L.N. 76 of 1992

ENVIRONMENT PROTECTION ACT, 1991 (ACT NO. V OF 1991)

Reptiles (Protection) Regulations, 1992

IN virtue of the powers vested in him by sections 32 and 33 of the Environment Protection Act, 1991, the Minister for the Environment has made the following regulations:—

Title.

1. These regulations may be cited as the Reptiles (Protection) Regulations, 1992.

Definitions.

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

"Act" means the Environment Protection Act, 1991;

"Director" means the Director responsible for the environment, and includes any officer in his Department who is authorized by him to act on his behalf;

"export" means the taking out of Malta of any specimen;

"import" means the bringing into Malta of any specimen;

"Minister" means the Minister responsible for the environment;

"person" includes any person or body of persons acting under the instructions of any employer, master or owner;

"specimen" means any reptile specified in the Schedule to these regulations, of whatever species, whether living or dead, whether whole or in part, whether in the orignal form or after having undergone any transformation, wherever found in the Maltese islands and their territorial waters;

"take" means to remove from the natural habitat.

Declaration.

3. The species of reptiles listed in the Schedule to these regulations are declared to be species of reptiles protected for the purpose of section 32 of the Act.

Administrative authority.

4. (1) The Director shall be responsible for the administration and implementation of these regulations.

(2) The Director shall have such rights as are listed in section 49 of the Act.

(3) The Minister may at any time order the Commissioner of Police to take such immediate action as may be required to prevent any person from acting in contravention of these regulations.

Protection of species.

5. (1) The species of reptiles declared to be protected under section 32 of the Act shall be those listed in the Schedule to these regulations.

(2) No person shall pursue, take or attempt to take, kill or attempt to kill, possess, sell by any method, buy, exchange, import or export any of the species, or any part or derivative of such species, listed in the Schedule to these regulations.

(3) Any person who shall possess a marine turtle prior to the coming into force of these regulations shall register such marine turtle with the Director responsible for fisheries within three months from the publication of these regulations.

(4) Any marine turtle accidentally caught by fishermen during their normal fishing activities and landed at the fish market in Valletta, shall be surrendered immediately to the Director responsible for fisheries who shall then dispose of it for scientific purposes only, and in such cases, the fisherman shall be compensated for any loss of tackle or income as fixed from time to time by the Director responsible for fisheries.

Documentary evidence.

6. Any person who has in his possession any specimen the import of which is subject to these or other regulations, shall retain in his possession and until such time as that specimen remains in his possession, all permits, certificates and licences relative to the import of that specimen.

Scientific studies.

7. (1) The Director may issue permits for the taking and keeping of any species listed in the Schedule to these regulations if such applications are intended for *bona fide* scientific studies or other similar purpose.

(2) All such permits shall lapse at the end of the calendar year, and have to be renewed prior to the beginning of the following year.

Biological identity.

8. The Director may prohibit the importation of any species of reptiles if, in his opinion, such trade can lead to the endangering of the biological identity of these islands or their territorial waters.

Offences and penalties.

9. (1) Any person who shall take, kill, possess, sell by any method, buy, exchange, import or export any specimen in contravention of these regulations, and any person who contravenes any restriction, prohibition or requirement imposed by or under these regulations, and any person who conspires or attempts, or aids, abets, counsels or procures any other person to commit any of the above offences, shall be guilty of an offence.

(2) Any person who commits an offence against these regulations shall, on conviction, be liable to a fine (*multa*) of not less than Lm25 for a first offence, and not more than Lm100 for each subsequent offence, which fine shall in each case apply to each specimen involved.

SCHEDULE

Scientific name	**Common name**	**Maltese name**
REPTILIA	REPTILES	RETTILI
Dermochelys coriacea	Leathersack turtle	Fekruna sewda
Caretta caretta	Loggerhead turtle	Fekruna
Chelonia mydas	Green turtle	Fekruna hadranija
Tarentola mauritanica	Moorish gecko	Wiżgħa tal-kampanja
Hemidactylus turcicus	Turkish gecko	Wiżgħa tad-djar
Chamaeleo chamaeleon	Chamaleon	Kamaleonte
Podarcis filfolensis filfolensis	Filfla wall lizard	Gremxula ta' Filfla
Podarcis filfolensis maltensis	Maltese wall lizard	Gremxula ta' Malta
Podarcis filfolensis kielselbasachi	St. Paul's Island wall lizard	Gremxula tal-Gżejjer ta' San Pawl
Podarcis filfolensis generalensis	Fungus Rock wall lizard	Gremxula tal-blata tal-Ġeneral
Chalcides ocellatus	Ocellated skink	Xaħmet l-art
Coluber algirus	Algerian whip snake	Serp Aħdar
Coluber viridiflavus	Western whip snake	Serp Iswed
Elaphe situla	Leopard snake	Lifgħa
Telescopus fallax	Cat snake	Teleskopus.

Ippubblikat mid-Dipartiment ta' l-Informazzjoni – Kastilja — Published by the Department of Information – Kastilja
Mitbugħ fl-Istamperija tal-Gvern — *Printed at the Government Printing Press*

Prezz 2c — *Price 2c*