

ANACT further to amend the Merchant Shipping Act, 1973

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

Short title 1. This Act may be cited as the Merchant Shipping (Amendment) Act, 1999, and shall be read and construed as one with the Merchant Shipping Act, 1973, hereinafter referred to as "the principal Act".

Amendment of section 2. (a) immediately after the definition of "Authority" there shall be 2 of the principal Act.
inserted the following new definition:

""bulk carrier" means a ship which is constructed generally with single deck, top-side tanks and upper side tanks in cargo spaces, and is intended primarily to carry dry cargo in bulk, and includes such types as ore carriers and combination carriers;"

(b) immediately after the definition of "cargo ship" there shall be inserted the following new definition:

""chemical tanker" means a cargo ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the International Bulk Chemical Code;"

(c) immediately after the definition of "effects" there shall be inserted the following new definition:

""gas carrier" means a cargo ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product listed in chapter 19 of the International Gas Carrier Code;"

(d) immediately after the definition of "Gazette" there shall be inserted the following new definition:

""high-speed craft" is a craft capable of a maximum speed in metres per second (ms) equal to or exceeding: $3.7\sqrt{1667}$ where $3.7V$ = displacement corresponding to the design waterline

(e) immediately after the definition of "Malta" there shall be inserted the following new definition:

""mobile offshore drilling unit" (MODU) means a vessel capable of engaging in drilling operations for the exploration for or exploitation of resources beneath the sea-bed such as liquid or gaseous hydrocarbons, sulphur or salt;"

(f) immediately after the definition of "name" there shall be inserted the following new definition:

"oil tanker" is the oil tanker defined in regulation 1 of Annex I of the Protocol of 1978 relating to the International Convention for the prevention of Pollution from Ships, 1973;"

Deletion of sections 207 3(Sections 207 to 212 of the principal Act shall be deleted.

to 212 of the principal Act.

Substitution of section 4. Section 213 of the principal Act shall be deleted and substituted

213 of the principal Act, as follows:

"Regulations 213 The

to implement Minister may make regulations (in this Act safety referred to as "Safety of Life at Sea regulations") in regard convention, to the matters in respect of which the regulations are made,

as appear to the Minister to implement the provisions in regard to those matters of the international convention entitled the "International Convention for the Safety of Life at Sea" signed in London on the 1st November 1974 or to any amendment to such convention or to any related Protocol, Code, Resolution or amplification to such convention or to any other instrument related to the safety of life at sea, as may be in force from time to time and ratified or acceded to or accepted by the Government of Malta, (in this Act referred to as "the Safety Convention").'t.

Substitution of section 5. Section 251 of the principal Act shall be deleted and substituted

251 of the principal Act as follows:

"Regulations 251. The Minister may make regulations (in this Act to implement load line referred to as "Load Line regulations") in regard to the convention. matters in respect of which the regulations are made, as appear to the Minister to implement the provisions in regard to those matters of the international convention entitled the "International Convention on Load Lines" signed in London on the 5th April 1966 or to any amendment to such convention or to any related Protocol, Code, Resolution or amplification to such convention or to any other instrument related to load lines, as may be in force from time to time and ratified or acceded to or accepted by the Government of Malta, (in this Act referred to as "the Load Line Convention").".

Amendment of section 6. Section 280 of the principal Act shall be amended as follows:

280 of the principal Act.

(a) for subsection (1) there shall be substituted the following new subsection:

"(1) Where a Maltese ship, being in any Port in or outside Malta, is an unsafe ship, that is to say, is by reason of the

defective condition of her hull, equipment or machinery, or by reason of undermanning, or by reason of overloading or improper loading, or by reason of unfamiliarity by the Master or crew with essential shipboard procedures relating to the safety of shipboard procedures relating to the safety of ships, having regard to the nature of the service for which she is intended, such ship may be provisionally detained for the purpose of being surveyed or for ascertaining the sufficiency of her crew, and either finally detained or released as follows:-";

(b) for paragraph (c) of subsection (1) of there shall be substituted the following new paragraph:

"(c) The Minister may thereafter either order the ship to be released or if in his opinion the ship is unsafe, order her to be finally detained, either absolutely or until the performance of such conditions with respect to the execution of repairs or alternation, or the unloading or reloading of cargo, or the manning of the ship or proper familiarization by the Master and the crew with essential ship board procedures relating to the safety of ships, as the Minister thinks necessary for the protection of human life and the Minister may vary or add to any such order.".

Amendment of section 7~ In section 283 of the principal Act after the words "or by reason

Act. of the principal of undermanning, there shall be substituted the words "or by reason of unfamiliarity by the Master of the crew with essential ship board procedures relating to the safety of ships,".

Amendment of the 8. In the Second Schedule to the principal Act there shall be added Second Schedule to the principal Ast. the following new item:

"16. Provisional Certificate of Malta (Bareboat Charter) Registry".

MERCHANT SHIPPING ACT, 1973
(CAP. 234)

Merchant Shipping (Safety of Life at Sea) Regulations, 1999

IN exercise of the powers conferred by section 213 and 374 of the Merchant Shipping Act the Minister for Transport and Communications has made the following regulations:-

1. These regulations may be cited as the Merchant Shipping (Safety of Life at Sea) Regulations, 1999.
Citation

Interpretation.

Act No. xvii of 1991.

Application of international convention.

Penalties.

2. (1) In these regulations, -"Organisation" means the International Maritime Organisation;

"Administration" in relation to Malta includes the Malta Maritime Authority established in terms of the Malta Maritime Authority Act, 1991.

(2) Any reference in these regulations to an international convention shall include reference to any amendment to such convention or to any related Protocol, Code, Resolution or amplification as may be in force from time to time and accepted by the Government of Malta.

3. The International Convention for Safety of Life at Sea signed in London on the 1st November, 1974, shall have effect with regard to safety of life at sea and other navigable waters and shall apply as provided for in the said convention to all Maltese ships, and to all other vessels while within Maltese territorial and inland waters.

4. Any person who contravenes or fails to comply with the provisions of regulation 3 of these regulations shall for each offence be liable to fine (multa) not exceeding [xxxx] liri.

MERCHANT SHIPPING ACT, 1973
(CAP. 234)

Merchant Shipping (Load Line) Regulations, 1999

IN exercise of the powers conferred by section 251 and 374 of the Merchant Shipping Act the Minister for Transport and Communications has made the following regulations:-

1. These regulations may be cited as the Merchant Shipping (Load Line) Regulations, 1999.
Citation

Interpretation.

Act No. XVII of 1991.

Application of international convention.

Penalties.

Revokes L.N. 131 of 1974.

2. (1) In these regulations, -"Organisation" means the International Maritime Organisation;

"Administration" in relation to Malta includes the Malta Maritime Authority

established in terms of the Malta Maritime Authority Act, 1991.

(2) Any reference in these regulations to an international convention shall include reference to any amendment to such convention or to any related Protocol, Code, Resolution or amplification as may be in force from time to time and accepted by the Government of Malta.

3. The International Convention on Load Lines signed in London on the 5th April, 1966 shall have effect with regard to load lines and shall apply to all Maltese ships, and to all other vessels while within Maltese territorial and inland waters.

4. Any person who contravenes or fails to comply with the provisions of regulation 3 of these regulations shall for each offence be liable to fine (mu/ta) not exceeding [xxxx] liri.

5. The Merchant Shipping (Load Line) Rules, 1974 are hereby revoked.

MERCHANT SHIPPING ACT, 1973
(CAP. 234)

Merchant Shipping (Forms) (Amendment) Regulations, 1999

IN exercise of the powers conferred by section 69 and 374 of the Merchant Shipping Act the Minister for Transport and Communications has made the following regulations:-

Citation

L.N. 59 of 1973.

Amends the Schedule to the principal regulations.

1. These regulations may be cited as the Merchant Shipping (Forms) (Amendment) Regulations, 1999, and shall be read and construed as one with the Merchant Shipping (Forms) Regulations, 1973, hereinafter referred to as the "principal regulations".

2. (1) The forms set out in the First Schedule to these regulations shall

replace the corresponding forms set out in the Schedule to the principal regulations.

(2) The forms set out in the Second Schedule to these regulations shall be added to the forms set out in the Schedule to the principal regulations.

ACT NO. OF 1999

L.N. of 1999

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