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PORTS AND YACHTING DIRECTORATE

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Notice to: Ship Owners, Masters and Agents
Operators of Ports and Terminals
Operators of Authorised Port Reception Facilities and Undertakings
Authorised Waste Carriers

**Port Reception Facilities for the Delivery of Waste from Ships:
Waste Management Fee**

The Authority hereby reminds all concerned parties that Directive (EU) 2019/883 on port reception facilities for the delivery of waste¹ from ships² is applicable as from 28th June 2021. The requirements of this Directive have been transposed through the Port Reception Facilities for the Delivery of Waste from Ships Regulations (S.L. 499.71)³, also coming into force on the same date.

In terms of this Directive, as transposed, Member States shall ensure that the costs of port reception facilities for waste from ships, other than cargo residues and waste from exhaust gas cleaning systems, including the treatment and disposal of such waste, shall be covered through the collection of a fee from ships. Such fee must provide no incentive for ships to discharge their waste at sea.

This means that all ships calling a port of a Member State have to contribute significantly to such costs irrespective of actual use of the port reception facilities. On the other hand, ships discharging cargo residues and waste from exhaust gas cleaning systems will continue to pay directly the authorised reception facility only if such services are actually used on the basis of the types and quantities delivered.

¹ “Waste from ships” means all waste, including cargo residues, which is generated during the service of a ship or during loading, unloading and cleaning operations and which falls within the scope of Annexes I, II, IV, V and VI to the MARPOL Convention, as well as passively fished waste.

² Directive (EU) 2019/883 of the European Parliament of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships, amending Directive 2010/65/EU and repealing Directive 2000/59/EC.

³ Repealing the Port Reception Facilities for Ship-generated Wastes and Cargo Residues Regulations S.L. 499.30).



Applicable Fees

The applicable fees shall remain as stipulated in Port Notice 01/2017:

- i. €15 per 1,000 gross tons, or part thereof, up to a maximum of €500; and
- ii. €2.50 per every 50 persons on board, or part thereof, up to a maximum of €125.

Exemptions

The following are exempted from the payment of the waste management fee:

- i. Only one fee shall be levied in respect of those ships which leave a port and re-enter within 72 hours. If a ship re-enters a port after the lapse of the 72-hour period, a new fee will be applicable.
- ii. Ships which discharge waste to a local authorised port reception facility, provided that the Owner, Master or Agent of the ship submits to the Authority a declaration from the authorised port reception facility showing that it has charged for the actual use of the facility.

This declaration has to be sent to the Authority within 15 days after the departure of the ship from a port. After the lapse of the 15-day period, the invoice in respect of the waste management fee shall be issued and no refund will be given.
- iii. Ships that call a terminal which charges a waste management fee in terms of the Waste Reception and Handling Plan approved by the Authority.
- iv. Ships covered by an Exemption Certificate.

Port Notice 04/2021 is hereby being revoked.

Capt David Bugeja
Chief Officer and Harbour Master
Ports and Yachting Directorate

21 March 2022