

L.N. 119 of 2023

**AUTHORITY FOR TRANSPORT IN MALTA ACT
(CAP. 499)**

**Dangerous Cargo Ships, Marine Terminals and Facilities
and Bunkering (Amendment) Regulations, 2023**

IN EXERCISE of the powers conferred by article 43(1) and (3) of the Authority for Transport in Malta Act, the Minister responsible for transport, after consultation with the Authority for Transport in Malta, has made the following regulations:-

1. The title of these regulations is the Dangerous Cargo Ships, Marine Terminals and Facilities and Bunkering (Amendment) Regulations, 2023 and these regulations shall be read and construed as one with the Dangerous Cargo Ships, Marine Terminals and Facilities and Bunkering Regulations, hereinafter referred to as "the principal regulations".
Citation.
S.L. 499.12.
2. Regulation 3 of the principal regulations shall be amended as follows:
Amends regulation 3 of the principal regulations.
 - (a) immediately after the definition "agent" thereof there shall be added the following new definition:

" "alternative fuel" shall have the same meaning as assigned to it in the Alternative Fuels Order;"
S.L. 460.32.
 - (b) the definition "bunkers" thereof shall be substituted by the following new definition:

" "bunkers" means any alternative fuel and non-volatile marine grade fuel oil used to fuel a ship or its machinery, and includes lubricating oil;"
 - (c) the definition "Relevant Instruments" thereof shall be substituted by the following new definition:

" "Relevant Instruments" means:
 - (a) these regulations;
 - (b) all the relevant IMO Conventions to which Malta has acceded, or may accede to from time to time;
 - (c) the relevant IMO Codes of Practices;

(d) the relevant current EMSA, ISGOTT, OCIMF, ICS, SGMF, SIGTTO, INTERTANKO, IACS, IMO, ISO and IAPH Guides, and any subsequent amendments, emanating from these Conventions and Codes;

(e) the current rules of ship Classification Societies; and

(f) any other code, policy, guidelines or notice which the Authority may adopt from time to time in relation to any matter regulated by these regulations;"

(d) immediately after the definition "COW" thereof there shall be added the following new definitions:

" "EMSA" means the European Maritime Safety Agency;

"IACS" means the International Association of Classification Societies;"

(e) immediately after the definition "ISGOTT" thereof there shall be added the following new definition:

" "ISO" means the International Organisation for Standardisation;"

(f) the definition "OCIMF" thereof shall be substituted by the following new definition:

" "OCIMF" means the Oil Companies International Marine Forum;"

(g) immediately after the definition "OCIMF" thereof there shall be added the following new definition:

" "SGMF" means the Society for Gas as a Marine Fuel;"

(h) the definition "SIGTTO" thereof shall be substituted by the following new definition:

" "SIGTTO means the Society of International Gas Tankers and Terminal Operators;" and

(i) the definitions thereof shall follow in alphabetical order.

3. In paragraph (g) of regulation 4 of the principal regulations, the words "engaged in the handling or storage of dangerous cargoes" shall be deleted.

Amends regulation 4 of the principal regulations.

4. Sub-regulation (1) of regulation 9 of the principal regulations shall be substituted by the following new sub-regulation:

Amends regulation 9 of the principal regulations.

"(1) Except as may be otherwise determined and instructed by the Authority from time to time, the construction, operations, equipment, procedures, personnel and practices of all ships, including non-dangerous cargo ships engaged in the reception of bunkers, bunker barges, marine terminals and marine facilities, the activities of cargo interests and the use of road tankers within any port area for the purposes of supplying bunkers to ships shall be in full compliance and carried out in strict accordance with all the requirements laid down in the Relevant Instruments."

5. Regulation 10 of the principal regulations shall be substituted by the following new regulation:

Substitutes regulation 10 of the principal regulations.

"Intention of the regulations in respect of the Relevant Instruments and operational requirements.

10. (1) The operational, procedural, equipment and construction requirements of these regulations are not intended to be exhaustive but are prescribed to supplement, complement or emphasise some of the provisions of the Relevant Instruments, taking into consideration prevailing local conditions and the particular requirements of the Authority, from time to time.

(2) The Authority shall publish such codes, policies, guidelines or notices as may be required from time to time in order to determine the operational requirements of bunkering operations. Any bunkering operations carried out shall only be authorised if compliant with the provisions of these codes, policies, guidelines or notices and those of any applicable Relevant Instruments."

6. In regulation 57 of the principal regulations, the words "as detailed in Schedule B" shall be substituted by the words "in accordance with all the requirements of the Relevant Instruments".

Amends regulation 57 of the principal regulations.

7. In Schedule B to the principal regulations, the Bunkering Checklist for Ships Receiving Bunkers and the Ship to Ship Bunker Transfer Checklist shall be deleted.

Amends Schedule B to the principal regulations.

B 1032

Deletes
Schedule D to
the principal
regulations.

8. Schedule D to the principal regulations shall be deleted.
-