

# MALTA

A Guide to Ship Registration





## Malta - a leading maritime centre

Building on its long and varied maritime tradition, Malta, a member of the European Union, has today established itself as one of the leading maritime hubs and service centres in the Mediterranean region. Placed to become an international centre of excellence in the maritime industry, the Island offers a whole range of international maritime services and facilities as part of a comprehensive package for the maritime industry.

Maritime Malta has also developed a very strong legal and regulatory platform that has enabled the Malta flag to become a reputable international ship register which is now established as one of the largest in the world.

Vessel registration under the Malta flag and the operation of Maltese ships is regulated by the Merchant Shipping Act of 1973, a law based in the main on United Kingdom legislation but subsequently revised and amended in 1986, 1988, 1990, 2000 and 2010. The main legislation is supplemented by a comprehensive set of rules and regulations.







## Advantages include

- Ships may be registered in the name of legally constituted corporate bodies or entities irrespective of nationality, or by a European Union citizen.
- Reputable and internationally recognised ship register.
- 24 hour, 7 days a week service.
- European Flag with a long maritime tradition.
- On the White List of the Paris MoU and Tokyo MoU and on the Low Risk Ship List of the Paris MoU.
- No nationality restrictions for master, officers and crew.
- No trading restrictions and preferential treatment to Maltese ships in certain ports.
- No hidden costs and no inspection fees.
- Customer service oriented approach that values long term customer relationships.
- Well-organised and highly responsive flag Administration with one of the largest registers in the world and very active in European Union fora and international organisations.
- Maltese requirements well known to main shipyards and main classification societies.
- Marriages can be officiated onboard Maltese ships.
- A clear strategic political vision supporting business and the maritime industry.
- Availability of a whole range of maritime services including very reputable and experienced legal and corporate services supporting registration, management and administration.
- Backed up by a professional shipping registry that values long term customer relationships.





## Eligibility for registration

All types of vessels, from pleasure yachts to oil rigs, including vessels under construction, may be registered, provided that, inter alia, they are wholly owned by legally constituted corporate bodies or entities irrespective of nationality, or by European Union citizens.

The formation of a Maltese company is a straightforward operation; there are no nationality requirements as to both the shareholders and directors.

As a rule, trading ships of 25 years and over are not registered although in certain circumstances this may be considered.

Ships of 15 years and over are required to undergo successfully an authorised flag State inspection prior to provisional registration.

Ships of 10 years and over but under 15 years are required to undergo successfully an inspection by an authorised flag State inspector before or within one month of provisional registration.







## Registration procedure

A vessel is first registered provisionally under the Malta flag for six months (extendible for a further period, or periods not exceeding in the aggregate six months) during which period all documentation needs to be finalised.

The requirements for provisional registration are:

- Application for registration by the owner or an authorised representative, including, if required, application for change of name of ship.
- Proof of qualification to own a Maltese ship; in the case of a body corporate, the document of incorporation.
- In the case of non-Maltese owners, appointment of a resident agent.
- Where applicable, copy of the current ship's *International Tonnage Certificate*.
- Declaration of ownership made in front of the Registrar by the owner or an authorised representative.
- Evidence of seaworthiness; in the case of trading ships, confirmation of class with a recognised organisation, and information of the ship's statutory certification including Company ISM compliance.
- Where applicable, request for the Administration to authorise the appropriate recognised classification society to issue the ship's and the Company statutory certificates.
- Declaration of Maritime Labour Compliance (DMLC) - Part 1.
- Where applicable, application for *Minimum Safe Manning Certificate*.
- Payment of initial registration fees and annual tonnage tax.
- Application for *Ship Radio Station Licence*.





## Registration procedure (cont.d)

The following documents are to be submitted during provisional registration:

- Where there was previous ownership, a bill of sale or any other document by which the vessel was transferred to the applicant for registry; otherwise a builder's certificate in the name of the applicant.
- Where applicable, cancellation of registry certificate issued by the Administration where the vessel was last documented.
- In the cases of SOLAS ships, copy of the last updated Continuous Synopsis Record issued by the Administration where the ship was last documented.
- *Certificate of Survey* and a copy of the *International Tonnage Certificate* issued by an approved surveyor of ships.
- Evidence that the vessel has been marked in accordance with law

Where valid appropriate convention certificates are not in place the ship will be issued with a non-operational certificate of registry.

A certificate of Malta registry is subject to renewal on the anniversary of the Maltese registration.







## Bareboat charter registration

Maltese law provides both for bareboat charter registration of foreign ships under the Malta flag and also for the bareboat charter registration of Maltese ships under a foreign flag. The main principles adopted at law are the compatibility of the two registries and that matters regarding title over the ship, mortgages and encumbrances are governed by the underlying registry, while operation of the vessel falls under jurisdiction of the bareboat charter registry.

Within these parameters, ships bareboat charter registered in Malta enjoy the same rights and privileges, and have the same obligations as any other ship registered in Malta. A bareboat charter registration shall be for the duration of the bareboat charter or until the expiry date of the underlying registration, whichever is the shorter, but in no case for a period exceeding two years. Registration may be extended.

The requirements and registration procedure for bareboat charter registration in Malta are similar to a normal registration, except that:

- Ship is bareboat chartered to a body corporate, entity or such other person qualified to own a Maltese ship.
- Ship is not a Maltese ship, and is registered in a compatible registry.
- Ship is not registered in another bareboat registry.
- Following documents need to be produced:
  - Application for registration by the charterer or an authorised representative.
  - Declaration of bareboat charter accompanied by the charter agreement.
  - Transcript or an extract of the underlying registration.
  - Copy of the Ship's International Tonnage Certificate.
  - Consent in writing of the underlying registry, owners and mortgagees.

Registration fees and annual tonnage tax for bareboat charter registration are the same as those applicable for normal registration.





## Ships under construction

Maltese law provides for the registration of vessels that are being built or equipped. The requirements relating, inter alia, to survey and safety of ships already built and, to the declaration of ownership where the builders have not yet effected delivery to owners will be suspended until construction is completed or until delivery has been made. Vessels to be classed as trading ships are to be built under the supervision of a recognised organisation.

## Commercial yachts

Yachts in commercial use which do not carry cargo and do not carry more than 12 passengers can be registered as commercial yachts. Maltese law is very advantageous for the operation of commercial yachts. A Commercial Yacht Code setting the required standards of safety and pollution prevention can be downloaded from <http://www.transport.gov.mt/superyacht-registration>.

## International conventions

Malta has adopted all the major international maritime conventions including: CLC 92, Tonnage 69, COLREG 72, Fund 92, INMARSAT, LLMC 1996 Protocol, Load Lines 66 (including 1988 Protocol), London Convention 72, MARPOL 73/78, SOLAS 74/78 (including 1988 Protocol), STCW 78, as amended, 2002 Protocol to Athens 74, Bunkers 01, AFS 01, SUA 88 (including SUA Protocol 1988), SAR 79, FAL 65, OPRC 90, OPRC-HNS Protocol 00, BWMC2004, WRC 07 and ILO Conventions Nos. 87, 98, 108, 138, 180, MLC2006.

For a ship to operate under the Malta flag it must carry at all times valid statutory certificates issued on behalf of the Malta government by a recognised organisation.







## Recognised organisations

Survey, tonnage and convention certificates may be issued on behalf of the Malta government by the following recognised organisations:

American Bureau of Shipping, Bureau Veritas, China Classification Society, Croatian Register of Shipping, ClassNK, DNV-GL, Korean Register of Shipping, Lloyd's Register of Shipping, Polish Register of Shipping, Registro Italiano Navale, Russian Maritime Register of Shipping and Indian Register of shipping.

## Manning and certification of seafarers

Maltese ships are subject to the provisions of the Merchant Shipping Act, ancillary regulations and the STCW 78 Convention (as amended) regarding the manning and certification of seafarers. There are no restrictions on the nationality of the master, officers and crew engaged on Maltese ships. Foreign certificates issued in terms of the STCW 78 Convention, require an endorsement issued by the Maltese Administration attesting their recognition. A Minimum Safe Manning Certificate will be issued by the Administration.

## Mortgages

Registration, transfer, amendment and discharge of mortgages may be effected immediately on presentation of the relative documents to the Registrar. The 1990, 1988, 1986 and 2000 amendments introduced important safeguards in respect of registered mortgages thus making financing of Maltese ships more attractive.







## Registration fees and tonnage tax

Ai. The fee on registration and the annual fee for non-tonnage tax ships.

Ship	Fee on registration	Annual fee	
		Basic fee	Register Fee
<b>(i) Ships less than 24 metres length overall</b>			
a. Fishing vessel	€ 70	€ 25	€ 36
b. Commercial Yacht	€ 115	€ 150	€ 250
c. Pleasure Yacht less than 50 gross tonnage	€ 115	€ 25	€ 175
<b>All other ships of less than 24 metres length overall</b>			
d. Less than 50 gross tonnage	€ 115	€ 25	€ 400
e. of 50 gross tonnage or more		€ 150	
<b>Ships of 24 metres length overall or more:</b>			
(ii) Pleasure Yacht	25 cents per net tonnage subject to minimum of €187.50	€ 255	40 cents per net tonnage subject to a minimum of €400
(iii) Commercial Yacht which does not fall under category (iv)	Rates as appear in para B	€625 for year of registration €1,095 thereafter	Rates as appear in para B
(iv) Non-propelled Barge, bareboat charter registered in a foreign registry, laid up or under construction excluding ships in category (ii)	Rates as appear in para B subject to reduction as appear in para C	€ 150	Rates as appear in para B subject to reduction as appear in para C
(v) Commercial vessel and Fishing vessel less than 2500 gross tonnage, and do not fall under categories (ii), (iii) and (iv) above		€ 255	
(vi) All other ships of 24 metres length overall or more and do not fall under categories (ii), (iii), (iv) or (v) above			
a. Ship less than 300 gross tonnage	Rates as appear in para B subject to reduction as appear in para C	€370 for year of registration €840 thereafter	Rates as appear in para B subject to reduction or increase as appear in para C
b. Ship of 300 gross tonnage or more		€625 for year of registration €1,095 thereafter	







Aii. The fee on registration and the annual fee for tonnage tax ships

Ships	Fee on Registration	Annual Fee		
		Basic Fee	Register Fee	Tonnage Tax
(i) Ships less than 24 metres length overall				
(a) Commercial Yacht	€ 115	€ 150	€ 100	€ 250
(b) less than 50 gross tonnage	€ 115	€ 25	€ 350	€ 400
(c) of 50 gross tonnage or more		€ 150		
(ii) Ships of 24 metres length overall or more				
(a) Commercial Yacht	Rates as appear in para B	€625 for year of registration	Rates as appear in para B	Rates as appear in para B
		€1095 thereafter		
(b) Ships less than 300 gross tonnage	Rates as appear in para B subject to reduction as appear in para C	€370 for year of registration	Rates as appear in para B subject to reduction or increase as appear in para C	Rates as appear in para B subject to reduction or increase as appear in para C
		€840 thereafter		
(c) Ships of 300 gross tonnage or more		€625 for year of registration		
		€1095 thereafter		

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 or tonnage tax 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 mutatis mutandis apply.







B. The rates per net tonnage payable on registration, annual register fee and annual tonnage tax when referred to in paragraph A.i and A.ii.

Ship of Net Tonnage (NT)		Fee on Registration	Annual Register Fee for non-tonnage tax ships	Annual Register Fee for tonnage tax ships	Annual Tonnage Tax
Exceeding	Not Exceeding				
0	6,250	€ 1,562.50	€ 2,500	€ 500	€ 2,500
6,250	8,000	€1562.50 plus 25 cents for every NT in excess of 6,250 NT	€2,500 plus 40 cents for every NT in excess of 6,250 NT	€500 plus 8 cents for every NT in excess of 6,250 NT	€2,500 plus 40 cents for every NT in excess of 6,250 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	€640 plus 1 cent 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	€660 plus 1 cent 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	€710 plus 1 cent 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	€760 plus 1 cent 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	€860 plus 1 cent 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	€1060 plus 1 cent 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, register fee and tonnage tax, when referred to in paragraph A.i or A.ii.

Age of Ship		Reduction on Fee on Registration %	Reduction or Increase on Register fee and Tonnage Tax %
Equal to or Exceeding	Less than		
Years			
0	5	50	-30
5	10	25	-15
10	15	-	-
15	20	-	+5
20	25	-	+10
25	30	-	+25
Equal to or exceeding 30		-	+50

Subject to minimum increase. (Compounded for both register fee and tonnage tax as applicable) of €1,500

Annual fees for any one year paid after the anniversary of registration for that year shall be increased by ten per cent. Pre-registration inspections are subject to a charge provided for in Merchant Shipping Notice 127 Rev 1. The unit of currency is the Euro.







## Closure of registry

The registry of a Maltese ship may be closed at the request of the owners provided all liabilities and obligations in respect of the ship towards the State of Malta have been fulfilled and the consent of all registered mortgagees is produced.

Cancellation of registry by the Administration for non-compliance with the provisions of the law may also be effected after adequate time has been given to the owners to regularise matters and for the financiers to take the necessary action to protect their interests.





## Further information

The text of relevant Maltese laws, including subsidiary legislation as currently in force may be downloaded from:  
<http://www.transport.gov.mt/ship-registration/legislation>

From time to time the Merchant Shipping Directorate at Transport Malta issues notices to give information, expound on procedures and communicate the parameters for the exercise of discretionary powers. (<http://www.transport.gov.mt/ship-registration/notices>)

The information contained herein is meant to serve as a guide only and is subject to change without prior notice. Further information may be obtained from the Merchant Shipping Directorate at Transport Malta.

Enquiries may be directed to:

### Registrar of Ships

Merchant Shipping Directorate,  
Malta Transport Centre,  
Triq Pantar, Ħal-Lija, LJA 2021  
Malta

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