

L.N. 367 of 2009

**MALTA MARITIME AUTHORITY ACT
(CAP. 352)**

Maritime Pilotage (Amendment) Regulations, 2009

IN exercise of the powers conferred by article 28 of the Malta Maritime Authority Act, the Minister for Infrastructure, Transport and Communications, in consultation with the Malta Maritime Authority, has made the following regulations:

1. (1) The title of these regulations is the Maritime Pilotage (Amendment) Regulations, 2009 and they shall be read and construed as one with the Maritime Pilotage Regulations, 2003, hereinafter referred to as “the principal regulations”.

Citation and commencement.

L.N. 96 of 2003.

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

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

Amends regulation 2 of the principal regulations.

(a) for the definition “Board” there shall be substituted the following:

““Board” means the Pilotage Board established by regulation 38 of these regulations;”;

(b) the definition “Director” shall be deleted;

(c) immediately after the definition “compulsory pilotage port”, there shall be added the following new definition:

““high speed craft” means a ship which complies with the provisions of the International Code of Safety for High Speed Craft (HSC Code) as per IMO Resolution MSC 36(63);”;

(d) immediately after the definition “port”, there shall be added the following new definition:

““scheduled service” means a series of ship crossings operated so as to serve traffic between two or

more ports, either according to a published timetable or with crossings so regular or frequent that they constitute a recognisable systematic series;”;

(e) in the Maltese text, the definition “servizz ta’ pilotaġġ”, for the word “bastiment” there shall be substituted the word “vapur”; and

(f) for the Maltese text of the definition “Tul Kollu (LOA)” there shall be substituted the following:

““Tul Kollu (LOA)” tfisser it-tul kollu tal-vapur mill quddiem nett tal-istruttura permanenti fissa ta’ quddiem sal-waranett tal-istruttura permanenti fissa ta’ wara tal vapur;”.

Adds new regulation 4A to the principal regulations.

3. Immediately after regulation 4 of the principal regulations, there shall be added the following new regulation 4A:

“Compulsory Pilotage.

4A. (1) The ports specified in Part III of the Schedule to the Act shall be compulsory pilotage ports and all ships, other than ships excepted under sub-regulation (2) hereof, shall, while navigating within the limits of a compulsory pilotage port, whether by entering, leaving, anchoring or moving, be under the direction of a pilot:

Provided that where an excepted ship:

(a) has not taken a berth assigned to her by the Authority and, in the opinion of the Authority, is foul or is likely to foul any mark, buoy or some other ship due to any cause whatsoever; or

(b) has anchored in the fairway of any port,

then without prejudice to any criminal proceedings that may be taken against the master of such ship, the Authority may direct that such ship be moored or re-moored under the direction of a pilot:

Provided further that even in the case of excepted ships the Authority may direct that their navigation within the limits of a compulsory pilotage port, whether

entering, leaving, anchoring or moving, shall be carried out under the direction of a pilot.

(2) For the purposes of this regulation, the following ships shall be excepted ships:

(a) ships owned or operated by the Government of Malta;

(b) men-of-war of a foreign power;

(c) ships of less than 500 gross tons calculated in accordance with the rules for the time being in force for the measurement of ships under the Merchant Shipping Act;

(d) fishing vessels;

(e) yachts;

(f) ships, including tugs, dredgers, barges and other types of vessels, whose ordinary course of navigation and trade does not extend beyond the limits of the territorial waters of Malta; and

(g) high speed craft calling in Malta on a scheduled service and whose master complies with qualifications and standards developed by the Authority from time to time.

(3) The Authority may exempt any ship from compulsory pilotage where ships are unable to obtain the services of a pilot due to bad weather or in any other particular case.

(4) Without prejudice to the provisions of sub-regulation (2) of this regulation, ships carrying dangerous goods, disabled ships and tug and tow combinations may be required by the Authority to engage the services of a pilot.

(5) Where any port is a compulsory pilotage port, the Minister may by order define the limits of such port for the purposes of compulsory pilotage.”.

Amends regulation
7 of the principal
regulations.

4. Regulation 7 of the principal regulations shall be amended as follows:

(a) for sub-regulation (1) thereof, there shall be substituted the following:

“(1) Subject to the provisions of these regulations, the Authority may grant licenses to persons to act as pilots.”;

(b) in sub-regulation (2) thereof, for the word “Director” there shall be substituted the words “Authority”;

(c) sub-regulations (2) to (4) thereof shall be renumbered as sub-regulations (5) to (7) respectively; and

(d) immediately after sub-regulation (1) thereof, there shall be inserted the following new sub-regulations:

“(2) No person shall be licensed as a pilot unless he has:

(a) passed such qualifying examinations as may be prescribed;

(b) been licensed as a trainee pilot as prescribed in these regulations;

(c) obtained such practical experience in the pilotage of ships during the period referred to in paragraph (b) hereof;

(d) had his licence confirmed by the Authority; and

(e) satisfied such other conditions as may from time to time be prescribed.

(3) The licence issued to a pilot shall indicate the limits within which the licensee is qualified to act.

(4) Notwithstanding the provisions of this regulation, the Authority may, if it considers expedient, authorise any person to pilot a ship in a port subject to such terms and conditions as it deems fit.”

5. For regulation 8 of the principal regulations there shall be substituted the following:

Substitutes regulation 8 of the principal regulations.

“Suspension and revocation of pilots’ licenses.

8. (1) The licence issued to a pilot shall be automatically cancelled by the Authority when the pilot retires on reaching the retiring age that may from time to time be prescribed, or if such pilot is found by a Medical Board appointed by the Authority to be physically unfit to carry out his duties.

(2) The Authority may also suspend or revoke the licence issued to a pilot as a consequence of the award by a Disciplinary Committee of a punishment consisting in the suspension or revocation of the licence, or if the pilot absents himself from duty for a period exceeding one year. Such licence, if so revoked, shall cease to have effect from the date when such decision is taken by the Authority and, if so suspended, it shall cease to have effect for the period for which it is suspended.

(3) Subject to any condition which the Disciplinary Committee may make, the Authority may re-issue a licence to a pilot whose licence has been revoked under sub-regulation (2) hereof.

(4) A licence issued to pilot shall be surrendered to the Authority whenever it is for any reason cancelled, suspended or revoked. In such cases, the licence shall be returned to the Authority within twenty-four hours.

(5) A person whose licence has been cancelled, suspended or revoked shall have a right to appeal to the Board from the decision of the Authority or of the Disciplinary Committee by application within fifteen days of the notification to him of the decision.”.

6. For paragraph (f) of regulation 9 of the principal regulations, there shall be substituted the following:

Amends regulation 9 of the principal regulations.

“(f) produces satisfactory evidence that he has served as an officer for not less than three years on ships of 2000 gross tons and over;”.

Amends regulation
10 of the principal
regulations.

7. Regulation 10 of the principal regulations shall be amended as follows:

(a) in sub-regulation (2) thereof, for the word “Director”, there shall be substituted the word “Authority”;

(b) in sub-regulation (3) thereof, the words “The Board may give preference to those successful candidates who hold superior qualifications and who have the most suitable practical experience.” shall be deleted; and

(c) immediately after sub-regulation (3) thereof, there shall be added the following new sub-regulation (4):

“(4) The Board shall give preference to those successful candidates who hold superior qualifications and who have the most practical experience. To this effect, the Board shall issue its first call for applications for those persons who are qualified in terms of regulation 9(e)(i) to (iv) of these regulations:

Provided that if none of the candidates is found to comply with the necessary requirements, a second call for applications may be issued to include also persons with qualifications in terms of regulation 9(e)(v) and (vi) of these regulations.”.

Substitutes regulation
13 of the principal
regulations.

8. For regulation 13 of the principal regulations there shall be substituted the following:

“13. (1) Pilots shall be divided into the following classes:

(a) Class 1 Pilots: Pilots licensed to pilot any ship;

(b) Class 2 Pilots: Pilots licensed to pilot ships up to 300 metres LOA;

(c) Class 3 Pilots: Pilots licensed to pilot ships up to 250 metres LOA;

(d) Class 4 Pilots: Pilots licensed to pilot ships up to 200 metres LOA;

(e) Class 5 Pilots: Pilots licensed to pilot ships up to 170 metres LOA; and

(f) Class 6 Pilots: Pilots licensed to pilot ships up to 140 metres LOA.

(2) Prior to his application to the Authority for classification as a Class 5 pilot, a Class 6 pilot must have first served for at least ten months as a Class 6 pilot and must have accompanied a pilot for at least 100 moves (25 of which must be during the night) on ships over 140 metres LOA.

(3) Prior to his application to the Authority for classification as a Class 4 pilot, a Class 5 pilot must have served for at least ten months as a Class 5 pilot and accompanied a pilot for at least 50 moves (13 of which must be during the night) on ships over 170 metres LOA.

(4) Prior to his application to the Authority for classification as a Class 3 pilot, a Class 4 pilot must have served for at least ten months as a Class 4 pilot and accompanied a pilot for at least 30 moves (10 of which must be during the night) on ships over 200 metres LOA.

(5) Prior to his application to the Authority for classification as a Class 2 pilot, a Class 3 pilot must have served for at least ten months as a Class 3 pilot and accompanied a pilot for at least 15 moves (5 of which must be during the night) on ships over 250 metres LOA.

(6) Prior to his application to the Authority for classification as a Class 1 pilot, a Class 2 pilot must have served for at least ten months as a Class 2 pilot.

(7) The moves referred to in sub-regulations (2) to (6) of this regulation must be recorded in a special logbook kept for this purpose indicating the ship particulars, date, and nature of move. Each entry shall be countersigned by the accompanied pilot and Chief Pilot.

(8) The pilot who is to have his licence upgraded can present proof of his training by the ninth month so that his application can be processed by the Authority in time to upgrade his licence when due.

(9) The application of a pilot to the Authority requesting a licence upgrade shall be accompanied by a copy of the recorded moves referred to in sub-regulation (7) of this regulation.

(10) Once an application for an upgrade accompanied by the records referred to in sub-regulation (7) of this regulation has been presented by the pilot to the Authority, the Authority shall issue the upgrade unless such pilot has, during the previous ten months, been found negligent in the conduct of his duties by the Disciplinary Committee appointed by the Board.

(11) In the cases referred to in sub-regulation (10) of this regulation, where a Disciplinary Committee finds a pilot negligent in the conduct of his duties the Authority will determine that period of time, which shall not be longer than a further ten months, during which the pilot concerned must continue to operate in the Class from which he is applying for an upgrade before such pilot is able to re-apply for such upgrade.

(12) If a pilot fails to upgrade his licence as specified in sub-regulations (2) to (6) of this regulation for each category within a period not exceeding eighteen months, his licence may be revoked:

Provided that the pilot shall have a right of appeal in terms of regulation 8(5) of these regulations.

(13) Under no circumstances, except as stated in sub-regulation (14) of this regulation and except when accompanying a pilot for the purposes of sub-regulations (2) to (6) of these regulations, may a pilot pilot a ship in excess of the limits stipulated in his licence.

(14) Notwithstanding the restrictions in sub-regulation (13), the Authority may, at its discretion and having regard to:

(a) the circumstances; and

(b) the specification of any ship,

on the request of the Chief Pilot and subject to the pilot's consent, authorise a pilot to pilot ships outside the parameters of his licence.

(15) Such authorisation must be given to the Chief Pilot in writing and signed by the Authority. If such authorisation is required outside office hours, it will be given by the Authority verbally and confirmed in writing as early as practicable.

(16) The Chief Pilot shall inform and authorise the pilot concerned and shall give such pilot a copy of the authorisation referred to in sub-regulation (15) of this regulation as soon as practicable.

(17) The Chief Pilot shall be guilty of an offence under these regulations if he instructs a pilot to pilot a ship outside the parameters of his licence without the required authorisation in accordance with sub-regulations (14) and (15) of this regulation.”.

9. For sub-regulation (2) of regulation 14 of the principal regulations, there shall be substituted the following:

Amends regulation 14 of the principal regulations.

“(2) Such pilot shall have a right of appeal in terms of regulation 8(5) of these regulations.”

10. Regulation 16 of the principal regulations shall be amended as follows:

Amends regulation 16 of the principal regulations.

(a) in sub-regulation (3) thereof, for the words “is sixty-one years of age:”, there shall be substituted the words “reaches the statutory pension age:”; and

(b) immediately after sub-regulation (3) thereof, there shall be added the following new sub-regulation (4):

“(4) In this regulation, “statutory pension age” means that age at which a person becomes eligible to receive a mandatory social security retirement pension in terms of the Social Security Act.”.

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Adds new regulations 16A, 16B, 16C and 16D to the principal regulations.

11. Immediately after regulation 16 of the principal regulations, there shall be added the following new regulations 16A, 16B, 16C and 16D:

“Limitation of civil liability for pilotage services.

16A. (1) The liability for civil damages of the service provider for any loss or damage, including death and personal injury, resulting from any cause during the performance of the pilotage service, shall not exceed the sum of ten thousand euro (€10,000) in respect of any one service and the cost of the pilotage dues in respect of the service during which the liability arose.

(2) The liability for civil damages of a licensed pilot, whether on board a ship or elsewhere, for any loss or damage, including death and personal injury, resulting from any cause during the performance of his duties, shall not exceed the sum of one thousand euro (€1,000) in respect of any one voyage and the cost of the pilotage dues in respect of the voyage during which the liability arose.

(3) Where, without any act or omission by the Authority, any loss of life or personal injury, or loss or damage to any ship, or to any property on board any ship or to any property or rights of any kind, is caused by a licensed pilot, the Authority shall not be liable to damages beyond the amount of ten thousand euro (€10,000).

(4) The limit of liability under this regulation shall apply to the whole of any losses and damages, which may arise upon any one distinct occasion although such losses and damages may be sustained by more than one person.

(5) The grant or renewal of a licence to a pilot or the conclusion of a pilotage agreement with the service provider by the Authority, in accordance with the provisions of the Act and these regulations, shall not place or imply any liability on the Authority or the Government of Malta for any loss or damage occasioned by an act or default of any pilot or the service provider, whether the employment of a pilot is compulsory or not.

Declaration as to draught of ship.

16B. A pilot may require the master of any ship which he is piloting to declare her draught of water, length and beam, and such other information as may be required for the safe piloting of the ship, and the master shall comply with any such request.

Pilot to produce licence.

16C. Every pilot, when acting as such, shall be provided with his licence and shall, if so requested, produce it to the master of the ship he pilots.

Liability of owner or master.

16D. Notwithstanding anything contained in any law, the owner or master of a ship navigating under the circumstances in which pilotage is compulsory shall be answerable for any loss or damage caused by the ship or by any fault of the navigation of the ship in the same manner as he would if pilotage were not compulsory:

Provided that the owner or master shall be responsible for any damage incurred to the pilot launch during the pilot transfer.”.

12. Regulation 17 of the principal regulations shall be amended as follows:

Amends regulation 17 of the principal regulations.

(a) in sub-paragraph (e) thereof, for the words “provide the Director with such statistical information as he may require” there shall be substituted the words “provide the Authority with such statistical information as it may require”;

(b) in sub-paragraph (h) thereof, for the words “Director” there shall be substituted the word “Authority”; and

(c) in sub-paragraph (k) thereof, for the word “Director” there shall be substituted the word “Authority”.

13. Regulation 18 of the principal regulations shall be amended as follows:

Amends regulation 18 of the principal regulations.

(a) in sub-regulation (8) thereof, for the word “Director” there shall be substituted the word “Authority”;

(b) in sub-paragraph (c) of sub-regulation (9) thereof, for the words “Director” there shall be substituted the word “Authority”; and

(c) in sub-paragraph (d) of sub-regulation (9) thereof, for the word “Director” there shall be substituted the word “Authority”.

Amends regulation 19 of the principal regulations.

14. In regulation 19 of the principal regulations, for the words “Director” wherever they appear there shall be substituted the word “Authority”.

Amends regulation 20 of the principal regulations.

15. For sub-regulation (4) of regulation 20 of the principal regulations there shall be substituted the following:

“(4) Every master of a ship shall provide a lee and reduce sufficiently the speed of his ship when the pilot launch is approaching.”.

Amends regulation 22 of the principal regulations.

16. For regulation 22 of the principal regulations there shall be substituted the following:

“Movement of ships.

22. A pilot shall not berth or shift any ship from her berth without the approval of the Authority.”.

Amends regulation 26 of the principal regulations.

17. Immediately at the end of sub-regulation (1) of regulation 26 of the principal regulations, there shall be added the following new proviso:

“Provided that in exceptional circumstances, if such certificate is for any justified reason not available, the Chief Pilot or the Deputy Chief Pilot may sign the Pilotage Certificate.”.

Amends regulation 27 of the principal regulations.

18. Regulation 27 of the principal regulations shall be amended as follows:

(a) in the marginal note thereof, for the word “Director” there shall be substituted the word “Authority”;

(b) in sub-regulation (1) thereof, for the words “Director or his office as delegated” there shall be substituted the word “Authority”;

(c) in sub-regulation (2) thereof, for the word “Director” there shall be substituted the word “Authority”;

(d) in sub-regulations (3) and (4) thereof, for the words “Director” there shall be substituted the word “Authority” respectively; and

(e) in sub-regulation (6) thereof, for the word “Director” there shall be substituted the word “Authority”.

19. Regulation 28 of the principal regulations shall be amended as follows: Amends regulation 28 of the principal regulations.

(a) in sub-regulations (1) and (2) thereof, for the words “Director” there shall be substituted the word “Authority” respectively;

(b) in sub-regulation (3) thereof, for the word “Director” there shall be substituted the word “Authority”;

(c) in sub-regulation (4) thereof, for the word “Director” there shall be substituted the word “Authority”; and

(d) in sub-regulation (5) thereof, for the word “Director” there shall be substituted the word “Authority”.

20. Regulation 29 of the principal regulations shall be amended as follows: Amends regulation 29 of the principal regulations.

(a) for the marginal note and sub-regulation (1) thereof, there shall be substituted the following:

“Boarding and disembarking from ships.” (1) A pilot shall embark ships at the pilot boarding station as established by the Authority; and disembark at a position as agreed to between the pilot and the ship’s master, or at a position as directed by the Authority.”;

(b) in sub-regulation (2) thereof, for the word “Director”, there shall be substituted the word “Authority”; and

(c) in sub-regulation (3) thereof, for the words “Director” there shall be substituted the word “Authority” respectively; and for the words “he may” there shall be substituted the words “it may”.

21. In paragraph (a) of sub-regulation (2) of regulation 30 of the principal regulations, for the word “Director”, there shall be substituted the word “Authority”. Amends regulation 30 of the principal regulations.

Amends regulation
31 of the principal
regulations.

22. In the Maltese text of regulation 31 of the principal regulations, for the word “bastimenti” there shall be substituted the word “vapuri”.

Amends regulation
34 of the principal
regulations.

23. In sub-regulation (3) of regulation 34 of the principal regulations, for the word “Director” there shall be substituted the word “Authority”.

Amends regulation
35 of the principal
regulations.

24. Regulation 35 of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof, for the words “Director” there shall be substituted the word “Authority”;

(b) in sub-regulation (2) thereof, for the word “Director” there shall be substituted the word “Authority”;
and

(c) in sub-regulation (3) thereof, for the word “Director” there shall be substituted the word “Authority”;
and for the words “he shall” there shall be substituted the words “it shall”.

Substitutes regulation
38 of the principal
regulations.

25. For regulation 38 of the principal regulations, there shall be substituted the following:

“Pilotage
Board.

38. (1) There is hereby established a board, to be called the Pilotage Board, hereinafter referred to as the Board, which shall exercise and perform the functions assigned to it by these regulations.

(2) The Board shall consist of the following members:

(a) a Chairman appointed by the Minister;

(b) a member nominated by the Authority;

(c) a member nominated by the service provider; and

(d) a secretary with no voting powers to be appointed by the Minister.

(3) The Board shall exercise and perform the following functions:

(a) to conduct examinations in connection with the licensing of prospective pilots and to advise the Authority accordingly;

(b) to appoint panels of examiners for the purpose of the examinations aforesaid;

(c) to conduct disciplinary proceedings in respect of pilots in accordance with the provisions of these regulations;

(d) to recommend to the Authority the award to pilots guilty of any breach of discipline such punishments as may from time to time be prescribed;

(e) to advise the Authority on any matter that the said Authority may refer to it from time to time in connection with pilotage services; and

(f) to perform such other functions as may be prescribed to it from time to time.

(4) The quorum of the Board shall consist of the Chairman and two members.

(5) The Board shall reach its decisions by means of a majority vote.

(6) The Board shall meet as required at such date, time and place as the Chairman may appoint.

(7) Subject to the provisions of these regulations, the Board may otherwise regulate its own procedures.”.

26. Immediately after regulation 38 of the principal regulations, there shall be added the following new regulation 38A:

Adds new regulation 38A to the principal regulations.

“Discipline.

38A. Disciplinary proceeding amongst pilots and trainee pilots shall be administered by the Board in accordance with regulation 38 of these regulations:

Provided that in cases of breach of a pilot's obligations under the Code of Conduct, the Authority shall have the right to temporarily suspend a pilot's licence pending disciplinary action by the Board:

Provided further that if the Authority takes the action contemplated in the above proviso and suspends a pilot, and the eventual decision of the Board is such as to find the suspension unjustified, the Authority shall pay to the pilot the earnings he would have been entitled to during such period and would have lost as a result of such suspension.”.

Amends regulation 39 of the principal regulations.

27. Regulation 39 of the principal regulations shall be amended as follows:

(a) for sub-regulation (1) thereof, there shall be substituted the following:

“(1) The Board shall appoint a Disciplinary Committee from outside the membership of the Board, one of whom shall be the Chairman of the Committee.”; and

(b) in paragraph (a) of sub-regulation (2) thereof, for the word “Director” there shall be substituted the word “Authority”.

Deletes regulation 41 of the principal regulations.

28. Regulation 41 of the principal regulations shall be deleted.

Amends regulation 43 of the principal regulations.

29. Regulation 43 of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof, for the word “Director” there shall be substituted the word “Authority”;

(b) in sub-regulation (2) thereof, for the word “Director” there shall be substituted the word “Authority”; and

(c) in the Maltese text of the proviso to sub-regulation (2) thereof, for the words “id-Direttur għandu jitqies li sar jaf” there shall be substituted the words “l-Awtorità għandha titqies li saret taf”.

- 30.** In regulation 44 of the principal regulations, for the word “Director” there shall be substituted the word “Authority”. Amends regulation 44 of the principal regulations.
- 31.** In regulation 45 of the principal regulations, for the words “Director” there shall be substituted the word “Authority” respectively. Amends regulation 45 of the principal regulations.
- 32.** In regulation 46 of the principal regulations, for the word “Director” there shall be substituted the word “Authority”. Amends regulation 46 of the principal regulations.
- 33.** For regulation 48 of the principal regulations, there shall be substituted the following: Substitutes regulation 48 of the principal regulations.
- “48. The Authority shall acknowledge in writing the receipt of such reply and shall indicate the date on which it is received by it.”.
- 34.** For regulation 49 of the principal regulations, there shall be substituted the following: Substitutes regulation 49 of the principal regulations.
- “49. If the Authority decides to refer the matter to the Board, it must refer such matter to the Board within fifteen days from the receipt of the pilot’s reply or from the day when the pilot should have submitted the reply.”.
- 35.** In regulation 50 of the principal regulations, for the word “Director”, there shall be substituted the word “Authority”. Amends regulation 50 of the principal regulations.
- 36.** For the proviso in sub-regulation (4) of regulation 51 of the principal regulations, there shall be substituted the following: Amends regulation 51 of the principal regulations.
- “Provided that in exceptional circumstances the Board may for valid reasons extend such period by further periods of thirty days after a request from the Chairman of the Disciplinary Committee.”.
- 37.** In sub-regulation (2) of regulation 53 of the principal regulations, for the words “, not later than five days before the hearing of the proceedings”, there shall be substituted the words “; in so doing, the Chairman of the Committee is to ensure that sufficient time is allowed for those concerned to receive the said notifications or summons in time.”. Amends regulation 53 of the principal regulations.
- 38.** In regulation 55 of the principal regulations, for the word “Director”, there shall be substituted the word “Authority”. Amends regulation 55 of the principal regulations.

Amends regulation
56 of the principal
regulations.

39. In sub-regulation (1) of regulation 56 of the principal regulations, for the word “Director”, there shall be substituted the word “Authority”.

Amends the schedule
to the principal
regulations.

40. The Schedule to the principal regulations shall be amended as follows:

(a) the Maltese text of paragraph 1 thereof shall be amended as follows:

(i) in the definition “beam”, for the word “bastiment” there shall be substituted the word “vapur”;

(ii) in the definition “pixka massima”, for the word “bastiment” there shall be substituted the word “vapur”; and

(iii) in the definition “tul kollu (LOA”, for the word “bastiment” there shall be substituted the word “vapur”; and

(b) for paragraph 18 thereof there shall be substituted the following:

“18. (a) All ships of 240 meters LOA and over, entering, leaving or shifting in Grand Harbour, are to employ two pilots with the exception of cruise liners.

(b) All ships of 300 meters LOA and over are to employ two pilots:

Provided that when it is necessary to employ more than one pilot for any ship, as stipulated in subparagraphs (a) and (b) hereof, and in the case of ships with particular configuration and special needs, the pilotage dues payable by the ship will be commensurate with the number of pilots providing the service:

Provided further that the fee charged for the second pilot shall be discounted by 50% in those cases where

the ships, as indicated in sub-paragraphs (a) to (b) hereof, are operated by a particular shipping line, after carrying out more than 100 movements in a particular calendar year.”.