

Dedicated to promote the interests of the Maltese maritime sector





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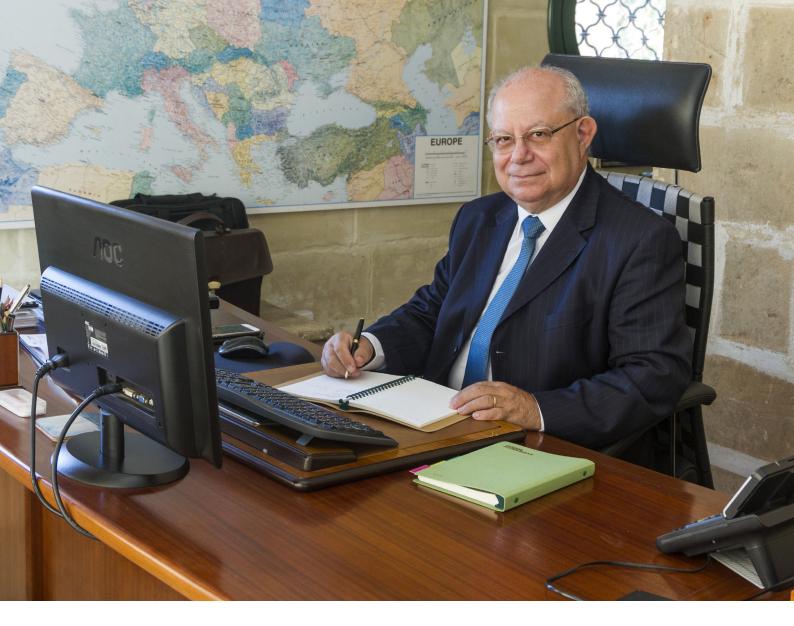












FOREWORD

Mr Godwin Xerri

It gives me great pride and pleasure to introduce this Annual Report Publication – the first of its kind ever produced by the Malta Maritime Forum. As one of the co-founders and incoming Chairman, I hope it is the first in a long line of similar reports yet to be published by our beloved Forum.

There should be no doubt that the extensive list of activities documented in this report were made possible by the unique guidance and drive of my predecessor Judge Emeritus Joseph Zammit McKeon who, at the time of writing, relinquished his position of MMF Chairman to be appointed Ombudsman by unanimous vote in the House of Representatives.

Con behalf of all the members of the Forum, I thank Judge Zammit McKeon for leading the Forum with his unique and contagious enthusiasm, vigour and pride. We truly consider ourselves privileged to have been led by Judge Zammit McKeon although I now find myself with big boots to fill.

I was fortunate and privileged to serve as Vice Chairman under Judge Zammit McKeon. Like the rest of my colleagues on the Board, we benefitted from his wisdom, integrity, energy and fortitude – unique attributes that have earned him his new position and the glowing praise bestowed on him during the Parliamentary debate on his appointment from both sides of the House.

On behalf of all the members of the Forum, I thank Judge Zammit McKeon for leading the Forum with his unique and contagious enthusiasm, vigour and pride. We truly consider ourselves privileged to have been led by Judge Zammit McKeon.

I pledge my full commitment to the cause as we strive to consolidate our position as the prime interlocutor for the maritime industry with all stakeholders particularly the policy makers and our regulators.

Over the course of 2023, I intend to steer our Forum further into the realm of ESG – Environmental, Social and Governance principles. It is my intention to drive closure to ongoing matters that the MMF has been following such as the merger of Transport Malta as declared by former Minister in October 2021, the enactment of the draft proposed Ship Agency Regulations, the setting up of a special Maritime Court, the delivery of key infrastructural projects and continued regeneration of the Grand Harbour.

Meanwhile, I invite you to go through this historic publication to appreciate the achievements made during 2022.

66 Over the course of 2023, I intend to steer our Forum further into the realm of ESG as well as to drive closure to ongoing matters such as the merger of Transport Malta, the enactment of the draft proposed Ship Agency Regulations and the setting up of a special Maritime Court.



FOREWORD

Mr Kevin J. Borg

As CEO of the Malta Maritime Forum since 2021, I am proud to introduce this first-ever Annual Report of our young and dynamic organisation.

I look back with fond memories to working alongside our truly inspirational outgoing Chairman, Judge Joseph Zammit McKeon last year. It is safe to conclude that under his leadership, the Forum executed its role diligently and efficiently in favour of the maritime community and in the interest of the greater good on a wider context. The Statute and Mission of this focused organisation demands us to "fly the flag" of the entire industry with all publics and stakeholders including government. In so doing, the Forum actively engages with the Maritime community and provides for it a "home" where they can be heard and where their issues are taken up collectively and collegially on their behalf. Naturally, our role extends towards representing the Industry by bringing forward its opinions, suggestions and concerns in an objective manner with the authorities in a spirit of collaboration, consultation and goodwill.

Our Forum has come a long way during its brief history. In our true energetic style, we have sought to cover plenty of ground so much so that, this year, we have more than sufficient support and reporting content material to publish – with pride – our first Annual Report.

66 I look back with fond memories to working alongside our truly inspirational outgoing Chairman, Judge Joseph Zammit McKeon last year. It is safe to conclude that under his leadership, the Forum executed its role diligently and efficiently in favour of the maritime community and in the interest of the greater good on a wider context. ??

As is amply evident from the pages of this publication, throughout the year under review, we have engaged with members in formal as well as informal settings through regular information and progress meetings as well as by means of a most enjoyable evening, summer-networking event at the Magazino Hall of the Valletta Cruise Port when we launched and distributed our membership certificates. We have researched and discussed a multitude of subjects that are of core importance to the business of our members – the Exclusive Economic Zone for Malta, the proposed draft Ship Agency Regulations, the Reorganisation of Transport Malta, Stowaways and the European Union's Fit for 55 Package just to cite a few. In line with this, we have articulated position papers for the 2023 National Budget, for our participation within the National Smart Specialisation Strategy Thematic Committee on Marine & Maritime Affairs, on the Exclusive Economic Zone, on the proposed demerger for Transport Malta and others.

In the process, we have engaged with kindred organisations and formed alliances with expert professionals in order to synergise resources to render our efforts more effective. To this end, I am most grateful to the support of the Malta Maritime Law Association, the European Network of Maritime Clusters, the Association of Ship Agents, the Westmed National Hub for Malta, Malta Employers' Association, Bank of Valletta, Transport Malta and others.

66 This publication and its contents are testament to the commitment of our dynamic organisation. Besides providing a summary of our extensive work undertaken during 2022, the publication is also meant to further consolidate linkages with our members and the wider stakeholders in our industry.

In line with our communications strategy, we have sought to drive our points forward via meetings with the authorities, through conferences, the newspapers and the social media where we have become increasingly active and influential.

This publication and its contents are testament to the commitment of our dynamic organisation. Besides providing a summary of our extensive work undertaken during the 2022 calendar year however, the publication is also meant to further consolidate linkages with our members and the wider stakeholders in our industry. We do hope you find it useful and attractive.

The achievements of our Forum documented in this publication would clearly not have been possible were it not for the wisdom and enthusiasm of our outgoing Chairman Judge Emeritus Joseph Zammit McKeon and the unwavering support of our close-knit Board to whom I express my most sincere gratitude. I am proud to have been at the centre of this collective effort, which, with the strong encouragement of our members has contributed to the MMF cementing itself as an integral part of "Maritime Malta", continuing to build ourselves a solid foundation for a growing organisation in terms of reach-out and value-added services.

In the candid words of our members, some of which are reproduced in this publication, our Forum has continued to rise in relevance and clout over 2022.







Mr Godwin Xerri







ests of the Malt

Dr Joe Borg

Mrs Miriam Camilleri







Mr Lino Vassallo





Mr Stephen Xuereb

Mr Paul Abela

Capt. John M. Dalli









Ing Ryan Fava



Mr Thomas Sullivan



Mr Kevin J Borg



Mr Ivan Mifsud



MMF Board of Directors 2022

Judge Joseph Zammit McKeon Chairman

Mr Godwin Xerri Vice Chairman Combined Maritime Services

Mr Paul Abela Director Chamber of SMEs

Mr Jonathan BorgDirectorBluhull Marine Agency Ltd.Mr Joseph CallejaDirectorPalumbo Malta Shipyard LtdMrs Miriam CamilleriDirectorMCConsult & Associates

Capt. John M. Dalli Director Malta Mooring Masters Coop

Ing Ryan Fava Director Malta Dockers Union

Dr Ann Fenech Director Fenech & Fenech Advocates/MMLA

Capt Jesmond Mifsud Director Malta Maritime Pilots

Mr Alex Montebello Director Freeport Terminals

Mr Mario Mizzi Director Tug Malta

Mr Thomas Sullivan Director Seatrans Shipping Ltd.

Mr Lino Vassallo Director Malta International Shipowners Association

Mr Stephen Xuereb Director Valletta Cruise Port
Mr Ivan Mifsud Co-opted Board Member Mifsud Brothers Ltd.

Dr Joe Borg Past President

Mr Kevin J Borg CEO

Mrs Karin Grech Executive Secretary

Mrs Judith Cilia Accountan

^{*}This publication features information and reports of activities undertaken during the calendar year 2022. Activities taking place after this date will feature in a subsequent report.



Policy Formulation

Throughout the year in review, the Malta Maritime Forum has taken a proactive role in advocating the industry's stance on a number of policy issues, both through innovative proposals to support the development of the sector within the Maltese economy as well as by providing feedback about international developments and national policy proposals affecting the industry and its stakeholders. Below are some policy areas which the MMF followed closely during 2022.

SHORTAGE OF BLUE SKILLS

The lack of skills afflicting the maritime sector (both seafaring and land-based occupations) is leading to a worrying situation causing disruption to the industry and hampering the wealth creation potential and the enhancement of living standards at a macro level. Rewarding opportunities made available by the industry remain unfulfilled mainly due to lack of awareness and proper career guidance structures. The situation poses serious risks on business continuity and competitiveness which in turn could jeopardise Malta's leading position in shipping on an EU and global scale.





Conscious of the situation, throughout the year the MMF has not only raised this issue at the relevant fora but also sought to elevate this challenge to the national level by co-organising a conference dedicated to Blue Skills on 12 May 2022 together with the Maltese National Hub for WestMED, an EU-funded Initiative.

The event covered funding opportunities available to the industry to address resource challenges through enhanced Ocean Literacy, with experts highlighting how lack of awareness about maritime issues was one of the causes leading to a shortage of workers in the industry. As it proposed during the event, the MMF built upon the proceedings of this conference in order to act on the information and recommendations that emerged from expert line-up of local and international speakers.



Conscious of the situation, throughout the year the MMF has not only raised this issue at the relevant fora but also sought to elevate this challenge to the national level by co-organising a conference dedicated to Blue Skills on 12 May 2022 together with the Maltese National Hub for WestMED.

The conference concluded that:

- 1) There is a skills shortage which is hampering growth, competitiveness and even business continuity due to increased safety concerns that skill shortages may bring about
- 2) The shortage is being felt across (i) all levels of employment unskilled, skilled and highly specialised and (ii) all sectors of the Industry
- 3) The skills gap is widening due to the fact that the Industry is facing difficulty in recruiting new employees at the rate of attrition
- 4) Companies are resorting to the employment of foreign workers (EU and TCNs) as a short-term measure but long-term options remain limited
- 5) The rewarding career opportunities offered by the Industry are not well exposed
- 6) The Industry suffers from a reputation of hardship, danger and risk particularly where low-skilled and seafaring positions are concerned, particularly when compared to careers in other industries offering similar or higher incomes in relative comfortable conditions.
- 7) Career paths for potential entrants need to be simplified especially in so far as cadetship opportunities are concerned
- 8) Recent research indicates that demand for labour in the Blue Economy will increase
- 9) The profile of skills required by the Industry is expected to change considerably in the years to come as business models become digital and green

In light of the above, the MMF proposed that the competent authorities and stakeholders strive towards the following objectives:

- Increase awareness about the Blue Economy in general and about the career opportunities within it especially amongst the younger generation through the national curriculum, school visits and social media
- Enhance the exposure of Blue Economy in Career Guidance structures
- Aligning skills and qualifications to Industry needs
- Promote and provide trades skills and training
- Ensure a straight-forward, logical, coherent and attainable path within the framework of our education system (some examples are annexed to this paper)
- Promote work-based learning by simplifying the match-making system for apprenticeship and cadetship positions
- Enhance financing support structures
- Simplify certification and assessment procedures for formal vs informal learning through outcomes and KPIs
- Increase exposure and promotion of Blue job vacancies to influence choices

Additionally, in order to enhance the effects of the above, the MMF maintained that it would be advisable to:

- Perform market research amongst employers on the immediate skills gaps
- Forecast future skills needs
- Assist the Maritime Industry in enhancing its employer brand



SANCTIONS AND RESTRICTIVE MEASURES

The year in review was dominated by the tragic events evolving in Ukraine and the subsequent repercussions in terms of sanctions against Russia. The MMF closely followed the regular developments and updates emerging from the Council of the European Union in response to actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.

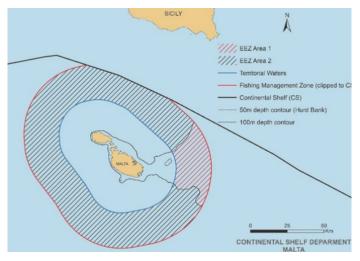
The context of these sanctions highlighted the importance of the Forum's role as a bridge between Transport Malta and industry for the purposes of formulation and communication of the various Port Notices issued following the numerous rounds of these restrictive measures.

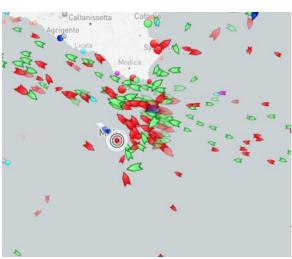
A healthy consultation with TM prior to the publication of these Notices ensured that the sector is always informed in advance of key developments, while important reservations, such as those which had emerged with a specific Port Notice issued in March 2022, are resolved following discussions between the two sides.

EXCLUSIVE ECONOMIC ZONE

The Forum has articulated its position in response to a consultation document published by the Ministry of Finance entitled "Exclusive Economic Zone – A Sea of Opportunities". For the purposes of this position paper, the MMF had also appointed an ad hoc working group.

In principle, the MMF is not against the exploitation of the EEZ as long as the necessary safeguards are in place and as long as the projects contained therein are not detrimental to any Maltese service providers including all Maltese-registered companies that provide services on Hurd Bank to ship owners and that the projects do not hinder the existing navigational lines and take into account eventual legal implications.







In its Paper, the Forum has argued that Area 1, which comprises Hurd Bank, should be assigned exclusively for shipping purposes, that is marine traffic and anchorages, under the control of the Malta authorities.

Despite the less advantageous bathymetry, Area 2 still lends itself well to marine projects in the area of floating alternative energy-generation installations, aquaculture projects and refuelling infrastructures. Locating projects of this nature in Area 2 to the west of the coast of Malta would ensure less disruption to maritime traffic and mitigate risk on the east coast of Malta, which is crucial to other pillars of the economy, not least tourism.

The MMF contended that any declaration of an EEZ needs to follow a number of elaborate and technical studies not least a shipping traffic risk and impact assessment, an environmental impact assessment and an economic impact assessment.

The Forum's official views were published in an article in the Times of Malta on 11 October 2022.

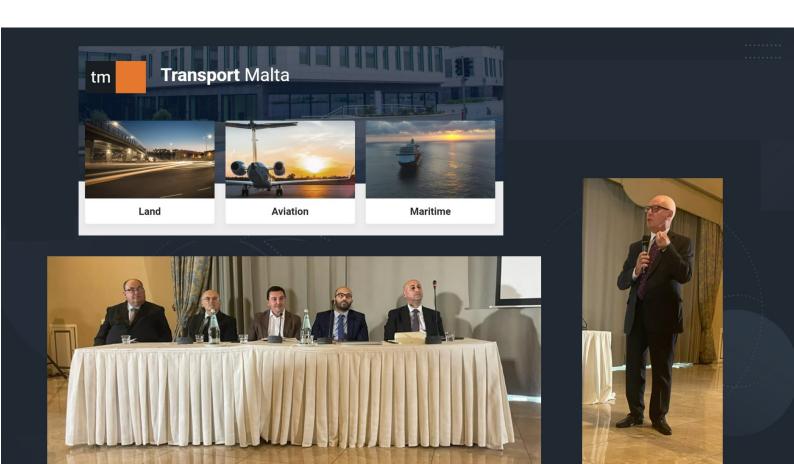
TRANSPORT MALTA DEMERGER

Further to the flagship recommendation made by the Malta Maritime Forum in its pre-election proposals document (dated July 2021) for the re-establishment of a dedicated authority for maritime affairs and subsequent announcement of a related Cabinet decision in October 2021 by then Minister Ian Borg to take forward this proposal, the MMF became engaged in consultations with a specially appointed Working Group.

The Forum considers this move as a reflection that the maritime industry merits a high position in terms of policy-making in the country, bringing it in line with the importance given to other key economic pillars such as tourism, manufacturing, financial services, gaming, ICT and several others.

Upon the conclusion of discussions, the MMF submitted a policy paper containing its opinions on specific areas related to the new legislation.

From then on, the MMF continued to promote the matter both privately and publicly and was becoming increasingly concerned with the lack of progress until MTIP agreed to hold a Consultation Meeting for all businesses associated





with the Maritime Industry. Ahead of this Consultation Meeting held at Xara Lodge, Rabat on 23 November, the MMF urged Government to proceed with the demerger of TM as demanded by the Industry and as soon as practically possible. As stated, the re-establishment of a National Maritime Authority would support the country in moving up the value chain, bolstering Malta's possibilities in realising untapped potential as a regional centre of maritime excellence beyond the flag state and the registration of vessels.

The MMF consistently acknowledged the active endeavours by the Malta Ship Registry within TM and the achievement of Malta's successes in this regard but at the same time it contended that the Flag is not the be-all and end-all and neither should it be regarded as so. Malta offers excellent ancillary services in the area of ship repair, yachting centres, bunker operators, professional service providers, educational institutes and expert legal advisers in marine litigation. All these stakeholders represented by the MMF provide an excellent ecosystem that comes together in what the forum likes to refer to as 'Maritime Malta'. The Forum believes that further success requires the support and direction of a single entity solely dedicated to the maritime industry and this position is based on the need for better:

- specialisation;
- focus;
- urgency and improved reaction time;
- imparting the right message to the international market.

So, a single dedicated maritime authority is needed for 'Maritime Malta' to be marketed as a holistic product, as against the current situation where each market sector has to promote its own activities. Besides, within the current set-up, there is limited time and structure for meaningful consultation between TM and the industry. The more numerous the levels of authority, the more difficult and complicated is the line of communication. The maritime industry cannot be regulated by an authority within an authority because it is dynamic and needs timely, proactive and immediate responsiveness.

The MMF shall continue to pursue this matter into 2023.

A DEDICATED MARITIME COURT

The Malta Maritime Forum advocated the need for the establishment of a dedicated Maritime Court as part of its pre-electoral proposals in July 2021. This proposal stemmed from its belief that maritime cases are specialized cases involving specialized lawyers and likewise should be heard by a specialised court. It would also strengthen the present administrative structure and send the right message to the international maritime community and international trade.





The availability of specialized and dedicated judges (or judge) is a sine qua non in order to satisfy international expectations for the efficient and effective processing of cases concerning a myriad of issues which sooner or later could find themselves before a Maltese Court.

The Malta Maritime Forum submitted this request to the Prime Minister on 15 July 2021 when the proposal was favourably received. Subsequently, a letter was sent to the Prime Minister, making reference to a public declaration made by the then Minister for Justice to the effect that Cabinet had approved the extension of the jurisdiction and/or competence of the Civil Court (Commercial Section) to inter alia maritime affairs - a decision which the Forum has already endorsed in public without reserve. In a concrete effort to ensure that the Bill to be presented in Parliament achieves legal certainty, by means of this letter, the Forum further proposed that, as far as maritime affairs were concerned, the jurisdiction and/or competence of the Civil Court (Commercial Section) be extended to an exhaustive list of areas and legislation.

The MMF continues to pursue this matter with the relevant Ministries and in public fora. The Forum's official views were included in an article penned by Judge Emeritus Joseph Zammit McKeon originally published in the Times of Malta on 11 October 2022 and reproduced elsewhere in this publication.

THE EUROPEAN GREEN DEAL/FIT FOR 55 PACKAGE

During the period under review, the MMF teamed up with other organisations, namely the Malta Business Bureau (MBB) and the Malta Maritime Law Association (MMLA) to pool resources and analyse the implications of the European Commission's Fit for 55 package on the maritime industry.

To this end a paper was articulated with the support of Capt. Reuben Lanfranco.

The Forum has argued that the EU's plans and decarbonisation targets for shipping need to be fully aligned with those of the International Maritime Organization (IMO). In the absence of this, the main shipping business, investment and traffic could be diverted away from EU Member States to the detriment of EU-based companies, shipping lines and ports which would become used predominantly by feeder vessels for the avoidance of carbon taxes. Moreover, such business diversion would have no positive environmental result.

Meanwhile, specialised desk research is still ongoing internally by the MMF, drawing on resources made available by the International Association of Independent Tanker Owners, INTERTANKO, Royal Belgian Shipowners Association (RBSA), UMAS and the EESC.

An information session for members was also organised on 21 July 2022 with the participation of expert speaker David Kerr, a Member in the Cabinet of the European Commissioner for Equality. Mr Kerr informed members of the maritime community present about the latest developments emerging from Brussels with respect to the Commission's Fitfor55 Package, the REPowerEU Plan and latest ongoing negotiations on the European and international front.

Buoyed by the success of this event and the interest generated amongst members, the MMF pledged to develop its capabilities and efforts towards this subject in the wider context of ESG – Environmental, Social and Governance principles.



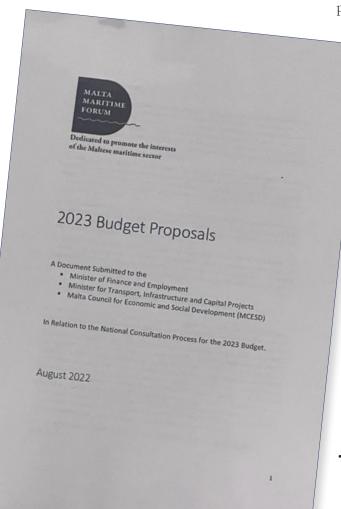
PROPOSALS AND REACTIONS TO BUDGET 2023

For the second year running, the MMF presented a set of tangible, maritime-focused proposals for the national Budget, which it presented in person to the Minister of Finance in September and

to the Minister for Transport, Infrastructure and Capital Projects in October.

The MMF document consisted of a set of nine specific proposals aimed at supporting the industry and businesses within it to grow sustainably. The proposals were generally aimed at promoting better planning and stronger focus on the maritime industry when it comes to charting the way forward for the industry in line with holistic strategies at the national level. The MMF's proposals were as follows:

- Detatch maritime industry responsibilities from TM and re-establish a National Maritime Authority
- Establish a dedicated Maritime Court
- Invest in ensuring the Skills and Competences Required in the Maritime Industry
- Partner with the MMF towards the formulation of a National Integrated Maritime Policy for Malta
- Exclusive Economic Zone
- Land Reclamation
- Partner with the MMF to establish a PPP arm for the Maritime Industry
- Introduce Standard Operating Procedures for Bunkering
- Offer its full and unrelented backing to local and foreign investors in the maritime industry.





The MMF also issued its reactions to the 2023 Budget Speech in the media where it expressed disappointment at the fact that its proposals were not included in the Minister's Speech but pledged to continue to pursue the matters with the authorities for the long-term benefit of the Industry.

On the other hand, it welcomed the approach taken in the 2023 Budget whereby the Government decided to cushion the economy from the significant hikes in the cost of fuel and energy at an international level. It said this was a positive development in terms of safeguarding the competitiveness of local operators in a fiercely competitive regional market given that fuel and energy are important elements in the cost-structures of maritime business operations over several sectors not least transport, logistics, terminal operations, ship repair and ship services.

The MMF took note of generic initiatives announced in the Budget Speech which also apply to the Maritime Industry such as those concerning a Digital Innovation Hub for the purposes of facilitating the digital transformation of Maltese businesses. This is encouraging in terms of the challenge of digitalisation and similar measures have been called for by the MMF in the past.

SMART SPECIALISATION STRATEGY 2021-2027 FOR MALTA

The MMF CEO was appointed by the Minister of Education to form part of one of the Thematic Committees established in terms of the Research and Innovation Smart Specialisation Strategy 2021-2027 for Malta. The Thematic Committee in question was focused on Marine and Maritime Technology and was chaired by former European Commissioner Perit Karmenu Vella. The purpose of the Committee was to advise government on investment in new technologies in the Maritime Sector.

Further to internal discussion and deliberation within the MMF Board, the contribution made at the level of this Thematic Committee was in favour of the need for facilitation and promotion of cleaner fuels as an alternative to electrification which is not the ideal future solution for all transport applications. In this context, the MMF pushed for stronger investment and research in the area of decarbonisation and stronger government commitment towards cleaner fuels to entice the market accordingly. Specifically, the MMF called for:

- I) A political drive away from one single solution (electrification) but adequate space to be given to gas solutions which are not only defined as "clean" fuels in terms of European regulation but also contribute to the transition towards hydrogen which is a carbon neutral fuel of the future.
- 2) The establishment of legal frameworks for LPG/LNG/CNG Biomethane to apply to maritime transport (legislation already exists for LPG and road transport), and
- 3) Incentives for the facilitation of the necessary private investment in refuelling infrastructure (quay-side/ship-to-ship) which will undoubtedly follow the legal framework and consumer (B2B) demand



REGIONAL DYNAMICS

During the period under review, the MMF has articulated a position paper on "New Regional Dynamics", which paper was presented by the Chairman, Judge Joseph Zammit McKeon during the IBIA Mediterranean Energy and Shipping Conference held in Malta in September. The paper elaborates on Malta's role in the volatile geopolitical environment surrounding the Mediterranean, Europe – with special reference to developments related to the war in Ukraine and the rest of the globe. Despite the evolving dynamics and stresses on the market, operators are always bound by regulations and international conventions in place to safeguard free competition, pollution control and safe bunker delivery. In this context, the MMF believes that regulation is crucial as is the efficient implementation of existing laws which are often sufficient and policy-makers must always resist any possible temptation to over-regulate.

CONSTRUCTIVE DIALOGUE ON CRUISE LINERS AND REGATTA

The MMF successfully intervened in a situation whereby two prominent cruise liners were being denied permission to berth at Pinto 4 and 5 and to clear the sea lane for the holding of the Regatta races planned for the 31 March 2022. This development was deemed most detrimental to the cruise industry in Malta as it was seeking to emerge from a very challenging two-year pandemic period.

Malta's reputation as a centre of excellence for the cruise-liner industry was also at stake and the MMF felt compelled to intervene proactively in the interests of the legitimate rights of the private, foreign investor whilst safeguarding the economic interests of the country. After weeks of constructive dialogue which also involved the then Chairman and CEO of Transport Malta and the responsible Minister, an agreement was subsequently reached for the two cruise liners to retain their berths on Pinto 4 and Pinto 5 on the 31 March with the Freedom Day Regatta taking place as planned.



Relations with Local and International Entities

REPRESENTATIONS WITH THE MALTESE GOVERNMENT

Throughout the year in review, the MMF held six separate meetings with the Minister for Transport, Infrastructure and Capital Projects, the Hon Aaron Farrugia.

The Minister met with the CEO and Staff of the MMF during a visit to Sa Maison House on 12 April. The Minister was accompanied by the then Transport Malta Chairman and CEO and the two parties briefly discussed cooperation and the need for closure on long outstanding issues.

Subsequently, Hon Farrugia addressed the Forum's national conference held on 12 May. During his opening address, he declared that his main focus as the new Minister over the coming months was to see through multimillion-euro investments into a plethora of maritime related infrastructural projects such as the Grand Harbour Clean Air project. He said that these investments dovetailed Government's vision to have a modern, state of the art infrastructure to serve the maritime industry of the 21st Century. Government's initiatives will facilitate the transformation of all these sectors towards decarbonisation.

The Minister then hosted the MMF Board of Directors to a meeting at the Ministry on 18 May where a number of issues linked to the common objective of strengthening the position of the Maritime Industry were discussed. Whilst acknowledging the fact that it is Government's responsibility to take the necessary decisions in the country's best interests, the MMF was pleased to note close alignment with the Minister in his view that the main purpose of the Grand Harbour was, first and foremost, an operating port and every inch of scarce shoreline within it needs to be used judiciously to maximise Malta's maritime potential.







In the context of the Shore to Ship project, the MMF was also appreciative of the Minister's understanding on the need for full and urgent visibility by Industry of the proposed rates to be charged to vessels calling in Maltese ports. These rates are still subject to a negotiation process which, if delayed, will cause Malta to lose "first mover advantage". The MMF Board also thanked the Minister for his declared active support towards the advancement of international business in the sectors falling under his responsibility and committed itself to encourage its member companies to take up his offer for support.

Hon Aaron Farrugia also accepted the MMF's invitation to address the Forum's networking event held on 12 July. On this occasion, he outlined the priorities for the Maritime Industry which he described as an important pillar of the economy. These included decarbonisation, digitalization and capacity building. He also thanked the Forum and its members for their contribution along the years, helping the industry to flourish and putting Malta on the map as a leading maritime jurisdiction. The Hon Minister also reiterated his commitment to maintain a healthy dialogue with MMF with a view to continue consolidating the industry.

The Chairman and CEO met with Hon Farrugia on 18 October where a number of issues linked to the common objective of strengthening the position of the Maritime Industry both locally and abroad were discussed. The items on the agenda included TM Demerger; Specialised Maritime Court; MMF Electoral Proposals; Skills Strategy; Land Reclamation; Refusal by MCA to recognize Yacht CoC's issued in Malta; MMF 2023 Budget Proposals.

Finally, the Minister invited the Chairman, Board and members of the MMF to the consultation meeting on the reorganisation of Transport Malta (referred to above) during which MMF representatives, not least the Chairman, participated actively with their views. This meeting was held at Xara Lodge, Rabat on 23 November.



REPRESENTATIONS WITH THE SHADOW MINISTER

The Forum held active relations with the Shadow Minister for Maritime Affairs and Labour, the Hon Ivan Castillo who attended all public conferences and events organised by the MMF over the course of 2022 including the Conference on Blue Skills in May and the Networking Meeting in July which he addressed.

On 29th June, the Board of Directors of the Malta Maritime Forum met held a special meeting with Hon Castillo. The meeting discussed the Forum's priorities for the Maritime Industry including the re-establishment of a National Maritime Authority, the setting up of a dedicated Maritime Court, the regeneration of the Grand Harbour and the proposed draft Ship Agency Regulations.





REPRESENTATIONS WITH THE REGULATOR

During the period under review, the MMF Chairman and CEO met with Transport Malta CEO, Brigadier Jeffrey Curmi to discuss matters of pressing importance to the maritime industry, chief amongst which is the reorganisation of TM. The meeting also discussed assurances for the cruise industry in the context of forthcoming national events in the Grand Harbour and TM agreements with other jurisdictions for the approval of qualifications. Separate meetings with the TM CEO were held to discuss the impasse on the publication of the draft Ship Agency Regulations and other pressing matters.

In November, the Chairman of TM addressed the MMF's Progress Meeting to to speak about his entity's planned and ongoing Projects and Initiatives for 2022 and beyond. On this occasion, Mr Callus explained that Maltese Ports were at the forefront of Onshore Power Supply (OPS) for ships with the first OPS for cruise liners in Grand Harbour expected to be commissioned during mid-2023 after which OPS would also be installed at Malta Freeport. Another OPS project is also planned to extend further OPS in Grand Harbour to include other berths, including shipyards with both High Voltage and Low Voltage shore supply.

Mr Callus also elaborated on TM's plans with respect to a Land Reclamation Project for the building of a new cargo facility at Ras Hanżir aimed at increasing cargo handling capacity at the Grand Harbour and creating potential for new cargo streams. In terms of passenger terminals, Mr Callus explained that Pinto 4 and 5 quays are to be extended and Lascaris Wharf will be reconstructed with the prime intention of improving berthing facilities for larger cruise liners.

Prior to the appointments of the incumbents, the MMF maintained active relations with the previous Chairman and CEO of Transport Malta through regular update meetings as well as Mr Bugeja's participation in the MMF Annual General Assembly held in April and the Blue Skills conference held in May.



REPRESENTATIONS WITH THE EUROPEAN PARLIAMENT

The MMF maintained relations with Dr Josianne Cutajar MEP particularly as a substitute member of the EP's Transport and Tourism Committee. Exchanges between the MMF and Dr Cutajar typically focused around the importance of the Maritime Industry in the European and local contexts. Special focus is placed on the decarbonisation of the maritime industry across Europe and the Emission Trading System (ETS) within the context of the Commission's Fit for 55 Package and the European Green Deal.

In this context, the MMF has consistently put forward its position in favour of encouragement for maritime operators in terms of targeted finance and resource support to achieve the "twin transition" objectives. In line with the position of ENMC, its European affiliation, the MMF also holds that the authorities, particularly the EU, must also ensure that implementation timelines are aligned with considerations related to competitiveness. If these safeguards are firmly in place, the industry is optimistic and enthusiastic about adapting to the new environmental realities through the adoption of innovative, climate-proof technologies that will allow it to fulfil its carbon-neutral ambitions.

During the period under review, the MMF's support was sought by ENMC to facilitate introductions with Dr Cutajar in her capacity as Vice Chair of the SEArica Intergroup of the EP. ENMC was/is eager to initiate and maintain a channel of dialogue with Dr Cutajar on various matters of mutual interest including digitalization (and its vital contribution to the maritime sector) and the Role of the Blue Economy in supporting the development of offshore renewable energy.

During the period under review, the MMF also maintained contact with MEP Magdalena Adamowicz following her visit to Malta in 2021 and meeting held on 8 June.





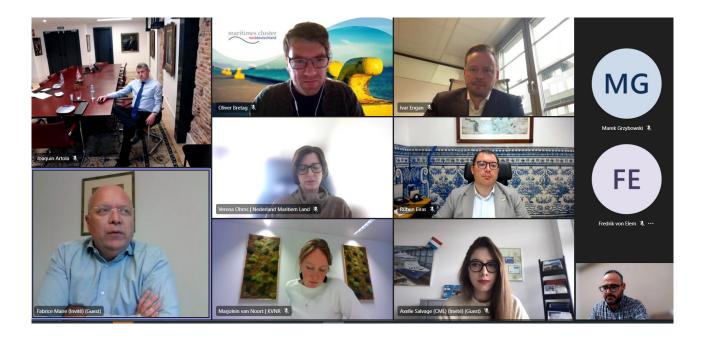


Representations with other International Entities

EUROPEAN NETWORK OF MARITIME CLUSTERS (ENMC)

The MMF, mainly through its CEO, participated actively in regular quarterly meetings of the European Network of Maritime Clusters (ENMC). At this forum, representatives from corresponding network clusters in the EU and EEA typically discuss the current challenges facing the maritime communities in the respective regions including Digitalisation and the challenges of Decarbonisation in the context of the European Green Deal and Fit for 55 Package. The latest meeting discussed extensively the effects of the war in Ukraine, the resultant sanctions on Russia and the effects on the maritime industry and supply chains across the region and the globe.

During the period under review, Kevin J Borg participated in five meetings held online on 28 January, 6 April, 21 June, 28 September and 18 November (AGM). The MMF's direct support was sought by the ENMC to facilitate an introduction to MEP Dr Josianne Cutajar for the purposes of setting up a meeting with her in her capacity as Vice President of Searica.



28

The September meeting presented an opportunity to discuss future green transport trends with the new Managing Director of the Dutch Automotive Association, Albie van Buel. The meeting served to compare notes on the decarbonisation processes currently underway in the automotive and maritime industries, highlighting the major differences in terms of bottlenecks and risks between the two. In the context of there still being no clear winner as to the technology and fuel of the future, the meeting discussed dilemmas facing shipowners who were currently ordering ships (with production lags lasting until 2027). The cost of a new vessel is exorbitant when compared to any road vehicle and the risk of future obsolescence is very high for fleet-owners.

COMITÉ MARITIME INTERNATIONAL (CMI) AND THE INTERNATIONAL MARITIME ORGANISATION

Dr Ann Fenech, MMF Board Member and one of its Founders, made history in October 2022 when she was elected the first female President of the Comité Maritime International in the year of its 125th Anniversary. Dr Fenech is also the first Maltese professional to be elected to this most prominent of posts in the international maritime sphere.

At the time, Dr Fenech was the President of the Malta Maritime Law Association (MMLA). She had held this post between 2008 and November 2022 when she was elected President of the Comité Maritime International.



Dr Fenech's election as President of the Comité Maritime International was uncontested and followed two consecutive terms serving as Vice President.

The Comité Maritime International is a non-governmental, not-for-profit international organization. It was established in Antwerp in 1897, with the objective to contribute by all appropriate means and activities to the unification of maritime law in all its aspects. To this end, it promotes the establishment of national associations of maritime law and co-operates with other international organizations. The CMI is the author of the majority of international maritime conventions.

Shortly after her election as President, in November, Dr Fenech addressed the MMF members during the 2022 Progress meeting where she gave a presentation entitled "What is the Comite Maritime International?".



Within her role at CMI, Dr Fenech has also been given the responsibility to coordinate a project at UNCITRAL – the United Nations Commission on International Trade Law where she led a team promoting a convention on the International Effects of Judicial Sales of Ships which has been drafted by the CMI. The Convention was approved by UNCITRAL after intense deliberations held in New York in June 2022. It was then adopted by the United Nations General Assembly on the 7th December 2022. The adoption by UNCITRAL of this convention continues to underline the important role of CMI in its efforts towards the unification of maritime law.

In December, Dr Fenech was included on the Lloyds List One Hundred People 2022 Edition Thirteen – The Shipping Industry's most influential listing for the most outstanding personalities in the international shipping world. These include owners of the world's largest fleets, box port operators, technology leaders, maritime lawyers, ship managers and shipbrokers amongst others.

WORLDWIDE SHIP AGENCIES ASSOCIATION

Another MMF co-founder and then Vice Chairman Godwin Xerri also made history by being the first Maltese to be elected Chairman of the Worldwide Ship Agencies Association (WWSA).

Last May, in fact, Mr Xerri took over the reins of this influential organisation on a global level from Anthony Durot who had occupied the Chairmanship for the previous 15 years.

Based in Antwerp, Belgium, WWSA seeks to be a single point of reference for global shipping information as well as offering fair and equitable business opportunity to members. By fostering harmony and promoting cooperation, it seeks to become a trusted platform for international business collaborations and also a focal point for advice, consultation and dialogue on matters concerning the global shipping industry.

Global solution from Ship agency side to global shipping industry to give solution as an agency representation solution



OECD AND THE EUROPEAN COMMISSION

The Malta Maritime Forum was invited to a consultation meeting with a joint delegation from the OECD and the European Commission to discuss a project entitled: 'Implementing Malta's Sustainable Development Strategy and Action Plan Coherently'. The OECD representatives requested a bilateral meeting with the MMF as the key interlocutor for the maritime industry, to obtain its views regarding the current state of play in the area of Blue Economy, as well as to understand the status of implementation of relevant strategies related to this policy area.

The meeting was held at the MEEE PS Office in Santa Venera on 24 May 2022.



BUSINESSMED DELEGATION

On 14 September, the MMF co-ordinated a visit of business representation executives from the Euro-Med region including Tunisia, Lebanon, Morocco, Syria, Italy and Portugal who travelled to Malta as part of the BusinessMed 20th Anniversary celebrations. The celebrations being held in Malta were organised by the Malta Employers Association with which the MMF has a Partnership Agreement.

The group was greatly impressed with the state-of-theart facilities and equipment at the training centre as well as by the variety of relevant qualifications on offer in the field of maritime transport. Note was also taken of the centre's potential to contribute to international research projects through its advanced equipment and facilities. The BusinessMed delegation was addressed by Capt Jesmond Mifsud – Chief Pilot and Mr Joseph Meli – Marketing & Operations Manager.





Communications and Outreach

During the reporting period, the MMF sought to strengthen its communication efforts, both internally among its members as well with external stakeholders and the general public.

CIRCULAR TO MEMBERS

On 16 June, the MMF issued a Circular to members containing basic information regarding the European Commission's Fit for 55 Package and the REPowerEU Plan. The Circular also served as promotion for a seminar being organised by the MMF in July on Energy Efficiency in the Maritime Industry.

MEA FOCUS GROUP ON ENSURING THE SKILLS FOR FUTURE COMPETITIVENESS

On 24 June, the CEO was invited by the Malta Employers' Association to participate in a focus group entitled "Ensuring the Skills for Future Competitiveness". The focus group was dedicated to the transport sector and included high-profile representatives from Malta Freeport Terminals, Valletta Cruise Port and representing other modes of transport namely aviation, car importation, haulage companies and people-transport providers. During this meeting, Kevin J Borg focused on the current shortage of skills facing the maritime industry. He elaborated on the possible causes of this situation and suggested possible solutions. He also referred to radical transformations taking place in all aspects of the Industry in its quest to decarbonise and digitalise, and how the skills and profiles of people currently employed are expected to change as and when new modes of operation kick into place.

MMF MEMBERSHIP NETWORKING EVENT AND LAUNCH OF MEMBERSHIP CERTIFICATES

On 12 July, the Malta Maritime Forum celebrated its membership with an evening social event held at the Magazino Hall at Valletta Cruise Port. The event was addressed by the MMF Chairman, Minister Aaron Farrugia and Shadow Minister Ivan Castillo.

Judge Emeritus Joseph Zammit McKeon welcomed the gathering and said that the members of the Forum represented the primary resource of the maritime sector because they carry a wealth of contacts, information and expertise which is priceless for the country.

The MMF Chairman described the event as "a celebration of our membership" so much so that it used it as a platform to launch its Membership Certificates. Judge Zammit McKeon referred to the certificates as "a public commitment of mutual support between the Board and the members of the Forum". The Certificates are an integral part of the Forum's Membership Engagement Strategy and plan of action and will be issued each calendar year according to the three membership categories of the MMF, namely Corporate, Associate and Individual.





The networking event was financed through a direct contribution made by Board members.

DEAN'S AWARD - MALTA MARITIME FORUM PRIZE

The MMF awarded a monetary prize to Ms Rebecca Galea in recognition of achieving the highest mark for her dissertation entitled 'Ship Registration Under International Law - An Analysis of International Efforts Aimed at Combating Fraudulent Registration'.

The prize was handed to Ms Galea by the MMF Chairman during the Dean's Awards ceremony in the Faculty of Laws of the University of Malta held in December. On this occasion, the Chairman underlined the MMF's recognition for Ms Galea's work in a field of research which is most relevant to the MMF's mission of championing all matters related to the Maltese maritime industry. On behalf of all MMF members, Judge Zammit McKeon wished Ms Galea every success in her upcoming legal career and augured that the maritime community would continue to benefit from collaborating with her in the future.





LAUNCH OF VIVA MALTA

The MMF Chairman and CEO were invited to an event on 21st December in which the Viva Malta National Offshore Sailing Team which was officially launched when the livery for the Cookson 50 Viva Malta was unveiled at the Mediterranean Maritime Hub.

The idea of a National Offshore Sailing Team, a first for Malta, was a natural progression brought about by local sailors' expertise and passion for offshore sailing coupled with Malta's success in offshore sailing.

The Malta Maritime Forum congratulated Yachting Malta and its partners in this ambitious venture and augurs every success to the Viva Malta National Offshore Sailing Team in its forthcoming races on the international yachting circuit.

IBIA MEDITERRANEAN ENERGY AND SHIPPING CONFERENCE

Judge Joseph Zammit McKeon addressed the IBIA Mediterranean Energy and Shipping Conference held in Malta between the 13-15 September. The MMF Chairman's intervention was made during a panel discussion on New Regional Dynamics moderated by Jack Jordan, Managing Editor of Ship & Bunker. Judge Zammit McKeon elaborated upon the role of Malta in the volatile geo-political environment surrounding the Mediterranean, Europe – with special reference to developments related to the war in Ukraine and the rest of the globe.











MMF PROGRESS MEETING

The MMF held its 2022 Progress meeting on 24 November when members were treated to brief presentations from expert speakers on various subjects of prime topical interest. These included Decarbonisation in the Maritime Industry; the role of the Comité Maritime International; Forging relationships with banks for support in tackling Anti-Money Laundering and Anti Financial Crime responsibilities; and the need for Developing a Capacity-Building Methodology for the Maritime Industry.

Guest speakers included Mr Michael Callus in his capacity as TM Chairman; Mr Ryan Caruana, Money Laundering Reporting Officer of Bank of Valletta; Dr Kurt Mizzi, Research, Development & Innovation Partner of Naval Architectural Services, Dr Ann Fenech in her capacity as President of the Comité Maritime International and Mr Joseph Woods Creative Director and MD of Creolabs.



MMLA ANNUAL GENERAL MEETING

Judge Joseph Zammit McKeon addressed MMLA Annual General Meeting held on 2 December. This was the last meeting of the MMLA to be presided by the outgoing President, Dr Ann Fenech. The MMF Chairman dedicated most of his address to (a) the restructuring of TM and (b) the formation of a specialized Maritime Court where he encouraged MMLA members to support both policy initiatives.

PUBLICATIONS

The MMF produced a number of articles and features which were published in the local and international media, promoting the interests of the industry and the proposals being pushed forward by the MMF itself.

Malta Invest Special Feature

An interview with the CEO has featured in the Malta Invest publication. In this interview, Kevin J Borg commented on the recent achievements of the maritime industry which has experienced exponential growth over the past years as a result of the initiative and investment of the main players in the market and their dedicated employees. He also gave his views on Malta's main selling points to foreign investors and the main reasons why Malta has

always punched above its weight in international matters related to the seas.

The publication serves as an annual international investment guide which will be distributed in global destinations like London, Dubai, Paris, Zurich, Geneva, Frankfurt etc, in various locations such as embassies, private members clubs, business class airline lounges, luxury hotels... It is distributed locally via banks, ministries and leading businesses, though its primary audience is international.





02 MBW BUSINESS NEWS

THE MALTA MARITIME FORUM'S PROPOSALS

MMF wants

What better way to colekrate the International Week of Happiness at Work 2022 than launching a toolbox for employee and section assessment? This week of the property of the p



BUSINESS AND **FINANCE**

'Do what you love, and you'll never work another day in your life'



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BUSINESS AND **FINANCE**

A specialised court for maritime litigation: time to move ahead

JOSEPH ZAMMIT MCKEON

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Money market report for the week ended July 1

Local Insight Meet Kevin J. Borg

The government acts as an industry facilitator, ensuring a dynamic regulatory framework finetuned to new realities - often before competing jurisdictions.



NEWS

Stakeholders recognising MMF's growth in stature and its position as the natural interlocutor for the Maritime Industry

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Media Articles

Throughout the year, members of the MMF have produced 13 articles which were published in leading newspapers, in print and online version, covering various policy positions and proposals taken by the Forum. The news articles are available on our website.



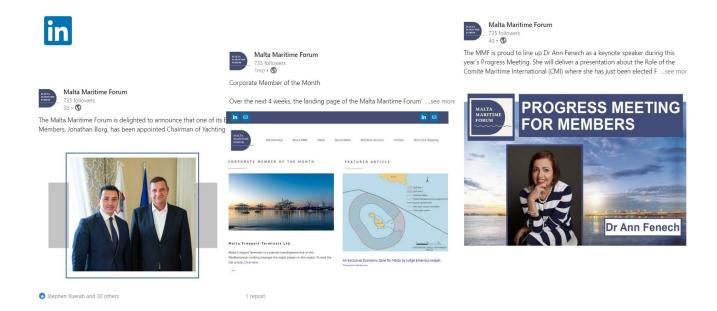
Television

Board Member, Capt Jesmond Mifsud and CEO, Kevin J Borg participated in an episode of the popular MEA TV programme dedicated to Careers in the Maritime Industry. The Programme was aired on TVM News+ Channel on 1 February.

Chairman, Judge Emeritus Joseph Zammit McKeon and CEO, Kevin J Borg participated in an episode of the popular MEA TV programme dedicated to Ocean Literacy. The Programme was aired on TVM News+ Channel on 27 December.







LinkedIn

In order to complement its objectives of representing and informing the industry, since 2021, the MMF established a presence on social media through a LinkedIn page which is gaining strong momentum thanks to regular updates and posts. The MMF maintained a constant presence on LinkedIn, the professional social network, through 138 informative posts, generating an average traffic of 11,000 clicks each month.

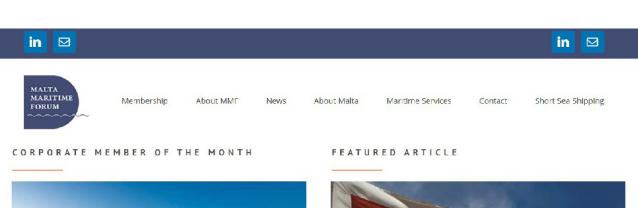


MMF CORPORATE WEBSITE

The MMF Website is regularly updated and now gives better prominence to recent MMF news reporting on the latest activities of the Forum and simplifies the process of membership on-boarding.

Via a button 'Become a member' which features prominently on the landing page, in fact, interested parties can easily get in contact with us. To encourage membership, a section 'Why become a member?' has been introduced on the 'Membership' page featuring testimonials from present members. We invite those members who wish to send us one to do so.

A new 'Featured Articles' carries opinion pieces penned by MMF officials, members or guest writers. This section is regularly updated as is another area of the homepage entitled "Corporate Member of the Month" which gives coverage to a Corporate Member on a rotation basis. We invite all Corporate members to contact us to avail themselves from this opportunity.





Malta Freeport Terminals Ltd.

Malta Freeport Terminals is a premier transhipment hub in the Mediterranean ranking amongst the major players in the region. To read the full article, Click Here.



Malta needs a dedicated maritime authority by Godwin Xerri & Kevin J Borq

In July 2021, in the midst of rife speculation about a possible election date, the Malta Maritime Forum (MMF) submitted a 'Maritime-Centred Manifesto' to the prime minister and the leader of the opposition. The document contained 10 concrete suggestions aimed at consolidating Malta's leading position [...]



Speed, Focus and Specialisation to Give the Right Message to the Market – The Views of the Malta Maritime Forum on a Demerger for Transport Malta.

GODWIN XERRI & KEVIN J BORG

In July 2021, in the midst of rife speculation about a possible election date, the Malta Maritime Forum (MMF) submitted a "Maritime-Centred Manifesto" to the Prime Minister and the Leader of the Opposition. The document contained 10 concrete suggestions aimed at consolidating Malta's leading position in the shipping world. Key amongst these was a proposal for the detachment of maritime industry responsibilities from Transport Malta and the re-establishment of a National Maritime Authority.

This proposal stemmed from the Forum's conviction that by moving up the value chain, Malta could realise untapped potential as regional centre of maritime excellence beyond the Flag State and the registration of vessels. Indeed, the Flag is given very wide exposure in terms of Malta's maritime successes but it is not the be all and end all and neither should it be regarded as so. Malta offers excellent ancillary services in the area of ship-repair, yachting centres, bunker operators, professional service providers, educational institutes and expert legal advisers in marine litigation to name just a few. All these stakeholders represented by the MMF provide an excellent ecosystem that comes together in what the Forum likes to refer to as "Maritime Malta".

The Forum believes that further success requires the support and direction of a single entity solely dedicated to the maritime industry and this position is based on the need for better:

- Specialisation
- Focus
- Urgency and improved reaction time, and
- Imparting the right message to the international market

So, a single dedicated maritime authority is needed for "Maritime Malta" to be marketed as a holistic product as against the current situation where each market sector has to market its own activities. Besides, within the current set up there is limited time and structure for meaningful consultation between Transport Malta (TM) and the Industry. The more numerous the levels of authority, the more difficult and complicated is the line of



communication. The maritime industry cannot be regulated by an authority within an authority because it is dynamic and needs timely, pro-active and immediate responsiveness.

With the amalgamation of a number of entities and departments into TM, the priority required by the Industry on both the national and international levels has become diluted in other overall responsibilities covered by TM including aviation and road-transport where the latter alone includes, vehicle registrations, drivers licences, VRT-stations, the road network, traffic-management, road-safety, the bus service and all aspects of public transport animals and animal drawn-vehicles.

In addition, members of the MMF reported that over the years, TM developed from executing the role of an operator (terminals, services) to performing the exclusive function of a regulator. This change in policy is correct, however TM has become too detached from the maritime industry because it has relegated itself to an interpreter of laws and regulations. The future Maritime Authority should retain the role of regulator but assume the equally important roles of enabler/facilitator which would entail:

- Engaging with the industry independently from the pertinent Ministry but as an industry player;
- Facilitating industry initiatives.

From the MMF's perspective, the country was ahead of time and competition when it established a Malta Maritime Authority in 1991. This provided Malta a competitive edge which has been lost since other important maritime jurisdictions such as the UK, Greece and Cyprus caught up and established their own specialised Authorities which they have retained till the present day.

Nowadays, in fact, some maritime countries like Malta, have gone as far as privatising their maritime authorities to ensure that they are in complete sync with the private sector. A cursory analysis of the top ten flags of registration (of which Mata is the seventh) shows that these are invariably administered either by a dedicated maritime authority (Panama, Singapore, Bahamas) or even by a private commercial company (Liberia, Marshall Islands). Even Hong Kong has a dedicated Marine Department. Coming closer to Malta, Cyprus has a dedicated Shipping Deputy Minister. This goes to prove beyond any doubt that for the maritime industry to grow and flourish, it needs a focused and dedicated maritime authority completely synchronised with the private sector which is the mainstay of the Maltese maritime industry.

Malta need not go as far as the advanced models described above. The MMF was encouraged by the words of the former Minister responsible for Transport, Hon Ian Borg when he announced in October 2021 that Cabinet had given the green light for TM to be divided into separate entities for road-transport, aviation and maritime affairs. Indeed, the execution of such a milestone announcement would now come to reflect the notion that the maritime industry merits a high position in terms of policy-making in the country bringing it in line with the importance given to other key economic pillars of the country such as tourism, manufacturing, financial services, gaming, ICT and several others.

Consequently, ahead of a Consultation Meeting being called by the Authorities in late November, the MMF as the prime interlocutor for the maritime industry, urges Government to proceed with the demerger of TM as demanded by the Industry and as soon as practically possible. As stated, the re-establishment of a National Maritime Authority would uphold the country's aspirations to be a regional and global centre of excellence for maritime affairs and would further contribute to increase the Industry's vast economic contribution whist consolidating its systemic importance to the Maltese Islands.

Godwin Xerri and Kevin J Borg are the Chairman and CEO respectively of the Malta Maritime Forum.



An Exclusive Economic Zone for Malta

JOSEPH ZAMMIT MCKEON

The Malta Maritime Forum (MMF) has considered a public document entitled "Exclusive Economic Zone – A Sea of Opportunities". This document followed the enactment of Exclusive Economic Zone Act 2021 (Chapter 625 of the Laws of Malta). The Act enables the Government to declare and designate by legal notice as being in the Exclusive Economic Zone of Malta an area that extends beyond the country's territorial waters and that partially or fully coincides with the Continental shelf of the country, without prejudice to a final designation of the zone itself. The zone has the potential to extend to an area of 71,446 square kms.

The MMF examined the document in detail, carried out additional research and formulated a position paper with its views. The position papar is divided into four main sections as it sets out to identify:

- a) The economic activity that takes place at Hurds Bank, which to a large extent (albeit not entirely) is situated outside of the country's territorial waters; and who are the beneficiaries of that economic activity.
- b) The opportunity cost of a designated (and therefore regulated) Exclusive Economic Zone.
- c) The effect of potential designations on international navigation routes.
- d) The legal framework which necessarily must be put into place for the purposes of enforcement and control of a designated area.

Particular reference is made to point b) of the position paper. Of concern to MMF – from an industry and macroeconomic perspective - is the effect of a hindrance to legitimate business activity, and ensuing multiplier effect, resulting from a potential limitation of anchorage at Hurds Bank, even by means of an anchorage fee that could be seen as prohibitive. Such a limitation could potentially be detrimental to the business of bona-fide service providers, with negative impact on the local economy in terms of :

- (i) jobs,
- (ii) indirect business activity through the multiplier effect,
- (iii) investment,
- (iv) foreign currency earnings and
- (v) direct and indirect tax revenue.



A comprehensive (though non-exhaustive) list of sectors which would be effected is highlighted in the position paper.

Another important issue to dwell on is the movement of shipping in the centre of the Mediterranean. A huge concentration of shipping traffic moves along Area I (Hurds Bank, as denoted in the diagram) that is directions E to W and E to SE within the Malta Channel (the sea between Malta and Sicily) when compared to the relatively sparse shipping traffic south of Malta.

Even for these reasons, MMF firmly believes that Area 1 that comprises Hurds Bank should be assigned exclusively for shipping purposes, that is marine traffic and anchorages, under the control of the Malta authorities.



Divided We Fall

The maritime industry is a substantial contributor to Malta's economy. This is certainly no secret to the people working within this sphere. Malta has developed into a hub for shipping and yachting. Our Shipping Registry for example, can boast at having one of the largest merchant fleets in the world and our yachting sector has made fantastic inroads over the past 10 years and is considered a leader by many. However, this has not always been the case and it is important to keep in mind that the success of the maritime services we offer is attributable to many factors, from the legal infrastructure to the operators in the industry (be they from the private or governmental sector).

Having done well might lead some to erroneously believe that we have figured out the formula to everlasting glory, possibly even going to the extreme of adhering to the old adage that "if it ain't broke don't fix it". Thinking this way is a recipe for disaster. The challenges which Malta faces are numerous and continuous and competition out there is fierce.

Experienced players are more often than not aware of the many threats that face Malta as a jurisdiction and are very capable of making valid arguments and suggestions; often highlighting the strengths of our competitors whilst very ably criticizing our very own shortcomings. These viewpoints often emerge from fora geared at offering all maritime operators a platform for the sharing of these ideas, the same fora I have had the opportunity of participating in over the years which I have been practicing. In my humble opinion, although the reasoning behind such initiatives is noble, the criticism and the impact of the frustrations tabled are quickly diluted due to the sheer volume presented, with the result that solutions are hardly ever studied let alone maturely addressed and resolved. Thankfully, Malta can be proud of the fact that we have a number of associations whose key aim is to ensure that the maritime industry keeps up with the sign of the times, anticipates and caters for potential developments and threats heading in our direction. We all have a duty to empower and value organized associations like the Malta Maritime Law Association ("MMLA") and the Malta Maritime Forum ("MMF").

As the newly appointed MMLA president, I have been entrusted to lead a new MMLA executive board, which is composed of very capable individuals who are all eager to leave their mark on the industry and who are ready to



contribute selflessly in order to ensure that progress in made and that Malta retains its relevance. I also understand that the MMF is composed of equally skilled and experienced individuals who share the same ideals and who want nothing but the best for our country. It is worth pointing out that the professionals who are contributing to the MMLA's and MMF's efforts do so rather selflessly and are willing to dedicate time out of their busy schedules because of their belief in their respective association's mission. The Ministry of Transport and Infrastructure is aware of the input such associations give and thankfully also offers its financial contributions in order to support them in their operations.

Both associations have the obligation to ensure that they are capable of sustaining the momentum achieved so far, they also have a duty towards their members who need to feel that such structures offer them a platform to voice their concerns and share their ideas.

I am convinced that there is also scope for both associations to increase collaboration between them in respect to common issues. Having a singular voice allows for a stronger and more cohesive representation of the Maltese maritime product, and our associations have a vested interest to effectively communicate our views and speak with a united front (where possible) each time the Maltese maritime industry is under discussion. We need to ensure that good initiatives are properly developed through the formal structure of our bodies and procedures and not allow such ideas to fall to the wayside. Our message should be clear, yet we need to substantiate such message and criticism with solutions that cater for our realities, and which can ultimately continue attracting foreign investment.

Collaboration also needs to take place internally within the respective associations, as fragmentation of the key players and experts in this field will also dilute the effectiveness of the message being transmitted. The reality of the MMLA is that, as a premise, its members are all competing for the same type of work. However, there is recognition amongst us that we need each other in order to continue fine-tuning the product which we can ultimately offer our clients and stand to gain from this. Members need to work together in voicing their ideas and concerns through such associations; and it is the duty of such associations to then effectively transmit this message and make their member's voices heard.

I am very proud to form part of an association which historically has given so much to our industry. Previous generations had the foresight of creating the respective infrastructures which now allow us to operate and it is our duty as those before us to keep on perfecting our system, not only for our own personal growth, yet to strengthen the foundations for the up-and-coming professionals who will one day work within this field. I have no doubt that in due time our efforts in this respect will be appreciated by the professionals who will succeed us, as we are indebted to the ones who have preceded us.

Dr Matthew Attard – President Malta Maritime Law Association



A specialised court for maritime litigation: Time to move ahead

JOSEPH ZAMMIT MCKEON

Last year the Malta Maritime Forum submitted to the Hon. Prime Minister and to the Hon. Leader of the Opposition proposals aimed at consolidating Malta's position in the maritime sector. One proposal was the allocation through legislation of maritime litigation to a specialised court.

The raison d'etre for this proposition is the need for this nation to insist in its vocation of excellence in the maritime sector where, limitedly from the aspect of tonnage of registered vessels, ranks first in the EU and fifth worldwide. This result was pursued with consistent determination over the years, and was achieved through the patient resolve of people of outstanding quality and competence coming both from the public and private sectors.

This country cannot however rely solely on past results and experience to build its future as far as the maritime sector is concerned. That would be a way forward destined to fail over time taking into account an ever increasingly tough competitive international market conditions.

By having maritime litigation heard and decided swiftly by a specialised court renders the jurisdiction of this country more attractive with substantial service multiplier effects. The call for a specialised maritime court compliments the country's aspirations to reaffirm its position of distinction in the maritime sector. The Forum was encouraged by the acceptance of this proposal from both sides represented in Parliament.

On the part of Government, there was a public declaration by the former Minister for Justice to the effect that Cabinet had approved the extension of the jurisdiction and/or competence of the Civil Court (Commercial Section) to maritime cases, a positive move which the Forum endorsed in public without reserve.

The call for a specialised court to hear and decide on maritime litigation was raised only recently by Opposition M.P. Hon. Ivan Castillo. The present Minister for Justice Hon. Jonathan Attard reaffirmed the present Government's intention to address the matter.

Therefore the issue at present is when the specialised court can be legislatively constituted.



The Forum is of the view that the matter should be classified as a top priority in this early part of the present Legislature.

The present administrative set-up designed by the present Hon Chief Justice whereby maritime litigation is assigned to a Judge presiding the First Hall Civil Court is good but not enough, taking into account that finally it is the Registrar of Courts who in the day-to-day administration of cases allocates cases to judges.

In its belief that time is mature enough for proper legislative intervention, the Forum did not limit itself just to submission of proposals but has taken a clear proactive approach. In fact, together with its member the Malta Maritime Law Association, that embraces the crème de la crème of Maltese maritime law legal practitioners, the Forum has gone one step forward in its proposal not only by stating that the Civil Court (Commercial Section) should have exclusive jurisdiction to hear and decide on maritime litigation but has indicated the matters that should be the exclusive competence of that court, namely:-

- · actions relating to collisions at sea.
- actions arising out of the carriage of goods by sea
- actions in rem [Article 742B of Chapter 12 of the Laws of Malta)
- actions in personam whether arising out of tort or contract involving the subject matters listed in Article 742B of Chapter 12 of the Laws of Malta
- precautionary and executive warrants relating to the arrest of ships
- judicial sales of ships and court approved private sales
- the precautionary and executive warrant of ejectment or expulsion from seagoing vessels, and any action relating to the eviction of an operator, lessee or other occupants, including any members of their staff from seagoing vessels.
- civil or commercial disputes brought by or against (i) any Maltese shipping organization and (ii) against any international owner.
- actions relating to Part II [Of Maritime Trade and Navigation] of the Commercial Code (Chapter 13 of the Laws of Malta); Carriage of Goods by Sea Act (Chapter 140 of the Laws of Malta); Merchant Shipping Act (Chapter 234 of the Laws of Malta); Territorial Sea and Contiguous Zone Act (Chapter 226 of the Laws of Malta); Carriage of Goods by Sea (Regulation) Act (Chapter 283 of the Laws of Malta); Ports and Shipping Act (Chapter 352 of the Laws of Malta); Law of the Sea (Ratification) Act (Chapter 363 of the Laws of Malta); Oil Pollution (Liability and Compensation) Act (Chapter 412 of the Laws of Malta); International Carriage of Goods By Road Act (Chapter 456 of the Laws of Malta) and the Maritime Pilotage Regulations.

The Forum has done its part and urges Government to move forward at the earliest opportunity and present a Bill before Parliament.

Judge Emeritus Joseph Zammit McKeon is the Chairman of the Malta Maritime Forum



The Birth of the Malta Ship Register

JOSEPH CURMI

It is said that the first steps leading to a successful adventure are quite important. The purpose of this concise write-up is to give the background to the highly successful results which now make Malta the foremost Ships' Registry in Europe and a leading Register globally.

As an introduction, I should state that my long involvement in shipping matters started surprisingly quite by coincidence. It so happened that when I was serving as an Executive Officer in the then Customs and Ports Department, I was asked by the Comptroller of Customs to start looking after and administer the office of a senior civil servant (Mr. J. Milanes) who had died suddenly. As this happened prior to Independence, this experienced and highly respected administrator had been doing duties as Shipping Master and Registrar of British Ships in terms of the Merchant Shipping Act, 1894 of the United Kingdom, which then still applied fully to Malta. I distinctly remember spending days, and often nights, reading through the voluminous British Act and probing the office files to get an understanding of the duties involved. It resulted to me that although the office was officially recognised by the Registrar General in Cardiff, UK as a registrar in respect of the many British mercantile/passenger ships that called at Malta, the actual registration processes were hardly in use. The main duties were those of Shipping Master, which largely involved the engagement and discharge of crews, the repatriation of discharged seamen, the provision of medical care to sick or injured seamen and, not infrequently, resolving disputes between ship captains and crew members. I continued to learn the ropes in this shipping office for about five years, when I was abruptly transferred to the Office of the Prime Minister in 1964 doing mainly HR and training duties. It appears however that the shipping label stuck on me.

Soon after Dom Mintoff took over as Prime Minister in 1971, I was approached and directed to help establish a Malta Shipping Register like the one recently established in Cyprus, which had the support of the many Greek shipowners. In early 1972, following arrangements made through diplomatic channels, I visited Cyprus and held discussions with the maritime authorities there. On my return to Malta, I passed the details of my visit to the Attorney General (then Dr. Edgar Mizzi) who had already been busy drafting the local legislation to replace the UK Shipping Acts which continued to apply even after Independence until they were repealed through the



enactment of the Merchant Shipping Act of 1973. Discussions took place with the Prime Minister and agreement was reached on a set of fees (registration and annual fees) and the consequential exemptions from local taxation which included Income Tax, Succession and Donation duties and Stamp duties.

The new Merchant Shipping Act (Act No. XI of 1973 – Cap 324), consisting of no less than 376 articles and five schedules, came into force on 6 April 1973 and soon after, in June 1973, I was officially appointed the first Registrar-General of Shipping and Seamen in terms of Art. 363 of the Act with responsibility, under the direction of the Minister, 'to undertake the general superintendence of all matters relating to merchant shipping and seamen and ensure the carrying into effect of the provisions of this Act'. I considered that my first tasks should be to create the administrative systems and documentation (including the Ships Register itself and the many certificates listed in the Second Schedule of the Act) which were necessary to bring the Act into effect. Another major task was to formulate the many regulations which arise from the provisions of the Act. I can now say that seeking the approval of my Minister (being the Prime Minister himself) for the necessary rules and regulations was not a light task as anything I presented was subjected to deep scrutiny by the Prime Minister. Another task, which I considered essential, was that of reaching out to several private shipping agents and firms of lawyers to promote the new Register and attract shipowners through them. Progress was understandably slow, but I was pleased to note that in less than three years (until I moved to Sea Malta in 1976) there were already over 130 vessels flying the national colours for Maltese ships.

No sooner the Prime Minister was satisfied with the work carried out in the development of merchant shipping, he turned his attention to marine pollution, which was a risk that Malta faced, considering the frequency of oil-loaded tankers that plied in the vicinity of the Maltese islands. For this purpose, he asked me to prepare legislation aimed at preventing and controlling sea pollution, which I did. However, I soon realized that he had a bigger project in mind. He aimed at establishing in Malta an IMO sponsored office for marine pollution control. He asked me to go to IMO in London and try to invite the Secretary General to come to Malta for talks with the Prime Minister. In the discussions that the Prime Minister eventually had with the Secretary General (at which I was present), as could be expected, the Prime Minister's aim grew loftier, and he tried to persuade the Secretary General to bring the whole IMO organization to Malta and even offered to house IMO at the Bighi building, overlooking the Grand Harbour, which was then still unutilised. The IMO chief thought this was impractical but after further discussions he agreed to the setting up in Malta of a Regional Oil-Combatting Centre, which, I sensed, was the original aim of the Prime Minister. I cannot help recalling that as we were seeing the Secretary General out, the Prime Minister, very unexpectedly, patted me on my back and thanked me.

My liaison with merchant shipping continued strongly. I was soon struck by the dearth of certificated navigation officers, marine engineers and able-seamen. So, I did not lose time to create arrangements for training in nautical subjects. For this purpose, I had talks with the Guardia di Finanza in Rome and Naples and had the opportunity to visit the U.S. Coast Guard, as a guest of the U.S. government. These contacts led to the establishment of a Nautical School and a Cadetship Scheme in the previous Admiralty House in Kalkara.

Early 1977, marked a radical change in my hitherto attachment to the legalistic and administrative side of shipping when I was asked to move to the purely commercial aspect of shipping. I was asked by the Prime Minister to take over the running of the newly formed Sea Malta Ltd. (then under the chairmanship of Mr. Albert Mizzi) from the expatriate Managing Director (Mr. P. Guez) whose term of office had come to an end. I spent fourteen years in this company as General Manager and Managing Director until I was recalled to the Office of the Prime Minster to take over duties as head of the newly established Management and Personnel Office.

My merchant shipping involvement would not be complete if I do not mention the many directorships that I occupied during my appointments as Registrar General of Shipping and Seamen in 1973 and as Managing Director

of Sea Malta Ltd. after 1976. These included:

- Tug Malta Ltd.
- Mediterranean Offshore Bunkering Co. Ltd
- Gozo Channel Co. Ltd. (Chairman)
- Malta Shipbuilding Co. Ltd.
- Maconte Ltd. (Freeport development)
- Mediterranean Insurance Brokers Ltd.

Additionally, I served as a Member in the Port Labour Joint Council (1977- 1987) and Port Workers Board. I acted as Chairman of the Committee for the Reorganisation and Modernisation of Port Services (1987/88) and participated as Malta Delegate in several official conferences relating to ocean chartering, marine pollution, liner conferences, Pacem in Maribus, Transmed 1987, transhipment matters with Algeria, Libya, and Tunis and also a UN technical cooperation meeting held in Argentina.

To conclude, I must not fail to mention that after my retirement from the office of Permanent Secretary in 1997 and the subsequent six years as Chairman of the Public Service Commission I had my long shipping association renewed when I was asked to create and run an association which brought together the many shipowners who operated ships under the Malta flag. Given my shipping inclination and experience, I gladly accepted this proposal and soon set up the Malta International Shipowners Council (MISC) – later described as an Association – and acted as its General Secretary. This association gave me the opportunity to take part in board meetings of European shipowners held at ECSA in Brussels and where I could therefore continue to promote registrations under the Malta flag. I resigned from this Association in 2011 when I was 75 years of age.

To end this write-up, I wish to express my fullest appreciation of the Registrar Generals who very ably and competently carried out the duties that I had started in 1973. Their work, knowledge, dedication, and efficient administration have made the Malta Register the biggest register in Europe and a leading register globally. They have dealt admirably with several amendments to the original legislation to render it more responsive to operational changes and circumstances which arose over the years, such as eligibility for registration, the payment of fees, provisional registration, chartered vessels, transfer of shares in ship, maritime privileges and mortgages, priority of mortgages, ranking of creditors and bareboat charter registration. Also, highly commendable and impressive is the more recent expansion in superyacht registration.

Joseph Curmi MOM



Ann Fenech – President, Comite Maritime International; Partner, Head of the Marine Litigation Department, Fenech + Fenech Advocates; President, MMLA (2008-2022)

Malta Maritime Forum is an effective platform that provides the opportunity to local maritime stakeholders to communicate, network and exchange knowledge to support the further development of the sector. I would like to thank MMF for their efforts and contribution which is proving valuable.

Kurt Mizzi - Research, Development & Innovation Partner - Naval Architectural Services Ltd





Being an individual member of Malta Maritime Forum I would like to emphasise the work and events organised by the Forum to unite the maritime community from all sectors of the industry thereby supporting the strength and cohesiveness of Maritime Malta. I appreciate MMF's efforts aimed at addressing multiple priorities and the growth of the Blue Economy. Membership in the Forum gives us an opportunity to meet new partners during the events which are often held in collaboration with other maritime entities. I truly believe that every Forum's member makes a feasible contribution towards the growth of the maritime sector in Malta.

Liudmila Scrivanec - Griffiths + Associates



The maritime industry in Malta still needs work and in order to make it sustainable and entice growth, organisations such as the Malta Maritime Forum together with its members, is imperative. MaritimeMT has contributed to a number of agenda items of the MMF, that have proved to be successful and will continue to work in tandem for a future in maritime education in Malta.

Pauline Micallef Chief Executive Officer, MaritimeMT

The Malta Maritime Forum has provided the much-needed platform where all Maritime professionals as well as interested parties can meet in order to voice their concerns, discuss new ideas and much more. Most importantly the forum has managed to bridge the gap between various players as well as Authorities involved in this sector.

Marcel Micallef - Assistant General Manager Valletta Gateway Terminals Ltd.





The MMF provides its members an indispensable platform to share best practice and learn from each other, thus having a positive impact on the Maltese Maritime Industry at large. Evos Malta Ltd. is proud member of the Forum. We are looking forward to a continuation of our active involvement in the future.

Sonke Stein - Managing Director Evos Malta Ltd.

The MMF has proved to be the forum where policy and decision makers hear the views of the maltese maritime industry operators, a tool to discussing and finding solutions together.

Piotr Dabrowski Head Of Physical Sales - Peninsula



In the Malta Maritime Forum I have found a group of professional and energetic peers who are ready to throw their weight behind issues and creatively offer solutions for the benefit of the maritime and logistics industry. I applaud their recent initiatives in submitting concrete recommendations for the forthcoming National Budget which are focused on the long-term benefit of our Industry.



Karl Aquilina – Chief Executive Officer Salvo Grima Group



The strength of the Malta Maritime Forum is not only in terms of bringing stakeholders together within the national context but also in terms of building relationships within international fora, such as with the Westmed Initiative. Indeed, the Forum has been instrumental in discussing common areas of concern such as skills shortages and the importance of investment in blue skills.

Stephanie Vella - WestMED National Hub Malta



European Network of Maritime Clusters

The European Network of Maritime Clusters (ENMC) aims to establish an efficient framework for maritime sectorial cooperation, promoting and defending the interests of its members, reinforcing networking, informing EU decision makers about the strengths and opportunities for the sector, and more.

After years of collaboration through a dynamic network, the ENMC reinforced its weight at the European level becoming an association. The association is based in Luxembourg and works with yearly membership allowing national and/or regional Clusters/organizations to participate. Only one organization can be the voice of one European country.

The Malta Maritime Forum (MMF) is one of the nine founding members of the ENMC. The MFF works closely with the ENMC network to strengthen the maritime industry and the blue economy at the European level. Several actions and meetings are planned during the year to reinforce this good and fruitful collaboration.

In January 2022, Luxembourg took the chair for a mandate of 3 years with the Chairman of the Luxembourg Maritime Cluster, Mr. Fabrice Maire. Luxembourg will manage the Presidency and Coordination until December 2024.

Fabrice Maire

Chairman

Charles

Axelle Salvage Coordinator



Fabrice Maire - Chairman of the **European Network of Maritime** Clusters (ENMC)



Axelle Salvage - Coordinator of the European Network of Maritime Clusters (ENMC)



Dedicated to promote the interests of the Maltese maritime sector