Verżjoni Elettronika

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 21,046, 28 ta' April,2023
Taqsima B

L.N. 102 of 2023

PLANT QUARANTINE ACT (CAP. 433)

Protective Measures Against Pests of Plants and Related Official Controls and Other Official Activities (Amendment) Regulations, 2023

IN EXERCISE of the powers conferred by article 32 of the Plant Quarantine Act, the Minister responsible for agriculture has made the following regulations:-

Citation.

1. The title of these regulations is the Protective Measures Against Pests of Plants and Related Official Controls and Other Official Activities (Amendment) Regulations, 2023 and these regulations shall be read and construed as one with the Protective Measures Against Pests of Plants and Related Official Controls and Other Official Activities Regulations, hereinafter referred to as "the principal regulations".

S.L. 433.35.

Amends regulation 2 of the principal regulations.

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

(a) in paragraph (a) thereof, immediately after the words "and 2007/33/EC" there shall be added the words "as may be amended from time to time";

(b) in paragraph (b) thereof, immediately after the words "(Official Controls Regulation)" there shall be added the words "as may be amended from time to time"; and

(c) in paragraph (c) thereof, immediately after the words "the above mentioned regulations" there shall be added the words "and as may be amended from time to time".

Amends regulation 3 of the principal regulations.

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

(a) in the definition "Official Controls Regulation" thereof, immediately after the words "and plant protection products" there shall be added the words "as may be amended from time to time"; and

(b) in the definition "Plant Health Regulation" thereof, immediately after the words "against pests of plants" there shall

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be added the words "as may be amended from time to time".

Renumbering of regulation 12 of the principal regulations.

4. Regulation 12 of the principal regulations shall be renumbered as regulation 11.

Amends regulation 11 of the principal regulations.

5. Regulation 11 of the principal regulations, as renumbered, shall be amended as follows:

(a) sub-regulation (10) thereof shall be substituted by the following new sub-regulation:

"(10) Without prejudice to the provisions of article 29A of the Act, any person found guilty of an offence against any provision of these regulations, the Official Controls Regulation, the Plant Health Regulation and any implementing and delegated acts issued under the aforementioned regulations, as may be amended from time to time, shall, on conviction, be liable to the penalties established under the Act."; and

(b) immediately after there shall be added the following new sub-regulation:

"(11) Where the Director has reasonable cause to believe that an offence against these regulations has been committed and that it would be appropriate to impose an administrative penalty under article 29A of the Act, the Director shall proceed in accordance with the provisions of the said article 29A of the Act, which shall be applicable also in relation to offences against these regulations.".

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