L.N. 192 of 1990

CODE OF POLICE LAWS (CAP. 10)

Towage (Tariff of Rates) Regulations, 1990

IN exercise of the powers conferred by section 304 of the Code of Police Laws, the Minister for Development of Tertiary Sector with the concurrence of the Minister of Finance, has made the following regulations:—

Citation and commencement.

1. These regulations may be cited as the Towage (Tariff of Rates) Regulations, 1990, and shall come into force on the 21st November, 1990.

Tariff of rates.

2. The charges for tug assistance to vessels entering, leaving or shifting in the Grand Harbour, in Marsamxett Harbour or in Marsaxlokk Harbour shall not exceed the rates specified in the Schedule to these regulations.

Computation of time.

3. (1) The time for which the rates are applicable in accordance with the Schedule hereto shall start to count either from the time the tug is ordered to commence work or from the time of leaving berth, whichever is the earlier, and the time of completion shall be that when the tug reaches berth.

(2) Subject to the provisions of paragraph (1) of this regulation, the time to or from a berth shall be calculated, if the service is provided within —

(a) Grand Harbour, at 20 minutes;
(b) Marsamxett Harbour, at 30 minutes;
(c) Marsaxlokk Harbour, if the tug or tugs are based at —

(i) Marsaxlokk Harbour, at 20 minutes,
(ii) Grand Harbour, at 60 minutes:

Provided that for vessels with 50% and over transhipment cargo calling at Malta Freeport facilities at Marsaxlokk and for vessels calling at Marsaxlokk for bunkering purposes only or in connection with oil blending and storage operations for transhipment or re-export purposes only, the time to and from a berth shall be calculated as if the service was being provided within Grand Harbour;

Provided further that the Director of Ports may, on application and at his discretion, apply the computations and conditions of the preceding proviso to any other vessel calling at the Malta Freeport.

Ordering of tugs.

4. The ordering of tugs shall take place as follows:

(a) for movements to take place between 1600 hours of one day and 0800 hours of the next following day, the order shall be made before 1200 hours;

(b) for movements to take place between 0800 hours and 1600 hours or at any time on Saturdays, Sundays and Public Holidays, the order shall be made before 1700 hours of the preceding day;

(c) for movements to take place at Marsaxlokk, the order shall be placed at least three hours before the commencement of the operation.

5. The Director of Ports may exempt from towage any ship in any particular case. Exemption from towage.

6. (1) When normal rates are applicable under Column 2 of the Schedule hereto, no charge shall be made if an order for the service of a tug is cancelled and notice of such cancellation is given at least two hours before the time the service was due to commence. Cancellation of order for a tug.

(2) If the notice of cancellation is not given as provided in paragraph (1) of this regulation, there shall be charged half the hourly rate specified in Column 2.

(3) Where a tug is ordered for service between 1600 hours of one day and 0800 hours of the next following day and such order is cancelled —

(i) if the order is cancelled between 0800 hours and 1600 hours and such cancellation is made not later than two hours before the time the service is due to commence, no charge shall be made: provided that there shall be charged at least the minimum rate of one hour as per Column 2 or 3 of the Schedule to these regulations, as applicable, including the references to Note (1) thereof, if notice of cancellation is not given as aforesaid;

(ii) if the order is cancelled between 1600 hours and 0800 hours of the next following day or at any time on Saturdays, Sundays or Public Holidays there shall be charged at least the minimum rate of one hour as per Column 3 or Column 4 of the Schedule to these regulations, as applicable, including the references to Notes (1) and (2) thereof.

7. The Towage (Tariff of Rates) Regulations, 1980 are hereby being repealed. Repeals L.N. 64 of 1980.

SCHEDULE

(Regulation 2)

Rates per tug per hour or part thereof

Column 1	Column 2 Normal Rates	Column 3 Rates applicable between 1600 hours and 2100 hours (Vide Note 1)	Column 4 Rates applicable between 2100 hours of one day and 0800 hours of the next following day and at any time on Saturdays, Sundays and Public Holidays (Vide Note 2)
	Lm	Lm	Lm
For vessels up to 2,000 gross registered tons	33	41	50
For vessels of gross registered tons between —			
2,001 and 3,000	47	59	71
3,001 and 4,000	57	71	86
4,001 and 5,000	60	75	90
5,001 and 6,000	63	79	95
6,001 and 7,000	66	83	99
7,001 and 8,000	72	90	108
8,001 and 9,000	78	98	117
9,001 and 10,000	83	104	125
10,001 and 11,000	90	113	135
11,001 and 12,000	97	121	146
12,001 and 13,000	104	130	156
13,001 and 14,000	111	139	167
14,001 and 15,000	118	147	177
15,001 and 16,000	124	155	186
16,001 and 17,000	132	165	198
17,001 and 18,000	139	174	209
18,001 and 19,000	145	181	218
19,001 and 20,000	152	190	228
20,001 and 21,000	159	199	239
21,001 and 22,000	166	208	249
22,001 and 23,000	173	216	260
23,001 and 24,000	180	225	270
24,001 and 25,000	187	234	281
25,001 and 30,000	195	244	293
30,001 and 35,000	205	257	308
35,001 and 40,000	215	269	323
40,001 and 45,000	225	281	338
45,001 and 50,000	235	294	368
50,001 and 60,000	250	313	375
60,001 and 70,000	265	331	398
70,001 and 80,000	280	350	420
80,001 and 90,000	295	369	443
90,001 and 100,000	310	388	465
For vessels exceeding 100,000 gross registered tons	325	406	488

Notes:

(1) For services between 1600 hours and 2100 hours there shall be applicable either the charges computed at the rates under Column 3 or the charges computed at the rates under Column 2 increased by Lm75 per tug, whichever is the greater.

(2) For services between 2100 hours of one day and 0800 hours of the next following day or at any time on Saturdays, Sundays or other Public Holidays there shall be applicable either the charges computed at the rates under Column 4 or the charges computed at the rates under Column 2 increased by Lm150 per tug, whichever is the greater.

(3) Subject to the provisions of regulation 6 the minimum charge shall in no case be less than the rate calculated for two hours.

(4) The rates payable for the assistance of disabled vessels shall be increased by fifty per centum, subject to a minimum of Lm300 per tug for vessels up to 3,000 gross registered tons and Lm500 per tug for vessels exceeding 3,000 gross registered tons.

"Disabled vessels" means any craft which arrives off Malta on tow or with engine breakdown or with rudder trouble or other defect which effects the capability of the vessel when manouevering and includes any tug assistance to such vessels entering, shifting or leaving the Maltese Harbours.

(5) Subject to the provisions of regulation 2, the rates payable for the assistance of cruise passenger vessels calling at Malta with tourists and for vessels calling at Malta for bunkering purposes only, shall be reduced by twenty-five per centum, provided such vessels do not discharge or load cargo or mail in a port or perform any commercial operation, including repairs.

(6) Subject to the provisions of regulation 2, the rates payable for the assistance of vessels with 50% and over transhipment cargo calling at the Malta Freeport facilities at Marsaxlokk and for vessles calling at Marsaxlokk for bunkering purposes only or in connection with oil blending and storage operations for transhipment or re-export purposes only, shall be calculated at a minimum rate of one hour or, if in excess of one hour, the actual time of operation to the nearest quarter of an hour:

Provided further that the Director of Ports may, on application and at his discretion apply the terms of the preceding proviso to any other vessel calling at the Malta Freeport.

(7) Subject to the provisions of regulation 4, when a tug is ordered for service between 1600 hours of one day and 0800 hours of the next following day or at any time on Saturdays, Sundays and Public Holidays

without giving at least three hours notice, an extra charge of Lm30 per tug shall be made.

(8) Where tow ropes are provided by the tug an extra charge of Lm5 per tug shall be made.

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