L.N. 69 of 1993

MALTA MARITIME AUTHORITY ACT, 1991

(ACT NO. XVII OF 1991)

Mooring of Small Ships and Boats Regulations, 1993

IN exercise of the powers conferred by section 28(1) (o) of the Malta Maritime Authority Act, 1991 the Minister for Transport and Communications, with the concurrence of the Minister of Finance, has made the following regulations:—

Citation and commencement.

1. These regulations may be cited as the Mooring of Small Ships and Boats Regulations, 1993, and shall be deemed to have come into force on the 1st May, 1993.

Interpretation.

2. In these regulations, unless the context otherwise requires:—

"mooring buoys" are buoys which are considered suitable for use on moorings for the small ships and boats by the Executive Director of the Yachting Centres Directorate of the Malta Maritime Authority;

"mooring plan" is an organized layout of moorings for small ships and any harbour, creek or bay, on chains laid by the Malta Maritime Authority;

"Executive Director" is the Executive Director responsible for Yachting Centres;

"temporary mooring permit" is the permit which the Executive Director of the Yachting Centres Directorate of the Malta Maritime Authority may grant to the owner of a small ship or boat or to the owner's representative in reply to the latter's request: provided that the conditions laid down in the permit may vary according to each request.

Use of mooring in harbour.

3. No person may lay or use a mooring in any harbour without a permit from the Executive Director.

Laying of mooring by owner.

4. When the owner of a small ship or boat, or his representative, is given a mooring permit, he shall lay or have laid such a mooring which is considered suitable for the small ship or boat in question and does not endanger other craft in the vicinity. Moreover, the owner or his representative shall use only mooring buoys that are acceptable to the Executive Director. The type of sinker and mooring tackle to be used must be of a type approved by the Executive Director.

Fees.

5. The fees shown in the Schedule attached to these regulations shall be payable for every calendar year.

Registration number to be shown.

6. Every mooring shall have a mooring buoy with the official registration number of the small ship shown in a legible manner. The official registration number shall also be painted in a legible manner on any awning used to cover the small ship.

Application conditions.

7. No application will be accepted unless the craft is duly registered according to the Malta Maritime Authority Act, 1991 and any other laws and regulations arising therefrom and all the relevant fees have been paid.

Suspension of temporary mooring permit.

8. (1) If the registration, re-registration, and, or licence of a small ship or boat is suspended or cancelled, such craft shall have the temporary mooring permit suspended or cancelled as the case may be. In such cases the owner shall have no right to the refund of any part of any mooring fees paid.

(2) If the temporary mooring permit is cancelled or suspended according to paragraph (1) above, but the owner or his representative refuses to remove the mooring, the Executive Director shall be empowered to remove the mooring at the owner's risk and expense. This removal shall be without prejudice to any legal action that may be taken.

(3) During a temporary suspension of registration and, or licence of the small ship or boat in accordance with the Small Ships Register Regulations, 1993 and, or the Small Ships Licensing Regulations, 1993, the Executive Director may assign the mooring which has been vacated temporarily to another owner. The latter shall pay part of the mooring fee in proportion to the outstanding period of validity of the permit.

Fees for wreck or hazard.

L.N. 43 of 1966.

9. When a small ship or boat sinks, or in the opinion of the Executive Director becomes a hazard to the other ships or boats, the owner may be requested to pay the fees laid down in paragraph (1) of regulation 31B of the Ports Regulations, 1966. In any case the owner or his representative shall be bound to remove the wreck.

Permission to use mooring for other boat.

10. (1) An owner who sells a boat which has a temporary mooring permit may request permission to use the mooring for another boat he may have. If permission is granted he will be able to moor the small ship or boat on the same mooring provided he pays the relevant mooring fees.

(2) If the mooring mentioned in paragraph (1) forms part of a mooring plan approved by the Executive Director, the owner will be able to moor the boat on it provided he is given permission to do so by the Executive Director and pays the relevant mooring fees. Permission will not be granted if the boat is not in the same category as the one sold.

SCHEDULE

Fees payable for craft duly authorised to be moored on mooring chains (trots) in Spinola Bay as per beam shown:—

Class	*Beam*	*Normal Rates (including Part-Time Fishermen)*	*Full-Time Fishermen*
		Lm per year	
A	up to 1.8 metres beam	15	10
B	1.81 up to 2.43 metres beam	20	10
C	2.44 up to 2.7 metres beam	30	15
D	over 2.7 metres beam	40	20

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

Prezz 2c — *Price 2c*