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

MALTA

PARLIAMENTARY SECRETARIAT FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS

Numru tal-Karta tal-Identita' XXXXXXX
Name Surname
Address 1
Address 2
Address 3
Numru tal-Liċenzja XXXX/16
Mowbajl : XXXXXXXX

Liċenzja Speċjali għall-Kaċċa fir-Rebbiegħa 2016 (mil-Ħadd 17 t'April sas-Sibt 30 t'April 2016)

Din il-liċenzja mhix trasferibbli għall-Kaċċa fir-Rebbiegħa 2016 qegħda tinħareġ skont id-dispożizzjoni tar-Regolamenti tal-2016 dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Dikjarazzjoni dwar Deroga għal Staġun tal-Kaċċa tal-Gamiem u s-Summien għar-Rebbiegħa 2016) u hija soġġetta għall-provvedimenti stabbiliti fihom u skont il-kondizzjonijiet stipulati fir-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Qafas Biex Tiġi Permessa Deroga li Tiftaħ l-Istaġun għall-Kaċċa tal-Gamiem u s-Summien fir-Rebbiegħa) (L.S.504.94[1]).

Din il-Liċenzja hija soġġetta għall-kundizzjonijiet li ġejjin:

1. Din il-Liċenzja hija valida biss għall-kaċċa tal-Gamiem (*Streptopelia turtur*) u s-Summien (*Coturnix coturnix*) bejn il-Ħadd 17 t'April sas-Sibt 30 t'April 2016, iż-żewġ dati inklużi. Il-kaċċa ta' għasafar li mhumiex Gamiem jew Summien hija pprojbita;

2. Il-persuna liċenzjata tista' tikkaċċja biss minn sagħtejn qabel tlugħ ix-xemx sa nofshinar kemm matul il-ġimgħa kif ukoll nhar ta' Sibt, il-Ħdud u l-festi pubbliċi;

3. Il-kwota ta' għasafar li l-persuna liċenzjata tista' taqbad kuljum skont din il-liċenzja hija ta' żewġ (2) għasafar (gamiema u/jew summiena) f'ġurnata waħda, waqt li l-kwota li persuna liċenzjata tista' taqbad b'kollox matul l-istaġun miftuħ tal-Kaċċa fir-Rebbiegħa tal-2016 hija ta' erba' (4) għasafar (gamiema u/jew summiena), jew kemm taħt dak in-numru jistgħu jkunu ġew ikkaċċjati qabel ma jagħlaq l-istaġun;

4. Il-kwota komplessiva għall-kaċċa fir-Rebbiegħa tal-2016 għas-Summien u għall-Gamiem, bħala numru totali ta' għasafar li jistgħu jiġu kkaċċjati taħt l-awtorita' tal-liċenzji kollha maħruġa flimkien hija ta' 5,000 Gamiema u 5,000 Summiena;

5. Din il-liċenzja tiskadi u tiġi meqjusa bħala mħassra hekk kif il-Ministru, permezz ta' stqarrija għall-istampa, jiddikjara li ntlaħqet il-kwota komplessiva għall-istaġun tal-Kaċċa fir-Rebbiegħa tal-2016. Il-persuna liċenzjata tigi wkoll mgħarrfa b'dik l-iskadenza u r-revoka tal-liċenzja tagħha permezz tas-servizz ta' messaġġi bil-miktub (SMS) fuq in-numru indikat mill-persuna liċenzjata fl-applikazzjoni tagħha għall-liċenzja għall-kaċċa fir-Rebbiegħa tal-2016:

   Iżda jekk il-kwota komplessiva għall-istaġun għal waħda mill-ispeċi, hawn aktar 'il quddiem imsemmija "l-ispeċi relevanti", tkun intlaħqet qabel dik għall-ispeċi l-oħra, il-validità tal-liċenzja tiskadi u l-liċenzja tiġi meqjusa bħala mħassra għall-ispeċi relevanti hekk kif il-Ministru, permezz ta' stqarrija għall-istampa, jiddikjara li l-kwota komplessiva għall-ispeċi relevanti tkun intlaħqet. Il-persuna liċenzjata tigi wkoll mgħarrfa b'dik l-iskadenza u r-revoka ta' dik it-taqsima tal-liċenzja tagħha permezz tas-servizz ta' messaġġi bil-miktub (SMS) fuq in-numru indikat mill-persuna liċenzjata fl-applikazzjoni għall-Liċenzja għall-Kaċċa fir-Rebbiegħa tal-2016;

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

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6. Waqt li tkun qegħda għall-kaċċa, il-persuna liċenzjata għandha żżomm fuqha:

   - il-liċenzja Speċjali għall-Kaċċa fir-Rebbiegħa 2016 tagħha u
   - il-liċenzja ġenerali tal-kaċċa tal-għasafar minn fuq l-art (il-liċenzja f'forma ta' karta tal-identità);
   - il-ktejjeb tal-kaċċa li jinkludi gwida dwar rappurtaġġ telefoniku u mappa ta' Malta u Għawdex maqsuma f'għaxar żoni;

7. **Immedjatament kif il-persuna liċenzjata taqbad Gamiema jew Summiena hi obbligata iċċempel fuq in-numru 7707 0009** u ssegwi l-istruzzjonijiet kollha li jingħataw waqt l-istess telefonata. Trid tagħfas in-numru 10 biex tirrapporta qbid ta' gamiema u n-numru *11* biex tirrapporta qbid ta' *summiena*, kif muri fuq il-ktejjeb tal-kaċċa. Wara li tkun saret it-telefonata il-kaċċatur jirċievi SMS awtomatiku bħala konferma. Dan l-SMS m'għandux jitħassar u għandu jibqa' merfuh fil-mowbajl sakem jingħalaq l-istaġun. Jekk tali SMS ma jasalx sa ħames minuti mit-telefonata ifisser li għal xi raġuni ir-rapport tal-qbid ma sarx kif suppost u t-telefonata ma ġietx irreġistrata. F'dan il-każ, il-kaċċatur huwa mitlub jerġa' jċempel, jew iċempel waqt il-ħinijiet tal-uffiċju lill-Wild Birds Regulation Unit fuq 22926401/2/3 f'każ ta' xi diffikultà**;**

8. **Jekk tonqos milli tiddikjara l-għasafar li tkun ikkaċċjajt hemm penali ta' ħamsin Ewro (€50) għal kull għasfur li ma jiġix iddikjarat;**

9. Il-persuna liċenzjata hija obbligata li dejjem tikkonforma ruħha mad-dispożizzjonijiet tar-regolamenti 4 u 18 tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (L.S. 504.71[2]) annessi ma' din il-liċenzja (Anness I) mingħajr preġudizzju għal kull projbizzjoni oħra stabbilita f'dwan l-istess Regolamenti;

10. Din il-liċenzja tiġi sospiża minnufih hekk kif il-persuna tiġi imputata b'reat taħt ir-regolament 27 tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi;

11. Din il-liċenzja u kull liċenzja jew permess tal-kaċċa oħra tal-persuna liċenzjata tiġi mħassra u tkun mingħajr effett hekk kif il-persuna li jkollha liċenzja tiġi misjuba ħatja ta' reat bi ksur tar-regolament 27 tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi;

12. Din il-liċenzja hija maħruġa 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, awtorizzazjoni jew kull forma oħra ta' kunsens rikjesti minn xi awtorità jew taħt xi liġi oħra;

13. Kwalunkwe persuna li tonqos milli tosserva xi dispożizzjoni tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi (Qafas Biex Tiġi Permessa Deroga li Tiftaħ l-Istaġun għall-Kaċċa tal-Gamiem u s-Summien fir-Rebbiegħa) (L.S.504.94), u r-Regolamenti tal-2016 dwar il-Konservazzjoni ta' Għasafar Selvaġġi (Dikjarazzjoni dwar Deroga għal Staġun tal-Kaċċa tal-Gamiem u s-Summien għar-Rebbiegħa 2016) jew il-kontenut ta' din il-liċenzja, jew tonqos milli tikkonforma ruħha ma' xi ordni mogħtija leġittimament skont xi dispożizzjoni ta' dawn ir-regolamenti, jew xi waħda mill-kondizzjonijiet ta' din il-liċenzja, tkun soġġetta għall-prosekuzzjoni u meta tinstab ħatja, teħel il-pieni stabbiliti skont regolament 27 tar-Regolamenti dwar il-Konservazzjoni tal-Għasafar Selvaġġi jew dawk taħt xi liġi jew regolament ieħor applikabbli.

Sergei Golovkin
Kap, Wild Birds Regulation Unit
Ministeru għall-Iżvilupp Sostenibbli, Ambjent u Tibdil fil-Klima

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

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

PARLIAMENTARY SECRETARIAT FOR AGRICULTURE, FISHERIES AND ANIMAL RIGHTS

MALTA

Special Licence for 2016 Spring Hunting Season (from Sunday 17th April until Saturday 30th April 2016)

This non-transferable 2016 Spring Hunting Licence is issued in accordance with the Conservation of Wild Birds (Declaration on a derogation for a 2016 Spring Hunting Season for Turtle Dove and Quail) Regulations, 2016, 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[3]).

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 Sunday 17th April until Saturday 30th April 2016, 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 two (2) hours before sunrise until noon on weekdays, Saturdays, Sundays and Public Holidays;

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 2016 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 2016 Spring Hunting Season is 5,000 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 2016 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 2016 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 2016 Spring Hunting Licence;

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

   - the 2016 Spring Hunting Licence,
   - the general licence to hunt birds on land (plastic licence card), and

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

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- the hunting booklet which includes guidance notes on telephonic game reporting and a map of Malta and Gozo subdivided into ten zones;

7. The licensed hunter in possession of the Special Licence for Hunting in Spring 2016 is **obliged to call** on number **7707 0009** from the mobile number as specified in his/her application form **immediately after hunting a turtle dove or quail** and to follow the instructions provided thereafter. You must key in 10 to report turtle dove and *11* to report *quail*. After telephonic report of a catch is made, the hunter will receive an automatic confirmation SMS which must be retained in the mobile phone until closure of the season. If such confirmation SMS is not received after more than five minutes following telephonic report, it means that for some reason the telephonic report has not been registered. In such cases, the hunter is advised to repeat the reporting procedure, or, in case of difficulty, contact the Wild Birds Regulation Unit on 22926401/2/3 during office hours.

8. **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**;

9. 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;

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

11. 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;

12. 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;

13. 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 2016 Spring Hunting Season for Turtle Dove and Quail) Regulations, 2016, 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

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

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Anness I

Regolamenti 4 u 18 tar-Regolamenti tal-2006 dwar il-Konservazzjoni tal-Għasafar Selvaġġi (kif amendati)

4. (1) Mingħajr preġudizzju għad-disposizzjonijiet tar-regolamenti 5, 8 u 9, ebda persuna m'għandha:

(a) tikkaċċja jew tipprova tikkaċċja, tieħu jew tipprova tieħu xi għasfur li huwa protett taħt dawn ir-regolamenti, jekk mhux skond dawn ir-regolamenti u skond il-kundizzjonijiet ta' kull liċenzja li tingħata taħtha;

(b) tikkaċċja jew tipprova tikkaċċja, tieħu jew tipprova tieħu, teqred, tikkawża ħsara jew tneħħi b'kull mod, bejta u bajd tal-għasafar;

(c) tieħu l-bajd mill-istat selvaġġ ta' għasfur li huwa protett taħt dawn ir-regolamenti u żżomm dak il-bajd anki jekk ikun vojt;

(d) intenzjonalment tiddisturba lil xi għasfur li huwa protett taħt dawn ir-regolamenti waqt iż-żmien ta' tnissil u trobbija;

(e) iżżomm lil xi għasfur, kemm ħaj kemm mejjet, jew parti minn xi għasfur, li l-kaċċa jew it-teħid tiegħu huma projbiti taħt dawn ir-regolamenti, ħlief skond id-disposizzjonijiet ta' dawn ir-regolamenti sakemm dan l-għasfur ma jkunx ġie dikkjarat u reġistrat ma' l-Awtorità Kompetenti sal-31 ta' Mejju 2003 u dik il-persuna tkun ingħatat il-permessi, jew ċertifikati mill-Awtorità Kompetenti sabiex iżżomm dak l-għasfur;

(f) iżżomm kull għasfur, kemm ħaj kemm mejjet, jew parti minn xi għasfur mhux imsemmi fl-Iskeda II jew l-Iskeda III ta' dawn ir-regolamenti, sakemm dak l-għasfur ikun ittieħed fi Stat Membru ieħor fejn ikun jista' jittieħed jew jinqabad legalment taħt id-disposizzjonijiet tad-Direttiva tal-Kunsill 79/409/KEE dwar il-Konservazzjoni tal-Għasafar Selvaġġi kif ukoll taħt il-liġijiet ta' dak l-Istat Membru l-ieħor u dan l-għasfur kien miġjub f'Malta wara l-1 ta' Mejju, 2004;

Iżda dik il-persuna għandha żżomm fil-pussess tagħha u għall-perjodu kollu li hija tibqa' fil-pussess tal-kampjun kif provdut fil-paragrafi (e) u (f) ta' dan is-subregolament il-permessi, ċertifikati u dokumenti oħrajn kollha li jippruvaw għas-sodisfazzjon ta' l-Awtorità Kompetenti li dawk il-kampjuni ma kienux miksuba kontra d-disposizzjonijiet ta' dawn ir-regolamenti.

(2) Kull min bi ħsiebu jittrasferixxi jew b'xi mod ieħor jiddisponi minn xi għasfur imsemmi fis-subregolament (1)(e) għandu jagħmel dan wara talba lid-Direttur li għandu, fid-diskrezzjoni tiegħu, jawtorizza bil-miktub dak it-trasferiment jew id-disponiment.

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

(a) waqt l-istaġun magħluq għall-kaċċa tal-għasafar mhux minn fuq il-baħar, tikkaċċja jew tipprova tikkaċċja xi għasfur, jew iġġorr munizzjoni jew arma tan-nar barra l-għata tagħha;

(b) waqt l-istaġun miftuħ għall-kaċċa ta' l-għasafar mhux minn fuq il-baħar, tikkaċċja jew tipprova tikkaċċja xi għasfur mhux inkluż fi Skeda II li tinsab ma' dawn ir-regolamenti;

(c) waqt l-istaġun magħluq għat-teħid ta' għasafar kif jista' jiġi permess skond dawn ir-regolamenti, tieħu jew tipprova tieħu xi għasfur;

(d) waqt l-istaġun miftuħ għat-teħid tal-għasafar kif jista' jiġi permess skond dawn ir-regolamenti, tieħu jew tipprova tieħu xi għasfur minn fuq il-baħar;

(e) waqt l-istaġun magħluq għall-kaċċa tal-għasafar minn fuq il-baħar, iġġorr waqt li tkun fuq il-baħar (minbarra waqt li tkun qiegħda taqsam bejn Malta u Għawdex bit-trasport pubbliku), xi munizzjoni jew arma tan-nar li jkollha liċenzja għat-teħid ta' għasafar;

(f) waqt l-istaġun miftuħ għall-kaċċa tal-għasafar minn fuq il-baħar;

(i) tikkaċċja jew tipprova tikkaċċja, minn fuq il-baħar, xi għasfur li mhux inkluż fit-taqsima B tal-Iskeda II li tinsab ma' dawn ir-regolamenti;

(ii) tikkaċċja jew tipprova tikkaċċja minn fuq il-baħar:

(aa) f'medda ta' tlett kilometri, jew inqas, mill-kosta minn fuq xi dgħajsa jew opra tal-baħar, jew

(bb) lil hinn minn tlett kilometri mill-kosta minn fuq dgħajsa jew opra tal-baħar li tkun qed tinsaq b'iżjed minn 5 kilometri fis-siegħa:

Iżda fil-baħar miftuħ, jista' jiġi awtorizzat għall-kaċċa, għal raġunijiet ta' sigurtà, l-użu ta' dgħajsa jew opra tal-baħar b'veloċità massima ta' 18-il kilometru fis-siegħa;

(iii) iġġorr fuq il-baħar, f'distanza ta' tlett kilometri mill-kosta, arma tan-nar li tkun liċenzjata għall-kaċċa tat-tjur li tkun ikkargata, jew li għandha l-iskratač fil-kompartiment tal-iskratač tagħha, jew li tkun tinsab barra mill-għata tagħha;

(iv) tikkaċċja jew tipprova tikkaċċja minn fuq xi opra tal-baħar li ma tkunx reġistrata ma' l-awtoritajiet kompetenti;

(v) tikkaċċja jew tipprova tikkaċċja minn fuq xi opra tal-baħar sakemm ma jkollhiex liċenzja mill-Kummissarju għal dak l-iskop;

(vi) tkun fil-pussess, waqt li tkun fuq il-baħar, ta' xi għasfur, mejjet jew ħaj, jew ta' xi parti ta' għasfur, mhux inkluż fit-taqsima B tal-Iskeda II li tinsab ma' dawn ir-regolamenti u persuna li tinstab fil-pussess ta' xi għasfur jew parti ta' għasfur mhux inkluża fit-taqsima B tal-Iskeda II tiġi preżunta li hija tkun ikkaċċjat, qabdet jew ħadet dak l-għasfur bi ksur ta' dawn ir-regolamenti, sakemm ma jiġix ippruvat il-kuntrarju;

(vii) li tvara, u ttella' fuq l-art, opri tal-baħar użati għall-kaċċa tal-għasafar minn fuq il-baħar minbarra minn dawk il-postijiet indikati fil-liċenzja msemmija fis-subparagrafu (v) ta' dan il-paragrafu;

(g) ebda persuna m'għandha, waqt li tkun f'xi vettura jew fuq xi mezz ta' l-ajru, ikollha pussess ta' arma tan-nar ikkargata jew barra mill-għata tagħha, jew tmur iddur għal xi għasfur, jew tikkaċċja jew tipprova tikkaċċja, tieħu jew tipprova tieħu xi għasfur.

(2)

(a) Ebda persuna m'għandha ġġorr arma tan-nar, kemm jekk ikkargata kemm jekk mhix, li ma tkunx fl-għata tagħha, jew jispara xi arma tan-nar, waqt li hija tkun inqas minn 200 metru minn xi belt jew raħal, jew żona abitata oħra jew xi waħda mix-xtajtiet elenkati fl-Iskeda VII, jew f'medda ta' 50 metru minn toroq prinċipali jew arterjali:

Iżda din id-distanza ta' 50 metru ma tkunx tapplika fil-każ ta' toroq sekondarji u mogħdijiet fil-kampanja:

Iżda wkoll is-senter m'għandux ikun immirat fid-direzzjoni tat-triq, kemm jekk din tkun prinċipali, arterjali, sekondarja jew mogħdija fil-kampanja.

(b) Ebda persuna m'għandha jkollha arma tan-nar li jkollha liċenzja għall-kaċċa tat-tjur, li jkollha kompartiment tal-iskratač li jista' jżomm aktar minn żewġt iskratač fl-istess ħin.

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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