Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi

MALTA

Wild Birds Regulation Unit

«Name» «Surname»
«Address_1»
«Address_2»
«Address_3»
«Address_4»

Numru tal-Karta tal-Identità «ID»
Mowbajl «Mobile_No»

Numru tal-Liċenzja Speċjali «Finches_Licence_»

Liċenzja Speċjali biex tipparteċipa fil-Proġett tal-Gvern għar-Riċerka fuq is-seba' speċi tal-Għasafar tal-Għana fil-Ħarifa tal-2022, taħt kundizzjonijiet strettament sorveljati

Din il-Liċenzja mhux trasferibbli għar-riċerka fuq is-seba' speċi tal-Għasafar tal-Għana qed tinħareġ **MINGĦAJR EBDA PREĠUDIZZJU GĦAR-RAKKOMANDAZZJONI TAL-KUMITAT ORNIS U GĦAD-DEĊIŻJONI TAL-GVERN JEKK GĦANDUX JIFTAĦ STAĠUN GĦAR-RIĊERKA**, skont id-dispożizzjonijiet tan-notifika ta' deroga tal-2022 li tippermetti riċerka fuq is-seba' speċi tal-għasafar tal-għana u hija soġġetta għall-limitazzjonijiet stabbiliti fihom u skont il-kundizzjonijiet stipulati fil-Qafas Regolatorju li jippermetti deroga għal riċerka fuq seba' speċi tal-għasafar tal-għana, hawn iżjed 'il quddiem imsejħa l-"Qafas Regolatorju".

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

Il-persuna liċenzjata qed tingħata permess tipparteċipa fil-proġett tal-Gvern għar-riċerka fuq is-seba' speċi tal-Għasafar tal-Għana biex tiġi determinata l-popolazzjoni ta' referenza ta' Malta, u hija obbligata tosserva strettament kwalunkwe restrizzjoni legali jew obbligu, inklużi dawk tal-post, dati, ġranet u ħinijiet, kif ukoll dawn il-kundizzjonijiet stabbiliti f'din il-Liċenzja Speċjali:

1. Il-persuna liċenzjata hija awtorizzata tipparteċipa fil-proġett ta' riċerka permezz tal-insib b'użu ta' mansab selettiv, hawnhekk iżjed 'il quddiem imsejjaħ "Il-Perjodu ta' Riċerka fil-Ħarifa 2022", **mill-20 t'Ottubru 2022 sal-20 ta' Diċembru 2022, iż-żewġ dati inklużi**, għall-Gardell (*Carduelis carduelis*), Verdun (*Chloris chloris*), Taż-Żebbuġ (*Coccothraustes coccothraustes*), Sponsun (*Fringilla coelebs*), Ġojjin (*Linaria cannabina*), Apparell (*Serinus serinus*) u Ekru (*Spinus spinus*), minn sagħtejn qabel tlugħ ix-xemx sa sagħtejn wara nżul ix-xemx:

   Iżda dawn id-dati huma mingħajr ebda preġudizzju għall-prerogattiva tal-Gvern li ma jiftaħx il-perjodu ta' riċerka, jew li jagħlaq parzjalment jew kompletament il-perjodu ta' riċerka, jew li jibdel kwalunkwe parametri tiegħu. **Din il-Liċenzja ma tkunx ikkunsidrata valida jekk il-perjodu ta' riċerka ma jiftaħx u tiġi immedjatament invalidata malli jingħalaq.**

2. L-Għasafar tal-Għana enumerati fl-ewwel (1) kundizzjoni jistgħu jinqabdu biss mill-persuna liċenzjata permezz ta' mansab selettiv sabiex jiġu ċċekkjati dawk l-għasafar mlibbsa ċurkett xjentifiku (kontroll) u/jew tqegħid ta' ċrieket xjentifiċi minn *bird-ringer* liċenzjat sabiex b'hekk tkun tista' tingabar l-informazzjoni dwar l-oriġini ta' dawn l-għasafar tal-għana, skont il-Qafas Regolatorju u l-kundizzjonijiet ta' din il-Liċenzja Speċjali.

3. **Din il-Liċenzja Speċjali tippermetti biss riċerka fuq l-għasafar tal-għana enumerati fl-ewwel (1) kundizzjoni u tipprojbixxi li jinżammu l-għasafar li jinqabdu**. L-għasafar kollha għandhom jitħarrbu minnufih lura fis-selvaġġ mill-istess post minn fejn inqabdu, anke dawk li m'għandhomx ċurkett xjentifiku jew li ma jiġux imlibbsa ċurkett xjentifiku. Il-persuna bil-

liċenzja hija **mħeġġa tieħu filmat qasir** fejn juri l-għasafar tal-għana qedin jitħarrbu mill-istess post minn fejn inqabdu. Kull filmat għandu jintbagħat permezz ta' *link* (bħal *WeTransfer.com* jew *Google Drive*) lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi sa mhux aktar tard minn ġimgħa minn meta jkun ittieħed fuq *e-mail* wildbirds@gov.mt bit-titlu tal-*e-mail* "**Filmat rilaxx tal-għana 2022**".

4. Qabel tħarrab b'mod immedjat l-għasafar tal-għana kollha li għandhom diġa ċurkett xjentifiku, il-persuna bil-liċenzja għandha tikteb id-dettalji ta' kull għasfur, in-numru ta' identifikazzjoni taċ-ċurkett xjentifiku u l-post minn fejn inqabdu, fil-formola taċ-ċrieket kif spjegat fl-istess formola maħruġa mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi inkluża ma' din il-Liċenzja. **Ara ukoll kundizzjoniji 5 u 9**.

5. Minbarra u mingħajr preġudizzju għall-obbligu li timla l-formola taċ-ċrieket kif spjegat f'kundizzjoni 4 (ara ukoll kundizzjoni 9), kull għasfur li taqbad li għandu ċurkett xjentifiku għandu **<u>ukoll</u>** jiġi rrappurtat billi tibgħat *e-mail* fuq wildbirds@gov.mt kemm jista' jkun malajr dikinhar stess li jkunu nqabdu. L-*e-mail* bit-titlu "**Tal-għana b'ċurkett xjentifiku – 2022**" għandha tinkludi: (i) id-data u l-ħin tal-qbid, (ii) l-isem tal-akwati/belt jew raħal, (iii) l-isem tal-ispeċi u (iv) id-dettalji kollha li jidhru fuq iċ-ċurkett.

6. Qabel tħarrab b'mod immedjat l-għasafar tal-għana kollha li m'għandhomx ċurkett xjentifiku, dawn l-għasafar jistgħu jiġu mlibbsa ċurkett xjentifiku minn persuna liċenzjata biex tlibbes ċrieket xjentifiċi (*bird-ringer*). Il-*bird-ringer* liċenzjat huwa awtorizzat ilibbes għasafar tal-għana b'ċrieket xjentifiċi minn l-istess stazzjon tar-riċerka li ġie sottomess fl-istadju tal-applikazzjoni minn nassab li miegħu ntlaħaq ftehim minn qabel għal parteċipazzjoni konġunta f'dan il-proġett ta' riċerka. Il-*bird-ringer* liċenzjat għandu ukoll jikteb id-dettalji ta' kull għasfur, in-numri ta' identifikazzjoni taċ-ċrieket xjentifiċi u l-post minn fejn inqabdu, fil-formola taċ-ċrieket maħruġa f'isem id-detentur ta' din il-liċenzja mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi, u għandu ukoll jibgħat *e-mail* bid-dettalji dikinhar stess, kif spjegat f'kundizzjoni 5.

7. Il-persuna liċenzjata hija **legalment obbligata** li **immedjatament tirrapporta** kull għasfur tal-għana li taqbad billi iċċempel fuq in-numru tat-telefon **<u>8000 2020</u>**, bla ħlas, minn numru tal-mowbajl reġistrat mad-WBRU. Is-sistema tipprovdi gwida permezz ta' messaġġi bil-vuċi li huma faċli biex issegwi. Persuna liċenzjata tista' tuża ukoll il-*mobile app* '*Game Reporting MT*' li titniżżel bla ħlas minn l-*App Store* jew *Google Play* għal dawk li jagħmlu użu minn *smartphone*. Is-sistemi jikkonfermaw r-rapport billi jintbgħat lura SMS bħala konferma. Tħassarx l-SMS qabel ma jagħlaq il-perjodu tar-riċerka.

8. **Legalment obbligat tirrapporta kull meta tieħu sehem f'dan il-proġett ta' riċerka <u>anka jekk ma taqbadx għasafar tal-għana</u> (*research effort*)**. L-obbligu legali li tirrapporta r-*research effort* jieħu post il-kalendarju li kien assoċjat ma' din il-liċenzja. Jekk ma tkunx qbadt għasafar tal-għana (ara kundizzjoni 7) ir-rapport tar-*research effort* għandu jsir dakinhar stess qabel titlaq mill-istazzjon tar-riċerka minn numru tal-mowbajl irreġistrat f'ismek mad-WBRU permezz ta' telefonata fuq in-numru bla ħlas **<u>8000 2020</u>** jew permezz tal-*mobile app: 'Game Reporting MT'* li titnizzel bla ħlas minn l-*App Store* jew *Google Play* għal dawk li jagħmlu użu minn *smartphone*. Biex isir dan ir-rapport permezz tas-sistema telefonika, ċempel fuq in-numru **<u>8000 2020</u>**, agħżel il-liċenzja għar-riċerka tal-għana f'każ li jkollok aktar minn liċenzja waħda, u agħfas in-numru żero (0) segwit bil-buttuna kaxxa (# *key*). Is-sistema telefonika tipprovdi gwida permezz ta' messaġġi bil-vuċi li huma faċli biex issegwi u ż-żewġ sistemi jikkonfermaw r-rapport billi jintbgħat lura SMS bħala konferma. Tħassarx l-SMS qabel ma jagħlaq il-perjodu tar-riċerka.

9. Il-formola taċ-ċrieket inkluża ma' din il-Liċenzja Speċjali għandha tiġi rritornata lura lit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi matul il-perjodu stabbilit mit-Taqsima wara l-għeluq tal-perjodu ta' riċerka kif speċifikat f'ittra maħruġa lill-persuna bil-liċenzja f'Jannar 2023. **Jekk il-persuna bil-liċenzja ma tirritornax il-formola taċ-ċrieket fiż-żmien indikat mit-**

Taqsima, anka jekk dik il-persuna ma tkunx qabdet għasafar tal-għana b'ċurkett xjentifiku, dik il-persuna ma tkunx eliġibbli għal liċenzja speċjali għall-perjodu ta' riċerka ta' wara.

10. Ma tista' ssir ebda attività ta' riċerka marbuta ma' din il-Liċenzja Speċjali ġewwa Santwarji tal-Għasafar, Bajjiet Protetti u Żoni Protetti kif definiti fir-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 549.42)[1] u kif murija fis-sit elettroniku http://geoserver.pa.org.mt/publicgeoserver (*Environment Data | Restricted Trapping Zones*). Għelieqi li jinħadmu fil-konfini ta' Żoni Protetti u li ġew uffiċjalment reġistrati mad-Dipartiment tal-Agrikultura 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.

11. Il-persuna liċenzjata hija awtorizzata tipparteċipa fil-proġett ta' riċerka skont it-termini tal-kundizzjonijiet kollha ta' din il-Liċenzja. **Ma tista' ssir ebda attività relatata ma' din ir-riċerka minn fuq mnasab revokati jew mnasab mhux reġistrati**.

12. Il-persuna liċenzjata mhix awtorizzata tuża aktar minn stazzjon ta' riċerka wieħed (1) għall-għasafar tal-għana fl-istess ħin, u l-istazzjon ta' riċerka m'għandux ikollu aktar minn mansab wieħed (1) b'kull xibka jkollha daqs ta' mhux aktar minn **tmienja u tletin (38) metru kwadru** u daqs ta' malju ta' mhux inqas minn **18mm x 18mm**.

13. Saffi ta' żewġ xbieki jew iktar fuq xulxin jew xi modifikazzjoni oħra, inkluż '*pockets*', huma pprojbiti.

14. Mingħajr preġudizzju għal kundizzjoni 12, mansab jista' jiġi reġistrat fuq aktar minn persuna waħda bil-liċenzja speċjali waqt il-perjodu ta' riċerka fuq l-għasafar tal-għana enumerati fl-ewwel (1) kundizzjoni.

15. Qabel mal-persuna bil-liċenzja titlaq mill-istazzjon ta' riċerka u matul il-ħinijiet ipprojbiti (ċioè, minn sagħtejn wara inżul ix-xemx sa sagħtejn qabel tlugħ ix-xemx ta' l-għada filgħodu), ix-xbieki għandhom jew jitneħħew jew jiġu mgħottija kompletament, u waqt il-ħinijiet kollha permessibbli waqt li l-persuna bil-liċenzja tkun fis-sit ta' riċerka, il-mansab għandu jkun sorveljat matul il-ħin kollu.

16. Immedjatament malli jagħlaq il-perjodu ta' riċerka, il-mansab (inkluż xbieki, lasti u molol) għandu jiżżarma u jitneħħa minn fuq il-post.

17. Din il-Liċenzja ma tippermettix li taqbad jew li tipprova taqbad għasafar li mhux mis-seba' speċi tal-għasafar tal-għana enumerati fl-ewwel (1) kundizzjoni, jew għal kwalunkwe skop jekk mhux għal skop ta' riċerka, u lanqas ma tippermetti l-użu ta' kull mezz sabiex tressaq għasafar li mhux mis-seba' speċi tal-għasafar tal-għana lejn il-mansab.

18. F'każ improbabbli li b'mod aċċidentali jinqabad għasfur minn speċi oħra, dan għandu jiġi meħlus minnufih mill-persuna bil-liċenzja.

19. Għall-għanijiet ta' dan il-proġett ta' riċerka, huwa permess biss il-pussess u/jew l-użu ta' tisfir irrekordjat minn qabel tas-seba' speċi tal-għasafar tal-għana enumerati fl-ewwel (1) kundizzjoni.

20. Din il-Liċenzja Speċjali tillimita l-użu ta' għasafar tat-taħrik u għajat għal:

    (a) għasafar tal-għana li ġew iddikjarati fl-2016 u 2017 mlibbsa ċurkett li jintuża darba maħruġ mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi f'dawk is-sentejn, li għandu l-

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

SAMPLE

kodiċi **R16U**,

(b) għall-għasafar tal-għana mnissla fil-magħluq (*captive-bred*) li jkunu mlibbsa ċurkett sħiħ magħluq b'diametru intern li huwa tad-daqs apposta għall-ispeċi* ;

(c) għall-mutazzjonijiet tal-kulur (varjanti) li jkunu mlibbsa ċurkett sħiħ magħluq b'diametru intern li huwa tad-daqs apposta għall-ispeċi, u

(d) għall-bgħula u/jew ibridi:

Iżda l-mutazzjonijiet tal-kulur (varjanti tal-kulur) mis-seba' speċi tal-għasafar tal-għana jistgħu jintużaw biss mill-persuna bil-liċenzja bħala għajat u mhux għat-taħrik.

21. Waqt il-perjodu ta' riċerka, għasafar tat-taħrik u għajat m'għandhomx jinżammu ġo gabjetti ta' inqas minn 190mm tul, 130mm wisa' u 120mm għoli.

22. Waqt li tkun qed tipparteċipa fil-proġett ta' riċerka jew waqt li tkun sejra lejn jew ġejja minn fuq l-istazzjon ta' riċerka, il-persuna liċenzjata għandha żżomm fuqha din il-Liċenzja Speċjali, il-liċenzja ġenerali għall-insib tal-għasafar u l-liċenzja għat-tqegħid ta' ċrieket xjentifiċi, skont il-każ, li jservu wkoll bħala mezz ta' identifikazzjoni, u l-pjanta kif approvata mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi u reġistrata mal-Kummissajru tal-Pulizija.

23. Jekk xi uffiċjal tal-Pulizija, waqt li jkun qiegħed jagħmel verifiki fuq il-post skont il-Qafas Regolatorju, isib raġuni suffiċjenti sabiex jittieħdu proċedimenti kontra l-persuna bil-liċenzja, dak l-uffiċjal għandu minnufih jieħu mill-pussess ta' dik il-persuna din il-Liċenzja Speċjali u kull apparat użat għall-attivitajiet ta' riċerka bi ksur tal-Qafas Regolatorju u ta' din il-Liċenzja. Dik il-persuna tkun ipprojbita milli tapplika għal-liċenzja speċjali oħra maħruġa taħt il-Qafas Regolatorju jew ir-Regolamenti dwar l-Għasafar Selvaġġi hekk kif tinstab ħatja mill-Qorti.

24. Jekk waqt li jkun qiegħed jagħmel verifiki fuq il-post skont il-Qafas Regolatorju, xi uffiċjal tal-Pulizija isib għasfur tal-għana li:

a) ma jkunx imlibbes ċurkett, jew
b) ma jkunx imlibbes ċurkett tas-sieq magħluq mingħajr saldatura f'ċirku kontinwu, mingħajr ebda qsim jew tgħaqqid*, jew
c) ikun imlibbess ċurkett magħluq imbagħbas b'xi mod*, jew
d) ikun imlibbess ċurkett magħluq b'diametru intern li jkun ikbar minn dak meħtieġ għall-ispeċi*, jew
e) ikun imlibbes ċurkett li jintuża darba bil-kodiċi li mhux **R16U**, jew
f) ikun imlibbes ċurkett li jintuża darba bil-kodiċi **R16U** li mhux maħruġ mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi fl-2016 u l-2017,

il-persuna li għandha l-liċenzja tista' teħel il-penali misjuba fir-regolament 27 tar-Regolamenti dwar l-Għasafar Selvaġġi. Wara li jkun ħa evidenza dokumentata tal-għasafar kollha mhux konformi mal-kundizzjonijiet ta' din il-liċenzja speċjali jew mal-kundizzjonijiet ta' kwalunkwe liċenzja speċali oħra kif jista' jkun il-każ, l-uffiċjal tal-Pulizija għandu jħarrab minnufih l-għasafar kollha li mhumiex imlibbsa ċurkett mill-istess stazzjon ta' riċerka kif ukoll jieħu mill-pussess ta' dik il-persuna bil-liċenzja l-għasafar kollha li jkunu mlibbsa ċurkett magħluq li mhux sħiħ, mhux f'ċirku kontinwu, b'saldatura, li jkunu mbagħbsa b'xi mod, li għandhom diametru intern ikbar minn dak meħtieġ għall-ispeċi, dawk li jkunu

---

* Għasafar tal-għana mnissla fil-magħluq mlibbsa ċurkett sħiħ tad-daqs għall-ispeċi jistgħu jintużaw biss jekk jiġi ippubblikat Avviż Legali li jemenda il-Leġislazzjoni Sussidjarja 549.145 sabiex ikun jista' jippermetti l-użu tagħhom għall-għajat u t-taħrik.

mlibbsa ċurkett li jintuża darba li mhux awtorizzat u kwalunkwe għasfur ieħor li mhux awtorizzat taħt l-awtorità ta' din il-liċenzja speċjali jew taħt kwalunkwe liċenzja speċjali oħra:

Iżda din il-kundizzjoni ma tapplikax għall-varjanti tal-kulur (mutazzjonijiet), bgħula jew ibridi.

25. Din il-Liċenzja Speċjali hija valida biss għall-perjodu ta' riċerka kif iddikkjarat fin-notifika tad-deroga ppublikat b'avviż legali u għandha:

(a) tiġi **sospiża** minnufih jekk il-persuna bil-liċenzja tiġi akkużata b'reat kontra r-regolament 27 tar-Regolamenti dwar l-Għasafar Selvaġġi;

(b) tiġi **revokata** jekk il-persuna bil-liċenzja tiġi misjuba ħatja ta' reat kontra r-regolament 27 tar-Regolamenti dwar l-Għasafar Selvaġġi; u

(c) **tiskadi u titqies bħala revokata** hekk kif il-Ministru jordna, b'avviż fil-Gazzetta jew b'avviż ieħor, li l-perjodu ta' riċerka għandu jagħlaq minnufih jew f'data oħra speċifikata mill-Ministru. Il-persuni kollha bil-liċenzja speċjali għandhom jiġu infurmati minnufih dwar din l-iskadenza u revoka tal-liċenzja speċjali permezz tas-servizz ta' messaġġi bil-miktub (SMS) fuq in-numru indikat minn dik il-persuna fl-applikazzjoni għal-liċenzja speċjali.

26. Il-persuna liċenzjata għandha tikkonforma ruħha mad-dispożizzjonijiet kollha tal-Qafas Regolatorju u tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 549.42) u mal-kundizzjonijiet kollha ta' din il-liċenzja speċjali.

27. Kwalunkwe persuna li tonqos milli tosserva xi dispożizzjoni tal-Qafas Regolatorju 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.

28. 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.

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

30. Kwalunkwe emendi fil-kundizzjonijiet ta' din il-Liċenzja Speċjali jew kwalunkwe kundizzjoni addizzjonali għandha tiġi kkomunikata mit-Taqsima tar-Regolamentazzjoni għall-Għasafar Selvaġġi permezz tas-servizz ta' messaġġi bil-miktub (SMS) fuq in-numru indikat minn dik il-persuna fl-applikazzjoni għal-liċenzja speċjali u permezz ta' avviż fuq is-sit elettroniku tat-Taqsima, u tali messaġġ u avviż għandhom jitqiesu bħala parti integrali minn din il-Liċenzja Speċjali.

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

SAMPLE

Special Licence to participate in Government's Research Project on seven Finch species in Autumn 2022, under strictly supervised conditions

This non-transferable Special Licence is issued **WITHOUT PREJUDICE TO ORNIS COMMITTEE'S RECOMMENDATION AND GOVERNMENT'S DECISION WHETHER A RESEARCH PERIOD SHOULD OPEN**, in accordance with the 2022 notice of derogation allowing research on seven finch species, and is subject to the limits stipulated therein and to the conditions stipulated in the Framework Regulations allowing a derogation to carry out research on seven finch species, hereinafter referred to as "the Framework Regulations".

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

The holder of this Licence is permitted to participate in Government's research project on seven finch species to determine Malta's reference population, and is required to strictly comply with any legal restriction or obligation, including with regard to place, dates, days and times, and all the following licence conditions:

1. The holder of this Licence is authorised to participate in the research project by means of live-capturing using the selective clap-net system (*mansab*), hereinafter referred to as the "Research Period in Autumn 2022", **between 20 October 2022 and 20 December 2022, both dates included**, for European Goldfinch (*Carduelis carduelis*), European Greenfinch (*Chloris chloris*), Hawfinch (*Coccothraustes coccothraustes*), Common Chaffinch (*Fringilla coelebs*), Common Linnet (*Linaria cannabina*), European Serin (*Serinus serinus*) and Eurasian Siskin (*Spinus spinus*), from two hours before sunrise until two hours after sunset:

   Provided that these dates shall be without prejudice to Government's prerogative not to open the research period, or to fully or partially close the research period, or otherwise modify its parameters. **This Licence will not be considered valid if the research period does not open and will be immediately rendered invalid when the research period is closed.**

2. Birds from the seven finch species enumerated in condition one (1) may only be captured by the holder of this Licence using selective nets known as clap-nets for the purpose of collecting ring recovery data (control) and/or fitting of scientific rings by a licensed bird-ringer to obtain information on the origins of these finches, in accordance with the Framework Regulations and the conditions of this Special Licence.

3. **This Special Licence only permits research on the seven finch species and prohibits the keeping of birds caught**. All birds shall be immediately released back into the wild from the same place of capture, including those that do not have a scientific ring or are not fitted with a scientific ring. The licensee is **encouraged to take a short video** showing the release of all finches back into the wild from the same place of capture. Each footage shall be forwarded as a link (e.g., via WeTransfer.com or Google Drive) to the Wild Birds Regulation Unit by not later than one (1) week from the date when it was recorded via e-mail wildbirds@gov.mt with e-mail title "**Release of finches 2022**".

4. Prior to the immediate release of all birds from the seven finch species that are already fitted with a scientific ring (controlled), the licensee shall record the scientific ring identification numbers, details of the specimens and the location of the site from where they were captured on the ring

recovery form as explained in the form, issued by the Wild Birds Regulation Unit and included with this Licence. **See also conditions 5 and 9**.

5. In addition and without prejudice to the requirement to fill in the ring recovery form as explained in condition 4 (see also condition 9), all ring recoveries shall **also** be reported via email: wildbirds@gov.mt as soon as possible during the same day when they were captured. The email, bearing subject title "**Ring recovery – finches 2022**" shall include: (i) the date and time of capture, (ii) area name/town, (iii) species name and (iv) full details as shown on the ring.

6. Prior to the immediate release of all birds from the seven finch species not fitted with a scientific ring, such birds may be fitted with a scientific ring by a licensed bird-ringer. The licensed bird-ringer shall be authorised to fit finches with a scientific ring from the same research station that was submitted at application stage by the live-capturer with whom a prior agreement was reached for joint participation in this research project. The licensed bird-ringer shall also record the scientific ring identification numbers s/he fitted on the specimens, details of the specimens and the location of the site from where they were captured on the ring recovery form issued on this licence holder's name by the Wild Birds Regulation Unit, and shall also send an email on the same day with the relevant details, as explained in condition 5.

7. The holder of this Licence is **legally required to immediately report** each finch that s/he captures by calling on the freephone number **8000 2020** from the mobile number registered in his name with the Wild Birds Regulation Unit. The system provides guidance through easy-to-follow voice prompts. Licence holders may also use a free mobile app 'Game Reporting MT' that can be downloaded from the App Store or Google Play for smartphone devices. The systems will confirm the report by sending an SMS. Do not delete the SMS before closure of the research period.

8. **You are legally required to report whenever you take part in this research project even if you do not catch (control) any finches (research effort)**. The legal requirement to report reserach effort replaces the calendar that was associated with this licence. If you do not catch any finches (see condition 7), the report on research effort must be made on that same day before you leave the reserach station from the mobile number registered in your name with the Wild Birds Regulation Unit, either by dialling the freephone service **8000 2020** or through the mobile app: 'Game Reporting MT' that can be downloaded free of charge from the App Store or Google Play for smartphone devices. To report research effort through the freephone system, dial **8000 2020**, select the finch research licence in case you have more than one licence, and press zero (0) followed by the # key. The telephonic system provides guidance through easy-to-follow voice prompts and both systems will confirm the report by sending an SMS. Do not delete the SMS before closure of the research period.

9. The ring recovery form enclosed with this Special Licence shall be returned to the Wild Birds Regulation Unit within the deadline established by the Unit following closure of the research period, as specified in a letter issued to the licensee in January 2023. **Should the licensee fail to return the ring recovery form within the deadline established by the Unit, even if the licensee did not capture (control) any finches with a scientific ring, that person shall be rendered ineligible for a special licence for the following research period.**

10. No research activities associated with this Special Licence shall be allowed within the boundaries of Bird Sanctuaries, Protected Beaches and Protected Areas as defined in Subsidiary Legislation 549.42[3] and published on http://www.mepa.org.mt/mepa-mapserver (Environment Data | Restricted Trapping Zones). Cultivated agricultural land located within the boundaries of Protected Areas and officially registered with the Department of Agriculture for the purpose of

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

cultivation 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.

11. The holder of this Licence is only authorised to participate in the research project under the terms of this Licence. **No activities related to this research are permitted on revoked clap-nets or clap-nets that are not registered.**

12. The holder of this Licence is not authorised to use more than one (1) research station for the seven finch species at the same time, and such research station shall not contain more than one (1) clap-net from one (1) hide with each net having an area of not more than **thirty-eight (38) square metres** and a mesh size of not less than **18mm x 18mm**.

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

14. Without prejudice to condition 12, a clap-net may be registered on more than one special licence holder during the research period for the finch species enumerated in condition one (1).

15. Before the licensee leaves the research station and during prohibited hours, the nets shall either be removed or completely covered and shall ensure that during all permitted hours whilst the licensee is at the research station, the clap-net is supervised at all time.

16. Immediately upon closure of the research period, the clap-net (including nets, poles and springs) shall be dismantled and removed from the site.

17. This Licence prohibits the capturing or the attempt to capture birds not from the seven finch species enumerated in condition one (1), or for any purpose other than for the purpose of research, and prohibits the use of any means to attract any other bird to the clap-net.

18. In the unlikely event of an accidental by-catch, such specimen shall be immediately released by the licensee.

19. For the purposes of this research project, only the possession and/or use of pre-recorded bird-calls of the seven finch species enumerated in condition one (1) are permitted.

20. This Special Licence limits the use of live-decoys to:

    (a) finches declared in 2016 and 2017 fitted with a single-use ring issued by the Wild Birds Regulation Unit during both years, bearing code **R16U**,

    (b) captive-bred finches fitted with a seamless closed ring having an internal diameter that is of the correct size for the species* ;

    (c) to their colour variants (mutations) fitted with a closed ring having an internal diameter that is of the correct size for the species, and

    (d) to mules and/or hybrids:

    Provided that colour mutations (colour-variants) may only be used by the licensee as call birds ('*għajat*') and not as fluttering decoys ('*taħrik*').

---

* Captive-bred finches fitted with a seamless closed ring of the correct size for the species can only be used if a Legal Notice amending Subsidiary Legislation 549.145 is published to allow their use as live-decoys.

21. During the research period, live-decoys shall not be kept in cages smaller than 190mm in length, 130mm in width and 120mm in height.

22. The holder of this Licence is required to keep in his possession during such time that he is at the research station, or whilst travelling to and from the research station, this Special Licence, the general live-capturing licence and the bird-ringing licence, as applicable, which also serve as a means of identification, and the site plan approved by the Wild Birds Regulation Unit and registered with the Commissioner of Police.

23. Should any Police officer, in the course of a spot-check in accordance with the Framework Regulations, find sufficient cause for proceedings to be taken against the holder of this Licence, that officer shall forthwith seize from the possession of that person this Special Licence and any equipment used for the research activity in violation of the Framework Regulations and the conditions of this Licence. That person shall be prohibited from applying for another special licence issued under the Framework Regulations or under the Wild Birds Regulations upon conviction by the Court.

24. Should, during the course of a spot-check in accordance with the Framework Regulations, a Police officer find a finch:

    a) without a ring, or
    b) not fitted with a seamless closed leg-ring or leg-band in a continuous circle, without any break or join*, or
    c) fitted with a leg-ring or leg-band that has been tampered with*, or
    d) fitted with a leg-ring or leg-band having an internal diameter that is larger than that required for the species* , or
    e) fitted with a single-use ring not bearing code **R16U**, or
    f) fitted with a single-use ring bearing code **R16U** that was not supplied by the Wild Birds Regulation Unit in 2016 and 2017,

    the licence holder shall be subject to the penalties established in Regulation 27 of the Wild Birds Regulations. After having taken documented evidence of all birds not in compliance with the conditions of this special licence or with the conditions of any other special licence as may be the case, the Police officer shall immediately release all birds not fitted with a ring from the same research station and also seize from the licence holder all birds that are fitted with closed rings that are not seamless, not in a continuous circle, with a break or join, have been tampered with, have an internal diameter that is larger than that required for the species, those fitted with an unauthorised single-use ring and any other bird not authorised under authority of this special licence or under any other special licence:

    Provided that this condition does not apply to colour-variants (mutations), mules or hybrids.

25. This Autumn live-capturing Licence is only valid for the duration of the research period and shall:

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

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

SAMPLE

---

* Captive-bred finches fitted with a seamless closed ring of the correct size for the species can only be used if a Legal Notice amending Subsidiary Legislation 549.145 is published to allow their use as live-decoys.

(c) **lapse and be considered revoked** if the Minister orders, by notice in the Gazette or any other notice, that the research period is to terminate immediately or at a date as specified by the Minister. All special licence holders shall be informed immediately of such lapse and revocation of the special licence by means of a text message service (SMS) to the number indicated by that person in the application for a special licence.

26. The Licensee is required to comply at all times with all the provisions the Framework Regulations and the Conservation of Wild Birds Regulations (S.L. 549.42) and with all the conditions of this special licence.

27. Any person who fails to comply with any provision of the Framework Regulations 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 the penalties established in the Conservation of Wild Bird Regulations (S.L. 549.42), or any other applicable law or regulation.

28. 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.

29. 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.

30. Any amendments to the conditions of this Special Licence or any additional conditions shall be communicated by the Wild Birds Regulation Unit by means of a text message service (SMS) to the number indicated by that person in the application for a special licence and by means of a notice on WBRU's website, and such message and notice shall be deemed to be an integral part of this Special Licence.

Richard Lia
Head, Wild Birds Regulation Unit

SAMPLE