

SUBSIDIARY LEGISLATION 499.06

BUOYAGE DUES REGULATIONS

3rd April, 1979

LEGAL NOTICE 44 of 1979, as amended by Legal Notices 23 of 1982, 30 of 1983 and 12 of 1985; Act XVII of 1991; and Legal Notice 425 of 2007.

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| <p>1. The title of these regulations is the Buoyage Dues Regulations.</p> | <p>Citation.</p> |
| <p>2. In these regulations, "Authority" means the Authority for Transport in Malta established under the Authority for Transport in Malta Act.</p> | <p>Interpretation.
<i>Amended by:</i>
<i>XVII. 1991.81.</i>
Cap. 499.</p> |
| <p>3. No master of a ship shall use any buoy which is the property of, or is under the control or management of, or is being operated by the Authority without the prior permission of the Authority.</p> | <p>Use of buoys.
<i>Amended by:</i>
<i>XVII. 1991.81.</i></p> |
| <p>4. In allowing a master to moor his ship on a buoy, or to leave such moorings, the Authority may require him to engage such number of tugs as in the opinion of the Authority are necessary to ensure that the ship will not cause any damage to the particular buoy and/or mooring.</p> | <p>Requirement of tugs.
<i>Amended by:</i>
<i>XVII. 1991.81.</i></p> |
| <p>5. (1) Unless with the permission of the Authority, the master of a ship shall make fast the cable of the ship only to the ring of the buoy but to no other part of the mooring.</p> <p>(2) The master of a ship which is moored on a buoy shall take all such precautions as are necessary to avoid any damage or undue strain to the buoy or moorings, and, in particular, shall not, without the prior permission of the Authority, use the engine of the ship whilst the ship is fast on the buoy.</p> | <p>Ship's cable to be made fast to ring of buoy.
<i>Amended by:</i>
<i>XVII. 1991.81.</i></p> |
| <p>6. The master of a ship while moored on a buoy shall, at all times, have sufficient hands on board to -</p> <p>(a) attend to the lights and to any other signals;</p> <p>(b) keep the moorings properly adjusted;</p> <p>(c) drop an anchor in the event of the ship breaking adrift;</p> <p>(d) inform the Authority of any collision with the ship or moorings.</p> | <p>Precautions while a ship is on a buoy.
<i>Amended by:</i>
<i>XVII. 1991.81.</i></p> |
| <p>7. (1) If a ship sinks or becomes stranded or a wreck when about to take up, taking up, lying at, or leaving, the buoy, the owner and/or master of the ship shall forthwith remove the ship to such berth or place as shall be indicated by the Authority.</p> <p>(2) If the master or the owner of the ship does not comply, within twenty-four hours, with the provision of subregulation (1), the Authority may mark the ship with such light, buoy, or other marks at the risk and expense of the master or owner of the ship.</p> | <p>Removal of ship sinking or becoming a wreck.
<i>Amended by:</i>
<i>XVII. 1991.81.</i></p> |

(3) If the master or owner does not, within fifteen days or within such other longer or shorter period as the Authority may, in its absolute discretion, in any particular case decide, remove the ship as provided in subregulation (1), the Authority may take possession of, remove or destroy such ship and wreck and recover from the master or owner of the ship such costs and expenses as shall have been incurred by the Authority as well as such damages as may have been suffered by the Authority.

Imposition of conditions.
Amended by:
XVII. 1991.81.

8. In granting permission for the use of any buoy as is referred to in regulation 3, the Authority may -

- (a) require from the master, owner and/or agent of the ship an undertaking indemnifying the Authority from any damages which may be suffered by the ship using that buoy and from any damages caused to any other ship, or to life or property and arising out of the use of that buoy, and
- (b) impose any other condition as it may decide in its absolute discretion.

Dues and payment thereof.
Amended by:
L.N. 23 of 1982;
L.N. 30 of 1983;
XVII. 1991.81.

9. (1) The owner, master or agent of a ship using a buoy as is referred to in regulation 3 shall, in addition to any other dues, fees or rates, pay in respect of the buoys shown in the first column of the Schedule the relative rate per day or part thereof shown in the second column of the said Schedule.

(2) The relative rate payable as provided in subregulation (1) shall be doubled when any ship using such buoy is not fully manned with deck and engine room officers and men, or is not manned with such number of deck and engine room officers and men as is agreed with the Authority.

(3) The Authority may demand that payment for the use of any buoy as is referred to in regulation 3 be made in advance, and it may also demand an advance deposit in respect of such use.

(4) The mooring of a ship to any particular buoy shall be at the sole discretion of the Authority.

Exemptions.

10. The Minister responsible for ports, with the concurrence of the Minister responsible for finance, may exempt any owner, master or agent of any ship from the payment of any dues which would otherwise be payable under the provisions of these regulations.

SCHEDULE
Regulation 9

*Substituted by:
L.N. 23 of 1982;
L.N. 30 of 1983;
L.N. 12 of 1985;
L.N. 425 of 2007.*

First Column	Second Column
GRAND HARBOUR	
No. 14 / 14A / 14B; 15 / 15A	€232.94
MARSAMXETT HARBOUR	
No. 1 / 1A; 2 / 2A; 3	€232.94
