# Annex 2: Licence for 2014 Spring Hunting Season

**SEGRETARJAT PARLAMENTARI GĦALL-BIEDJA, SAJD U DRITTIJIET TAL-ANNIMALI**

**PARLIAMENTARY SECRETARIAT FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS**

**MALTA**

**Special Licence for 2014 Spring Hunting Season (from 12 April 2014 to 30 April 2014)**

This non-transferable 2014 Spring Hunting Licence is issued in accordance with the Conservation of Wild Birds (Declaration on a derogation for a 2014 Spring Hunting Season for Turtle Dove and Quail) Regulations, 2014 and is subject to the provisions stipulated therein and to the conditions stipulated in the Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle Dove and Quail) Regulations (S.L. 504. 94[1]).

This Licence is issued subject to the following conditions:

1. This Licence is only valid for the hunting of Turtle Dove (*Streptopelia turtur*) and Quail (*Coturnix coturnix*) from Saturday 12th April to Wednesday 30th April 2014, both dates included. The hunting of any species other than Turtle Dove and Quail is prohibited;

2. The holder of this Licence is permitted to hunt from Monday to Friday from two (2) hours before sunrise until two (2) o'clock in the afternoon and on Saturdays, Sundays and Public Holidays from two (2) hours before sunrise until noon;

3. The daily bag limit allowed under this Licence is of two (2) birds (Turtle Dove and/or Quail) per Licence, whilst the seasonal quota per Licence is of four (4) birds (Turtle Dove and/or Quail) for the entire 2014 Spring Hunting Season or however many below this number might have been hunted before the season is closed;

4. The overall seasonal bag limit for the 2014 Spring Hunting Season is 11,000 for Turtle Dove and 5,000 for Quail as the total number of birds which may be hunted under the authority of all issued licences taken together;

5. The validity of the licence shall lapse and the licence shall be considered revoked as soon as the Minister, by means of a press release, declares that the overall bag limit for the 2014 Spring Hunting Season has been reached. The licensee shall also be immediately informed of such lapse and revocation of his/her licence by means of a text messaging service (SMS) to the number indicated by the licensee in the application for the 2014 Spring Hunting Licence:

   Provided that where the overall bag limit for the season for one species, hereinafter in this paragraph referred to as "the relevant species", has been reached before that for the other species, the validity of the licence shall lapse and the licence shall be considered as revoked in respect of the relevant species as soon as the Minister by means of a press release declares that the overall bag limit for the relevant species has been reached. The licensee shall also be immediately informed of such lapse and revocation of that part of his/her licence by means of a text messaging service (SMS) to the number indicated by the licensee in the application for the 2014 Spring Hunting Licence;

1 http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11570&l=1

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6. When the licensee is out hunting, he/she is required to carry on his/her person:

    - the 2014 Spring Hunting Licence and
    - the valid *Carnet de Chasse* booklet - *Għall-Kaċċa tal-Għasafar / Fenek Selvaġġ (Frar 2014-Jannar 2015)* issued in his/her name;

7. **The holder of this Licence is obliged to immediately send a blank message[2] by virtue of the text messaging service (SMS) on the number 99180020 as soon as s/he shoots a Turtle Dove**;

8. **The holder of this Licence is obliged to immediately send a blank message[3] by virtue of the text messaging service (SMS) on the number 99180021 as soon as s/he shoots a Quail**;

9. **The holder of this Licence is obliged to declare each Turtle Dove and Quail shot by him/herself on his/her *Carnet de Chasse - Għall-Kaċċa tal-Għasafar / Fenek Selvaġġ Frar 2014-Jannar 2015* booklet before leaving the hunting zone. Both the date and the number of birds bagged per respective species (Turtle Dove and/or Quail) must be filled in. If no birds are bagged, the licensee is still obliged to write down the date and specify either 0 or X in the respective column**.

10. **If the licensee fails to declare the number of birds caught s/he will be liable to a fine of fifty Euros (€50) for each undeclared bird**;

11. The Licensee is obliged to comply at all times with regulations 4 and 18 of the Conservation of Wild Birds Regulations (S.L. 504.71[4]) annexed to this licence (Annex I) without prejudice to any other prohibition laid down in the same regulations;

12. This licence shall be suspended forthwith if the licensee is charged with an offence under regulation 27 of the Conservation of Wild Birds Regulations;

13. This licence and any other hunting licence or permit of the licensee shall be revoked and be without any effect upon the licensee being convicted of an offence against regulation 27 of the Conservation of Wild Birds Regulations;

14. 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;

15. Any person who fails to comply with any provision of the Conservation of Wild Birds (Framework for Allowing a Derogation Opening a Spring Hunting Season for Turtle Dove and Quail) Regulations (S.L. 504. 94) and the Conservation of Wild Birds (Declaration on a derogation for a 2014 Spring Hunting Season for Turtle Dove and Quail) Regulations, 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 Birds Regulations or any other applicable law or regulation.

Sergei Golovkin
Head of the Wild Birds Regulation Unit
Ministry for Sustainable Development, Environment and Climate Change

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2 & 3 In the event that the mobile is unable to send a blank SMS, the licensee is required to enter either a space or a dot.

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

**Annex I**

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

**4.** (1) Without prejudice to the provisions of regulations 5, 8 and 9, no person shall:

(a) hunt or attempt to hunt, take or attempt to take any bird which is protected under these regulations, other than in accordance with these regulations and with the conditions of any licence granted thereunder;

(b) hunt or attempt to hunt, take or attempt to take, destroy, damage or remove by any means, any bird nest and eggs;

(c) take the eggs in the wild of any bird which is protected under these regulations and keep these eggs even if empty;

(d) deliberately disturb any bird which is protected under these regulations during the period of breeding and rearing;

(e) keep any bird, whether alive or dead, or part of any bird, the hunting or taking of which is prohibited under these regulations, other than in accordance with these regulations unless such bird has been declared and registered with the competent authority by the 31st May 2003 and such person has been given the permits, or certificates by the competent authority to keep such bird;

(f) keep any bird, whether alive or dead, or part of any bird not mentioned in Schedule II or Schedule III, unless such bird was taken in another Member State where it may be lawfully hunted or captured under the terms of Council Directive 79/409/EEC on the Conservation of Wild Birds and under the legislation of that other Member State and such bird has been brought into Malta after the 1st May, 2004.

Provided that such person shall retain in his possession and for such time as he remains in possession of the specimen as provided for in paragraphs (*e*) and (*f*) all permits, certificates and any other documents that prove to the satisfaction of the competent authority that such specimen was not obtained in contravention of these regulations.

(2) Whosoever intends to transfer or otherwise dispose of any bird referred to in subregulation (1)(*e*) shall do so upon request being made to the Director who shall, in his discretion, authorize in writing such alienation or disposal.

**18.** (1) Without prejudice to regulation 9, no person shall:

(a) during the closed season for the hunting of birds not at sea, hunt or attempt to hunt any bird, or carry ammunition or a fire-arm outside its case;

(b) during the open season for the hunting of birds not at sea, hunt or attempt to hunt any bird not included in Schedule II;

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

(e) during the closed season for the hunting of birds at sea, carry while at sea (other than while crossing between Malta and Gozo by public transport), any ammunition or any fire-arm licensed for taking birds;

(f) during the open season for the hunting of birds at sea:

(i) hunt or attempt to hunt, at sea, any bird which is not included in Part B of Schedule II;

(ii) hunt or attempt to hunt at sea:

(aa) within, or less than, three kilometers from the coastline, from a boat or any sea-craft, or

(bb) beyond three kilometers from the coast from a boat or sea-craft which is being driven at more than 5 kilometers per hour:

Provided that on the open sea, for safety reasons, the use of a boat or sea-craft with a maximum speed of 18 kilometers per hour may be authorized for hunting;

(iii) carry at sea, within a distance of three kilometers from the coastline, a fire-arm licensed for hunting game which is loaded, or has cartridges in the magazine, or is out of its case;

(iv) hunt or attempt to hunt from any sea-craft which is not registered with the competent authorities;

(v) hunt or attempt to hunt from any sea-craft unless in possession of a licence for that purpose from the Commissioner;

(vi) be in possession, while at sea, of any bird, dead or alive, or part of any bird, not included in Part B of Schedule II and any person who is found in possession of any bird or part of any bird not included in Part B of Schedule II will be presumed to have hunted, caught or taken such bird in violation of these regulations, unless the contrary is proved;

(vii) launch, and haul on land, sea-craft used for hunting birds at sea other than from those places indicated in the licence mentioned in subparagraph (v);

(g) no person shall, while in or on any motor vehicle or aircraft, be in possession of any fire-arm which is loaded or outside its case, or go in pursuit of any bird, or hunt or attempt to hunt, take or attempt to take any bird.

(2)

(a) No person shall carry a fire-arm, whether loaded or not, that is not in its case, or discharge any fire-arm, while within 200 meters from any town or village, or other inhabited area, or any of the beaches listed in Schedule VII, or within a distance of 50 meters from main or arterial roads:

Provided that this distance of 50 meters shall not apply in the case of secondary roads and country lanes:

Provided further that the fire-arm is not aimed in the direction of the road, whether main, arterial, secondary or a country lane.

(b) No person shall be in possession of any fire-arm, licenced for hunting game, which has a magazine capable of holding more than two shots at any time.

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