Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,541, 18 ta' Diċembru, 2020
Taqsima B

L.N. 465 of 2020

MERCHANT SHIPPING ACT
(CAP. 234)

Merchant Shipping (Maritime Labour Convention) (Amendment) Rules, 2020

IN EXERCISE of the powers conferred by articles 90, 106, 108, 122C, 148, 149, 152, 153, 154, 163, 168A and 374 of the Merchant Shipping Act, the Minister for Transport, Infrastructure and Capital Projects, has made the following rules:-

Citation and commencement.

S.L. 234.51.

1. (1) The title of these regulations is Merchant Shipping (Maritime Labour Convention) (Amendment) Rules, 2020 and these regulations shall be read and construed as one with the Merchant Shipping (Maritime Labour Convention) Rules, hereinafter referred to as "the principal rules".

(2) These rules shall come into force on the 26th December 2020.

Amends rule 2 of the principal rules.

2. Rule 2 of the principal rules shall be amended as follows:

(a) immediately after the definition "appropriate inspector" in sub-rule (1) thereof, there shall be added the following new definition:

" "armed robbery against ships" means any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State's internal waters, archipelagic waters and territorial sea, or any act of inciting or of intentionally facilitating an act;"; and

(b) immediately after the definition "medical stores" in sub-rule (1) thereof, there shall be added the following new definition:

" "piracy" means the same as the meaning assigned to it in the United Nations Convention on the Law of the Sea, 1982;".

Amends rule 9 of the principal rules.

3. Sub-rule (1) of rule 9 of the principal rules, shall be substituted by the following new sub-rule:

"(1) The medical examination required under these rules shall consist of a complete physical examination and shall have regard to the ILO/IMO publication entitled Guidelines on the medical examinations of seafarers, including any amendments introduced thereto from time to time, and to any other relative guidelines as may, from time to time, be further specified by the Registrar-General.".

Adds new rule 28A to the principal rules.

4. Immediately after rule 28 of the principal rules, there shall be added the following new rule:

"Seafarer held captive.

28A. A seafarer's employment agreement shall continue to have effect while a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships, regardless of whether the date fixed for its expiry has passed or either party has given notice to suspend or terminate it.".

Substitutes rule 49 of the principal rules.

5. Rule 49 of the principal rules, shall be substituted by the following new rule:

"49. Without prejudice to collective bargaining agreements, it shall be the duty of an employer of a seafarer and an owner of a ship to ensure that a seafarer is not paid less than the determined minimum basic wage.".

Adds new rule 67A to the principal rules.

6. Immediately after rule 67 of the principal rules, there shall be added the following new rule:

"Wages shall continue to be paid.

67A. Where a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships, wages and other entitlements under the seafarers' employment agreement or relevant collective bargaining agreement, including the remittance of any allotments as provided in rule 64 (1), shall continue to be paid during the entire period of captivity and until the seafarer is released and duly repatriated or, where the seafarer dies while in captivity, until the date of death.".

Amends rule 98 of the principal rules.

7. In sub-rule (2) of rule 98 of the principal rules, the words "than a wheelhouse:" shall be substituted by the words "than a wheelhouse." and the proviso immediately thereafter, shall be deleted.

Substitutes the Fifth Schedule to the principal rules.

8. The Fifth Schedule to the principal rules, shall be substituted by the following new Schedule:

"FIFTH SCHEDULE
(Rules 97, 98, 99, 100, 101 and 103)

Part I -MEDICINES

	Categories of vessels		
	A	B	C
1. **Cardiovascular**			
(a) Cardio-circulatory sympathomimetics	x	x	
(b) Anti-anginapreparations	x	x	x
(c) Diuretics	x	x	
(d) Anti-haemorrhagics including uterotonics if there are women	x	x	
(e) Anti-hypertensive	x	x	
2. **Gastro-intestinal system**			
(a) Medicines for gastric and duodenal disorders			
— Medicine for treatment of stomach ulcer and gastritis	x	x	
— Anti-acid mucous dressings	x	x	
(b) Anti-emetics	x	x	
(c) Laxatives	x		
(d) Anti-diarrhoeals	x	x	x
(e) Haemorrhoid preparations	x	x	
3. **Analgesics and anti-spasmodics**			
(a) Analgesics, anti-pyretics and anti-inflammatory preparations	x	x	x
(b) Powerful analgesics	x	x	
(c) Spasmolytics	x	x	
4. **Nervous system**			
(a) Anxiolytics	x	x	
(b) Neuroleptics	x	x	
(c) Seasickness remedies	x	x	x
(d) Anti-epileptics	x	x	
5. **Anti-allergics and anti-anaphylactics**			
(a) Anti-histaminics	x	x	
(b) Glucocorticoids	x	x	

	Categories of vessels		
	A	B	C
6. **Respiratory system**			
(a) Bronchiospasm preparations	x	x	
(b) Anti-tussives	x	x	
(c) Medicines used for colds and sinusitis	x	x	
7. **Anti-infection**			
(a) Antibiotics (at least two classes)	x	x	
(b) Anti-parasitics	x	x	
(c) Anti-tetanus vaccines and immunoglobulins	x	x	
(d) Anti-malaria medicines, carriage shall be dependent upon operational area	x	x	
8. **Compounds promoting rehydration, caloric intake and plasma expansion**	x	x	
9. **Medicines for external use**			
(a) *Skin medicines*			
— Antiseptic solutions	x	x	x
— Antibiotic ointments	x	x	
— Anti-inflammatory and analgesic ointments	x	x	
— Anti-mycotic skin creams	x		
— Burn preparations	x	x	x
(b) *Eye medicines*			
— Antibiotic and anti-inflammatory	x	x	
— Anaesthetic drops	x	x	
— Saline solution for eyewash	x	x	x
— Hypotonic myotic drops	x	x	
(c) *Ear medicines*			
— Anaesthetic and anti-inflammatory solutions	x	x	
(d) *Medicines for oral and throat infections*			

—Antiseptic mouthwashes	x	x	
(e) *Local anaesthetics*			
— Local anaesthetics using freezing	x		
—Local anaesthetics given by subcutaneous injection	x	x	

Part II - MEDICAL EQUIPMENT

	Categories of vessels		
	A	B	C
1. **Resuscitation equipment**			
— Ambu bag (or equivalent); supplied with large, medium and small masks	x	x	
— Appliance for the administration of oxygen with pressure-reducing valve such that ship's industrial oxygen can be used, or oxygen container (1)	x	x	
— Mechanical aspirator to clear upper respiratory passages	x	x	
2. **Dressingandsuturing equipment**			
— Tourniquets	x	x	x
— Disposable suture stapler or suture kit with needles	x	x	
— Adhesive elastic bandage	x	x	x
— Gauze strips	x	x	
— Tubular gauze for finger bandages	x		
— Sterilegauzecompresses	x	x	x
— Sterile sheet for burns victims	x	x	
— Triangularsling	x	x	
— Disposable gloves	x	x	x
— Adhesive dressings	x	x	x
— Sterile compression bandages	x	x	x
— Adhesive sutures or zinc oxide bandages	x	x	x
— Non-absorbable sutures with needles	x		
— Vaseline gauze	x	x	
3. **Instruments**			
— Disposable scalpels	x		
— Instrument box made of suitable material	x	x	
— Scissors	x	x	
— Dissecting forceps	x	x	
— Haemostatic clamps	x	x	
— Needleforceps	x		

—Disposable razors	x		
4. **Examination andmonitoring equipment**			
—Disposable tongue depressors	x	x	
—Reactive strips for urine analysis	x		
—Temperature charts	x		
— Medicalevacuationsheets	x	x	
— Stethoscope	x	x	
—Sphygmomanometer	x	x	

	Categories of vessels		
	A	B	C
— Medical thermometer	x	x	
—Hypothermic thermometer	x	x	
—Quick malaria test, carriage shall be dependent upon operational area	x	x	
5. **Equipment for injection, perfusion, puncture and catheterisation**			
—Bladder drainage equipment (suitable for men and women)	x		
—Intravenous infusion set	x	x	
— Disposable syringes and needles	x	x	
6. **General medical equipment**			
—Personal protective medical and nursing equipment	x	x	
—Bedpan	x		
—Hot-water bottle	x		
—Urine bottle	x		
—Ice bag	x		
7. **Immobilisation and setting equipment**			
—Set of splints of different sizes for the extremities	x	x	
—Collar for neck immobilisation	x	x	
8. **Disinfection, disinsectisation and prophylaxis**			
—Water-disinfection compound	x		
—Liquid insecticide	x		
—Powder insecticide	x		

Part III - ANTIDOTES

1. **Medicines**

- General
- Cardio-vascular
- Gastro-intestinal system
- Nervous system
- Respiratory system
- Anti-infective
- For external use

2. **Medical equipment**

- Necessary for the administration of oxygen (including maintenance requisites)

Note:

For the detailed implementation of Part III of this Schedule, reference may be made to the IMO Medical First Aid Guide for Use in Accidents Involving Dangerous Goods (MFAG) contained in the IMO International Maritime Dangerous Goods Code, in its up to date version.".

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