

L.N. 474 of 2012

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

**TRADING LICENCES ACT
(CAP. 441)**

**Activities Requiring Permit by Local Councils
(Amendment) Regulations, 2012**

IN exercise of the powers conferred by article 34(2) of the Local Councils Act and article 16 of the Trading Licences Act, the Prime Minister and the Minister for Fair Competition, Small Business and Consumers have, respectively, made the following regulations:-

1. The title of these regulations is the Activities Requiring Permit by Local Councils (Amendment) Regulations, 2012, and these regulations shall be read and construed as one with the Activities Requiring Permit by Local Councils Regulations, hereinafter referred to as "the principal regulations".

Citation.

S.L. 441.04

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

Amends
regulation 5 of
the principal
regulations.

(a) sub-regulation (8) thereof shall be substituted by the following:

"(8) (a) The authorisation is personal and non-transferable.

(b) Notwithstanding the provisions of paragraph (a):

(i) the Local Council shall transfer the authorisation to the substitute of the market hawker in accordance with the Trading Licences Regulations, if the relative licence to the substitute has been issued by the competent authority;

S.L. 441.07

(ii) an authorisation in relation to a market hawker operating at the open-air market in Merchants Street, Valletta, in Marsaxlokk (daily open-air market except Sunday) and at It-Tokk, Victoria, Gozo shall, at the request in writing of the market-hawker holding such authorisation, be transferred by the Local Council to another individual;

(iii) an authorisation in relation to any other market-hawker not mentioned in sub-paragraph (ii) shall, at the request in writing of the market-hawker holding such authorisation, also be transferred by the Local Council to any member of the market hawker's family being his wife or her husband, mother, father, son, daughter, brother or sister.

(c) The Local Council shall effect the transfers mentioned in paragraph (b) within one month from receipt of the request in writing from the market-hawker.

(d) The provisions of sub-regulation (7)(a), shall not apply to this sub-regulation."; and

(b) in sub-regulation (11) thereof, immediately after the words "any valid reason," there shall be added the words "which shall include a request for transfer as provided for in sub-regulation (8),".

