

[Legal Notice No. 277]

**SOLOMON ISLANDS MARITIME AUTHORITY (FEES, CHARGES
AND LEVIES) MARITIME ORDER (NO. 2) 2022**

Table of provisions

PART 1	PRELIMINARY MATTERS	841
1	Citation	842
2	Commencement	842
3	Interpretation	842
PART 2	FEES, CHARGES AND LEVIES.....	843
4	Marine aids to navigation dues payable by Solomon Islands vessels	843
5	Marine aids to navigation dues payable by foreign vessels	843
6	Fees for applications.....	844
7	Levies for regulatory functions	844
8	Pollution Levies.....	844
9	Fees for seafarers' assessments and certification	845
10	Fees for pilotage certification	845
11	Fees for security certification and verification	845
12	Fees for use of vessel for scientific research	845
13	Fees for SIMA services and facilities not otherwise prescribed	846
14	Expenses incurred by SIMA.....	846
15	Fees, charges and levies increase annually	846
PART 3	ADMINISTRATIVE PROVISIONS.....	847
16	Payment of fees, charges and levies	847
17	Director may provide estimate of fee, charge or levy	847
18	Unpaid fees, charges and levies	847
19	Waiver and extension of time for payment of fee, charge or levy	847
20	Collection officers	848
PART 4	REPEAL AND TRANSITIONAL MATTER	848
21	Repeal.....	848
22	Transitional matter	848
	SCHEDULE 1 Application fees	849
	SCHEDULE 2 Levies for regulatory functions	949
	SCHEDULE 3 Pollution Levies.....	850
	SCHEDULE 4 Fees for seafarers' assessments and certifications	851
	SCHEDULE 5 Fees for pilotage certification	852
	SCHEDULE 6 Fees for security certification and verification	852
	SCHEDULE 7 Fees for use of vessel for scientific research	853
	SCHEDULE 8 Fees for services and facilities provided by SIMA.....	853

SOLOMON ISLANDS MARITIME AUTHORITY ACT

(No. 9 of 2018)

**SOLOMON ISLANDS MARITIME AUTHORITY (FEES, CHARGES
AND LEVIES) MARITIME ORDER (NO. 2) 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 (No. 2) 2022*.

2 Commencement

This Maritime Order commences 1 January 2023.

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 \$91.71 per hour or part of an hour;

“**independent shipboard cargo surveyor**”:

(a) means a person who is qualified to perform surveys of cargo on board a vessel or to certify the quantity of oil unloaded from a vessel; and

(b) does not include the following persons:

(i) a crew member or officer of a vessel carrying oil imported into Solomon Islands;

(ii) an employee of a person importing oil into Solomon Islands.

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

“**LOA**” means length overall which refers to the length of a vessel measured in metres;

“*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.

“*periodic survey*” means the surveys and inspections of a Solomon Islands vessel conducted by the Director, an approved surveyor or an authorised officer to verify compliance with technical standards.

- (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 Marine aids to navigation dues payable by Solomon Islands vessels

- (1) The owner or operator of a vessel that is registered in Solomon Islands must pay the annual fee that is the marine aids to navigation dues.
- (2) The fee:
 - (a) is the sum of \$57.92 per metre LOA; and
 - (b) is payable each year:
 - (i) on a day determined by the Director by notice published in the Gazette; or
 - (ii) at the time of the periodic survey of the vessel.

5 Marine aids to navigation dues payable by foreign vessels

- (1) The owner or operator of a vessel that is not a Solomon Islands vessel must pay a fee that is the marine aids to navigation dues 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\$34.75 per metre LOA.
- (3) However, the owner or operator of the vessel is not liable to pay the fee that is the marine aids to navigation dues 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 Levies for regulatory functions

The levy specified in column 2 of the table in Schedule 2 is payable for regulatory functions described in column 1 of the table, in the same row.

8 Pollution levies

- (1) The levy for regulatory functions relating to pollution specified in column 2 of the table in Part A or Part B of Schedule 3 is payable by the person specified in column 1 of the table in the same row.
- (2) The owner or operator of a Solomon Islands vessel must, each year, pay the levy specified in Schedule 3 as payable by the owner or operator:
- (a) on a day determined by the Director by notice published in the Gazette; or
 - (b) at the time of the periodic survey of the vessel.
- (3) A person importing oil into the Solomon Islands is liable for the payment of the levy specified in Schedule 3 as payable by the person when, and must pay the levy as soon as practicable after, the vessel carrying the imported oil:
- (a) enters its first port of entry in Solomon Islands; or
 - (b) berths, anchors, stops or drifts at another place in Solomon Islands for unloading the oil or carrying out ship to ship operations for the first time.

- (4) The owner or operator of a vessel that is not a Solomon Islands vessel must pay the levy specified in Schedule 3 as payable by the owner or operator when the owner or operator pays the marine aids to navigation dues under paragraph 5.
- (5) For the purpose of calculating the amount of the levy to be paid by a person importing oil referred to in subparagraph (3) or an owner or operator of a vessel referred to in subparagraph (4):
 - (a) the person, or the owner or operator, must provide the information requested by an authorised officer under section 56 of the Act (if any) by the date specified in the request (which date must be at least 24 hours before the vessel enters its first port of entry in Solomon Islands); and
 - (b) if the levy is to be paid by a person importing oil into Solomon Islands, an independent shipboard cargo surveyor must provide the information requested by an authorised officer under section 56 of the Act (by the date specified in the request) as to the quantity of oil unloaded from the vessel carrying the oil.

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 specified in Schedule 5 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 this Maritime Order 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 functions of a collection officer are 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 functions 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 REPEAL AND TRANSITIONAL MATTER

21 Repeal

The *Solomon Islands Maritime Authority (Fees, Charges and Levies) Maritime Order 2022* (Legal Notice No. 188 of 2022) is repealed.

22 Transitional matter

- (1) In this paragraph:
 - “*commencement*” means the commencement of this Maritime Order;
 - “*repealed Order*” means the Maritime Order repealed under paragraph 21.
- (2) A fee, charge or levy payable under the repealed Order, which, immediately before the commencement, had not been paid as required by paragraph 18 of the repealed Order, is on the commencement taken to be a fee, charge

or levy that is not paid as required by paragraph 18 of this Maritime Order, and paragraph 18 of this Maritime Order applies to the fee, charge or levy accordingly.

SCHEDULE 1

(Paragraph 6)

APPLICATION FEES

Column 1	Column 2
Description of matter applied for and which fee is payable for	Fee (SBD)
Initial registration (including after satisfaction of provisional registration) or initial re-registration	Fee per gross tonnage of vessel: 0-less than 50 GT \$1,447.90 50-less than 100 GT \$1,737.50 100-less than 150 GT \$2,316.66 150-less than 200 GT \$3,088.87 200-less than 250 GT \$3,668.03 250-less than 300 GT \$4,247.20 300-less than 400 GT \$5,019.42 400 or more GT \$5,019.42 plus \$444.03 per 100 GT or part thereof more than 400 GT
Provisional certificate of registry	\$1,930.55
Change of name of registered vessel	\$289.58
Recording change of ownership of registered vessel	\$289.58
Notification of alteration of registered particulars of vessel	\$289.58
Declaration of transmission	\$868.74
Registration of mortgage	\$289.58
Discharge of resistered mortgage	\$386.11
Notification of change in mortgage interest	\$289.58
Registration of maritime lien	\$289.58
Discharge of registered maritime lien	\$289.58
General application fee for any application under the 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	\$289.58

SCHEDULE 2

(Paragraph 7)

LEVIES FOR REGULATORY FUNCTIONS

Column 1	Column 2
Description of SIMA regulatory function for which a levy is payable	Levy (SBD)
Initial issue of certificate of registry	\$386.11
Issue of certified copy of certificate of registry	\$193.05

Issue of provisional certificate of registry	\$386.11
Extension of period of validity of provisional certificate of registry	\$1 93.05
Registration of bill of sale, mortgage or maritime lien	\$289.58 + \$96.53 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	\$868.74
Registration of transmission of ownership or transmission of mortgage	\$868.74
Fee for inspection of the Register	\$386.11
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	\$579.16
Transcript or certified copy of a certificate or other document	\$772.22
Ordinary copy of a certificate or other document	\$154.45
Annual regulatory levy	Levy per gross tonnage of vessel: 0-to less than 50 GT \$2,500.00 50-less than 100 GT \$2,800.00 100-less than 150 GT \$3,200.00 150-less than 200 GT \$4,000.00 200-less than 300 GT \$5,500.00 300-less than 400 GT \$6,500.00 400-less than 500 GT \$8,000.00 500 or more GT \$10,000.00 plus \$500. 00 per 100 GT or part thereof more than 500 GT

SCHEDULE 3

(Paragraph 8)

POLLUTION LEVIES

PART A

Column 1	Column 2
Description of the pollution levy	Levy (SBD)
Levy payable under paragraph 8(2) by owner or operator of Solomon Islands vessel	Levy per gross tonnage of vessel: 0-to less than 50 GT \$100.00 50-less than 100 GT \$120.00 100-less than 150 GT \$160.00 150-less than 200 GT \$200.00 200-less than 300 GT \$250.00 300-less than 400 GT \$300.00 400-less than 500 GT \$400.00 500 or more GT \$550.00 plus \$100.00 per 100 GT or part thereof more than 500 GT
Levy payable under paragraph 8(3) by person importing oil into Solomon Islands	0.02 per litre of imported oil

PART B

Column 1	Column 2
Description of the pollution levy	Levy (USD)
Levy payable under paragraph 8(4) by owner or operator of vessel that is not Solomon Islands vessel	\$3.00 per metre LOA

SCHEDULE 4

(Paragraph 9)

FEEES FOR SEAFARERS' ASSESSMENTS AND CERTIFICATIONS

Column 1	Column 2
Description of assessment of certification for which fee payable	Levy (SBD)
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:	
(a) Master Class 1 or Engineer Class 1;	\$965.27
(b) Master Class 1 or Second Engineer Class 1;	\$868.74
(c) Master Class 2 or Engineer Class 2;	\$772.22
(d) Master Class 2 or Second Engineer Class 2;	\$675.69
(e) Master Class 3 or Deck Watchkeeper;	\$579.16
(f) Engineer Class 3 or Deck Watchkeeper;	\$579.16
(e) Master Class 4 or Engineer Class 4;	\$386.11
(f) Master Class 5 or Engineer Class 5;	\$289.58
(g) Master/Engineer Class 6 (Full or restricted);	\$289.58
(h) Deck or Engine Watchkeeping Rating;	\$289.58
(i) Ordinary Seafarer;	\$193.05
(j) Pacific Island Qualified Fishing Deckhand;	\$193.05
(k) Boat Master's Licence	\$193.05
Additional certificate transcript of examination results	\$96.53
Re-assessment of unsuccessful candidate	\$96.53 per module
Issue of a Certificate of Competency or Proficiency for training for:	
(a) Master Class 1 or Engineer Class 1;	\$386.11
(b) Master Class 1 or Second Engineer Class 1;	\$386.11
(c) Master Class 2 or Engineer Class 2;	\$386.11
(d) Master Class 2 or Second Engineer Class 2;	\$289.58
(e) Master Class 3 or Deck Watchkeeper;	\$193.05
(f) Engineer Class 3 or Deck Watchkeeper;	\$193.05
(e) Master Class 4 or Engineer Class 4;	\$193.05
(f) Master Class 5 or Engineer Class 5;	\$193.05
(g) Master/Engineer Class 6 (Full or restricted);	\$96.53
(h) Deck or Engine Watchkeeping Rating;	\$96.53
(i) Pacific Island Qualified Fishing Deckhand;	\$96.53
(j) Basic Safety and other proficiency or training;	\$96.53
(k) Boat Master's Licence	\$96.53

Revalidation of a Certificate of Competency or Proficiency or Training for:	
(a) Master Class 1 or Engineer Class 1;	\$386.11
(b) Master Class 1 or Second Engineer Class 1;	\$386.11
(c) Master Class 2 or Engineer Class 2;	\$289.58
(d) Master Class 2 or Second Engineer Class 2;	\$289.58
(e) Master Class 3 or Deck Watchkeeper;	\$193.05
(f) Engineer Class 3 or Deck Watchkeeper;	\$193.05
(e) Master Class 4 or Engineer Class 4;	\$193.05
(f) Master Class 5 or Engineer Class 5;	\$193.05
(g) Master/Engineer Class 6 (Full or restricted);	\$96.53
(h) Deck or Engine Watchkeeping Rating;	\$96.53
(i) Ordinary Seafarer;	\$96.53
(j) Pacific Island Qualified Fishing Deckhand;	\$96.53
(k) Boat Master's Licence	\$96.53
Replacement certificate or other document	\$482.63
Application for dispensation from manning requirements	\$482.63
Endorsement or Recognition of Certificate of Competency	\$965.27
Issue of Safe Manning Certificate	\$482.63
Course syllabus	\$482.63
Seafarers' employment and training record book	\$96.53
Application for review of a Medical Fitness Certificate by an Appeal Body	\$193.05

SCHEDULE 5

(Paragraph 10)

FEES FOR PILOTAGE CERTIFICATION

Column 1	Column 2
Description of application or annual certificate for which fee is payable	Fee (SBD)
Application for Pilotage Certificate	\$1,930.55
Application for Pilotage Exemption Certificate	\$5,791.64
Annual fee for Pilotage Exemption Certificate	\$5,791.64

SCHEDULE 6

(Paragraph 11)

FEES FOR SECURITY CERTIFICATION AND VERIFICATION

Column 1	Column 2
Description of matter for which fee payable	Fee (SBD)
Issue of International Ship Security Certificate	\$9,193.07
Endorsement on a certificate	\$4,596.54
Issue of an interim certificate	\$5,515.84
Conduct of verification process	\$3,677.23

SCHEDULE 7

(Paragraph 12)

FEEES FOR USE OF VESSEL FOR SCIENTIFIC RESEARCH

Column 1	Column 2
Description of matter for which fee payable	Fee (USD)
Application for approval to use vessel to carry out research	\$1795.86
Monitoring of research activities relating to:	
(a) Minerals	\$482.63 per month or part thereof
(b) Oil and gas	\$482.63 per month or part thereof
(c) Fisheries and marine resources	\$289.58 per month or part thereof
(d) Forestry and associated activities	\$289.58 per month or part thereof
(e) Agriculture and associated activities	\$289.58 per month or part thereof
(f) Aquaculture	\$289.58 per month or part thereof
(g) Oceanography	\$193.05 per month or part thereof
(h) Hydrography	\$193.05 per month or part thereof
(i) Tourism	\$96.53 per month or part thereof
(j) Other	\$289.58 per month or part thereof

SCHEDULE 8

(Paragraph 13)

FEEES FOR SERVICES AND FACILITIES PROVIDED BY SIMA

Column 1	Column 2
Description of service or facility for which fee is 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	\$289.58
Registration of employment contract	\$289.58

Made by the Board of the Solomon Islands Maritime Authority
on twenty-second day of December 2022

ROBERT BOKELEMA
CHAIRPERSON OF THE BOARD