Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,747, 6 ta' Mejju, 2011
Taqsima B

A.L. 170 ta' l-2011

ATT DWAR IL-BASTIMENTI MERKANTILI
(KAP. 234)

Regolamenti ta' l-2011 li Jissostitwixxu l-Ewwel Skeda li tinsab ma' l-Att dwar il-Bastimenti Merkantili

BIS-SAĦĦA tas-setgħat mogħtija bl-artikoli 6(2) u 374 ta' l-Att dwar il-Bastimenti Merkantili, il-Ministru għall-Infrastruttura, Trasport u Komunikazzjoni, bi qbil mal-Ministru tal-Finanzi, Ekonomija u Investiment, għamel ir-regolamenti li ġejjin –

1. (1) It-titolu ta' dawn ir-regolamenti hu r-Regolamenti ta' l-2011 li Jissostitwixxu l-Ewwel Skeda li tinsab ma' l-Att dwar il-Bastimenti Merkantili, u għandhom jinqraw u jiftiehmu ħaġa waħda ma' l-Ewwel Skeda ta' l-Att dwar il-Bastimenti Merkantili, hawn iktar 'il quddiem imsejjħa "l-Ewwel Skeda". Titolu u bidu fis-seħħ.

(2) Dawn ir-regolamenti għandhom jidħlu fis-seħħ fl-1 ta' Ġunju, 2011:

Iżda dawn ir-regolamenti għandhom japplikaw ukoll għad-drittijiet ta' reġistrazzjoni dovuti għal xi sena li tibda fl-1 ta' Ġunju, 2011 jew wara dik id-data, ukoll jekk dawk id-drittijiet jitħallsu qabel l-imsemmija data.

2. Minflok l-Ewwel Skeda għandu jidħol dan li ġej – Jissostitwixxi l-Ewwel Skeda.

"L-EWWEL SKEDA

Artikolu 6

DRITTIJIET TA' REGISTRAZZJONI

A. i. Id-dritt mar-registrazzjoni u d-dritt ta' kull sena ghall-bastimenti kollha hu dan li gej –

Bastiment	**Dritt mar-Registrazzjoni**	**Dritt ta' Kull Sena**	
		Dritt Baziku	**Taxxa fuq it-Tunnellagg**
(i) Bastimenti ta' inqas minn 24 metru tul totali			
a. Bastimenti tas-sajd ta' kategorija A, B u C	€70	€25	€36
b. *Yachts* Kummercjali	€115	€150	€175
c. *Pleasure Yachts* t'inqas minn 50 tunnellagg gross	€115	€25	€175

<table>
<tr><td colspan="4">Il-bastimenti l-ohra kollha ta’ inqas minn 24 metru tul totali</td></tr>
<tr><td>Inqas minn 50 tunnellagg gross</td><td rowspan="2">€115</td><td>€25</td><td rowspan="2">€200</td></tr>
<tr><td>Ta’ 50 tunnellagg gross jew izjed</td><td>€150</td></tr>
</table>

<table>
<tr><td colspan="4">Bastimenti ta’ 24 metru tul totali jew izjed</td></tr>
<tr><td>(ii) Pleasure yachts</td><td>25 centezmu kull tunnellagg nett sogetti ghal minimu ta’ €187.50</td><td>€255</td><td>40 centezmu kull tunnellagg nett soggetti ghal minimu ta’ €400</td></tr>
<tr><td rowspan="2">(iii) Yachts kummercjali li ma jaqghux that kategorija (iv)</td><td rowspan="2">Ir-rati kif jidher f’para B</td><td>€625 ghas-sena tar-registrazzjoni</td><td rowspan="2">Ir-rati kif jidher f’para B</td></tr>
<tr><td>€1095 kull sena ohra</td></tr>
<tr><td>(iv) Braken bla mutur, bastimenti registrati bareboat charter f’registru barrani, bastimenti qieghda jew li qeghdin jinbnew minbarra dawk il-bastimenti f’kategorija (ii)</td><td rowspan="2">Ir-rati kif jidher f’para B soggetti ghal tnaqqis kif jidher f’para C</td><td>€150</td><td rowspan="2">Ir-rati kif jidher f’para B soggetti ghal tnaqqis kif jidher f’para C</td></tr>
<tr><td>(v) Bastimenti kummercjali u bastimenti tas-sajd ta’ inqas minn 2500 tunnellagg gross, li ma jaqghux taht il-kategoriji (ii), (iii) u (iv)</td><td>€255</td></tr>
<tr><td colspan="4">(vi) Il-bastimenti l-ohra kollha ta’ 24 metru tul totali jew izjed u li ma jaqghux taht il-kategoriji (ii), (iii), (iv) u (v)</td></tr>
<tr><td rowspan="2">Bastimenti ta’ inqas minn 300 tunnellagg gross</td><td rowspan="4">Ir-rati kif jidher f’para B soggetti ghal tnaqqis kif jidher f’para C</td><td>€370 ghas-sena tar-registrazzjoni</td><td rowspan="4">Ir-rati kif jidher f’para B soggetti ghal tnaqqis jew zieda kif jidher f’para C</td></tr>
<tr><td>€840 kull sena ohra</td></tr>
<tr><td rowspan="2">Bastimenti ta’ 300 tunnellagg gross jew izjed</td><td>€625 ghas-sena tar-registrazzjoni</td></tr>
<tr><td>€1095 kull sena ohra</td></tr>
</table>

A.ii Bla hsara ghad-disposizzjonijiet tas-subartikolu (4) ta’ l-artikolu 7 ta’ dan l-Att, meta jkun hemm bidla fil-partikolaritajiet jew fil-kategorija ta’ bastiment registrat u d-dritt li jkollu jithallas mar-registrazzjoni jew ta’ kull sena ikun oghla minn dak kif diga jkun qieghed jigi mhallas, id-disposizzjonijiet tas-subartikolu (7) ta’ l-artikolu 19 ta’ dan l-Att dwar bastiment qieghed, ghandu jigi applikat *mutatis mutandis*.

B. Ir-rati ghal kull tunnellagg nett dovuti mar-registrazzjoni u mat-taxxa fuq it-tunnellagg ta' kull sena kif jidher f'paragrafu A–

Bastiment ta' Tunnellagg Nett (TN)		**Dritt mar-Registrazzjoni**	**Taxxa fuq it-Tunnellagg ta' Kull Sena**
Iktar minn	**Mhux iktar minn**		
0	2,500	€625	€1000
2,500	8,000	€625 u 25 centezmi kull TN iktar minn 2,500 TN	€1000 u 40 centezmi kull TN iktar minn 2,500 TN
8,000	10,000	€2,000 u 7 centezmi kull TN iktar minn 8,000 TN	€3,200 u 19 il-centezmu kull TN iktar minn 8,000 TN
10,000	15,000	€2,140 u 7 centezmi kull TN iktar minn 10,000 TN	€3,580 u 14 il-centezmu kull TN iktar minn 10,000 TN
15,000	20,000	€2,490 u 7 centezmi kull TN iktar minn 15,000 TN	€4,280 u 12 il-centezmu kull TN iktar minn 15,000 TN
20,000	30,000	€2,840 u 7 centezmi kull TN iktar minn 20,000 TN	€4,880 u 9 centezmi kull TN iktar minn 20,000 TN
30,000	50,000	€3,540 u 7 centezmi kull TN iktar minn 30,000 TN	€5,780 u 7 centezmi kull TN iktar minn 30,000 TN
Iktar minn 50,000		€4,940 u 7 centezmi kull TN iktar minn 50,000 TN	€7,180 u 5 centezmi kull TN iktar minn 50,000 TN

C. Tnaqqis jew zieda fuq ir-rati ghal kull tunnellagg nett mar-registrazzjoni u mat-taxxa fuq it-tunnellagg ta' kull sena kif jidher f'paragrafu A –

<table>
<tr><th colspan="2">Eta' tal-Bastiment</th><th rowspan="3">Tnaqqis fuq id-Dritt mar-Registrazzjoni
%</th><th rowspan="3" colspan="2">Tnaqqis jew Zieda fuq it-Taxxa ta' Kull Sena fuq it-Tunnellagg
%</th></tr>
<tr><th>Iktar minn</th><th>Mhux iktar minn</th></tr>
<tr><th colspan="2">Snin</th></tr>
<tr><td>0</td><td>5</td><td>50</td><td colspan="2">– 30</td></tr>
<tr><td>5</td><td>10</td><td>25</td><td colspan="2">– 15</td></tr>
<tr><td>10</td><td>15</td><td>–</td><td colspan="2">–</td></tr>
<tr><td>15</td><td>20</td><td>–</td><td colspan="2">+ 5</td></tr>
<tr><td>20</td><td>25</td><td>–</td><td>+ 10</td><td rowspan="3">Suggett ghal zieda minima ta' €1,500</td></tr>
<tr><td>25</td><td>30</td><td>–</td><td>+ 25</td></tr>
<tr><td colspan="2">30</td><td>–</td><td>+ 50</td></tr>
</table>

D. Id-drittijiet ta' registrazzjoni ghal xi sena wahda li jithallsu wara l-anniversarju tar-registrazzjoni ghal dik is-sena ghandhom jizdiedu b'ghaxra fil-mija.

E. Kull dritt dovut dwar kull bastiment ghandu jigi kkalkulat ‘il fuq lejn l-eqreb euro shih..

F. Il-Ministru jista’, taht dawk il-kundizzjonijiet li jidhrulu xierqa, jezenta lil xi bastiment jew klassi ta’ bastimenti mill-hlas kollu jew parti mid-drittijiet u t-taxxi li jithallsu skond dawn ir-regolamenti.

G. Ghall-finijiet ta’ din l-Iskeda,

"eta’", ghal dak li ghandu x’jaqsam ma’ bastiment, tfisser id-differenza bejn is-sena li fiha jkun inbena l-bastiment u s-sena li dwarha jkollu jithallas id-dritt;

"bastiment kummercjali" tfisser bastiment li jinghata licenza jew permess sabiex jopera skond ir-Regolamenti dwar il-Bastimenti Kummercjali u li jkunu validi;

"bastiment tas-sajd" tfisser bastiment li jinghata licenza jew permess ghas-sajd skond l-Att dwar il-Konservazzjoni u l-Amministrazzjoni tas-Said;

Cap. 425.

"tunnellagg gross", "tul totali" and "tunnellagg nett" ikun dak li jista’ jigi accertat skond ir-regolamenti dwar it-tunnellagg maghmulin that dan l-Att;

"bastiment qieghed" tfisser bastiment li mhux *pleasure yacht* jew *yacht* kummercjali u li jikkwalifika bhala bastiment qieghed skond is-subartikolu (7) ta’ l-artikolu 19 ta’ dan l-Att.".

L.N. 170 of 2011

MERCHANT SHIPPING ACT
(CAP. 234)

Merchant Shipping Act (Substitution of First Schedule) Regulations, 2011

IN exercise of the powers conferred by articles 6(2) and 374 of the Merchant Shipping Act, the Minister for Infrastructure, Transport and Communications, with the concurrence of the Minister of Finance, the Economy and Investment has made the following regulations –

Title and commencement.

1. (1) The title of these regulations is the Merchant Shipping Act (Substitution of First Schedule) Regulations, 2011, and they shall be read and construed as one with the First Schedule to the Merchant Shipping Act, hereinafter referred to as "the First Schedule".

(2) These regulations shall come into force on the 1st June, 2011:

Provided that these regulations shall also apply to registration fees due in respect of a year commencing on or after the 1st June, 2011 even if such fees are paid prior to such date.

Substitutes the First Schedule.

2. For the First Schedule, there shall be substituted the following –

"FIRST SCHEDULE

Article 6

REGISTRATION FEES

A. i. The fee on registration and the annual fee for all ships shall be as follows –

Ship	Fee on Registration	Annual	
		Basic Fee	Tonnage Tax
(i) Ships less than 24 metres length overall			
a. Fishing vessels of category A, B and C	€70	€25	€36
b. Commercial Yachts	€115	€150	€175
c. Pleasure Yachts less than 50 gross tonnage	€115	€25	€175

<table>
<tr><td colspan="4">All other ships of less than 24 metres length overall</td></tr>
<tr><td>d. less than 50 gross tonnage</td><td rowspan="2">€115</td><td>€25</td><td rowspan="2">€200</td></tr>
<tr><td>e. of 50 gross tonnage or more</td><td>€150</td></tr>
</table>

<table>
<tr><td colspan="4">Ships of 24 metres length overall or more</td></tr>
<tr><td>(ii) Pleasure yachts</td><td>25 cents
per net tonnage
subject to
minimum of €187.50</td><td>€255</td><td>40 cents
per net tonnage
subject to
minimum of €400</td></tr>
<tr><td rowspan="2">(iii) Commercial Yachts which do not fall under category (iv)</td><td rowspan="2">Rates
as appear in para B</td><td>€625 for year of registration</td><td rowspan="2">Rates
as appear in para B</td></tr>
<tr><td>€1095 thereafter</td></tr>
<tr><td>(iv) Non-propelled barges, bareboat charter registered in a foreign registry, laid up or under construction excluding ships in category (ii)</td><td rowspan="2">Rates as appear in para B subject to reduction as appear in para C</td><td>€150</td><td rowspan="2">Rates as appear in para B subject to reduction as appear in para C</td></tr>
<tr><td>(v) Commercial vessels and fishing vessels less than 2500 gross tonnage, and do not fall under categories (ii), (iii) and (iv) above</td><td>€255</td></tr>
<tr><td colspan="4">(vi) All other ships of 24 metres length overall or more and do not fall under categories (ii), (iii), (iv) and (v) above</td></tr>
<tr><td rowspan="2">Ships less than 300 gross tonnage</td><td rowspan="4">Rates as appear in para B subject to reduction as appear in para C</td><td>€370 for year of registration</td><td rowspan="4">Rates as appear in para B subject to reduction or increase as appear in para C</td></tr>
<tr><td>€840 thereafter</td></tr>
<tr><td rowspan="2">Ships of 300 gross tonnage or more</td><td>€625 for year of registration</td></tr>
<tr><td>€1095 thereafter</td></tr>
</table>

A.ii Subject to the provisions of article 7(4) of this Act, when there is a change in the particulars or category of a registered ship and the new applicable fee payable on registration or annually is higher than that already payable, the provisions of article 19(7) of this Act in respect of laid up vessels shall apply *mutatis mutandis*.

B. The rates per net tonnage payable on registration and annual tonnage tax when referred to in paragraph A–

Ship of Net Tonnage (NT)		Fee on Registration	Annual Tonnage Tax
Exceeding	Not Exceeding		
0	2,500	€625	€1000
2,500	8,000	€625 plus 25 cents for every NT in excess of 2,500 NT	€1000 plus 40 cents for every NT in excess of 2,500 NT
8,000	10,000	€2,000 plus 7 cents for every NT in excess of 8,000 NT	€3,200 plus 19 cents for every NT in excess of 8,000 NT
10,000	15,000	€2,140 plus 7 cents for every NT in excess of 10,000 NT	€3,580 plus 14 cents for every NT in excess of 10,000 NT
15,000	20,000	€2,490 plus 7 cents for every NT in excess of 15,000 NT	€4,280 plus 12 cents for every NT in excess of 15,000 NT
20,000	30,000	€2,840 plus 7 cents for every NT in excess of 20,000 NT	€4,880 plus 9 cents for every NT in excess of 20,000 NT
30,000	50,000	€3,540 plus 7 cents for every NT in excess of 30,000 NT	€5,780 plus 7 cents for every NT in excess of 30,000 NT
Exceeding 50,000		€4,940 plus 7 cents for every NT in excess of 50,000 NT	€7,180 plus 5 cents for every NT in excess of 50,000 NT

C. Reduction or increase on the rates per net tonnage on registration and annual tonnage tax, when referred to in paragraph A –

Age of Ship		Reduction on Fee on Registration %	Reduction or Increase on Annual Tonnage Tax %	
Exceeding	Not Exceeding			
Years				
0	5	50	– 30	
5	10	25	– 15	
10	15	–	–	
15	20	–	+ 5	
20	25	–	+ 10	Subject to minimum increase of €1,500
25	30	–	+ 25	
30		–	+ 50	

D. Registration fees for any one year paid after the anniversary of registration for that year shall be increased by ten per cent.

E. Dues on any ship shall be rounded upwards to the nearest whole euro.

F. The Minister may, under such conditions as he may deem appropriate, exempt any ship or any class of ships from the payment of all or part of the fees payable in terms of these regulations.

G. For the purposes of this Schedule,

"age" in relation to a ship, means the difference between the year in which the ship was built and the year in respect of which the fee is due;

"commercial vessel" means a vessel granted a licence or permit to operate in terms of the Commercial Vessels Regulations, and which is valid;

"fishing vessel" means a vessel granted a licence or permit to fish in terms of the Fisheries Conservation and Management Act; Cap. 425

"gross tonnage", "length overall" and "net tonnage" shall be that as may be ascertained in terms of the tonnage regulations made under this Act;

"laid up vessel" means a vessel which is not a pleasure yacht or a commercial yacht and which qualifies as a laid up vessel in terms of article 19(7) of this Act.".

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