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**L.N. 333 of 2019**

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

**Vessel Traffic Monitoring and Reporting Requirements  
(Amendment) Regulations, 2019**

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

Citation and commencement.

S.L. 499.34.

**1.** (1) The title of these regulations is the Vessel Traffic Monitoring and Reporting Requirements (Amendment) Regulations, 2019 and these regulations shall be read and construed as one with the Vessel Traffic Monitoring and Reporting Requirements Regulations, hereinafter referred to as "the principal regulations".

(2) These regulations shall come into force on 21<sup>st</sup> December, 2019.

Amends regulation 2 of the principal regulations.

**2.** Sub-regulation (1) of regulation 2 of the principal regulations shall be substituted by the following:

"(1) The purpose of these regulations is:

(a) to establish, in accordance with the provisions of Directive 2002/59/EC of the European Parliament and of the Council of 27<sup>th</sup> June 2002, as subsequently amended by Directive 2009/17/EC of the European Parliament and of the Council of 23<sup>rd</sup> April 2009 and Directive 2011/15/EU of the European Commission of 23<sup>rd</sup> February 2011, establishing a Community vessel traffic monitoring and information system with a view to enhancing the safety and efficiency of maritime traffic, improving the response of authorities to incidents, accidents or potentially dangerous situations at sea, including search and rescue operations, and contributing to a better prevention and detection of pollution by ships;

(b) transpose the provisions of Directive 2010/65/EU of the European Parliament and of the Council of 20<sup>th</sup> October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/E; and

(c) transpose the provisions of Directive (EU) 2017/2109 of the European Parliament and of the Council of 15<sup>th</sup> November 2017 amending Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community and Directive 2010/65/EU of the European Parliament and of the Council on reporting formalities for ships arriving in and/or departing from ports of the Member States."

3. Sub-regulation (9) of regulation 18 of the principal regulations shall be substituted by the following:

Amends regulation 18 of the principal regulations.

"(9) For the purposes of this regulation and regulation 19, "legal act of the Union" means:

S.L. 499.12. (a) Directive 2002/59/EC of the European Parliament and of the Council of 27<sup>th</sup> June 2002 establishing a Community vessel traffic monitoring and information system as transposed by these regulations and the Dangerous Cargo Ships, Marine Terminals and Facilities and Bunkering Regulations;

(b) Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15<sup>th</sup> March 2006 establishing a Community Code on the rules governing the movement of persons across borders;

S.L. 499.30. (c) Directive 2000/59/EC of the European Parliament and of the Council of 27<sup>th</sup> November 2000 on port reception facilities for ship-generated waste and cargo residues as transposed by the Port Reception Facilities for Ship-Generated Wastes and Cargo Residues Regulations;

S.L. 499.35. (d) Regulation (EC) No. 725/2004 of the European Parliament and of the Council of 31<sup>st</sup> March 2004 on enhancing ship and port facility security as transposed by the Ports Security Regulations;

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(e) Regulation (EEC) No. 2913/92 of 12<sup>th</sup> October, 1992 establishing the Community Customs Code and Regulation (EC) 450/2008 of the European Parliament and of the Council of 23<sup>rd</sup> April 2008 laying down the Community Customs Code (Modernised Customs Code); and

(f) Council Directive 98/41/EC of 18<sup>th</sup> June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community as transposed by the Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations."

S.L. 234.25,