



PLACES OF REFUGE

BACKGROUND INFORMATION SUMMARY

Directive 2002/59 EC establishing a Community Vessel Traffic Monitoring and Information System (as amended) has been enacted into Maltese law through the *Vessel Traffic Monitoring and Reporting Requirements Regulations*, S.L.352.20.

Transport Malta has been established as the National Competent Authority in terms of these regulations and is therefore responsible for ensuring the implementation of same regulations.

Article 20 of the above mentioned EC Directive re-affirms the general duty of assisting a vessel in distress and puts the obligation on each Member State to draw up plans to accommodate a ship in distress in a place of refuge. The plan is to also contain arrangements for the provision of adequate facilities for assistance, salvage and pollution response. Therefore the National Marine Pollution Contingency Plan will compliment this document.

A place of refuge should be any sheltered area along the coastline or within a port, keeping in mind that the assisted ship should never be in a position to create a danger to navigation or be in a position which could jeopardise the coastline and/or human life.

The different request scenarios have been addressed taking into consideration the physical limitations the Islands have to give shelter to a vessel in certain adverse weather conditions.

This procedure would apply to a vessel in need of assistance whose master may be requesting shelter, or to a vessel, manned or unmanned which may be disabled, or on tow, or a vessel which at the time may be under the control of a salvor.

Different checklists have been drawn up to aid and guide the Authority to assess the situation and decide if the vessel is to be allowed to enter Maltese



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waters or not. This document will also guide the shipowner, master or salvor on how to proceed in the case that a vessel is in need of assistance and would request a place of refuge.

The document is divided in two main sections as follows:

- General
- Internal Guidelines

The General section includes 5 Annexes and gives an outline on the decision process to allocate, or refuse a vessel a place of refuge. One can find checklists identifying the different emergencies namely collision, pollution, fire, explosion, stability and grounding and the information required in these checklists would have to be communicated by the vessel's master, owner or salvor. This part of the document lists the potential places of refuge which though may not be limited to these specific, as any place can be a place of refuge.

Once the applicable checklists are completed the Authority will assess the situation and a decision would then be taken. One other main requirement is for the requesting party to hold harmless the Authority and make good for any expenses or damages which may be encountered during the operation. This document has to be completed and signed by all parties including the P&I Club representative.

The Internal Guidelines provide the Authority with a decision making process to enable the Authority to decide whether a vessel can be allocated a place of refuge, together with a framework for developing pre-incident information on potential places of refuge. This would expedite decision making and ensures that stakeholders and technical experts are consulted as appropriate.

Charts of the different Places are also included to aid the Authority to come to the most favourable decision.

This document is to be used in case of an incident involving a ship in distress where assistance would be required. Therefore in this regard the Authority has to safeguard the interests of the State, those of 3rd parties and also its own interests. On the other hand the Authority has to also ensure that a system is in place to aid in decision making when such an event occurs.

The Guidelines are consistent with the International Maritime Organization's *Guidelines on Places of Refuge for Ships in Need of Assistance*.

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