



**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

Rev. 0

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: flagstate@smsr.sm

San Marino Policy Letter

SMPL – 2023-TEC-005

19 May 2023

San Marino Ship Register SMSR

Radio Accounting Authorities

TO: Recognised Security Organisations, Shipowners, Companies, Managers, Masters, Seafarers, SMSR partners, SMSR brokers, Surveyors, and the general public.

Rev. 0



REPUBLIC of SAN MARINO
MARITIME AUTHORITY

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: flagstate@smsr.sm

Rev. n	Date	Changes	Initials
0	19 May 2023	n/a	nc



**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: flagstate@smsr.sm

1. PURPOSE

This Policy Letter explains the radio message accounting procedures required by the Republic of San Marino, lists the Accounting Authorities approved by San Marino and sets the procedures and the criteria for approving maritime mobile and maritime mobile satellite services radio Accounting Authorities.

2. APPLICABILITY

This Notice applies to all San Marino flag vessels equipped with ship radio stations having apparatus whose traffic generates accounts and to all entities requesting approval or approved as an Accounting Authority.

3. REQUIREMENTS

- i) The International Telecommunication Union ("ITU") Convention currently in force provides for Accounting Authorities to settle maritime radio communication accounts for ships licensed by the Administration.
- ii) It is mandatory that all international maritime radio traffic charges for radio communication from ship to shore, both terrestrial and satellite, shall be settled by an approved Accounting Authority which has the legal contract with the owner of the vessel.
- iii) No ship is entitled to be registered or to maintain registration under the San Marino Flag unless the owner shall have entered into a valid contract with a radio Accounting Authority approved by the Administration. The approved Accounting Authority, pursuant to the terms of the contract, shall assume the maritime mobile and maritime mobile-satellite radio services accounting obligation.
- iv) The approved Accounting Authority for the vessel shall be fully responsible for the payment of the radio and satellite communication charges including all activation and deactivation fees. The approved Accounting Authority grants that no charges will accrue to the account of the San Marino Government.
- v) The list of current Accounting Authorities approved by San Marino is available in the ITU online database at the following address, in the San Marino section:
<https://www.itu.int/mmsapp/accountingAuthority/ByGeographicalArea>

4. APPROVAL OF RADIO ACCOUNTING AUTHORITIES

Entities that wish to become an approved accounting authority for San Marino flagged vessels will need to send an email to: flagstate@smsr.sm.

The application message must include:



**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: flagstate@smsr.sm

- a. the full style legal address;
- b. the operator codes (AAIC and eventually the PSA);
- c. the approval by the resident state jurisdiction;
- d. the approval by other jurisdictions as Radio Accounting Authority;
- e. the summary of the Company Structure;

The eligibility verification of the applicant Company to be appointed as San Marino Radio Accounting Authority shall be carried out according to the provisions set in paragraph 5.

Upon successful evaluation an authorization letter, having five years of validity, shall be issued. At the same time a communication to ITU and to the Service Provider shall be sent in order to update the databases accordingly by adding the new Radio Accounting Authority. The administrative fee of 1.000 € for five years shall be charged to the applicant.

5. RULES FOR THE CERTIFICATION OF RADIO ACCOUNTING AUTHORITIES

5.1 Basic Qualifications

Applicant Organizations must:

1. Meet the requirements and conditions contained in these rules in order to be certified as an Accounting Authority ("AA"). No individual or other entity, including accounting authorities approved by other administrations, may act as a San Marino accounting authority and settle accounts of San Marino registered vessels in the maritime mobile or maritime mobile-satellite services without a certification from the San Marino Administration.
2. Provide formal documentation and proof of their ability to settle accounts.
3. Agree to pay the required fees prescribed at paragraph 4.

5.2 Approval

The Administration will notify each applicant in writing as to whether the applicant has been approved as an accounting authority. A Certificate of Authorization will be issued to each approved applicant with the validity of five years. The Administration will notify the International Telecommunication Union ("ITU") and other authorities within thirty (30) days of any changes to its approved list of Accounting Authorities.

5.3 Accounting Authority Identification Code (AAIC)

A certified Accounting Authority maintaining settlement operations outside the San Marino Republic will be assigned the same AAIC as that originally assigned to such entity by the administration of the country of operation. However, in no case will an entity be certified as an accounting authority for settlement of San Marino vessel accounts unless the entity has already been issued an AAIC by another administration.



**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: flagstate@smsr.sm

Accounting Authorities with settlement operations within San Marino will be assigned the AAIC of San Marino and will not be subject to Section 5.1.

No entity will be entitled to or assigned more than one AAIC.

AAICs may not be reassigned, sold, bartered or transferred and do not convey upon sale or absorption of a company or firm without the express written approval of the Administration. The Administration will not unduly deny such a request.

5.4 Operations

All Accounting Authority operations must be conducted in accordance with applicable San Marino Law, Rules and Regulations, the International Telecommunication Regulations (“ITR”), and other international rules, regulations, agreements, and, where appropriate, ITU-T Recommendations.

Ship owners are responsible for the selection of the Accounting Authority of their choice provided that such Accounting Authority is recognized by the San Marino Republic.

5.5 Settling of Accounts

All maritime telecommunications accounts should be timely paid in accordance with applicable ITU Regulations and ITR requirements. Accounting Authorities are deemed to be responsible for remitting, in a timely manner, all valid amounts due to earth stations, other applicable communication administrations or their agents. Settlements must adhere to the standards set forth in these rules and must be in accordance with the ITR taking into account the applicable ITU-T Recommendations and other guidance issued by the Administration.

Accounting Authorities must cooperate fully with the Administration in all respects concerning international maritime settlements issues, including the resolution of questions of fact or other issues arising as a result of settlement operations.

5.6 Retention of Settlement Records

Accounting Authorities must retain, for the purpose of compliance with these rules, all settlement records for a period of at least five years following settlement of an account.

5.7 Annual Review

Accounting Authorities accept their certifications on condition that their settlement activities may be audited with respect to San Marino vessels by the Administration or its duly authorized representative. Additionally, the Administration reserves the right to verify any statement(s) made or any materials submitted to the Administration under these rules. Failure to respond satisfactorily to any audit findings is grounds for forfeiture or suspension or cancellation of authority to act as an Accounting Authority for San Marino vessels.



**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: flagstate@smsr.sm

5.8 Termination of Operation

The Administration must be notified immediately should an Accounting Authority plan to relinquish its certification or cease to perform settlements as authorized.

When an Accounting Authority is transferred, merged or sold, the new entity must apply for certification in its own right if it is interested in becoming an Accounting Authority to settle accounts for San Marino Vessels. The applicant must certify acceptance of all accounts to the Administration at the time of application.

5.9 Complaint and Inquiry Resolution

Accounting Authorities must maintain procedures for resolving complaints and/or inquiries from its contractual customers (vessels for which it performs settlements), the Administration, the ITU, and foreign administrations or their agents. These procedures must be available to the Administration upon request.

5.10 Notification of refusal to provide telecommunications service to San Marino registered vessel(s).

An Accounting Authority must inform San Marino Administration immediately should it receive notice from any source that a communication facility is refusing or plans to refuse legitimate public correspondence or GMDSS services to or from any San Marino registered vessel.

5.11 Notification of change in address

The San Marino Administration must be notified in writing within 15 days of any change in address of an Accounting Authority. The Accounting Authority must provide the Administration with all relevant new particulars including telephone and telefax numbers, e-mail addresses, street addresses, and name of a contact person.

5.12 Barring of Terminal

The Accounting Authority that causes a mandatory barring to be raised on a maritime mobile earth station must:

- a. notify the San Marino Administration in advance that the maritime mobile earth station will be barred in 14 days.
- b. in the case of an unpaid account, ensure the invoice is outstanding for at least three months.
- c. implement the barring in such a way that the ability of a vessel to use distress communication and transmitting LRIT Data is not impeded.



REPUBLIC of SAN MARINO
MARITIME AUTHORITY

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: flagstate@smsr.sm

- d. be prepared throughout the 24-hour day to be able to quickly unbar the mobile earth station if requested by a Rescue Coordination Centre either directly or through Inmarsat, to facilitate RCC response to a distress situation.

5.13 Administration Responsibilities

The Administration will be responsible for the following:

- a. issuance of the applicable radio station licenses;
- b. maintaining a database of radio telecommunication data containing information on the radio and communications systems on San Marino vessels;
- c. Provide the necessary reports to the ITU and applicable organizations;
- d. Maintain a public list of Accounting Authorities as approved by the Administration (see section 3/V).

5.14 Investigations and Penalties

- a. The Administration may investigate any complaints made against Accounting Authorities to ensure compliance with all applicable San Marino rules, ITU Regulations and other international maritime accounting procedures which the Republic of San Marino recognizes.
- b. The Administration may issue written warnings or forfeitures to Accounting Authorities which are found not to be operating in accordance with established rules and regulations. Warnings will generally be issued for violations that do not seriously or immediately affect settlement functions or international relations. Continued or unresolved violations may lead to further enforcement action by the Administration, including suspension or cancellation of the Accounting Authority certification.
- c. The Administration may take further enforcement action, including suspension or cancellation of an Accounting Authority certification, if it is determined that the San Marino Republic or ship owners interest so requires. Reasons for which such action may be taken include but are not limited to:
 - 1. illegal activity or fraud;
 - 2. non-payment or late payment to a foreign administration or agent;
 - 3. failure to follow ITR requirements and procedures that San Marino recognizes;
 - 4. failure to take into account ITU-T Recommendations;
 - 5. bankruptcy or liquidation;
 - 6. providing false or incomplete information to the Administration or failure to comply with or respond to requests for information;
 - 7. failure to pay Administration fees.
- d. Prior to taking any of the enforcement actions listed in this section, the Administration will give notice of its intent to take the specified action and the grounds therefore and afford a thirty (30) day period for a response in writing; however, where the interest of the ship owners or the



**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: flagstate@smsr.sm

San Marino Republic so requires, the Administration may temporarily suspend a certification pending completion of these procedures.

5.15 Liability for Payment

- a. In the event that an accounting authority does not remit proper and timely payments on behalf of the ship station licensee:
 1. The ship station licensee will be responsible for making arrangements for another accounting authority to perform future settlements.
 2. The ship station licensee will settle any outstanding accounts due to radio stations or communications entities.
- b. The Administration will, upon request, take all possible steps, within the limits of applicable national law and maritime regulations, to ensure settlement of the accounts of the ship station licensee.
- c. The San Marino Administration will be not liable for any outstanding accounts due to radio stations, Accounting Authorities, or any other communications entities.
- d. The Accounting Authority will be responsible for indemnifying San Marino against all settlement claims arising from the failure to fully settle accounts.