

Trading Licences Regulations, 2002

Arrangement of Regulations

PART I – PRELIMINARY

1. Citation and commencement.
2. Interpretation.
3. Commercial activity.
4. Designation of regulatory authority.

PART II – LICENSING OF COMMERCIAL PREMISES

5. Application in relation to commercial premises.
6. Licensee of commercial premises.
7. Request for further documentation or information.
8. Publication of applications.
9. Objections or representations.
10. Consideration of applications.
11. Issue of licence.
12. Appeals from decisions of the Trade Licensing Unit.
13. Payment of licences.
14. Particulars of licences.
15. Change in the nature of the commercial activity.
16. Definition of change.
17. Cessation of commercial activity.
18. Transfer of licence.
19. Transfer by inheritance.
20. Renewal of Licence fees.
21. Non-payment of licences.
22. Display of licence.
23. Right for information and inspection.
24. Replacement of licences.

PART III - HAWKERS AND OTHER RETAILING ACTIVITIES

- 25. Licensing of street hawkers.
- 26. Market hawkers.
- 27. Licence non-transferable.
- 28. Substitute hawker.
- 29. Particulars of licence.
- 30. Conditions for street hawking.
- 31. Applicability of other provisions.
- 32. Car boot sales.
- 33. Commercial fair including sale by retail

PART IV – BUSINESS HOURS

- 34. Business hours.
- 35. Commercial activities from airports and hotels, etc.
- 36. Extension of time for catering establishments.
- 37. Open-air markets.

PART V – APPEAL PROCEDURES

- 38. Eligibility to file an appeal to Licensing Appeals Board.
- 39. Notification of appeal.
- 40. Submission of evidence.
- 41. Evidence of witnesses.
- 42. Hearing of appeal.
- 43. Default of appearance.
- 44. Notification.
- 45. Public hearing.
- 46. Appeal fees.

PART VI – LICENCE FEES

- 47. Fees in relation to hawkers, etc.
- 48. When fee is due.
- 49. Personal transfer.

PART VII – OFFENCES AND PENALTIES

- 50. Offences and penalties.
- 51. Special proceedings.

SCHEDULES

FIRST SCHEDULE

Licence categories and types

SECOND SCHEDULE

Conditions of licence

THIRD SCHEDULE

Business hours

FOURTH SCHEDULE

Open-air markets

L.N. 102 of 2002

TRADING LICENCES ACT, 2001

(ACT No XXVII of 2001)

Trading Licences Regulations, 2002

In exercise of the powers conferred by article 29 of the Trading Licences Act, 2001, the Minister for Economic Services, with the concurrence of the Minister of Finance, has made the following regulations:-

PART I
Preliminary

1. The title of these regulations is the Trading Licences Regulations, 2002 and shall come into force on the 2nd day of May 2002. Citation and commencement.

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

“Act” means the Trading Licences Act, 2001;

“market hawker” means an individual who is licensed under the Act to carry out any commercial activity from any allocated site within the precincts of an open-air market;

“Minister” means the Minister responsible for commerce;

“open-air market” means any one of the markets listed under the Fourth Schedule to these regulations;

“person of the legal profession” means an Advocate, a Notary Public or a Legal Procurator;

“street hawker” means any individual who is licensed under the Act to carry out any commercial activity from any street, other than an open-air market, irrespective of the means by which such activity is carried out;

“Trade Licensing Unit” means the unit within the Trade Services Directorate of the Commerce Division responsible for trade licensing and includes the public officer responsible for trade within the Division and to the extent of any authority given, includes any other officer within the Division.

Commercial activity.

3. Where a commercial activity consists of the provision of services from any premises, such activity shall be deemed to be a commercial activity for the purposes of the Act, unless such activity constitutes the exercise of a profession by an individual who, under the provisions of any other law, requires a warrant to exercise such profession and provided that the premises are not also used for the exercise of any other commercial activity.

Designation of regulatory authority.

4. In terms and for the purposes of subarticles (1) and (2) of article 3 of the Act, the Minister has designated:-

(a) the Malta Tourism Authority in relation to diving schools, night-clubs, discotheques and other premises where dancing is held and where an entrance fee is normally charged;

(b) the Trade Licensing Unit in relation to all other commercial activities.

PART II

Licensing of Commercial Premises

Application in relation to commercial premises.

5. (1) Subject to the provisions of regulations 3 and 26 of these regulations, any person who, on the coming into force of these regulations is qualified to carry out acts of trade, requests to carry out a commercial activity from any commercial premises, shall make an application therefor on the appropriate form to the Trade Licensing Unit.

Cap. 356

(2) Where the opening of the commercial premises requires a permit under the Development Planning Act, such application shall be filed with the Planning Authority concurrently with the application for such permit.

(3) Where the permit to open the commercial premises under the Development Planning Act has already been obtained prior to the coming into force of these regulations, the application for the licence shall be filed with the Trade Licensing Unit together with the aforesaid permit and a floor plan of the commercial premises duly signed by an architect or civil engineer and certifying the floor area which will be used in the carrying out of the commercial activity.

Licensee of commercial premises.

6. (1) An application for a licence in relation to commercial premises may be made either in the name of an individual or in the name of an individual on behalf of a commercial partnership or company.

(2) Where the application is made on behalf of such partnership or company, the application shall be signed by the person duly authorised in that behalf to legally represent the same.

(3) The application shall also designate the individual who will be effectively responsible for managing the commercial premises in the following cases:-

(a) where the effective management is to be carried out by an individual other than the licensee;

(b) in the case of a commercial partnership or company.

7. Where an application is made under the provisions of this Part and further documentation or information is required in relation to such an application, the Trade Licensing Unit may, within 10 days from the filing of such application, require in writing the production of such further documentation or information and it may in its request grant the applicant such time as it may deem necessary to provide such documentation or information.

Request for further documentation or information.

8. (1) Where an application is made to the Trade Licensing Unit under the provisions of this Part, the Unit shall publish in the Gazette and in one of the local daily newspapers a notice to this effect.

Publication of applications.

(2) The notice shall contain the following information:-

(a) the name of the applicant;

(b) the address of the commercial premises;

(c) the nature of the commercial activity;

(d) the date when the application was made;

(e) a statement that any person showing an interest may file an objection or make representations against the grant of a licence only on trade licensing issues;

(f) the time within which any such objection or representation may be filed.

(3) Subject to the provisions of regulation 7 of these regulations, the Trade Licensing Unit shall publish the notice within 15 days from the filing of the application subject to the payment covering the cost of such publication.

(4) Where any additional documentation or information is requested in terms of regulation 7 of these regulations, the period for the publication of the said notice shall be extended by the time elapsed between the request and the submission of such documentation or information.

Objections or representations.

9. (1) Any person showing that he has an interest in relation to the issue of a licence may object or make representations to the Trade Licensing Unit against the grant of any such licence within 10 days from the publication of the notice referred to in regulation 8 above.

(2) Such objection or representation shall be made in writing and shall:-

(a) clearly show how the person making the objection or representation has an interest in relation to the issue of the licence;

(b) specify the reasons why the objection or representation is being made and the matters to be considered by the Trade Licensing Unit in the processing of the application for a licence.

(3) The Trade Licensing Unit may require the production of any additional documentation or information to substantiate any objection or representation made under this regulation.

(4) For the purposes of subarticle (1) of article 9 of the Act, an interest shall only be deemed to have been shown in the following circumstances:-

(a) by any person who owns, resides or occupies any building within a radius of eighteen (18) metres from the commercial premises; and

(b) where by the granting of a licence, or the carrying on of the commercial activity, such person will be likely to suffer damages.

(5) Notwithstanding the provisions of subregulation (4) of this regulation, a person may not file an objection or make representations against the grant of a licence on matters relating to planning or development where representations can be made to the Planning Authority under the Development Planning Act.

Consideration of applications.

10. (1) Having considered any objection or representation made under regulation 9 of these regulations, the Trade Licensing Unit shall, within 8 weeks from the filing of the application, notify the applicant of its decision. The above-mentioned notice shall stipulate:-

(a) that the Trade Licensing Unit finds no objection to the issue of the licence as applied for; or

(b) that the licence will not be granted; in such a case the Trade Licensing Unit shall give detailed reasons for such refusal.

(3) Such notice shall also indicate the licence fee payable for the issue of the licence.

(4) If any additional documentation or information is requested in terms of regulation 7 of these regulations, and the applicant does not provide the documentation or information within one week from request, the period of 8 weeks stipulated in subregulation (1) above shall be extended by the time over one week lapsed between the request and the submission of such document or information.

(5) Where under the provisions of these regulations reference is made to a time limit following the filing of an application, and the application also requires a permit under the Development Planning Act, such time limit shall commence from the fourth day following the date on which a permit is validated by the Planning Authority.

11. (1) Where the Trade Licensing Unit finds no objection to the grant of the licence as applied for the said Unit shall issue a notice, that there are no objections to the issue of such licence.

Issue of licence.

(2) The applicant shall, within one month from the receipt of the aforesaid notice, effect payment of the fee applicable for such licence and the Unit shall thereupon issue the licence:

Provided that where the application refers to a licence for processing, manufacturing or sale of food products or beverages, listed under licence Category I under the First Schedule to these regulations, the applicant shall also submit together with the licence fee, a declaration issued by the health authority, stating that the commercial premises comply with all sanitary and food safety requirements, and the Unit shall not issue the licence unless such declaration has been submitted.

(3) Where in the application for the licence the applicant has signified his intention to carry out the commercial activity from the commercial premises at a future date which is not yet established, the licence shall, subject to the provisions of subregulation (2) of these regulations, be issued within one month from a written notification by the applicant that he intends to commence the commercial activity. Such notification shall indicate the date when the commercial activity will be commenced and shall be accompanied by the relative licence fee.

(4) If the applicant does not make the written notification as is referred to in subregulation (2) above within four years from the notice issued by the Trade Licensing Unit in terms of regulation 10 of these regulations, the application for the licence shall be deemed to have lapsed.

Appeals from
decisions of the
Trade Licensing
Unit.

12. (1) Where an applicant feels aggrieved by the decision of the Trade Licensing Unit to refuse the grant of a licence, he may file an appeal against such decision in accordance with the provisions of Part V of these regulations.

(2) Where any person has made an objection or representation under the provisions of regulation 9 of these regulations, the Trade Licensing Unit shall, concurrently with the issue of the notice to the applicant referred to in regulation 10 of these regulations, notify its decision to the person making such objection or representation.

(3) Any person making any such objection or representation may file an appeal from the decision of the Trade Licensing Unit in accordance with the provisions of Part V of these regulations.

Payment of Licence
Fees.

13. (1) Any licence issued under this Part shall, unless specified in such licence, be subject to the payment of a fee payable upon the issue of the licence and on the 1st day of January of each year following the year in which the licence was issued.

(2) The fee due in accordance with subregulation (1) above shall, without prejudice to the applicability of the provisions of this or any other law, also be due to the Trade Licensing Unit as a civil debt.

(3) Any licensee who fails to pay a fee due in terms of subregulation (1) above following the service upon him by judicial act, of a notice stating that:-

(a) payment is to be effected within the period stated in such notice, not being less than 40 days;

(b) if the licensee fails to pay the fee as requested in the notice, he shall be deemed to have given notice of cessation of commercial activity in terms of subregulation (1) of regulation 17 of these regulations.

The said licensee shall be deemed to have given notice of cessation of the commercial activity in terms of subregulation (1) of regulation 17 of these regulations upon the next day following the expiry of the period stated in the notice.

(4) Nothing in the foregoing provisions of these regulations shall be deemed to effect any renewal of any trading licence under the Police Licensing Regulations, made or due to have been made prior to the coming into force of these regulations.

14. (1) A licence shall be issued in the name of an individual personally or on behalf of a commercial partnership or company, and shall be issued by reference to the category and type of the commercial activity as shown in the First Schedule to these regulations. Particulars of licences.

(2) Without prejudice to any other provision of law applicable in relation to a commercial activity, a licence issued under these regulations shall be subject to the applicable conditions contained in the Second Schedule to these regulations.

(3) Notwithstanding the foregoing provisions of this regulation, and subject to subregulation (4) hereof, where a licence has been issued under the Police Licences Act prior to the coming into force of this regulation, the licence conditions attached to such licence shall continue to apply in relation to such licence, unless the licensee opts, by an application made on the appropriate form to the Trade Licensing Unit, to have his licence issued by reference to the category and type as is referred to in subregulation (1) of this regulation. Cap 128

(4) Where the option has not been exercised as aforesaid in relation to a licence, no change, addition or other amendment to the said licence shall be allowed and the licence may not be transferred to any other person.

15. (1) Where a licence has been issued in relation to commercial premises, and the licensee requires to change the nature of the commercial activity carried out from such premises, or requires to add on any commercial activity which is not covered by the licence, the following provisions of this regulation shall apply. Change in the nature of the commercial activity.

(2) Where the change in, or addition to, the commercial activity requires a permit under the Development Planning Act, the licensee shall make an application therefor on the appropriate form to the Trade Licensing Unit and shall file such application with the Planning Authority concurrently with the application for the permit by such authority.

(3) The provisions of this Part, relating to new applications, shall apply *mutatis mutandis* to any application for any change in, or addition to a licence as is referred to in subregulation (2) above.

(4) Where the change in, or addition to the commercial activity does not require a permit under the Development Planning Act, the application to the Trade Licensing Unit shall not be required. However, the licensee shall be required to inform the Trade Licensing Unit on the appropriate form of any such change or addition within seven days of the change or addition.

(5) Notwithstanding the foregoing provisions of this regulation, where the commercial premises are leased from a third party, or are operated by the licensee under any other agreement with a third party, the licensee shall also provide, together with the application form under subregulation (2) or, together with the form submitted under subregulation (4), of these regulations, as the case may be, a declaration by the landlord of the commercial premises that he finds no objection to the change in the nature of the commercial activity:

Provided that where the contract of lease or other agreement under which the licensee is operating the premises contains a clause specifically authorising the licensee to change or to use the premises for any commercial purpose as he may require, such clause shall be deemed to constitute the declaration required by this subregulation.

Definition of change.

16. For the purposes of these regulations, a change in the nature of the commercial activity or any addition thereto, is deemed to occur when the new commercial activity falls under a different category or type as is referred to under the First Schedule to these regulations.

Cessation of commercial activity.

17. (1) Where a licensee decides to cease carrying out the commercial activity from the licensed commercial premises he shall immediately notify the Trade Licensing Unit on the appropriate form, attaching thereto the relevant licence.

(2) With effect from such date as may be indicated in such notification, or if no such date is indicated with immediate effect, the premises shall be deemed to be unlicensed.

(3) Notwithstanding any notification for cessation as aforesaid, the licensee shall still be liable for the payment of any licence fees due prior to such notification.

Transfer of licence.

18. (1) Where a licensee requires to transfer the licence in relation to commercial premises to another person, such licensee and the other person shall submit to the Trade Licensing Unit a declaration on the appropriate form duly signed by both parties:

Provided that where such commercial premises are leased from a third party or are operated by the licensee under any other agreement with a third party, the form shall also contain a declaration by the landlord that he does not object to such transfer:

Provided further that where the contract of lease or other agreement under which the licensee is operating the premises, contains a clause specifically authorising the licensee to transfer the licence, such clause shall be deemed to constitute the declaration required by this subregulation.

(2) Such transfer shall only have effect if the original licence in relation to the commercial premises is returned to the Trade Licensing Unit and all licence fees in respect thereof have been paid.

(3) Subject to the provisions of subregulation (2) above the Trade Licensing Unit shall issue a new licence to the transferee within ten days of receipt of the declaration referred to in subregulation (1) of this regulation.

19. (1) If a licensee dies, the licence shall be transferable to his legitimate successor by universal or singular title subject to the following provisions of this regulation. Transfer by inheritance.

(2) Within six months from the demise of the licensee or the coming into force of these regulations, the legitimate successor shall make an application to the Trade Licensing Unit on the appropriate form, requesting the transfer of the licence in his favour.

(3) The application shall be accompanied by a declaration made by a person of the legal profession attesting that the applicant is the legitimate successor of the licensee and is entitled and is in a position to continue in the licensed commercial activity.

(4) Subject to the payment of any licence fees due in relation to the commercial premises, the Trade Licensing Unit shall transfer the licence in the name of the legitimate successor within ten days from the receipt of the application.

(5) If the legitimate successor of the licensee decides that he is not interested in the transfer of the licence, he shall notify the Trade Licensing Unit accordingly within six months from the demise of the licensee. The notification shall be accompanied by a declaration made by a person of the legal profession attesting that the applicant is the legitimate successor of the licensee:

Provided that on good cause being shown, which cause shall be certified by a person of the legal profession, the period of six months aforesaid may be extended for such further period or periods as may be required to conclude the legal proceedings.

Renewal of Licence fees.

20. (1) The issue or renewal of a licence under this Part shall be subject to the payment of the relevant fees applicable thereto under the Police Licences Regulations prior to the coming into force of these regulations.

(2) For the purpose of establishing the rental value applicable under Part II of the Police Licence Regulations, the applicant shall:

(a) where the owner of the commercial premises is the applicant himself, produce a signed valuation by a certified architect and civil engineer (perit) declaring the annual rental value of the commercial premises;

(b) where the applicant leases the commercial premises, or operates under any agreement with a third party, produce a copy of the last rent receipt issued, indicating the annual rental value, together with a declaration by the landlord that he does not object to the application:

Provided that where the Trade Licensing Unit is not satisfied that any rental value shown in any document produced in terms of sub-paragraph (a) or (b) above shows the true rental value of the commercial premises, it shall appoint a certified architect and civil engineer (perit) to establish the same and the conclusions of the said certified architect and civil engineer (perit) shall be final.

Non-payment of licences.

21. (1) No licensee shall carry on any trading activity from any premises unless the licence fee payable annually or for any period as specified has been paid. Any licensee who contravenes the provisions of this regulation shall be guilty of an offence.

(2) No licensee shall carry on any trading activity from any premises unless it is shown that all licence fees for the previous years or for previous periods as specified have been paid or that an agreement in writing for that payment has been made with the competent authority. Any licensee who contravenes the provisions of this regulation shall be guilty of an offence.

(3) For the purposes of this regulation, "competent authority" means the authority to whom the licence fees for the previous

year or years, in relation to the commercial premises, were due or the Trade Licensing Unit acting on that authority's behalf.

22. There shall be displayed in a conspicuous place at any commercial premises, the licence issued in relation to such premises. Display of licence.

23. (1) A licensee shall provide the Trade Licensing Unit and any other person authorised in that behalf, all information as may be appropriately required in relation to the commercial activity or the commercial premises licensed under the Act. Right for information and inspection.

(2) The Trade Licensing Unit and any other person as aforesaid shall have the right to enter and inspect any commercial premises licensed under the Act and any other premises which, by the nature of the commercial activity being carried out therefrom, require such licence.

24. (1) Where a licence issued under these regulations has been lost or stolen, or the licensee is otherwise no longer in possession of such licence, the licensee shall notify the Trade Licensing Unit within seven days from the date on which he became aware of such event. Replacement of licences.

(2) The Trade Licensing Unit shall, within ten days from the receipt of such notification, issue a duplicate licence in replacement of the original.

PART III

Hawkers and other Retailing Activities

25. (1) Any individual who qualifies for carrying out acts of trade, requiring to carry out any commercial activity from any street as is referred to in article 14 of the Act, which activity is not exercised from an open-air market, shall make an application to act as a street hawker on the appropriate form to the Trade Licensing Unit. Licensing of street hawkers.

(2) In the case of an application made as aforesaid after the coming into force of these regulations, a street hawker using a motor vehicle to carry on the commercial activity shall have premises available where to garage the motor vehicle. The address of the premises used for this purpose shall be indicated on the application.

26. (1) Notwithstanding the provisions of regulation 25 of these regulations, any individual as aforesaid requiring to carry out the commercial activity from an open-air market shall make an application to act as a market hawker on the appropriate form to the Trade Licensing Unit. Market hawkers.

Provided that such licence shall not entitle the market hawker to carry out such activity unless, in relation to a specific open-air market, he has been allocated a fixed site by the Local Council of the locality where the market is situated.

(2) In the case of an application made as aforesaid after the coming into force of these regulations, a market hawker using a motor vehicle to carry on the commercial activity shall have premises available where to garage the motor vehicle. The address of the premises used for this purpose shall be indicated on the application.

Licence non-transferable.

27. (1) Subject to the provisions of subregulation (2) of this regulation a licence issued under this Part shall be in the name of an individual and shall neither be transferable nor, subject to the provisions of regulation 28 of these regulations, can the commercial activity be carried on by any person other than the licensee.

(2) A licence in relation to a market hawker operating at the open-air market in Merchants Street, Valletta, it-Tokk Victoria, Gozo and in relation to a kiosk may be transferred subject to a payment of the relevant fee established under regulation 49 of these regulations.

Substitute hawker.

28. (1) A street hawker or a market hawker, or any individual applying to carry out such activity, may make an application to the Trade Licensing Unit, to nominate one other individual to act as his substitute when he is temporarily incapable of carrying out such activity.

(2) Only the following persons may be nominated as substitutes for the purpose of these regulations:-

(a) the wife or husband;

(b) or the son or daughter; or

(c) in the case of a single person, the mother, father, brother or sister;

of the street or market hawker.

(3) The substitute may not act in the absence of the licensee for a period of more than one month in the aggregate within the licence period of one year:

Provided that the Trade Licensing Unit may, in exceptional circumstances and on good cause being shown, allow such longer period as it may deem justified in the circumstances of the case.

(4) Any licensee may make an application to the Trade Licensing Unit on the appropriate form, to change the substitute nominated under subregulation (1) above or to qualify for an extension in terms of the proviso to subregulation (3) above.

29. A licence issued under the provisions of this Part shall also include a photograph of the licensee, the specific open-air markets and fixed site number in each open-air market where the market hawker can carry out the commercial activity and, if applicable, the details of the person nominated as substitute.

Particulars of
licence.

30. (1) A street hawker may carry out his commercial activity from any place in any street either by hawking or by parking his vehicle, subject to the following conditions:-

Conditions for street
hawking.

(a) that no nuisance or inconvenience is caused to the neighbours or passers by in the street;

(b) that he will park his vehicle, if any, within a permitted parking space and no inconvenience is caused to the flow of traffic;

(c) that when a street hawker carries out the commercial activity from a fixed place, the place where he parks his vehicle is not within a walking distance of 50 metres from the entrance of any commercial premises:

Provided that for such purpose, a fixed kiosk shall be deemed to be a commercial premises;

(d) that no objects are placed on the pavement or any other part of the street;

(e) that when hawkers carry out their commercial activity from a fixed place they shall park their vehicles at least a walking distance of 75 metres away from each other:

Provided that this provision shall not apply to street hawkers selling flowers and the like in the vicinity of a cemetery.

(f) only street hawking of bread, milk, flowers, kerosene and gas cylinders shall be carried out in Valletta, and the Grand Harbour area:

Provided that no commercial activities by hawkers shall be carried out at any time in the City Gate area of Valletta including the bridge;

(g) no commercial activity by hawkers shall be carried out in the precincts of the Malta International Airport.

(2) Notwithstanding the provisions of subregulation (1) hereof, the Police may order any street hawker to move from any place in any street.

Applicability of other provisions.

31. The provisions of regulations 7, 10, 11(1), 12, 13, 15(4), 17, 20, 21, 22, 23 and 24, insofar as they are applicable, shall mutatis mutandis apply to licences issued under this Part.

Car boot sales.

32. (1) No activity commonly known as a car boot sale shall be carried out in any street other than from a private place.

(2) Any person requiring to organise a car boot sale from any private premises shall make an application therefor to the Trade Licensing Unit.

(3) An application for a licence under this regulation shall contain the following information:-

- (a) the name of the applicant;
- (b) the place where the car boot sale will be held;
- (c) the date or dates when the car boot sale will be held.

(4) A licence issued for the organisation of a car boot sale shall be subject to the following conditions:-

(a) no licence shall be issued unless the applicant is a non-profit making organisation;

(b) the applicant has to submit the following information on each seller to the Trade Licensing Unit within one week of the organisation of the car boot sale:

- (i) the identity document number; or any other means of identification;
- (ii) the registration number of the vehicle used to sell from; and
- (iii) general description of goods sold;

(c) the organiser shall allocate equal sites to each seller and each site must not be larger than the space taken by the passenger car;

(d) street and market hawkers and their substitutes shall not be allowed to participate in car boot sales;

(e) persons licenced to sell from any commercial premises shall not be allowed to sell the type of products listed in their licence in car boot sales;

(f) sellers shall issue a receipt to buyers;

(g) sites shall only be allocated to passenger cars and no sale shall be permitted from vans or any other commercial vehicles.

33. (1) No person shall organise or allow to be organised a commercial fair which includes the sale by retail of goods or services to the public unless a licence has been issued specifically for such an activity from the Trade Licensing Unit. Commercial fair including sale by retail.

(2) An application for a licence under this regulation shall be made by the person organising such commercial fair to the Trade Licensing Unit and shall contain the following information:-

(a) the name, address and ID document number, or any other means of identification, of the person organising the fair;

(b) the name, if any, and the address of where the commercial fair will be held;

(c) the name of each person participating in the fair and type of products to be sold;

(d) date or dates when fair is going to be held.

PART IV

Business Hours

34. (1) For the purposes of article 4 of the Act it is being provided that the provisions of this Part shall be applicable to all commercial premises and to all commercial activities, irrespective of whether such premises or activities are regulated by the Act or by or under any other law. Business hours.

(2) The maximum limit of business hours during which commercial premises may remain open and commercial activities may be carried out for the serving of customers shall be those shown in relation to such commercial premises or such commercial activity in the Third Schedule to these regulations.

(3) The provisions of subregulations (1) and (2) of this regulation shall be without prejudice to any special provision made in relation to dispensaries under the Medical and Kindred Professions Ordinance.

(4) Commercial premises situated in any of the tourist localities listed in the Third Schedule Section 10, selling grocery items, may remain open for business on a Sunday or other public holiday, between 6.00 a.m. and 3.00 p.m. of the same day subject to the following conditions:-

(a) the licensee makes an application to the Trade Licensing Unit for such purposes;

(b) that the premises shall open for business only on such days as may be established by a roster drawn up and published in the Gazette by the Trade Licensing Unit;

(c) that the floor area used for selling of grocery items to customers shall not exceed 200 square metres;

(d) that only grocery items may be sold from such premises.

(5) In drawing up such roster the Trade Licensing Unit shall not allow more than five commercial premises to be open on the same day in the same locality, and each not within a walking distance of less than 300 metres of each other.

(6) Any licensee who applies to open on a Sunday or other public holiday as aforesaid, and who fails to open on the day established in terms of paragraph (b) of subregulation 4 of these regulations or who sells items, other than grocery items, shall be guilty of an offence.

Commercial activities from airports and hotels, etc.

35. The provisions of this Part shall not be applicable to any commercial activity which is carried out in an airport, a hospital, a clinic, a residential home or from any part of a hotel:

Provided that the provisions of this regulation shall not apply in relation to a shopping mall, shopping arcade or any other shopping complex, by whatever name called, within the precincts of a hotel.

36. Notwithstanding the provisions of the Third Schedule to these regulations, the Minister may, under such conditions as he may in every particular case decide, extend the business hours of any commercial premises licensed as a catering establishment under the Malta Travel and Tourism Services Act or licensed as a night-club, discotheque or other premises where dancing is held and an entrance fee is normally charged, beyond the time established for such premises under the said Schedule:

Extension of time
for catering
establishments.

Cap.409.

Provided that:-

(a) no music shall be played between 4.00 a.m. and 9.00 a.m.;

(b) if the activity is being held in the open-air it shall come to an end by no later than 2.00 a.m.;

(c) if the premises where the open-air activity is being held are part of any premises licensed as a catering establishment under the Malta Travel and Tourism Services Act, or licensed as a night-club, discotheque or other premises where dancing is held and an entrance fee is charged, and the premises are situated at a distance of more than 500 metres from any inhabited area, the licensee may apply to the Minister for an extension of the time limit laid down in this regulation subject to such conditions as the Minister may deem appropriate and provided that such limit shall in no case be extended beyond 4.00 a.m.

37. (1) Commercial activities in open-air markets may be carried out by market hawkers on the day or days and during the business hours established for such markets under the Fourth Schedule to these regulations.

Open-air markets.

(2) Subject to the following provisions of this regulation, unless otherwise provided, market hawkers shall not put up their stall in an open-air market before 6.30 a.m. or remain in the said market after 1.00 p.m. of the same day.

(3) In the case of the open-air market at Marsaxlokk market hawkers shall not put up their stall before 6.30 a.m. or remain in the market after 5.00 p.m. of the same day from Monday to Saturday or after 6.00 p.m. of the same day on a Sunday.

(4) In the case of the open-air market at Taí Qali on a Sunday, market hawkers shall not put up their stall before 12 noon or remain in the market after 6.00 p.m. of the same day.

(5) In the case of the open-air market at Victoria, Gozo, market hawkers shall not put up their stall before 6.30 a.m. or remain in the market after 2.00 p.m. of the same day.

(6) In the case of the open-air market in Merchants Street, Valletta, the following conditions shall apply:-

(a) the stalls shall not be put up before 7.00 a.m. or after 8.00 a.m;

(b) the stalls shall not be dismantled before 1.15 p.m. or after 2.00 p.m., by which time the market hawkers shall leave the market;

(c) without prejudice to the following provisions of this regulation, during the period between the 13 and the 24 December, both dates included, market hawkers shall not dismantle their stalls before 8.00 p.m. of the same day.

Provided that on any Sunday or other public holiday falling between such period market hawkers shall not dismantle their stalls before 1.15 p.m. or after 2.00 p.m.

(7) Notwithstanding the foregoing provisions of this regulation it shall be lawful for the Police to stop the activities of market hawkers in special events and occasions.

PART V

Appeal Procedures

Eligibility to file an appeal to Licensing Appeals Board.

38. (1) Any applicant for a licence under the Act, and any other person who has made any objection or representation to the Trade Licensing Unit in terms of regulation 9 of these regulations, who feels aggrieved by the decision of the said Unit in relation to a licence may file an appeal to the Licensing Appeals Board (hereinafter referred to as the "Board") in accordance with the provisions of this Part.

(2) The application for an appeal shall be filed with the Secretary of the Board within fifteen days from the date when the applicant has been notified by the Trade Licensing Unit in terms of subregulation (1) of regulation 10 or the date when any other person has been notified in terms of subregulation (2) of regulation 12 of these regulations.

(3) The application shall clearly state the grounds for the appeal and the request of the appellant.

39. Where an appeal has been filed with the Board, the Secretary shall, within seven days of such filing notify the Trade Licensing Unit and the following persons:- Notification of appeal.

(a) if the appeal has been filed by the applicant in relation to a licence, and a person had made any objection or representation as aforesaid, to any such person;

(b) if the appeal has been filed by any person as aforesaid, to the applicant.

40. (1) Where the appellant is not the applicant in relation to a licence, or the person who made an objection or representation as aforesaid, the applicant or such person, as the case may be, shall have the right to make his representation before the Board. Submission of evidence.

(2) The appellant, on the filing of the appeal, and the Trade Licensing Unit and the applicant in relation to the licence or any person who had made any objection or representation other than the appellant as the case may be, shall, at least one week prior to the date set for the hearing of the appeal, submit to the Board all evidence, statements and documents relating to the case.

41. The evidence of witnesses in the appeal hearing shall be produced either 'viva voce' or by affidavit. The provisions of the Code of Organisation and Civil Procedure referring to the production of evidence before a Court of civil jurisdiction, shall 'mutatis mutandis' apply to the production of evidence 'viva voce' or by affidavit before the Board. Evidence of witnesses. Cap. 12.

42. (1) The hearing of the appeal shall be held within the shortest possible time and in no case later than thirty days from the filing of such appeal. Hearing of appeal.

(2) The Board shall proceed to hear and decide on the appeal on the evidence, statements and documents submitted by both parties in terms of regulations 40 and 41 of these regulations.

(3) The Board shall, as far as practicable, decide the appeal after one sitting. It shall refrain from granting adjournments unless there exist exceptional circumstances as the Board may feel sufficient to justify an adjournment.

43. If any of the parties, duly notified to appear at a hearing before the Board, fails to do so without showing sufficient and justified cause for such failure, the Board may proceed with the hearing of the appeal in his absence. Default of appearance.

Notification.

44. Any notice sent by the Board shall be deemed to have been delivered and duly notified if it is physically delivered or sent by registered post to the addressee at his place of business, habitual residence or mailing address.

Public hearing.

45. All hearings of the Board shall be held in public and all decisions of the Board shall be given in public.

Appeal Fees.

46. (1) Any person making an appeal to the Board shall, on the filing of such appeal, pay a fee of Lm25.

(2) If the Board is unable to decide the appeal after its first hearing, and subsequent hearings are made, the appellant shall, besides the above-mentioned fee of Lm25 pay to the Board an additional fee of Lm20 for every subsequent hearing.

(3) If the Board finds for the appellant, the Board shall, in its decision, order the Trade Licensing Unit to refund all fees paid by the appellant to the Board in relation to the appeal.

(4) The Board may also apportion the costs between the parties, in which case the Trade Licensing Unit shall be ordered to refund that part of the fees so apportioned.

PART VI

Licence Fees

Fees in relation to hawkers, etc.

47. The following fees shall be payable to the Trade Licensing Unit for any person to exercise any of the following commercial activities:-

(a) to act as a street hawker using a motor vehicle or any other means of transport Lm40 per annum;

(b) to act as a street hawker on foot or using an animal drawn vehicle Lm10 per annum;

(c) to act as a street hawker selling bread or other fresh foodstuffs, excluding fruit and vegetables using any means of transport, Lm10 per annum;

(d) to act as a street hawker selling fruit or vegetables or fish using any means of transport Lm20 per annum;

(e) to act as a street hawker selling traditional Maltese nougat (qubbajt) Lm30 per annum;

(f) to act as a market hawker, Lm30 per annum;

(g) to act as a market hawker from a fixed site in the open air market in Valletta or it-Tokk Victoria, Gozo Lm50 per annum.

48. The annual fees payable under these regulations shall be payable at the commencement of the commercial activity and thereafter When fee is due. shall be paid annually for the renewal of the licence on the 1st day of January in every year.

49. A licence as a market hawker from the open-air market in Merchants Street Valletta or from the open-air market at it-Tokk Victoria Gozo and a licence in relation to any kiosk, may be transferred to any other person on the payment of a fee of Lm1000:- Personal Transfer.

Provided that such fee shall not be due when the transfer is made in favour of a husband or wife, or any person in the direct descending line, including adopted children, through an inter vivos or causa mortis transmission, on proof of the family relationship to the existing licence holder.

PART VII

Offences and Penalties

50. Any person who contravenes any of the provisions of these regulations shall be guilty of an offence and shall, on conviction be liable to the same penalties established under article 29 of the Act. Offences and penalties.

51. For the purposes of article 30 of the Act, the penalty that the Trade Licensing Unit may demand in relation to any offence against the provisions of the Act and of these regulations shall be Lm50. Special proceedings.

FIRST SCHEDULE

(Regulation 14)

LICENCE CATEGORIES AND TYPES**Licence Category I – Processing, Manufacturing and Sale of Food Products and Beverages**

Type Code	Type of Licence
15	Manufacture of food products and beverages
51.3	Wholesale of food and beverages
52.11	Retail sale in non-specialised stores with food, beverages and tobacco predominating
52.21	Retail sale of food in specialised stores selling predominantly fruit and vegetables
52.22	Retail sale of food in specialised stores selling predominantly meat and meat products
52.23	Retail sale of food in specialised stores selling predominantly fish, crustaceans and molluscs
52.24	Retail sale of food in specialised stores selling predominantly bread, cakes, flour confectionery and sugar confectionery
52.25	Retail sale of food and beverages in specialised stores selling predominantly alcoholic and other beverages
52.27	Retail sale of food and beverages in specialised stores selling predominantly other food products not elsewhere classified
55.52	Catering; supply of prepared food

Licence Category II – Manufacturing Activities

Type Code	Type of Licence
16	Manufacture of tobacco products
17	Manufacture of textile and textile products
18	Manufacture of wearing apparel, dressing and dyeing of fur
19	Tanning and dressing of leather, manufacture of luggage, handbags, saddlery, harness and footwear
20	Manufacture of wood and of products of wood and cork, except furniture; manufacture of articles of straw and plaiting materials
21	Manufacture of pulp, paper and paper products
22	Publishing, printing and reproduction of recorded media
24	Manufacture of chemicals and chemical products excluding the manufacture of pharmaceuticals

25	Manufacture of rubber and plastic products
26	Manufacture of other non-metallic mineral products
27	Manufacture of base metal
28	Manufacture of fabricated metal products, except machinery and equipment
29	Manufacture of machinery and equipment excluding the manufacture of weapons, arms and ammunition
30	Manufacture of office machinery and computers
31	Manufacture of electrical machinery and apparatus not elsewhere classified
32	Manufacture of radio, television and communications equipment and apparatus
33	Manufacture of medical precision and optical instruments, watches and clocks
34	Manufacture of motor vehicles, trailers and semi-trailers
35	Manufacture of other transport equipment
36.1	Manufacture of furniture
36.2	Manufacture of jewellery and related articles
36.3	Manufacture of musical instruments
36.4	Manufacture of sports goods
36.5	Manufacture of games and toys
36.6	Miscellaneous manufacturing activities not elsewhere classified
37	Recycling including scrap yards

Licence category III - Wholesale and Retail Trade

Type Code	Type of Licence
50.1	Sale of motor vehicles and motorcycles
50.2	Maintenance and repair of motor vehicles
50.3	Sale of motor vehicles parts and accessories
50.4	Sale, maintenance and repair of motorcycles and related parts and accessories
51.4	Wholesale of household goods excluding pharmaceutical products
51.5	Wholesale of non-agricultural intermediate products, waste and scrap
51.8	Wholesale of machinery, equipment and supplies
51.9	Other wholesale
52.12	Retail sale in non-specialised stores in which food products should not be predominant
52.26	Retail sale in specialised store selling predominately tobacco products
52.32	Retail sale in specialised store selling predominately medical and orthopaedic goods

B 1562

52.33	Retail sale in specialised store selling predominately cosmetics and toiletries
52.41	Retail sale in specialised store selling predominately textiles
52.42	Retail sale in specialised store selling predominately clothing
52.43	Retail sale in specialised store selling predominately footwear and leather goods
52.44	Retail sale in specialised store selling predominately furniture, lighting equipment and other household articles
52.45	Retail sale in specialised store selling predominately electrical household appliances and radio and television goods
52.46	Retail sale in specialised store selling predominately hardware, paints and glass
52.47	Retail sale in specialised store selling predominately books, newspapers and stationery
52.48.1	Other retail sale in specialised stores selling predominantly office equipment, computers and non-customised software
52.48.2	Other retail sale in specialised stores selling predominantly photographic, optical and precision equipment
52.48.3	Other retail sale in specialised stores selling predominantly telecommunications equipment
52.48.4	Activities of opticians
52.48.5	Other retail sale in specialised stores selling predominantly wallpaper and floor coverings
52.48.6	Other retail sale in specialised stores selling predominantly carpets and rugs
52.48.7	Other retail sale in specialised stores selling predominantly watches, clocks and jewellery
52.48.8	Other retail sale and maintenance in specialised stores selling predominantly sports goods, fishing gear, camping goods, boats and bicycles
52.48.9	Other retail sale in specialised stores selling predominantly games and toys
52.48.10	Other retail sale in specialised stores selling predominantly flowers, plants, seeds, fertilisers, pet animals and pet food
52.48.11	Other retail sale in specialised stores selling predominantly souvenirs, craftwork and religious articles
52.48.12	Other retail sale in specialised stores selling predominantly stamps and coins
52.48.13	Other retail sale in specialised stores selling predominantly non-food products not elsewhere classified
52.5	Retail sale of second hand goods in stores
52.6	Retail sale not in stores: retail sale via mail order houses or through the internet
52.7	Repair of personal and household goods

Licence category IV – Construction Services

Type Code	Type of Licence
45	The offering of construction services or the renting of equipment, plant and machinery related with such services.

Licence category V – Professional and Business Services

63.11	Cargo handling
63.4	Activities of other transport agencies
64.1	Post and courier activities
70	Real estate activities
71	Renting of machinery and equipment without operator and of personal and household goods excluding the renting of automobiles and other land, air or sea transport equipment
72	Computer services and related activities
73	Research and development
74.	12 Book-keeping
74.13	Market research and opinion polling
74.14	Business and management consultancy activities excluding public relations and communications
74.141	Public Relations and Communications
74.15	Management activities of holding companies
74.3	Technical testing and analysis
74.4	Advertising
74.5	Labour recruitment and provision of personnel
74.7	Industrial cleaning
74.81	Photographic activities
74.82	Packaging activities
74.83	Secretarial and translation services
74.84	Call centre activities
74.871	Activities of fair, exhibition and congress organisers
74.87	Other professional and business activities not elsewhere classified

Licence Category VI – Social and Personal Services

Type Code	Type of Licence
70.2	Letting of property and halls for weddings and other receptions
80.42	Activities of instructors of music, crafts, sports and other leisure activities
92.1	Motion picture and video activities
92.2	Radio and television activities
92.3	Other entertainment activities
92.4	News agency activities
92.5	Library, archives, museums and other cultural activities
92.6	Sporting activities excluding water sports and hunting and betting
92.7	Other recreational activities excluding gambling and betting activities
93.01	Washing and dry cleaning of textile and fur products
93.021	Hairdressing
93.022	Activities of beauty treatment
93.03	Funeral and related activities
93.04	Physical well being activities
93.05	Other social and personal service activities not elsewhere classified

SECOND SCHEDULE

(Regulation 14)

CONDITIONS OF LICENCE

The following conditions shall apply to all commercial premises:-

01. The commercial premises are at all times to be kept in a clean and wholesome manner both within the premises and in the immediate vicinity outside the premises.
02. The commercial activity carried out in the premises or things stored within the premises shall not:-
 - 02.1 cause annoyance to neighbours;
 - 02.2 be likely to occasion any fire or explosion;
 - 02.3 emit exhalation, fumes, vapours, gases, dust or emit noxious or offensive odours into the atmosphere that may cause damage or are injurious to health;
 - 02.4 cause annoyance by way of noise.
03. No article shall be exposed for sale, or any other thing placed outside the premises beyond a limit of 40 centimetres.
04. Any commercial activity which can be carried out from any premises licensed under these regulations shall be exclusively carried on from within such premises.
05. Where the commercial activity comprises the sale or repair of vehicles, no vehicles shall be displayed for sale, repaired or else be washed in any part of the street.
06. Where a licence issued prior to the coming into force of these regulations is subject to the condition that any activity may not be carried out from the commercial premises during any time of the day, such condition shall continue to apply in relation to any such licence after the coming into force of these regulations.
07. Magazines, or any other items or materials which by their nature are objectionable for use or consumption by minors, shall not be sold to minors or displayed in any manner within the commercial premises where they will be accessible to or within the reach of such minors.

08. No alcohol or tobacco products in any form may be sold to persons under the age of 16 years.
09. No noise by hammering, by the use of machinery or other means shall be generated from any commercial premises located in an urban area between the hours of 1.00.p.m. and 4.00.p.m. of the same day and between 7.00.p.m. and 7.00.a.m. of the next following day.
10. Where any commercial activity is carried out from any premises licensed under Category II, Manufacturing Activities, retail activities of products manufactured therein may also be carried out from such premises.

THIRD SCHEDULE

(Regulation 32)

Business Hours

PART I - Commercial Premises

Unless otherwise provided under Part II of this Schedule the following shall be the business hours during which any commercial activity may be carried out and in relation to any commercial premises, such premises shall be kept closed outside the said business hours:-

01. Normal business hours

Between 8 January and 30 November both dates included

Mondays to Fridays 4.00a.m. to 7.00p.m.

Saturdays 4.00a.m. to 8.00p.m.

*Between 1 December and 7 January of the following year, both days included
(Christmas period)*

Mondays to Sundays 4.00a.m. to 10.00p.m.

02. Late night shopping

Notwithstanding the business hours established under paragraph 01 above the business hours of any commercial activity can be extended up to 10.00pm on any other day of the week being either Thursday, Friday or Saturday:-

Provided that late night shopping on any such day shall only be allowed after the licensee has applied in writing for such purpose to the Trade Licensing Unit and the permit issued by the said Unit is conspicuously displayed in the licensed premises.

PART II - Specific Commercial Activities

01. Petrol Stations

The business hours for the manual retail sale of automotive fuel shall be as follows:

Mondays to Fridays 6.00a.m. to 6.00p.m.

Saturdays 6.00a.m. to 3.00p.m.

The business hours for the retail sale of automotive fuel from automated mode pumps are unrestricted.

For the purpose of these regulations "automated mode pumps" means any pumps from which a consumer can purchase the fuel without the necessity of being attended by the

owner of the petrol station, or by any of his employees, or by any other person on his behalf, being present on the station.

02. Lotto Receivers

Notwithstanding the provisions of Part I of this Schedule, lotto receivers may also open for business on the day when the Grand National Lottery is drawn when this day falls on a Sunday or other public holiday, from 4.00a.m. to 1.00p.m. 03.

03. Catering Establishments

Catering establishments as defined in the Malta Travel and Tourism Services Act, 1999, night-clubs, discotheques and other premises where dancing is held and an entrance fee is normally charged, may be kept open on any day up to 1.00a.m.

04. Sale of Essential Items on Sundays and Public Holidays

Notwithstanding the provisions of Part I of this Schedule commercial premises predominantly selling the following items may open for business on Sundays and Public Holidays from 6.00a.m. to 1.00p.m. of the same day:-

- (a) Beverages, sweets and tobacco products; or
- (b) Fish, crustaceans and molluscs; or
- (c) Books, newspapers, stationery and office supplies; or
- (d) Photographic, optical and related precision equipment; or
- (e) Flowers.

05. Valletta Commercial Premises where Cruise Liners call at Harbour

Notwithstanding the provision of Part I of this Schedule, commercial premises located in Valletta may open for business up to 10.00p.m. on any day from Monday to Saturday and up to 1.00p.m. on Sunday or any other Public Holiday whenever a passenger liner is in the Grand Harbour.

06. Establishments Hiring Carnival Costumes

Notwithstanding the provisions of Part I of this Schedule commercial activities that specialise in the hiring of carnival costumes can also open to serve customers from Thursday before Carnival to Carnival Tuesday up to 10.00p.m.

07. Commercial Fair Activities

In relation to any premises in respect of which a licence from the Trade Licensing Unit has been issued for the organisation of commercial fairs or in relation to a commercial fair requiring a permit under subarticle (2) of article 20 of the Act, in both cases selling by retail, the fair may be open for business between 9.00a.m. to 11.00p.m. on any day.

B 1568

08. Car Boot Sales

Commercial activities in car boot sales may only be carried out on a Sunday or any other public holiday from 6.00 a.m. to 1.00 p.m.

09. Flowers, plants, seeds and fertilisers

Notwithstanding the provisions of Part I of this Schedule, commercial premises predominantly selling flowers, plants, seeds and fertilisers may open for business on a Sunday or any other public holiday from 6.00a.m. to 7.00p.m.

10. Tourist Localities

Notwithstanding the provisions of Part I of this Schedule, the following provisions shall also apply to commercial premises situated in any of the tourist localities listed hereunder, between 1 March and 31 October, both days included:-

Tourist Localities

Malta

Birzebbuga

Cospicua

Gzira

Marsascala

Marsaxlokk

Mdina

Mellicha

Msida

Rabat

Senglea

Sliema

St Julian's

St Paul's Bay

Swieqi

Taf Dbiegi Crafts Village in the locality of Gharb

Taf Qali Crafts Village in the locality of Attard

TafXbiex

Valletta

Vittoriosa

Wied iz-Zurrieq in the locality of Qrendi

Gozo

Marsalforn and Qbajjar in the locality of Zebbug

Mgarr

Victoria

Xlendi

Commercial premises predominantly selling any of the following items may open for business on any day of the week including Sundays and other public holidays between 6.00a.m. and 10.00p.m. of the same day:-

- (a) Beverages, sweets and tobacco products; or
- (b) Fish, crustaceans and molluscs; or
- (c) Watches, clocks and jewellery; or
- (d) Souvenirs, and craft-work items; or
- (e) Books, newspapers, stationery and office items.

Commercial premises predominantly selling any of the following items may open for business on Sundays and other public holidays from 6.00a.m. to 3.00p.m. of the same day:-

- (a) Swimming and diving equipment; or
- (b) Photographic, optical and related precision items.

11. Street Hawkers

The provisions of Part I, and sections 4 and 10 of Part II shall also apply to street hawkers.

Provided that street hawkers can also sell fruit, vegetables and fish on a Sunday and any other public holiday in the tourist localities listed in Section 10 of Part II from 6.00 a.m. to 10.00 p.m.

12. Commercial Activities with Unrestricted Business Hours

The commercial activities listed below can be carried out without any restriction on the business hours:

Commercial activities:	Category	Type Code
(a) The sale of bread, cakes, flour confectioneryI and sugar confectionery		52.24
(b) Manufacturing activities located in industrial zones	I II	15 16 to 37
(c) Construction Services	IV	45
(d) Professional & Business Services	V	63.11 to 74.87 excluding 71 and 74.871 insofar as it refers to fairs
(e) Social & Personal Services	VI	70.2 to 93.05
(d) Casinos; provided they remain closed on Good Friday		
(e) Renting of automobiles and other means of road transport		
(f) Renting of water sports equipment		
(g) Renting of air transport equipment		
(h) Renting of pleasure boats		
(i) Operators of guest houses, holiday premises, hostels and hotels		
(j) Sale from vending and other automatic machines		

This paragraph shall not apply to the sale of goods by retail from any manufacturing premises.

FOURTH SCHEDULE

(Regulation 35)

OPEN-AIR MARKETS

Locality		Days of Trading	Business Hours
Birzebbugia	Triq Zarenu Dalli	Thursday	6.30a.m. to 1.00p.m.
Birkirkara	Triq Tumas Fenech, Triq il-Herba, Triq is-Santwarju, Triq Mike Pulis	Wednesday and Friday	6.30a.m. to 1.00p.m.
Bormla/Birgu	Triq il-Gubilew tal-Fidda, Triq Kottonera, Triq Verdala	Tuesday	6.30a.m. to 1.00p.m.
Floriana	Foss ta' San Gakbu	Sunday	6.30a.m. to 1.00p.m.
Luqa	Triq Wilga, Misrah iz-Zghazagh	Monday	6.30a.m. to 1.00p.m.
Marsaxlokk	Xatt is-Sajjieda	Sunday	6.30a.m. to 6.00p.m.
Marsaxlokk	Xatt is-Sajjieda	Monday to Saturday	6.30a.m. to 5.00p.m.
Mosta	Triq Nikola Isuard, Triq Wied is-Sir	Monday	6.30a.m. to 1.00p.m.
Naxxar	Triq l-Ghenieqed, Triq Hal-Dghejf	Thursday	6.30a.m. to 1.00p.m.
Paola	Triq l-Arkata	Thursday, Friday and Saturday	6.30a.m. to 1.00p.m.
Qormi	Misrah il-Granmastru, Misrah Narbona, Triq De La Kruz	Saturday	6.30a.m. to 1.00p.m.
Rabat	Triq Santa Rita	Sunday	6.30a.m. to 1.00p.m.
San Gwann	Triq L-Iskola, Misrah Centinarja	Saturday	6.30a.m. to 1.00p.m.
Siggiewi	Pjazza Santa Margerita	Friday	6.30a.m. to 1.00p.m.
Sliema	Pjazza tal-Lunzjata	Wednesday	6.30a.m. to 1.00p.m.
Taf Qali	Parking Area (Park Nazzjonali)	Sunday	12 noon to 6.00p.m.
Valetta	Triq il-Merkanti	Monday to Saturday	7.00a.m. to 2.00p.m.
Zabbar	Misrah San Gakbu	Saturday	6.30a.m. to 1.00p.m.
Zebbug	Pjazza Sciortino	Tuesday, Thursday and Friday	6.30a.m. to 1.00p.m.
Zejtun	Pjazza Triq is-Suq, Triq Hector Dalli	Wednesday	6.30a.m. to 1.00p.m.
Zurrieq	Vjal Blue Grotto, Triq Stefan Zerafa, Triq Carmelo Caruana	Thursday	6.30a.m. to 1.00p.m.
Gozo	Victoria – It-Tokk and Pjazza Santa Sabina	Monday to Sunday	6.30a.m. to 2.00p.m.