

SUBSIDIARY LEGISLATION 499.04

PORT DUES REGULATIONS

5th March, 1977

LEGAL NOTICE 30 of 1977, as amended by Legal Notice 21 of 1981; Act XVII of 1991; Legal Notice 425 of 2007; Act XV of 2009; and Legal Notices 229 and 469 of 2010.

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| <p>1. The title of these regulations is the Port Dues Regulations.</p> | Citation. |
| <p>2. In these regulations, unless the context otherwise requires -</p> <p>"the Authority" means the Authority for Transport in Malta established under the Authority for Transport in Malta Act;</p> <p>"ton" means, for the purpose of calculating port dues, the net tonnage of a vessel and when a vessel has more than one net tonnage, the higher or highest of such tonnage shall be the net tonnage;</p> <p>"period of seven days" means any period of seven days commencing from the day on which a vessel enters a port or on which a vessel is laid up, as the case may be.</p> | <p>Definitions.</p> <p><i>Amended by:</i></p> <p><i>L.N. 229 of 2010.</i></p> <p>Cap. 499.</p> |
| <p>3. (1) The port dues to be charged in respect of vessels entering any port shall be those specified in the First Schedule.</p> <p>(2) The port dues to be charged in respect of laid up vessels shall be those specified in the Second Schedule.</p> | Port dues. |
| <p>4. Any person who is liable for the payment of the dues specified in the Schedules shall produce to the Authority any documents which he may require to ascertain the amount of dues payable.</p> | <p>Documents to be produced.</p> <p><i>Amended by:</i></p> <p><i>XVII. 1991.81;</i></p> <p><i>XV. 2009.49;</i></p> <p><i>L.N. 229 of 2010.</i></p> |
| <p>5. Any change in the ownership of a vessel in a port shall be notified in writing jointly by the previous owner and the new owner to the Authority immediately such change takes place, and, in the absence of such notification, the previous owner and the new owner shall be liable <i>in solidum</i> for payment of any dues which in terms of these regulations accrue in respect of the vessel.</p> | <p>Change of ownership of vessels.</p> <p><i>Amended by:</i></p> <p><i>XVII. 1991.81;</i></p> <p><i>XV. 2009.49;</i></p> <p><i>L.N. 229 of 2010.</i></p> |

Amended by:
L.N. 21 of 1981;
XVII. 1991.81;
L.N. 425 of 2007;
XV. 2009.49.
Substituted by:
L.N. 469 of 2010.

FIRST SCHEDULE
Regulation 3(1)
Port Dues payable in respect of vessels
entering a port

1. In this Schedule, unless the context otherwise requires -
"tourist vessel" means any vessel which is specifically and exclusively intended for use by persons travelling for recreation, pleasure or culture, provided that the vessel does not discharge or load cargo or mail in a port.

2. Subject to the provisions of this Schedule, every vessel entering any port shall pay port dues, in respect of every period of seven days or part thereof during which the vessel remains in port, as follows:

	As from 1st January 2011	As from 1st January 2012	As from 1st January 2013
(a) Vessels not exceeding 2000 tons, for every 500 tons or part thereof	€25	€30	€35
(b) Vessels exceeding 2000 tons:			
i. for the first 2000 tons	€135	€155	€170
ii. for every additional 1,000 tons or part thereof	€13.50	€15	€17

3. (1) Notwithstanding the provisions of paragraph 2:
- (a) the dues payable by tourist vessels calling at any port shall be at the rate of fifty per centum of the dues specified in paragraph 2;
 - (b) the dues payable by vessels registered in Malta shall be payable only in respect of the first two periods of seven consecutive days each or part thereof;
 - (c) the dues payable by vessels calling at any port to load or unload goods shall be at the rate of ten per centum over the dues specified in paragraph 2;
 - (d) (i) the dues payable by any vessel entering any port and having on board more than 5 tons gross of explosives, other than safety class explosives, shall be double the dues specified in paragraph 2; and;
(ii) for the purposes of this sub-paragraph, "explosives" and "safety class explosives" shall have the same meaning as is assigned to them under the Ports Regulations.

SECOND SCHEDULE

Regulation 3(2)

Port Dues payable in respect of laid-up vessels

Substituted by:
L.N. 21 of 1981.
Amended by:
XVII. 1991.81;
L.N. 425 of 2007;
XV. 2009.49.
Substituted by:
L.N. 229 of 2010.

1. (1) Laid-up vessels, whether registered in Malta or otherwise, shall pay port dues as follows:

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| (a) vessels not exceeding 10 tons | €20 per vessel for every period of seven days or part thereof |
| (b) vessels exceeding 10 tons but not exceeding 50 tons | €40 per vessel for every period of seven days or part thereof |
| (c) vessels exceeding 50 tons but not exceeding 100 tons | €65 per vessel for every period of seven days or part thereof |
| (d) vessels exceeding 100 tons but not exceeding 500 tons | €85 per vessel for every period of seven days or part thereof |

(2) Laid-up vessels exceeding 500 tons shall pay port dues as follows:

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| (a) vessels not exceeding 2000 tons | €70 for every 500 tons or part thereof in respect of every period of seven days or part thereof |
| (b) vessels exceeding 2000 tons - | |
| (i) for the first 2000 tons | €350 in respect of every period of seven days or part thereof |
| (ii) for every 1000 tons or part thereof in excess of 2000 tons | €35 in respect of every period of seven days or part thereof. |

2. If the net tonnage of a vessel is not known to, or cannot be established by, the Authority, it may appoint one or more surveyors at the expense of the person or persons liable to pay port dues to determine the net tonnage of that vessel.

3. Notwithstanding the provisions of paragraph 1, the Authority may, in respect of any laid-up vessel, whether registered in Malta or otherwise, increase the port dues specified in paragraph 1 by one hundred *per centum* in any of the following circumstances:

- (a) the vessel is laid-up without the permission of the Authority; or
- (b) the vessel is not fully manned or is not manned with such number of crew and officials as agreed with the Authority; or
- (c) the vessel remains in Malta for a longer period than that agreed with the Authority; or
- (d) the vessel does not comply with any direction or condition that may be imposed by the Authority.