Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 21,386, 4 ta' Frar, 2025

Taqsima B

L.N. 26 of 2025

MERCHANT SHIPPING ACT
(CAP. 234)

Merchant Shipping (Maritime Labour Convention) (Amendment) Rules, 2025

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 responsible for shipping has made the following regulations:-

Citation.

1. The title of these rules is the Merchant Shipping (Maritime Labour Convention) (Amendment) Rules, 2025 and these rules shall be read and construed as one with the Merchant Shipping (Maritime Labour Convention) Rules, hereinafter referred to as the "principal rules".

S.L. 234.51.

Adds new rule to the principal rules.

2. Immediately after rule 19 of the principal rules there shall be added the following new rule:

"System of protection.

19A. Shipowners and, or recruitment and placement services shall ensure that there is in place a system of protection, by way of insurance or an equivalent appropriate measure, to compensate seafarers for monetary loss that they may incur as a result of the failure of a recruitment and placement service or the relevant shipowners obligations under the seafarers' employment agreement, and shall ensure that seafarers are informed, prior to or in the process of engagement, of their rights under that system.".

Substitution of rule 54 of the principal rules.

3. Rule 54 of the principal rules shall be substituted by the following new rule:

"Wages not to depend on freight.

54. The right to wages shall not depend on the earning of freight, and every seafarer shall be entitled to demand and recover any wages notwithstanding that freight has not been earned.".

Amends rule 107 of the principal rules.

4. Immediately after sub-rule (2) of rule 107 of the principal rules there shall be added the following new rule:

"(3) The organisation and equipment of the catering department shall be such as to permit the provision to the

seafarers of adequate, varied, balanced and nutritious meals prepared and served in hygienic conditions.".

Adds new rules to the principal rules.

5. Immediately after rule 117 of the principal rules there shall be added the following new rules:

"Personal protective equipment.

117A. Reasonable precautions shall be taken to prevent occupational accidents, injuries and diseases onboard the ship, including through the provision of all necessary appropriately-sized personal protective equipment and measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals, as well as the risk of injury or disease that may arise from the use of equipment and machinery onboard the ship.

Reporting of deaths of seafarers.

117B. Shipowners are obliged to adequately investigate, record and report all deaths of seafarers employed, engaged or working onboard Maltese flagged ships to the competent authority.".

Amends the Fourth Schedule to the principal rules.

6. The Fourth Schedule to the principal rules shall be amended as follows:

(a) item 10.3 thereof shall be substituted by the following new item:

"10.3 Appropriate seafarers' recreational facilities, amenities and services, including social connectivity, as adapted to meet the special needs of seafarers who are required to live and work on ships, shall be provided on board for the benefit of all seafarers, taking into account the related provisions on health and safety protection and accident prevention."; and

(b) Appendix X thereof shall be amended as follows:

(i) paragraph (j) of item 3 thereof shall be substituted by the following new paragraph:

"(j) reasonable access to ship-to-shore telephone communications, where available, with any charges for the use of these services being reasonable in amount."; and

(ii) immediately after item 4 thereof there shall be added the following new item:

"5. Shipowners shall, so far as is reasonably

practicable, provide seafarers onboard their ships with internet access, with charges, if any, being reasonable in amount.".

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