L.N. 223 of 2009

PORT WORKERS ORDINANCE
(CAP. 171)

Port Workers (Amendment) Regulations, 2009

IN exercise of the powers conferred by article 17 of the Port Workers Ordinance, the Minister for Infrastructure, Transport and Communications, in consultation with the Malta Maritime Authority, has made the following regulations:

Citation and commencement.

L.N. 90 of 1993.

1. (1) The title of these regulations is the Port Workers (Amendment) Regulations, 2009 and they shall be read and construed as one with the Port Workers Regulations, 1993, hereinafter referred to as "the principal regulations".

(2) These regulations shall be deemed to have come into force on the 1st of March, 2009.

Amends regulation 7 of the principal regulations.

2. Regulation 7 of the principal regulations shall be renumbered as sub-regulation (1) thereof, and immediately after sub-regulation (1) as renumbered there shall be added the following new sub-regulation:

"(2) The employers of port workers shall provide appropriate insurance cover to hold the foremen harmless for damages to property and to third parties provided that such damages are not a result of gross negligence on the part of the foremen.".

Amends regulation 8 of the principal regulations.

3. For the marginal note and sub-regulation (1) of regulation 8 of the principal regulations, there shall be substituted the following:

"Port workers to work with tools provided by employer.

(1) Port workers shall work with the tools and equipment provided by their employer.".

Substitutes the First Schedule to the principal regulations.

4. For the First Schedule to the principal regulations, there shall be substituted the First Schedule to these regulations.

Amends the Second Schedule to the principal regulations.

5. Immediately after paragraph (g) of Part II of the Second Schedule to the principal regulations, there shall be added the following new paragraph:

"(h) Loading and unloading of accompanied commercial vehicles with a cargo capacity of over 10 tons:

Chassis cab trucks or trailers of 20ft, per unit	€26.00
Articulated trucks or trailers of 40ft, per unit	€58.00
Articulated trucks or trailers of over 40ft, per unit	€74.00
Empty accompanied commercial vehicles, per unit	€12.46

Port workers shall be paid these fees if they have provided port work during the loading and unloading of the specified cargo.".

Amends the Seventh Schedule to the principal regulations.

6. Immediately after sub-paragraph (vii) of paragraph (4) of the Seventh Schedule to the principal regulations, there shall be added the following new sub-paragraph:

"(viii) accompanied commercial vehicles of a cargo capacity of more than 10 tons.".

FIRST SCHEDULE
(Regulation 24)

Fees payable to Foremen

Foremen of Port Workers engaged in the supervision of the handling of cargo shall be paid the following fees:

Item	*Description*	*Fee* €
1.0	To foremen engaged in the supervision of the handling of unitised cargo:	
1.1	Loading of unitised cargo-	
1.1.1	Locally manufactured goods, per ton	0.25c
1.1.2	Other unitised cargo, per ton	0.28c
1.2	Unloading of unitised cargo, per ton	0.32c
1.3	Loading and unloading of empty containers and trailers, per unit	1.74
2.0	To foremen engaged in the supervision of the handling of general cargo, per ton	0.35c
3.0	To foremen engaged in the supervision of the handling of the following bulk cargo:	
3.1	Wheat, per ton	0.12c
3.2	Barley, maize and corn, per ton	0.16c
3.3	Soya and alfalfa, per ton	0.35c
3.4	Pellets and seeds, per ton	0.35c
3.5	Cement, per ton	0.19c
3.6	Other bulk cargo, per ton	0.35c
4.0	Handling of accompanied commercial vehicles with a cargo capacity of more than 10 tons:	
4.1	Chassis cab trucks or trailers of 20ft, per unit	5.00
4.2	Articulated trucks or trailers of 40ft, per unit	10.00
4.3	Articulated trucks or trailers of over 40ft, per unit	15.00
4.4	Empty accompanied commercial vehicles, per unit	1.74

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