

L.N. 350 of 2003

**MERCHANT SHIPPING ACT
 (CAP. 234)**

**Merchant Shipping (Safe Manning and Watchkeeping)
 (Amendment) Regulations, 2003**

IN exercise of the powers conferred by articles 90, 281 and 374 of the Merchant Shipping Act, the Minister for Transport and Communications has made the following regulations: -

1. (1) The title of these regulations is the Merchant Shipping (Safe Manning and Watchkeeping) (Amendment) Regulations, 2003, and they shall be read and construed as one with the Merchant Shipping (Safe Manning and Watchkeeping) Regulations, 2003, hereinafter referred to as “the principal regulations”. Short title.
L.N. 29 of 2003.

2. Regulation 2 of the principal regulations shall be amended as follows: - Amends regulation 2 of the principal regulations.
 - (a) immediately after the definition of “company” there shall be added the following new definition:

“ “duly qualified medical practitioner” shall have the same meaning as is assigned to it by article 108(5) of the Act;”;

 - (b) the definition of “safe manning document” shall be substituted by the following new definition:

“safe manning document” means a document described as such prescribing the minimum safe manning considered necessary for the sufficient and efficient manning of the ship from the point of view of safety of life at sea and pollution prevention, issued, in the case of a Maltese ship by the Registrar-General, and in the case of any other ship, by or on behalf of the Government of the State whose flag the ship is entitled to fly;”.

3. In regulation 5 of the principal regulations, immediately after subregulation (4) there shall be added the following new subregulation: Amends regulation 5 of the principal regulations.

“(5) Notwithstanding the provisions of these regulations and without prejudice to any other duties and responsibilities of the master and of the company, it shall be the duty of the master and of the company to ensure that from the point of view of safety of life at sea and pollution prevention, the ship is sufficiently and efficiently manned.”.

Renumbers regulations 9, 10, 11 and 12.

4. Regulations 9, 10, 11 and 12 of the principal regulations shall be renumbered as regulations 10, 11, 12 and 13 respectively.

New regulation 9.

5. Immediately after regulation 8 of the principal regulations there shall be added the following new regulation:

“Ship to carry duly qualified medical practitioner.

9. It shall be the duty of the master to ensure that a ship with a total number of crew and passengers of one hundred persons or more engaged on an international voyage of more than three days, carries onboard as part of its safe manning a duly qualified medical practitioner responsible for the medical care of the persons on board.”.

Amends regulation 12 as renumbered of the principal regulations.

6. In paragraph (b) of regulation 12 as renumbered of the principal regulations, for paragraphs (i) and (ii) there shall be substituted the following:

“(i) any contravention of regulation 5, 6, 7, 8 or 9 hereof; or

(ii) a failure to correct a deficiency of a kind specified in regulation 11(3) hereof after notification to the master pursuant to that same regulation, and there is in consequence a danger to persons, property or the environment,”.