

SUBSIDIARY LEGISLATION 441.04**ACTIVITIES REQUIRING PERMIT BY LOCAL
COUNCILS REGULATIONS**

1st June, 2002

LEGAL NOTICE 119 of 2002, as amended by Legal Notices 233 of 2002, 37 of 2004, 426 of 2007, 129 and 269 of 2009, 248 of 2011, 474 of 2012, 154 of 2015, 193, 251 of 2016, 222 and 436 of 2018, 175 of 2019, 269 of 2022 and 123 of 2023.

1. The title of these regulations is Activities Requiring Permit by Local Councils Regulations. Citation.

2. In these regulations, unless the context otherwise requires - Definitions.
Amended by:
L.N. 233 of 2002;
L.N. 222 of 2018.

"Act" means the Trading Licences Act;

Cap. 441.

"activity" means any activity that requires a permit or licence from the Local Council according to these regulations;

"Agency" means the Local Enforcement System Agency as established in the Local Enforcement System Establishment as an Agency) Order; S.L. 497.14

"applicant" includes any individual association or body of persons or any other entity, which applies to the Council according to these regulations;

"authorisation" means any authorisation, permit or licence which may be issued by the Local Council according to these regulations;

"establishment" includes any shop, showroom, stall, store or any other premises from where any commercial activity is carried on; and includes any enclosed area within which commercial fairs are held and includes also any other premises as may be prescribed from which any service may be provided;

"goods" means any thing, product, commodity, articles and merchandise exposed or offered for sale in any open-air market;

"Local Council" shall have the same meaning as assigned to it by the Local Government Act and any reference to Local Council shall be deemed to be a reference to the Local Council of that locality where the activity is to be held or where the open-air market is to be established; Cap. 363.

"locality" shall have the same meaning as assigned to it in the Act;

"market hawker" means any person having a valid licence issued from the regulatory authority to act as a market hawker;

"Minister" means the Minister responsible for Local Government;

S.L. 441.07	"open-air market" means any one of the markets listed in the Fourth Schedule to the Trading Licences Regulations;
	"refuse" means any waste or material intended to be disposed of;
	"relative fee" means the fee that shall be paid for such authorisation, permit or licence according to Schedule B;
	"stall" means any vehicle, compartment, bench, board, trolley, table or receptacle or a combination thereof placed in an open-air market for the sale of goods;
	"stall space" means the area delineated by ground markings defining the space allocated to a market hawker and includes the height of such space;
Cap. 10.	"street" shall have the same meaning as assigned to it by the Code of Police Laws, provided that there shall be excluded any quay or other public zone along the sea-shore while registered fishermen are utilizing same for fishing purposes and, or the temporary or urgent maintenance of fishing craft which are duly licensed by the competent authority for fishing purposes;
	"vehicle" means any vehicle whether mechanically propelled or not and includes any cycle, cart, wagon or trailer.
Application to the Local Council.	3. (1) Every application in accordance with these regulations must be submitted to the Local Council where the activity is to take place on the prescribed form in the Schedule. (2) The application must reach the Local Council as established in these regulations. (3) Every authorisation issued by the Local Council shall be subject to the terms and conditions applicable to a particular activity in accordance with these regulations.
Method of application. <i>Amended by: L.N. 222 of 2018.</i>	4. (1) Each application shall be numbered, dated on receipt and registered in a register kept for such purpose. (2) Each application shall have the information and documents as necessary together with the fee payable as established in Schedule B.
Issuing of licence.	(3) Every permit, licence or authorisation issued under these regulations shall be signed by the Executive Secretary of the Local Council or by any other person authorised for such purpose by the Local Council. (4) Every permit, licence or authorisation issued under these regulations shall be valid for the period as established on the same permit, licence or authorisation. (5) Unless otherwise specified in these regulations the general conditions shown in Schedule A shall apply for any licence, permit or authorisation issued under these regulations. (6) Any permit, licence or authorisation issued under these regulations shall be displayed and must be shown on demand by the Police or community officers or by any other person so authorised by the Council.

5. (1) No person may carry out a commercial activity from a commercial premises or open-air market in any locality without a licence issued from the regulatory authority and an authorisation to carry out that activity from the Local Council.

Licence conditions.
Amended by:
L.N. 233 of 2002;
L.N. 474 of 2012;
L.N. 193 of 2016;
L.N. 251 of 2016;
L.N. 175 of 2019.

- (2) (a) The Local Council shall ensure that in the streets where an open-air market is established there shall be marked parking spaces for the parking of hawkers' vehicles.

These spaces shall be 2.5m by 6m and shall have marked on them the identification number showing the hawker's stall, so however that when the markings are drawn up, the Local Council shall see that adjacent to every space there shall be sufficient space of not more than 2.5m by 6m for the stall to be set up near the vehicle.

- (b) Notwithstanding the provisions of this regulation the following exceptions shall apply:

- (i) the measurements specified in paragraph (a) above shall not apply for open-air market situated in Marsaxlokk during weekdays and the open-air market in Valletta and the open-air market situated in Pjazza Santa Sabina, Victoria, Gozo;
- (ii) the space of a stall in an open-air market situated in Ordnance Street, Valletta, shall be 1.52m by 2.13m and not more than 2.44m in height;
- (iii) following the re-allocation of the market, the measurements of the stall spaces allocated in the Sunday Marsaxlokk market shall be 2.44m by 2.5m, 3.66m by 2.5m, 4.57m by 2. m and 5.49m by 2.5m as agreed by the Local Council with the market hawkers;
- (iv) the parking spaces allocated by the Council for the vehicles of market hawkers operating from the Marsaxlokk Sunday market shall be in an area allocated by the Council of the locality in question; and
- (v) only refrigerated trucks used by market hawkers identified by the Marsaxlokk Local Council as selling refrigerated products from the Marsaxlokk Sunday market before 1st August, 2018 may be permitted in the space allocated for the stalls:

Provided that refrigerated trucks used by market hawkers for the selling of refrigerated products which had been utilised in the Marsaxlokk Sunday market prior to the 1st August, 2018 may be allowed to operate from the area allocated for the stalls only if an adequately sized space becomes available and there are no other persons on the waiting list in line to be allocated a market hawker space for the market in question.

(3) No person shall occupy or take possession of a space allocated to stalls or deposit or cause to deposit any objects in any space allocated to stalls in an open-air market unless authorised to do so by the Local Council and that space for the stall has been allocated for the use of that person by the Local Council:

Provided that the Local Council shall authorise only licensed market hawkers.

(4) Market hawkers shall apply for a stall space in any open-air market on the prescribed form in the Local Council where the open-air market is situated.

(5) The Local Council shall, once a year, publish in the Gazette a list of all hawkers with their respective stall number, and also twice a year, in the months of June and December, a list showing the details about the applicants and the date when such applications have been received.

The list shall also on request be available for viewing at the respective Local Council administrative offices.

(6) (a) The Local Council may instruct the market hawkers to elect an Administrative Committee.

(b) Market hawkers shall adhere to any agreement reached between the Administrative Committee and the Local Council.

(7) (a) The Local Council shall allocate the spaces for new stalls on a first come first served basis:

Provided that those licensed hawkers who on the date of the publication of these regulations were carrying out their activity from any space in an open-air market shall be given priority.

(b) No fees shall be payable by market-hawkers for the allocation of spaces.

(c) The Local Council shall not allocate more than one space to the same market-hawker in the same open-air market.

(d) In the case where an open-air market is situated in residential streets, the Local Council may give orders not to encumber the pavements.

(8) (a) The authorisation is personal and non-transferable.

(b) Notwithstanding the provisions of paragraph (a):

(i) the Local Council shall transfer the authorisation to the substitute of the market hawker in accordance with the Trading Licences Regulations, if the relative licence to the substitute has been issued by the competent authority;

(ii) an authorisation in relation to a market hawker operating at the open-air market in Ordnaance Street, Valletta, in Marsaxlokk (daily open-air market except Sunday) and in Pjazza Santa

Sabina, Victoria, Gozo shall, at the request in writing of the market-hawker holding such authorisation, be transferred by the Local Council to another individual;

- (iii) an authorisation in relation to any other market-hawker not mentioned in sub-paragraph (ii) shall, at the request in writing of the market-hawker holding such authorisation, also be transferred by the Local Council to any member of the market hawker's family being his wife or her husband, mother, father, son, daughter, brother or sister.

- (c) The Local Council shall effect the transfers mentioned in paragraph (b) within one month from receipt of the request in writing from the market-hawker.
- (d) The provisions of sub-regulation (7)(a), shall not apply to this sub-regulation.

(9) Market-hawkers -

- (a) shall at all times display the licence issued by the regulatory authority and the authorisation by the Local Council in a conspicuous place where it can be easily visible;
- (b) shall only sell those items listed in the licence issued by the regulatory authority;
- (c) shall not store, offer for sale, or sell in any open-air market, items which are offensive to the public or which incite the public;
- (d) shall park their vehicle, if any, in the stall space allocated;
- (e) shall ensure that no damage is caused by means of their stalls, vehicles or accessories, to any street, pavement or other public property. In the event of damage arising during use by a market-hawker, the Local Council may have the right to recover from the market-hawker the expenses incurred in connection with the necessary repairs;
- (f) shall provide on their stalls litter bins during trading hours;
- (g) shall, during the trading hours, ensure that the allocated place is kept clean and be collectively responsible that no refuse or other material is left at the place allocated to them at the end of the activity;
- (h) shall have sufficient and adequate fire extinguishers.

(10) Where mobile electrical generators are used these shall be positioned in such manner that:

- (a) they do not present a danger to the public;
- (b) they do not present a fire or similar hazard risk to the stall or goods displayed for sale;

- (c) they do not cause inconvenience through noise or fumes.

(11) If a market-hawker fails to carry out the commercial activity from an allocated stall for six consecutive times without giving any valid reason, which shall include a request for transfer as provided for in sub-regulation (8), the Local Council shall have the right to revoke the authorisation and allocate the stall space to the first applicant appearing on the published list. The market-hawker shall be responsible for any action or omission by his substitute.

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(12) No parking by private vehicles is permitted on the days and during the time of trading in the open-air market as provided in the Trading Licences Regulations.

(13) Streets where the open-air market trading takes place shall be closed to traffic during trading hours.

Kiddie ride machine or automatic vending machine.

6. (1) No person shall place or cause to be placed in any street a Kiddie Ride Machine or automatic vending machine without the Local Council's authorisation.

(2) Applications shall be accompanied by:

- (a) a photograph and measurements of the Kiddie Ride Machine or automatic vending machine;
- (b) a photograph and site plan of the intended location of the Kiddie Ride Machine or automatic vending machine;
- (c) a copy of the permits needed from the Planning Authority or Lands Department, if applicable.

(3) The permit issued by the Local Council in accordance with these regulations shall be valid up to the 31st December of that same year in which the permit was issued and may be renewed on a yearly basis against the relative fee leviable:

Provided that the Local Council may, for a valid reason, at all times suspend or revoke the aforementioned permit and no refund shall be made for the fee paid or part thereof for such permit.

(4) The applicant shall be responsible for any damages sustained by third parties by the use of a Kiddie Ride machine or an automatic vending machine.

Deposit of building and other material.
Amended by:
L.N. 426 of 2007;
L.N. 222 of 2018;
L.N. 123 of 2023.

7. (1) No person shall deposit or cause to be deposited building material or other material in any street, without the authorisation of the Local Council.

(1a) No person shall place or cause to be placed a scaffolding in any street, without the authorisation of the Council.

(2) An application shall be accompanied by a description of:

- (a) the quality, quantity or volume of the material or scaffolding to be deposited;
- (b) the duration of the authorisation required;

- (c) a site-plan of the location where the material or scaffolding is to be deposited.

(3) Applicant shall ensure that:

- (a) sufficient light is placed above the material deposited by sunset;
- (b) loose material is adequately covered;
- (c) all necessary signs and markings are put in place so as to avoid any danger.

(4) When requested by the Local Council and together with the fees payable as established in Schedule B, applicant shall pay for the services of a community officer to control the traffic. The fees payable shall be those established by the Agency.

(5) Notwithstanding any other provision of these regulations, the Local Council may, where any condition attached to the authorisation is breached, order in writing the removal of the material or scaffolding in the specified time or at the expiry of the authorisation. The Local Council may remove the material or scaffolding at the expense of the permit holder. For this purpose the Local Council may demand a reasonable deposit and such deposit shall not exceed one hundred and sixteen euro and forty-seven cents (€116.47).

(6) In the case that any damage is caused during the deposit of building material or of any other material the Local Council shall have the right to recover from the permit holder such expenses as are incurred to cover the costs of the necessary repairs.

8. (1) No person shall deposit or use any crane or other machinery during the erection, construction, or demolition of any building or similar project without a permit from the Local Council:

Deposit or use of crane or other machinery.

Amended by:

L.N. 37 of 2004;

L.N. 426 of 2007;

L.N. 222 of 2018;

L.N. 436 of 2018.

Provided that the aforementioned provision in this sub-regulation shall not apply in the special case of machinery known as high-up and tower-ladder as long as these are not obstructing the traffic flow and are parked properly.

(2) When submitting his application, applicant shall also present a description of:

- (a) the duration of the permit required;
- (b) a site plan of the location where the crane or heavy machinery is intended to be deposited.

(3) (a) Applicant shall ensure that sufficient light is placed above the crane or other heavy machinery by sunset:

Provided that in the case of a mobile crane or other heavy machinery, the Local Council may issue the permit subject to the condition that the said crane or other heavy machinery is removed from the site after sunset.

- (b) Applicant shall ensure that all necessary signs and markings are put in place to avoid any danger to the

public or to vehicles.

- (c) Applicant shall ensure to take the necessary steps to avoid any damage to the street or any other property.

(4) When requested by the Local Council and on payment of the fees established in Schedule B, applicant shall pay for the services of a community officer to control the traffic. The fees payable shall be those established by the Agency.

(5) In the case that damage is caused during the deposit or the use of the crane or other machinery, the Local Council shall have the right to recover from the permit holder such expenses incurred to cover the cost of the necessary repairs.

(6) The Local Council may demand a deposit or a bank guarantee not exceeding two hundred and thirty-two euro and ninety-four cents (€232.94) in favour of the Local Council to make good for any damages sustained in any street or other property.

(7) No person, other than the applicant as authorised by the Local Council, shall obstruct in any manner whatsoever a location for which a permit has been granted by a Local Council in terms of this regulation, during the period indicated on the appropriate signs as provided in sub-regulation (3)(b).

(8) Any person who refuses to remove an obstruction or obstructs a location covered by a permit granted by a Local Council, when ordered to do so by a competent authority, shall be guilty of an offence.

Deposit of tables and chairs to provide food and beverages.
Amended by:
L.N. 248 of 2011.

9. (1) No person may place any table or chair in any street for the catering of food and drinks in any day, or special or specific day without a permit from the Local Council.

(2) Applicant shall submit his application not later than one month before the day or the first day as the case may be, or within such other time as may be established by the Local Council.

(3) Applicant shall together with an application:

- (a) submit a site plan clearly showing the measurements and the area referred to in the application;
- (b) declare the day or days for which the permit is required.

(4) (a) Any permit issued by virtue of these regulations shall not exceed the time during which the activity is to be held or sixteen consecutive days, whichever is the shorter period.

(b) No permit shall be issued by the Local Council for that area prior to the lapse of seven days from the last day of the issuing of a permit for that same area.

(c) No permit shall be issued in the area immediately adjacent to an establishment selling food and beverages, except to the licence holder of that establishment.

- (5) An applicant shall ensure that:
 - (a) no alcohol or tobacco products are sold to persons under the age of sixteen years;
 - (aa) no alcohol shall be served in glass bottles but shall be served in a bio-degradable material or cardboard cup;
 - (b) the area is kept clean at all times during the activity, and for this purpose the applicant shall provide suitable litter bins for the deposit of waste;
 - (c) at the expiry of the authorisation the tables and chairs are removed and the area is left in its original state.

10. (1) No person shall set up any stall or kiosk in any street or exercise any commercial activity in such street in any special or specific day or days without a permit from the Local Council:

Placement of stall or kiosk.
Amended by:
L.N. 269 of 2009;
L.N. 248 of 2011.

Provided that the Commissioner of Police may, for reasons of public order, public safety or public morality, stop or suspend any permit issued under this regulation.

(2) Applicant shall submit his application not later than one month prior to the day or the first day, as the case may be, or at any other time as established by the Local Council.

- (3) An applicant shall, on submitting his application:
 - (a) declare the day or days for which the permit is being requested;
 - (b) submit a photograph of the stall or kiosk and its measurements;
 - (c) declare the goods intended for sale.
- (4) (a) The Local Council shall have the right to order the removal of mobile generators if it results that the apparatus is causing inconvenience to third parties due to excessive noise or fumes.
 - (b) An applicant shall be held responsible for any damages sustained by third parties by the use of any generator.
- (5) (a) Every permit granted by the Local Council in virtue of these regulations shall not exceed the time limit applied for or sixteen consecutive days, according to whichever is the lesser period.
 - (b) No permit to set up a kiosk for the catering of food and drinks shall be granted in an area within a distance less than 6 meters in any direction from the entrance of a catering establishment.

(6) The area intended for the setting up of a stall or kiosk or for any commercial activity to take place shall be allocated by the Local Council and its decision shall be final:

Provided that the Local Council shall in any circumstance give priority to the licensed owner of a stall or kiosk for the exclusive sale of Maltese nougat.

- (7) Applicant shall ensure that:

- (a) no alcohol or tobacco products shall be sold to persons under the age of seventeen years;
 - (aa) no alcohol shall be served in glass bottles but shall be served in a bio-degradable material or cardboard cup;
 - (b) the area is kept clean at all times during the activity and for this purpose applicant shall provide suitable litter bins for the deposit of waste;
 - (c) the Local Council's permit is displayed in a prominent place against the stall or kiosk;
 - (d) at the end of the activity the stall or kiosk is removed and the place is left in its original state;
 - (e) cooking oil is not disposed of in any area or street in the locality.
- (8) When allocating the area for the setting up of a kiosk during religious feast days, the Local Council shall:
- (a) insofar as the area intended for the allocation of the kiosk is the same area which had been occupied by licensed kiosk owners prior to the publication of these regulations, the Local Council shall give priority to those kiosk owners to set their kiosk in the same areas utilized by them in the past;
 - (b)
 - (i) insofar as the Local Council shall consider a new zone, the Local Council shall ensure that the zone is as close as possible to the public attending the activity;
 - (ii) the Local Council shall at least two months prior to the date of the religious feast make public the identification of the new zone;
 - (iii) if the number of applications received exceeds the number of available spaces, the Local Council shall ensure that priority is given to kiosk owners who in the past had been setting up their kiosk in that locality;
 - (iv) the Local Council shall ensure that the new zone is large enough to accommodate the same number of kiosk owners within the previous area;
 - (c)
 - (i) the Local Council may order authorised kiosk or stall owners to set up an Administrative Committee;
 - (ii) the permit holders mentioned above shall be obliged to adhere by the agreement reached with the Administrative Committee and the Local Council.

Occasional
entertainment.
Amended by:
L.N. 426 of 2007;
L.N. 269 of 2009;
L.N. 248 of 2011;
L.N. 222 of 2018.

11. (1) No person shall hold a public show, exhibition, small games, a fair, a tombola or any other public entertainment or similar activity in any street, on any special or specific day or days without a permit from the Local Council:

Provided that the Local Council shall not issue a permit for

a commercial fare without the consent of the regulatory authority.

(2) Applications must be submitted by not later than one month before the day or the first day, as the case may be, or within any other time as established by the Local Council.

(3) Where a Local Council receives an application under this regulation the Local Council shall, not later than two working days from the receipt of an application for any such permit, and in any case not later than two weeks before the event is due to be held, forward a copy of such application to the Commissioner of Police.

(4) The Local Council shall on issuing the permit attach the condition to this permit as notified to the Local Council by the Commissioner of Police:

Provided that the Commissioner of Police may, for reasons of public order, public safety or public morality, stop or suspend any permit issued under this regulation.

(5) No permit shall be issued for those activities which according to the Act require only a permit from the Commissioner of Police.

(6) An application shall be accompanied by:

- (a) a description of the activity to be organised;
- (b) the day or days for which the permit is being requested;
- (c) a site-plan indicating the area where the activity is to take place as mentioned in sub-regulation (1);
- (d) a copy of all permits required under any law;
- (e) in the case of street lighting decorations, applicant must submit a certificate from a licensed electrician that the apparatus to be used is in a good state of repair and free from any danger;
- (f)
 - (i) the Local Council shall have the right to order the removal of mobile generators if it results that the apparatus is causing any inconvenience to third parties due to excessive noise or fumes;
 - (ii) an applicant shall be held responsible for any damages sustained by third parties by the use of any generator.

(7) Every permit issued by virtue of these regulations shall not exceed ten consecutive days.

(8) An applicant shall ensure that:

- (a) no alcohol or tobacco products shall be sold to persons under the age of seventeen years;
- (aa) no alcohol shall be served in glass bottles but shall be served in a bio-degradable material or cardboard cup;
- (b) the area is kept clean at all times and for this purpose shall provide adequate litter bins for the deposit of waste;
- (c) during the activity there shall be available adequate

and sufficient fire extinguishers;

- (d) at the end of the activity the area is left in its original state.

(9) When requested by the Local Council and together with the fees payable as established in Schedule B, applicant shall pay for the services of a community officer to control the traffic. The fees shall be those as established by the Agency.

(10) Notwithstanding the provisions of these regulations, the Local Council may, in cases when the permit holders fail to leave the area in a clean state, cause the area to be cleaned at the expense of the aforementioned permit holders. For this purpose the Local Council may demand a deposit, provided that this deposit does not exceed one hundred and sixteen euro and forty-seven cents (€116.47).

Right of appeal.

12. In any case where applicant feels aggrieved by a decision made by the Local Council, an applicant may appeal according to the procedures established in article 26 of the Act, and in such case, the appeals procedure as established in the Trading Licences Regulations shall apply for all appeals that are made under this regulation.

S.L. 441.07

Offences and penalties.
Amended by:
L.N. 426 of 2007;
L.N. 123 of 2023.

13. (1) Any person who places any machine known as a Kiddie Ride Machine or any automatic vending machine in any street without a permit from the Local Council shall, on conviction, be liable to a fine (*ammenda*) of one hundred and four euro and eighty-two cents (€104.82) for such contravention.

(2) Any person who deposits or causes to be deposited for his personal use building material or other material or scaffolding in any street without a permit from the Local Council shall, on conviction, be liable to a fine (*ammenda*) of twenty-three euro and twenty-nine cents (€23.29) for such contravention together with a fine (*ammenda*) of four euro and sixty-six cents (€4.66) for every day during which the above mentioned deposit is left in the street.

(3) Any person who deposits or uses a crane or other heavy machinery during the erection, construction or demolition of any building or other similar project in any street without a permit from the Local Council shall, on conviction, be liable to a fine (*ammenda*) of forty-six euro and fifty-nine cents (€46.59) for such contravention.

(4) Any person who deposits or uses a crane or other heavy machinery during the erection, construction or demolition of any building or other similar project and consequently closes access to the road without a permit from the Local Council, shall, on conviction, be liable to a fine (*ammenda*) of one hundred and four euro and eighty-two cents (€104.82) for such contravention.

(5) Any person who deposits or places tables and chairs to provide for the sale of food and beverages in any street without a permit from the Local Council shall, on conviction, be liable to a fine (*ammenda*) of twenty-three euro and twenty-nine cents (€23.29) for such contravention together with twice the fee leviable had a permit been issued.

(6) Any person who sets up any stall or kiosk or exercises any commercial activity in any street on any special or specific day or days without a permit from the Local Council shall, on conviction, be liable to a fine (*ammenda*) of fifty-eight euro and twenty-three cents (€58.23) for such contravention.

(7) Any person who holds small games, a fair, a tombola or any other similar activity in any street in any locality on any special or specific day or days without a permit from the Local Council shall, on conviction, be liable to a fine (*ammenda*) of thirty-four euro and ninety-four cents (€34.94) for such contravention.

(8) Any person who holds a public show, exhibition or a sporting activity in any street in any locality on any special or specific day or days without a permit from the Local Council shall, on conviction, be liable to a fine (*ammenda*) of one hundred and sixteen euro and forty-seven cents (€116.47) for such contravention.

(9) Any person who carries out any commercial activity from a fixed place in an open-air market, without a permit from the Local Council shall, on conviction, be liable to a fine (*ammenda*) of thirty-four euro and ninety-four cents (€34.94) for such contravention.

(10) Any person who fails to -

- (a) place traffic signs as directed by the Local Council in the application for the permit;
- (b) put sufficient light and all necessary road markings during sunset on or near the material or scaffolding lying in the street, or on or near the crane or other heavy machinery deposited in the street;
- (c) cause the permit issued in accordance with these regulations to be prominently fixed;
- (d) show on demand by the Police, or the community officer or any other person authorised by the Local Council, the permit, licence or authorisation issued by the Local Council;
- (e) cover properly any loose material deposited in any street;
- (f) remove any material, crane or other heavy machinery from any street when ordered in writing to do so by the Local Council;
- (g) remove tables and chairs at the end of the authorisation issued by the Local Council;
- (h) remove, when ordered to do so by the Police, community officer or Local Council representative, any apparatus which is causing inconvenience or is of danger to the public;
- (i) provide a sufficient fire fighting system in accordance with these regulations;
- (j) provide in the area where the activity is taking place litter bins in a sufficient number for the deposit of waste,

shall on conviction be liable to a fine (*ammenda*) of twenty-three euro and twenty-nine cents (€23.29) for such contravention.

(11) Any person who disposes of any cooking oil utilized from the selling of food from stalls or kiosks in any area or in any other street, in the locality where the permit was issued by the Local Council to put up a stall or kiosk or in any other locality shall, on conviction, be liable to a fine (*ammenda*) of fifty-eight euro and twenty-three cents (€58.23) for such contravention.

(12) For any other contravention not mentioned above, a person who is found guilty shall be liable to a fine (*ammenda*) of not less than forty-six euro and fifty-nine cents (€46.59) and not more than two hundred and thirty-two euro and ninety-four cents (€232.94) for such contravention.

*Amended by:
L.N. 222 of 2018;
L.N. 269 of 2022.*

SCHEDULE A
(Regulation 5(5))

General conditions that shall apply for every licence, permit or authorisation to be issued from the Local Council

1. For a licence, permit or authorisation to be issued from the Local Council to any person, an application shall be submitted to the Local Council where the activity is to be held, on the prescribed form and this form shall reach the Local Council at least forty-eight hours prior to the activity, during office hours and office days:

Provided that a licence, permit or authorisation may be issued by the Local Council even if an application reaches the Local Council in less than forty-eight (48) hours prior to the activity, against the fees established in Schedule B to the principal regulations.

2. The applicant shall pay the fees due as stipulated in Schedule B.

3. If the application is not granted, the fees paid shall be refunded to applicant:

Provided that the fee shall not be refunded if applicant cancels the application or if the application is revoked by the Local Council or any other authority due to a breach of any of the conditions.

4. Every licence, permit or authorisation issued by the Local Council is not transferable.

5. Where more than one application is received for an activity to be held in the same place and on the same date, the first application received shall be given priority. If applications are received simultaneously, the applicant who resides in the locality shall be given preference. If all the applicants are from the locality, or if none of them resides in the locality, the Local Council shall draw by lot the application to be chosen in the presence of the applicants.

6. An applicant who is granted a licence, permit or authorisation from the Local Council or in the case of a market-hawker, his substitute as stipulated in these regulations, shall be present at all times during the activity for which a licence, permit or authorisation have been issued, and shall be personally responsible for any breach of conditions of the aforementioned licence, permit or authorisation even if such breach is committed by his dependent or any other person acting as substitute.

7. In case the activity shall have effect on the traffic flow, applicant shall provide the Local Council with all the details regarding the traffic signs related to any obstacle that drivers may encounter and also the direction and information to follow.

If in the opinion of the Local Council, a community officer must be present during the activity, applicant shall also pay, together with the fees established in Schedule B, as fee as established by the Agency.

SCHEDULE B
(Regulations 4, 7, 8, 11)

Amended by:
L.N. 233 of 2002;
L.N. 426 of 2007;
L.N. 129 of 2009;
L.N. 154 of 2015;
L.N. 222 of 2018;
L.N. 269 of 2022;
L.N. 123 of 2023.

Fees leviable for permits issued in accordance with these regulations

Kiddie Ride Machines and automatic vending machines

1. To place in any street amusement machine known as Kiddie Ride Machine per annum or part thereof €46.59
2. To place in any street automatic vending machine per annum or part thereof €23.29

Deposit of building material or other material

- 3(a) For the deposit of building material or other material in any street for every metre square (m²) or part thereof for every day or part thereof €2.33
- (b) For the placing of a scaffolding in any street for every metre square (m²) or part thereof for every day or part thereof €2.33

Deposit or use of Crane or other Machinery

4. (a) For the deposit or a crane or other machinery of a size not exceeding 10m² in any street during erection, construction or demolition of any building or similar project for each site where such machinery is situated for every day or part thereof . €10.00
- (b) For the deposit or a crane or other machinery of a size exceeding 10m² in any street during erection, construction or demolition of any building or similar project for each site where such machinery is situated for every day or part thereof €15.00

Placement of Tables and Chairs

5. For the placement of tables and chairs for every metre square or part thereof for every day €1.16

Placement of Stall or Kiosk

6. For the placement of stall or kiosk in any street for a period of three days or part thereof €23.29

Free Licenses and Permits

7. (i) For the placement of stall or kiosk for the exclusive sale of Maltese nougat Nil
- (ii) For the placement or deposit of building material or other material or scaffolding in any street in connection with national projects or European Union projects Nil
- (iii) For the placement or deposit of boundary wall endorsing a construction site during construction works, to restrict access and provide protection to the public Nil

Occasional Entertainment

8. To hold a public show, exhibition, small games, a fair, a tombola or any other public entertainment or similar activity in any street in the locality on any special or specific day or days for every day or part thereof €6.99
 9. To hold any other occasional entertainment on any specific day for every day or part thereof €6.99
 10. For the playing of musical instrument and or for the use of loudspeakers and or amplifiers for every day or part thereof €4.66
 11. To hold aquatic or other sports except a sporting activity that is organized across more than one locality or on a national basis on any specified day €2.33
 12. To hold any other occasional entertainment except any disco, ball, dance or any other small or similar activity irrespective of the name by which it is called on any specified day €6.99
 13. For any licence, permit or authorisation to be issued, when an application reaches the Local Council in less than forty-eight (48) hours prior to the activity, an additional fee of thirty euro (€30) shall be paid.
-

Substituted by:
L.N. 123 of 2023.

LOCAL COUNCIL (Coat-of-Arms)
APPLICATION FOR THE DEPOSIT OF BUILDING MATERIAL
OR OTHER MATERIAL OR SCAFFOLDING IN ANY STREET

Details of applicant:Date:

Name and Surname:

Address:

ID. Card No:

VAT Reg. No (if applicable):

Details of site where the deposit is intended.

Address:.....

Description of the material/scaffolding (including the quality and quantity/
volume)

Period of the deposit: from to:

Documents attached:

Site-plan of the location where the material/scaffolding is to be deposited.

.....

Signature of Applicant

.....

FOR OFFICIAL USE

Date and time when application is received: Registration No:
.....

Fee paid: Receipt No:

Documents attached:

Site plan of the location where the material/scaffolding is to be deposited: YES/
NO

Special conditions by Council:

Permit No: Valid from to

Office Rubber Stamp:

.....

Executive Secretary signature.

(Regulation 6)

LOCAL COUNCIL (Coat-of-Arms)

APPLICATION FOR THE PLACEMENT OF KIDDIE RIDE MACHINES
OR AUTOMATIC VENDING MACHINES

Details of applicant: Date:

Name and Surname:

Address:

ID. Card No: VAT Reg. No (if applicable):

Details of the site where the Kiddie Ride Machine or the automatic vending machine is to be placed.

- Documents attached
1. Photo and measurements of machine
 2. Photo and site plan of location
 3. Copies of permits (details)

Address:

Description: Kiddie Ride Machine /Automatic Vending Machine

Goods intended for sale from automatic vending machine

.....

Signature of Applicant

An application must be submitted for every Kiddie Ride Machine or automatic vending machine.

FOR OFFICIAL USE

Date and time when application is received: Reg. No:

Fee paid: Receipt No:

- Documents attached
- | | |
|--------------------------------------|----------|
| 1. Photo and measurements of machine | YES / NO |
| 2. Photo and site plan of location | YES / NO |
| 3. Copies of permits (details) | YES / NO |

Special conditions by Council:

Permit No: Valid up to 31st December:

Office Rubber Stamp:

.....

Executive Secretary signature

(Regulation 8)

LOCAL COUNCIL (Coat-of-Arms)

APPLICATION FOR THE DEPOSIT OR USE OF CRANE OR OTHER
MACHINERY

Details of applicant: Date:

Name and Surname:

Address:

ID. Card No: VAT Reg. No (if applicable):

Details of the site where deposit is intended.

Address:

Period in use: from: to:

Type of machinery to be used or deposited

Site plan of the location where the deposit or use is required

.....
Signature of Applicant

FOR OFFICIAL USE

Date and time when application is received: Reg. No:

Fee paid: Receipt No:

Documents attached:

1. Site plan of the place where the machinery is to be deposited YES / NO
2. Traffic Scheme - list of traffic signs (markings to be used) YES / NO

Special conditions by Council:

Permit No: Valid from: to:

Office Rubber Stamp:

.....
Executive Secretary signature

(Regulation 9)

LOCAL COUNCIL (Coat-of-Arms)

APPLICATION FOR THE PLACEMENT OF TABLES AND CHAIRS

Details of applicant: Date:

Name and Surname:

Address:

ID. Card No: VAT Reg. No (if applicable):

Details of the site where tables and chain are to be placed:

Address:

Area m²

Site plan and measurements of the area to be utilized.

Days of activity for which permit is requested: from to

I confirm that the area for which a permit is requested is not adjacent to any catering establishment; or the area is adjacent to a catering establishment and that I am the licence holder of the establishment.

.....

Signature of Applicant

FOR OFFICIAL USE

Date and time when application is received: Reg. No:

Fee paid: Receipt No:

Documents attached:

Site plan and measurements of the area to be utilized YES/NO

Special conditions by Council:

No of litter bins on location

Permit No: Valid from: to

Office Rubber Stamp:

.....

Executive Secretary signature

(Regulation 11)

LOCAL COUNCIL (Coat-of-arms)

APPLICATION FOR PUBLIC ENTERTAINMENT OR SIMILAR ACTIVITY

Details of applicant: Date:

Name and Surname:

ID. Card No: VAT Reg. No (if applicable):

Details of where the activity is to be held:

Type of activity (mark as applicable)

Public Show Exhibition Small Games

Fair Tombola Other Activity (specify)

Site plan and measurements of the area to be utilized

Area m²

Day or days for which permit is required: from to

Street lighting decorations: YES/NO

Use of generator YES/NO

.....
Signature of Applicant

FOR OFFICIAL USE

Date and time when application is received: Reg: No:

Fee paid: Receipt No:

Documents attached: site plan of the area to be utilized: YES/NO

Special conditions by Council:

Permit No: Valid from: to

Office Rubber Stamp:

.....
Executive Secretary signature

(Regulation 5)

LOCAL COUNCIL (Coat-of-arms)

APPLICATION FOR AUTHORISATION TO CARRY ON AN ACTIVITY
IN AN OPEN AIR MARKET

Details of applicant: Date:
Name and Surname:
Address:
ID. Card No: VAT Reg. No (if applicable):
Details of stall:
Stall measurements:
Goods intended for sale:

Regulatory Authority licence no:

.....
Signature or Applicant

FOR OFFICIAL USE

Date and time when application is received: Reg. No:

Documents attached:

Licence from Regulatory Authority YES/NO

Special conditions by Council:

.....

Stall allocated No of litter bins

Permit No: Valid from to

Office Rubber Stamp:

.....
Executive Secretary signature

(Regulation 10)

LOCAL COUNCIL (Coat-of-arms)

APPLICATION FOR THE PUTTING UP OF ANY STALL OR KIOSK

Details of applicant: Date:

Name and Surname:

Address:

ID. Card No: VAT Reg. No (if applicable):

Details of the site where the stall or kiosk is to be put up

Address:

Documents attached:

Photo of stall/kiosk YES/NO

Copy of licence YES/NO

Days of activity for which permit is requested: from: to

Make and size of the stall and kiosk:

Goods intended for sale:

.....
Signature of applicant

FOR OFFICIAL USE

Date and time when application is received: Reg. No:

Fee paid: Receipt No:

Documents attached:

Photo of stall/kiosk YES/NO

Copies of Permits YES/NO

Special conditions by Council:

No of litter bins in the area: Stall No:

Permit No: Valid from to

Office rubber stamp:

.....
Signature of Executive Secretary