

SUBSIDIARY LEGISLATION 499.55**WATER TAXI SERVICES REGULATIONS**

1st March, 2009

LEGAL NOTICE 71 of 2009, as amended by Act XV of 2009.

1. (1) The title of these regulations is the Water Taxi Services Regulations. Citation and scope.

(2) The scope of these regulations is to regulate the water taxi services provided in the internal and territorial waters of Malta.

2. In these regulations, unless the context otherwise requires: Interpretation.

"authorised officer" means an officer of the Authority, the Police, or a local warden; Amended by: XV. 2009.49.

"the Authority" means the Authority for Transport in Malta established by the Authority for Transport in Malta Act; Cap. 499.

"Code of Practice" shall have the same meaning as that assigned to it in the Regulations;

"commercial vessel certificate" shall have the same meaning as that assigned to it in the Regulations;

"commercial vessel operator's licence" shall have the same meaning as that assigned to "licence" in the Regulations;

"hire" means the carriage of passengers against payment or compensation by the person who is transported;

"internal waters" shall have the same meaning as that assigned to it in the Ports and Shipping Act; Cap. 352.

"master" shall have the same meaning as that assigned to it in the Regulations;

"passage boat" means the traditional Maltese dgħajsa licensed for the conveyance of fee paying passengers within the Grand Harbour and Marsamxett Harbour;

"passenger" shall have the same meaning as that assigned to it in the Regulations;

"persons with reduced mobility" shall have the same meaning as that assigned to it in the Code of Practice;

"port" shall have the same meaning as that assigned to it in the Ports and Shipping Act; Cap. 352.

"the Regulations" means the Commercial Vessel Regulations; S.L. 499.23

"territorial waters" shall have the same meaning as that assigned to it in the Territorial Waters and Contiguous Zone Act; Cap. 226.

"water taxi operator" means a person who is in possession of a licence issued by the Authority to operate a water taxi;

"water scheduled service" means a series of crossings from one landing place to another in terms of a published time table

approved by the Authority; and

"water taxi" means a commercial vessel licensed to ply for hire for the carriage of passengers within the internal and territorial waters of Malta and which complies with the requirements for a water taxi in the Code of Practice, but excludes a passage boat.

Water taxi operator.

3. (1) No person may operate a water taxi service unless he is in possession of a commercial vessel operator's licence.

(2) The water taxi operator is responsible to ensure that all relative laws and regulations are observed at all times.

(3) The water taxi operator is responsible to ensure that the crew employed by him is in possession of the requisite certificates issued in terms of the Regulations.

Water taxi operator.

4. (1) No boat may be used as a water taxi unless it conforms in every respect with the requirements set down in the Regulations, or any other applicable regulations, and in the Code of Practice, and is covered with a commercial vessel certificate.

(2) A water taxi service may be operated in all the internal and territorial waters of Malta, so far as such service is not a water scheduled service.

Master of a water taxi.

5. (1) While on duty, the master of a water taxi:

(a) shall wear a clean white shirt, white long or bermuda trousers, white socks and closed shoes;

(b) may wear a cap and a jacket of a design approved by the Authority;

(c) shall wear the identification card prescribed by the Authority; and

(d) shall ensure that he wears the clothes and the identification card in a proper manner at all times.

(2) No master of a water taxi shall make use of an identification card other than that issued to him by the Authority and such identification card shall not be transferable from one master to another.

(3) For the purpose of this regulation, "while on duty" means any such time when the master of a water taxi is waiting at a landing place, exposing the water taxi for hire or driving the water taxi, whether carrying passengers or not.

(4) At the commencement of every trip, the master shall ensure that all safety and communication equipment is in good working order and shall only use the communication channels as specified by the Authority from time to time.

(5) The authorised officer may suspend any master at once if such master is found, in the discretion of the officer, in breach of this regulation.

Hire of a water taxi.

6. (1) The master of a water taxi shall not at any time leave the water taxi unattended while it is alongside a landing place.

(2) The master of a water taxi exposed for hire at a landing

place shall not refuse, without reasonable cause, the hire of his water taxi from any person requesting such hire to any given destination.

(3) A master of a water taxi refusing a hire as referred to in sub-regulation (2) shall, saving his liability to the penalties established in these regulations, immediately leave the landing place.

(4) The master of a water taxi, while standing or plying for hire, shall not call or otherwise importune any person to hire such water taxi and shall not make use of the services of any other person for such purposes.

(5) The master of a water taxi who has agreed or has been hired to be in attendance with a water taxi at an appointed time and place, shall attend with such water taxi at such appointed time and place.

(6) The master of a water taxi, when asked to drive to any particular destination, shall, unless directed otherwise by the hirer, proceed to that destination using the most expeditious route.

(7) The master of a water taxi which is on hire, while the hiring continues, shall wait with the water taxi at such places and for such time as the hirer may lawfully direct.

7. (1) The tariff of fares for the hire of a water taxi shall be that shown in the First Schedule, provided that lower fares may be charged. Tariff of fares.

(2) The tariff of fares shall be applicable to a complete water taxi service and shall be inclusive of the handling of a normal sized luggage.

(3) A printed form, issued by the Authority and suitably framed showing the tariff of fares and other information as the Authority may establish, is to be displayed conspicuously at all times in the interior of every water taxi.

(4) No passenger shall refuse to pay the fare to the master of a water taxi at the end of a trip.

(5) The master of a water taxi shall not charge or demand a higher fare than that shown in the First Schedule.

8. (1) The master of a water taxi shall provide the passenger with a receipt showing the date, the amount paid and the origin and destination of the trip. Receipts.

(2) A passenger may be requested by an authorised officer to produce his receipt in order to check and inspect the receipt and its validity on disembarking from a water taxi.

9. (1) A water taxi shall display a "Water Taxi" sign which shall be written and fitted as prescribed in the Code of Practice. Water taxi identification.

(2) A water taxi shall have the same colour and image as prescribed in the Code of Practice.

(3) The master of a water taxi shall keep the water taxi constantly clean and in good order and repair while in use in the

provision of a water taxi service.

Persons with
reduced mobility.

10. The master of a water taxi is obliged to assist and help any person with reduced mobility in embarking or disembarking from the water taxi and during the trip aboard the water taxi.

Contraventions and
penalties.

11. Any contravention committed against the provisions of these regulations shall be treated in the same manner as if it has been committed under the Regulations.

FIRST SCHEDULE

(Regulation 8)

Water Taxi Services Tariffs

| Type of trip | Fare € |
|--|-----------|
| 1. Direct trips between landing places within the same port or internal waters: | |
| (a) up to two passengers | 5.00 |
| (b) for every additional passenger | 2.50 |
| 2. Direct trips between landing places within the zones as indicated in the Second Schedule: | |
| (a) trips within the same zone: | |
| (i) up to two passengers | 10.00 |
| (ii) for every additional passenger | 5.00 |
| (b) trips between neighbouring zones: | |
| (i) up to two passengers | 15.00 |
| (ii) for every additional passenger | 7.50 |
| (c) trips between other zones: | |
| (i) up to two passengers | 40.00 |
| (ii) for every additional passenger | 10.00 |
| 3. Water tours: | |
| (a) up to two passengers, for every hour or part thereof | 40.00 |
| (b) for every additional passenger, for every hour or part thereof ... | 10.00 |
| 4. Waiting charge for every hour or part thereof | 20.00 |

SECOND SCHEDULE

Map of the Islands of Malta divided into six zones

