L.N. 29 of 1989

MERCHANT SHIPPING ACT, 1973

(ACT NO. XI OF 1973)

Merchant Shipping (Signals of Distress) Rules, 1989

IN exercise of the powers conferred by section 301 of the Merchant Shipping Act, 1973, the Minister for Development of Tertiary Sector has made the following rules:—

1. These rules may be cited as the Merchant Shipping (Signals of Distress) Rules, 1989. Citation.

2. The phrase 'Maltese ships' shall have the same meaning as is assigned to it by section 3 of the Merchant Shipping Act, 1973. Interpretation.

3. These rules shall apply to all Maltese ships. Application.

4. (1) Until the eighteenth day of November 1989, when a Maltese ship is in distress and requires assistance she shall use or exhibit the signals described in Annex IV of the International Regulations for Preventing Collisions at Sea, 1972, which Annex is set out in Schedule I to these Rules. Prescription of signals of distress.

(2) With effect from the nineteenth day of November 1989, when a Maltese ship is in distress and requires assistance she shall use or exhibit the signals described in Annex IV of the International Regulations for Preventing Collisions at Sea, 1972, which Annex is set out in Schedule I to these Rules, as amended by Schedule II to these Rules.

5. (1) No signal of distress shall be used by any ship unless the master of the ship so orders. Use of signals of distress.

(2) The master of the ship shall not order any signal of distress to be used by his ship unless he is satisfied:

(a) that his ship is in serious and imminent danger, or that another ship or an aircraft is in serious and imminent danger and cannot of itself send that signal; and

(b) that the ship in danger (whether his own ship or another ship) or the aircraft in danger, as the case may be, requires immediate assistance in addition to any assistance then available to her.

(3) The master of a ship which has sent out any signal of distress by means of radio shall cause that signal to be revoked as soon as he is satisfied that the ship or aircraft to which the signal relates is no longer in need of assistance as aforesaid.

Revokes L.N. 86 of 1978.

6. The Merchant Shipping (Signals of Distress) Rules, 1978 are hereby revoked.

SCHEDULE I

Rule 4(1)

ANNEX IV OF THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

DISTRESS SIGNALS

1. The following signals, used or exhibited either together or separately, indicate distress and need of assistance:

(a) a gun or other explosive signal fired at intervals of about a minute;

(b) a continuous sounding with any fog-signalling apparatus;

(c) rockets or shells, throwing red stars fired one at a time at short intervals;

(d) a signal made by radiotelegraphy or by any other signalling method consisting of the group ... ___ ... (SOS) in the Morse Code;

(e) a signal sent by radiotelephony consisting of the spoken word "Mayday";

(f) the International Code Signal of distress indicated by N.C.;

(g) a signal consisting of a square flag having above or below it a ball or anything resembling a ball;

(h) flames on the vessel (as from a burning tar barrel, oil barrel, etc.);

(i) a rocket parachute flare or a hand flare showing a red light;

(j) a smoke signal giving off orange-coloured smoke;

(k) slowly and repeatedly raising and lowering arms outstretched to each side;

(l) the radiotelegraph alarm signal;

(m) the radiotelephone alarm signal;

(n) signals transmitted by emergency positioning-indicating radio beacons.

2. The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

3. Attention is drawn to the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual and the following signals:

(a) a piece of orange-coloured canvas with either a black square and circle or other appropriate symbol (for identification from the air);

(b) a dye marker.

SCHEDULE II

Rule 4(2)

Amendment to Annex IV of the International Regulations for Preventing Collisions at Sea, 1972

New paragraph 1(o) — Distress signals

The following new paragraph (o) is added:

"(o) approved signals transmitted by radiocommunication systems.".

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*