L.N. 136 of 2023

LOCAL GOVERNMENT ACT
(CAP. 363)

Temporary Placing of Caravans in Localities Regulations, 2023

IN EXERCISE of the powers conferred by articles 34 and 72 of the Local Government Act the Minister responsible for Local Government made the following regulations.

Citation, applicability and commencement.

1. (1) The title of these regulations is the Temporary Placing of Caravans in Localities, Regulations 2023.

Cap. 363.

(2) These regulations shall be applicable in accordance with article 34(2) of the Local Government Act.

(3) These regulations shall come into force on the 1st July 2023.

Interpretation.

2. In these regulations unless the context otherwise requires:

Cap. 363.

"Act" means the Local Government Act;

"applicant" means any individual applying for a permit in accordance with these regulations;

"application" means a request made by an applicant to the Local Council in accordance with these regulations, in the forms listed in the First or Second Schedule to these regulations;

"authority" includes any Ministry or Government department or agency and any joint body set up by law;

"caravan" means any vehicle with its own power or otherwise, designed for the transportation of persons and is equipped with beds and, or is equipped with facilities for the cooking of food;

"Council" means a Local Council;

"day" means from midnight of a specific day to midnight of the next day;

"locality" shall have the same meaning as assigned to it in the Act;

"placing" means a parking in the same locality for a period exceeding four (4) hours or for combined periods on the same day which exceed four (4) hours;

"temporary camping area" means any area specified in a bye-law issued by a Local Council after obtaining permits required in accordance with any law, where caravans can be placed for a period not exceeding seven (7) days between 1st June and 30th September.

Applicability without prejudice to other Bye-laws.

3. These regulations shall apply between the 1st June and 30th September of every year and shall apply instead of other bye-laws made by a Council with respect to the placing of caravans in the locality in question:

Provided that the said bye-laws shall continue to apply with respect to the placing of caravans which are not provided for in these regulations and during the remaining months of the year.

Prohibition of placing of caravans outside authorised localities.

4. (1) Without prejudice to any other law which provides for the requirement of any other permission from any other authority or for any enforcement procedure or for any punishment for an offence under that law, no one may at any place within a locality, place a caravan without prior written authorisation granted by the Council in accordance with these regulations and the conditions stipulated in the permit.

(2) A permit in accordance with sub-regulation (1) may only be granted:

(a) for a temporary camping area of a caravan; or

(b) for a caravan placed in a location in the locality outside the temporary camping area for one (1) day:

Provided that a permit issued in accordance with paragraph (b) may not authorise the placing of a caravan in any parking area in the locality which is managed by a public entity as a parking area of a facility of that entity without the prior consent of that entity.

Exemptions.

5. The provisions of regulations 3 and 4 shall not apply to:

(a) the placing of caravans on Government land for which an agreement between the Lands Authority and an association representing the collective interests of caravans owners and by which it allows caravans to be placed on that land is in force, in accordance with the conditions of that agreement;

(b) the placing of caravans on private land with the

permission of the owner of that land in circumstances where that use of such land is permitted in accordance with the law; and

(c) the placing of caravans in the locality of the ordinary residence of the caravan's owner in a location reasonably close to such residence, without prejudice to any other law:

Provided that during the time of such placing, the caravan is not being used for camping or habitation purposes.

Applications.

6. (1) An applicant may apply with the Council for permission to place a caravan in one of the areas indicated in the bye-laws with respect to the placing of caravans of the respective localities or in another location in the locality.

(2) The application shall include the following details of the caravan:

(a) size;

(b) whether the caravan has mechanical power or otherwise;

(c) accommodation and food preparation facilities in the caravan;

(d) the number of persons that the caravan can accommodate; and

(e) a photo of the caravan.

(3) The application shall include the names, surnames and identity card numbers of the persons who shall be using the caravan in the temporary camping area or in another location in the locality and the dates on which the applicant intends to place the caravan in the said area or location;

Issuing of permits and conditions.

7. (1) An application for the issue of a permit to place a caravan in a temporary camping area or for one (1) day outside a temporary camping area in accordance with regulations 3 and 4, shall be made to the Council of the locality where that area is situated as determined by the Council:

Provided that the Council shall also provide facilities for applications and granting of permits to be made by electronic means as well.

(2) A permit issued by a Council to place a caravan in a

temporary camping area or in another location in accordance with regulations 3 and 4, shall be subject to such conditions as may be determined by the Council which may include, *inter alia*, conditions relating to health care and cleanliness, lack of obstruction, appropriate behaviour and outdoor cooking. Different conditions may be imposed regarding different caravan types and in particular caravans with their own power or otherwise.

(3) A permit issued in accordance with these regulations or in accordance with any other bye-law of an individual Council may not authorise the placing of a caravan in a temporary camping area for a period of more than seven (7) days.

Maintenance of cleanliness and respect for the environment.

8. (1) The applicant shall respect the natural environment of the area and shall maintain the part of the area or another location assigned for the placing of his caravan, and any facilities that may be present for his use, in a clean state and when the caravan is removed from the location, the facilities and the land used shall be left in a clean state.

(2) During the entire time during which the caravan is placed in the temporary camping area or another location, the applicant shall have waste bags as part of his daily equipment.

The permit shall be exhibited on the caravan.

9. (1) During the time that a caravan is placed in a temporary camping area or elsewhere in accordance with regulations 3 and 4, the permission to authorise such place shall be prominently displayed on the caravan.

(2) A printed permit by the applicant after receiving it electronically from the Council shall also be valid to satisfy the requirements of this regulation.

Times when the caravan can be delivered in the area.

10. Every caravan permitted in accordance with these regulations shall, on the first day of placing in the temporary camping area be delivered in the area, and if there is a place available in the area indicated to the applicant in the permit, the caravan shall be placed between nine in the morning (9a.m.) and nine in the evening (9p.m.) but in any case not later than nine in the evening (9p.m.).

Number of persons accommodated in a caravan.

11. There may not be more than four (4) adults accommodated in a caravan or in the case of another family or group with children, two (2) adults and the children in their custody.

Distance from coastline.

12. Unless the Council assigns another location, no caravan shall be placed at a distance of less than fifteen (15) metres from the coastline.

13. (1) A ten euro (€10) fee, which shall be paid in advance, shall be due by the person to whom a permit in accordance with regulation 3 is issued, to the Council for each day on which a caravan is authorised to be placed in a temporary camping area. Fees.

(2) In the case of a permit for placing a caravan outside a temporary camping area, there shall be due a fee of five euro (€5).

14. Without prejudice to any higher punishments applicable under any other law, any person who, except as may be expressly permitted under any law, places a caravan in a locality in a manner not in accordance with these regulations, and any person who infringes any provision of these regulations or any condition forming part of a permit issued in accordance with these regulations shall be guilty of an offence against these regulations, and shall upon conviction of such an infringement be liable to a fine (*ammenda*) of not less than one hundred euro (€100) and not more than five hundred euro (€500) and to fifty euro (€50) for each day in which such offence persists. Offences and punishments.

FIRST SCHEDULE

Local Council (Coat of Arms)

Permit Application Form

Application Form for a Posting of Caravan in a Temporary Camping Area in the Locality of.....

The Executive Secretary,

I am requesting permission in accordance with the Temporary Placing of Caravans in Localities Regulations to place a caravan as follows:

Area: _____

Date(s): _____

Caravan size: _____

The caravan has mechanical strength: YES/NO

The caravan contains accommodation facilities for ____ persons

The caravan has a kitchen/food preparation facilities: YES/NO

I am attaching a photo of the caravan

B 1128

These people are going to be accommodated in the caravan:

Adults:

_____- ID number _____

_____- ID number _____

_____- ID number _____

_____- ID number _____

Minors in adult custody:

_____- _____ ID number/ Act of Birth registration number

_____- _____ ID number/ Act of Birth registration number

_____- _____ ID number/ Act of Birth registration number

_____- _____ ID number/ Act of Birth registration number

I undertake to observe the Temporary Placing of Caravans in Localities Regulations, including all conditions that may be imposed by the Council.

_____

(Signature)

Name: _____

I.D. number: _____

Address:

_____

_____

B 1129

Tel:_____

For Office Use

It is hereby being granted permission to place a caravan in the temporary camping area.....: by the applicant.....for the period beginning on..... and ending on.....

Conditions:

This permit is being issued under the following conditions which form an integral part of the permit:

That the applicant observes the Temporary Placing of Caravans in Localities Regulations.

Other permit conditions:

Place where the caravan may be placed:

Fee Paid:

Receipt Number:

STAMP

B 1130

SECOND SCHEDULE

Local Council (Coat of Arms)

Permit Application Form

Application Form for a Posting of Caravan Outaide a Temporary Camping Area in the Locality of.....

The Executive Secretary,

I am applying to place the caravan for one day (date.....) as follows:

Location: _____

Date: _____

Caravan size: _____

The caravan has mechanical strength: YES/NO

The caravan contains accommodation facilities for ___ persons

The caravan has a kitchen/food preparation facilities: YES/NO

I am attaching a photo of the caravan

These people are going to be accommodated in the caravan:

Adults:

_____- ID number _____

_____- ID number _____

_____- ID number _____

_____- ID number _____

Minors in adult custody:

_____- _____ ID number/ Act of Birth registration number

_____- _____ ID number/ Act of Birth registration number

_____- _____ ID number/ Act of Birth registration number

_____- _____ ID number/ Act of Birth registration number

I undertake to observe the Temporary Placing of Caravans in Localities Regulations, including all conditions that may be imposed by the Council.

_____

(Signature)

Name: _____

I.D. number: _____

Address:

_____

_____

Tel:_____

For Office Use

A permit is/not being granted for the placing of the same caravan for one day on the day of.....outside the temporary camping area.

Conditions:

This permit is being issued under the following conditions which form an integral part of the permit:

That the applicant observes the Temporary Placing of Caravans in Localities Regulations.

Other permit conditions:

B 1132

Place where the caravan may be placed:

Fee Paid:

Receipt Number:

STAMP

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