L.N. 73 of 2007

ENVIRONMENT PROTECTION ACT (CAP. 435)

The Registration of Sites for Taking (*Mnasab*) Regulations, 2007

BY virtue of the powers conferred by articles 9 and 10 of the Environment Protection Act, 2001, the Minister for Rural Affairs and the Environment has made the following regulations:–

Citation.

1. (1) The title of these regulations is The Registration of Sites for Taking (*Mnasab*) Regulations, 2007.

(2) These regulations shall come into force on such date as the Minister responsible for the environment may by notice in the Gazette establish.

Definitions.

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

"The Competent Authority" means the Malta Environment and Planning Authority;

"The Minister" means the Minister responsible for the environment;

"The 2006 Regulations" means the Conservation of Wild Birds Regulations, 2006; L.N. 79 of 2006.

"to take" and "taking" means to take from the wild, in accordance with the provisions of the 2006 Regulations.

Registration of sites for taking.

3. (1) The Competent Authority shall delineate and register the areas used, or that have been used as trapping sites, within the period established by the Minister.

Provided that in the above registration, the Competent Authority shall act upon the recommendations made by the Ornis Committee as established under regulation 10 of the 2006 Regulations: L.N. 79 of 2006.

Provided further that such registration shall not grant any title or other right whatsoever, including rights in relation to its use, to the licensed person exercising the tacking activity on the site in question, and shall be without prejudice to any third party rights.

(2) No person shall exercise any taking activity over such land unless he is in possession of a valid license for taking.

(3) No person shall take or attempt to take birds from any site unless such site has been duly registered by the Competent Authority in accordance with the provisions of these regulations.

(4) No person shall take or attempt to take birds from any site unless he is carrying with him his identity card or any other recognised means of identification and the proper licence to take birds.

Offences and penalties.

4. (1) Any person who takes or attempts to take birds from a site not duly registered by the Competent Authority shall be guilty of an offence against these regulations.

(2) Any person who commits an offence against these Regulations shall be liable to:

(a) on a first conviction to a fine (*multa*) of not less than one hundred Liri (Lm100) but not exceeding one thousand liri (Lm1,000);

(b) on a second or subsequent conviction, to a fine (*multa*) of not less than two hundred liri (Lm200) but not exceeding two thousand liri (Lm2,000).

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