

L.N. 164 of 2019

**ENVIRONMENT PROTECTION ACT
(CAP. 549)
Flora, Fauna and Natural Habitats Protection
(Amendment) Regulations, 2019**

IN EXERCISE of the powers conferred by articles 54 and 55 of the Environment Protection Act, the Minister for the Environment, Sustainable Development and Climate Change, after consultation with the Environment and Resources Authority has made the following regulations:

1. The title of these regulations is the Flora, Fauna and Natural Habitats Protection (Amendment) Regulations, 2019 and these regulations shall be read and construed as one with the Flora, Fauna and Natural Habitats Protection Regulations, hereinafter referred to as "the principal regulations".
Title.

S.L.549.44.
2. Regulation 1 of the principal regulations shall be amended as follows:
Amends
regulation 1 of
the principal
regulations.
 - (a) for the marginal note thereof the words "Citation and entry into force." shall be substituted by the words "Citation.";
 - (b) sub-regulations (2) and (3) thereof shall be deleted;
 - (c) sub-regulation (1) thereof shall be renumbered as regulation 1.
3. In sub-regulation 3(b) of regulation 2 of the principal regulations, the words "79/409/EEC of 2 April 1979" shall be substituted by the words "2009/147/EC of 30 November 2009".
Amends
regulation 2 of
the principal
regulations.
4. In regulation 3 of the principal regulations immediately after the definition "sustainable use" there shall be added the following new definition:
Amends
regulation 3 of
the principal
regulations.

"Tribunal" means the Environment and Planning Review Tribunal as established in article 3 of the Environment and Planning Review Tribunal Act; "

Cap. 551.
5. Regulation 9 of the principal regulations shall be amended as follows:
Amends
regulation 9 of
the principal
regulations.
 - (a) sub-regulation (2) thereof shall be amended as follows:

B 1202

(i) paragraphs (c) and (d) shall be re-numbered as paragraphs (d) and (e) respectively; and

(ii) immediately after paragraph (b) there shall be added the following new paragraph:

"(c) for the maintenance or restoration, at a favourable conservation status of species in Schedule III;" and

(b) immediately after sub-regulation (3) thereof there shall be added the following new sub-regulation:

"(4) Without prejudice to sub-regulations (1) and (2), the competent authority may also propose sites of national importance in view of the ecological, geological and natural features of the site in line with the provisions of the Act."

Amends
regulation 11 of
the principal
regulations.

6. Sub-regulation (1) of regulation 11 of the principal regulations, shall be substituted by the following:

"(1) Upon the identification by the competent authority of:

(a) a site as a new SAC or SPA; or

(b) an extension of an existing SAC or SPA,

in accordance with the provisions of regulations 9 and 10 as applicable, the details of such site or sites shall be published in the Gazette:

Provided that the details of a site which has already been identified in the Gazette through this regulation shall not require republication."

Amends
regulation 12 of
the principal
regulations.

7. Regulation 12 of the principal regulations shall be amended as follows:

(a) sub-regulation (1) thereof, shall be substituted by the following:

"(1) The competent authority shall also notify any one of the owners of:

(a) any site which has been designated as a new SAC or SPA; or

(b) any extension of an existing SAC or SPA,

of its inclusion in the list, and shall also affix such a copy of the notice on site. If none of such owners is known, or if it is not reasonably possible to effect service on such owners, the said notice shall only be affixed on site and no service on such owners as aforesaid need be made:

Provided that for extensions of existing SACs or SPAs the notification process shall be limited to those sites within the extension area.";

(b) sub-regulations (2), (3) and (4) thereof shall be renumbered as sub-regulations (3), (4) and (5) respectively;

(c) immediately after sub-regulation (1) thereof there shall be added the following new sub-regulation:

"(2) The requirement to notify owners of a site as provided under sub-regulation (1) shall not apply for sites for which such a notification process had already been carried out.";

(d) in sub-regulation (4) thereof as re-numbered, the words "of more than one property" shall be substituted by the words "or more than one property"; and

(e) in sub-regulation (5) thereof as re-numbered the words "This panel shall be affixed on the site by the 30th November, 2015." shall be deleted.

8. Sub-regulation (9) of regulation 14 of the principal regulations shall be amended as follows:

Amends
regulation 14 of
the principal
regulations.

(a) the marginal note thereof shall be deleted; and

(b) sub-regulation (9) shall be substituted with the following:

"(9) The competent authority may develop policies in respect of the conservation of the natural beauty and amenity of the land which are of major importance for wild fauna and flora, with a view to improving the ecological coherence of the National Ecological Network, the Natura 2000 Network and the Pan-European Ecological Network.".

9. Sub-regulation (1) of regulation 15 of the principal regulations shall be substituted by the following:

Amends
regulation 15 of
the principal
regulations.

B 1204

"(1) For the purposes of the management of protected sites, the competent authority may enter into a management agreement with every owner, lessee or occupier of land forming part of such areas for the management, conservation, restoration or protection of the site, or any part of it."

Adds a new regulation to the principal regulations.

10. Immediately after regulation 15 of the principal regulations there shall be added the following new regulation:

"Additional powers.

15A. Without prejudice to any other regulation, the competent authority shall:

(a) ensure a streamline approach to management agreements, management plans and conservation orders;

(b) regulate the implementation of management agreements, management plans and conservation orders in line with the priorities of the concerned site, as established by the competent authority; and

(c) regularly review the implementation of management agreements, management plans and conservation orders, audit their progress, and adapt and renew them, as necessary."

Amends regulation 17 of the principal regulations.

11. Regulation 17 of the principal regulations shall be amended as follows:

(a) sub-regulations (3), (4) and (5) thereof shall be renumbered as sub-regulations (5), (6) and (7) respectively;

(b) sub-regulation (2) thereof shall be substituted by the following:

"(2) The competent authority shall publish such details of such a conservation order in the Gazette and on the competent authority's website. The competent authority shall also notify any one of the owners of any site subject of a conservation order, and shall also affix such a notice on site. If none of such owners is known, or if it is not reasonably possible to effect service on such owners, the said notice shall only be affixed on site and no service on such owners as aforesaid need be made. Notice of such conservation order shall be registered in an index held for that purpose. The said index shall be held in an electronic form in such a way that researches to determine whether a site is subject to an order may be carried out.";

(c) immediately after sub-regulation (2) thereof, there shall be added the following new sub-regulations:

"(3) The competent authority shall provide the details of the relevant protected sites under these regulations to the Lands Authority.

(4) Upon request, the competent authority shall issue a certificate which indicates the status of a particular site on the payment of such fee as may be prescribed.";

(d) in sub-regulation (6) as renumbered thereof, the words "In respect of any site within a special conservation area," shall be substituted by the words "In respect of any site within a special area of conservation or a special protection area"; and

(e) in sub-regulation (7) thereof the words "of more than one property" shall be substituted by the words "or more than one property."

12. Immediately after regulation 17 of the principal regulations there shall be added the following new regulation 17A:

Introduces a new regulation 17A.

"Protection Notice.

17A. (1) The competent authority may issue a protection notice in the Gazette to notify the public about the protection of a site for the conservation or protection of the environment through the protection of particular habitats, species or categories thereof, as well as other natural features within the site concerned.

(2) The protection notice shall be published in the Gazette and on the competent authority's website and shall be valid for a definite or indefinite period, as stipulated in the protection notice itself.

(3) The protection notice may contain any condition or provision, as the competent authority may deem necessary, to ensure the conservation of the habitat, species, category or feature for which the notice was issued or to ensure that no further deterioration of such habitats, species or features occurs. Such conditions may include the control and eradication of invasive species, prohibitions on the carrying out of any activity and, or works in the concerned site.

(4) Any land owner who feels aggrieved by the issuance of a protection notice by the Authority, may appeal to the Tribunal for a revocation or modification of the concerned protection notice in accordance to the provisions of the Act."

B 1206

Amends
regulation 18 of
the principal
regulations.

13. Regulation 18 of the principal regulations shall be amended as follows:

(a) sub-regulation (1) thereof shall be substituted by the following:

S.L. 549.42.

"(1) Without prejudice to the provisions of the Conservation of Wild Birds Regulations, no person shall carry out in any site within a SAC or SPA, any operation or activity, unless the operation or activity is carried out, or caused or permitted to be carried out, by the owner or occupier of the site and one of them has given the competent authority written notice of a proposal to carry out the operation or activity, specifying its nature and the site on which it is proposed to carry it out and such proposal has been approved by the competent authority."; and

(b) in sub-regulation (3) thereof the words "SAC" shall be substituted by the words "SAC or SPA".

Amends
regulation 24 of
the principal
regulations.

14. Sub-regulation (1) of regulation 24 of the principal regulations shall be substituted by the following:

"(1) No person shall deliberately pick, collect, cut, uproot, destroy or damage in any way any specimen of species of flora listed in Schedules V(b) and VI(b), or in any way create adverse conditions which could affect such specimens."

Amends
regulation 25 of
the principal
regulations.

15. Paragraph (a) of sub-regulation (1) of regulation 25 of the principal regulations shall be substituted by the following:

"(a) no person shall pursue, take or attempt to take, deliberately capture, kill or attempt to kill, deliberately destroy, keep, transport, by any method sell, buy, exchange, offer for sale or for exchange, import or export any specimens of species listed in the Schedules V(a) and VI(a), except for those taken legally before their inclusion in the Schedules, and unless he is in possession of a prior official permit from the competent authority."

Amends
regulation 26 of
the principal
regulations.

16. In sub-regulation (1) of regulation 26 of the principal regulations, in the Maltese version only, the words "fl-Iskeda Xi" shall be substituted by the words "fl-Iskeda X".

Adds a new
regulation to the
principal
regulations.

17. Immediately after regulation 26 of the principal regulations

there shall be added the following new regulation :

"Species
protection
notice.

26A. (1) When the competent authority is of the opinion that a species has an unfavourable conservation status or has a conservation status trend which is in decline, the competent authority may issue a species protection notice and may take further steps for the protection of such species as it deems necessary. The notice shall be valid for a definite or indefinite period, as stipulated in the species protection notice itself.

(2) Species protection notice made under this regulation may contain such conditions or other provisions as the competent authority may deem necessary or expedient for the protection of the species, which may include prohibitions on the carrying out activities and, or works which may potentially cause harm. The competent authority shall publish the details of such species protection notice in the Gazette and on the competent authority's website."

18. Regulation 27 of the principal regulations shall be amended as follows:

Amends
regulation 27 of
the principal
regulations.

(a) in sub-regulation (2) thereof, paragraphs (a) to (h) shall be renumbered as paragraphs (b) to (i) respectively;

(b) immediately before paragraph (b) thereof as renumbered, there shall be added the following new paragraph:

"(a) issuance of the protection notice referred to in regulation 17A and species protection notice in regulation 26A;"

19. Regulation 28 of the principal regulations shall be amended as follows:

Amends
regulation 28 of
the principal
regulations

(a) in sub-regulation (3) thereof the words "publish a list of those species that are invasive or deemed to be invasive to Malta." shall be substituted by the words "publish a list of those species that are invasive or deemed to be invasive to Malta, known as the list of species which are detrimental to the environment.";

(b) sub-regulation (4) thereof shall be substituted by the following:

(4) Without prejudice to the Trade in Species of S.L. 549.38.

B 1208

Fauna and Flora Regulations, no person shall import, transport, keep, breed, propagate, sow, plant, sell or exchange by any method, any of the species in the list mentioned in sub-regulation (3).";

(c) sub-regulations (6) and (7) thereof shall be renumbered as sub-regulations (10) and (11) respectively;

(d) immediately after sub-regulation (5) thereof there shall be added the following new sub-regulations:

"(6) The competent authority may, within such time as it determines, order any owner or occupier of a site in which invasive species are sited to remove, uproot, eradicate, kill or destroy any such specimen, where such removal would, in the authority's opinion, constitute an environmental improvement.

(7) The competent authority may request or issue a works method statement to ensure that an order issued under sub-regulation (6) is executed with minimal damage to biodiversity or to the surrounding environment.

(8) The competent authority may implement the required intervention, in part or in full, as it deems most appropriate, at the expense of the person who fails to comply with an order issued under sub-regulation (6).

(9) If the owner or occupier of the site where invasive species are located is unknown, the competent authority may publish the order in the Gazette and may implement the required intervention at its own expense after ninety (90) days from the publication of the order, without prejudice to its right to reclaim any expenses due in terms of sub-regulation (8) once such person is identified:

Provided that, in instances which require immediate action, the competent authority may implement the required intervention, in part or in full, as it deems most appropriate, without prejudice to its right to reclaim any expenses incurred once such person is identified."

Amends
regulation 31 of
the principal
regulations.

20. Regulation 31 of the principal regulations shall be amended as follows:

(a) sub-regulation (1) thereof shall be substituted by the following:

"(1) It shall be prohibited to use any indiscriminate means and forms of capture capable of causing the local disappearance of, or serious disturbance to:

(i) populations of species listed in Schedule VII(a); or

(ii) populations of mammals listed under Schedule VI(a); or

(iii) populations of species listed in Schedule V(a), in cases where derogations are issued for the taking, capture or killing of such species."

(b) in sub-regulation (2) thereof the words "Schedule XII (a)" shall be substituted by the words "Schedule XI(a)"; and

(c) in sub-regulation (3) thereof the words "Schedule XII (b)" shall be substituted by the words "Schedule XI(b)".

21. In sub-regulation (e) of regulation 44 of the principal regulations thereof the words "Schedules IV(a) and V(a)" shall be substituted by the words "Schedules V and VI."

Amends
regulation 44 of
the principal
regulations.

22. Regulation 49 of the principal regulations shall be amended as follows:

Amends
regulation 49 of
the principal
regulations.

(a) sub-regulations (3) to (9) thereof shall be renumbered as (5) to (11) respectively;

(b) immediately after sub-regulation (2) thereof there shall be added the following new sub-regulations:

"(3) Any person who commits, or attempts to commit an offence against regulations 17A, 18 or 26A, or fails to observe the provisions laid down in a conservation order shall, on conviction, be liable:

(a) in the case of a first offence, a fine (*multa*) of not less than five hundred euro (€500), but not exceeding five thousand euro (€5,000);

(b) in the case of a second or subsequent offence, a fine (*multa*) of not less than one thousand euro (€1,000), but not exceeding twenty thousand euro (€20,000), or imprisonment for a period not exceeding two years, or both such fine and imprisonment.

B 1210

(4) Any person who commits, or attempts to commit an offence against regulation 31 shall, on conviction, be liable:

(a) in the case of a first offence, a fine (*multa*) of not less than five hundred euro (€500), but not exceeding five thousand euro (€2,500);

(b) in the case of a second or subsequent offence, a fine (*multa*) of not less than one thousand euro (€1,000), but not exceeding five thousand euro (€5,000), or imprisonment for a period not exceeding two years, or both such fine and imprisonment."; and

(c) sub-regulation (6) thereof as renumbered, shall be substituted by the following:

"(6) Any person who commits or attempts to commit an offence against any provision in a management plan shall on conviction be liable to a fine (*multa*) of not less than two thousand five hundred euro (€2,500) and not exceeding sixty thousand euro (€60,000), and if the offender persists in the offence for more than three (3) months, also to imprisonment for a term of not less than three (3) months and not exceeding two (2) years.".

Amends
Schedule III of
the principal
regulations.

23. The species listed under the title ‘MAGNOLIOPHYTA’ of Schedule III of the principal regulations shall be substituted by the following:

"

Alliaceae		
<i>Allium lojaconoi</i> Brullo, Lanfranco et Pavone [= <i>Allium parviflorum</i> auct. fl. Melit non Viviani]	Tewm Irqiq ta' Malta	Maltese Dwarf Garlic
Anacardiaceae		
<i>Pistacia terebinthus</i> L	Botna; Skornabekk; Sığra tat-Turpentina; Trementina; Sığra tal-Fosdoq; it-Terebintu	Terebinth; Turpentine Tree
<i>Rhus coriaria</i> L.	Xumakk tal-Konz	Common Sumach
Apiaceae		

<i>Apium nodiflorum</i> (L.) Lagasca	Karfus tal-Ilma; Xaħmet il- Ġwieri	Fool's Water Cress; Procumbent Marshwort
<i>Oenanthe globulosa</i> L. s.l.	Karfus il-wied	Mediterranean Water Dropwort; Round-headed Water Dropwort
Asteraceae (= Compositae)		
<i>Otanthus maritimus</i> (L.) Hoffmannsegg et Link [= <i>Diotis candidissima</i> Desfontaines	Santolina tar-Ramel; Bajda tar-Ramel	Cottonweed; Sea Cudweed
<i>Matricaria aurea</i> (Loefling) Schultz Bipontinus [= <i>Chamomilla aurea</i> (Loefling) Gay ex Coss. et Kralik]	Kamumilla Nana	Rayless Mayweed

Brassicaceae (= Cruciferae)		
<i>Nasturtium officinale</i> W.T. Aiton	Krexuni; Sija	Water cress
<i>Matthiola incana</i> (L.) R. Brown subsp. melitensis Brullo, Lanfranco, Pavone et Ronsisvalle	Ġiżi ta' Malta	Maltese Stocks
Cistaceae		
<i>Cistus</i> spp.	Borġhom; Ċisti	Rock-Roses
Convolvulaceae		
<i>Convolvulus oleifolius</i> Desrousseaux s.l.	Leblieb tal-Irdum	Olive-Leaved Bindweed
Cymodoceaceae		
<i>Cymodocea nodosa</i> (Ucria) Ascherson [= <i>Zostera nodosa</i> Ucria]	Alka Rqiqa; Ċimodoċja	Lesser Neptune- Grass
Cyperaceae		
<i>Bolboschoenus maritimus</i> (L.) Palla [= <i>Scirpus</i> <i>maritimus</i> L.]	Simar tal-Boqgħa	Sea Club Rush, Alkali Bulrush

<i>Carex divulsa</i> Stokes [= <i>Vignea divulsa</i> (Stokes) Rechb.]	Soghda Mifruda	Grey Sedge; Prickly Sedge; Grassland Sedge
<i>Carex extensa</i> Goodenough	Soghda tal-Baħar	Long-bracted Sedge
<i>Carex cuprina</i> (Heuff.) A. Kern [= <i>Carex otrubae</i> Podp.]	Soghda Kompatta	False Fox Sedge
<i>Carex halleriana</i> Asso	Soghda tal-Makkja	Southern Sedge
<i>Carex hispida</i> Willdenow	Soghda Kbira; Soghda tat- Tafal	Hispid Sedge
<i>Cyperus fuscus</i> L. s.l.	Bordi Żghir	Brown Galingale
<i>Cyperus longus</i> L. s.l. [= <i>Chlorocyperus longus</i> (L.) Palla s.l.; <i>Pucreus longus</i> (L.) Hayek s.l.]	Bordi tal-Wied	Sweet Cyperus; Compact Galingale
<i>Eleocharis ovata</i> (Roth.) Roemer & Schultz	Simar tal-Wardija	Southern Spike Rush
<i>Eleocharis palustris</i> (L.) Roemer & Schultz	Simar tat-Toppu	Common Spike Rush, Pale Spike Rush
<i>Isolepis cernua</i> (Vahl) Roemer & Schultz	Simar Irqiq	Slender Club Rush
<i>Juncellus distachyos</i> (Allioni) Turrill [= <i>Cyperus distachyos</i> Allioni]	Bordi Iswed	Rush Galingale; Mediterranean Galingale
<i>Schoenus nigricans</i> L.	Simar Iswed	Black Bog Rush
Ericaceae		
<i>Erica multiflora</i> L.	Erika; Issopu; Savina; Saghtar Ahmar; Lehjet ix-Xiħ	Mediterranean Heath
Euphorbiaceae		
<i>Euphorbia dendroides</i> L.	Tengħud tas-Sigra	Tree Spurge
<i>Euphorbia melitensis</i> Parlatore [= <i>Euphorbia spinosa</i> auct. fl. Melit. non L.; = <i>Euphorbia</i> <i>bivonae</i> auct. fl. Melit. non Steudel]	Tengħud tax-Xagħri	Maltese Spurge
<i>Euphorbia paralias</i> L.	Tengħud tar-Ramel	Sea Spurge
<i>Euphorbia terracina</i> L.	Tengħud tax-Xatt	Coast Spurge
Fabaceae (= Leguminosae)		
<i>Anagyris foetida</i> L.	Fula tal-Klieb	Bean Trefoil Tree

<i>Anthyllis hermanniae</i> L. s.l.	Hatba s-Sewda	Shrubby Kidney-Vetch
<i>Lotus halophilus</i> Boissier et Spruner	Għantux tar-Ramel	Sand Restharrow
Iridaceae		
<i>Iris pseudopumila</i> Tineo	Bellus	Southern Dwarf Iris
<i>Iris sicula</i> Todaro	Fjurdulis Sqalli	Sicilian Iris
Juncaceae		
<i>Juncus acutus</i> L	Simar il-Lixx	Sharp-Pointed Rush
<i>Juncus articulatus</i> L.	Simar	Jointed Rush, Joint-Leaf Rush
<i>Juncus maritimus</i> Lamarck	Simar tal-Baħar	Sea Rush
Lamiaceae (= Labiatae)		
<i>Origanum dictamnus</i> L.	Riegnu ta' Ġnien il-Kbir	Cretan Dittany
<i>Teucrium scordioides</i> Schreber [= <i>T. scordium</i> L. subsp. <i>scordioides</i> (Schreb.) Arcangeli]	Borghom tal-Ilma	Water Germander
<i>Thymus capitatus</i> L. [= <i>Thymbra capitata</i> (L.) Cavanilles; <i>Coridothymus capitatus</i> (L.) Reichenbach fil.]	Sagħtar	Mediterranean Thyme
Liliaceae		
<i>Tulipa australis</i> Link [= <i>Tulipa sylvestris</i> auct. Melit. non L.]	Tulipan Selvagg	Wild Tulip
Orchidaceae		
<i>Ophrys fuciflora</i> (F.W. Schmidt) Moench s.l. [= <i>Ophrys holosericea</i> auct. fl. Melit. non (Burm.) Greuter]	Brimba	Late Spider Orchid
<i>Ophrys lacaitae</i> Lojacono [= <i>O. oxyrrhynchos</i> subsp. <i>lacaitae</i> (Lojacono) Del Prete]	Brimba Safra	Yellow Spider Orchid; Lacaita's Spider Orchid

B 1214

<i>Ophrys tenthredinifera</i> Willdenow s.l. [= <i>Ophrys</i> <i>tenoreana</i> Lindley s.l.]	Nahla Kbira	Sawfly Orchid
<i>Ophrys oxyrrhynchos</i> Todaro [= <i>Ophrys fuciflora</i> subsp. <i>oxyrrhynchos</i> (Todaro) Soó]	Brimba ta' Sqallija	Beaked Spider Orchid
Plumbaginaceae		
<i>Limonium melitense</i> Brullo [= <i>Statice cosyrensis</i> auct. fl. Melit. non Gussone]	Lehjet ix-Xih; Limonju ta' Malta	Maltese Sea- Lavender
<i>Limonium narbonense</i> Miller s.l. [= <i>Limonium serotinum</i> (Reichenbach) Pignatti s.l.]	Selq tal-Blat; Limonju l-Kbir	Narbonne's Sea- Lavender
<i>Limonium zeraphae</i> Brullo [= <i>Statice reticulata</i> auct. fl. Melit. non L.]	Lehjet ix-Xih; Limonju ta' Żerafa	Zerafa's Sea- Lavender

Poaceae		
<i>Ampelodesma mauritanica</i> (Poirot) Durand et Schinz [= <i>Ampelodesma tenax</i> Link]	Dis	Diss
<i>Crypsis schoenoides</i> (L.) Lamarck [= <i>Phleum schoenoides</i> L.]	Kripsi tal-Ilma; Kripsi ta' Għawdex	Swamp Picklegrass
<i>Phalaris coerulescens</i> Desfontaines	Skalora tal-Ilma	Purple Canary Grass; Blue Canary Grass
Posidoniaceae		
<i>Posidonia oceanica</i> (L.) Delile	Alka; Posidonja	Neptune-Grass
Ranunculaceae		
<i>Ranunculus bulbosus</i> L. s.l.	Ċfolloq tal-Werqa	Bulbous Buttercup
Rhamnaceae		
<i>Paliurus spina-christi</i> Miller	Xewk tal-Kuruna; Xewk ta' Kristu	Christ's Thorn
Rosaceae		
<i>Rosa sempervirens</i> L.	Girlanda tal-Wied	Evergreen Rose

<i>Sarcopoterium spinosum</i> (L.) Spach [= <i>Poterium spinosum</i> L.]	Tursin il-Għul Xewwiek	Thorny Burnet
Salicaceae		
<i>Salix alba</i> L.	Żafżafa; Żafżafa Kbira	White Willow
<i>Salix pedicellata</i> Desfontaines	Żafżafa ż-żghira	Mediterranean Willow
Scrophulariaceae		
<i>Scrophularia auriculata</i> L.	Fiswet il-Kelb tal-Ilma; Werqet il-Madonna	Water Figwort; Water Betony; Bishop's Leaves
Solanaceae		
<i>Lycium</i> spp.	Għawseg	Boxthorns; Tea-Trees

Ulmaceae		
<i>Ulmus canescens</i> Melville [= <i>Ulmus minor</i> Miller subsp. <i>Canescens</i> (Melville) K. Browicz & J. Zielinski]	Nemmiesa; Sığra tan-Nemus; Ulmu	Hoary Elm; Grey-Leaved Elm
Zannichelliaceae		
<i>Zannichellia melitensis</i> Brullo, Giusso et Lanfranco [= <i>Zannichellia palustris</i> auct. fl. Melit. non L.; = <i>Z. pedunculata</i> auct. fl. Melit. non Rehb. in Mössler]	Harira tal-Ilma	Maltese Horned-Pondweed
Zosteraceae		
<i>Zostera marina</i> L.	Alka tas-Salini; Żostera	Eel-Grass; Grass-Wrack
<i>Zostera noltii</i> Hornemann [= <i>Zostera nana</i> Roth]	Alka tal-Pwales; Żostera Nana	Slender Eel-Grass

B 1216

Substitution of
Schedule IV of
the principal
regulations.

24. Schedule IV of the principal regulations shall be substituted by the following:

**"SCHEDULE IV
CRITERIA FOR SELECTING SITES ELIGIBLE FOR
IDENTIFICATION AS SITES OF NATIONAL IMPORTANCE
AND OF INTERNATIONAL IMPORTANCE AND
DESIGNATION AS SPECIAL AREAS OF CONSERVATION**

STAGE 1: Assessment at national level of the relative importance of sites for each natural habitat type in Schedule I and each species in Schedule II or III (including priority natural habitat types and priority species).

- A. site assessment criteria for a given natural habitat type in Schedule I
 - (a) Degree of representativity of the natural habitat type on the site.
 - (b) Area of the site covered by the natural habitat type in relation to the total area covered by that natural habitat type within Malta.
 - (c) Degree of conservation of the structure and functions of the natural habitat type concerned and restoration possibilities.
 - (d) Global assessment of the value of the site for conservation of the natural habitat type concerned.
- B. Site assessment criteria for a given species in Schedule II
 - (a) Size and density of the population of the species present on the site in relation to the populations present within Malta.
 - (b) Degree of conservation of the features of the habitat, which are important for the species concerned, and restoration possibilities.
 - (c) Degree of isolation of the population present on the site in relation to the natural range of the species.
 - (d) Global assessment of the value of the site for conservation of the species concerned.
- C. Site assessment criteria for a given species in Schedule III

shall be the internationally recognised threat status of such species.

- D. On the basis of these criteria, the competent authority will classify the sites, which it proposed on the national list as sites eligible for identification as sites of National Importance and of International Importance according to their relative value for the conservation of each natural habitat type in Schedule I or each species in Schedule II or III.
- E. That list will show the sites containing the priority natural habitat types and priority species selected by the competent authority on the basis of the criteria in A and B above.

STAGE 2: Assessment of the national and international importance of the sites included on the national lists.

- 1. All the sites identified by the competent authority in Stage 1, which contain priority natural habitat types, and/or species will be considered as sites of National Importance and of International Importance.
- 2. The assessment of the national and international importance of other sites, i.e. their contribution to maintaining or re-establishing, at a favourable conservation status, a natural habitat in Schedule I or a species in Schedule II or III and/or to the coherence of the National Ecological Network and the Pan-European Ecological Network will take account of the following criteria:
 - (a) relative value of the site at national level;
 - (b) geographical situation of the site in relation to migration routes of species in Schedule II and III;
 - (c) total area of the site;
 - (d) number of natural habitat types in Schedule I and species in Schedule II or III present on the site;
 - (e) global ecological value of the site for the biogeographical regions concerned, as regards both the characteristic of unique aspect of its features and the way they are combined."

B 1218

Amends
Schedule VI of
the principal
regulations.

25. Schedule VI of the principal regulations shall be amended as follows:

(a) under the title ‘RAJIFORMES’ immediately after the species *Dipturus batis*, there shall be added the following new species:

"

<i>Leucoraja circularis</i> (= <i>Raja circularis</i>)	Raja	Sandy Ray; Sandy Skate
--	------	------------------------

";

(b) under the title ‘CNIDARIA’ the species thereunder shall be substituted by the following:

"

<i>Antipathella subpinnata</i>	Qroll	Black Coral
<i>Antipathes</i> spp.	Qroll l-iswed	Black Coral
<i>Astroides calycularis</i>	Qroll tad-Dell	Star Coral
<i>Callogorgia verticillata</i>	Sawt il-Bahar	Soft Coral
<i>Cladocora caespitosa</i>	Qroll Abjad	Stone Coral; White Coral
<i>Cladocora debilis</i>	Qroll Abjad	Thin Tube Coral
<i>Corallium rubrum</i>	Qroll Ahmar	Precious Coral, Sardinian Coral; Red Coral
<i>Dendrophyllia cornigera</i>	Qroll Isfar tal-Fond	Yellow Tree Coral
<i>Dendrophyllia ramea</i>	Qroll Orangjo tal-Fond	Yellow Coral
<i>Desmophyllum dianthus</i>	Trumbetta tal-Fond	Cockscomb Cup Coral
<i>Ellisella paraplexauroides</i>	Elizella; Gorgonja Kbira	Candelabrum Coral
<i>Errina aspera</i>	Errina	Hydrocoral; Errina; Stylasterid Coral
<i>Hornera lichenoides</i>	Qroll Falz	False Coral
<i>Isidella elongata</i>	Imrewha tal-Fond	Bamboo Coral
<i>Leiopathes glaberrima</i>	Qroll il-Glabru	Smooth Black Coral
<i>Lophelia pertusa</i>	Lofelja; Qroll tal-Fond	Deep Water Coral
<i>Madrepora oculata</i>	Madripora tal-Ghajj; Qroll tal-Fond	Zigzag Coral
<i>Parantipathes larix</i>	Abit tal-Bahar; Qroll l-Iswed	Black Coral

<i>Savalia savaglia</i> [=Gerardia savaglia]	Qroll Iswed il-Falz	False Black Coral"
---	---------------------	--------------------

";

(c) under the title 'LEPIDOPTERA' the species thereunder shall be substituted by the following:

"

Lasiocampidae		
<i>Gastropacha quercifolia</i>	Werqa Niexfa	Lappet Moth
<i>Lasiocampa quercus</i>	Bahrija tal-Ballut	Oak Eggar
Noctuidae		
<i>Catocala conjuncta</i>	Katokala Rari, Bahrija tal-Luq	Red Underwing
<i>Catocala elocata</i>	Elokata	Red Underwing
<i>Catocala nymphaea</i>	Katokala Safra Kbira, Bahrija tal-Luq	Oak Yellow Underwing
<i>Catocala nymphagoga</i>	Katokala Safra Żghira, Bahrija tal-Luq	Oak Yellow Underwing
Sphingidae		
All species		
Hesperiidae		
<i>Gegenes pumilio</i>	Il-Bahri	Pygmy Skipper
Lycaenidae		
<i>Aricia agestis</i>	Kannelli tal-Anglu	Brown Argus
<i>Azanus ubaldus</i>		Bright Babul Blue
<i>Celastrina argiolus</i>	Ikhal Fiddieni	Holly Blue
<i>Lampides boeticus</i>	Ikhal tad-Denb Twil	Long-tailed Blue
<i>Leptotes pirithous</i> (= <i>Papilio plinius</i> , <i>Syntarucus pirithous</i>)	Ikhal tad-Denb Qasir	Lang's Short-tailed blue
<i>Lycaena phlaeas</i>	Farfett tas-Selq	Small Copper
<i>Plebejus argus</i>		Silver-studded Blue
<i>Polyommatus celina</i>	Farfett tal-Anglu	Southern Common Blue
<i>Polyommatus icarus</i>	Farfett tal-Anglu	Common Blue
<i>Polyommatus thersites</i>	Farfett tal-Anglu	Chapman Blue
<i>Zizeeria karsandra</i>	Ikhal tal-Afrika	Dark Grass Blue
Nymphalidae		

B 1220

<i>Coenonympha lyllus</i> (= <i>C. pamphilus lyllus</i>)	Kannella Żgħir	Esper's Heath
<i>Coenonympha pamphilus</i>	Kannella Żgħir	Small Heath
<i>Hipparchia blachieri</i> (= <i>H. algerica vallettai</i> , <i>H. aristeus blachieri</i>)		Sicilian Grayling
<i>Lasiommata megera</i>	Kannella tax-Xemx	Wall Brown
<i>Maniola jurtina</i>	Kannella Kbir	Meadow Brown
<i>Nymphalis polychloros</i>		Large Tortoiseshell; Blackleg Tortoiseshell
<i>Parage aegeria</i>	Kannella tad-Dell	Speckled Wood
<i>Polygonia egea</i>		Southern Comma
Papilionidae		
<i>Iphiclides podalirius</i>	Farfett	Scarce Swallowtail; Sail Swallowtail; Pear Tree Swallowtail
<i>Papilio saharae</i>	Farfett	Sahara Swallowtail
Pieridae		
<i>Colias croceus</i>	Farfett tas-Silla	Clouded Yellow
<i>Gonepteryx cleopatra</i>	Farfett taż-Żiju	Cleopatra
Tineidae		
<i>Morophaga choragella</i>	Bahrija tal-Faqqiegħ	Large Cloths Moth

”;

(d) under the title RHODOPHYTA, immediately before the species ‘*Titanoderma trochanter*’, there shall be added the following new species:

”

<i>Sphaerococcus rhizophylloides</i> J.J.Rodríguez y Femenías	Alga Ħamra	Red Alga
--	------------	----------

”;

(e) immediately under the title ‘AMARYLLIDACEAE’ there shall be added the following:

"

<i>Allium commutatum</i> Gussone	Kurrat Selvaġġ	Wild Leek; Sea Garlic
-------------------------------------	----------------	-----------------------

";

(f) under the title ‘ORCHIDACEAE’ the species thereunder shall be substituted by the following:

"

<i>Anacamptis longicornu</i> (Poirot) Bateman, Pridgeon et Chase [= <i>Orchis longicornu</i> Poirot]	Orkida tal-Qarn Twil; Orkida tal-Qrun	Horned Orchid; Long-Spurred Orchid
<i>Anacamptis morio</i> (L.) Bateman, Pridgeon et Chase s.str. [= <i>Orchis morio</i> L. s.str.]	Orkida tal-Elmu	Green Winged Orchid
<i>Anacamptis</i> sect. <i>Moriones</i>	Orkida tal-Elmu	Winged Orchids
<i>Anacamptis papilionacea</i> (L.) Bateman, Pridgeon et Chase s.l. [= <i>Orchis papilionacea</i> L. s.l.]	Farfett	Butterfly Orchid
<i>Himantoglossum</i> <i>robertianum</i> (Loiseleur) Delforge [= <i>Barlia robertiana</i> (Loiseleur) Greuter]	Orkida Kbira	Giant Orchid
<i>Neotinea commutata</i> (Tod.) R.M.Bateman [= <i>Orchis commutata</i> Tod.; <i>Neotinea tridentata</i> subsp. <i>commutata</i> (Tod.) R.M.Bateman, Pridgeon et M.W.Chase]	Orkida tat-Tikek	Sicilian Milky Orchid

VERŻJONI ELETTRONIKA

B 1222

<i>Neotinea conica</i> [= <i>Orchis conica</i> Willdenow; <i>O. pusilla</i> Tyteca; <i>Neotinea tridentata</i> subsp. <i>conica</i> (Willdenow) Bateman, Pridgeon et Chase]	Orkida tat-Tikek	Conical Milky Orchid
<i>Neotinea lactea</i> (Poiret) Bateman [= <i>Orchis lactea</i> Poiret; <i>O.</i> <i>acuminata</i> Desfontaines]	Orkida tat-Tikek	Spotted Milky Orchid
<i>Neotinea maculata</i> (Desfontaines) Stearn [= <i>Orchis intacta</i> Link; <i>Neotinea intacta</i> (Link) Rchb. fil.]	Orkida Rqiqqa; Orkida tal-Weraq Imtebba’	Dense-Flowered Orchid
<i>Neotinea tridentata</i> (Scopoli) R.M.Bateman, Pridgeon et M.W.Chase s.l. [= <i>Orchis tridentata</i> Scopoli; <i>O. variegata</i> Allioni;]	Orkida tat-Tikek	Milky Orchid
<i>Neottia nidus-avis</i> (L.) L.C.M.Richard [= <i>Ophrys nidus-avis</i> L.]	Bejtet l-Għasfur; Budebbus Falz	Birdsnest Orchid
<i>Ophrys apifera</i> Hudson [= <i>Ophrys arachnites</i> Miller]	Nahla	Bee Orchid
<i>Ophrys</i> Sect. <i>Bertoloniorum</i>	Dubbiena ta’ Bertoloni	Bertoloni’s Bee Orchid
<i>Ophrys bertolonii</i> Moretti s.str.	Dubbiena ta’ Bertoloni	Bertoloni’s Bee Orchid
<i>Ophrys caesiella</i> Delforge [= <i>Ophrys fusca</i> subsp. <i>caesiella</i> (Delforge) Kreutz; <i>O. bilunulata</i> subsp. <i>caesiella</i> (Delforge) Paulus	Dubbiena Żghira ta’ Malta; Dubbiena tat-Tikek	Small Maltese Brown Orchid

<p><i>Ophrys calliantha</i> Bartolo et Pulvirenti</p> <p>[= <i>Ophrys candida</i> subsp. <i>calliantha</i> (Bartolo et Pulvirenti) Kreutz; <i>Ophrys oxyrrhynchos</i> subsp. <i>calliantha</i> (Bartolo et Pulvirenti) Galesi, Cristaudo et Maugeri]</p>	<p>Brimba Mlewna ta' Sqallija</p>	<p>Sicilian Beaked Spider Orchid</p>
<p><i>Ophrys explanata</i> (Lojacono) Delforge</p> <p>[= <i>Ophrys bertolonii</i> subsp. <i>explanata</i> (Lojacono) Soca]</p>	<p>Dubbiena ta' Sqallija</p>	<p>Sicilian Bertoloni's Bee Orchid</p>
<p><i>Ophrys fuciflora</i> s.l. (F.W. Schmidt) Moench</p> <p>[= <i>Ophrys holosericea</i> s.l. auct. fl. Melit. non (Burm.) Greuter]</p>	<p>Brimba</p>	<p>Late Spider Orchid</p>
<p><i>Ophrys fusca</i> Link s.l.</p>	<p>Dubbien</p>	<p>Brown Orchids; Sombre Bee Orchids</p>
<p><i>Ophrys garganica</i> E. Nelson ex O. Danesch et E. Danesch</p> <p>[= <i>Ophrys incubacea</i> subsp. <i>garganica</i> (E. Nelson ex O. Danesch et E. Danesch) Galesi, Cristaudo et Maugeri; <i>O. passionis</i> subsp. <i>garganica</i> E. Nelson ex H. Baumann et R. Lorenz]</p>	<p>Brimba tal-Ġwienah Safrana</p>	<p>Gargano Spider Orchid</p>
<p><i>Ophrys xgaulosana</i> Mifsud</p> <p>[= <i>Ophrys melitensis</i> x <i>tenthredinifera</i>]</p>	<p>Dubbiena ta' Ghawdex</p>	<p>Gozo Spider Orchid</p>
<p><i>Ophrys glabra</i> Persoon</p> <p>[= <i>Ophrys lutea</i> subsp. <i>lutea</i> Cavanilles]</p>	<p>Żunzana tal-Maghreb</p>	<p>Maghrebian Yellow Bee Orchid</p>
<p><i>Ophrys grandiflora</i> Tenore</p> <p>[= <i>Ophrys tenthredinifera</i> subsp. <i>grandiflora</i> (Tenore) Kreutz]</p>	<p>Nahla Kbira ta' Sqallija</p>	<p>Sicilian Sawfly Orchid</p>

B 1224

<i>Ophrys hospitalis</i> Delforge [= <i>Ophrys iricolor</i> subsp. <i>hospitalis</i> (Delforge) Mifsud et Lewis]	Dubbiena tal-Kavallieri; Dubbienna Bikrija	Hospitallier Rainbow Bee Orchid
<i>Ophrys incubacea</i> Bianca [= <i>Ophrys atrata</i> Lindl.; <i>O. sphegodes</i> subsp. <i>atrata</i> (Rechb. fil) Bolòs]	Brimba tal-Ġwienah	Bianca's Spider Orchid
<i>Ophrys iricolor</i> Desfontaines s.l. [= <i>Ophrys fusca</i> subsp. <i>iricolor</i> (Desfontaines) Richter s.l.]	Dubbien	Blue Orchids
<i>Ophrys lacaitae</i> Lojacono [= <i>Ophrys oxysrhynchos</i> subsp. <i>lacaitae</i> (Lojacono) Del Prete]	Brimba Safra	Yellow Spider Orchid; Lacaita's Spider Orchid
<i>Ophrys lojaconoi</i> Delforge [= <i>Ophrys iricolor</i> subsp. <i>lojaconoi</i> (Delforge) Kreutz]	Dubbiena ta' Lojacono	Lojacono's Rainbow Bee Orchid
<i>Ophrys lucifera</i> Devillers-Terschuren et Devillers [= <i>Ophrys fusca</i> subsp. <i>lucifera</i> (Devillers-Tersch. et Devillers) Kreutz]	Dubbiena tar-Rebbiegha	Brown Orchid
<i>Ophrys lupercalis</i> Devillers-Terschuren et Devillers [= <i>Ophrys fusca</i> subsp. <i>lupercalis</i> (Devillers-Terschuren et Devillers) Kreutz]	Dubbiena tal-Luperkalja	Lupercalia Rainbow Bee Orchid
<i>Ophrys lutea</i> Cavanilles s.str. [= <i>Ophrys vespifera</i> Brotero]	Żunżana l-Kbira	Yellow Bee Orchid
<i>Ophrys mesaritica</i> (Paulus, C. Alibertis et A. Alibertis) Kreutz [= <i>Ophrys iricolor</i> subsp. <i>mesaritica</i> Paulus, C. Alibertis et A. Alibertis]	Dubbiena Bikrija	Cretan Rainbow Bee Orchid

<i>Ophrys oxyrrhynchos</i> Todaro [= <i>Ophrys fuciflora</i> subsp. <i>oxyrrhynchos</i> (Todaro) Soó]	Brimba ta' Sqallija	Beaked Spider Orchid
<i>Ophrys pallida</i> Rafinesque [= <i>Ophrys fusca</i> subsp. <i>pallida</i> (Rafinesque) EG Camus; <i>O. pectus</i> Mutel]	Dubbiena Milwija	Pale Green Orchid; Reflexed Brown Orchid
<i>Ophrys passionis</i> Sennen s.l. [= <i>O. garganica</i> subsp. <i>passionis</i> (Sennen ex Devillers-Tersch. & Devillers) Paulus & Gack s.l.]	Brimba tal-Ġwienah Safrana	Easter Spider Orchid; Passion Spider Orchid
<i>Ophrys phryganae</i> Devillers-Terschuren et Devillers [= <i>Ophrys lutea</i> subsp. <i>phryganae</i> (Devillers- Terschuren et Devillers) Melki]	Żunżana tal-Lvant	Eastern Yellow Bee Orchid
<i>Ophrys</i> Sect. <i>Pseudophrys</i>	Dubbien; Żunżan	Bee Orchids
<i>Ophrys romolinii</i> Soca [= <i>Ophrys bertolonii</i> subsp. <i>romolinii</i> (Soca) Véla et R.Martin]	Dubbiena ta' Romolini	Romolini's Bee Orchid
<i>Ophrys sicula</i> Tineo [= <i>Ophrys minor</i> (Todaro) Paulus et Gack; <i>O. lutea</i> subsp. <i>minor</i> (Todaro) O Danesch et E Danesch; <i>O.</i> <i>lutea</i> subsp. <i>sicula</i> (Tineo) Soldano]	Żunżana ż-Żghira	Sicilian Yellow Bee Orchid
<i>Ophrys speculum</i> Link [= <i>Ophrys ciliata</i> Bivona-Bernardi]	Dubbiena l-kahla	Mirror Orchid; Mirror of Venus
<i>Ophrys sphegodes</i> Miller s.l. [= <i>Ophrys aranifera</i> Hudson s.l.]	Brimba	Spider Orchid

<i>Ophrys tenthredinifera</i> Willdenow s.str. [= <i>Ophrys tenoreana</i> Lindley s.l.]	Nahla Kbira	Sawfly Orchid
<i>Ophrys xtumentia</i> Mifsud [= <i>Ophrys caesiella</i> x <i>iricolor</i>]	Dubbiena ta' Sidirha Kbir	Swollen-Chest Brown Bee Orchid
<i>Ophrys vallesiana</i> Deviller- Terschuren et Devillers [= <i>Ophrys iricolor</i> subsp. <i>vallesiana</i> (Devillers- Terschuren et Devillers) Paulus et Gack]	Dubbiena ta' Tuneż	Vallès Rainbow Bee Orchid
<i>Orchis italica</i> Poiret [= <i>Orchis longicruris</i> Link; <i>O. undulatifolia</i> Bivona-Bernardi]	Hajja u Mejta tal-Werqa Fdewxa; Orkida tal-Weraq Fdewxa	Naked-Man Orchid
<i>Serapias bergonii</i> E.G. Camus [= <i>Serapias vomeracea</i> subsp. <i>laxiflora</i> (Soó) Gözl et Reinhard]	Orkida tal-Ilsien tal-Lvant	Eastern Ploughshare
<i>Serapias cordigera</i> L. [= <i>Serapias ovalis</i> LCM Richard]	Orkida tal-Qalb	Heart-Flowered Tongue Orchid
<i>Serapias lingua</i> L. [= <i>Serapias columnae</i> (Rchb. Fil.) Lojacono]	Orkida tal-Ilsien	Tongue Orchid; Tongue Serapias
<i>Serapias orientalis</i> (Greuter) Baumann et Künkele [= <i>Serapias vomeracea</i> subsp. <i>orientalis</i> Greuter]	Orkida tal-Ilsien tal-Lvant	Oriental Tongue Orchid
<i>Serapias vomeracea</i> (Burmam fil.) Briquet [= <i>Orchis vomeracea</i> Burmam fil.; <i>Serapias</i> <i>longipetala</i> (Tenore) Pollini]	Orkida tal-Ilsien Kbir	Ploughshare; Long-Lipped Tongue Orchid
<i>Spiranthes spiralis</i> (L.) Chevallier [= <i>Spiranthes</i> <i>autumnalis</i> LCM Richard]	Il-Hajja u Mejta tal-Ħarifa	Autumn Lady's Tresses

".

26. In Schedule VII of the regulations under the title 'CRUSTACEA – DECAPODA' the name '*Scillarides latus*' shall be substituted by the name '*Scyllarides latus*'.

Amends
Schedule VII of
the principal
regulations.

27. Schedule VIII of the principal regulations shall be amended as follows:

Amends
Schedule VIII of
the principal
regulations.

(a) immediately under the title 'Alopiidae' there shall be added the following species:

"

<i>Alopias superciliosus</i>	Pixxivolpi ta' Ghajnu Kbira	Bigeye Thresher Shark
------------------------------	--------------------------------	-----------------------

";

(b) under the title 'Carcharhinidae' there shall be added the following species:

"

<i>Carcharhinus obscurus</i>	Kelb il-Baħar Sewdieni	Dusky Shark
------------------------------	------------------------	-------------

"; and

(c) under the title 'CRUSTACEA' the following species shall be deleted:

"

<i>Scyllarus latus</i> [= <i>Scyllarides latus</i>]	Ċkala; Ċkala Ħamra	Flat Lobster; European Paddle-Nosed Lobster
---	--------------------	--

".

28. Schedule XI of the principal regulations shall be deleted.

Deletes of
Schedule XI of
the principal
regulations.

29. Schedule XII of the principal regulations shall be amended as follows:

Amends
Schedule XII of
the principal
regulations.

(a) Schedule XII shall be renumbered as Schedule XI;
and

B 1228

(b) the words "SCHEDULE IX(a)" and "Schedule IX(b)" shall be substituted by the words "SCHEDULE XI(a)" and "Schedule XI(b)" respectively.
