



APPOINTMENT OF SHIP SURVEYORS IN TERMS OF THE MERCHANT SHIPPING ACT

Extract from Article 367 of the Merchant Shipping Act Cap.234

For the purposes of this Act, a surveyor of ships is a person fit to be a surveyor of ships appointed, either generally or for specific purposes or on special occasion, by the Minister or by organizations or bodies authorised by the Minister in that behalf, and such person as aforesaid may be appointed as a ship surveyor or as an engineer surveyor, or as both, or as a radio surveyor.

Classes of Appointed Ship Surveyors

Appointed Ship Surveyor

Appointed Ship Surveyor (Restricted)
ships of less than 24 metres in length

Minimum Criteria

Knowledge

Appointed ship surveyors are required to have appropriate theoretical knowledge and practical experience of ships and their operation and, the provisions of the relevant national and international instruments necessary to perform their duties as appointed surveyors. Appointed ship surveyors must keep updated in technical knowledge and training.

Qualifications

Depending on the function to be performed the qualifications of an appointed ship surveyor should encompass:

knowledge of applicable international and national rules and regulations for ships, their companies, their crew, their cargo and their operation

knowledge of the procedures to be applied in survey, certification, control, investigative and oversight functions

understanding of the goals and objectives of the international and national instruments dealing with maritime safety and protection of the marine environment, and of related programmes

understanding of the processes both on board and ashore, internal as well as external

possession of professional competency necessary to perform the given tasks effectively and efficiently

full safety awareness in all circumstances, also for one's own safety, and

training or experience in the various tasks to be performed and, preferably, also in functions to be assessed.

In this regard an appointed ship surveyor is required to have

either an appropriate qualification from a marine or nautical institution and relevant seagoing experience as a certified ship officer holding or having held a valid STCW II/2 III/2 certificate of competency and have maintained their technical knowledge of ships and their operation since gaining their certificate of competency; and served for a period of not less than three years at sea as an officer in the deck or engine department, or



a relevant university degree from a tertiary institution as a naval architect, mechanical engineer or an engineer related to the maritime fields and worked in that capacity for at least five years.

Surveying Experience

Appointed ship surveyors must have, immediately preceding their appointment, relevant experience for at least three years on ships of more than 24 metres in length provided that where the appointment is restricted to ships of under 24 metres in length this period shall be at least one year on ships of more than 6 metres in length.

Third Party Liability Insurance

Appointed ship surveyors must carry a professional indemnity and public liability insurance covering liability of at least an amount equal to EUR 250,000 provided that where the appointment is restricted to ships of under 24 metres in length this insurance shall cover a liability of at least an amount equal to EUR 100,000.

Duration of Appointment

An appointment of ship surveyor shall be valid for a period of five years. Subsequently, appointments may be renewed for other five year periods on such conditions as Transport Malta may deem fit. Transport Malta may undertake a performance review before an appointment is renewed.

Transport Malta may withdraw an appointment at any time, regardless of any end date specified in the letter of appointment.

Conduct

Appointed ship surveyors:

during their appointment, must not be commercially engaged in the manufacture, equipping, repair or operation of ships

shall only undertake assignments for which they are qualified by virtue of experience and/or training

shall discharge their professional responsibilities with integrity and shall at all times act and report in a fair and factual manner; they shall be independent of all parties

cannot carry out surveys on board ships where there are personal or family links to the shipowner or operator.

must ensure that records are maintained demonstrating achievement of the required standard in items covered by the services performed

must ensure confidentiality of information required by the Administration and must be prepared to provide relevant information to the administration.

shall carry out their work without in any way harming the intellectual property rights of shipyards, equipment suppliers and shipowners and, under no circumstances may they pass on or divulge commercially relevant data obtained in the course of their work of inspecting, checking and monitoring ships under construction or repair.

must have an extensive knowledge of the particular type of ship on which they carry out their work as relevant to the particular survey to be carried out and of the relevant applicable requirements.



Supervision

Transport Malta shall verify whether the appointed ship surveyors effectively carry out their functions in accordance with the provisions of international and national legislation.

Transport Malta may perform planned and/or random audits and inspections to verify whether functions delegated to the appointed ship surveyors are being effectively and appropriately carried out.

Merchant Shipping Directorate

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