

INLAND WATERS SHIPPING (LICENSING OF VESSELS) REGULATIONS

ARRANGEMENT OF REGULATIONS

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G.N. 100/1980

125/1983

47/1993

47/1995

85/1996

52/2000

27/2006

INLAND WATERS SHIPPING (LICENSING OF VESSELS) REGULATIONS

under s. 37

1. Citation

These Regulations may be cited as the Inland Waters Shipping (Licensing of Vessels) Regulations.

2. Interpretation

In these Regulations “licence” means a licence to use a vessel upon inland waters, required by section 12 of the Act.

3. Issue of licence

(1) Every application for a licence shall be on Form I in the Schedule hereto, and shall be addressed to the Licensing Authority, Ministry of Transport and Communications, Lilongwe. G.N. 125/1983, 47/1993, 47/1995, 85/1996, 52/2000, 27/2006

(2) Every licence shall be on Form II in the Schedule hereto. (3) There shall be paid on the issue of a licence a fee of—

- (a) K50,000 for a vessel of than 100 gross tonnes or more;
- (b) K30,000 for a vessel of less than 100 gross tonnes but not less than 15 tonnes; and
- (c) K15,000 for a vessel of less than 15 gross tonnes or more.

4. Variation of licence

(1) Every application for the variation of the conditions contained in any licence shall be made in writing to the Licensing Authority, Ministry of Transport and Communications, Lilongwe. G.N. 125/1983, 52/2000, 27/2006

(2) If in consequence of an application for the variation of a licence, the licensing authority consents to the variation of any condition contained therein, there shall be payable by the licensee a fee of K2,000.

(3) Any variation of a licence consented to by the licensing authority shall be entered by him on the licence in the space headed “ENDORSEMENTS”.

5. Display of licence

(1) Every vessel in respect of which a licence has been issued shall have a copy of this licence displayed in a conspicuous place on the vessel, e.g. in the wheel-house.

(2) The master of the vessel and the holder of the licence issued in respect of such vessel shall, if subregulation (1) is not complied with, be guilty of an offence.

6. Surrender of licence

(1) Any holder of a licence which has expired and not been replaced by a new licence, or which has been revoked or suspended under section 21 (1) of the Act, shall forthwith surrender the same by sending it by registered post to the licensing Authority, Ministry of Transport and Communications, Lilongwe.

(2) Any person who fails to comply with subregulation (1) shall be guilty of an offence.

7. Vessel ceasing to be used

(1) The holder of a licence shall, if the vessel in respect of which the licence was issued ceases to be used in accordance with the terms and conditions of the licence, notify the licensing authority to this effect within 30 days of the vessel ceasing to be so used.

(2) Any person who fails to comply with subregulation (1) shall be guilty of an offence.

8. Penalty

Any person who is guilty of an offence under these Regulations shall be liable to a fine of K100.

SCHEDULE reg. 3 (1)

FORM I

INLAND WATERS SHIPPING ACT

(CAP. 71:01)

APPLICATION FOR LICENCE

Application for a licence to use a vessel upon Malawi Inland Waters for the carriage of goods or persons for hire or reward or for the carriage of goods in connexion with a trade or business.

1. Name and address of applicant

.....

2. If the application is made on behalf of a company or firm, give particulars

.....

3. Is the vessel in respect of which this application is made registered, and if so where?

.....

4. Name and address of owner(s) of vessel

.....

5. State amount of capital available to applicant

6. What is the nature of the shipping operations to be carried on by applicant?

.....

(a) Passenger Service

(b) Cargo Service

(c) Mixed (Passenger and Cargo) Service

(d) Carriage of goods in connexion with applicant's trade or business.

7. State the places between which such vessel is intended to be navigated including places, if any, outside Malawi), and the proposed schedule of services to be provided

.....

8. What is the name, type and tonnage of the vessel proposed to be used?

.....

9. State the nature of the hull and date and method of construction
.....

10. State the type of engine and the rated horse power of the engine fitted
.....

11. State number of crew to be carried, including master and owner's representative
.....

12. If a passenger service licence is required, state the number of passengers the vessel is intended to carry

13. State what life saving appliances are carried and their capacity—

(a) Lifebuoys

(b) Life jackets

(c) Ships boats

(d) Rafts (if any)

14. State nature of cargoes to be carried

15. What fire fighting appliances are to be carried

16. State name(s) of master and mate(s), and what certificates held
.....

17. State name(s) of engineer(s), and what certificates held
.....

18. Has the vessel been inspected and approved by the Government Surveyor of Vessels?
.....

I/We the undersigned (on behalf of)

hereby state that the above particulars are correct in all details.

reg. 3 (2)Signed

FORM II

INLAND WATERS SHIPPING ACT

(CAP. 71:01)

LICENCE

LICENCE No.

M

..... of is/are hereby licensed to
use the following vessel (name of vessel) for carriage of
.....

upon the waters of upon the following
conditions

This licence is valid for one year from the date of issue.

Date of issue:(Signed)Place:
.....Licensing Authority

Fee paid: K

ENDORSEMENTS

Fee paid: K