charges or levies that are payable under this Maritime Order, and require payment of the fees, charges or levies; and
  - (b) receive payment of the fees, charges and levies and give receipts acknowledging the payment.
- (4) A collection officer performs his or her function subject to the directions of the Director.
- (5) Each collection officer must have an identity card that:
  - (a) states the staff member's name and that the staff member is a collection officer; and
  - (b) is signed by both the Director and staff member.
- (6) If a person asks a collection officer to produce evidence of the officer's identity, the officer must produce the officer's identity card for the person's inspection.

- (7) A person who ceases to be a collection officer must return the person's identity card to SIMA within 21 days after the cessation.

## **PART 4 MODIFICATION OF EXISTING REGULATIONS**

### **21 Modification of Shipping (Pilotage Certification) Regulations**

- (1) This paragraph modifies the *Shipping (Pilotage Certification Regulations 2010* (Legal Notice 66 of 2010) (“**Principal Existing Regulations**”).
- (2) Regulations 6(3), 7(5) and 11(1) of the Principal Existing Regulations are repealed.

### **22 Modification of Maritime Safety Administration (Research Vessels) Regulations**

- (1) This paragraph modifies the *Maritime Safety Administration (Research Vessels) Regulations 2010* (Legal Notice 67 of 2010) (“**Principal Existing Regulations**”).
- (2) Regulations 4(3) and 7(1) of the Principal Existing Regulations are repealed.
- (3) The Schedule to the Principal Existing Regulations is repealed.

### **23 Modification of Shipping (Marine Navigation Aids) Regulations**

- (1) This paragraph modifies the *Shipping (Marine Navigation Aids) Regulations 2010* (Legal Notice 68 of 2010) (“**Principal Existing Regulations**”).
- (2) Regulation 1 of the Principal Existing Regulations is modified by omitting “(*Marine Navigation Aids*)” and substituting “(*Marine Aids to Navigation*)”.
- (3) Regulations 7 and 8 of the Principal Existing Regulations are repealed.

### **24 Modification of Shipping (Registration) Regulations**

- (1) This paragraph modifies the *Shipping (Registration) Maritime Regulations 2010* (Legal Notice No. 69 of 2010) (“**Principal Existing Regulations**”).
- (2) Schedules 2, 3 and 4 to the Principal Existing Regulations are repealed.

### **25 Modification of Shipping (STCW Convention) Regulations**

- (1) This paragraph modifies the *Shipping (STCW Convention) Regulations 2010* (Legal Notice 147 of 2010) (“**Principal Existing Regulations**”).
- (2) Regulations 27 and 34 of the Principal Existing Regulations are repealed.
- (3) Schedule 7 to the Principal Existing Regulations is repealed.

### **26 Modification of Maritime Safety Administration (Ship and Port Security) Regulations**

- (1) This paragraph amends the *Maritime Safety Administration (Ship and Port*

*Security) Regulations 2011* (Legal Notice 68 of 2011) (“**Principal Existing Regulations**”).

- (2) Regulation 37 of the Principal Existing Regulations is repealed.

*Note to Part 4:*

*Under section 68 of the Act:*

- (a) *existing regulations in force under the Maritime Safety Administration Act 2009 or the Shipping Act 1998 immediately before the commencement of the Act are on and from the commencement of the Act taken to be a maritime order; and*
- (b) *SIMA may, by maritime order, modify or repeal the existing regulations.*

## SCHEDEULE 1

(Paragraph 6)

### APPLICATION FEES

<b>Description of matter applied for, for which fee payable</b>	<b>Fee (SBD)</b>
Initial registration (including after satisfaction of provisional registration) or initial re-registration	Fee per gross tonnage of vessel: 0-less than 50 GT \$1,282.75 50-less than 100 GT \$1,539.31 100-less than 150 GT \$2,052.41 150-less than 200 GT \$2,736.54 200-less than 250 GT \$3,249.64 250-less than 300 GT \$3,762.75 300-less than 400 GT \$4,446.88 400 or more GT \$4,446.88 + \$393.38 per 100 GT or part thereof
Provisional certificate of registry	\$1,710.34
Change of name of registered vessel	\$256.55
Recording change of ownership of registered vessel	\$256.55
Notification of alteration of registered particulars of vessel	\$256.55
Declaration of transmission	\$769.65
Registration of mortgage	\$256.55
Discharge of registered mortgage	\$342.07
Notification of change in mortgage interest	\$256.55
Registration of maritime lien	\$256.55
Discharge of registered maritime lien	\$256.55
General application fee for any application under Act or Shipping Act if fee not otherwise prescribed	Fee of hourly rate for time taken to process application
Extension of time for submitting all documents and information to make an application	\$256.55

**SCHEDULE 2**

(Paragraph 7)

**REGISTRATION FEES**

<b>Description of registration matter for which fee payable</b>	<b>Fee (SBD)</b>
Initial issue of certificate of registry	\$342.07
Issue of certified copy of certificate of registry	\$513.10
Issue of provisional certificate of registry	\$342.07
Extension of period of validity of provisional certificate of registry	\$171.03
Registration of bill of sale	\$256.55 + \$85.52 per \$25,000 or part thereof of vessel's value as specified in bill of sale
Registration of maritime lien	\$256.55 + \$85.52 per \$25,000 or part thereof of vessel's value as specified in bill of sale
Registration of transfer of ownership or transfer of mortgage	\$769.65
Registration of transmission of ownership or transmission of mortgage	\$769.65
Fee for inspection of the Register	\$342.07
Search fee using services of Registry staff, for each vessel or specific request	Fee of hourly rate for time taken to conduct search
Closure of registration or deletion from the Register	\$513.10
Transcript or certified copy of a certificate or other document	\$684.14
Ordinary copy of a certificate or other document	\$136.83
Annual registration of vessel	Fee per gross tonnage of vessel: 0-to less than 50 GT \$1,368.27 50-less than 100 GT \$1,710.34 100-less than150 GT \$2,052.41 150-less than 200 GT \$2,394.48 200-less than 250 GT \$2,736.54 250-less than 300 GT \$3,078.61 300 or more GT \$3,078.61 and \$171.03 per 100 GT or part thereof

**SCHEDULE 3**

(Paragraph 8)

**FEES FOR SURVEYS AND SAFETY CERTIFICATION**

<b>Description of survey or safety certification for which fee payable</b>	<b>Fee (SBD)</b>
Initial, annual, intermediate and renewal survey	Fee per gross tonnage of vessel: 0-less than 2 GT \$342.07 2-less than 5 GT \$427.58 5-less than 15 GT \$513.10 15-less than 40 GT \$615.72 40-less than 60 GT \$752.55 60-less than 80 GT \$889.38 80-less than 100 GT \$1,060.41 100-less than 150 GT \$1,539.31 150-less than 200 GT \$2,052.41 200-less than 400 GT \$2,565.51 400 or more GT \$4,446.88 + \$393.38 per 200 GT or part thereof
Underwater survey	Fee of hourly rate for time taken to conduct inspection to conduct survey
Additional survey	Fee of hourly rate for time taken to conduct survey
Hull inspection	Fee of hourly rate for time taken to conduct inspection
Follow-up survey or inspection (after detention of registered vessel or to verify rectification of deficiencies or non-conformities)	Fee of hourly rate for time taken to conduct survey or inspection

**SCHEDULE 4**

(Paragraph 9)

**FEES FOR SEAFARERS' ASSESSMENTS AND CERTIFICATIONS**

<b>Description of assessment or certification for which fee payable</b>	<b>Fee (SBD)</b>
Application for issue of certificate, including verification of sea-time	Fee of hourly rate for time taken to process application
Conduct of examinations or assessments of competency (whether conducted by SIMA or by a person or organisation on behalf of SIMA) for:	
Master Class 1 or Engineer Class 1	\$855.17
Mate Class 1 or Second Engineer Class 1	\$769.65
Master Class 2 or Engineer Class 2	\$684.14
Mate Class 2 or Second Engineer Class 2	\$598.62
Master Class 3 or Deck Watchkeeper	\$513.10
Engineer Class 3 or Engineer Watchkeeper	\$427.58

Master Class 4 or Engineer Class 4	\$342.07
Master Class 5 or Engineer Class 5	\$256.55
Master/Engineer Class 6 (full or restricted)	\$256.55
Deck Watchkeeping Rating or Engine Watchkeeping Rating	\$256.55
Pacific Island Qualified Fishing Deckhand	\$171.03
Boat Master's Licence	\$171.03
Additional certificate transcript of examination results	\$85.52
Re-assessment of unsuccessful candidate	\$85.52 per module
Issue of certificate of competency for:	
Master Class 1 or Engineer Class 1	\$342.07
Mate Class 1 or Second Engineer Class 1	\$342.07
Master Class 2 or Engineer Class	2 \$256.55
Mate Class 2 or Second Engineer Class 2	\$256.55
Master Class 3 or Deck Watchkeeper	\$171.03
Engineer Class 3 or Engineer Watchkeeper	\$171.03
Master Class 4 or Engineer Class 4	\$171.03
Master Class 5 or Engineer Class 5	\$171.03
Master/Engineer Class 6 (full or restricted)	\$85.52
Deck Watchkeeping Rating or Engine Watchkeeping Rating	\$85.52
Pacific Island Qualified Fishing Deckhand	\$85.52
Safety Certificate	\$85.52
Boat Master's Licence	\$85.52
Revalidation of a certificate of competency for:	
Master Class 1 or Engineer Class 1	\$342.07
Mate Class 1 or Second Engineer Class 1	\$342.07
Master Class 2 or Engineer Class 2	\$342.07
Mate Class 2 or Second Engineer Class 2	\$256.55
Master Class 3 or Deck Watchkeeper	\$171.03
Engineer Class 3 or Engineer Watchkeeper	\$171.03
Master Class 4 or Engineer Class 4	\$171.03
Master Class 5 or Engineer Class 5	\$171.03
Master/Engineer Class 6 (full or restricted)	\$85.52
Pacific Island Qualified Fishing Deckhand	\$85.52
Boat Master's Licence	\$85.52
Replacement certificate or other document	\$427.58
Application for dispensation from manning requirements	\$427.58
Endorsement of certificate of competency	\$855.17
Issue of Safe Manning Certificate	\$427.58
Course syllabus	\$427.58
Seafarers employment and training record book	\$85.52

Application for review of a Medical Fitness Certificate by an Appeal Board	\$171.03
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**SCHEDULE 5**  
(Paragraph 10)

**FEES FOR PILOTAGE CERTIFICATION**

Description of application or annual certificate for which fee payable	Fee (SBD)
Application for Pilotage Certificate	\$1,710.34
Application for Pilotage Exemption Certificate	\$5,131.02
Annual fee for Pilotage Exemption Certificate	\$5,131.02

**SCHEDULE 6**  
(Paragraph 11)

**FEES FOR SECURITY CERTIFICATION AND VERIFICATION**

Description of matter for which fee payable	Fee (SBD)
Issue of International Ship Security Certificate	\$8,144.47
Endorsement on a certificate	\$4,072.24
Issue of an interim certificate	\$4,886.68
Conduct of verification process	\$3,257.79

**SCHEDULE 7**  
(Paragraph 12)

**FEES FOR USE OF VESSEL FOR SCIENTIFIC RESEARCH**

Description of matter for which fee payable	Fee(USD)
Application for approval to use vessel to carry out research	\$1,710.34
Monitoring of research activities relating to:	
Minerals	\$427.58 per month or part thereof
Oil and gas	\$427.58 per month or part thereof
Fisheries and marine resources	\$256.55 per month or part thereof
Forestry and associated activities	\$256.55 per month or part thereof
Agriculture and associated activities	\$256.55 per month or part thereof
Aquaculture	\$256.55 per month or part thereof
Oceanography	\$171.03 per month or part thereof
Hydrography	\$171.03 per month or part thereof
Tourism	\$85.52 per month or part thereof
Other	\$256.55 per month or part thereof

**SCHEDULE 8**  
**(Paragraph 13)**

**FEES FOR SERVICES AND FACILITIES PROVIDED BY SIMA**

Description of service or facility for which fee payable	Fee (SBD)
Review and approval of Port Facility Security Assessment and Port Facility Security Plan	Fee of hourly rate for time taken to review and approve assessment or plan
Preparation, conduct and report on an audit of any kind	Fee of hourly rate for time taken to prepare, conduct and report on audit
Follow-up inspection after detention during port state control of vessel which is not registered in Solomon Islands	Fee of hourly rate for time taken to conduct inspection
Study and approval of vessel drawings and plans before initial survey	Fee of hourly rate for time taken to study and approve drawings and plans
Preparation, conduct and report on hydrographic survey	Fee of hourly rate for time taken to prepare, conduct and report on survey
Registration of medical fitness certificate	\$256.55
Registration of employment contract	\$256.55

Made by the Board of the Solomon Islands Maritime Authority  
this ninth-day of June 2022.

**ROBERT BOKELEMA**  
**CHAIRPERSON OF THE BOARD**

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