



AVVIŻ LILL-IBBALZMATURI U PERSUNI LI GħANDHOM FIL-PUSSESS TAGħHOM GħASAFAR IBBALZMATI – 21/08/2015

Ngharrfu b'dan l-avviż illi skont l-emendi magħmula lir-Regolament 21 tar-Regolamenti għall-Konservazzjoni ta' l-Għasafar Selvaġġi, 2015 (SL 504.71) bis-saħħa tal- Avviż Legali 281 tal-2015, illi l-persuni li jipprattikaw l-ibbalzmar għal skopijiet kummerċjali (bhala servizz lil persuni oħra) għandhom jiksbu liċenzja mit- Taqsimta tar-Regolamentazzjoni għall-Għasafar Selvaġġi. Il-liċenzja se tkun valida għal-tlett snin bi hlas ta' €300.

Bbalzmaturo li joperaw fuq skala żgħira, u li jipprattikaw l-ibbalzmar esklussivament għall-użu personali tagħhom, fejn mhux iktar minn tletin ezemplari huma ppreservati fi kwalunkwe sena partikolari, ma jinhtigux liċenzja, għalkemm kundizzjonijiet oħra dwar l-ibbalzmar u l-pussess ta' għasafar ibbalzmati ikomplu japplikaw.

Kwalunkwe liċenzji maħruġa qabel mid-Direttur tad-Direttorat għall-Protezzjoni Ambjentali fi hdan l- Awtorità ta' l-Ambjent u l-Ippjanar ta' Malta jew is-suċċessur tiegħu fit-titolu, għandhom jibqgħu validi sakemm liċenzja ġdida tinhareg mit- Taqsimta tar-Regolamentazzjoni għall- Għasafar Selvaġġi.

Skont ir-Regolamenti l-ġodda, l-ebda persuna ma tista' tipproċessa għall-iskop ta' ibbalzmar jew il-preservazzjoni ta' kwalunkwe għasfur, sakemm ma jintlaħqux wiehed mill-kriterji li ġejjin:

- L-għasafur huwa elenkat taħt Skeda II jew Skeda III tar-Regolamenti għall-Konservazzjoni ta' l-Għasafar Selvaġġi; jew
- kien impurtat legalment skont ir-regolament 6 (1) (a); jew
- ittiehed fi Stat Membru fejn kien ikkaċċjat legalment jew maqbud jew inkella kien akkwistat legalment taħt it-termini tad-Direttiva 2009/147/KE tal-Parlament Ewropew u tal-Kunsill dwar il-Konservazzjoni tal-Għasafar Selvaġġi u taħt il-legislazzjoni ta' dak l-Istat Membru; jew
- huwa mrobbi fil-magħluq u b'ċirkett magħluq f'siequ¹.

Fil-każ ta' għasafar li mhumiex ġejjin minn 'territorju Ewropej'², il-kampjun għandu jkun jew:

¹ Ċirkett magħluq" tfisser ċirkett f'ċirku kontinwu, mingħajr ebda qsim jew tgħaqqid, li ma kienx imbagħbas b'xi mod, ta' daqs li ma jistax jitneħħa minn għasfur li jkun faqqas u trabba minn ġenituri miksuba skont il-liġi f'ambjent ikkontrollat mill-bniedem meta siequ tkun kibret għal kollox wara li jkun ġie applikat fl-ewwel granet tal-hajja tal-għasfur u li jkun ġie approvat mit-Taqsimta tar-Regolamentazzjoni għall-Għasafar Selvaġġi;"

² Kull tip ta' speċi ta' għasafar li ma jinstabux b'mod naturali fl-ebda territorju tal-Istati Membri tal-Unjoni Ewropea.

- impurtat legalment skond ir-regolament 6 (1) (b); jew
- mrobbi fil- maghluq

Fil-każijiet kollha, l-ibbalzmat huwa meħtieġ li jzomm fil-pussess tiegħu, sakemm dan jibqa fil-pussess tal-ezemplar, il- liċenzji kollha, permessi, ċertifikati u kull dokument ieħor li juru għas-sodisfazzjon tat- Taqsima tar- Regolamentazzjoni għall- Ġhasafar Selvaġġi ili l-ezemplar ma kienx ġie akwistat b'kontravvenzjoni ta' dawn ir-regolamenti.

Skont ir-regolamenti godda, huwa illegali li kwalunkwe persuna li tippossjedi tajr ibbalzmat ta' speċi li mhux inkluża fl-Iskedi II jew III tar-Regolamenti tal-Konservazzjoni tal- Ġhasafar Selvaġġi jew tajr ili mhumiex gejjin mit- 'territorju Ewropew hekk hlief kemm il- darba dik il-persuna żzomm fil-pussess tagħha, għal dak iż-żmien li huwa jibqa fil-pussess tal-ezemplari, il- liċenzji kollha, permessi, ċertifikati u kull dokument ieħor li juru għas-sodisfazzjon tat- Taqsima tar- Regolamentazzjoni għall- Ġhasafar Selvaġġi ili l-ezemplari ma jkunx ġie akwistat b'kontravvenzjoni ta' dawn ir-regolamenti, u sakemm:

- ġie ddikjarat mal-Awtorità ta' l-Ambjent u l-Ippjanar ta' Malta jew il-predeċessor tagħha mill-persuna sa' Mejju 31, 2003 u dik tkun inghatat l-permessi, jew ċertifikati ta' reġistrazzjoni mit- Taqsima tar- Regolamentazzjoni għall- Ġhasafar Selvaġġi li jzomm it-tali għasafar skond id-dispożizzjonijiet ta' dan ir-regolament ; jew
- kien importat legalment; jew
- ittiehed fi Stat Membru fejn ġie kkaċċjati legalment jew maqbud jew inkella kien akkwistat legalment taħt it-termini tad-Direttiva 2009/147 / KE tal-Parlament Ewropew u tal-Kunsill dwar il-Konservazzjoni tal-Ġhasafar Selvaġġi u taħt il-legislazzjoni ta' dak l-Istat Membru; jew
- kien immrobbi fil-maghluq.

Kull min kellu fil-pussess tiegħu xi tajr ibbalzmat li kien iddikjarat permezz ta' applikazzjoni lill-Awtorità ta' Malta dwar l-Ambjent u l-Ippjanar jew il-predeċessor tiegħu sal-31 ta' Mejju 2003, se jkollu l-applikazzjoni tiegħu pproċessata mit- Taqsima tar- Regolamentazzjoni għall- Ġhasafar Selvaġġi, li jista' jgħidli ċertifikat uffiċjali li jelenka l-ezemplari ibbalzmat fil-pussess tal-individwu.

Iċ-ċertifikat għandu jinhareġ biss wara li l-ezemplari kollha li huma fil-pussess tal-individwu jiġu identifikati tassonomikament u mmarkati b'apparat ta' identifikazzjoni mill-Wild Birds Regulation Unit u, mingħajr preġudizzju għal kull liġi jew regolament ieħor, l-ebda azzjoni m'għandha tittiehed taħt dawn ir-regolamenti fir-rigward ta' dawk il-ezemplari li jkun inhargilhom ċertifikat.

Fejn jirriżulta li l-applikant ipprovda informazzjoni falza jew qarrieqa, jew għamel dikjarazzjoni falza jew qarrieqa, iċ-ċertifikat, permess jew awtorizzazzjoni jiġu revokati immedjatement u l-individwu ikun responsabbli għall-proċeduri kriminali skont it-termini tal-Kodiċi Kriminali.

Kull tip ta' permess, ċertifikat jew awtorizzazzjoni maħruġa għal skopijiet ta' dan ir-regolament mid-Direttur tad-Direttorat għall-Protezzjoni Ambjentali fi hdan l-Awtorità ta' Malta dwar l-Ambjent u l-Ippjanar, jew is-suċċessor tiegħu fit-titolu, għandu jibqa' validu sakemm permess, ċertifikat jew awtorizzazzjoni ġdida tinhareġ mit- Taqsima tar-Regolamentazzjoni għall- Ġhasafar Selvaġġi.

Huwa ukoll illegali li persuna titrasferixxi jew tiddisponi minn xi għasfur jew tajr li mhumiex ġejjin minn territorju Ewropej li kien iddikjarat permezz ta' applikazzjoni lill-Awtorità ta' Malta dwar l-Ambjent u l-Ippjanar ,jew il-predeċessur tagħha, sal-31 Mejju 2003 sakemm ma jkunx awtorizzat bil-miktub mit- Taqsima tar- Regolamentazzjoni għall- Għasafar Selvaġġi.

Kull min jinstab ħati bi ksur ta' dawn ir-regolamenti jista' jehel multa bejn €500 u €5,000, sospensjoni jew revoka permanenti tal-liċenzji taħt ir-Regolamenti tal-Konservazzjoni tal-Għasafar Selvaġġi, konfiska tal- corpus delicti u prigunerija sa sena.

Kwalunkwe mistoqsijiet relatati ma' dan l-avviż għandhom jiġu indirizzata lill-‘Wild Birds Regulation Unit’ permezz ta' e-mail fuq wildbirds@gov.mt jew permezz tat-telefon fuq 23886219.



NOTICE TO TAXIDERMISTS AND PERSONS IN POSSESSION OF STUFFED BIRDS – 21/08/2015

It is hereby notified that in accordance with the amendments made to Regulation 21 of the Conservation of Wild Birds Regulations, 2015 (S.L. 504.71) by virtue of Legal Notice 281 of 2015, persons who practice taxidermy for commercial purposes (as service to other persons or entities) must obtain a licence from the Wild Birds Regulation Unit. The three-year licence shall be issued against a fee of €300.

Small scale taxidermists, i.e. those who practice taxidermy exclusively for personal use where not more than thirty specimens are preserved in any given year, do not require a licence although other conditions concerning taxidermy and possession of stuffed birds continue to apply.

Any licences previously issued by the Director of the Environment Protection Directorate within the Malta Environment and Planning Authority, or his successor in title, shall remain valid until a new licence is issued by the Wild Birds Regulation Unit.

In accordance with the new Regulations, no person may process for the purpose of taxidermy or preservation any bird, unless one of the following criteria are met:

- The bird is listed under Schedule II or Schedule III of the Conservation of Wild Birds Regulations; or
- it was lawfully imported in accordance with regulation 6(1)(a); or
- it was taken in a Member State where it was lawfully hunted or captured or otherwise lawfully acquired under the terms of Directive 2009/147/EC of the European Parliament and of the Council on the Conservation of Wild Birds and under the legislation of that Member State; or
- it is captive bred and fitted with a closed ring¹.

In the case of non-European territory birds² the specimen must either be:

- lawfully imported in accordance with regulation 6(1)(b); or
- captive-bred.

In all cases, the taxidermist is required to retain in his possession, and for such time as he remains in possession of the specimen, all licences, permits, certificates and any other

¹ "closed ring" means a ring or band in a continuous circle, without any break or join, which has not been tampered with in any way, of a size which cannot be removed from a bird specimen hatched and bred from legally acquired parental stock in a human controlled environment when its leg is fully grown after having been applied in the first days of the specimen's life, and which has been approved by the Wild Birds Regulation Unit.

² Any bird species which does not naturally occur in any territory of the Member States of the European Union.

documents that prove to the satisfaction of the Wild Birds Regulation Unit that such specimen was not obtained in contravention of these regulations.

According to the new regulations, it is illegal for any person to possess any stuffed bird of a species that is not included in Schedules II or III of the Conservation of Wild Birds Regulations or a non-European territory bird unless such person retains in his possession, and for such time as he remains in possession of the specimen, all licences, permits, certificates and any other documents that prove to the satisfaction of the Wild Birds Regulation Unit that such specimen was not obtained in contravention of these regulations, and unless:

- it has been declared with the Malta Environment and Planning Authority or its predecessor by the 31st May 2003 and such person has been given the permits, or certificates of registration by the Wild Birds Regulation Unit to keep such bird in accordance with the provisions of this regulation; or
- it was lawfully imported; or
- it was taken in a Member State where it was lawfully hunted or captured or otherwise lawfully acquired under the terms of Directive 2009/147/EC of the European Parliament and of the Council on the Conservation of Wild Birds and under the legislation of that Member State; or
- it is captive-bred.

Any person who had in his possession any stuffed bird that was declared by virtue of an application to the Malta Environment and Planning Authority or its predecessor by the 31st May 2003 shall have his application processed by the Wild Birds Regulation Unit, which may issue an official certificate listing the stuffed specimens in the applicant's possession.

The certificate shall only be issued after all the specimens that are in the applicant's possession have been taxonomically identified and marked with an identification device by the Wild Birds Regulation Unit and, without prejudice to any other law or regulation, no action shall be taken under these regulations, with respect to those specimens that have been issued with a certificate.

Where it results that the applicant provided false or misleading information, or made a false or fraudulent declaration, the certificate, permit or authorisation shall be immediately revoked and the perpetrator shall be liable to criminal proceedings in accordance with terms of the Criminal Code.

Any permit, certificate or authorisation issued for the purposes of this regulation by the Director of the Environment Protection Directorate within the Malta Environment and Planning Authority, or his successor in title, shall remain valid until a new permit, certificate or authorisation is issued by the Wild Birds Regulation Unit.

It is also illegal to transfer or otherwise dispose of any bird or non-European territory bird that was declared by virtue of an application to the Malta Environment and Planning Authority or its predecessor by the 31st May 2003 unless authorised in writing by the Wild Birds Regulation Unit.

Any person found in contravention of these regulations may be liable to a fine between €500 and €5,000, suspension or permanent revocation of the licences issued under the

Conservation of Wild Birds Regulations, confiscation of corpus delicti and imprisonment for up to one year.

Any queries in relation to the above should be addressed to the Wild Birds Regulation Unit via email wildbirds@gov.mt or via telephone on 23886219.