L.N. 253 of 2026

ANIMAL WELFARE ACT
(CAP. 439)

Keeping of Animals in Zoos (Amendment) Regulations, 2026

IN EXERCISE of the powers conferred by articles 7(2) and 8 of the Animal Welfare Act, the Minister responsible for animal welfare, has made the following regulations:-

Citation.

S.L. 439.29.

1. The title of these regulations is the Keeping of Animals in Zoos (Amendment) Regulations, 2026 and these regulations shall be read and construed as one with the Keeping of Animals in Zoos Regulations, hereinafter referred to as the "principal regulations".

Amends regulation 2 of the principal regulations.

2. In regulation 2 of the principal regulations, immediately after the definition "Malta" there shall be added the following new definitions:

" "marine mammals" means any cetaceans, pinniped or sirenian, including but not limited to any dolphins, whales, porpoises, seals, sea lions, walrus, dugong or manatees, irrespective of whether such animal was captive-bred or wild-caught;

"marine park" means any zoo, aquarium or other permanent establishment where one (1) or more marine mammals are kept, displayed, exhibited, trained, bred or otherwise maintained for exhibition to the public, whether or not an admission fee is charged;".

Adds new regulation to the principal regulations.

3. Immediately after regulation 3 of the principal regulations there shall be added the following new regulation:

"Restriction on new marine parks.

3A. Notwithstanding any other provision of these regulations, the Director shall not grant a zoo licence in respect of a marine park or zoo intended for the keeping, exhibition, display, breeding, training of one (1) or more marine mammals:

Provided that nothing contained in this regulation shall be construed as affecting the validity of any zoo licence lawfully granted before the 25th September, 2026 nor shall anything in this regulation prejudice the exercise by the Director of any power conferred by these regulations or by any other applicable law.".

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

Amends regulation 4 of the principal regulations.

(a) sub-regulation (7) thereof shall be substituted by the following new sub-regulation:

"(7) Without prejudice to regulation 3A concerning the restriction on the granting of new zoo licences in respect of marine parks, the Director may refuse an application for the grant or renewal of a zoo licence for any reason which he may deem reasonable and, in particular, for reasons relating to animal health or welfare or the safety of the general public.";

(b) immediately after sub-regulation (12) thereof there shall be added the following new sub-regulation:

"(13) For the avoidance of any doubt, the prohibition contained in regulation 3A shall also apply to any application which would have the purpose or effect of:

(a) extending an existing establishment so as to become a marine park;

(b) changing the nature or operation of an existing licensed zoo into a marine park;

(c) transferring a licence where such transfer would result in the establishment of a marine park that would otherwise be prohibited under regulation 3A;

(d) extending or modifying an existing licensed marine park where such extension or modification would increase its capacity for the keeping, exhibition or display of marine mammals; or

(e) increasing the number of marine mammals kept at an existing licensed marine park.".

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