L.N. 41 of 1994

MALTA MARITIME AUTHORITY ACT, 1991 (ACT No. XVII OF 1991)

Pilotage and Mooring (Amendment) Regulations, 1994

IN exercise of the powers conferred by sections 39, 52 and 64 of the Malta Maritime Authority Act, the Minister for Transport, Communications and Technology, in consultation with the Authority and with the concurrence of the Minister of Finance, has made the following regulations:—

Citation and commencement.

L.N. 163 of 1975.

1. (1) These regulations may be cited as the Pilotage and Mooring (Amendement) Regulations, 1994, and shall be read and construed as one with the Pilotage and Mooring Regulations, 1975, hereinafter referred to as "the principal regulations".

(2) These regulations shall come into force on the 11th April, 1994.

Amends regulation 36 of the principal regulations.

2. In paragraph (2) of regulation 36 of the principal regulations, for the words "thirty five per centum" there shall be substituted the words "ten per centum".

Substitutes the Schedule to the principal regulations.

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

"SCHEDULE

(Regulation 31)

PILOTAGE AND MOORING DUES

1. For the purposes of this Schedule "ton" means "the gross registered tonnage":

Provided that if a ship has more than one gross registered tonnage, then the higher or highest of such tonnages shall be the gross registered tonnage for the purpose of this tariff.

2. Pilotage Dues at the standard rate shall be as follows:

(a) Ships not exceeding 500 tons Lm10.00

(b) Ships exceeding 500 tons and not exceeding 1,000 tons Lm12.00

(c) Ships exceeding 1,000 tons and not exceeding 2,000 tons Lm13.00

(d) Ships exceeding 2,000 tons and not exceeding 3,500 tons Lm15.00

(e) Ships exceeding 3,500 tons and not exceeding 5,000 tons Lm16.00

(f) Ships exceeding 5,000 tons and not exceeding 7,000 tons Lm17.00

(g) Ships exceeding 7,000 tons and not exceeding 10,000 tons Lm18.00

(h) Ships exceeding 10,000 tons and not exceeding 15,000 tons Lm20.00

(i) Ships exceeding 15,000 tons and not exceeding 20,000 tons Lm21.00

(j) Ships exceeding 20,000 tons and not exceeding 25,000 tons Lm23.00

(k) Ships exceeding 25,000 tons and not exceeding 30,000 tons Lm25.00

(l) Ships exceeding 30,000 tons and not exceeding 40,000 tons Lm27.00

(m) For every additional 10,000 tons or part thereof in excess of 40,000 tons ..... Lm6.00.

3. Pilotage dues at the standard rate shall be charged for either:

(a) Entering port; or

(b) Leaving port; or

(c) Shiting berth under own power ("hot move") in the same port.

4. Charges additional to pilotage dues at the standard rate shall be made as follows:

(a) Shifting berth not under own power ("cold move") in the same port 25%

(b) Shifting berth from one port to another port not under own power ("cold move") i.e. leaving one port, passage to and entering another port **100%**

5. For any of the following services:

(a) making contact with a ship outside a port when the ship is not to enter that port; or

(b) pilotage service rendered outside a port, including pilotage from outside the entrance of one port to another,

there shall be charged half the standard rate, subject to a minimum of Lm15.

6. If, in the performance of any of the services specified in paragraphs 3, 4 and 5 of this Schedule —

(a) a pilot is detained on board the ship for piloting, mooring, or unmooring the ship for any reason beyond the pilot's control, or is left in quarantine for a period longer than two hours, the following additional dues shall be payable:

(i) in respect of services rendered at Malta Drydocks and Malta Shipbuilding, from the second to the twenty-fourth hour, per hour or part thereof Lm1.50

(ii) in respect of services rendered elsewhere, from the second to the twenty-fourth hour, per hour or part thereof Lm3.00

(iii) thereafter, per twenty-four hour period or part thereof, in cases (i) and (ii) above Lm30.00

(b) a pilot is compelled to proceed abroad with the ship, he shall be provided with board and lodging at a standard not less than that of a second class hotel, and the expenses of the return journey and the following additional dues shall be payable per day or part thereof until the pilot is returned to Malta ..... Lm40.00.

7. (i) For mooring or unmooring a ship on entering, leaving or shifting berth at any berth, except at a buoy berth, other than for the services specified in paragraphs 9, 10, 19 and 20 of this schedule, there shall be charged:

(a) Ships not exceeding 500 tons Lm9.00

(b) Ships exceeding 500 tons and not exceeding 1,000 tons Lm11.00

(c) Ships exceeding 1,000 tons and not exceeding 2,000 tons Lm12.00

(d) Ships exceeding 2,000 tons and not exceeding 3,500 tons Lm14.00

(e) Ships exceeding 3,500 tons and not exceeding 5,000 tons Lm14.00

(f) Ships exceeding 5,000 tons and not exceeding 7,000 tons Lm15.00

(g) Ships exceeding 7,000 tons and not exceeding 10,000 tons Lm16.00

(h) Ships exceeding 10,000 tons and not exceeding 15,000 tons Lm18.00

(i) Ships exceeding 15,000 tons and not exceeding 20,000 tons Lm19.00

(j) Ships exceeding 20,000 tons and not exceeding 25,000 tons Lm20.00

(k) Ships exceeding 25,000 tons and not exceeding 30,000 tons Lm23.00

(l) Ships exceeding 30,000 tons and not exceeding 40,000 tons Lm24.00

(m) For every additional 10,000 tons or part thereof in excess of 40,000 tons ..... Lm3.00.

(ii) For mooring or unmooring a ship at The Dolphins at Grand Harbour, there shall be charged the following rates in addition to those specified in sub-paragraph (i):

For ships not exceeding 6,000 tons .. Lm10.00

For ships exceeding 6,000 tons ..... Lm12.50.

8. For mooring or unmooring of a ship at a buoy berth, other than for the services specified in paragraphs 9, 10, 19 and 20 of this Schedule, there shall be charged ..... Lm30.00.

9. On request for any other mooring service not connected with mooring or unmooring of a ship on arrival, departure or shifting there shall be charged:

(a) the rates at paragraph 7 of this Schedule for ships berthed stern to a quay;

(b) half the rates at paragraph 7 of this Schedule for ships berthed alongside a quay or wharf; and

(c) the rate at paragraph 8 of this Schedule for ships on buoys.

10. If in any of the services specified in paragraphs 3, 4, 5, 7, 8, 9, 19 and 20 of this Schedule a boat and crew or mooring party are left in attendance or as a result of such services are detained in quarantine at any place for longer than two hours, the following additional dues shall be payable:

(i) from the second to the twenty-fourth hour or part thereof .. Lm0.60 per man

(ii) thereafter per twenty-four hour period or part thereof ..... Lm10.00 per man.

11. In respect of a service necessitating the making contact with a ship outside a port when the ship is not to enter that port, there shall be charged half the standard rate, subject to a minimum of ... Lm5.00.

12. In respect of the following services by mooringmen there shall be payable the following dues:

(i) for handling of mooring rope by boat crew ..... Lm10 per rope

(ii) for handling of mooring rope by hand ..... Lm5 per rope.

13. In respect of pilotage service rendered to Malta Drydocks and/or Malta Shipbuilding there shall be payable the following mooring dues:

(i) For vessels entering or leaving ..... Lm5 per pilotage service

(ii) For vessels shifting thereat ..... Lm2 per pilotage service.

14. Additional pilotage, mooring or unmooring dues at the rate of 15% on the appropriate rates shall be payable in respect of services rendered between sunset to sunrise and on Sundays and public holidays.

15. When a cancellation for a request for a pilotage and mooring or unmooring service is made, the following dues shall be made:

(a) when a cancellation notice is made prior to two hours before commencement of operation ..... No charge

(b) when a cancellation notice is made within the two hours immediately preceeding the commencement of operation ..... 25% of standard rate

(c) when pilot and mooring man have, on request, reported aboard for an operation which is later cancelled ..... 50% of standard rate.

16. When a pilot or mooringman is required to work extra duty i.e. duties in excess of his normal watch hours, there shall be payable the following charges:

(i) in respect of pilots ..... Lm15 per pilot per operation

(ii) in respect of mooringmen Lm10 per mooring-man per operation.

17. In respect of disabled vessels, there shall be payable the following charges:

(i) in respect of pilots ..... Lm25 per pilot
(ii) in respect of mooringmen .... Lm40 per operation irrespective of number of mooring-men.

18. All rates for pilotage, mooring or unmooring of a ship shall cover any number of hours required to be performed by any of the personnel in the Pilotage Corps:

Provided that all vessels over 243.84 metres (800 feet) entering, leaving or shifting in Grand Harbour are to employ two pilots, with the exception of cruise liners;

Provided further that when, in the opinion of the Executive Director (Ports) it is necessary to employ more than one pilot for any vessel, the pilotage dues will be commensurate to the number of pilots providing the said service.

19. For the use of the pilot launch in connection with the provision of pilotage and/or mooring services:

(a) to ships entering or leaving port Lm10

(b) to ships shifting within a port ..... Lm5.

20. For any other particular pilotage or mooring services not otherwise specifically provided for in this Schedule, the dues payable shall be determined by the Executive Director (Ports) who shall, as far as possible, assimilate them to the appropriate dues specified in this Schedule.".

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