

OCT. 26

MOZAMBIQUE

ENERGY AND NATURAL RESOURCES

New Maritime Transport Regulation

Decree No. 64/2026 of 15 October

Mozambique has adopted a new Maritime Transport Regulation (“MTR”). This replaces the previous Commercial Maritime Transport Regulation, which was approved by Decree No. 35/2007 of 14 August. The MTR repeals Decree No. 35/2016, of 31 August, which authorised the Special Registry of Vessels for Maritime Cabotage Transport, as well as Articles 23, 24 and 25 of the Tourism Transport Regulation approved by Decree No. 41/2007 of 24 August (affreightment of vessels). The other provisions of that regulation remain in force.

The MTR forms part of the government’s efforts to broaden the scope of maritime transport regulation. It covers not only commercial carriage of passengers and cargo but also a wide range of related activities such as crew and vessel management, bunkering, ship agency, watchman services, salvage, chartering and water taxi services. At the same time, it reinforces national content, cabotage protections and maritime safety and environmental standards.

The new rules came into force on the date of publication, 15 October 2026.

What’s new

- A new institution, ITRANSMAR, IP, replaces INAMAR as the sector regulator and licensing authority. The licensing, supervisory and enforcement powers previously exercised by INAMAR now sit with the new authority. The MTR also extends its remit beyond commercial maritime transport to include a defined range of related activities such as crew and vessel management, bunkering, ship agency services, watchman services, salvage operations, chartering and water taxi services.

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- The regulated universe is much wider than before. The previous regime only licensed the commercial maritime transport of passengers and cargo. The MTR brings a long list of connected activities within the licensing net for the first time. These include crew and vessel management, the supply of goods and services to vessels, watchman services, search and rescue, chartering, water taxi services, assistance with manoeuvring in ports, bunkering at sea, and maritime tourism and floating restaurants.
- Maritime transport routes are now classified into five categories instead of three. Previously, only three categories were recognised: international transport, national cabotage and local traffic. The MTR introduces a more granular framework by adding small cabotage and regional cabotage as distinct categories. The applicable category determines the access regime and operating conditions for a given route, including whether it is reserved for national operators and Mozambican-flagged vessels.
- Cabotage now benefits from a broader support framework. In addition to preserving the existing preference for national operators and Mozambican-flagged vessels, the MTR introduces a range of measures to strengthen the domestic cabotage sector. These include preferential treatment in port operations, reduced port and navigational charges, simplified administrative procedures and priority access to certain port infrastructure.
- The licensing requirements have become more demanding. While the duration of licences remains unchanged, the MTR introduces substantially more detailed application requirements. These include activity-specific documentation, enhanced staffing requirements, and mandatory search-and-rescue and emergency plans. There are also minimum quotas of qualified national personnel required for certain regulated activities, as well as hull and machinery insurance requirements for vessels of 300 gross tonnage or more.
- More detailed rules apply to foreign vessels and operators. While the sector remains primarily reserved to national operators and Mozambican-registered vessels, the MTR clarifies the conditions under which foreign participation may be authorised. The MTR also introduces a new requirement for long-term bareboat and time charters: vessels chartered for three years or more must be registered in Mozambique and provisionally removed from their original registry.
- Chartering and sub-chartering now have their own dedicated regulations. The MTR also introduces a standalone chapter that governs bareboat, time and voyage charters. This chapter includes mandatory contractual provisions and specific rules on sub-chartering. Sub-chartering is permitted where authorised under the head charter and notified to ITRANSMAR, without requiring separate administrative approval. The MTR also clarifies the allocation of responsibilities between owners and charterers, including insurance obligations, liability for operational costs, and liability for breaches of contract.
- Port clearance (*desembaraço*) is now subject to detailed regulation, including specific compliance obligations and penalties. The previous regime did not regulate port clearance as such. The MTR introduces a dedicated clearance procedure and a 24-hour window in which to leave the port after clearance has been issued. It also introduces specific offences and heavy fines for departing without clearance or entering the port without presenting clearance from the port of origin, including vessel embargo in serious cases.

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- Fines increase sharply and shift to a licence-multiple model. Under the previous system, fines were set as fixed ranges in meticaïs, for example, 20,000 to 300,000 MT, depending on the route and the breach. Instead, the MTR ties most fines to a multiple of the licence or authorisation value (usually two to five times), and imposes fixed, high-value fines in meticaïs for specific serious breaches. For example, failing to give berthing priority to a national cabotage vessel incurs a fine of 10,000,000 MT.
- The licence is now expressly non-transferable, subject to ITRANSMAR authorisation. The old regime allowed the licence to be transferred, provided the transfer was recorded with the licensing entity. The MTR reverses the default: the licence cannot be transferred, assigned or otherwise disposed of, whether for consideration or free of charge, unless ITRANSMAR authorises it, and transfer without authorisation is itself a ground for revocation.
- A universal access mandate has been introduced and is funded by a levy on ITRANSMAR's own fees. The previous regime had no equivalent. The MTR tasks ITRANSMAR with developing universal access programmes for routes that are not commercially attractive to private operators. These programmes are funded by allocating 5% of all fees charged by ITRANSMAR, including through public-private partnerships for berthing infrastructure.

What this means for maritime operators

Existing INAMAR licence holders should expect their activities to now fall under the remit of ITRANSMAR. They should assess whether any connected activities they already carry out alongside core transport (e.g. vessel management, bunkering, chartering, and watchman services) now require a separate licence or additional staffing requirements under the MTR. Operators relying on foreign-flagged vessels on long-term charters should check the new three-year registration trigger. Anyone planning to transfer or restructure a licensed operation should note that prior ITRANSMAR authorisation is now required for any transfer, rather than simple post-transfer registration.

The MTR came into force immediately upon publication. The only transitional rule set out in the MTR is that existing licence holders must bring their activity into conformity with the MTR after their current licence expires. In addition, operators should assess their compliance under the new regime now, rather than assuming a general adaptation period. They should confirm whether any transitional provision applies to their specific licence. ■