

L.N. 329 of 2012

**AUTHORITY FOR TRANSPORT IN MALTA ACT
(CAP. 499)**

Ports Security (Amendment) Regulations, 2012

IN exercise of the powers conferred by article 43(1) and (3) of the Authority for Transport in Malta Act, the Minister for Infrastructure, Transport and Communications, in consultation with the Authority for Transport in Malta, has made the following regulations:-

1. (1) The title of these regulations is the Ports Security (Amendment) Regulations, 2012 and they shall be read and construed as one with the Ports Security Regulations, hereinafter referred to as "the principal regulations".

Citation and
commencement.
S.L. 499.35.

(2) These regulations shall be deemed to have come into force on the 19th of May, 2012.

2. For sub-regulation (1) of regulation 2 of the principal regulations there shall be substituted the following:

Amends
regulation 2 of
the principal
regulations.

"(1) The purpose of these regulations is to:

(a) enable Malta to enhance ship and port security by meeting its obligations arising from the International Convention for the Safety of Life at Sea (SOLAS);

(b) bring into effect the provisions of the Directive 2005/65/EC of the European Parliament and of the Council of the 26th October, 2005 enhancing port security; and

(c) transpose the provisions of Directive 2010/65/EU of the European Parliament and of the Council of the 20th October, 2010 on reporting formalities for ships arriving in and or departing from ports of the Member States and repealing Directive 2002/6/EC."

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Amends
regulation 20 of
the principal
regulations.

3. Sub-regulation (3) of regulation 20 of the principal regulations shall be amended as follows:

(a) for the words "in a prescribed form and within the following time frames" there shall be substituted the words "on the form provided in the Fifth Schedule to these regulations and within the following time frames"; and

(b) immediately after the proviso, there shall be added the following new proviso:

"Provided further that the form found in the Fifth Schedule shall be used until the 1st of June, 2015 and subject to the provisions of the Vessel Traffic Monitoring and Reporting Requirements Regulations.".

S.L.499.34.

Adds new Fifth
Schedule to the
principal
regulations.

4. Immediately after the Fourth Schedule to the principal regulations, there shall be added the following new Schedule:

**"Fifth Schedule
(Regulation 20)**

SHIP PRE-ARRIVAL SECURITY INFORMATION FORM FOR
ALL SHIPS PRIOR TO ENTRY INTO THE PORT OF AN EU MEMBER STATE

(1974 International Convention for the Safety of Life at Sea (SOLAS)
Regulation 9 of Chapter XI-2 and Article 6(3) of Regulation (EC) No 725/2004)

Particulars of the ship and contact details.					
IMO number:		Name of ship:			
Port of registry:		Flag State:			
Type of ship:		Call sign:			
Gross tonnage:		Inmarsat call numbers (if available):			
Name of company and company identification number:		CSO name and 24 hour contact details:			
Port of arrival:		Port facility of arrival (if known):			
Port and port facility information.					
Expected date and time of arrival of the ship in port (ETA):					
Primary purpose of call:					
Information required by SOLAS Regulation 9.2.1 of Chapter XI-2.					
Does the ship have a valid International Ship Security Certificate (ISSC)?	YES	ISSC	NO – why not?	Issued by (name of Administration or RSO):	Expiry date: (dd/mm/yyyy)

Does the ship have an approved SSP on board?	YES	NO	Security Level at which the ship is currently operating:	Security Level 1	Security Level 2	Security Level 3		
Location of ship at the time the report is made:								
List the last 10 calls at port facilities in chronological order (most recent call first):								
No	Date from (dd/mm/yyyy)	Date to (dd/mm/yyyy)	Port	Country	UN/ LOCODE (if available)	Port facility	Security Level	
1							SL =	
2							SL =	
3							SL =	
4							SL =	
5							SL =	
6							SL =	
7							SL =	
8							SL =	
9							SL =	
10							SL =	
Did the ship take any special or additional security measures, beyond those in the approved SSP? If the answer is YES, indicate below the special or additional security measures taken by the ship.							YES	NO
No (as above)	Special or additional security measures taken by the ship.							
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
List the ship-to-ship activities, in chronological order (most recent first), which were carried out during the last 10 calls at port facilities listed above. Expand table below or continue on separate page if necessary – insert total number of ship-to-ship activities:								
Were the ship security procedures specified in the approved SSP maintained during each of these ship-to-ship activities? If NO, provide details of the security measures applied in lieu in the final column below.							YES	NO
No	Date from (dd/mm/yyyy)	Date to (dd/mm/yyyy)	Location or longitude and latitude	Ship-to-ship activity	Security measures applied in lieu			
1								
2								
3								
4								
5								
6								

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7					
8					
9					
10					
General description of the cargo aboard the ship.					
Is the ship carrying any dangerous substances as cargo covered by any of Classes 1, 2.1, 2.3, 3, 4.1, 5.1, 6.1, 6.2, 7 or 8 of the IMDG Code?			YES	NO	If YES, confirm Dangerous Goods Manifest (or relevant extract) is attached.
Confirm a copy of the ship's crew list is attached.			YES	Confirm a copy of the ship's passenger is attached.	YES
Other security-related information.					
Is there any security-related matter you wish to report?		YES	Provide details:		NO
Agent of ship at intended port of arrival.					
Name:			Contact details (Tel. No):		
Identification of person providing the information.					
Title or Position (delete as appropriate): Master/SSO/CSO/Ship's agent (as above)		Name:		Signature:	
Date/time/place of completion of report: ".					

