

APPLICATION FOR A BUNKER OPERATOR PERMIT

issued under the Dangerous Cargo Ships, Marine Terminals and Facilities and Bunkering Regulations
S.L.499.12

Ports Commercial Department

Transport Malta, Triq Pantar, Hal Lija. Tel: +356 21222203 Fax: +356 22914599 info.tm@transport.gov.mt www.transport.gov.mt



Tick "✓" against the appropriate box: ☐ First time application ☐ Renewal of Licence

PART A: Company / Personal Particulars

Name of Company / Person:		
I.D. / Passport No.:		
Registered / Home Address:		
Tel. No.:	Mob. No.:	E-mail Address:
Company Registration No.:		

PART B: Particulars of an Applicant Company's Directors and Principal Officers

Name	I.D. / Passport No.	Designation	Address

PART C: List of other Licensed Bunker Operators in which the applicant has any interest

Name of Bunker Operator	Licence No.	Owner of Bunker Operator Company	Applicant's % Share

PART D: An applicant company's Shareholders and Directors must declare their interests in any other Companies which are Licensed Bunker Operators

Name of Shareholders and Directors	Name of Bunker Operator Company	Licence No.	Nature of Interest in such Bunker Operator Company

PART E: Brief description of intended activities for which a licence is being applied:

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PART F: Marine Terminal details (where applicable):

Marine Terminal Name:		
Full Postal Address:		
Tel. No.:	Fax No.:	E-Mail Address:
Person vested with operational management of the Terminal.		
Name:		Title:

PART G: Applicants requesting to utilise Bunker Barges in their licensed operations must complete this section in full

Name of Bunker Barges registered under the name of the Applicant	Off./Reg. No.	Name of Bunker Barges chartered to the Applicant	Off./Reg. No.

PART H: Applicants requesting to utilise road tankers in their licensed operations must complete this section in full

<i>FUEL BOWSERS</i>	<i>TRACTOR UNIT</i>	<i>TANK TRAILERS</i>	<i>OTHER VEHICLES</i>	
<i>Reg. No</i>	<i>Reg. No</i>	<i>Serial No.</i>	<i>Reg. No</i>	<i>Description.</i>

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PART I: **Applicants requesting to utilise Oil Transfer Pump/s in their licensed operations must complete this section in full**

Oil Transfer Pump Identification Number/s

PART J: **Documents required to be furnished with application:**

- (1) Certified copy of the Memorandum and Articles.
- (2) Identity Card or Passport of Applicant person.
- (3) Such other documents, certificates and information as are required to be provided in these regulations from time to time (see Part M).
- (4) Such other permits and / or licences relevant to the activities and facilities as are required under terms the provisions of any other laws and regulations in force in Malta from time to time.

PART K: **Declaration by Applicant:**

I, the undersigned, _____ (name in block letters) declare that the information contained in this application form, including any documents submitted, is true and correct.

I further declare that, should a Licence be granted, I agree to be bound by the provisions of the “Bunkering (Fuels) Tax Act, 1995” and the “Dangerous Cargo Ships, Marine Terminals and Facilities and Bunkering Regulations, 1996”, together with the provisions of any other laws in force in Malta from time to time and undertake to immediately inform the Authority, in writing, in the event of any changes to the particulars declared by me in this form and its attachments.

Signature of Applicant
or Authorised Person

Full name in block letters of
Authorised Person Signing

Title

Date

PART L: **Data Protection Notice:**

The Ports and Yachting Directorate collects and processes the data provided in this form in order to carry out its functions under the Authority for Transport In Malta Act (ACT XV of 2009). All data collected is processed in accordance with the Data Protection Act (ACT XXVI of 2001). The data provided in this form may be exchanged with other Public Authorities and/or Government Departments as required and permitted by Maltese Law.

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PART M: Documents required to be furnished with a first-time application – Part I (3):

(a) ***For applicants operating a Marine Terminal these include:***

ALL the documentary and data requirements contained in regulations 70, 71, 73, 74, 75, 76, 77, 78, 81 and 94 of the Dangerous Cargo Ships, Marine Terminals and Facilities and Bunkering Regulations, 1996.

(b) ***For applicants operating Bunker Barges these include:***

- (i) **ALL** the documentary and data requirements contained in regulations 57, 64 and 65; and
- (ii) **ALL** the documentary and data requirements contained in the Commercial Vessels Regulations 2002.

(c) ***For applicants operating road tankers, these include:***

- (i) Copy of a valid road licence;
- (ii) Copy of the vehicle logbook;
- (iii) For post 2004 registered vehicles, copy of the ADR compliance certificate for each vehicle in the case of ADR certified vehicles or an ADR certificate exempt letter for vehicles that do not have an ADR certificate;
- (iv) Adequate valid Insurance cover in respect of third-party damage, marine environment pollution damage and clearance of pollution liabilities;
- (v) Proof of an agreement with a specialised organisation, recognised by the Authority, to provide an effective "on call" service for the immediate control and removal from both sea and land of any potential consequences of the most environmentally hazardous operations that can be undertaken;
- (vi) Oil Transfer Hose Report and Test Certificate/s;
- (vii) A declaration issued by a Government Appointed Surveyor confirming that road tanker is equipped with the following:
 - a. Portable fire fighting equipment (Regulation 24);
 - b. Drip trays (Regulation 38);
 - c. Absorbent material (Regulation 38);
 - d. Bunkering Checklist (Regulation 57);
 - e. Containment booms (Regulation 65).

PART N: Additional Requirements:

- (a) Prior issue of a Permit, an applicant must present to the Authority a Bank Guarantee for €23,294 in favour of the Authority for Transport in Malta, issued by a local bank recognised by the Authority;
- (b) Such guarantee as is specified in item (a) above, must always be maintained at its full value.

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Data Protection Privacy Notice

Transport Malta of Triq Pantar, Lija, Malta LJA 2021 is the Data Controller for the purpose of the General Data Protection Regulation (GDPR) 2016/679 and CAP 586 Data Protection Act of the Laws of Malta. This Privacy Notice sets out the way in which we collect and process your Personal Information, as well as the steps we take to protect such information.

1. The information we collect and how we use it

- 1.1. From this Application Transport Malta collects different types of information as required by Law and is used explicitly to process your Application for a Bunker Operator Permit in accordance with Commercial Vessels Regulations (SL 499.23). It is to be noted that if the required information is not provided the said application could not be processed.
- 1.2. The primary purpose for collecting information is mainly to process the Application for a Bunker Operator Permit, however, Personal information may also be used for related purposes that amongst other include: sending notifications, and for the provision of information with regards to any legislative amendments which may affect the services offered to you.

2. To whom we disclose information

- 2.1. This information will be solely used for the reasons detailed above. However there may be cases where personal information is shared with the following third parties for reasons listed below;
 - Any third party offering assistance in providing the service, including Insurance;
 - Any law enforcement body who may have any reasonable requirement to access your personal information;
 - Third party entities.

3. Data Subject Rights

- 3.1. With respect to your privacy rights, Transport Malta is obliged to provide you with reasonable access to the Personal Data that you have provided to us. Your other principal rights under data protection law are:
 - a. the right for information;
 - b. the right to access;
 - c. the right to rectification;
 - d. the right to erasure;
 - e. the right to restrict processing;
 - f. the right to object to processing;
 - g. the right to data portability;
 - h. the right to complain to a supervisory authority; and
 - i. the right to withdraw consent.
- 3.2. If you wish to access or amend any Personal Data we hold about you, or to request that we delete any information about you, you may contact us by sending a request to dataprotection.tm@transport.gov.mt. We will acknowledge your request within seventy-two (72) hours and will do our utmost to handle it promptly. We will respond to these requests within a month, with a possibility to extend this period for particularly complex requests in accordance with Applicable Law.
- 3.3. At any time, you may object to the processing of your Personal Data, on legitimate grounds, except if otherwise permitted by applicable law.
- 3.4. In accordance with Applicable Law, we reserve the right to withhold personal data if disclosing it would adversely affect the rights and freedoms of others. Moreover, we reserve the right to charge a fee for complying with such requests if they are deemed manifestly unfounded or excessive.

4. Retention period

- 4.1. *Personal data will be retained for not more than 3 months from date of application should the application not be submitted **complete** or is rejected.*
- 4.2. Once the permit is issued the data will be retained for as long as needed to provide you with our service, or to comply with our legal obligations, resolve disputes and enforce our agreements.

5. Security

- 5.1. We take appropriate security measures to protect against loss, misuse and unauthorized access, alteration, disclosure, or destruction of your information. Additionally, steps will also be taken to ensure the ongoing confidentiality, integrity, availability, and resilience of systems and services processing personal information, and will restore the availability and access to information in a timely manner in the event of a physical or technical incident. All information gathered is kept confidential.
- 5.2. If we learn of a security systems breach, we will inform you of the occurrence of the breach in accordance with Applicable Law.

6. Governing Law

All data collected in this form is processed in accordance with the General Data Protection Regulation (GDPR) 2016/679 and CAP 586 Data Protection Act of the Laws of Malta.

7. Data Protection Officer

- 7.1. Transport Malta has a Data Protection Officer ("DPO") who is responsible for matters relating to privacy and data protection. The DPO can be reached at the above address or by email: dataprotection.tm@transport.gov.mt

8. Contacting us

- 8.1. Please address any questions, comments and requests regarding the application process to info.pyd@transport.gov.mt