A 834

I assent.

(L.S.) **FRANK BEZZINA**
Acting President

17th October, 2023

ACT No. XXXV of 2023

AN ACT to amend the Exclusive Economic Zone Act, Cap. 625 and to make consequential amendments to various other laws in connection with the designation of an exclusive economic zone area or an environmental protection area in order to regulate activities therein and provide for such matters ancillary or incidental thereto or connected therewith.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

Short title.

1. The short title of this Act is the Exclusive Economic Zone and Various Laws (Amendment) Act, 2023.

PART I
AMENDMENT TO THE CRIMINAL CODE

Amendment to the Criminal Code. Cap. 9.

2. This Part amends the Criminal Code and it shall be read and construed as one with the Criminal Code, hereinafter in this Part referred to as "the Code".

Addition of new article to the Code.

3. Immediately after article 5 of the Code there shall be added

the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

5A. The provisions of this Code and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Code and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

PART II
AMENDMENT TO THE CODE OF ORGANIZATION AND CIVIL PROCEDURE

Amendment to the Code of Organization and Civil Procedure. Cap. 12.

4. This Part amends the Code of Organization and Civil Procedure and it shall be read and construed as one with the Code of Organization and Civil Procedure, hereinafter in this Part referred to as "the Code".

Addition of new article to the Code.

5. Immediately after article 5 of the Code there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

5A. The provisions of this Code and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Code and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

PART III
AMENDMENT TO THE CIVIL CODE

Amendment to the Civil Code. Cap. 16.

6. This Part amends the Civil Code and it shall be read and construed as one with the Civil Code, hereinafter in this Part referred to as "the Code".

Addition of new article to the Code.

7. Immediately after article 1A of the Code there shall be added

the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

1B. The provisions of this Code and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Code and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Cap. 625.

PART IV
AMENDMENT TO THE EXPLOSIVES ORDINANCE

Amendment to the Explosives Ordinance. Cap. 33.

8. This Part amends the Explosives Ordinance and it shall be read and construed as one with the Explosives Ordinance, hereinafter in this Part referred to as "the principal law".

Amendment of article 22 of the principal law.

9. Immediately after paragraph (b) of sub-article (1) of article 22 of the principal law there shall be added the following new paragraph:

" (ba) for activities taking place within an exclusive economic zone area and environment protection area as defined in the Exclusive Economic Zone Act;".

Cap. 625.

PART V
AMENDMENT TO THE CUSTOMS ORDINANCE

Amendment to the Customs Ordinance. Cap. 37.

10. This Part amends the Customs Ordinance and it shall be read and construed as one with the Customs Ordinance, hereinafter in this Part referred to as "the principal law".

Amendment to article 80 of the principal law.

11. Immediately after sub-article (3) of article 80 of the principal law there shall be added the following new sub-article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

(4) The Minister responsible for customs may make, amend, substitute or repeal rules or regulations in relation to the application of all or part of the provisions of the Ordinance and of any subsidiary legislation made thereunder for the purpose of regulating, prescribing or otherwise providing for customs matters in respect of any exclusive economic zone area or environment protection area as defined in the Exclusive Economic Zone Act.".

PART VI
AMENDMENTS TO THE INCOME TAX ACT

Amendments to the Income Tax Act. Cap. 123.

12. This Part amends the Income Tax Act and it shall be read and construed as one with the Income Tax Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 2 of the principal Act.

13. Article 2 of the principal Act shall be amended as follows:

(a) immediately after the definition "equity holding" thereof there shall be added the following new definition:

" "exclusive economic zone area" shall have the same meaning as assigned to it in the Exclusive Economic Zone Act;"; and Cap. 625.

(b) the definition "Malta" thereof shall be substituted by the following new definition:

" "Malta" means the Island of Malta, the Island of Gozo and the other islands of the Maltese Archipelago, including the territorial waters thereof, the continental shelf and any exclusive economic zone area;".

Amendment of article 4 of the principal Act.

14. In paragraph (iii) of the proviso of sub-article (1) of article 4 of the principal Act the words "received in Malta." shall be substituted by the words "received in Malta;" and immediately after there shall be added the following new paragraph:

"(iv) in the case of income or capital gains arising from activities carried out in an exclusive economic zone area, only activities which are licensed or otherwise authorised to be undertaken in accordance with the Exclusive Economic Zone Act shall be deemed to be carried out in Malta and the provisions of the Income Tax Acts shall apply accordingly. For the avoidance of doubt, transfers of assets situated within the exclusive economic zone area shall be deemed to have taken place in Malta and the provisions of articles 5 and 5A of this Act shall apply accordingly.". Cap. 625.

Amendment of article 96 of the principal Act.

15. Immediately after sub-article (4) of article 96 of the principal

Act there shall be added the following new sub-article:

"(5) The Minister responsible for finance may make, amend, substitute or repeal rules or regulations in relation to the tax treatment of activities carried out within an exclusive economic zone area, including the application of all or part of the provisions of the Income Tax Acts and of any subsidiary legislation made thereunder in relation to the said activities and for the purpose of regulating, prescribing or otherwise providing for matters relating to tax in respect of an exclusive economic zone area and generally for the better application of the Income Tax Acts to activities carried out in or therefrom.".

PART VII
AMENDMENT TO THE CARRIAGE OF GOODS BY SEA ACT

Amendment to the Carriage of Goods by Sea Act. Cap. 140.

16. This Part amends the Carriage of Goods by Sea Act and it shall be read and construed as one with the Carriage of Goods by Sea Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

17. Immediately after article 8 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

9. The Minister responsible for finance may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART VIII
AMENDMENT TO THE AGRICULTURAL AND FISHING INDUSTRIES (FINANCIAL ASSISTANCE) ACT

Amendment to the Agricultural and Fishing Industries (Financial Assistance) Act. Cap. 146.

18. This Part amends the Agricultural and Fishing Industries (Financial Assistance) Act and it shall be read and construed as one with the Agriculture and Fishing Industries (Financial Assistance) Act, hereinafter in this Part referred to as "the principal Act".

19. Immediately after article 7 of the principal Act there shall be added the following new article: Addition of new article to the principal Act.

"Power to make regulations with respect to exclusive economic zone area or environment protection area.

7A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister responsible for agriculture and the Minister responsible for fisheries may, with the concurrence of the Minister responsible for finance, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

Cap. 625.

PART IX
AMENDMENT TO THE POLICE ACT

20. This Part amends the Police Act and it shall be read and construed as one with the Police Act, hereinafter in this Part referred to as "the principal Act". Amendment to the Police Act. Cap. 164.

21. Immediately after article 99 of the principal Act, there shall be added the following new article: Addition of new article to the principal Act.

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

99A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act and subject to the provisions of this Act, a police officer shall, in relation to any artificial island, installation, structure, equipment or device therein, have all the powers, protection and privileges which he has in Malta.".

Cap. 625.

PART X
AMENDMENT TO THE EMERGENCY POWERS ACT

Amendment to the Emergency Powers Act. Cap. 178.

22. This Part amends the Emergency Powers Act and it shall be read and construed as one with the Emergency Powers Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

23. Immediately after article 2 of the principal Act there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Cap. 625.

PART XI
AMENDMENT TO THE IMMIGRATION ACT

Amendment to the Immigration Act. Cap. 217.

24. This Part amends the Immigration Act and it shall be read and construed as one with the Immigration Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

25. Immediately after article 36 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone or environment protection area. Cap. 625.

37. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XII
AMENDMENTS TO THE MALTA ARMED FORCES ACT

Amendments to the Malta Armed Forces Act. Cap. 220.

26. This Part amends the Malta Armed Forces Act and it shall be read and construed as one with the Malta Armed Forces Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

27. Immediately after article 2 of the principal Act there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625. S.L. 220.06.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act, and subject to the provisions of the Assignment of Powers to Armed Forces of Malta Order, a member of the Armed Forces of Malta shall, in relation to any artificial island, installation, structure, equipment or device therein, have all the powers, protection and privileges which he has in Malta.".

Amendment of article 4 of the principal Act.

28. Immediately after sub-article (3) of article 4 of the principal Act there shall be added the following new sub-article:

"(3A) Without prejudice to any provision of this Act granting the President of Malta the power to make regulations, the President of Malta may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area, safety zone or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.". Cap. 625.

PART XIII
AMENDMENT TO THE EXTRADITION ACT

Amendment to the Extradition Act. Cap. 276.

29. This Part amends the Extradition Act and it shall be read and construed as one with the Extradition Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

30. Immediately after article 2 of the principal Act there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

PART XIV
AMENDMENTS TO THE BUSINESS PROMOTION ACT

Amendments to the Business Promotion Act. Cap. 325.

31. This Part amends the Business Promotion Act and it shall be read and construed as one with the Business Promotion Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

32. Immediately after article 2 of the principal Act, there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Addition of new article to the principal Act.

33. Immediately after article 59 of the principal Act there shall be

added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

59A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XV
AMENDMENT TO THE IMPORT DUTIES ACT

Amendment to the Import Duties Act. Cap. 337.

34. This Part amends the Import Duties Act and it shall be read and construed as one with the Import Duties Act, hereinafter in this Part referred to as "the principal Act".

Amendment to article 35 of the principal Act.

35. In article 35 of the principal Act immediately after paragraph (e) thereof there shall be added the following new paragraph:

Cap. 625.

"(ea) extending all or part of the provisions of this Act, including any regulations thereunder to any exclusive economic zone area or environment protection area as defined in the Exclusive Economic Zone Act and prescribing or otherwise providing for matters relating to import duties in respect of any exclusive economic zone area or environment protection area as defined in the Exclusive Economic Zone Act;".

PART XVI
AMENDMENT TO THE DUTY ON DOCUMENTS AND TRANSFERS ACT

Amendment to the Duty on Documents and Transfers Act. Cap. 364.

36. This Part amends the Duty on Documents and Transfers Act and it shall be read and construed as one with the Duty on Documents and Transfers Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 22 of the principal Act.

37. In sub-article (1) of article 22 of the principal Act, immediately after paragraph (c) thereof there shall be added the

following new paragraph:

"(ca) for extending all or part of the provisions of this Act, including any regulations thereunder to any exclusive economic zone area or environment protection area as defined in the Exclusive Economic Zone Act and making, amending, substituting or repealing rules or regulations, prescribing or otherwise providing for matters contemplated under this Act, in respect of such areas;". Cap. 625.

PART XVII
AMENDMENT TO THE EXCISE DUTY ACT

Amendment to the Excise Duty Act. Cap. 382.

38. This Part amends the Excise Duty Act and it shall be read and construed as one with the Excise Duty Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 13 of the principal Act.

39. Immediately after paragraph (d) of sub-article (1) of article 13 of the principal Act there shall be added the following new paragraph:

"(da) the extension of all or part of the provisions of this Act, including any regulations thereunder to any exclusive economic zone area or environment protection area as defined in Exclusive Economic Zone Act and prescribing or otherwise providing for excise duty matters in respect of an exclusive economic zone area or environment protection area as defined in Exclusive Economic Zone Act;". Cap. 625.

PART XVIII
AMENDMENTS TO THE ELECTRONIC COMMUNICATIONS (REGULATION) ACT

Amendments to the Electronic Communications (Regulation) Act. Cap. 399.

40. This Part amends the Electronic Communications (Regulation) Act and it shall be read and construed as one with the Electronic Communications (Regulation) Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

41. Immediately after sub-article (1) of article 5 of the principal

Act there shall be added the following new sub-article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

1A. The provisions of this Act shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act, be treated as if they were situated in Malta itself.".

Amendment of article 47 of the principal Act.

42. Immediately after paragraph (t) of sub-article (1) of article 47 of the principal Act, there shall be added the following new paragraph:

"(ta) regulate activities taking place within an exclusive economic zone area or environment protection area as defined in the Exclusive Economic Zone Act;". Cap. 625.

PART XIX
AMENDMENTS TO THE INSURANCE BUSINESS ACT

Amendments to the Insurance Business Act. Cap. 403.

43. This Part amends the Insurance Business Act and it shall be read and construed as one with the Insurance Business Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 2 of the principal Act.

44. In the definition "risk situated in Malta" in paragraph (d) of sub-article (1) of article 2 of the principal Act, the words "relates, is situated in Malta;" shall be substituted by the words "relates, is situated in Malta:" and immediately thereafter there shall be added the following new proviso:

"Provided that, for the purposes of this paragraph, Malta shall include an exclusive economic zone area and environment protection area as defined in the Exclusive Economic Zone Act;". Cap. 625.

Addition of new article to the principal Act.

45. Immediately after article 64 of the principal Act there shall be

added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

64A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XX
AMENDMENTS TO THE VALUE ADDED TAX ACT

Amendments to the Value Added Tax Act. Cap. 406.

46. This Part amends the Value Added Tax Act and it shall be read and construed as one with the Value Added Tax Act, hereinafter in this Part referred to as "the principal Act".

Amendment to article 2 of the principal Act.

47. Article 2 of the principal Act shall be amended as follows:

(a) sub-article (1) thereof shall be amended as follows:

(i) immediately after the definition of "excise goods" there shall be added the following new definition:

""exclusive economic zone area" shall have the same meaning as assigned to it in the Exclusive Economic Zone Act;"; Cap. 625.

(ii) the definition "Malta" shall be substituted by the following:

" "Malta" means the Island of Malta, the Island of Gozo and the other islands of the Maltese Archipelago, including the territorial waters thereof, the continental shelf and subject to the provisions of sub-article (4), also includes any exclusive economic zone area;";

(b) immediately after sub-article (3) thereof there

shall be added the following new sub-article:

"(4) For the purpose of sub-article (1), an exclusive economic zone area shall be deemed to form part of Malta only to the extent of activities undertaken pursuant to, or which are directly related to, an authorization or licence granted in accordance with the Exclusive Economic Zone Act.". Cap. 625.

PART XXI
AMENDMENTS TO THE COPYRIGHT ACT

Amendments to the Copyright Act. Cap. 415.

48. This Part amends the Copyright Act and it shall be read and construed as one with the Copyright Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

49. Immediately after article 1 of the principal Act there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

1A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Addition of new article to the principal Act.

50. Immediately after article 59 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

59A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXII
AMENDMENTS TO THE PATENTS AND DESIGNS ACT

Amendments to the Patents and Designs Act. Cap. 417.

51. This Part amends the Patents and Designs Act and it shall be read and construed as one with the Patents and Designs Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

52. Immediately after article 1 of the principal Act there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

Cap. 625.

1A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Addition of new article to the principal Act.

53. Immediately after article 59 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone or environment protection area. Cap. 625.

59A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXIII
AMENDMENT TO THE INTERNATIONAL PROTECTION ACT

Amendment to the International Protection Act. Cap. 420.

54. This Part amends the International Protection Act and it shall be read and construed as one with the International Protection Act, hereinafter in this Part referred to as "the principal Act".

55. Immediately after article 25 of the principal Act there shall be added the following new article:

Addition of new article to the principal Act.

Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

"25A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXIV
AMENDMENT TO THE FISHERIES CONSERVATION AND MANAGEMENT ACT

56. This Part amends the Fisheries Conservation and Management Act and it shall be read and construed as one with the Fisheries Conservation and Management Act, hereinafter in this Part referred to as "the principal Act".

Amendment to the Fisheries Conservation and Management Act. Cap. 425.

57. Immediately after article 38 of the principal Act there shall be added the following new article:

Addition of new article to the principal Act.

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

38A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, and without prejudice to article 3 and the related exercise of sovereign rights, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXV
AMENDMENTS TO THE VETERINARY SERVICES ACT

Amendments to the Veterinary Services Act. Cap. 437.

58. This Part amends the Veterinary Services Act and it shall be read and construed as one with the Veterinary Services Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

59. Immediately after article 3 of the principal Act there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

Cap. 625.

3A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Addition of new article to the principal Act.

60. Immediately after article 73 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

73A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXVI
AMENDMENTS TO THE FOOD SAFETY ACT

Amendments to the Food Safety Act. Cap. 449.

61. This Part amends the Food Safety Act and it shall be read and construed as one with the Food Safety Act, hereinafter in this Part referred to as "the principal Act".

62. Immediately after article 3 of the principal Act there shall be added the following new article: Addition of new article to the principal Act.

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

3A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.". Cap. 625.

63. In paragraph (p) of sub-article (1) of article 10 of the principal Act the words "evaluation of the results of such analyses or examinations; and" shall be substituted by the words "evaluation of the results of such analyses or examinations;"; and immediately after paragraph (p) thereof, as amended, there shall be added the following new paragraph: Amendment of article 10 of the principal Act.

"(pa) for activities taking place within an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act; and". Cap. 625.

PART XXVII
AMENDMENTS TO THE EMPLOYMENT AND INDUSTRIAL RELATIONS ACT

64. This Part amends the Employment and Industrial Relations Act and it shall be read and construed as one with the Employment and Industrial Relations Act, hereinafter in this Part referred to as "the principal Act". Amendments to the Employment and Industrial Relations Act. Cap. 452.

65. Immediately after article 2 of the principal Act there shall be Addition of new article to the principal Act.

added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Addition of new article to the principal Act.

66. Immediately after article 48 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

48A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXVIII
AMENDMENTS TO THE MALTA ENTERPRISE ACT

Amendments to the Malta Enterprise Act. Cap. 463.

67. This Part amends the Malta Enterprise Act and it shall be read and construed as one with the Malta Enterprise Act, hereinafter in this Part referred to as the "the principal Act".

Addition of new article to the principal Act.

68. Immediately after article 2 of the principal Act there shall be

added the following new article:

"Extension of applicability to continental shelf and exclusive economic zone area or environment protection area. Cap. 362. Cap. 535. Cap. 625.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to the continental shelf as defined in the Continental Shelf Act and to any exclusive economic zone area or environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any legislation made thereunder, be treated as if they were situated in Malta itself.".

Amendment of article 5 of the principal Act.

69. In the proviso of paragraph (f) of sub-article (1) of article 5 of the principal Act the words "the provisions of the relevant legislation shall prevail." shall be substituted by the words "the provisions of the relevant legislation shall prevail; and" and immediately after paragraph (f) thereof, as amended, there shall be added the following new paragraph:

Cap. 535. Cap. 625.

"(g) the activities taking place within the continental shelf as defined in the Continental Shelf Act and within any exclusive economic zone area or environment protection area as defined in the Exclusive Economic Zone Act.".

PART XXIX
AMENDMENT TO THE ECO-CONTRIBUTION ACT

Amendment to the Eco-Contribution Act. Cap. 473.

70. This Part amends the Eco-Contribution Act and it shall be read and construed as one with the Eco-Contribution Act, hereinafter in this Part referred to as "the principal Act".

Amendment of article 13 of the principal Act.

71. In article 13 of the principal Act, immediately after paragraph (h) thereof, there shall be added the following new paragraph:

Cap. 625.

"(ha) the extension of the applicability of all or part of the provisions of this Act or subsidiary legislation thereunder to any exclusive economic zone area or environment protection area as defined in the Exclusive Economic Zone Act and the regulation of matters contemplated by this Act in respect of such areas; and".

PART XXX
AMENDMENT TO THE AUTHORITY FOR TRANSPORT IN MALTA ACT

Amendment to the Authority for Transport in Malta Act. Cap. 499.

72. This Part amends the Authority for Transport in Malta Act and it shall be read and construed as one with the Authority for Transport in Malta Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

73. Immediately after article 43 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone area, safety zone or environment protection area. Cap. 625.

43A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area, safety zone or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXXI
AMENDMENTS TO THE SUSTAINABLE DEVELOPMENT ACT

Amendments to the Sustainable Development Act. Cap. 521.

74. This Part amends the Sustainable Development Act, and it shall be read and construed as one with the Sustainable Development Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

75. Immediately after article 2 of the principal Act there shall be

added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Addition of new article to the principal Act.

76. Immediately after article 13 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

13A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXXII
AMENDMENT TO THE CRIMES AGAINST THE ENVIRONMENT ACT

Amendment to the Crimes Against the Environment Act. Cap. 522.

77. This Part amends the Crimes Against the Environment Act and it shall be read and construed as one with the Crimes Against the Environment Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

78. Immediately after article 2 of the principal Act there shall be

added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

PART XXXIII
AMENDMENT TO THE PROTECTION OF THE WHISTLEBLOWER ACT

Amendment to the Protection of the Whistleblower Act. Cap. 527.

79. This Part amends the Protection of the Whistleblower Act and it shall be read and construed as one with the Protection of the Whistleblower Act, hereinafter in this Part referred to as the "the principal Act".

Addition of new article to the principal Act.

80. Immediately after article 2 of the principal Act there shall be added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

PART XXXIV
AMENDMENTS TO THE CLIMATE ACTION ACT

Amendments to the Climate Action Act. Cap. 543.

81. This Part amends the Climate Action Act and it shall be read and construed as one with the Climate Action Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

82. Immediately after article 2 of the principal Act there shall be

added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Cap. 625.

83. Immediately after article 13 of the principal Act there shall be added the following new article:

Addition of new article to the principal Act.

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

13A. Without prejudice to any provision of this Act granting the Minister the power to make regulations the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXXV
AMENDMENTS TO THE REGULATOR FOR ENERGY AND WATER SERVICES ACT

84. This Part amends the Regulator for Energy and Water Services Act and it shall be read and construed as one with the Regulator for Energy and Water Services Act, hereinafter in this Part referred to as "the principal Act".

Amendments to the Regulator for Energy and Water Services Act. Cap. 545.

85. Immediately after article 2 of the principal Act there shall be

Addition of new article to the principal Act.

added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Addition of new article to the principal Act.

86. Immediately after article 37 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

37A. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXXVI
AMENDMENTS TO THE ENVIRONMENT PROTECTION ACT

Amendments to the Environment Protection Act. Cap. 549.

87. This Part amends the Environment Protection Act and it shall be read and construed as one with the Environment Protection Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

88. Immediately after article 2 of the principal Act there shall be

added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Cap. 625.

Amendment of article 54 to the principal Act.

89. In paragraph (cc) of sub-article (2) of article 54 of the principal Act, the words "to be prescribed by this Act." shall be substituted by the words "to be prescribed by this Act;" and immediately after paragraph (cc) thereof, as amended, there shall be added the following new paragraph:

Cap. 625.

"(dd) subject to the provisions of the Exclusive Economic Zone Act, regulate, prescribe or otherwise provide for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXXVII
AMENDMENTS TO THE TRADE SECRETS ACT

Amendments to the Trade Secrets Act. Cap. 589.

90. This Part amends the Trade Secrets Act and it shall be read and construed as one with the Trade Secrets Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

91. Immediately after article 3 of the principal Act there shall be

added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362. Cap. 625.

3A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Addition of new article to the principal Act.

92. Immediately after article 18 of the principal Act there shall be added the following new article:

"Power to make regulations with respect to exclusive economic zone area or environment protection area. Cap. 625.

19. Without prejudice to any provision of this Act granting the Minister the power to make regulations, the Minister may, subject to the provisions of the Exclusive Economic Zone Act, from time to time, make, amend, substitute or repeal regulations for the purpose of regulating, prescribing or otherwise providing for any matters regulated by or under this Act or by or under any subsidiary legislation made thereunder, in respect of an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act or any activities therein including, but not limited, to the applicability or otherwise of this Act and, or of any subsidiary legislation made thereunder.".

PART XXXVIII
AMENDMENTS TO THE TRADEMARKS ACT

Amendments to the Trademarks Act. Cap. 597.

93. This Part amends the Trademarks Act and it shall be read and construed as one with the Trademarks Act, hereinafter in this Part referred to as "the principal Act".

Addition of new article to the principal Act.

94. Immediately after article 2 of the principal Act there shall be

added the following new article:

"Extension of applicability to exclusive economic zone area or environment protection area. Cap. 362.

2A. The provisions of this Act and of any subsidiary legislation made thereunder shall also apply, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea as ratified by the Law of the Sea (Ratification) Act, to an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act. Any artificial island, installation, structure, equipment or device therein shall, solely for the purposes of this Act and any subsidiary legislation made thereunder, be treated as if they were situated in Malta itself.".

Cap. 625.

Amendment to article 101 of the principal Act.

95. In paragraph (j) of sub-article (1) of article 101 of the principal Act, the words "Member States relating to trademarks." shall be substituted by the words "Member States relating to trademarks;" and immediately after paragraph (j) thereof, as amended, there shall be added the following new paragraph:

"(k) to regulate activities taking place within an exclusive economic zone area or an environment protection area as defined in the Exclusive Economic Zone Act.".

Cap. 625.

PART XXXIX
AMENDMENTS TO THE EXCLUSIVE ECONOMIC ZONE ACT

Amendments to the Exclusive Economic Zone Act. Cap. 625.

96. This Part amends the Exclusive Economic Zone Act and it shall be read and construed as one with the Exclusive Economic Zone Act, hereinafter in this Part referred to as "the principal Act".

Amendment of title of the principal Act.

97. In the title of the principal Act immediately after the words "other ancillary matters thereto" there shall be added the words "and to make provision for the exercise by Malta of its rights and powers in relation to the exclusive economic zone pursuant to international law".

Amendment of article 2 of the principal Act.

98. Article 2 of the principal Act shall be amended by the following:

(a) immediately after the definition "baselines" thereof there shall be added the following new definition:

" "competent authority" means the Office of the Prime Minister of Malta, or such other body or person as the Minister may prescribe and designate as the competent

authority for different purposes in terms of different provisions of this Act;";

(b) immediately after the definition "continental shelf" there shall be added the following new definition:

" "dumping" means:

(i) any deliberate disposal of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea;

(ii) any deliberate disposal of vessels, aircraft, platforms or other man-made structures at sea,

but does not include:

(i) the disposal of wastes or any other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or any other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures;

(ii) placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this Act, international law and, or any other applicable law;";

(c) immediately after the definition "exclusive economic zone area" there shall be added the following new definition:

" "licence" means any agreement or document evidencing authorisation, consent and approval granted by the Minister in terms of this Act;";

(d) the definition "Minister" shall be substituted by the following new definition:

" "Minister" means the Prime Minister of Malta and includes any other Minister, as may be designated by him from time to time for any of the purposes of this Act;";

(e) in the definition "natural resources" the words "said Zone or Areas" shall be substituted by the words "said exclusive economic zone or Areas";

(f) the definition "safety zone" shall be substituted by the following new definition:

" "safety zone" means an area established by the Minister in terms of article 9(1)(d), for the purpose of ensuring the safety both of navigation and of the artificial island, installation, structure, equipment or device with respect to which such area is established and which shall not exceed a distance of five hundred (500) metres around the artificial island, installation, structure, equipment or device concerned, measured from each point of its outer edge;";

(g) immediately after the definition "safety zone", as substituted, there shall be added the following new definition:

" "ship" has the same meaning as assigned to it by the Merchant Shipping Act;"; and

Cap. 234.

(h) in the definition "territorial waters" the words "Contiguous Zone Act;" shall be substituted by the words "Contiguous Zone Act." and immediately thereafter the definition "Zone" thereof shall be deleted.

99. Article 3 of the principal Act shall be amended by the following:

Amendment of article 3 of the principal Act.

(a) in paragraph (a) of sub-article (1) thereof the words "the Zone or Area" shall be substituted by the words "the exclusive economic zone or Area";

(b) sub-article (2) thereof shall be substituted by the following new sub-article (2):

"(2) The rights with respect to the seabed and subsoil of any Area shall be exercised in accordance with the Continental Shelf Act and any regulations made thereunder.";

Cap. 535.

(c) sub-article (3) thereof shall be substituted by the

following new sub-article (3):

"(3) The rights with respect to living resources within any Area shall be exercised in accordance with the Fisheries Conservation and Management Act and any regulations made thereunder.";

Cap. 425.

(d) sub-article (4) thereof shall be substituted by the following new sub-article (4):

"(4) The rights with respect to the activities for the economic exploration and, or exploitation of any Area shall be exercised in accordance with this Act, and any regulations made thereunder, or by any other law and regulations made thereunder, as may be made in order to regulate such activities and, in each case, subject to the requirements and, or conditions contained in the relevant licence granting such rights.".

Substitution of article 4 of the principal Act.

100. Article 4 of the principal Act shall be substituted by the following new article:

"4. The Minister may, from time to time, by order published in the Gazette, designate an exclusive economic zone area adjacent to the territorial waters and within the limits of the exclusive economic zone, within which the rights and jurisdiction referred to in article 3 are exercisable.".

Substitution of article 5 of the principal Act.

101. Article 5 of the principal Act shall be substituted by the following new article:

"Prohibition of activities.

5. (1) Except where authorised in accordance with the provisions of this Act and any regulations made thereunder, and subject to the requirements and, or conditions contained in the relevant licence granting such rights, no person shall in the exclusive economic zone or any Area:

(a) explore or exploit any natural resources;

(b) carry out any search, excavation or drilling operations;

(c) construct, erect, place or use, or authorise and regulate the construction, operation and use of any:

(i) artificial island; or

(ii) installation, structure, equipment or device for any of the purposes provided for in article 3 or for any other economic purpose; or

(iii) installation, structure, equipment or device which may interfere with the exercise of the rights of Malta in the exclusive economic zone or any Area;

(d) conduct marine scientific research or any other type of research;

(e) deploy and, or use any type of scientific research installations or equipment;

(f) conduct a survey for the laying of a submarine cable or pipeline or lay or maintain any submarine cable or pipeline;

(g) carry out any dumping.

(2) Except where authorised in accordance with the provisions of this Act and any regulations made thereunder, and subject to the requirements and, or conditions contained in the relevant licence granting such rights, no person shall conduct any economic activity relating to the matters, rights and activities contemplated in article 3, in any Area.

(3) Any service, supply, importation, export, trade and, or profession, which if carried out or exercised in or from Malta would require a licence, authorisation, permit, or warrant and, or the fulfilment of conditions, requirements or criteria in terms of the laws in force in Malta, shall not be carried out in any Area unless directly related to a licence granted under this Act and pursuant to such licence, authorisation, permit or warrant, as applicable and, or in accordance with the relevant conditions, requirements or criteria.

(4) Where both a licence under this Act, including the regulations made thereunder and a licence under the Continental Shelf Act including the regulations made thereunder is required for the same purpose, these licences shall be incorporated in one (1) licence.".

Cap. 535.

102. Article 7 of the principal Act shall be substituted by the following new article:

Substitution of article 7 of the principal Act.

"7. The Minister may adopt measures in relation to any Area which are necessary to protect Malta's coastline or any segment or element of the marine environment or related interests, including fishing and other economic activities, from

pollution or the threat of pollution.".

Substitution of article 8 of the principal Act.

103. Article 8 of the principal Act shall be substituted by the following new article:

"8. In exercising their rights and performing their duties under international law in the exclusive economic zone or any Area, other States shall have due regard to the rights and duties of Malta and shall comply with the laws adopted by Malta pursuant to international law in respect of the exclusive economic zone and, or the relevant Area, and with applicable international law.".

Substitution of article 9 of the principal Act.

104. Article 9 of the principal Act shall be substituted by the following new article:

"Power to make regulations or orders.

9. (1) The Minister may, from time to time, make regulations or orders with respect to every objective or any one (1) or more of the following objectives:

(a) regulating the exploration, exploitation, conservation, management and preservation of the natural resources of any Area under this Act;

(b) regulating or prohibiting the construction, erection, placing, operation, use and, or removal of artificial islands, installations, structures, equipment or devices in any Area under this Act:

(i) in connection with exploration, exploitation, conservation and, or management of the natural resources of any Area or any part thereof;

(ii) in connection with the jurisdiction referred to in article 3(1)(b);

(iii) in places where they could cause interference with the rights of the Government of Malta to explore, exploit, conserve or manage the natural resources of any Area;

(iv) in places where they could cause interference with the use of recognised sea lanes essential to international navigation as well as navigation within the territorial waters of Malta;

(c) regulating the deployment and use of any type of scientific research installations or equipment in any Area;

(d) establishing safety zones around any artificial islands, installations, structures, equipment or devices, the construction, erection, placing or use of which in any Area has been authorised in terms of this Act or regulations thereunder, at a location and extending to a distance determined by the Minister;

(e) regulating the laying, maintenance and monitoring of submarine cables and pipelines in any Area;

(f) regulating marine scientific research in any Area;

(g) regulating dumping in any Area;

(h) prescribing such measures as considered necessary in any safety zone for both the safety of navigation and for the protection of the artificial island, installation, structure, equipment or device in any Area with respect to which the safety zone is established;

(i) regulating or prohibiting the entry of ships into any safety zone;

(j) prescribing measures that shall be taken in any safety zone for the protection and the preservation of the marine environment, as well as the protection and preservation of the natural resources of any Area;

(k) prescribing the notice that shall be given for the construction, erection, or placing of artificial islands, installations, structures, equipment or devices in any Area;

(l) prescribing those permanent means that shall be installed for the purpose of giving warning to shipping and aircraft of the presence of artificial islands, installations, structures, equipment or devices in any Area;

(m) prescribing the appropriate means for publicity about the depth, position and dimensions of any installations or structures which are not entirely removed from any Area;

(n) providing for the removal of artificial islands, installations, structures, equipment or devices constructed, erected, or placed in any Area which have been abandoned or have fallen into disuse;

(o) providing for the removal of submarine cables and, or pipelines laid or maintained in any Area which have fallen into disuse or are beyond repair;

(p) prohibiting or restricting any exploration or exploitation of:

(i) any Area or any specified part thereof; or

(ii) its natural resources;

(q) protecting and preserving the marine environment in any Area;

(r) providing for such matters as are necessary, including the prescription of fees and levying of taxes, for giving full effect to this Act and any regulations made thereunder, and for the due administration thereof;

(s) regulating the exploration and exploitation of any Area for the production of energy from the water, currents and winds and for any other economic purposes;

(t) regulating licensing procedures with regard to activities carried out in any Area;

(u) providing for any other matters as are necessary or expedient for giving full effect to Malta's sovereign rights and jurisdiction in the exclusive economic zone, including an Area;

(v) prescribing the minimum and maximum punishments, whether by way of fine (*multa*) or of imprisonment, that shall be applied in respect of any contravention or non-observance of any regulation made under this article:

Provided that any punishment prescribed in the regulations made under this paragraph shall not exceed a fine (*multa*) of two million euro (€2,000,000), and shall not exceed a term of five (5) years imprisonment, or both, in respect of any contravention or non-observance of any regulation made under this article:

Provided further that notwithstanding the preceding proviso, in the case of offences resulting in serious injuries and, or death, the punishment prescribed in the regulations made under this paragraph may exceed a term of five (5) years imprisonment.

(2) By virtue of this article, the Minister shall also be empowered to make any regulations or orders as may be required for the proper implementation and administration of this Act and any of the regulations made thereunder.

(3) Regulations and orders made under any of the provisions of this Act may be made in the English language only.".

Substitution of article 10 of the principal Act.

105. Article 10 of the principal Act shall be substituted by the following new article:

"Jurisdiction.

10. (1) Any act or omission which:

(a) involves or takes place on, under or above an artificial island, installation, structure, equipment or device in any Area or in a safety zone established by the Minister; and

(b) would, if taking place in any part of Malta, constitute an offence under the law in force in Malta,

shall be treated for the purposes of that law and of any other law in force in Malta as taking place in Malta itself.

(2) For the purposes of civil jurisdiction exercisable by any court, tribunal or board of Malta, any artificial island, installation, structure, equipment or device in any Area and, or in a safety zone established by the Minister, shall be treated as if they were situated in Malta itself.

(3) Any maritime enforcement officer shall in any Area, including on any artificial island, installation, structure, equipment or device therein, and, or in a safety zone as may be established by the Minister, have all powers, protection and privileges which he has under any law in force in Malta.

(4) The Minister may, by regulations or orders made in terms of article 9(2), limit the powers, competences and, or functions, of any authority, organ or body established under the laws of Malta with respect to any activities taking place in any Area, including on any artificial island, installation or structure therein and, or in a safety zone established by the Minister, in terms of and for the purposes of this Act.

(5) Where the jurisdiction of any authority, organ or body established under the laws of Malta does not extend to any Area and, or a safety zone established by the Minister, the Minister may, by regulations or orders made in terms of article 9(2), extend the applicability of those powers, competences and, or functions which such authority, organ or body has in terms of the laws of Malta to activities taking place in any Area and, or a safety zone established by the Minister, as if such activities had taken place in Malta.".

Addition of new article to the principal Act.

106. Immediately after article 12 of the principal Act there shall be added the following new article:

"Designation of competent authorities.

13. For the purposes of the implementation of the provisions of this Act and regulations made thereunder, the Minister may designate any person as a competent authority for the purposes of the implementation and for the exercise of any rights and duties therein.".

Passed by the House of Representatives at Sitting No. 154 of the 11th October, 2023.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

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