Verżjoni Elettronika

L.N. 217 of 2021

ENVIRONMENT PROTECTION ACT
(CAP. 549)

Prevention and Remedying of Environmental Damage (Amendment) Regulations, 2021

IN EXERCISE of the powers conferred by articles 54 and 55 of the Environment Protection Act, the Minister for the Environment, Climate Change, and Planning, after consultation with the Environment and Resources Authority, has made the following regulations:-

Citation.

1. The title of these regulations is the Prevention and Remedying of Environmental Damage (Amendment) Regulations, 2021 and these regulations shall be read and construed as one with the Prevention and Remedying of Environmental Damage Regulations, hereinafter referred to as "the principal regulations".

S.L. 549. 97.

Amends regulation 13 of the principal regulations.

2. Regulation 13 of the principal regulations shall be amended as follows:

(a) sub-regulation (1) thereof shall be substituted by the following new sub-regulation:

"(1) Natural or legal persons:

(a) affected or likely to be affected by environmental damage, or

(b) having a sufficient interest in environmental decision making relating to the damage, or alternatively,

(c) alleging the impairment of a right emanating from a valid license or permit,

shall be entitled to submit to the competent authority any observations relating to instances of environmental damage of which they are aware and shall be entitled to request the competent authority to take action under these regulations.";

(b) the proviso to sub-regulation (2) thereof shall be

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substituted by the following new proviso:.

"Provided that the interest of any non-governmental organisation incorporated for the purpose of promoting environmental protection and meeting any requirements under the Voluntary Organisations Act shall be deemed sufficient for the purpose of sub-regulations (1)(b). Such non-governmental organisations shall also be deemed to have rights capable of being impaired for the purpose of sub-regulation (1)(c)."; and

Cap. 492.

(c) in sub-regulation (3) thereof, immediately after the words "in question", there shall be added the words ", including evidence to substantiate the alleged impairment if the request is made under sub-regulation (1)(c)".

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