L.N. 21 of 2003

MERCHANT SHIPPING ACT
(CAP. 234)

Merchant Shipping (Load Line Convention) Rules, 2003

IN exercise of the powers conferred by articles 251, 273 and 374 of the Merchant Shipping Act, the Minister for Transport and Communications has made the following rules:—

Short title.

1. The title of these rules is the Merchant Shipping (Load Line Convention) Rules, 2003.

Interpretation.

2. (1) In these rules, unless the context otherwise requires —

Cap. 234.

"Act" means the Merchant Shipping Act;

"Load Line Convention" means "The International Convention on Load Lines" signed in London on 5th April, 1966 including any amendment or Protocol related thereto as may from time to time be ratified, acceded to or accepted by the Government of Malta and other instruments, standards and specifications of a mandatory nature related thereto adopted or developed by the International Maritime Organisation or in terms of regulation 3(2)(a) hereof.

(2) Unless otherwise defined in these rules or unless the context otherwise requires, words and expressions used in these rules shall have the same meaning assigned to them in the Load Line Convention.

(3) The term "Administration" as used in the Load Line Convention shall, for the purposes of these rules, mean the Registrar-General.

Load Line Convention given force of law in Malta.

3. (1) The Load Line Convention as may from time to time be in force, shall, unless otherwise provided in these rules and notwithstanding the provision of any other law, form part of and be enforceable as part of the Law of Malta and shall apply to all Maltese ships and to all other ships while they are in Maltese waters as determined by the said Convention.

(2) The Registrar-General may either on a case by case basis or through the issue of *Merchant Shipping Notices* —

(a) determine, lay down, prescribe, set or specify what may be required to be determined, laid down, prescribed, set or specified by these rules or by the Load Line Convention, or expound on the requirements of these rules or of such Convention or clarify their applicability or interpretation; and

(b) extend any of the provisions of the Load Line Convention to other classes of Maltese ships or, to other classes of ships when they are in Maltese waters;

and in so doing, and without prejudice to the generality of the foregoing, the Registrar-General shall be guided by the circulars, clarifications, codes, decisions, directives, guidelines, instruments, interpretations, manuals, notices, publications, recommendations, regulations, resolutions, rules or any other similar medium of the International Maritime Organisation or any other body or organisation with an appropriate knowledge or competence on the subject matter.

(3) The appropriate authority for the purposes of issuing certificates in terms of the Load Line Convention shall be the Registrar-General or, an organisation or body authorised in terms of article 367 of the Act or an official surveyor of ships appointed in terms of that article, duly authorised by the Registrar-General who shall, subject to the provisions of these rules and such Convention, determine the conditions of issue and validity of such certificates.

Duty to ensure compliance.

4. It shall be the duty of the owner, of the company which has assumed the operation of the ship and of the master to ensure that the ship is in compliance with the provisions of these rules and the applicable requirements of the Load Line Convention and such person, if in fault, shall be liable to the penalties provided for in the Act, and if no such penalty is provided, such person shall for each offence be liable to a fine (*multa*) not exceeding 500 units.

Provisions of rules and regulations inconsistent with the Load Line Convention.

5. Save as provided for in these rules where any provisions of any rules and regulations made under the Act are inconsistent with the provisions of the Load Line Convention, the provisions of that Convention shall, unless specifically provided for in such rules or regulations, apply.

Revokes Legal Notices 131 and 133 of 1974.

6. The Merchant Shipping (Load Line) Rules, 1974 and the Merchant Shipping (Deck Cargo) Regulations, 1974 are hereby revoked.

Ippubblikat mid-Dipartiment ta' l-Informazzjoni – 3, Pjazza Kastilja – *Published by the Department of Information – 3, Castille Place*
Mitbugh fl-Istamperija tal-Gvern – *Printed at the Government Printing Press*

Prezz 2c – *Price 2c*