L.N. 204 of 2009

MALTA RESOURCES AUTHORITY ACT (CAP. 423)

Notification of Groundwater Sources (Amendment) Regulations, 2009

IN exercise of the powers conferred by article 28 of the Malta Resources Authority Act, the Minister for Resources and Rural Affairs, after consultation with the Malta Resources Authority, has made the following regulations:–

Title and commencement.

1. (1) The title of these regulations is Notification of Groundwater Sources (Amendment) Regulations, 2009 and they shall be read and construed as one with the Notification of Groundwater Sources Regulations, 2008, hereinafter referred to as "the principal regulations".

(2) These regulations shall come into force on the 14th July 2009.

Amends regulation 3 of the principal regulations.

2. In sub-regulation (1) of regulation 3 of the principal regulations, for the words "until the 20th November, 2008." there shall be substituted the words "until the 20th November, 2008:" and immediately thereafter there shall be added the following provisos:

"Provided that the Authority shall, as from the 15th July, 2009 and until such date as established by the Minister by means of a notice in the Gazette, accept applications for notifications of groundwater sources which were not submitted to it by the 20th November, 2008, when such failure to notify is justified by reasons owing to appropriate special circumstances:

Provided further that only such justified and appropriate special circumstances, as duly determined by a committee to be appointed by the Minister in terms of article 25 of the Act, shall be considered as valid by the Authority:

Provided also that together with the notification, a user of a groundwater source shall also submit an affidavit to be sworn and confirmed under oath before a commissioner for oaths, specifying therein the reasons and the appropriate special circumstances justifying the late notification, together with any such other proof

and documentation which may be necessary to prove the contents of the affidavit."

Amends regulation 4 of the principal regulations.

3. In regulation 4 of the principal regulations, immediately after the words "two hundred and thirty euro (€230)" there shall be added the words "and an additional fee of one hundred euro (€100) in case of late notifications as specified in regulation 3 hereof.".

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