

L.C.B.L. 41/08/2011

**LOCAL COUNCILS ACT
(CAP. 363)**

**L-Iskall u d-Daħla tal-Imsida
(L-Imsida Local Council), Bye-Laws, 2011**

In exercise of the powers conferred by articles 34, 35(8) and 60 of the Local Councils Act, the L-Imsida Local Council has made the following Bye-Laws;-

1.1 The title of these Bye-Laws is the L-Iskall u d-Daħla tal-Imsida (L-Imsida Local Council) Bye-Laws, 2011. Citation and commencement.

1.2 These Bye-Laws shall come into force on the date of their publication in the Gazette.

2. In these Bye-Laws unless the context otherwise requires Interpretation.

-

“the Act” means the Local Councils Act;

“the Council” means the L-Imsida Local Council;

“designated areas” means those areas designated by the Council indicated in the shaded area in the site plan in Schedule A to these Bye-Laws;

“locality” means the locality of L-Imsida;

“motor vehicle” means any vehicle intended for travel on land and propelled by mechanical power;

“boats” means any sea vessel not registered as a professional fishing vessel, Category A - Full time in the Fishing Vessels Register in terms of the Fishing Vessels Regulations, 2004; L.N. 407 of 2004.

“fishing vessel” means any sea vessel, registered as a professional fishing vessel, Category A- Full time in the Fishing Vessels Register in terms of the Fishing Vessels Regulations, 2004;

“L-Iskall u d-Daħla tal-Imsida” means the shaded area shown in the site plan Schedule B to these Bye-Laws.

Prohibition of pleasure boats in L-Iskall u d-Daħla tal-Imsida.

3. No person shall deposit or leave any boat or fishing vessel, including any trailer used for the carrying of such boat or vessel or any other related accessory, in any part of L-Iskall u d-Daħla tal-Imsida save as otherwise provided in this Bye-Law.

Prohibition of motor vehicles in L-Iskall u d-Daħla tal-Imsida.

4.1 No persons shall access L-Iskall u d-Daħla tal-Imsida by motor vehicles except for the sole purpose of transporting to and from the designated areas any fishing vessel permitted by the Council to be deposited at that place in terms of these Bye-Laws or for the sole purpose of launching in the sea and collecting from the sea, any boat or fishing vessel whose registered berth in L-Imsida creek.

4.2 No person shall park or leave any motorvehicle in any part of L-Iskall u d-Daħla tal-Imsida at any time.

Deposit of fishing boats within designated areas.

5.1 The Council shall, subject to such terms and conditions as it may deem appropriate, allow the deposit of fishing vessels smaller than 12 meters with registered berths in L-Imsida creek, within the designated areas as shown in Schedule A to these Bye-Laws subject to availability of space with absolute preference being given to traditional wooden hulled fishing vessels (luzzu, firilla, kajjik) painted in traditional livery.

5.2 The owner of a fishing vessel that qualifies to have his fishing vessel placed in the designated area in terms of bye-law shall first apply to the Council, and the Council shall in the event of approval of such application, determine the exact location within the designated area where such fishing vessel is to be placed and it shall determine the terms and conditions applicable to such permission.

5.3 In the event that there is available space within the designated area, after the allocation of space to owners of fishing vessels in terms of bye-law hereof, the Council may consider applications for depositing seacraft in the designated area submitted by owners of boats, with registered berths in L-Imsida creek, being vessels registered as professional fishing vessels Category B - Part-Time, with the Fishing Vessel Register in terms of the Fishing Vessels Regulations, 2004 with absolute preference being given to traditional wooden hulled boats (luzzu, firilla, kajjik, frejgatina) painted in traditional livery; and in the event that

after such consideration, there is further available space within the designated area, the Council may consider applications for depositing seacraft in the designated area submitted by owners of boats, with registration in L-Imsida creek, being traditional wooden hulled boats (luzzu, firilla, kajjik, frejgatina).

6. The owner of a boat, and, or a fishing vessel, and, or a trailer, and, or a motor vehicle, shall be responsible for ensuring compliance with these Bye-Laws. Owner's liability.

7.1 Any person who is in breach of any one of the provisions of these Bye-Laws or of any of the terms and conditions imposed by the Council in terms of these Bye-Laws shall, on conviction, be liable to a fine (ammenda) of sixty nine euros (€69) for such contravention, and to a further fine (ammenda) of eleven euro sixty five cents (€11.65) for each day during which any of the provisions of these Bye-Laws is breached. Penalties.

7.2 The penalties indicated in this bye-law are without prejudice to any action by the Council, or other authority to remove, store or dispose of the encumbering boat, fishing vessel, trailer, motor vehicle or other accessory thereto, in terms of the provisions of the Traffic Regulation (Clamping and Removal of Motor Vehicles and Encumbering Objects) Regulations, 1997 and without prejudice to any penalties of fines applicable under any other law or regulation. L.N. 94 of 1997.

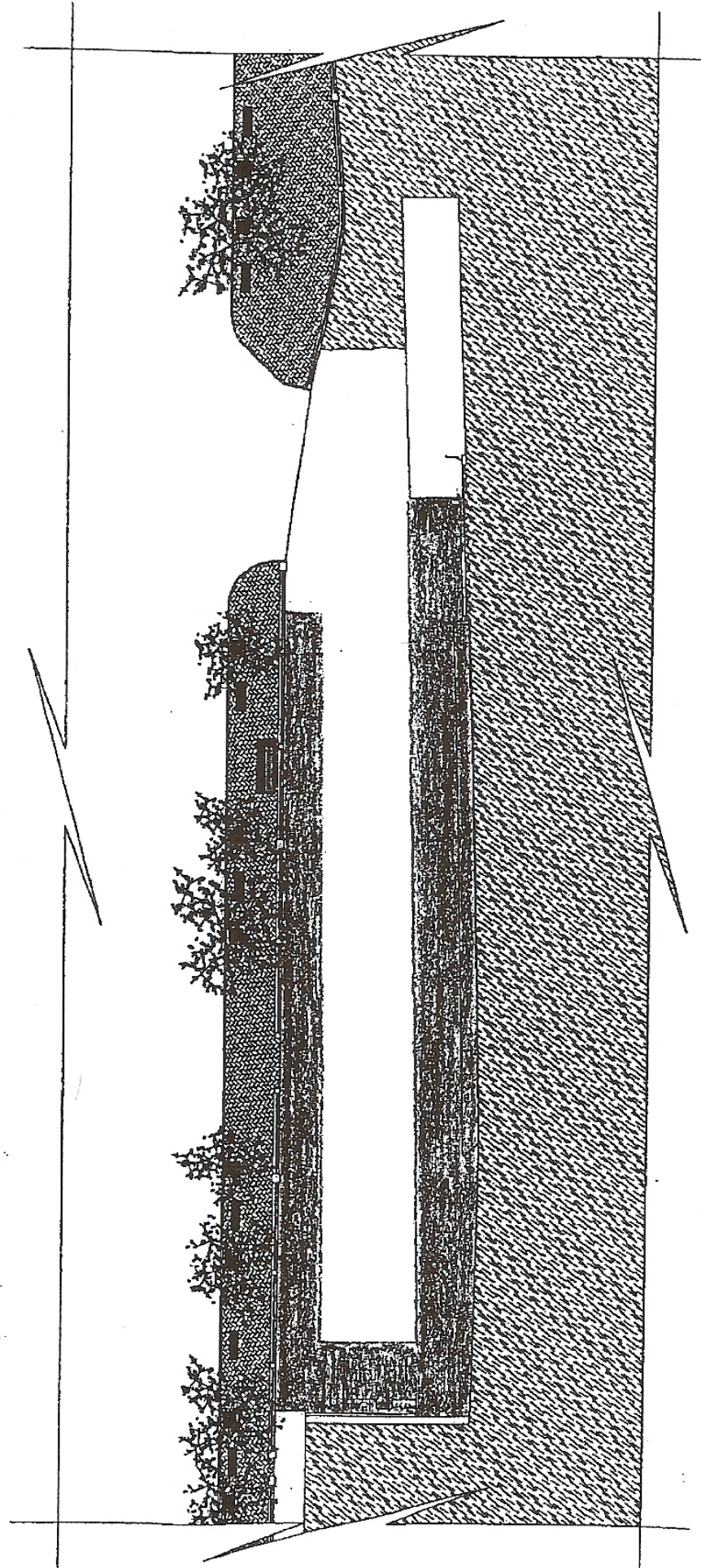
8. L-Iskall u d-Daħla tal-Imsida shall be administered by the L-Imsida Local Council, together with, l-Għaqda tad-Dilettanti tad-Dgħajjes u Sajd tal-Imsida.

9. The L-Imsida Local Council together with l-Għaqda tad-Dilettanti tad-Dgħajjes u Sajd tal-Imsida shall appoint a coordination Committee that shall address and solve matters related to L-Iskall u d-daħla tal-Imsida. This Committee shall be composed of three (3) representatives of the Council and two (2) representatives of l-Għaqda Dilettanti tad-Dgħajjes u Sajd tal-Imsida. Coordination Committee.

(Bye-Laws 2, 5.1)

SCHEDULE A

Site plan of *I-Iskall u d-Dahla tal-Insida*, indicating the designated area for the placement of fishing boats



(Bye-Law 2)

SCHEDULE B

Site plan of *I-Iskall u d-Dahla tal-Imnsida*

