

SUBSIDIARY LEGISLATION 549.64**TREES AND WOODLANDS PROTECTION
REGULATIONS**

24th May, 2011

LEGAL NOTICE 200 of 2011.

1. The title of these regulations is the Trees and Woodlands Protection Regulations. Citation.

PART I: INTERPRETATION AND ADMINISTRATION

2. In these regulations, unless the context otherwise requires: Interpretation.

"Act" means the Environment Protection Act; Cap. 549.

"compensatory planting measures" means the planting or making available of a number of trees as a replacement for every damaged or uprooted tree, on the basis of the provisions of guidelines established by the competent authority;

"the competent authority" means the Environment and Resources Authority;

"development" shall have the same meaning as assigned to it in article 2 of the Planning Authority Act; Cap. 552.

"Director" means the Director responsible for environment protection within the competent authority, or his designated representative;

"horticulturally-grown trees" means planted trees that are grown through horticulture and in artificial environments such as agricultural land, private gardens, roadsides and paved areas, and excludes trees in protected areas or in areas outside the development zone growing in their natural environment, whether originally planted or not;

"near any tree" means five metres away from the circumference of the tree canopy or ten metres away from the tree trunk, whichever is the larger;

"outside the development zone" or "ODZ" means land outside the boundary for development in a planning scheme or local plan;

"owner" means either the direct owner or any person who holds a title of lease, emphyteusis or any other right of possession, or both owner of property and title together, jointly or separately;

"pest" means any form of plant or animal life or any pathogenic agent, other than a beneficial organism, capable of directly or indirectly injuring any plant material or beneficial organism, and includes genetically modified pests;

"person" means any person, whether natural or legal, corporate or incorporate, and includes any person acting on his own behalf or under the instructions of any employer, master or owner;

"primary branches" means branches originating from the main

	trunk or trunks of the tree;
Cap. 549. Cap. 552.	"protected areas" means any area protected through the Environment Protection Act or scheduled for ecological and scientific reasons under the Development Planning Act, including tree protection areas, or under the Act;
	"protected tree species" means trees listed in Schedules I and II;
	"pruning" means the practice of cutting away of primary branches, secondary branches, offshoots, and suckers of horticulturally-grown trees to influence the formation of the tree or to positively influence flowering, fruit yield and, or the overall health status of the tree;
S.L. 549.44 S.L. 549.42	"related environment regulations" means the Flora, Fauna and Natural Habitats Protection Regulations, the Conservation of Wild Birds Regulations, and any other related legislation;
	"secondary branches" means branches originating from the primary branches of the tree;
	"site" shall also include a single property or more than one property, irrespective of who is the owner of that property which forms part of the site which is designated as a tree protection area through the provisions of regulation 6;
Cap. 315.	"smoking requisite", "cigarette" and "tobacco" have the same definition as is given to them in article 2 of the Tobacco (Smoking Control) Act;
	"surgical intervention" means any treatment required to save a tree from disease or mechanical damage, structural collapse, as well as treatments to prevent further damage in an already damaged tree;
	"tree" means a perennial woody plant, whether dead or alive, which in its adult form, has a main trunk or trunks, and secondary branches supported clear of the ground, and a distinct crown. This includes individuals in all stages of growth;
	"tree protection area" means any site published in the Gazette in terms of the provisions of regulation 6;
	"urban conservation area" or "UCA" means a historic area (village core) as identified in a planning scheme or local plan or other currently approved planning policies.
Administration of these regulations.	3. The competent authority shall be responsible for the administration, implementation and enforcement of these regulations.

PART II: PROTECTION OF TREES AND WOODLANDS

Declaration of protected species. S.L. 445.02 S.L. 10.22 Cap. 552.	4. Without prejudice to the related environment regulations and provisions the List of Historical Trees having an Antiquarian Importance Order, the Conifer Trees (Preservation) Regulations, and tree preservation orders issued under Development Planning Act, it is hereby declared that: (a) the species of trees listed in Schedule I are protected in accordance with the terms and conditions set out in the said Schedule I;
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- (b) the trees listed in Schedule II are protected in accordance with the terms and conditions set out in the said Schedule II; and
- (c) all trees sited in the tree protection areas or other protected areas are protected, except trees listed in Schedule III.

5. The competent authority shall compile and where appropriate update a list of important sites that:

Criteria for selection of important sites.

- (a) contain representative types of Maltese woodland communities; or
- (b) contain woodland and forest communities which are in danger of disappearing in their natural area of distribution; or
- (c) contain woodland and forest communities which have a reduced natural area of distribution as a consequence of their natural or man-induced regression or on account of their intrinsically restricted area; or
- (d) contain woodland habitats critical to the survival, reproduction and recovery of endangered, threatened or endemic species of flora or fauna; or
- (e) contain a single individual tree or a specified group of trees or a woodland of aesthetic, historical, cultural, arboricultural, scientific, educational or landscape interest; or
- (f) include trees that in the competent authority's opinion are prominent landmark trees of particular relevance to the character of the site; or
- (g) contain rare, threatened or endangered tree species with a restricted distribution in Malta; or
- (h) are woodland and forest communities of particular importance because of their scientific, ecological, biodiversity, biogeographical, scientific, cultural or landscape or educational interest; or
- (i) contain historical trees having an antiquarian importance listed in the List of Historical Trees having an Antiquarian Importance Order; or
- (j) contain *ex situ* live collections of rare, threatened or endangered trees; or
- (k) in the competent authority's opinion contain similarly relevant features for protection that are not listed above.

S.L. 445.02

6. (1) Once a site has been selected by the competent authority in line with the criteria established in regulation 5, the competent authority shall designate any such site as a tree protection area.

Identification of tree protection areas.

(2) The competent authority shall publish the details of such site or sites, with delineated boundaries, in the Gazette.

Declaration of tree protection areas.

Cap. 552. (3) Any such designated tree protection area shall be considered a protected area in terms of the Development Planning Act and the Environment Protection Act and shall be subject to these regulations.

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(4) Any site protected as a tree protection area shall remain protected notwithstanding any deliberate or accidental circumstance whereby:

(a) any tree sited in any such protected area is, wholly or in part, destroyed or dies; or

(b) any other impact is suffered by the site.

Integration into the
National
Ecological
Network.
S.L. 549.44

(5) Any tree protection area declared through these regulations shall also form an integral part of the National Ecological Network set up by regulation 5(1) of the Flora, Fauna and Natural Habitats (Protection) Regulations, and is subject to the other provisions of regulation 5 of the said regulations.

Registered index.

7. The tree protection areas identified and protected pursuant to the provisions of regulation 6 shall be registered in an index held for that purpose, and in the public registry. The said index shall be held in an electronic form in such manner that research to determine the status of a site may be carried out.

PART III: TREE SPECIES CAUSING DAMAGE TO BIODIVERSITY OR TO THE NATURAL ENVIRONMENT IN GENERAL

List of tree species
damaging
biodiversity.

8. (1) The trees listed in Schedule III are deemed to be species causing damage to biological diversity of trees or woodlands in Malta, or to the natural environment in general.

(2) No person shall propagate, sow, plant, import, export, transport, sell or exchange any species listed in Schedule III, unless duly authorised in line with the provisions of Part VI.

Improvement
measures.

9.(1) (a) The competent authority may, within such time as it determines, order any person responsible for the land in which any tree listed in Schedule III is sited to remove, uproot, kill or destroy any such tree, where such removal would, in the competent authority's opinion, constitute an environmental improvement.

(b) A method statement may be issued by the competent authority to ensure that such order is executed with minimal damage to biodiversity.

(2) If such person mentioned in the previous provision fails to comply with any such order, the competent authority may remove, uproot, kill or destroy any such tree at the expense of the said person.

(3) If the person responsible for the land upon which such tree is sited is unknown, the competent authority may publish such order in the Gazette and remove such a tree at its own expense after ninety days from the publication of the order.

10. The competent authority may stop the transport and importation of trees which in its opinion may endanger the biological diversity of trees or woodlands in Malta, or be detrimental in any way to the environment, or for any other reason in the national interest.

Staying of importation of trees.

PART IV: REGULATION OF ACTIVITIES

11. No person shall carry out or attempt to carry out any action, which, in the opinion of the competent authority may be damaging to any tree listed in Schedules I and II, and, or to the biological diversity of any tree or woodland community protected in a tree protection area or any other protected area, except for trees of species listed in Schedule III.

Protection of biodiversity.

12. No person shall fell or attempt to fell, cut or attempt to cut, strip off or attempt to strip off the bark or leaves of, uproot or attempt to uproot, remove or attempt to remove timber from, affix or attempt to affix something to, or in any way destroy or attempt to destroy, damage or attempt to damage, any tree or part thereof listed in Schedule I or Schedule II or any tree or part thereof sited in a tree protection area or any other protected area, except trees of species listed in Schedule III, except by permission of the competent authority:

Prohibited activities.

Provided that the cutting off of leaves does not apply to trees listed in Schedule II.

13. The provisions of regulation 12 shall not apply with respect to:

Non-applicability of regulation 12.

- (a) the pruning of horticulturally-grown trees listed in Schedule I or Schedule II, including any horticulturally-grown trees situated in a tree protection area or any other protected area, for the specific reason of preventing further damage in an already damaged tree and to enhance its overall health;
- (b) the pruning of horticulturally-grown trees listed in Schedule II, including any horticulturally-grown trees situated in a tree protection area or any other protected area, to control growth for the specific reasons of preserving its strength, improving its overall health, improving its fruit productivity or avoiding likely injury to persons or likely damage to property;
- (c) the pruning of horticulturally-grown trees listed in Schedule I or Schedule II, or any horticulturally-grown tree sited in a tree protection area or any other protected area, to control growth for the specific reason of avoiding the likely introduction of rodent pests within a property:

Provided that any primary branch, secondary branch or offshoot to be pruned must lie within three metres from the walls of the building requiring protection from the introduction of the said rodent pests;

- (d) the removal and uprooting of any olive groves and carob groves planted after the last day of December

1998 for harvesting purposes and other agricultural purpose. This excludes trees found in tree protection areas, any trees of more than fifty years of age, and trees planted for the purpose of landscaping as prescribed by a development permit;

- S.L. 433.03 (e) the cutting, felling, treatment and, or destruction of any tree that harbours quarantine pests and diseases as listed in Annexes I and II of the Plant Quarantine (Harmful Organisms) Regulations, after appropriate consultation with the director responsible for plant health:

Provided that the provisions of this regulation are without prejudice to regulation 11 or to any other law or regulation, provision, agreement, management plan, order, permit or licence or any condition or consent granted under any other law or regulation.

Damaging
substances

14. (1) No person shall dump or attempt to dump, throw or attempt to throw, pour or attempt to pour, let fall or let reach or attempt to let fall or let reach biocide, defoliant, fertiliser, acid, alkali or other corrosive material, fuel or any other combustible or explosive material, saline water, chemical or any other substance near any tree listed in Schedule I or Schedule II or near any tree sited in a tree protection area or any protected area, which may harm any such tree, save for uncontaminated fresh water for irrigation purposes and substances for the treatment of trees and of arable land:

Provided that in tree protection areas, or where similarly justified for conservation purposes, the competent authority may prohibit such irrigation or treatment if this would be in conflict with the conservation status of the trees in question or the biodiversity of the area.

(2) The competent authority may authorise the use of substances prohibited in sub-regulation (1) or any other treatment for weeding or surgical interventions which may in its opinion be required.

Combustible or
explosive
substances.

15. No person shall place, attempt to place, or let be placed any tyre, rubber, polystyrene, paper, or any other combustible or explosive material, near any tree listed in Schedule I or Schedule II or near any tree sited in a tree protection area or any protected area.

Burying and
deposition of
material.

16. No person shall bury in the ground or attempt to bury in the ground, dump or attempt to dump, or deposit or attempt to deposit any soil, manure, waste, rubbish, stones, rubble, scrap metal or any refuse near any tree listed in Schedule I or Schedule II or near any tree sited in a tree protection area or any protected area, save for soil or substrate for the treatment of arable land, provided that the quantities of such substances are not detrimental to the trees protected in terms of these regulations.

Fire.

17. (1) Any person who kindles or attempts to kindle a fire near any tree listed in Schedule I or Schedule II, or any protected area other than a tree protection area, thereby causing damage as a result of imprudent or negligent use of smoking requisites,

cigarettes or tobacco, fireworks or other combustible matter, or omits to take adequate precautions in connection therewith, shall be guilty of an offence.

(2) No person shall kindle or attempt to kindle a fire within a tree protection area:

- (a) for entertainment purposes, including and not limited to bonfires, barbecues, campfires and fireworks;
 - (b) that causes damage as a result of imprudent or negligent use of smoking requisites, cigarettes or tobacco, fireworks or other combustible matter, or omits to take adequate precautions in connection therewith.
- (3) The above provisions shall not apply to:
- (a) any person who kindles a fire which can be controlled; or
 - (b) a fire directly connected with or necessary to the management of the tree protection area or other protected area in question, with the prior approval of the competent authority; or
 - (c) a controlled fire within the confines of a private dwelling;

Provided that in all cases, the person shall still be liable for any direct, indirect or consequential damage to any tree listed in Schedule I or Schedule II, or to any tree protection area or any other protected area. The competent authority may also take action in terms of these regulations if the person fails to keep the fire under control as a result of negligence or malicious action.

18. (1) No person shall allow or attempt to allow animals to cause damage through grazing to any tree listed in Schedule I or Schedule II. Grazing land.

(2) No person shall allow or attempt to allow animals to graze in any tree protection area or other protected areas.

(3) The owner of any animal that causes such damage may be ordered to pay such compensation for the damage caused as the Court may direct. If an animal belongs to more than one owner, all the owners may be ordered jointly and severally to pay compensation for the damage caused by such animal.

PART V: SUPPLEMENTARY PROVISIONS ON RELATED PERMITS

19. (1) Wherever a development, either individually or in combination with other plans or projects, is likely to have an adverse effect on any trees listed in Schedule I or Schedule II, the competent authority may:

Supplementary provisions related to applications for development permissions.

- (a) refuse the application; or
- (b) impose appropriate permit conditions; or
- (c) require amendments to, or relocation of, the proposed

development; or

- (d) adopt a combination of the foregoing measures as may be appropriate in the context of these regulations.

(2) Wherever a development, either individually or in combination with other plans or projects, is likely to have an adverse effect on any tree protection area or other protected areas, the competent authority may:

- (a) refuse the application; or
 (b) impose appropriate permit conditions; or
 (c) request an appropriate assessment of impacts; or
 (d) adopt a combination of the foregoing measures as may be appropriate in the context of these regulations.

(3) The provisions of this article shall apply in respect of both outline development permit applications and full development permit applications, and shall also apply in determining a reconsideration or appeal under the provisions of the Act.

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(4) Development that is likely to have an adverse effect on any trees listed in Schedule I or Schedule II, or on any tree protection area or other protected areas, shall not be permitted under a development order issued in terms of article 55 of the Development Planning Act or through an application for minor amendment of an existing development permit.

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(5) The provisions of article 80 of the Development Planning Act shall apply in the event that any tree protected under these regulations is significantly and adversely affected by a development permit issued on the basis of incorrect, incomplete, misleading or fraudulent information contained in the relevant permit application. In such event, any related permit issued under these regulations shall also be null and void.

PART VI: PERMITS UNDER THESE REGULATIONS

Permits.

20. Without prejudice to the provisions of these regulations, the competent authority may issue a permit prior to the carrying out of any activity regulated by these regulations:

Provided that the competent authority shall not issue such a permit if, after considering the proposed activity, it is of the opinion that the activity is unjustified or that the adverse impacts of the activity outweigh any possible benefits.

Non-permissible interventions.

21. Without prejudice to the related environment regulations, no permit issued through these regulations shall permit interventions that:

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- (a) are already proposed in an application for a permit, notification, clearance or licence made under the Environment Protection Act or the Development Planning Act, which is still being processed, amended, reconsidered or appealed in accordance with any of the aforementioned Acts;
 (b) would prejudice the merits of such processing,

amendment, reconsideration or appeal;

- (c) would prejudice the merits of a request for any clearance or licence required by the aforementioned Acts, or would prejudice the merits of an appeal from a decision thereon; or
- (d) would prejudice any enforcement case, court case or other cases currently *sub judice*.

22. (1) The person requesting a permit for activities referred to in regulation 21, hereinafter referred to as the applicant, shall submit in writing an application to the competent authority prior to carrying out such activities.

Application in writing.

(2) In order to enable the competent authority to adequately assess a request for permission, the application shall:

- (a) be accompanied by the relevant documents and any other requisite information as specified and required by the competent authority; and
- (b) indicate whether the application falls under any one of the criteria listed in regulation 21(a) to (d); and
- (c) be submitted in the manner prescribed by the competent authority.

23. (1) Whenever the competent authority issues a permit, it shall impose such conditions as it may deem appropriate.

Applicable conditions.

(2) The period of validity of such permit shall also be established at the discretion of the competent authority, and shall be clearly indicated in the permit.

(3) Whenever the competent authority refuses such permission, it shall inform the applicant of the reasons for such refusal.

(4) The competent authority may amend, suspend or revoke any permit or other authorisation for activities that are related to these regulations, giving reasons for its decision.

(5) A permit granted under these regulations shall be null and void in the event that any tree protected under these regulations is significantly and adversely affected by a permit issued on the basis of incorrect, incomplete, misleading or fraudulent information contained in the relevant permit application.

(6) The competent authority shall not issue or renew any permit if the applicant in question has infringed any of the terms, conditions, obligations or limitations of:

- (a) any other permit issued by the competent authority under these regulations;
- (b) any other permit issued by the competent authority in relation to the site for which the permit is issued, whether under these regulations or otherwise; or
- (c) any other permit issued through the related environment regulations.

Compensatory planting measures.	24. The competent authority shall apply compensatory planting measures for the permitted uprooting of trees listed in Schedule I or Schedule II, and of any tree sited in a tree protection area or any other protected area.
Permits concerning <i>bona fide</i> scientific or educational studies.	25. (1) In permits concerning <i>bona fide</i> scientific or educational studies, and without prejudice to any other obligations and conditions laid down by the competent authority, a permit holder shall be obliged to submit within a month from the expiry of the permit: (a) a detailed report of the activities undertaken; (b) the aim and what field of work or activity was carried out; (c) the methodology employed; (d) the outcome and results achieved in connection with the permit; and (e) any other details as may be requested by the competent authority in the permit. (2) A copy of any published results and other publications relevant to this permit shall reach the competent authority within three months from the date of publication.
Emergency permits.	26. The Director may, on behalf of the competent authority, in cases of emergency or grave danger, issue a temporary permit for the carrying out of any activity regulated by these regulations, and in so doing he may issue any such directives and decisions he may deem appropriate.
Public register.	27. Details of persons, public entities and other institutions having been granted a permit in connection with these regulations together with the details of conditions imposed in such permissions shall be recorded in an electronic register available for public inspection.
Person on site to hold copy of permit.	28. During the execution of a permitted activity or operation, a copy of the permit shall be in the possession of any person who is on site during such activity or operation. This permit shall be made available to any official of the competent authority and any duly authorised law enforcement official, including a police or Armed Forces officer, wardens and environment inspectors upon request.

PART VII: PENALTIES

Penalties.	29. (1) Any person who - (a) fails to comply with any provision of these regulations, or with any order lawfully given in terms of any provision of these regulations, or (b) contravenes any restriction, prohibition or requirement imposed by or under these regulations, or (c) acts in contravention of any provisions of these regulations, or (d) conspires or attempts to conspire, aids or attempts to aid, abets or attempts to abet, counsels or attempts to
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counsel, procures or attempts to procure any other person to contravene the provisions of these regulations, or to fail to comply with any such provision, including any order lawfully given in terms of any provision of these regulations, or to contravene any restrictions, prohibitions or requirement imposed by or under the said regulations,

shall be guilty of an offence against these regulations.

(2) Any person who commits, or attempts to commit an offence against these regulations shall be liable:

- (a) on a first conviction relating to trees listed in Schedule I or trees sited in a tree protection area or other protected areas except for those of species listed in Schedule III, to a fine (*multa*) of not less than five hundred euro (€500) but not exceeding two thousand and five hundred euro (€2,500) for each tree of less than ten years of age, with the exception of a first conviction in connection with regulation 18, and to compensatory planting measures by way of civil liability;
- (b) on a first conviction relating to trees listed in Schedule I or trees sited in a tree protection area or other protected areas except for those of species listed in Schedule III, to a fine (*multa*) of not less than one thousand, two hundred and fifty euro (€1,250) but not exceeding twenty-five thousand euro (€25,000) for each tree of more than ten years of age, with the exception of a first conviction in connection with regulation 18, and to compensatory planting measures by way of civil liability;
- (c) on a first conviction relating to trees listed in Schedule II to a fine (*multa*) of not less than two hundred and fifty euro (€250) but not exceeding two thousand and five hundred euro (€2,500) for each tree of less than ten years of age, with the exception of a first conviction in connection with regulation 18, and compensatory planting measures by way of civil liability;
- (d) on a first conviction relating to trees listed in Schedule II to a fine (*multa*) of not less than three hundred and fifty euro (€350) but not exceeding twenty-five thousand euro (€25,000) for each tree of more than ten years of age, with the exception of a first conviction in connection with regulation 18, and compensatory planting measures by way of civil liability;
- (e) on a first conviction relating to regulation 8 or regulation 10, to a fine (*multa*) of not less than one hundred euro (€100) but not exceeding five hundred euro (€500) for each tree;
- (f) on a first conviction relating to regulation 18, to a fine (*multa*) of not less than fifty euro (€50) but not

exceeding five hundred euro (€500) for each tree;

- (g) on a second or subsequent conviction, to a fine (*multa*) of not less than one thousand, two hundred and fifty euro (€1,250) but not exceeding fifty thousand euro (€50,000) for every tree, or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.

Remediation and mitigation expenses.

(3) Any person found guilty of committing an offence against these regulations shall be liable to all applicable penalties and compensatory planting measures by way of civil liability, and be required to pay for:

- (a) the full expenses incurred for remedying to the competent authority's satisfaction the damage caused by the said infringement to the site, or to the conservation status of the tree species, or to both, as relevant;
- (b) any other expense incurred or mitigation measures required to remedy such doings, damage and infringement, or to contain or prevent more widespread impact; and
- (c) the liquidated value of any irreparable loss or damage to the environment, biological diversity, landscape, natural heritage or cultural heritage, as may be relevant to these regulations.

Causes of damage.

(4) The Court shall order the offender to remove the causes of the offence and to undo anything which was done without a permit within a time sufficient for the purpose, but in any case not exceeding three months from the date of judgement, to be fixed by the Court; and, if the offender fails to comply with any such order within the time so fixed, he shall be liable to a fine (*multa*) of not less than fifty euro (€50) and not more than one hundred and fifty euro (€150), as the Court may fix, for every day that the default continues after the expiration of the said time.

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(5) The provisions of articles 23 and 30(1) of the Criminal Code shall, *mutatis mutandis*, apply to proceedings in respect of offences against these regulations, so however that the disqualification from holding or obtaining a licence, permit, clearance or authority shall in no case be for less than one year.

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(6) Notwithstanding the provisions of article 370 of the Criminal Code, proceedings for an offence against these regulations shall be taken before the Court of Magistrates (Malta) or the Court of Magistrates (Gozo), as the case may be, and shall be in accordance with the provisions of the Criminal Code regulating the procedure before the said courts as courts of criminal judicature.

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(7) Notwithstanding the provisions of the Criminal Code, the Attorney General shall always have a right of appeal to the Court of Criminal Appeal from any judgement given by the Court of Magistrates (Malta) or the Court of Magistrates (Gozo), in respect of proceedings for any offence against these regulations.

SCHEDULE I
STRICTLY PROTECTED TREE SPECIES

The following trees are hereby protected in all locations in Malta:

- (a) Trees of antiquarian importance as listed in the List of Trees of Antiquarian Importance Order;
- (b) Trees protected by tree protection orders issued through the Development Planning Act and the Act; and
- (c) Trees belonging to the species listed in the following table:

Scientific name	Maltese name	English name
<i>Anagyris foetida</i>	Fula tal-Klieb	Bean Trefoil Tree
<i>Celtis australis</i>	Bagular	Nettle Tree
<i>Ephedra fragilis</i>	Efedra	Shrubby Horsetail; Joint Pine
<i>Fraxinus angustifolia</i>	Fraxnu; Siġra tal-Paċenzja	Narrow-Leaved Ash
<i>Lycium europaeum</i>	Ghawseġ	Mediterranean Tea-Tree; Mediterranean Boxthorn
<i>Lycium intricatum</i>	Ghawseġ	Southern Tea-Tree; Southern Boxthorn
<i>Mespilus germanica</i>	Omm il-Epp; Fomm il-Lipp; Naspli Tedeski	Medlar
<i>Paliurus spina-christi</i>	Xewk tal-Kuruna ta' Kristu	Christ's Thorn
<i>Phillyrea latifolia</i>	Oliastru	Mock Privet; Jasmine Box
<i>Phillyrea media</i>	Oliastru	Mock Privet; Jasmine Box
<i>Pistacia x saportae</i>	Deru Baghal	Hybrid Mastic Tree
<i>Pistacia terebinthus</i>	Skornabekk; Terebintu; Siġar tat-Trementina	Terebinth; Turpentine Tree
<i>Prunus spinosa</i>	Prajn tax-Xewk	Sloe; Blackthorn
<i>Pyrus amygdaliformis</i>	Langas Selvaġġ	Almond-Leaved Pear
<i>Pyrus pyraster</i>	Langas Baghal; Langas Selvaġġ	Wild Pear
<i>Pyrus syriaca</i>	Langas Selvaġġ	Syrian Pear
<i>Rhamnus oleoides</i>	Żiju	Lesser Buckthorn; Olive-Leaved Buckthorn
<i>Rhus coriaria</i>	Xumakk tal-Konz	Common Sumach
<i>Salix alba</i>	Safsaf Kbir; Żafżaf Kbir	White Willow
<i>Salix pedicellata</i>	Safsaf Żgħir; Żafżaf Żgħir	Mediterranean Willow
<i>Sorbus aucuparia</i>	Żorba Selvaġġa	Rowan; Mountain Ash
<i>Sorbus domestica</i>	Żorba	Service Tree
<i>Tetraclinis articulata</i>	Gharghar	Arar Tree; Sandarac Gum Tree; Mediterranean Alerce.

<i>Ulmus canescens</i> [= <i>Ulmus minor</i> ssp. <i>canescens</i>]	Nemmies; Siġra tan-Nemus	Hoary Elm; Grey-Leaved Elm
<i>Ulmus minor</i> [= <i>Ulmus minor</i> ssp. <i>minor</i>]	Ulmu	Common Elm
<i>Ulmus procera</i>	Ulmu	English Elm
<i>Vitex agnus-castus</i>	Virga; Siġar tal-Virgi; Ghadib; Bżar tal-Patrijiet	Chaste Tree; Virgin Bush.

SCHEDULE II

TREES PROTECTED IN SELECTED AREAS

The following trees are hereby protected, in line with the following terms and conditions:

- (a) All trees of more than 50 years of age are protected within protected areas, in ODZ and UCA. This protection shall not apply to trees listed in Schedule III and to those trees which, in the competent authority's opinion, are causing any damage or adverse effect to the environment or to structures or features of natural or cultural heritage value;
- (b) Trees belonging to the species listed in the following table are protected within protected areas and in ODZ:

Scientific name	Maltese name	English name
<i>Ceratonia siliqua</i>	Harrub	Carob Tree
<i>Cercis siliquastrum</i>	Siġra ta' Ġuda; Harrub ta' Ġuda	Judas Tree; Mediterranean Redbud
<i>Chamaerops humilis</i>	Ġummar	Dwarf Fan Palm
<i>Crataegus azarolus</i>	Għanżalor	Azarole; Crete Hawthorn
<i>Crataegus monogyna</i>	Żagħrun	Whithorn; Common Hawthorn
<i>Crataegus x ruscinonensis</i>	Għanżalor Selvaġġ	Hybrid Hawthorn
<i>Cydonia oblonga</i>	Sfargel	Quince
<i>Juniperus phoenicea</i>	Ġniepru; Ġnibru	Phoenician Juniper
<i>Laurus nobilis</i>	Rand	Bay Laurel; Sweet Bay
<i>Morus alba</i>	Ċawsli	White Mulberry
<i>Morus nigra</i>	Tut	Black Mulberry
<i>Myrtus communis</i>	Rihan	Myrtle
<i>Olea europaea</i> s.l.	Żebbuġ; Żejtun	Olive
<i>Olea oleaster</i>	Żebbuġ Selvaġġ	Wild Olive
<i>Phoenix dactylifera</i>	Palma tat-Tamar	Date Palm
<i>Pinus brutia</i>	Żnuber tal-Lvant	Brutia Pine; Calabrian Pine
<i>Pinus halepensis</i>	Żnuber; Siġar tal-Prinjol; Siġar tal-Arżnu	Aleppo Pine; Jerusalem Pine

<i>Pinus pinea</i>	Żnuber tal-Ikel	Stone Pine; Umbrella Pine
<i>Pistacia lentiscus</i>	Deru; Delu	Lentisk; Mastic Tree
<i>Populus alba</i>	Luq	White Poplar
<i>Quercus ilex</i>	Ballut; /Siġar tal-Ġandar	Holm Oak; Evergreen Oak
<i>Rhamnus alaternus</i>	Alatermu	Mediterranean Buckthorn
<i>Sambucus nigra</i>	Sambuka; Sebuq Kbir	Common Elder
<i>Spartium junceum</i>	Ġenista Safra	Spanish Broom
<i>Tamarix</i> spp.	Brak	Tamarisks
<i>Viburnum tinus</i>	Meruna; Viburnum	Laurustinus
<i>Ziziphus zizyphus</i> [= <i>Ziziphus jujuba</i>]	Żinżel	Jujube

SCHEDULE III

INVASIVE , ALIEN OR ENVIRONMENTALLY-INCOMPATIBLE SPECIES

Species marked with an asterisk can be used in urban landscaping, but not in ODZ.

Scientific name	Maltese name	English name
<i>Acacia cyclops</i>	Akaċja tal-Għajn	Coastal Wattle
<i>Acacia saligna</i> [= <i>Acacia cyanophylla</i>]	Akaċja	Blue-Leaved Wattle; Blue-Leaved Acacia; Weeping Wattle
<i>Acacia karroo</i> [= <i>Acacia horrida</i> auct. fl. Melit.]	Gažżija tax-Xewk; Xewk ta' Kristu; Akaċja tax-Xewk	Kangaroo Thorn
<i>Ailanthus altissima</i> [= <i>Ailanthus glandulosa</i>]	Xumakk; Xumakk Falz	Tree-of-Heaven; False Sumach; Japanese Varnish Tree
<i>Eucalyptus camaldulensis</i> * [= <i>Eucalyptus rostrata</i>]	Ewkaliptus; Siġra tal-Gamiem	Red Gum; Red River Gum
<i>Eucalyptus gomphocephala</i> *	Ewkaliptus; Siġra tal-Gamiem	Tuart
<i>Leucaena leucocephala</i> [= <i>Acacia leucocephala</i> ; <i>Albizia lebbek</i> auct. fl. Melit.]	Albizzja; Gažżija Bajda	Lead Tree; White Popinac; Cow Tamarind
<i>Pittosporum tobira</i> *	Pittosporum	Shrubby Putterlick; Japanese Mock Orange
<i>Ricinus communis</i>	Riġnu	Castor Oil Tree
<i>Schinus terebinthifolius</i>	Siġra tal-Bżar	Brazilian Pepper