Name Surname
Address 1
Address 2
Address 3
Address 4

Numru tal-Karta tal-Identità XXXXXXXX
Mowbajl XXXXXXXX

Numru tal-Liċenzja Speċjali XXXXXXXXXXXXXX

Liċenzja Speċjali għall-Insib limitat tal-Malvizz u l-Pluviera fil-Ħarifa tal-2020 taħt kundizzjonijiet strettament sorveljati.

Din il-Liċenzja mhux trasferibbli għall-Insib limitat tal-Malvizz u l-Pluviera qed tinħareġ skont id-dispożizzjonijiet tar-Regolamenti tal-2020 dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Dikjarazzjoni dwar deroga għall-Istaġun tal-Insib fil-Ħarifa tal-2020 għall-Malvizz u l-Pluviera) u hija soġġetta għall-limitazzjonijiet stabbiliti fihom u skont il-kundizzjonijiet stipulati fir-Regolamenti tal-2012 dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Qafas biex tiġi permessa Deroga li Tiftaħ l-Istaġun għall-insib tal-Malvizz u l-Pluviera), kif emendati (L.S. 549.74[1]).

Aqra sew il-kundizzjonijiet kollha ta' din il-Liċenzja Speċjali u kun żgur li dejjem tosservahom.

Il-persuna liċenzjata qed tingħata il-permess tonsob b'mod limitat għall-Pluviera u għall-Malvizz skont il-kundizzjonijiet li ġejjin:

1. L-Insib għall-Malvizz u l-Pluviera, hawnhekk iżjed 'il quddiem imsejjaħ "Insib fil-Ħarifa 2020" jista' jsir f'dawn id-dati:

    - bejn l-20 t'Ottubru 2020 u l-31 ta' Diċembru 2020, iż-żewġ dati inklużi, għall-Malvizz; u
    - bejn l-1 ta' Novembru 2020 u l-10 ta' Jannar 2021, iż-żewġ dati inklużi, għall-Pluviera.

    Dawn il-perjodi huma mingħajr ebda preġudizzju għall-prerogattiva tal-Gvern li ma jiftaħx l-istaġun tal-insib, jew li jagħlaq parzjalment jew kompletament l-istaġun tal-insib, jew li jibdel kwalunkwe parametri tal-istaġun. **Din il-liċenzja ma tkunx ikkunsidrata valida jekk l-istaġun ma jiftaħx u tiġi immedjatament invalidata malli jingħalaq l-istaġun.**

2. Il-persuna liċenzjata ma tistax tonsob minn sagħtejn wara nżul ix-xemx sa sagħtejn qabel tlugħ ix-xemx tal-għada filgħodu.

3. Ma jistax isir insib ġewwa Santwarji tal-Għasafar, Bajjiet Protetti u Żoni Protetti kif definiti fil-Leġislazzjoni Sussidjarja 549.42[2] u kif murija fis-sit elettroniku http://geoserver.pa.org.mt/publicgeoserver (*Restricted Trapping Zones*). Għelieqi li jinħadmu fil-konfini ta' Żoni Protetti u li ġew uffiċjalment reġistrati mad-Dipartiment tal-Agrikultura sal-aħħar ta' Lulju 2014 għal skop ta' kultivazzjoni tal-uċuħ tar-raba' huma eżentati minn din ir-restrizzjoni. Din l-eżenzjoni ma tapplikax għal dawk is-siti ġewwa Santwarji tal-Għasafar jew Bajjiet Protetti fejn il-kaċċa u l-insib huma pprojbiti.

4. Il-persuna liċenzjata hija awtorizzata tonsob biss fuq is-sit reġistrat u approvat mit-Taqsima tar-

[1] LS 549.74: http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11936&l=2
[2] LS 549.42: http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11548&l=2

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Regolamentazzjoni għall-Għasafar Selvaġġi u skont il-kundizzjonijiet kollha ta’ din il-Liċenzja. **Ma jistax isir insib fuq siti revokati jew dawk mhux reġistrati**.

5. Il-persuna liċenzjata tista’ tuża biss mhux aktar minn stazzjon wieħed minn fejn isir l-insib reġistrat mat-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi. L-istazzjon minn fejn isir l-insib m’għandux ikollu aktar minn żewġ (2) mnasab minn dura waħda b’malji tax-xibka mhux inqas minn **35mm x 35mm għall-insib tal-Malvizz biss u mhux inqas minn 45mm x 45mm għall-insib tal-Pluviera biss**. Jekk il-persuna liċenzjata ser tonsob għall-Pluviera biss, id-daqs ta’ kull xibka m’għandux ikun aktar minn 60 metri kwadri b’malji mhux inqas minn 45mm x 45mm. Jekk il-persuna liċenzjata ser tonsob għall-Malvizz biss, id-daqs tax-xibka m’għandux jaqbeż 38 metri kwadri b’malji mhux inqas minn 35mm x 35m. Jekk il-persuna liċenzjata ser tonsob għall-Malvizz u għall-Pluviera f’daqqa minn l-istess mansab, id-daqs tax-xibka ta’ dak il-mansab m’għandux jaqbeż 38 metri kwadri b’malji mhux inqas minn 35mm x 35mm. Mhux permess li iżżid mansab ieħor jekk għandek approvat mansab wieħed biss u lanqas mhu permess li taqsam id-dura fi tnejn jew aktar sabiex jintnasbu aktar minn żewġ t’imnasab mid-dura oriġinali.

6. Saffi ta’ żewġ xbieki jew iktar fuq xulxin jew xi modifikazzjoni oħra, inkluż ‘*pockets*’, huma pprojbiti.

7. Din il-liċenzja tippermetti biss l-użu ta’ xbieki tradizzjonali u selettivi li jikkonsistu f’żewġ xibkiet paralleli mifruxa ċatti mal-art li jaqbdu l-għasafar billi jinqelbu fuq xulxin mal-art, u li jiġu kkargati, meqluba u mrodda lura biss mill-bniedem mingħajr l-użu ta’ mezzi ta’ saħħa esterna, inklużi mezzi elettriċi, elettroniċi, jew mekkaniċi.

8. Qabel mal-persuna liċenzjata titlaq minn fuq il-post tal-insib kif ukoll matul il-ħin illi l-insib huwa pprojbit (ċioè, minn sagħtejn wara inżul ix-xemx sa sagħtejn qabel tlugħ ix-xemx ta’ l-għada filgħodu), ix-xbieki għandhom jitneħħew jew jitgħattew kompletament. **Malli jagħlaq l-istaġun tal-insib, l-imnasab (inkluż xbieki, lasti, molol, eċċ.) għandhom jiżżarmaw u jitneħħew minn fuq il-post immedjatament.**

9. Il-kwota komplessiva ta’ Pluvieri u Mlievez li jistgħu jinqabdu waqt l-istaġun tal-insib fil-Ħarifa 2020 hija ta’ 5,000 Malvizz u 700 Pluviera, bħala l-għadd totali ta’ għasafar li jistgħu jinqabdu taħt l-awtorità tal-liċenzji kollha maħruġa meħudin flimkien.

10. Il-persuna liċenzjata ma tistax iżżomm jew ikollha fil-pussess tagħha, f’ebda ħin, aktar minn total ta’ għaxar (10) Mlievez u/jew Pluvieri użati bħala għajat u taħrik (*live-decoys*) waqt li tkun fl-istazzjon minn fejn isir l-insib, irrispettivament minn numru ta’ persuni bil-liċenzja li jkun hemm fl-istess ħin fl-istazzjon.

11. Għall-fini tar-Regolament 7(l) tal-L.S. 549.74, sabiex għasfur jitqies bħala għajat jew taħrik, dan għandu jkollu ċurkett li jista’ jintuża darba biss kif pprovdut mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi. Iċ-ċurkett **isfar** hawn fuq imsemmi huwa biss meqjus li huwa approvat mid-WBRU jekk jitlibbes fuq in-naħa ta’ isfel ta’ sieq (*tarsus*) il-**Malvizz**. Iċ-ċurkett <u>**aħmar**</u> hawn fuq imsemmi huwa biss meqjus li huwa approvat mid-WBRU jekk jitlibbes fuq in-naħa ta’ isfel ta’ sieq (*tarsus*) il-<u>**Pluviera**</u>.

12. Meta, waqt verifika fuq is-sit, l-għadd ta’ għasafar li jinstabu fil-pussess tal-persuna liċenzjata jkun għola minn dak kif provdut f’kundizzjoni 10 ta’ din il-liċenzja, kull għasfur li jinstab li jkun ogħla mill-għadd imsemmi jitqies li jkun għasfur li jkun ġie maqbud mill-persuna bil-liċenzja f’dik l-istess ġurnata.

13. Il-persuna liċenzjata għandha **immedjatament tirrapporta** kull Malvizz u Pluviera li taqbad billi tibgħat SMS fuq in-numru <u>**79398550**</u> li jispeċifika li qiegħed tirrapporta għal-staġun tal-insib (**ikteb “insib”**), l-ispeċi li qbadt (**ikteb “pluviera” jew “malvizz”**) u kemm qbadt (**niżżel l-ammont li qbadt**). <u>**Eżempju: insib malvizz 2**</u>. Meta, waqt li jkun jagħmel verifiki fuq il-post,

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uffiċjal tal-pulizija isib xi għasfur mingħajr ċurkett li jintuża darba, u dak l-għasfur ma jkunx ġie iddikkjarat mill-persuna liċenzjata dikinhar stess qabel il-verifika, il-persuna liċenzjata tkun suġġett għall-multi stabbiliti fi Skeda VIII tal-LS 549.42.

14. Kull min jirrapporta qbid ta’ Pluviera / Malvizz waqt dan l-istaġun ser jirċievi ittra separata wara l-għeluq tal-istess staġun sabiex imur il-MaltaPost ħalli jixtri ċ-ċrieket biex ilibbishom fuq il-Pluvieri u Mlievez li jkun qabad. L-ammont ta’ ċrieket li jridu jinxtraw jiddependi mill-ammont ta’ Pluvieri / Mlievez li tkun iddikjarajt li qbadt permezz tas-sistema ta’ rappurtar telefoniku kif speċifikat f’kundizzjoni 13. **Jekk ma tixtrix iċ-ċrieket wara li jagħlaq l-istaġun fil-perjodu indikat fl-ittra biex tlibbishom fuq il-Pluvieri u Mlievez li tkun qbadt, ma tkunx eliġibbli għal-liċenzja speċjali għall-insib fl-istaġun ta’ wara.**

15. Din il-Liċenzja Speċjali ma tippermettix l-użu u l-pussess ta’ tisfir irrekordjat minn qabel tal-Pluvieri/Mlievez jew ta’ kwalunkwe għasafar oħra, u jekk, waqt spezzjoni minn uffiċjali tal-Pulizija, tali apparat jiġi misjub waqt ħinijiet li fihom mhux permess l-insib, il-Pulizija tieħu dawk il-passi kollha neċessarji, inkluż li televa tali apparat, u l-istazzjon tal-insib jitneħħa immedjatament minn fuq ir-reġistru u ma jkunx jista’ jintuża minn ebda persuna liċenzjata fuq dak l-istazzjon għall-kumplament tal-istaġun.

16. Jekk taqbad Pluviera jew Malvizz b’ċurkett xjentifiku jew *satellite-tag* (*geo-tag*), il-persuna liċenzjata hija obbligata li **immedjatament** tħarrab dak l-għasfur lura fis-selvaġġ minn fuq l-istess stazzjon tal-insib wara li jitniżżlu id-dettalji relevanti fil-formola li hija inkluża ma’ din il-Liċenzja. **In-nassaba kollha li inħarġitilhom din il-liċenzja speċjali għandhom jirritornaw il-formola taċ-ċrieket xjentifiċi lill-MaltaPost fil-perjodu indikat mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi permezz ta’ ittra li tintbagħat wara li jagħlaq l-istaġun**. **Jekk il-persuna bil-liċenzja ma tirritornax il-formola taċ-ċrieket fiż-żmien indikat mit-Taqsima, anka jekk dik il-persuna ma tkunx qabdet Pluvieri jew Mlievez b’ċurkett xjentifiku jew *satellite-tag* (*geo-tag*), dik il-persuna titqies li ma tkunx issodisfat il-kundizzjoni elenkata fi Skeda IV(1)(*ċ*) tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 549.42) u għaldaqstant ma tkunx eliġibbli għal liċenzja speċjali għall-istaġun tal-insib ta’ wara**.

17. Din il-liċenzja tawtorizza lill-persuna liċenzjata sabiex jonsob għall-Malvizz u/jew il-Pluviera biss.

18. Il-persuna liċenzjata għandha żżomm fuqha waqt li tkun qed tonsob jew waqt li tkun sejra lejn jew ġejja minn fuq is-sit tal-insib, din il-Liċenzja Speċjali tal-Insib fil-Ħarifa 2020 u l-Liċenzja Ġenerali tal-Insib maħruġa f’isimha.

19. Waqt l-istaġun miftuħ, il-pluvieri m’għandhomx jinżammu ġo qofsa inqas minn 280mm tul, 240mm wisa’ u 240mm għoli.

20. Waqt l-istaġun miftuħ, l-imlievez m’għandhomx jinżammu ġo qofsa inqas minn 210mm tul, 160mm wisa’ u 200mm għoli.

21. Din il-Liċenzja Speċjali għall-Insib fil-Ħarifa għandha:

    (a) tiġi **sospiża minnufih** jekk il-persuna bil-liċenzja tiġi akkużata b’reat taħt r-regolament 27 tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 549.42);

    (b) tiġi **revokata** jekk il-persuna bil-liċenzja tiġi misjuba ħatja ta’ reat kontra r-regolament 27 tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 549.42);

    (ċ) tiskadi u titqies bħala revokata hekk kif il-Ministru jiddikjara li ntlaħqet il-kwota komplessiva għall-istaġun tal-insib fil-Ħarifa 2020. Il-persuni kollha bil-liċenzja

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għandhom jiġu infurmati minnufih dwar din l-iskadenza u revoka tal-liċenzja għall-insib fil-Ħarifa permezz tas-servizz ta' messaġġi bil-miktub (SMS) fuq in-numru indikat minn dik il-persuna fl-applikazzjoni għall-liċenzja għall-insib fil-Ħarifa.

Iżda meta tintlaħaq il-kwota għal xi waħda mill-ispeċi rilevanti, il-liċenzja għall-insib fil-Ħarifa 2020 għandha tiskadi u titqies bħala revokata fir-rigward tal-insib fuq dik l-ispeċi biss hekk kif il-Ministru jiddikjara li ntlaħqet il-kwota komplessiva għall-istaġun tal-insib fil-Ħarifa għal dik l-ispeċi u l-istaġun għandu jibqa' miftuħ fir-rigward tal-ispeċi l-oħra. Il-persuni kollha bil-liċenzja għandhom ukoll jiġu infurmati minnufih dwar din l-iskadenza u revoka parzjali tal-liċenzja permezz tas-servizz ta' messaġġi bil-miktub (SMS) fuq in-numru indikat minn dik il-persuna fl-applikazzjoni għall-liċenzja għall-insib fil-Ħarifa. Malli il-persuna liċenzjata tiġi innotifikatata li ntlaħqet il-kwota komplessiva għal waħda mill-ispeċi koperta b'din il-Liċenzja Speċjali għandha minnufih tiġbor l-għajat u taħrik ta' dik l-ispeċi u ma tibqax tuża tali għajat u taħrik għall-kumplament tal-istaġun miftuħ.

22. Il-persuna liċenzjata għandha tikkonforma ruħha mad-dispożizzjonijiet tar-regolamenti 18 u 20 tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 549.42) u tar-regolamenti 3(3) u 3(4) tar-Regolamenti tal-2012 dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Qafas biex tiġi permessa Deroga li Tiftaħ l-Istaġun għall-insib tal-Malvizz u l-Pluviera), kif emendati (L.S. 549.74) (Anness 1) mingħajr preġudizzju għal kull projbizzjoni oħra stabbilita f'dawn l-istess Regolamenti.

23. Kwalunkwe persuna li tonqos milli tosserva xi dispożizzjoni tal-Leġislazzjoni Sussidjarja 549.74 jew il-kontenut ta' din il-liċenzja speċjali, jew tonqos milli tikkonforma ruħha ma xi ordni mogħtija leġittimament skont xi dispożizzjoni ta' dawn ir-regolamenti jew xi waħda mill-kundizzjonijiet ta' din il-liċenzja, tkun soġġetta għall-pieni stabbiliti fir-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 549.42) jew dawk taħt xi liġi jew regolament ieħor applikabbli.

24. Din il-Liċenzja Speċjali qed tinħareġ biss fuq il-bażi tal-informazzjoni pprovduta waqt l-istadju tal-applikazzjoni u mingħajr preġudizzju lejn id-drittijiet ta' terzi u mingħajr preġudizzju lejn kwalunkwe liġi jew leġislazzjoni oħra, u ma teżentax lill-persuna liċenzjata milli tikseb kwalunkwe liċenzja, permess, awtorizzazzjoni jew kull forma oħra ta' kunsent rikjesta minn xi awtorità jew taħt xi liġi oħra.

25. Din il-Liċenzja Speċjali tista' tiġi irtirata fi kwalunkwe ħin mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi jekk jiġu żvelati ċirkostanzi li jinvalidawha.

Richard Lia
Kap tat-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi

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Autumn 2020 Live-Capturing Licence for the limited live-capture of Song Thrush and Golden Plover under strictly supervised conditions

This non-transferable Live–Capturing Licence is issued in accordance with the Conservation of Wild Birds (Declaration on a derogation for a 2020 Autumn live-capturing season for Song Thrush and Golden Plover) Regulations, 2020, and is subject to the limits stipulated therein and to the conditions stipulated in the Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) Regulations, 2012, as amended (S.L. 549.74[3]).

Read carefully all the conditions of this Special Licence and ensure you observe them at all times.

The holder of this Licence shall be permitted to practice limited live-capture of Golden Plover and Song Thrush subject to the following conditions:

1. The period for the live-capturing of Song Thrush and Golden Plover, hereinafter referred to as "the 2020 Autumn live-capturing season", shall be on the following dates:

    - between the 20th October 2020 and the 31st December 2020, both dates included, for Song Thrush; and
    - between the 1st November 2020 and the 10th January 2021, both dates included, for Golden Plover.

    These periods are without prejudice to government's prerogative not to open the live-capturing season, or to fully or partially close the season, or otherwise modify its parameters. **This licence will not be considered valid if the season does not open and will be immediately rendered invalid when the season is closed.**

2. This Licence does not authorise the holder to practice live-capturing between two hours after sunset and two hours before sunrise of the following day.

3. No live-capturing shall be allowed within the boundaries of Bird Sanctuaries, Protected Beaches and Protected Areas as defined in Subsidiary Legislation 549.42[4] and published on http://geoserver.pa.org.mt/publicgeoserver (Restricted Trapping Zones). Cultivated agricultural land located within the boundaries of Protected Areas and officially registered with the Department of Agriculture prior to end of July 2014 are exempted from this restriction. This exemption does not apply to sites located within Bird Sanctuaries or Protected Beaches where hunting and live-capturing is prohibited.

4. The holder of this Licence is only authorised to practice live-capturing on the site officially registered and approved by the Wild Birds Regulation Unit and subject to all conditions of this Licence. **Live-capturing on revoked sites or sites that are not registerd is prohibited**.

5. The holder of this Licence is only authorised to use not more than one (1) live-capturing station registered with the Wild Birds Regulation Unit. The live-capturing station shall not contain more than two (2) pairs of clap-nets from one hide with nets having a mesh size of not less than **35mm**

[3] SL 549.74: http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11936&l=1

[4] SL 549.42: http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11548&l=1

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x 35mm for live-capturing of Song Thrush only and not less than 45mm x 45mm for live-capturing of Golden Plover only. If the licence holder shall practice live-capturing of Golden Plover only, the size of each net shall not exceed a total footprint of 60 square metres and the nets shall not have a mesh size of less than 45mm x 45mm. If the licence holder shall practice live-capturing for Song Thrush only, the total footprint of each net shall not exceed 38 square metres and the nets shall not have a mesh size of less than 35mm x 35mm. If the licence holder shall practice live-capturing for Song Thrush and Golden Plover concurrently from the same clap-net pair, the total footprint of each net of that clap-net pair shall not exceed 38 square metres and the nets shall not have a mesh size of less than 35mm x 35mm. The setting up of an additional clap-net pair is prohibited if only one clap-net pair is approved. The hide cannot be subdivided into two or more hides to make use of more than two clap-net pairs from the original hide.

6. The layering of two or more nets on top of each other or any other modification, including creation of 'pockets', is strictly prohibited.

7. This Licence permits only the use of traditional manually-operated selective clap-nets which consist of two parallel nets spread flat on the ground which capture birds by clapping over each other on the ground, and which are armed and operated solely by human intervention without the use of any external power means including electrical, electronic, or mechanical means.

8. Before the licence holder leaves the trapping site and during prohibited hours (that is, from two hours after sunset until two hours before sunrise of the following day), the licensee shall either remove the nets or ensure that they are completely covered. **The clap-nets (including nets, poles, springs, etc.) shall be immediately dismantled upon closure of the live-capturing season and removed from the site**.

9. The overall seasonal bag limit for the 2020 Autumn live-capturing season is 5,000 for Song Thrush and 700 for Golden Plover as the total number of birds which may be captured under the authority of all issued Licences taken together.

10. The licensee shall not, at any time, hold or have in his possession more than a total of ten (10) Golden Plovers and/or Song Thrushes used as live-decoys whilst at the live-capturing station, irrespective of the number of licensees present at the same time at the live-capturing station.

11. In accordance with Regulation 7(l) of S.L. 549.74, in order for a bird to be considered as a live-decoy, it shall bear a single-use ring which was issued by the Wild Birds Regulation Unit. The **yellow** single-use ring referred to above shall only be deemed as approved by WBRU if it is placed on the **Song Thrush**'s tarsus. The **<u>red</u>** single-use ring referred to above shall only be deemed as approved by WBRU if it is placed on the **<u>Golden Plover</u>**'s tarsus.

12. Where, during the course of a spot-check, the number of birds found in the possession of the licensee exceeds the number of live-decoys as provided for in condition 10 of this Licence, any bird which is found to be in excess of such number shall be deemed to have been captured by the licensee that same day.

13. The holder of this Licence is required to **immediately report** each Song Thrush and Golden Plover that s/he captures by sending an SMS to **<u>79398550</u>** specifying that you are reporting under the Live-capturing Season (**write "trapping"**), the species caught (**write "GP" or "ST"**), and the amount caught (**write the number**). **<u>Example: trapping ST 2</u>**. Should, during the course of a spot check, a police officer find a bird not fitted with a single-use ring, and such bird had not been declared by the licence holder on that same day before the spot check, the licence holder shall be subject to the penalties established in Schedule VIII of SL 549.42.

14. Whoever reports a Golden Plover / Song Thrush during this season will receive a separate letter following closure of the season to purchase single-use rings from MaltaPost to be fitted on

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Golden Plovers and Song Thrushes caught. The quantity of rings purchased depends on the quantity of Golden Plovers / Song Thrushes that you declared caught through the game reporting system as specified in condition 13. **You will not be eligible to apply for a special live-capturing licence for the following season should you fail, within the period specified in the letter, to buy rings to be fitted on Golden Plovers and Song Thrushes you caught during this season.**

15. This Special Licence does not authorise the use and/or possession of pre-recorded Golden Plover/Song Thrush calls or any other pre-recorded bird-calls, and should, during an inspection by Police officers, such device be detected during prohibited hours, the Police shall take all the necessary steps, including seizure of such device, and the live-capturing station shall be immediately deregistered and cannot be used by any licence holder registered on that station for the duration of the season.

16. In the event that the licensee catches a Golden Plover or Song Thrush fitted with a scientific ring or a satellite-tag (geo-locator), the holder of this Licence is obliged to **immediately** release such bird back into the wild from the same live-capturing station after the relevant details have been entered in the ring recovery form included with this Licence. **All licensees are required to return the ring recovery form to MaltaPost during the period as specified in the letter issued by the Wild Birds Regulation Unit following closure of the season. Should the licensee fail to return the ring recovery form within the deadline established by the Unit, even if the licensee did not capture any Golden Plovers or Song Thrushes with a scientific ring or *satellite-tag* (*geo-tag*), that person shall be deemed as not satisfying the condition listed in Schedule IV(1)(*c*) of the Conservation of Wild Birds Regulations (S.L. 549.42) and thus rendered ineligible for a special licence for the following live-capturing season.**

17. The holder of this Licence is only authorised to capture Song Thrush and/or Golden Plover.

18. The holder of this Licence is obliged to keep in his possession, during such time that live-capturing is practiced, or whilst travelling to and from the live-capturing site, this 2020 Autumn live-capturing Licence and the general live-capturing licence.

19. During the open season, Golden Plovers shall not be kept in cages smaller than 280mm in length, 240mm in width and 240mm in height.

20. During the open season, Song Thrushes shall not be kept in cages smaller than 210mm in length, 160mm in width and 200mm in height.

21. This Autumn live-capturing licence shall:

    (a) be **suspended forthwith** where the licensee is accused of an offence under regulation 27 of the Conservation of Wild Birds Regulations (S.L. 549.42);

    (b) be **revoked** where the licensee is found guilty of an offence against regulation 27 of the Conservation of Wild Birds Regulations (S.L. 549.42); and

    (c) lapse and be considered revoked as soon as the Minister declares that the overall seasonal bag limits for the 2020 Autumn live-capturing season have been reached. All licensees shall be informed immediately of such lapse and revocation of this Licence by means of a text message service (SMS) to the number indicated by that person in the application for this Licence;

    Provided that where the overall bag limit for one species of either the Golden Plover or Song Thrush has been reached, this Licence shall lapse and be considered revoked only in respect of the capturing of such species as soon as the Minister declares that the overall

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seasonal bag limit for the 2020 Autumn live-capturing season for such species has been reached, and shall remain unaffected with regard to the other species. The licensee shall also be informed immediately of such partial lapse and revocation of this Licence by means of a text message service (SMS) to the number indicated by that person in the application for this Licence. As soon as the licensee is notified of the partial lapse of this Licence s/he shall immediately remove from the live-capturing station all live-decoys pertaining to that species for which the overall seasonal bag limit has been reached and shall not utilise any such live-decoys for the rest of the open season.

22. The licensee is obliged to comply at all times with regulations 18 and 20 of the Conservation of Wild Birds Regulations (S.L. 549.42) and to regulations 3(3) and 3(4) of the Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) Regulations, 2012, as amended (S.L. 549.74) annexed to this Licence (Annex I) without prejudice to any other prohibition laid down in the same regulations.

23. Any person who fails to comply with any provision of Subsidiary Legislation 549.74 or with the contents of this Special Licence, or with any order lawfully given in terms of any provision of these regulations or any of the conditions of this Licence, shall be liable to the penalties established in the Conservation of Wild Bird Regulations (S.L. 549.42), or any other applicable law or regulation.

24. This Special Licence is being issued solely on the basis of the information provided during application stage and shall be without prejudice to third party rights, without prejudice to any other law or legislation, and does not exempt the holder from obtaining any other licence, permit, authorisation or any other form of clearance required by any authority or under any other law.

25. This Special Licence may be withdrawn at any time in the event that the Wild Birds Regulation Unit becomes aware of circumstances that would invalidate it.

Richard Lia
Head of Unit,
Wild Birds Regulation Unit

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ANNESS 1 - Regolamenti 18 u 20 meħuda mir-Regolamenti tal-2006 dwar il-Konservazzjoni tal-Għasafar Selvaġġi, kif emendati (L.S. 549.42) u subregolament 3(3) tar-Regolamenti tal-2012 dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Qafas biex tiġi permessa Deroga li Tiftaħ l-Istaġun għall-insib tal-Malvizz u l-Pluviera), kif emendati (L.S. 549.74)

L.S. 549.42 | 18. (1) Mingħajr preġudizzju għar-regolament 9, l-ebda persuna m'għandha:

- waqt l-istaġun magħluq għall-insib tal-għasafar kif jista' jiġi permess skont dawn ir-regolamenti, tieħu jew tipprova tieħu xi għasfur;
- waqt l-istaġun miftuħ għall-insib tal-għasafar kif jista' jiġi permess skont dawn ir-regolamenti, tieħu jew tipprova tieħu xi għasfur minn fuq il-baħar;

L.S. 549.42 | 20. Ebda persuna m'għandha:

(a) iżżomm jew taqfel xi għasfur li jkun f'xi gaġġa jew reċipjent ieħor li jkun inqas għoli minn 250mm, inqas twil minn 250mm u inqas wiesgħa minn 150mm, u li, meta jitqies id-daqs ta' l-għasfur, ma jkunx kbir biżżejjed biex l-għasfur ikun jista' liberament jiftaħ ġwenħajh:

Iżda dan il-paragrafu m'għandux japplika għall-pullam jew għaż-żamma jew tiqfil ta' xi għasfur –

(i) filwaqt li dak l-għasfur ikun qed jiġi kkurat minn veterinarju;
(ii) matul l-istaġun miftuħ tal-insib meta l-gaġġa m'għandhiex tkun iżgħar mid-daqs stabbilit mir-regolamenti dwar qafas regolatorju relevant għad-deroga li tippermetti l-insib għal dik l-ispeċi li għaliha tkun ġiet applikata deroga partikolari;

(b) iġġib 'il quddiem, tippermetti, tgħin jew tieħu sehem f'xi attività li tkun u li fiha jinħelsu għasafar maqbuda sabiex malli dawn jinħelsu, minnufih jisparaw fuqhom.

Obbligi legali rigward iċ-ċrieket sofor u ħomor li jintużaw darba biss

L.S. 549.74 | 3(3). L-eżemplari kollha mill-ispeċi rilevanti li jinqabdu waqt l-istaġun tal-insib għandhom jitlibbsilhom ċurkett li jintuża darba biss kif speċifikat mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi u fil-liċenzja speċjali:

Iżda, f'każ li l-persuna bil-liċenzja ma tosservax kwalunkwe struzzjoni bil-miktub li tista' tirċievi mingħand it-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi għal dan il-għan, il-persuna bil-liċenzja ma tkunx eliġibbli għal-liċenzja speċjali tal-insib is-sena ta' wara."

ANNEX 1 - Regulations 4 and 18 of the Conservation of Wild Birds Regulations, 2006, as amended (S.L. 549.42) and sub-regulation 3(3) of the Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) Regulations, 2012, as amended (S.L. 549.74)

S.L. 549.42 | 18. (1) Without prejudice to regulation 9, no person shall:

(c) during the closed season for the live-capturing of birds as may be permitted in accordance with these regulations, take or attempt to take any bird;
(d) during the open season for the live-capturing of birds as may be permitted in accordance with these regulations, take or attempt to take any bird at sea;

S.L. 549.42 | 20. No person shall:

(a) keep or confine any bird whatsoever in any cage or other receptacle which is less than 250mm in height, 250mm in length and 150mm in breadth, and which, considering the size of the bird, is not large enough to permit the bird to stretch its wings freely:

Provided that this paragraph shall not apply to poultry or to the keeping or confinement of any bird –

(i) while such bird is undergoing treatment by a veterinary surgeon;
(ii) during the open live-capturing season when the cage should not be smaller than the dimensions provided for in the relevant framework regulations pertaining to any live-capturing derogations for that species for which a particular derogation applies;

(b) promote, permit, assist or take part in any event whatsoever in the course of which captive birds are liberated for the purpose of being shot at on their release.

Legal obligations regarding yellow and red single-use rings

S.L. 549.74 | 3(3). All specimens from the relevant species caught during the live-capturing season shall be fitted with a single-use ring as specified by the Wild Birds Regulation Unit and in the special live-capturing licence:

Provided that in the event that the licence holder fails to comply with any written instruction that he may receive from the Wild Birds Regulation Unit for such purpose, he will be rendered ineligible to apply for a live-capturing special licence the following year.

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