

L.N. 65 of 2019

**ENVIRONMENT PROTECTION ACT
(CAP. 549)**

**Conservation of Wild Birds (Framework for Allowing a Derogation
for the Control of Birds in the Interest of Air-safety)
(Amendment) Regulations, 2019**

BY VIRTUE of the powers conferred by articles 54 and 55 of the Environment Protection Act, the Minister for the Environment, Sustainable Development and Climate Change in conjunction with the Parliamentary Secretary for Agriculture, Fisheries and Animal Rights and after consultation with the Environment and Resources Authority, has made the following regulations:-

1. The title of these regulations is the Conservation of Wild Birds (Framework for Allowing a Derogation for the Control of Birds in the Interest of Air-safety) (Amendment) Regulations, 2019, and these regulations shall be read and construed as one with the Conservation of Wild Birds (Framework for Allowing a Derogation for the Control of Birds in the Interest of Air-safety) Regulations hereinafter referred to as the "principal regulations".

Citation.

S.L. 549.85.

2. In the first proviso to regulation 3 of the principal regulations, the words "bird flocks" shall be substituted by the word "birds".

Amends
regulation 3 of
the principal
regulations.

3. Sub-regulation (1) of regulation 5 of the principal regulations shall be amended as follows:

Amends
regulation 5 of
the principal
regulations.

(a) in paragraph (d) thereof, the words "the Director deems that the number of birds" shall be substituted by the words "the Malta International Airport, in consultation with the Wild Birds Regulation Unit, deems that the birds";

(b) in paragraph (e) thereof, immediately after the words "prior to resorting to the", there shall be added the words "relocation or";

(c) immediately after paragraph (e) thereof, there shall be added the following new proviso:

"Provided that the sites from where each bird relocated from the perimeter of the airport will be released shall be approved in advance by the Wild Birds Regulation

Unit and any other relevant authority as applicable;";

(d) in paragraph (f) thereof, immediately after the word "prohibited" there shall be added the ", unless there is sufficient justification from an air safety point of view to depart from such prohibition, in which case the licence shall list such methods and specify that they shall only be used to avoid an air safety hazard and for no other purpose;";

(e) paragraph (g) thereof, shall be substituted by the following new paragraph:

"(g) require that for the purpose of culling, the person in possession of an Air Safety Bird Control licence holds a valid police permit to carry a firearm for the purpose of bird hunting on land and a valid general licence to hunt birds on land issued under the terms of the Conservation of Wild Birds Regulations;";

S.L. 549.42.

(f) In paragraphs (h), (j), (k) and (l) thereof, the words "Director" shall be substituted by the words "Wild Birds Regulation Unit" throughout; and

(g) In sub-regulation (2) thereof, the word "Director" shall be substituted by the words "Wild Birds Regulation Unit".

Amends
regulation 6 of
the principal
regulations.

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

(a) In sub-regulation (2) thereof, immediately after the words "seize from the possession of that person", there shall be added the words "any equipment used during the control of birds," ; and

(b) in sub-regulation (3) thereof, the word "Director" shall be substituted by the words "Wild Birds Regulation Unit".