VERŻJONI ELETTRONIKA

Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 21,211, 22 ta' Marzu, 2024
Taqsima B

L.N. 73 of 2024

MERCHANT SHIPPING ACT
(CAP. 234)

Merchant Shipping (Monitoring, Reporting and Verification of Carbon Dioxide Emissions from Maritime Transport) (Amendment) Regulations, 2024

IN EXERCISE of the powers conferred by articles 308A, 374 and 375 of the Merchant Shipping Act, the Minister responsible for shipping, has made the following regulations:

Citation, scope and commencement.

1. (1) The title of these regulations is the Merchant Shipping (Monitoring, Reporting and Verification of Carbon Dioxide Emissions from Maritime Transport) (Amendment) Regulations, 2024 and these regulations shall be read and construed as one with the Merchant Shipping (Monitoring, Reporting and Verification of Carbon Dioxide Emissions from Maritime Transport) Regulations, hereinafter referred to as the "principal regulations".

S.L. 234.54.

(2) These regulations amend the system of penalties for failure to comply with the monitoring and reporting obligations set out in Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of greenhouse gas emissions from maritime transport, and amending Directive 2009/16/EC and as amended by Regulation (EU) 2023/957 of the European Parliament and of the Council of 10 May 2023 amending Regulation (EU) 2015/757 in order to provide for the inclusion of maritime transport activities in the EU Emissions Trading System and for the monitoring, reporting and verification of emissions of additional greenhouse gases and emissions from additional ship types.

(3) Regulations 2, 3 and 5 shall be deemed to have come into force on 1st January 2024.

(4) Regulation 4 shall come into force on 1st January 2025.

Amends regulation 2 of the principal regulations.

2. In regulation 2(1) of the principal regulations immediately after the definition "competent authority" there shall be added the following new definitions:

" "EU Member State" means the Member States of the European Union and the Member States of the European

Economic Area;".

Amends regulation 3 of the principal regulations.

3. Sub-regulation 1 of regulation 3 of the principal regulations shall be substituted by the following new sub-regulation:

"3. (1) These regulations shall apply to:

(a) Maltese ships of five thousand (5000) gross tonnage and above in respect of the greenhouse gas emissions released during their voyages for transporting for commercial purposes cargo or passengers from such ships' last port of call to a port of call under the jurisdiction of an EU Member State and from a port of call under the jurisdiction of an EU Member State to their next port of call, as well as within ports of call under the jurisdiction of an EU Member State; and

(b) other ships of five thousand (5000) gross tonnage and above in respect of the greenhouse gas emissions released during their voyages for transporting for commercial purposes cargo or passengers from such ships' last port of call to a port of call in Malta and from a port of call in Malta to their next port of call, as well as within ports of call in Malta.".

Amends regulation 3 of the principal regulations.

4. Immediately after sub-regulation (2) of regulation 3 of the principal regulations there shall be added the following new sub-regulation:

"(2a) From 1 January 2025, these regulations shall also apply to:

(a) Maltese general cargo ships below five thousand (5000) gross tonnage but not below four hundred (400) gross tonnage in respect of the greenhouse gas emissions released during their voyages for transporting cargo for commercial purposes, and Maltese offshore ships of four hundred (400) gross tonnage and above in respect of the greenhouse gas emissions released during their voyages, from their last port of call to a port of call under the jurisdiction of an EU Member State and from a port of call under the jurisdiction of an EU Member State to their next port of call, as well as within ports of call under the jurisdiction of an EU Member State; and

(b) other general cargo ships below five thousand (5000) gross tonnage but not below four hundred (400) gross tonnage in respect of the greenhouse gas emissions released

during their voyages for transporting cargo for commercial purposes, and other offshore ships of four hundred (400) gross tonnage and above in respect of the greenhouse gas emissions released during their voyages, from their last port of call to a port of call in Malta and from a port of call in Malta to their next port of call, as well as within ports of call in Malta.".

Amends regulation 7 of the principal regulations.

5. In sub-regulation (1) of regulation 7 of the principal regulations, the words "compliance with the provisions of these regulations and the applicable requirements of the EU Regulation." shall be substituted by the words "compliance with the provisions of these regulations and the applicable requirements of the EU Regulation:" and immediately after there shall be added the following new proviso:

"Provided that, in the case of a non-Maltese ship, such inspection shall be limited to verifying that there is on board in relation to such ship a valid document of compliance issued in terms of Article 17 of the EU Regulation.".

Ippubblikat mid-Dipartiment tal-Informazzjoni (doi.gov.mt) — Valletta — ***Published by the Department of Information (doi.gov.mt) — Valletta***
Mitbugħ fl-Istamperija tal-Gvern fuq karta FSC — ***Printed at the Government Printing Press on FSC certified paper***

Prezz/*Price*
€0.18