VERŻJONI ELETTRONIKA

L.N. 113 of 2011

ENVIRONMENT AND DEVELOPMENT PLANNING ACT (CAP. 504)

Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle Dove and Quail) (Amendment No. 2)) Regulations, 2011

BY VIRTUE of the powers conferred by articles 61 and 62 of the Environment and Development Planning Act, the Prime Minister has made the following regulations:

Citation.

1. The title of these regulations is the Conservation of Wild Birds (Framework for Applying a Derogation Opening a Spring Hunting Season for Turtledove and Quail) (Amendment No. 2)) Regulations, 2011 and these regulations shall be read and construed as one with the Conservation of Wild Birds (Framework for Applying a Derogation Opening a Spring Hunting Season for Turtledove and Quail) Regulations, hereinafter referred to as "the principal regulations".

S.L. 504.94

Amends regulation 3 of the principal regulations.

2. In the proviso to regulation 3 of the principal regulations for the words "and taking into consideration the thresholds established in Annex I." there shall be substituted the words "and taking into consideration the thresholds established in Annex I:" and immediately thereafter there shall be added the following new proviso:

"Provided further that, when establishing the duration of any Spring Hunting Season, the Minister shall also take into consideration the size of the bag limit to be allowed for that particular spring hunting derogation.".

Amends regulation 4 of the principal regulations.

3. Immediately after sub-regulation (3) of regulation 4 of the principal regulations, there shall be added the following sub-regulation:

"(4) The application for the Spring Hunting Licence shall be submitted during a period of forty-eight hours specified for this purpose by the Director.".

Amends regulation 5 of the principal regulations.

4. Regulation 5 of the principal regulations shall be amended as follows:

(a) paragraph (l) thereof shall be substituted by the

following new paragraph:

"(l) provide that the validity of the licence shall lapse and the licence shall be considered as revoked as soon as the Minister, by means of a press release, declares that the overall bag limit for the season has been reached. All persons in possession of a Spring Hunting Licence shall also be immediately informed of such lapse and revocation of their licence by means of a text messaging service (SMS) to the number indicated by that person in the application for the spring hunting licence;"; and

(b) paragraph (m) thereof shall be substituted by the following new paragraph:

"(m) provide that if the overall bag limit for the season for one species, hereinafter in this paragraph referred to as "the relevant species", has been reached before that for the other species the validity of the licence shall lapse and the licence shall be considered as revoked in respect of the relevant species as soon as the Minister by means of a press release declares that the overall bag limit for the relevant species has been reached. All persons in possession of a Spring Hunting Licence shall also be immediately informed of such lapse and revocation of that part of their licence by means of a text messaging service (SMS) to the number indicated by that person in the application for the Spring Hunting Licence.".

Amends regulation 6 of the principal regulations.

5. Regulation 6 of the principal regulations shall be amended as follows:

(a) in sub-regulation (1) thereof, for the words "The Police shall carry out on-the-spot checks" there shall be substituted the words "For the time when a spring hunting season is open, the Police shall carry out on-the-spot checks";

(b) sub-regulation (3) thereof shall be substituted by the following new sub-regulation:

"(3) In pursuance of their duties under subregulation (1) the Police may be assisted by hunting marshals appointed for this purpose by the Director. The hunting marshals so appointed shall have the same duties and powers vested in the Police by subregulation (1). For every one thousand (1,000) hunters in possession of a Spring Hunting Licence, a minimum of seven (7) police

officers and, or, hunting marshals shall be on duty during all hours for which a spring hunting season is open. Outside these hours at least two (2) police officers and, or, hunting marshals shall be on duty during the hours of daylight."; and

(c) immediately after sub-regulation (3) thereof there shall be added the following new sub-regulation:

"(4) The Police, assisted by hunting marshals as may be necessary, shall continue to carry out on-the-spot checks until at least four weeks following the start of a spring hunting season, in order to prevent illegal hunting. Following the closure of a spring hunting season, for every one thousand (1,000) Spring Hunting Licence issued that year, a minimum of three (3) police officers and, or, hunting marshals shall be on duty during the hours of daylight.".

6. Annex I to the principal regulations shall be substituted by the following:

Substitutes Annex I to the principal regulations.

"ANNEX 1

The Minister shall, in any case, not open a spring hunting season for turtledove or quail respectively, when the number of birds hunted in the previous autumn season reaches 20,000 in the case of quail or 21,000 in the case of turtledove, considering each species separately.

When setting the total number of quail and turtledoves which may be hunted during the spring hunting season of a particular year the Minister shall set the total bag limit at not more than 1% of the total annual mortality rate of each of the species respectively:

Provided that the maximum bag limit for a spring hunting derogation shall, in any case, not exceed the following numbers:

5,000 quails

and

11,000 turtledoves:

The above two maximum numbers shall be amended by the Minister, by notice in the Gazette, in order to revise and update them by taking into consideration the conservation status of the two species concerned and the maintenance of the population of the species at a

satisfactory level:

Provided also that the Minister shall also take into consideration the number of birds hunted during the previous autumn hunting season, in such a way that the maximum bag limit for a spring hunting derogation may be fully allowed in cases when the number of quails or turtle doves hunted in the previous autumn season does not exceed 10,000 for each species respectively:

Provided further that the maximum bag limit for a spring hunting derogation should be reduced by inverse proportion to the number of birds hunted in excess of 10,000 for each species in the previous autumn season.".

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