



**PAPUA NEW GUINEA
CUSTOMS ACT CHAPTER 101**

APPLICATION FOR CRUISING PERMISSION

1. Name & Description of Vessel		2. Date of Arrival	3. National of Vessel
4. Name of Master		5. Number of Crew	6. Number of Passengers
7. Certificate of Registry (Port & Number)		8. Name Address & Contact Details of Vessels Agent in PNG	
9. Gross Tonnage	10. Net Tonnage		
11. Purpose of Visit			
12. Number of days requested		13. Intended Port of Departure from PNG	
14. Brief particulars of voyage			
Attached Documents (indicate number of copies)			17. Date & Signature of Master or Agent
15. Crew, Supernumerary and Passenger list		16. Intended Itinerary	
FOR OFFICIAL USE ONLY			
Permission Granted		Yes / No	Permission Number
Permission Issue Date		Permission Expiry Date	
<p>.....</p> <p>....</p> <p>Name Designation Date/Time Signature & Official Stamp</p>			



CUSTOMS ACT CHAPTER 101
APPROVAL FOR A CRUISING PERMISSION
Section 25(3) Customs Act

Date of Issue	Permission No.	Entry / Departure Port	Issuing Office

To.

Ref: Application for Customs Permission

Approval is hereby granted to the Master of the following named vessel to cruise the waters of PNG subject to the conditions as attached to this document.

This approval is effective from the date indicated below and remains in force until such time as the vessel departs for overseas, in which case Customs clearance must be sought before departure, or until it is revoked or varied by the Collector of Customs.

Permission Details

Vessel Name _____

Port of Registry and I.D. Number _____

Commencement Date Day _____ Month _____ Year _____

Commencement Time _____ hrs local time (PNG)

Estimated Crew & Passenger Numbers Crew _____ & Pax _____

Name of the Master _____

Please Note – Any changes to your application details must be communicated in writing to Customs prior to the date of the intended voyage. Significant changes may result in Customs withdrawing the permission or altering a condition. Any additional costs will be the responsibility of the operator of the vessel or the Agent in PNG.

Conditions to Apply

A full list of conditions that apply to this permission are attached to this notice of permission.

To ensure compliance with Customs and other Border related legislation the Collector may, at any time, revoke the original permission; revoke or vary a condition; or impose new conditions on an existing permission.

The operator should note that failure or refusal to comply with any condition subject to this permission constitutes an offence against the *Customs Act* for which a Court on conviction may impose a fine of not less than PGK500 and not exceeding PGK25, 000.00.

The operator should be also be aware of other requirements under the *Customs Act* in relation to the vessel, its crew, passengers and cargo and the restrictions or prohibitions of goods that may be imported or exported. Heavy fines or imprisonment can apply.

Where a breach of the *Customs Act* is less serious Customs may impose an administrative penalty in lieu of prosecution action. The amount of the penalty is calculated using a sliding scale of between 20% and 100% of the minimum penalty applicable for the offence detected.

Review of this permission and attendant conditions

Redress

The Customs Act provides for an avenue of appeal to dispute a decision of a Collector. If you believe that the permission and attendant conditions have been imposed inappropriately, you may request all or part of the conditions to be withdrawn by asking for a review of the decision.

You may apply in writing to the Regional Director for the Region in which the issuing office is located, for such a review. If you remain dissatisfied at the conclusion of this review, you may appeal directly to the Chief Commissioner of Customs, using the provisions of section 177 and 178 of the *Customs Act*.

Region and Issuing Office / Address
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..... Name of Issuing Officer Signature Date
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Attachment 1

Conditions of Cruising Permission For Super Yachts

1. If the said vessel is to remain in PNG waters for less than 12 months a security or guarantee from the local agent or owner is required as per Section 107 of the Customs Act and Section 60 of the Customs Regulations Chapter 101.
2. If the said vessel is to be chartered whilst in PNG and within PNG waters the following conditions shall apply-;
 - i. Charter- The use of a Super yacht by a charterer under a recognised charter contract by way of lease or hire for a period of time or a voyage. Charters of the Super Yacht through the use of a recognized and authorized Local Agent and any taxes or guarantees from the Charter Fee will be the responsibility of the Local Agent on behalf of the Owner of the Super Yacht or Broker. The Tax of 10% GST/VAT of the Charter Fee will be paid to Internal Revenue Commission, collected by the agent from the Owner of the Super Yacht or Broker.
 - ii. Charterer- A person who charters or hires a Super yacht
 - iii. Charter fee- The fee payable by a charterer under a recognised charter contract to exclude APA and delivery fee. (These are typically listed separately as APA is the charterer's funds for purchases and the delivery fee is a fee that could be charged separately to deliver the vessel to the charter location.) Neither the APA or the Delivery fee attract brokers commission either.
 - iv. Recognised Charter Contract- Any contract with the Super yacht owner setting out the terms and conditions of the charter in a form approved by either the Mediterranean Yacht Brokers Association, American Yacht Charter Association, or other internationally recognised Super yacht association
 - v. Super yacht- A foreign flagged or registered large yacht to which the MCA Merchant Shipping Notice #1792 applies, being a motor or sailing yacht of 24m in load line length and over, if built before 21 July 1968, which is of 150 GRT and over and which, at the time, is in commercial use for sport or pleasure and carries no cargo and no more than 12 passengers and is less than 3000 GRT
 - vi. Super yacht crew- All persons employed in any capacity onboard a super yacht, including, without limitation, the Master, Mate and Engineer