



PORTS AND YACHTING DIRECTORATE

Transport Malta

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To: Ship Agents
Ship Masters
Terminal Operators
Service Providers

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National Single Window – tmSW – Reporting Formalities

The Authority makes reference to the Reporting Formalities Directive¹, as transposed. This Directive has been replaced by EMSWe Regulation.² The EMSWe Regulation is already in force and will be applicable as from 15th August 2025. Being an EU Regulation, this applies automatically without the need of further transposition measures.

Through the Reporting Formalities Directive, the national single window and the reporting “only once principle” through electronic means was introduced as from 1st June 2015, on which the EMSWe Regulation continues to build to ensure that ships do not face undue delay or additional administrative burden during their calls. To further facilitate this transmission of information, the national single windows of all Member States are connected through the European Union vessel traffic monitoring and information system, SafeSeaNet. The management of SafeSeaNet at the EU level is delegated to EMSA³.

Furthermore, the IMO’s Facilitation Committee has adopted amendments to the FAL Convention⁴ which will make the single window for data exchange mandatory in ports around the world. These amendments enter into force on 1st January 2024.

The EMSWe Regulation is clear as to who is ultimately responsible for the reporting obligations as follows: *The declarant shall be responsible for ensuring the submission of data elements in compliance with the applicable legal and technical requirements. The declarant shall remain responsible for the data and for updating any information that has changed after the submission to the maritime National Single Window.*

Both the Reporting Formalities Directive and the EMSWe Regulation list the mandatory reporting formalities that have to be complied with as per Union legislation, the FAL Convention and national requirements which may reflect other applicable international instruments.⁵

¹ Directive 2010/65/EU on reporting formalities for ships arriving in and/or departing from the ports of the Member States.

² Regulation (EU) 2019/1239 establishing a European Maritime Single Window environment (EMSWe).

³ European Maritime Safety Agency.

⁴ IMO International Convention on Facilitation of International Maritime Traffic, as amended.

⁵ Annex to the Reporting Formalities Directive and EMSWe Regulation.



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Agents are urged to familiarise themselves in full with the Reporting Formalities Directive and the EMSWe Regulation. Furthermore, Agents are reminded that reporting formalities are mandatory and must be submitted within the applicable statutory timeframes prior to a ship's arrival and prior to a ship's departure.

In order to ensure full compliance with such obligations, the Authority has updated its national single window, PORTNET, and replaced such with the tmSW. This new system eliminates the technical and operational limitations of PORTNET, in particular the size and format of the reporting formalities.

In this respect, the Authority is hereby advising and directing all Agents that all reporting formalities relating to a ship's call must be submitted and updated electronically through the tmSW system prior to the arrival and prior to the departure of the ship without any delay and within the applicable statutory timeframes. Missing or incorrect information, delays in submission, or submission through any other means of communication, will no longer be acceptable.

All Agents are being advised that in the event of any non-compliance, legal and, or enforcement action in terms of law will be taken by the Authority against the defaulting Agent. This shall include the imposition of administrative fines, whilst repeated breaches may lead to the suspension of access to the tmSW.

Defaulting Agents will also be held fully responsible should there be any delays to the ship; any third-party claims; or any EU-related repercussions, including infringements, because of the non-compliance.

Finally, Agents are reminded that in terms of Port Notices 09/2007 and 07/2008, access to the national single window (tmSW) is subject to the annual fee of €50. This annual fee remains applicable and shall be payable for every account (login and password) as from 1st July 2023.

Port Notices 09/2007 and 07/2008 are hereby being revoked.

A handwritten signature in blue ink, consisting of a stylized 'D' and 'B' followed by a long horizontal stroke.

Capt David Bugeja
Chief Officer and Harbour Master

24 May 2023