

Nru. 175

28. 6. 96

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Michael Frendo, M.P., Ministru għat-Trasport, Komunikazzjoni u Teknoloġija u moqri għall-Ewwel darba fis-Seduta tal-15 ta' April, 1996.

A BILL introduced by the Honourable Michael Frendo, M.P., Minister for Transport, Communication and Technology, and read the First time at the Sitting of the 15th April, 1996.

ATT li jemenda l-Att ta' l-1991 dwar l-Awtorità Marittima ta' Malta, Att XVII ta' l-1991.

AN ACT to amend the Malta Maritime Authority Act, 1991, Act No. XVII of 1991.

RICHARD J. CAUCHI
Skrivan tal-Kamra tad-Deputati

RICHARD J. CAUCHI
Clerk of the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT ta' l-1996 li jemenda l-Att ta' l-1991 dwar l-Awtorità Marittima ta' Malta, Att Nru. XVII ta' l-1991.

Il-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-Awtorità ta' l-istess, hareġ b'liġi dan li ġej: —

1. Dan l-Att jista' jissejjah l-Att ta' l-1996 li jemenda l-Att dwar l-Awtorità Marittima ta' Malta, u għandu jinqara u jinftiehem bħala haġa waħda ma' l-Att ta' l-1991 dwar l-Awtorità Marittima ta' Malta, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali."

Titolu fil-qosor.

Att Nru. XVII ta' l-1991.

2. Minflok l-artikolu 59 ta' l-Att prinċipali għandu jidhol dan li ġej: —

Sostituzzjoni ta' l-artikolu 59 ta' l-Att prinċipali.

"Limitazzjoni ta' responsabbiltà.

59. (1) Ir-responsabbiltà ta' bdot li jkollu liċenza sew filwaqt li jkun imbarkat fuq bastiment sew band'ohra għal xi telf jew hsara, inklużi l-mewt u hsara fil-persuna, li jirrizultaw minn xi kawża waqt it-twettiq ta' dmirijietu m'għandhiex tkun ta' iktar minn Lm5,000 għal kull vjaġġ u kemm ikunu jiswew id-drittijiet ta' pilutaġġ għar-rigward ta' dak il-vjaġġ li matulu tkun tnisslet ir-responsabbiltà.

(2) Meta, mingħajr ma jkun hemm xi att jew nuqqas mill-Awtorità, xi mewt jew hsara fil-persuna, jew telf jew hsara fil-bastiment, lil xi proprjetà fuq il-bastiment jew

lil xi proprjetà jew drittijiet ta' liema xorta jkunu, jiġu kaġunati minn bdot li jkollu liċenza, l-Awtorità ma tkunx responsabbli għal danni li jkunu jammontaw għal iktar minn Lm5,000.

(3) Dak il-limitu ta' responsabbiltà li hu muri f'dan l-artiklu għandu jkun japplika għall-ammont shih ta' kull telf u danni li jistghu jitnisslu f'xi okkażjoni wahda indipendenti għalkemm dawk it-telfiet u danni jistghu jiġġarrbu minn iktar minn persuna wahda.

(4) L-ghoti jew tiġdid ta' liċenza lil bdot mill-Awtorità skond id-dispożizzjonijiet ta' dan l-Att ma johloqx jew jinftiehem li johloq xi responsabbiltà lill-Awtorità jew lill-Gvern ta' Malta għal xi telf jew hsara minhabba xi ghemil jew nuqqas ta' xi bdot, sew jekk l-impjeg ta' bdot ikun obligatorju jew le.”.

Ghanijiet u Raġunijiet

L-ghan ta' dan l-Abbozz hu li jillimita r-responsabbiltà tal-bdoti waqt it-twettiq ta' dmirijiet ta' pilutaġġ.

**A BILL
entitled**

AN ACT to amend the Malta Maritime Authority Act, 1991, Act No. XVII of 1991.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Malta Maritime Authority (Amendment) Act, 1996 and shall be read and construed as one with the Malta Maritime Authority Act, 1991, hereinafter referred to as “the principal Act”.

Short title.

Act No. XVII of 1991.

2. For Section 59 of the principal Act there shall be substituted the following:—

Substitution of Section 59 of the principal Act.

“Limitation of liability”.

59. (1) The liability of a licensed pilot whether on board a vessel or elsewhere for any loss or damage, including death and personal injury, resulting from any cause during the performance of his duties shall not exceed the sum of Lm5,000 in respect of any one voyage and the cost of the pilotage dues in respect of the voyage during which the liability arose.

(2) Where, without any act or omission by the Authority, any loss of life or personal injury, or loss or damage to any ship, to any property on board any ship or to any

property or rights of any kind, is caused by a licensed pilot, the Authority shall not be liable to damages beyond the amount of Lm5,000.

(3) The limit of liability under this section shall apply to the whole of any losses and damages which may arise upon any one distinct occasion although such losses and damages may be sustained by more than one person.

(4) The grant or renewal of a licence to a pilot by the Authority in accordance with the provisions of this Act shall not place or imply any liability on the Authority or the Government of Malta for any loss or damage occasioned by an act or default of any pilot, whether the employment of a pilot is compulsory or not.”

Objects and Reasons

The object of this Bill is to limit the liability of pilots during pilotage service.