



[REDACTED]

R10 Y0

Liċenzja Speċjali għall-Insib limitat tal-Malvizz u l-Pluviera fil-Ħarifa tal-2016 taht kondizzjonijiet strettament sorveljati.

Din il-Liċenzja mhux trasferibbli għall-Insib limitat tal-Malvizz u l-Pluviera qiegħda tinhareg skont id-dispożizzjonijiet tar-Regolamenti tal-2016 dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Dikjarazzjoni dwar deroga għall-Istaġun tal-Insib fil-Ħarifa tal-2016 għall-Malvizz u l-Pluviera) u hija soġġetta għall-limitazzjonijiet stabbiliti fihom u skont il-kondizzjonijiet 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 permezz tal-Avviz Legali 254 tal-2014: Regolamenti tal-2014 li jemendaw ir-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Qafas biex tiġi permessa Deroga li Tiftaħ l-Istaġun għall-Insib tal-Malvizz u l-Pluviera) (L.S. 549.74549.74¹).

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-kondizzjonijiet li ġejjin:

1. L-Insib għall-Malvizz u l-Pluviera fis-sena 2016, hawnhekk iżjed 'il quddiem imsejjaħ "Insib fil-Ħarifa" jista' jsir f'dawn id-dati:
 - (a) insib għall-Malvizz bejn l-20 ta' Ottubru 2016 u l-31 ta' Diċembru tal-2016, iż-żewġ dati inklużi;
 - (b) insib għall-Pluviera bejn l-20 ta' Ottubru 2016 u l-31 ta' Diċembru tal-2016, iż-żewġ dati inklużi.
2. Il-persuna liċenzjata ma tistax tonsob minn sagħtejn wara nżul ix-xemx sa sagħtejn qabel tluġ ix-xemx tal-ghada filghodu.
3. Ma jistax isir insib ġewwa Santwarji tal-Għasafar, Bajjiet Protetti u Żoni Protetti kif definiti fil-Legislazzjoni Supplementari 549.42² u kif murija fis-sit elettroniku <http://www.mepa.org.mt/mepa-mapserver> (*Restricted Trapping Zones*). Għelieqi li jinhadmu fil-konfini ta' Żoni Protetti u li ġew uffiċjalment rreġistrati mad-Dipartiment tal-Agrikultura sal-aħħar ta' Lulju 2014 għal skop ta' kultivazzjoni tal-uċuh 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 pprojbti.

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>

4. L-ebda insib ma jista' jsir fuq siti li ma ġewx reġistrati mal-Kummissarju tal-Pulizija qabel l-aħħar ta' Diċembru 2012 jew li m'humiex identifikabbli bħala sit tal-insib fuq ir-ritratti mill-ajru ppubblikati qabel l-aħħar ta' Diċembru 2012.
5. L-insib huwa awtorizzat biss fuq dak/dawk is-sit/siti li ġie/ġew reġistrat/i u approvat/i mill-Wild Birds Regulation Unit u li ġew ipprezentati ma' l-applikazzjoni għal din il-liċenzja mill-persuna liċenzjata. Ma jstax isir insib minn fuq sit/i oħra. Il-mapep kollha li jikkorrispondu ma' dawn is-siti tal-insib awtorizzati jridu jiġu annessi mal-Liċenzja(i) Speċjali. Din il-liċenzja hija kkunsidrata mhux valida jekk din/dawn il-mappa/mapep ipprezentata/i mal-applikazzjoni għal din il-liċenzja ma tkunx/ikunux annessi.
6. Il-persuna liċenzjata tista' tuża biss mhux aktar minn żewġ (2) stazzjonijiet minn fejn isir l-insib reġistrati mal-Wild Birds Regulation Unit u kull stazzjon minn fejn isir l-insib m'għandux ikollu aktar minn żewġ (2) mnasab minn dura waħda b'malji tax-xibka mhux inqas minn 30mm u b'daq totali ta' mhux aktar minn 60 metri kwadri għal kull xibka:

Iżda jekk il-persuna liċenzjata qegħda fil-pussess kemm tal-Liċenzja Speċjali għall-insib tal-Pluviera u Malvizz kif ukoll tal-Liċenzja Speċjali għall-insib tal-Għasafar tal-Ghana, tista' tuża xbieki b'malju ta' mhux inqas minn 18mm għall-insib tal-ispeċi kollha permessi skont il-kondizzjonijiet taż-żewġ liċenzji, iżda l-akbar daqs ta' kull xibka ma jista' qatt ikun aktar minn 38 metri kwadri. Iżda ukoll, jekk dik il-persuna li qegħda fil-pussess taż-żewġ Liċenzji Speċjali tuża stazzjon wieħed esklussivament għall-insib tal-Pluviera u/jew Malvizz u mhux għall-insib ta' l-Għasafar tal-Ghana, dik il-persuna liċenzjata tista' tuża f'dan l-istazzjon tal-insib xibka b'malji mhux inqas minn 30mm u l-akbar daqs ta' kull xibka mhux aktar minn 60 metri kwadri.

7. Il-persuna liċenzjata tista' thaddem biss stazzjon wieħed minn fejn isir l-insib (mhux aktar minn żewġ mnasab minn dura waħda) fi kwalunkwe hin.
8. Din il-liċenzja tippermetti biss l-użu ta' xbieki tradizzjonali u selettivi li jikkonsistu f'żewġ xibkiet paralleli mifruxa ċatti mal-art li jaqdbu 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, inkluzi mezzi elettrici, elettronici, jew mekkaniċi.
9. Matul il-hin illi fih l-insib huwa pprojbit, l-innasab għandhom jithallew skargati u kompletament ċatti ma' l-art fil-hinjiet kollha li fihom ma jkunx permess l-insib, u meta jagħlaq l-istagun tal-insib fil-Harifa jżżarmaw u jitneħħew minn fuq il-post. Iżda meta x-xbieki jkunu skargati u mpogġija kompletament ċatti ma' l-art, il-persuna liċenzjata għandha tiegħu dawk il-mizuri kollha biex taċċerta ruhha li ma jista' jkun hemm l-ebda speċi li aċċidentalment tinqabad fix-xbieki meta ma jkunux attivi.
10. Il-kwota komplessiva ta' Pluvieri u Mlievez li jistgħu jinqabdu waqt l-istagun tal-insib tal-Harifa 2016 hija ta' 5,000 Malvizz, u 700 Pluviera, bħala l-għadd totali ta' għasafar li jistgħu jinqabdu taht l-awtorità tal-liċenzji kollha mahruġa meħudin flimkien.
11. Il-kwota ta' Pluvieri u Mlievez li l-persuna liċenzjata tista' taqbad fl-istagun miftuħ tal-insib tal-Harifa 2016 hija ta' sitt (6) għasafar b'kollox jew dak l-għadd ta' għasafar taht l-imsemmija totali li jistgħu jkunu ġew maqbuda bl-insib qabel ma jkun għalaq l-istagun. Kwalunkwe ammont ta' Pluvieri jew Mlievez maqbuda mill-persuna liċenzjata li jaqbz u il-kwota individwali ta' sitt (6) għasafar b'kollox għandu jitharrab immedjatament minn fuq il-post.
12. Il-persuna liċenzjata ma tistax iżzomm jew ikollha fil-pussess tagħha, f'ebda hin, aktar minn total ta' għaxar (10) Mlievez u/jew Pluvieri użati bħala għajet u tahrir (*live-decoys*) waqt li tkun fl-istazzjon minn fejn isir l-insib, irrispettivament minn numru ta' persuni li għandhom il-Liċenzja reġistrata fuq l-istess stazzjon. Dan l-ammont m'għandux jinqabeż lanqas meta il-persuna liċenzjata tkun sejra lejn jew għajet mis-sit fejn isir l-insib.

13. Għall-fini tar-Regolament 7(k) tal-L.S. 549.74, sabiex għasfur jitqies bħala għajjat jew tahrík, dan għandu jkollu ċurkett li jista' jintuża darba biss kif approvat mill-Wild Birds Regulation Unit li gie ipprovdut ma' din il-liċenzja. 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 **ahmar** hawn fuq imsemmi huwa biss meqjus li huwa approvat mid-WBRU jekk jitlibbes fuq in-naħa ta' isfel ta' sieq (*tarsus*) il-**Pluviera**.
14. Meta, waqt verifika fuq is-sit, l-għadd ta' għasfar li jinstabu fil-pussess tal-persuna liċenzjata jkun għola minn dak kif provdut f'kondizzjoni 12 ta' din il-liċenzja, kull għasfur li jinstab li jkun oġġla mill-għadd imsemmi jitqies li jkun għasfur li jkun gie maqbud mill-persuna bil-liċenzja f'dik l-istess gurnata, minkejja li dak l-għasfur jista' jkollu ċurkett fuqu skont ir-regolament 7(k) tal-L.S. 549.74.
15. Il-persuna liċenzjata għandha immedjament tirrapporta kull Malvizz jew Pluviera li taqbad billi ċċempel fuq in-numru **77070006** u ssegwi l-istruzzjonijiet mogħtija.
16. Jekk taqbad għasfur b'ċurkett xjentifiku, il-persuna liċenzjata hija obligata li tnizzel id-dettalji kollha fuq il-formola għal dan il-għan annessa ma' din il-liċenzja u għandha tibgħat l-istess formola lill-Wild Birds Regulation Unit fuq l-indirizz indikat fl-istess formola hekk kif jagħlaq l-Istaġun tal-Insib tal-Ħarifa tal-2016. Il-persuna liċenzjata hija obligata li immedjament teħles dak l-għasfur lura fis-selvaġġ minn fuq is-sit tal-insib anka jekk l-għasfur jappertjeni għal wiehed mill-ispeċi li tkun awtorizzata li taqbad.
17. Il-persuna liċenzjata mhijiex awtorizzata tonsob jew tipprova tonsob għal xi speċi ta' għasfur jekk mhux il-Malvizz jew il-Pluviera, ħlief jekk il-persuna għandha ukoll fil-pussess tagħha Liċenzja Speċjali għall-insib tal-Għasfar tal-Għana maħruġa skont it-termini tar-Regolamenti tal-2016 dwar il-Konservazzjoni tal-Għasfar Selvaġġi (Dikjarazzjoni dwar deroga għall-Istaġun tal-Insib fil-Ħarifa tal-2016 għall-Għasfar tal-Għana), fliema każ il-persuna liċenzjata hija awtorizzata tonsob għad-disa' speċi taħt il-kondizzjonijiet imposti miż-żewġ Liċenzji Speċjali, sakemm ma tkunx għadha laħqet il-kwoti rispettivi.
18. Il-persuna liċenzjata hija obligata li immedjament teħles lura fis-selvaġġ kwalunkwe għasfur li taqbad li mhux il-Malvizz jew il-Pluviera sakemm dak l-għasfur m'huwiex wiehed mis-seba' speċi tal-għasfar tal-għana u l-persuna liċenzjata tkun ukoll fil-pussess tal-Liċenzja Speċjali għall-insib għall-Għasfar tal-Għana maħruġa skont it-termini tar-Regolamenti tal-2016 dwar il-Konservazzjoni tal-Għasfar Selvaġġi (Dikjarazzjoni dwar deroga għall-Istaġun tal-Insib fil-Ħarifa tal-2016 għall-Għasfar tal-Għana) u ma tkunx laħqet il-kwoti taħt dik il-liċenzja.
19. 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, il-Liċenzja Speċjali tal-Insib fil-Ħarifa 2016 tagħha, il-Liċenzja Ġenerali tal-Insib maħruġa f'isimha u kopja tal-mappa/mapep imwaħħla mal-Liċenzja(i) Speċjali li turi/juru il-mansab/mnasab fejn il-persuna liċenzjata tista' tonsob, ittimbrat/i mill-Wild Birds Regulation Unit, liema kopja kienet ipprezentata fl-applikazzjoni għal din il-liċenzja. Din il-Liċenzja Speċjali titqies invalida jekk il-persuna liċenzjata ma zommx fuqha id-dokumenti imsemmi hawn fuq waqt li tkun qed tonsob jew waqt li tkun sejra lejn jew ġejja minn fuq is-sit tal-insib.
20. Waqt l-istaġun miftuħ, il-pluvieri li jintużaw għall-għajjat jew tahrík u dawk li jkunu inqabdu mis-selvaġġ m'għandhomx jinżammu ġo qofsa inqas minn 280mm tul, 240mm wisa' u 240mm għoli.
21. Waqt l-istaġun miftuħ, l-imlievez li jintużaw għall-għajjat jew tahrík u dawk li jkunu inqabdu mis-selvaġġ m'għandhomx jinżammu ġo qofsa inqas minn 210mm tul, 160mm wisa' u 200mm għoli.
22. Mingħajr preġudizzju għall-kondizzjoni 24 hawn taħt, din il-liċenzja għall-insib fil-Ħarifa hija valida biss għall-perjodu li fih huwa permess l-insib tal-ispeċi msemmija hawn fuq.

23. Din il-liċenzja għall-Insib fil-Ħarifa għandha:

- (a) tiġi sospiza minnufih jekk il-persuna bil-liċenzja tiġi akkużata b'reat taht r-regolament 27 tar-Regolamenti dwar il-Konservazzjoni tal-Ghasafar Selvaġġi (L.S. 549.42);
- (b) tiġi revokata jekk il-persuna bil-liċenzja tiġi misjuba hatja ta' reat kontra r-regolament 27 tar-Regolamenti dwar il-Konservazzjoni tal-Ghasafar Selvaġġi (L.S. 549.42);
- (c) tiskadi u titqies bhala revokata hekk kif il-Ministru jiddikjara li ntlahqet il-kwota komplessiva għall-istaġun tal-insib fil-Ħarifa 2016. Il-persuni kollha bil-liċenzja 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.

Izda meta tintlaħaq il-kwota għal xi waħda mill-ispeċi rilevanti, il-liċenzja għall-insib fil-Ħarifa 2016 għandha tiskadi u titqies bhala revokata fir-rigward tal-insib fuq dik l-ispeċi biss hekk kif il-Ministru jiddikjara li ntlahqet 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 innotifikata li ntlahqet il-kwota komplessiva għal waħda mill-ispeċi koperta b'din il-Liċenzja Speċjali għandha minnufih tiġbor l-għajjat u t-taħrik kollu relatat ma' dik l-ispeċi u ma tibqax tuża tali għajjat u taħrik għall-kumplement tal-istaġun miftuħ.

- 24. Il-persuna liċenzjata għandha tikkonforma ruħha mad-dispożizzjonijiet tar-regolamenti 18 u 20 tar-Regolamenti tal-2006 dwar il-Konservazzjoni ta' l-Ghasafar Selvaġġi (L.S. 549.42) (Anness 1) mingħajr preġudizzju għal kull projbizzjoni oħra stabbilita f'dawn l-istess Regolamenti.
- 25. Din il-liċenzja hija maħruġa mingħajr preġudizzju lejn id-drittijiet ta' terzi u mingħajr preġudizzju lejn kwalunkwe liġi jew leġislazzjoni oħra u ma tezentax lill-persuna liċenzjata milli tikseb kwalunkwe liċenzja, permess, awtorizzazzjoni jew kull forma oħra ta' kunsens rikjesta minn xi awtorità jew taht xi liġi oħra.
- 26. Kwalunkwe persuna li tonqos milli tosserva xi dispożizzjoni tal-Legislazzjoni Sussidjarja 549.74 (Avviż Legali 303 tal-2012, kif emendat permezz tal-Avvizi Legali 279 tal-2013 u 254 tal-2014) u tal-Legislazzjoni Sussidjarja 549.93 (Avviż Legali 251 tal-2014), jew il-kontenut tal-liċenzja, jew tonqos milli tikkonforma ruħha ma xi ordni mogħtija legittimament skont xi dispożizzjoni ta' dawn ir-regolamenti jew xi waħda mill-kondizzjonijiet ta' din il-liċenzja, tkun sogġetta għall-prosekuzzjoni u meta tinstab hatja, tehel il-pieni stabbiliti bir-regolament 27 tar-Regolamenti tal-2006 dwar il-Konservazzjoni tal-Ghasafar Selvaġġi jew dawk taht xi liġi jew regolament ieħor applikabbli.
- 27. Din il-Liċenzja Speċjali qed tinhareġ biss fuq il-baži tal-informazzjoni pprovduta waqt l-istadju tal-applikazzjoni u mingħajr preġudizzju lejn terzi u obbligi taht liġijiet jew regolati oħra. Din il-Liċenzja Speċjali tista' tiġi irtirata fi kwalunkwe hin mill-Wild Birds Regulation Unit jekk jiġu żvelati ċirkostanzi li jinvalidawha.



Sergei Golovkin
Kap,
Taqsimta tar-Regolamentazzjoni għall-Ghasafar Selvaġġi



2016 Autumn 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 2016 Autumn live-capturing season for Song Thrush and Golden Plover) Regulations, 2016, 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 by Legal Notice 254 of 2014, Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) (Amendment) Regulations, 2014 (S.L. 549.74³).

Read carefully all the conditions of this Special Licence and ensure you observe them thoroughly 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 for the year 2016, hereinafter referred to as "the Autumn live-capturing season", shall be on the following dates:
 - (a) live-capturing of Song Thrush between the 20th October 2016 and the 31st December 2016, both dates included;
 - (b) live-capturing of Golden Plover between the 20th October 2016 and the 31st December 2016, both dates included.
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 549.42⁴ and published on <http://www.mepa.org.mt/mepa-mapserver> (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. No live-capturing can take place on any site that has either not been registered with the Commissioner of Police prior to the end of December 2012, or that is not identifiable as a live-capturing site on aerial photographs published prior to end of December 2012.
5. Live-capturing is only authorised on the site/s officially registered with and approved by the Wild Birds Regulation Unit, which were included with the application form for this Licence, and cannot be practiced on any other site/s. All site plans corresponding to such authorised sites must

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>

be attached to the Special Live-capturing Licence(s). This Licence shall be considered invalid unless such site plans, which were included with the application form for this Licence, are attached.

6. The holder of this Licence is only authorised to use not more than two (2) live-capturing stations registered with the Wild Birds Regulation Unit and each live-capturing station shall not contain more than two (2) pairs of clap-nets up to a total footprint of 60 square metres per each net:

Provided that if the licensee is in possession of both the Special Licence for live-capturing of Golden Plover and Song Thrush and the Special Licence for the live-capturing of Finches, such licensee may use nets with a mesh size of not less than 18mm for the live-capture of all species allowed under the terms of both Licences, provided that the largest size of each such net shall not in any case exceed 38 square metres. Provided further that if such licensee is in possession of both Special Licences and provided that one of the live-capturing stations is used by such licensee exclusively for the purpose of live-capturing Golden Plover and/or Song Thrush and not for the purpose of live-capturing of Finches, such licensee may use on this live-capturing station nets with a mesh size of not less than 30 mm, and the largest net size shall not exceed 60 square metres.

7. The holder of this Licence can only operate one live-capturing station (not more than two pairs of clap-nets) at any one time.
8. 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.
9. The clap-nets shall be disarmed and laid completely flat on the ground at all times during prohibited hours, and dismantled upon closure of the live-capturing season and removed from the site. When the nets are disarmed and laid completely flat on the ground, the licensee shall take requisite measures to ensure that no accidental entanglement of any species occurs when the nets are not active.
10. The overall seasonal bag limit for the 2016 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.
11. The 2016 Autumn live-capturing season's bag limit allowed under this Licence is six (6) birds per licensee or however many below this number might have been captured before the season is closed. Any Golden Plover or Song Thrush caught by the licensee in excess of the individual seasonal bag limit of six (6) birds shall be immediately released back into the wild from the live-capturing site.
12. The licensee shall not, at any time, hold nor have in his possession more than a total of ten (10) birds from either Golden Plover or Song Thrush used as live-decoys whilst at the live-capturing station, irrespective of the number of licensed live-capturers registered on the same live-capturing station. This limit shall also not be exceeded when the Licence holder is travelling to or from the capturing site.
13. In accordance with Regulation 7(k) 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 is approved and provided by the Wild Birds Regulation Unit and which has been supplied with this Licence. 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 **red** single-use ring referred to above shall only be deemed as approved by WBRU if it is placed on the **Golden Plover's** tarsus.

14. 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 12 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, notwithstanding that such bird may be ringed in terms of regulation 7 (k) of S.L. 549.74.
15. The holder of this Licence is required to immediately report each Song Thrush or Golden Plover that s/he captures by dialling **77070006** and to follow the instructions provided thereafter.
16. In the event that the licensee catches a bird fitted with a scientific ring, the holder of this Licence is required to fill in all the details on the attached form provided for this purpose and to mail it to the Wild Birds Regulation Unit on the address indicated in the same form upon the closure of the Autumn 2016 live-capturing season. The licensee is obliged to immediately release such bird back into the wild from the live-capturing site even if it belongs to one of the two species covered by this Licence.
17. The holder of this Licence is not authorised to capture or attempt to capture any species, other than Song Thrush and Golden Plover unless also in possession of a Special Licence for the live-capturing of Finches issued in terms of the Conservation of Wild Birds (Declaration on a derogation for a 2016 Autumn live-capturing season for Finches) Regulations, 2016, in which case the licensee is authorised to capture the nine species under the conditions imposed by both Special Licences, provided the respective quotas have not been reached.
18. The holder of this Licence is obliged to immediately release back into the wild any bird that is captured and which is not a Song Thrush or Golden Plover, unless such bird belongs to one of the seven finch species, provided the licensee is also in possession of a Special Licence for the live-capturing of Finches issued in terms of the Conservation of Wild Birds (Declaration on a derogation for a 2016 Autumn live-capturing season for Finches) Regulations, 2016, provided the respective quotas have not been reached.
19. 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/s, this 2016 Autumn live-capturing Licence, the general live-capturing licence and a copy of the site plan/s attached with the Special Licence(s) that indicate/s the site/s on which the holder is licensed to practice the live-capturing of birds, duly stamped by the Wild Birds Regulation Unit, which copy was presented with the application form for this Licence. This Special Licence shall be deemed invalid should the licensee fail to keep the above documentation in his possession during such time that live-capturing is practiced or whilst travelling to and from the live-capturing site/s.
20. During the open season, Golden Plovers used as live-decoys and those caught from the wild shall not be kept in cages smaller than 280mm in length, 240mm in width and 240mm in height.
21. During the open season, Song Thrushes used as live-decoys and those caught from the wild shall not be kept in cages smaller than 210mm in length, 160mm in width and 200mm in height.
22. Without prejudice to condition (24) below, this Autumn live-capturing licence shall be valid only for the period in which the capturing of the above species is permitted.
23. 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, by means of a press release, declares that the overall seasonal bag limits for the 2016 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, by means of a press release, declares that the overall seasonal bag limit for the 2016 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.

24. 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) annexed to this Licence (Annex I) without prejudice to any other prohibition laid down in the same regulations.
25. This Licence is being granted without prejudice to third party rights and 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.
26. Any person who fails to comply with any provision of Subsidiary Legislation 549.74 (Legal Notice 303 of 2012, as amended by Legal Notices 279 of 2013 and 254 of 2014) and Subsidiary Legislation 549.93 (Legal Notice 251 of 2014), or with the contents of this 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 prosecution and shall, upon conviction, be liable to the penalties established by regulation 27 of the Conservation of Wild Bird Regulations or any other applicable law or regulation.
27. 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 and obligations under any other law or regulation. 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.



Sergei Golovkin
Head,
Wild Birds Regulation Unit

Annex 1 - Regolamenti 18 u 20 mehuda mir-Regolamenti tal-2006 dwar il-Konservazzjoni tal-Ghasafar Selvaggi (kif emendati)

18. (1) Minghajr preġudizzju għar-regolament 9, l-ebda persuna m'għandha:

- (c) waqt l-istaġun magħluq għall-insib tal-għasafar kif jista' jiġi permiss skont dawn ir-regolamenti, tiehu jew tipprova tiehu xi għasfur;
- (d) waqt l-istaġun miftuħ għall-insib tal-għasafar kif jista' jiġi permiss skont dawn ir-regolamenti, tiehu jew tipprova tiehu xi għasfur minn fuq il-baħar;

20. Ebda persuna m'għandha:

(a) iżzomm 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 jiftah gwenhahj:

Izda dan il-paragrafu m'għandux japplika għall-pullam jew għaz-zamma 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 giet applikata deroga partikolari;
- (b) iġġib 'il quddiem, tippermetti, tghin jew tiehu sehem f'xi attività li tkun u li fiha jinhelu għasafar maqbuda sabiex malli dawn jinhelu, minnufih jisparaw fuqhom.

Annex 1 - Regulations 4 and 18 of the Conservation of Wild Birds Regulations, 2006 (as amended)

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;

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.