

L.N. 229 of 2010

**AUTHORITY FOR TRANSPORT IN MALTA ACT
(CAP. 499)**

**PORTS AND SHIPPING ACT
(CAP. 352)**

Port Dues (Amendment) Regulations, 2010

IN exercise of the powers conferred by article 43(3) of the Authority for Transport in Malta Act and article 27 of the Ports and Shipping Act, the Minister for Infrastructure, Transport and Communications, in consultation with the Authority for Transport in Malta and in concurrence with the Minister of Finance, the Economy and Investment, has made the following regulations:

1. (1) The title of these regulations is the Port Dues (Amendment) Regulations, 2010 and they shall be read and construed as one with the Port Dues Regulations, 1977, hereinafter referred to as “the principal regulations”.

Citation and
commencement.

L.N. 30 of 1977.

(2) These regulations shall come into force on the 1st May, 2010.

2. Regulation 2 of the principal regulations shall be amended as follows:

Amends regulation
2 of the principal
regulations.

(a) immediately before the definition “ton” there shall be added the following new definition:

“the Authority” means the Authority for Transport in Malta established under the Authority for Transport in Malta Act;”;

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and thereafter, wherever the words “Authority for Transport in Malta” appear in the principal regulations, they shall be substituted by the word “Authority”;

(b) for the definition “ton” there shall be substituted the following definition:

“ton” means, for the purpose of calculating port dues, the net tonnage of a vessel and when a vessel has more than one net tonnage, the higher or highest of such tonnage shall be the net tonnage;”.

Substitutes the Second
Schedule to the
principal regulations.

3. For the Second Schedule to the principal regulations there shall be substituted the following:-

“SECOND SCHEDULE
Regulation 3(2)

Port Dues payable in respect of laid-up vessels

1. (1) Laid-up vessels, whether registered in Malta or otherwise, shall pay port dues as follows:

- (a) vessels not exceeding 10 tons€20 per vessel for every period of seven days or part thereof
- (b) vessels exceeding 10 tons but not exceeding 50 tons.....€40 per vessel for every period of seven days or part thereof
- (c) vessels exceeding 50 tons but not exceeding 100 tons.....€65 per vessel for every period of seven days or part thereof
- (d) vessels exceeding 100 tons but not exceeding 500 tons.....€85 per vessel for every period of seven days or part thereof

(2) Laid-up vessels exceeding 500 tons shall pay port dues as follows:

- (a) vessels not exceeding 2000 tons€70 for every 500 tons or part thereof in respect of every period of seven days or part thereof
- (b) vessels exceeding 2000 tons:
 - (i) for the first 2000 tons€350 in respect of every period of seven days or part thereof
 - (ii) for every 1000 tons or part thereof in excess of 2000 tons.....€35 in respect of every period of seven days or part thereof

2. If the net tonnage of a vessel is not known to, or cannot be established by, the Authority, it may appoint one or more surveyors at the expense of the person or persons liable to pay port dues to determine the net tonnage of that vessel.

3. Notwithstanding the provisions of paragraph 1, the Authority may, in respect of any laid-up vessel, whether registered in Malta or otherwise, increase the port dues specified in paragraph 1 by one hundred *per centum* in any of the following circumstances:

- (a) the vessel is laid-up without the permission of the Authority; or
- (b) the vessel is not fully manned or is not manned with such number of crew and officials as agreed with the Authority; or
- (c) the vessel remains in Malta for a longer period than that agreed with the Authority; or
- (d) the vessel does not comply with any direction or condition that may be imposed by the Authority.”.

