

**Territorial Waters and Contiguous Zone Act, No. XXXII of 1971, as amended by the  
Territorial Waters and Contiguous Zone (Amendment) Act 1975, the Territorial Waters  
and Contiguous Zone (Amendment) Act 1978 and the Territorial Waters and Contiguous  
Zone (Amendment) Act 1981**

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**Extent of territorial waters**

3. (1)\*\* Save as hereinafter provided, the territorial waters of Malta shall be all parts of the open sea within twelve nautical miles of the coast of Malta measured from low-water mark on the method of straight baselines joining appropriate points.

(2)\*,\*\* For the purposes of the Fish Industry Act, 1953 and of any other law relating to fishing, whether made before or after this Act, the territorial waters of Malta shall extend to all other parts of the open sea within twenty-five miles from the baselines from which the breadth of the territorial sea is measured, and for the purposes aforesaid jurisdiction shall extend accordingly.

**Contiguous zone**

4. (1) Without prejudice to the provisions of subsection (2) of section 3 of this Act, in the zone of the open sea contiguous to the territorial waters of Malta as defined in subsection (1) of section 3 of this Act (such zone being in this Act referred to as "the contiguous zone") the State shall have such jurisdictions and powers as are recognized in respect of such zone by international law and in particular may exercise therein the control necessary:

(a) To prevent any contravention of any law relating to customs, fiscal matters, immigration and sanitation, including pollution; and

(b) To punish offences against any such law committed within Malta or in the territorial waters of Malta as defined by subsection (1) or subsection (2) of section 3 of this Act, as the case may require.

(2)\*,\*\* The contiguous zone shall extend to twenty-four nautical miles from the baselines from which the breadth of the territorial waters is measured.

**Powers to regulate the passage of ships  
through territorial waters**

5.\*\*\* (1) The Prime Minister may make regulations to control and regulate the passage of ships through the territorial waters of Malta, and, without prejudice to the generality of the foregoing, may by such regulations make provision with respect to all or any one or more of the following matters:

(a) The safety of navigation and the regulation of marine traffic, including the designation or establishment of sea lanes and traffic separation schemes to be used or observed for the passage of ships;

(b) The protection of navigational aids and facilities and other facilities or installations;

- (c) The protection of cables and pipelines;
- (d) The conservation of the living resources of the sea;
- (e) The prevention of infringement of any law or regulation relating to fisheries;
- (f) The preservation of the environment and the prevention, reduction and control of pollution thereof;
- (g) Marine scientific research and hydrographic surveys;
- (h) The prevention of infringement of any customs, fiscal, immigration or sanitary laws or regulations;
- (i) The arrest, detention and seizure of ships to ensure compliance with any law, rule, regulation or order and such other power as may be necessary for securing such compliance;
- (j) The punishments, whether by way of fine (*multa or ammenda*) or of imprisonment, to be applied in respect of any contravention or non-observance of any regulation made under this section.

(2) In the application of any regulation made under subsection (1) of this section to warships or to nuclear powered ships or to ships carrying nuclear or other inherently dangerous or noxious substances, their passage through territorial waters may, by any such regulation, be made subject to the prior consent of, or prior notification to, such authority as may be specified therein.

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