

**A.L. 125 ta' l-2008****ATT DWAR IS-SAHHA PUBBLIKA  
(KAP. 465)****Regolamenti ta' l-2008 dwar il-Maniġġar tal-Kwalità ta' l-Ilma  
Tajjeb għall-Għawm**

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 26(d) ta' l-Att dwar is-Sahha Pubblika, il-Ministru għall-Politika Soċjali għamel dawn ir-regolamenti li ġejjin:-

**1.** (1) Dawn ir-regolamenti jistgħu jissejhu Regolamenti ta' l-2008 dwar il-Maniġġar tal-Kwalità ta' l-Ilma Tajjeb għall-Għawm . Titolu, bidu fis-sehh u skop.

(2) Dawn ir-regolamenti għandhom jibdeu isehħu f' dik id-data li l-Ministru responsabbli għas-Sahha jista' jappunta b'avviż fil-Gazzetta u jistgħu jiġu hekk appuntati dati differenti għal disposizzjonijiet differenti u għal għanijiet differenti ta' dawn ir-regolamenti.

(3) L-għan ta' dawn ir-regolamenti hu sabiex tiġi preservata, protetta u mtejjba l-kwalità ta' l-ambjent u sabiex tiġi protetta s-sahha tal-bniedem bl-implimentazzjoni tad-Direttiva 2000/60/KE tal-Parlament Ewropew u tal-Kunsill u sabiex jiġu trasposti d-disposizzjonijiet tad-Direttiva 2006/7/KE tal-Parlament Ewropew u tal-Kunsill.

**2.** (1) Dawn ir-regolamenti jistabbilixxu disposizzjonijiet dwar:

(a) il-monitoraġġ u l-klassifikazzjoni tal-kwalità ta' l-ilma tajjeb għall-għawm;

(b) il-maniġġar tal-kwalità ta' l-ilma tajjeb għall-għawm; u

(ċ) l-għoti ta' informazzjoni lill-pubbliku fuq il-kwalità ta' l-ilma tajjeb għall-għawm.

(2) Dawn ir-regolamenti għandhom japplikaw għal kull element ta' ilma tal-wiċċ fejn is-Suprintendent jahseb li ser ikun hemm għadd kbir ta' nies jgħumu u fejn huwa ma jkunx impona projbizzjoni

ta' l-ghawm permanenti, jew ikun hareġ avviż permanenti kontra ghawm.

(3) Dawn ir-regolamenti m'għandhomx japplikaw għal:-

(a) pixxini u pixxini spa;

(b) ilma magħluq li jiġi ttrattat jew użat għal finijiet terapewtiċi;

(ċ) ilma magħluq li jsir artifiċjalment u li jkun separat mill-ilma tal-wiċċ u ilma ta' taht l-art.

Tifsir.

**3.** (1) F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ xort'ohra:-

“id-Direttiva” tfisser Direttiva 2006/7/KE tal-Parlament Ewropew u tal-Kunsill tal-15 ta' Frar, 2006 dwar il-maniġġar tal-kwalità ta' l-ilma tajjeb għall-ghawm u li thassar id-Direttiva 76/160/KEE;

“ilma tal-wiċċ”, “ilma ta' taht l-art”, “ilma intern”, “ilmijiet transizzjonali”, “ilma kostali” u “baċin tax-xmara” għandhom l-istess tifsira bħalma għandhom fid-Direttiva 2000/60/KE;

“ilma tajjeb għall-ghawm” tfisser ilma tal-wiċċ fejn is-Suprintendent jara li x'aktarx li jkun hemm għadd kbir ta' nies jgħumu u fejn huwa ma jkun impona ebda projbizzjoni ta' l-ghawm permanenti, jew hareġ xi avviż permanenti kontra l-ghawm;

“interess pubbliku” għandha l-istess tifsira bħalma għandha fid-Direttiva tal-Kunsill 85/337/KEE tas-27 ta' Ġunju 1985 fuq il-valutazzjoni ta' l-effetti ta' ċertu proġetti pubbliċi u privati fuq l-ambjent;

“miżuri ta' maniġġar” tfisser xi waħda minn dawn li ġejjin:

(a) li jiġi stabbilit u miżmum profil ta' ilma tajjeb għall-ghawm;

(b) li jiġi stabbilit kalendarju ta' monitoraġġ;

(ċ) li jsir monitoraġġ ta' l-ilma tajjeb għall-ghawm;

(d) li ssir valutazzjoni tal-kwalità ta' l-ilma tajjeb għall-ghawm;

(e) li ssir klassifika ta' l-ilma tajjeb għall-ghawm;

(f) li jiġu identifikati u valutati l-kawzi ta' tniġġis li jistgħu jaffettwaw ilma tajjeb għall-ghawm u jipperikola s-saħħa ta' l-ghawwiema;

(g) li tinghata informazzjoni lill-pubbliku;

(h) li tittiehed azzjoni sabiex l-ghawwiema jiġu prevenuti milli jkunu esposti għat-tniġġis;

(i) li tittiehed azzjoni biex jitnaqqas ir-riskju tat-tniġġis;

“għadd kbir” tfisser, f'dak li għandu x'jaqsam ma' l-ghawwiema, għadd li s-Suprintendent iqis li jkun wiehed imdaqqs partikolarment meta jitqiesu tendenzi ta' qabel jew xi infrastruttura jew faċilità provduti, jew xi mizuri oħra li jittiehdu, li jġibu l-ghawm 'il quddiem;

“permanent” tfisser, għar-rigward tal-projbizzjoni li jsir għawm jew ta' xi avviż kontra l-ghawm, li dawn ikunu jdumu għal ta' l-inqas staġun ta' l-ghawm shih;

“proliferazzjoni janobatterjali” tfisser l-akkumulazzjoni ta' janobatterji fl-ghamla ta' blanzun, hasira jew xkuma;

“sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm” tfisser *data* miksuba skond ir-regolament 4;

“sitwazzjoni mhux normali” tfisser grajja jew għaqda ta' grajjiet li jkollhom impatt fuq l-ilma tajjeb għall-ghawm fil-post in kwistjoni u li ma tkunx mistennija li medjament tigrri aktar minn darba kull erba' snin;

“staġun ta' l-ghawm” tfisser il-perjodu li matulu x'aktarx li jkun hemm għadd kbir ta' ghawwiema;

“is-Suprintendent” tfisser is-Suprintendent tas-Saħħa Pubblika;

“tniġġis” tfisser il-preżenza ta' kontaminazzjoni mikrobioloġika jew ta' xi organiżmi oħra jew skart li jkunu jaffettwaw il-kwalità ta' l-ilma tajjeb għall-ghawm u li jkunu

jippreżentaw riskju ghas-sahha ta' l-ghawwiema kif imsemmi fir-regolamenti 13 u 14 u fi Skeda I, kolonna A;

“tniġġis ghal żmien qasir” tfisser kontaminazzjoni mikrobiologika kif imsemmija fi Skeda I, kolonna A, li jkollha kawżi li jiġu identifikati b'mod ċar, li ma tkunx normalment mistennija taffettwa l-kwalità ta' l-ilma tajjeb għall-ghawm għal iżjed minn madwar 72 siegħa wara li l-kwalità ta' ilma tajjeb għall-ghawm tiġi affettwata għall-ewwel darba u li dwarha s-Suprintendent ikun stabbilixxa proċeduri biex ikun jista' jbassarha u jittrattaha kif stabbilit fir-regolamenti 7 u 8 u fi Skeda II;

“uffiċjal awtorizzat” tinkludi uffiċjal tas-sahha ambjentali, jew kull min ikun imqabba mis-Suprintendent, jingħata minnu dmirijiet xi jwettaq, jew b'kull mod iehor ikun jaqdi dmirijiet għalih jew f'ismu;

“valutazzjoni tal-kwalità ta' ilma tajjeb għall-ghawm” tfisser il-proċess ta' valutazzjoni tal-kwalità ta' l-ilma tajjeb għall-ghawm, billi jintuza l-metodu ta' valutazzjoni mfisser fi Skeda II li tinsab ma' dawn ir-regolamenti.

(2) Għall-finijiet ta' dawn ir-regolamenti, kull riferenza għal Direttivi tal-Parlament Ewropew u tal-Kunsill, għandhom jinqraw u jinftiehem bhallikieku tkun qiegħda ssir riferenza għad-disposizzjonijiet tar-regolamenti li jittrasponu d-disposizzjonijiet ta' dik id-direttiva fil-liġijiet ta' Malta.

Monitoraġġ.

**4.** (1) Is-Suprintendent għandu qabel ma jibda l-ewwel staġun ta' l-ghawm wara l-24 ta' Marzu 2008 jidentifika ta' kull sena kull ilma li jkun tajjeb għall-ghawm u jgħid għal kemm żmien ikun ser idum l-istaġun ta' l-ghawm.

(2) Is-Suprintendent għandu jiżgura li l-monitoraġġ tal-parametri stabbiliti fi Skeda I, kolonna A li tinsab ma' dawn ir-regolamenti jkunu skond m'hemm fi Skeda IV li tinsab ma' dawn ir-regolamenti.

(3) Il-postijiet fejn isir il-monitoraġġ għandhom jiġu allokat f' dik iż-żona fejn ikun jinsab l-ilma tajjeb għall-ghawm, fejn:-

(a) x'aktarx li jkun hemm hafna ghawwiema; jew

(b) x'aktarx li jkun hemm l-akbar riskju ta' tniġġis, skond il-profilu ta' l-ilma tajjeb għall-ghawm.

(4) Ghandu jiġi stabbilit kalendarju ta' monitoraġġ għal kull ilma tajjeb għall-ghawm qabel ma jibda kull staġun ta' l-ghawm u għall-ewwel darba qabel ma jibda it-tielet staġun shih ta' l-ghawm wara li jibdedw isehhu dawn ir-regolamenti. Il-monitoraġġ m'għandux jibda jsehh iżjed tard minn erbat ijiem wara d-data speċifikata fil-kalendarju ta' monitoraġġ.

(5) (a) Is-Suprintendent jista' jintroduci monitoraġġ tal-parametri stipulati fi Skeda I, kolonna A ta' dawn ir-regolamenti matul l-ewwel staġun ta' l-ghawm shih wara li jkunu dahlu fis-sehh dawn ir-regolamenti.

(b) Dak il-monitoraġġ għandu mill-inqas jibda jsir b'dik il-frekwenza speċifikata fi Skeda IV li tinsab ma' dawn ir-regolamenti u r-rizultati jistgħu jintużaw biex jitfasslu s-settijiet ta' data dwar il-kwalità ta' ilma tajjeb għall-ghawm imsemmija fir-regolament 5.

(c) Meta jibda l-monitoraġġ bis-sahha ta' dawn ir-regolamenti, għandu jintemm il-monitoraġġ ta' parametri stabbiliti fl-Iskeda li tinsab mar-Regolamenti ta' l-2003 dwar il-Kwalità ta' l-Ilma li tista' tghum fih. A.L. 380 ta' l-2003.

(6) Jista' ma jingħatax każ tal-kampjuni li jittiehdu f'każijiet ta' tniġġis għal żmien qasir u minflokhom għandhom jittiehdu kampjuni skond m'hemm fi Skeda IV li tinsab ma' dawn ir-regolamenti.

(7) Meta tinqala' xi sitwazzjoni mhux normali, il-kalendarju ta' monitoraġġ imsemmi hawn qabel jista' jiġi sospiz u għandu jitkompla kemm jista' jkun malajr wara li tintemm dik is-sitwazzjoni meta mbagħad jittiehdu kampjuni godda.

(8) Is-Suprintendent għandu jirrapporta lill-Kummissjoni kull sospensjoni tal-kalendarju ta' monitoraġġ, filwaqt li jagħti r-raġunijiet għal dik is-sospensjoni u jgħaddi dawk ir-rapporti mhux aktar tard minn meta jiġi biex jagħmel ir-rapport annwali li jkun imiss.

(9) (a) Is-Suprintendent għandu jiżgura li l-analisi tal-kwalità ta' l-ilma tajjeb għall-ghawm issir skond il-metodi ta' riferiment li hemm speċifikati fi Skeda I li tinsab ma' dawn ir-regolamenti u r-regoli stabbiliti fi Skeda V li tinsab ma' dawn ir-regolamenti.

(b) Is-Suprintendent jista' madankollu jippermetti l-użu ta' metodi jew regoli oħra jekk dawn ikunu jistgħu juru li r-rizultati miksuba jkunu ekwivalenti għal dawk miksuba bl-użu tal-metodi speċifikati fl-imsemmija Skedi I u V li jinsabu ma' dawn ir-regolamenti.

(ċ) Meta jintużaw il-metodi jew regoli alternattivi msemija fil-paragrafu (b) ta' dan is-subregolament, f'dak il-każ is-Suprintendent ghandu jghaddi lill-Kummissjoni kull informazzjoni rilevanti dwar il-metodi jew ir-regoli użati u x'ekwivalenza dawn ikollhom ma' l-oħrajn.

Valutazzjoni tal-kwalità ta' l-ilma tajjeb għall-ghawm

5. (1) Is-Suprintendent ghandu jiżgura li s-settijiet ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm jitharsu sew permezz tal-parametri ta' monitoraġġ stabbiliti fi Skeda I, kolonna A li tinsab ma' dawn ir-regolamenti.

(2) Ghandha ssir valutazzjoni tal-kwalità ta' l-ilma tajjeb għall-ghawm:

(a) għar-rigward ta' kull ilma tajjeb għall-ghawm;

(b) meta jintemm kull staġun ta' l-ghawm;

(ċ) abbażi tas-sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm li jingabar dwar dak l-istaġun ta' l-ghawm u t-tliet staġuni ta' l-ghawm ta' qabel; u

(d) skond il-proċedura stipulata fi Skeda II li tinsab ma' dawn ir-regolamenti.

(3) Madankollu, is-Suprintendent jista' jiddeciedi li jsiru valutazzjonijiet tal-kwalità ta' l-ilma tajjeb għall-ghawm abbażi tas-sett ta' *data* dwar il-kwalità ta' l-ilma tajjeb għall-ghawm li jkun gie mhares dwar it-tliet staġuni ta' l-ghawm ta' qabel biss. Jekk is-Suprintendent jiddeciedi dan, huwa ghandu javża lill-Kummissjoni minn qabel. Is-Suprintendent ghandu javża wkoll lill-Kummissjoni jekk huwa sussegwentement jiddeciedi li jerga' jibda jagħmel valutazzjonijiet abbażi ta' erba' staġuni ta' l-ghawm. Is-Suprintendent ma jistax jibdel il-perjodu ta' valutazzjoni li jkun japplika għal aktar minn darba f'kull hames snin.

(4) Settijiet ta' *data* ta' ilma tajjeb għall-ghawm li jkunu jintużaw biex isiru valutazzjonijiet dwar il-kwalità ta' l-ilma tajjeb għall-ghawm ghandu dejjem ikun fihom mill-inqas 16-il kampjun jew inkella, 12-il kampjun fiċ-ċirkostanzi speċjali msemija fil-paragrafu 2 ta' Skeda IV li tinsab ma' dawn ir-regolamenti.

(5) Madankollu, jew ghandha tkun sodisfatta l-htieġa tas-subregolament ta' qabel, jew fil-każ ta' ilma tajjeb għall-ghawm li jkollu staġun ta' l-ghawm li ma jeċċedix it-tmien ġimgħat, is-sett ta' *data* dwar l-ilma tajjeb għall-ghawm li jiġi użat biex issir il-valutazzjoni ghandu jkollu mill-inqas tmien kampjuni. Valutazzjoni tal-kwalità dwar ilma

tajjeb għall-ghawm tista' ssir abbaži ta' sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm li jkollha x'taqsam ma' inqas minn erba' staġuni ta' l-ghawm jekk:-

(a) l-ilma tajjeb għall-ghawm jiġi identifikat mill-ġdid;

(b) ikun sar xi tibdil li x'aktarx jaffettwa l-klassifikazzjoni ta' l-ilma tajjeb għall-ghawm skond ir-regolament 6, f'liema każ il-valutazzjoni għandha ssir abbaži ta' sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm li jkun unikament jikkonsisti fir-rizultati ta' kampjuni li jittiehdu wara li jkun sar it-tibdil; jew

(ċ) tkun diġà saret valutazzjoni ta' l-ilma tajjeb għall-ghawm skond id-Direttiva 76/160/KEE, f'liema każ għandha tintuża d-*data* ekwivalenti miġbura taht dik id-Direttiva u, għal dan il-ghan, il-parametri 2 u 3 ta' l-Anness li jinsab mad-Direttiva 76/160/KEE għandhom jitqiesu li huma ekwivalenti għall-parametri 2 u 1 ta' kolonna A ta' Skeda I li tinsab ma' dawn ir-regolamenti.

(6) Is-Suprintendent jista' biss jaqsam jew jaggruppja flimkien kull ilma tajjeb għall-ghawm fil-kuntest ta' valutazzjonijiet ta' kwalità ta' ilma tajjeb għall-ghawm jekk ilma bhal dak:

(a) ikun kontigwu;

(b) ikun irċieva valutazzjonijiet bhal dawk matul l-erba' snin ta' qabel skond il-paragrafi 2, 3 u 4(ċ) ta' Skeda IV li tinsab ma' dawn ir-regolamenti; u

(ċ) ikollu profili ta' ilma tajjeb għall-ghawm li jkunu kollha jidentifikaw fatturi ta' riskju komuni jew in-nuqqas ta' fatturi bhal dawk.

**6.** (1) Is-Suprintendent għandu jikklassifika ilma tajjeb għall-ghawm, skond il-kriterji stipulati fi Skeda II tad-Direttiva, bħala:

(a) 'batut';

(b) 'suffiċjenti';

(ċ) 'tajjeb'; jew

(d) 'eċċellenti'.

(2) L-ewwel klassifikazzjoni bis-saħħa ta' dawn ir-regolamenti għandha tintemm sa tmiem l-istaġun ta' l-ghawm ta' l-2015.

Klassifikazzjoni u status ta' kwalità ta' ilma tajjeb għall-ghawm.

(3) Is-Suprintendent ghandu jiżgura li, sa tmiem l-istaġun ta' l-ghawm ta' l-2015, kull ilma tajjeb għall-ghawm ghandu mill-inqas ikun 'suffiċjenti' u ghandu jadotta dawk il-miżuri li jitqiesu li jkunu adatti biex iżidu l-kwantità ta' ilma tajjeb għall-ghawm li jkun klassifikat bħala 'eċċellenti' jew 'tajjeb'.

(4) (1) F'dawk il-każijiet fejn l-ilma tajjeb għall-ghawm ikun temporanjament klassifikat bħala 'batut', is-Suprintendent ghandu jiżgura li jiġu sodisfatti dawn il-kundizzjonijiet li ġejjin u li jkunu ttiehdu b'seħħ mill-istaġun ta' l-ghawm li jiġi wara l-klassifikazzjoni tiegħu:

(a) miżuri ta' maniġġar adegwati, li jinkludu l-projbizzjoni ta' l-ghawm jew avviz kontra l-ghawm, bil-ghan li ghawwiem ma jithalliex li jiġi espost għat-tniġġis;

(b) l-identifikazzjoni tal-kawżi u r-raġunijiet meta ma jinkisibx status ta' kwalità 'suffiċjenti';

(c) miżuri adegwati biex jipprevjenu, inaqqsu jew jeliminaw il-kawżi tat-tniġġis; u

(d) allarm li jinghata lill-pubbliku permezz ta' tabella li fuqha jkun hemm avviz ċar u sempliċi li jkun jinformat b'dak li jkun qed jikkawna it-tniġġis u l-miżuri meħudin, abbażi tal-profil ta' ilma tajjeb għall-ghawm.

(2) Meta ilma tajjeb għall-ghawm jiġi klassifikat bħala 'batut' għal hames snin konsekuttivi, għandha ssir projbizzjoni ta' l-ghawm permanenti jew avviz permanenti kontra l-ghawm.

(3) Madankollu, is-Suprintendent jista' jagħmel projbizzjoni ta' l-ghawm permanenti jew avviz permanenti kontra l-ghawm qabel ma jiskadi l-perjodu ta' hames snin jekk huwa jqis li l-kisba ta' kwalità 'suffiċjenti' ma tkunx waħda fattibbli jew inkella tkun waħda sproprjonatament kostuża.

Għeluq temporanju ta' żoni ta' l-ghawm.

**7.** Is-Suprintendent ghandu temporanjament jagħlaq zona ta' l-ghawm partikolari jew xi parti minnha meta:

(a) jiġi żvelat mill-uffiċjal awtorizzat li jkunu qegħdin jiskulaw jew li x'aktarx jiskulaw sustanzi li x'aktarx ihassru l-kwalità ta' l-ilma tajjeb għall-ghawm:

Iżda s-Suprintendent ghandu, wara li s-sustanza ma tibqax tiskula aktar, jiġbor kampjuni għall-analisi ta' kull parametru li huwa jqis adatt;



(b) ir-rizultati addizzjonali ta' kampjuni jkunu jiżvelaw li jkun hemm deterjorament fil-kwalità ta' l-ilma;

(c) il-kampjuni li jiġu analizzati għall-ghadd ta' enterokoċċi intestinali jirriżulta li jkollhom aktar minn 500 cfu/100 ml u dak ir-rizultat jiġi konfermat permezz ta' kampjun ripetut;

(d) il-kampjuni li jiġu analizzati għall-ghadd ta' *Escherichia coli* jirriżulta li jkollhom aktar minn 1000 cfu/100 ml u dak ir-rizultat jiġi konfermat permezz ta' kampjun ripetut.

**8.** Is-Suprintendent għandu jirtira l-gheluq temporanju ta' xi żona ta' l-ghawm partikolari jew ta' xi parti minnha meta:

Meta għeluq temporanju jiġi irtirat.

(a) mill-inqas tliet rizultati konsekuttivi ta' kampjuni li jingabru kuljum ikunu jindikaw li l-ghadd ta' enterokoċċi intestinali jkunu inqas minn 500 cfu/100 ml, u/jew l-ghadd ta' *Escherichia coli* jkun inqas minn 1000 cfu/100 ml;

(b) meta s-Suprintendent jistabbilixxi li l-kwalità ta' l-ilma tkun fil-parametri tal-livell aċċettabbli:

Iżda s-Suprintendent għandu jinforma lill-pubbliku kull meta xi għeluq temporanju bħal dak jiġi irtirat.

**9.** (1) Is-Suprintendent għandu jwajhhal tabelli u jzommhom fi stat tajjeb f'dawk iż-żoni ta' l-ghawm li jkunu temporanjament magħluqin u għandu aktar minn hekk jinforma lill-pubbliku b'kull żona bħal dik b'kull mezz li jkun:

Tabelli għal għeluq temporanju.

Iżda f'każ ta' xi xtajta privata li tkun tinsab fil-viċinanza ta' xi żona li tkun temporanjament magħluqa mis-Suprintendent, ikun jinkombi fuq il-persuna li tiehu hsieb dik ix-xtajta li twajhhal avvizi informattivi dwar dan u li tinforma lil kull min imur f'dik ix-xtajta li l-ghawm hemmhekk mhux rakkomandat.

(2) Għall-fini ta' dan ir-regolament, "xtajta privata" għandha tinkludi kull konċessjoni ta' xi xtajta.

**10.** Hadd m'għandu b'ebda mod inehhi, jibdel, ibagħbas jew xort'ohra jhassar xi avviz informattiv li jkun twajhhal mis-Suprintendent.

Avvizi informattivi.

**11.** (1) (a) Is-Suprintendent għandu jiżgura li jiġu stabbiliti profili ta' ilma tajjeb għall-ghawm skond Skeda III li tinsab ma' dawn ir-regolamenti.

Profili ta' ilma tajjeb għall-ghawm.

(b) Kull profil ta' ilma tajjeb għall-ghawm jista' jkun ikopri xi zona wahda ta' ilma tajjeb għall-ghawm jew aktar minn zona wahda kontigwa ta' ilma tajjeb għall-ghawm.

(c) Il-profil ta' ilma tajjeb għall-ghawm għandhom ikunu stabbiliti għall-ewwel darba fl-24 ta' Marzu 2011.

(2) Il-profil ta' ilma tajjeb għall-ghawm għandhom jiġu riveduti u aġġornati skond m'hemm provdut fi Skeda III li tinsab ma' dawn ir-regolamenti.

Miżuri ta' maniġġar f'ċirkostanzi eċċezzjonali.

**12.** Is-Suprintendent għandu jiżgura li jittiehdu miżuri ta' maniġġar adegwati u fil-hin meta jiġru sitwazzjonijiet mhux mistennija li jkollhom, jew li jistgħu jkunu raġonevolment mistennija li jkollhom, impatt kuntrarju fuq il-kwalità ta' l-ilma tajjeb għall-ghawm u fuq is-saħha ta' ghawwiema. Miżuri bhal dawk għandhom ikunu jinkludu informazzjoni li tinghata lill-pubbliku u, jekk ikun mehtieġ, projbizzjoni temporanja ta' l-ghawm skond m'hemm imsemmi fir-regolamenti hawn qabel.

Riskji janobatterjali.

**13.** (1) Meta l-profil ta' l-ilma tajjeb għall-ghawm ikun jindika potenzjal għall-proliferazzjoni janobatterjali, għandu jsir monitoraġġ adatt sabiex tkun tista' ssir identifikazzjoni f'waqtha tar-riskji għas-saħha.

(2) Meta jkun hemm proliferazzjoni janobatterjali u jkun ġie identifikat jew preżunt xi riskji għas-saħha, għandhom minnufih jittiehdu miżuri ta' maniġġar adegwati inkluża informazzjoni li tinghata lill-pubbliku sabiex hadd ma jiġi espost.

Parametri ohra.

**14.** (1) Meta l-profil ta' ilma tajjeb għall-ghawm ikun jindika tendenza għal proliferazzjoni ta' makro-algae u, jew ta' fitoplankton tal-baħar, għandhom isiru investigazzjonijiet sabiex tiġi stabbilita l-presenza ta' riskji għas-saħha u għandhom jiġu implimentati miżuri ta' maniġġar adegwati.

(2) L-ilma tajjeb għall-ghawm għandu jiġi spezzjonat viżwalment għat-tniġġis u meta jinsab li jkun hemm tniġġis bhal dak, għandhom jittiehdu miżuri ta' maniġġar adegwati, inkluż, meta jkun hekk mehtieġ, li tinghata informazzjoni lill-pubbliku.

Parteċipazzjoni pubblika.

**15.** Is-Suprintendent għandu, filwaqt li jkun qed jinkoraġġixxi l-parteċipazzjoni pubblika fl-implimentazzjoni ta' dawn ir-regolamenti, jagħti każ kif imiss ta' kull informazzjoni li tinkiseb.

**16.** (1) Ghandu jixxerred b'mod attiv u jintghamel disponibbli matul l-istaġun ta' l-ghawm dan li ġej, f'post li jista' jintlaħaq faċilment mill-pubbliku fil-qrib kemm jista' jkun ta' kull ilma tajjeb għall-ghawm:-

Informazzjoni li tinghata lill-pubbliku.

(a) il-klassifika preżenti ta' l-ilma tajjeb għall-ghawm u kull projbizzjoni ta' għawm jew avviż kontra l-ghawm imsemmi f'dan ir-regolament permezz ta' tabella jew sinjal ċar u sempliċi;

(b) deskrizzjoni ġenerali ta' l-ilma tajjeb għall-ghawm, li tinghata f'lingwa li ma tkunx wahda teknika, ibbażata fuq il-profil ta' l-ilma tajjeb għall-ghawm stabbilit skond Skeda III li tinsab ma' dawn ir-regolamenti;

(ċ) fil-każ ta' ilma tajjeb għall-ghawm li jkun soġġett għal tniġġis għal żmien qasir:-

(i) avviż li l-ilma tajjeb għall-ghawm ikun soġġett għat-tniġġis għal żmien qasir;

(ii) indikazzjoni li l-ġhadd ta' ġranet meta l-ghawm ikun projbit jew ikun hemm avviż kontrib matul l-istaġun ta' l-ghawm preċedenti, minhabba f'dan it-tniġġis; u

(iii) avviż li jinghata kull meta jkunu jafu b'dak it-tniġġis jew dan ikun preżenti;

(d) informazzjoni fuq ix-xorta ta' sitwazzjonijiet mhux normali li jokkorru matul dawk il-ġrajjet, u għal kemm żmien dawn ikunu mistennija jtulu;

(e) meta l-ghawm ikun projbit jew ikun hemm avviż kontrib, avviż li jinghata lill-pubbliku li fih għandhom jinghataw ir-raġunijiet għal dan;

(f) kull meta ssir projbizzjoni ta' l-ghawm permanenti jew jinghata avviż permanenti kontra l-ghawm, il-fatt li ż-żona in kwistjoni ma tkunx għadha tajba għall-ghawm u r-raġunijiet għall-hruġ tagħha mill-klassifikazzjoni; u

(g) indikazzjoni ta' sorsi ta' informazzjoni aktar shiħa skond dan is-subregolament li ġej.

(2) Ghandu meta jkun adatt jiġi mxandar dan li ġej mill-mezzi ta' l-istampa u x-xandir f'diversi lingwi:-

(a) lista ta' postijiet fejn ikun hemm ilma tajjeb għall-ghawm u li jkunu disponibbli ta' kull sena qabel ma jibda l-istaġun ta' l-ghawm;

(b) il-klassifikazzjoni ta' kull ilma tajjeb għall-ghawm matul dawn l-ahhar tliet snin u l-profil ta' l-ilma tajjeb għall-ghawm, inklużi r-rizultati ta' monitoraġġ li jkun sar skond dawn ir-regolamenti mill-ahhar klassifikazzjoni;

(c) fil-każ ta' ilma tajjeb għall-ghawm li jkun klassifikat bhala 'batut', informazzjoni fuq il-kawżi ta' tniġġis u l-mizuri li jittiehdu bil-ghan li l-ghawwiema ma jiġux esposti għat-tniġġis u sabiex jiġu trattati l-kawżi ta' dan skond m'hemm imsemmi fir-regolament 6(4); u

(d) (i) fil-każ ta' ilma tajjeb għall-ghawm li jkun soġġett għal tniġġis għal żmien qasir, informazzjoni ġenerali fuq il-kondizzjonijiet li x'aktarx iwasslu għal tniġġis għal żmien qasir, kemm hu probabbli tniġġis bhal dak u għal kemm żmien dan x'aktarx idum u l-kawżi ta' tniġġis u l-mizuri mehudin bil-ghan li l-ghawwiema ma jiġux esposti għat-tniġġis u biex jiġu trattati l-kawżi għal dan it-tniġġis.

(ii) L-informazzjoni hawn qabel imsemmija għandha tkun disponibbli ta' kull sena qabel ma jibda l-istaġun ta' l-ghawm u r-rizultati tal-monitoraġġ għandhom jintgħamlu disponibbli fuq l-internet meta tintemm l-analisi u b'seħh minn meta jibda l-hames staġun ta' l-ghawm wara l-24 ta' Marzu 2008.

Kumitat ta' Maniġġar dwar il-Kwalità ta' Ilma Tajjeb għall-Ghawm.

**17.** (1) Is-Suprintendent għandu jahtar Kumitat, li jkun magħruf bhala l-Kumitat ta' Maniġġar dwar il-Kwalità ta' Ilma Tajjeb għall-Ghawm, li jkun magħmul minn *stakeholders* skond ma jiġu hekk identifikati mis-Suprintendent biex jiffurmaw parti minn dan il-Kumitat.

(2) Is-Suprintendent jew ir-rappreżentant mahtur tiegħu għandu jippresjedi dan il-Kumitat.

(3) Il-funzjonijiet ewlenin ta' dan il-Kumitat għandhom ikunu li jipprevedi l-htigiet tad-direttiva dwar l-implimentazzjoni tal-maniġġar dwar il-kwalità ta' ilma tajjeb għall-ghawm kif mehtieg bid-Direttiva.

Responsabbiltà ta' terzi.

**18.** (1) Hadd m'għandu jiġbor, iġorr jew xort'ohra juża l-ilma baħar għal ebda tip ta' faċilità rikreattiva, meta dak l-ilma jkun ġej minn xi post fejn l-ghawm ma jkunx rakkomandat mis-Suprintendent.

(2) Meta jirriżulta li xi persuna, kumpanija jew entità, minhabba f'dak li tkun qieghda tagħmel, tkun qieghda tarmi xi ilma mahmuġ, drenaġġ jew xi materjal iehor u, jew xi sustanza ohra f'żona fejn isir l-ghawm u dan jista' jkollu impatt fuq il-kwalità ta' l-ilma tajjeb għall-ghawm, tinsab hatja ta' reat taht dawn ir-regolamenti, il-qorti għandha, minbarra li twahhal piena, tordna lill-akkużat ihallas l-ispejjeż dovuti għal kull hlas li s-Suprintendent kellu jgarrab u tordna lil dik il-persuna, kumpanija jew entità ssewwi kull dannu li seta' gie kaġunat għas-spejjeż tagħha.

(3) (a) F'dawk il-każijiet fejn persuna, kumpanija jew entità tonqos milli twettaq l-għemil li tkun ordnata tagħmel mill-qorti u s-Suprintendent iqis li jkun hemm riskju serju għall-ghawwiema, allura s-Suprintendent jista' jordna li dak l-għemil isir għas-spejjeż ta' dik il-persuna, kumpanija jew entità nnifisha.

(b) L-ispejjeż hawn qabel imsemmija għandhom jitqiesu bhala dejn ċivili.

**19.** (1) Ebda animal ma jista' f'ebda waqt jittiehed fil-baħar f'dawk iż-żoni li jiġu indikati mis-Suprintendent bhala żoni ta' l-ghawm taht id-disposizzjonijiet ta' dawn ir-regolamenti. Ghawm ta' l-animali.

(2) Annimali domestiċi bhal klieb ma jistgħu f'ebda waqt jittiehdu fi xtajtiet bir-ramel, madankollu dawn jistgħu jittiehdu fuq xtajtiet bil-blat u sid dawk l-animali domestiċi m'għandu jikkaguna ebda inkonvenjent lil ghawwiema ohra u għandu jnaddaf il-hmieġ kollu li jhallu l-animali domestiċi tagħhom.

**20.** Ir-Regolamenti ta' l-1960 dwar l-Ghawm ta' l-Animali, huma b'dawn revokati. Jirrevoka A.L. 31 ta' l-1960.

**SKEDA I****Ghal ilma intern**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>Parametru</b>	<b>Kwalità eċċellenti</b>	<b>Kwalità tajba</b>	<b>Suffiċjenti</b>	<b>Metodi ta' analisi ta' referenza</b>
1	Enterokoċċi intestinali (cfu/100 ml)	200 (*)	400 (*)	330 (**)	ISO 7899-1 jew ISO 7899-2
2	<i>Escherichia coli</i> (cfu/100 ml)	500 (*)	1,000 (*)	900 (**)	ISO 9308-3 jew ISO 9308-1
(*) Bażat fuq valutazzjoni ta' 95-perċentwali. Ara Skeda II. (**) Bażat fuq valutazzjoni ta' 90- perċentwali. Ara Skeda II.					

**Ghal ilma kostali u ilma transizzjonali**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>Parametru</b>	<b>Kwalità eċċellenti</b>	<b>Kwalità tajba</b>	<b>Suffiċjenti</b>	<b>Metodi ta' analisi ta' referenza</b>
1	Enterokoċċi intestinali (cfu/100 ml)	100 (*)	200 (*)	185 (**)	ISO 7899-1 jew ISO 7899-2
2	<i>Escherichia coli</i> (cfu/100 ml)	250 (*)	500 (*)	500 (**)	ISO 9308-3 jew ISO 9308-1
(*) Bażat fuq valutazzjoni ta' 95-perċentwali. Ara Skeda II. (**) Bażat fuq valutazzjoni ta' 90- perċentwali. Ara Skeda II.					

**SKEDA II****Valutazzjoni u klassifikazzjoni ta' ilma tajjeb għall-ghawm****1. Kwalità batuta**

L-ilma tajjeb għall-ghawm għandu jiġi klassifikat bħala 'batut' jekk, fis-sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm għall-aħħar perjodu ta' valutazzjoni <sup>(a)</sup>, il-valuri percentwali <sup>(b)</sup> għal enumerazzjonijiet mikrobiologiċi jkunu aghar <sup>(c)</sup> mill-valuri 'suffiċjenti' stabbiliti fi Skeda I, kolonna D.

**2. Kwalità suffiċjenti**

L-ilma tajjeb għall-ghawm għandu jiġi klassifikat bħala 'suffiċjenti':

1. jekk, fis-sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm għall-aħħar perjodu ta' valutazzjoni għal enumerazzjonijiet mikrobiologiċi jkunu daqs jew aghar <sup>(d)</sup> mill-valuri 'suffiċjenti' stabbiliti fi Skeda I, kolonna D; u
2. jekk l-ilma tajjeb għall-ghawm ikun soġġett għal xi tniġġis għal żmien qasir, bil-kondizzjoni li:
  - (i) jkunu qegħdin jittieħdu miżuri ta' manigġar adegwati, inkluża s-sorveljanza, sistemi ta' alert li jingħata bil-quddiem u monitoraġġ, sabiex l-ghawwiema ma jiġux esposti permezz ta' avviz li jingħata jew, meta jkun meħtieġ, projbizzjoni fuq l-ghawm;
  - (ii) ikunu qegħdin jittieħdu miżuri ta' manigġar adegwati sabiex jiġi prevjenut, mnaqqas jew eliminat kull kaġun ta' tniġġis; u
  - (iii) l-ghadd ta' kampjuni li ma jingħatax każ tagħhom skond ir-regolament 4(6) minhabba fit-tniġġis għal żmien qasir matul l-aħħar perjodu, ma kienx juri aktar minn 15% ta' l-ghadd totali ta' kampjuni li hemm provdut dwarhom fil-kalendarji ta' monitoraġġ stabbiliti għal dak il-perjodu, jew mhux aktar minn kampjun wiehed għal kull staġun ta' l-ghawm, skond liema minnhom ikun l-akbar.

**3. Kwalità tajba**

L-ilma tajjeb għall-ghawm għandu jiġi klassifikat bħala 'tajjeb':

1. jekk, fis-sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm għall-aħħar perjodu ta' valutazzjoni għal enumerazzjonijiet mikrobiologiċi jkunu daqs jew aghar <sup>(d)</sup> mill-valuri ta' 'kwalità tajba' stipulati fi Skeda I, kolonna Ċ; u
2. jekk l-ilma tajjeb għall-ghawm ikun soġġett għal xi tniġġis għal żmien qasir, bil-kondizzjoni li:

- (i) jkunu qegħdin jittieħdu miżuri ta' manigġar adegwati, inkluża s-sorveljanza, sistemi ta' allert li jingħata bil-quddiem u monitoraġġ, sabiex l-ghawwiema ma jiġux esposti permezz ta' avviz li jingħata jew, meta jkun meħtieġ, projbizzjoni fuq l-ghawm;
- (ii) ikunu qegħdin jittieħdu miżuri ta' manigġar adegwati sabiex jiġi prevjenut, mnaqqas jew eliminat kull kaġun ta' tniġġis; u
- (iii) l-ghadd ta' kampjuni li ma jingħatax każ tagħhom skond ir-regolament 4(6) minhabba fit-tniġġis għal żmien qasir matul l-aħħar perjodu, ma kienx juri aktar minn 15% ta' l-ghadd totali ta' kampjuni li hemm provdut dwarhom fil-kalendarji ta' monitoraġġ stabbiliti għal dak il-perjodu, jew mhux aktar minn kampjun wieħed għal kull staġun ta' l-ghawm, skond liema minnhom ikun l-akbar.

#### 4. Kwalità eċċellenti

L-ilma tajjeb għall-ghawm għandi jiġi klassifikat bħala 'eċċellenti':

1. jekk, fis-sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm għall-aħħar perjodu ta' valutazzjoni għal enumerazzjonijiet mikrobiologiċi jkunu daqs jew aħjar mill-valuri ta' 'kwalità eċċellenti' stipulati fi Skeda I, kolonna B; u
2. jekk l-ilma tajjeb għall-ghawm ikun soġġett għal xi tniġġis għal żmien qasir, bil-kondizzjoni li:
  - (i) jkunu qegħdin jittieħdu miżuri ta' manigġar adegwati, inkluża s-sorveljanza, sistemi ta' allert li jingħata bil-quddiem u monitoraġġ, sabiex l-ghawwiema ma jiġux esposti permezz ta' avviz li jingħata jew, meta jkun meħtieġ, projbizzjoni fuq l-ghawm;
  - (ii) ikunu qegħdin jittieħdu miżuri ta' manigġar adegwati sabiex jiġi prevjenut, mnaqqas jew eliminat kull kaġun ta' tniġġis; u
  - (iii) l-ghadd ta' kampjuni li ma jingħatax każ tagħhom skond ir-regolament 4(6) minhabba fit-tniġġis għal żmien qasir matul l-aħħar perjodu, ma kienx juri aktar minn 15% ta' l-ghadd totali ta' kampjuni li hemm provdut dwarhom fil-kalendarji ta' monitoraġġ stabbiliti għal dak il-perjodu, jew mhux aktar minn kampjun wieħed għal kull staġun ta' l-ghawm, skond liema minnhom ikun l-akbar.

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#### NOTI

- (<sup>a</sup>) 'l-aħħar perjodu ta' valutazzjoni' tfisser l-aħħar erba' staġuni ta' l-ghawm jew, meta dan ikun japplika, il-perjodu speċifikat fir-regolament 5(2) jew (4).
- (<sup>b</sup>) Bażati fuq evalwazzjoni perċentwali ta'  $\log_{10}$  tal-funzjoni tad-densità tal-probabbiltà normali ta' *data* mikrobiologiċa miksuba mill-ilma tajjeb għall-ghawm partikolari, il-valur perċentwali jinkiseb kif ġej:



- 
- (i) Ikteb il-valur  $\log_{10}$  ta' kull enumerazzjoni batterjali fis-sekwenza ta' *data* li għandha tiġi evalwata. (jekk ikun hemm xi valur żero, ikteb il-valur  $\log_{10}$  ta' l-inqas limitu ta' rilevament tal-metodu analitiku li minflok jintuża.)
- (ii) Ikkalkula l-medja aritmetika tal-valur  $\log_{10} (\mu)$ .
- (iii) Ikkalkula d-devjazzjoni standard tal-valuri  $\log_{10} (\sigma)$ .

L-ogħla limitu perċentwali 90 tal-funzjoni tad-densità tal-probabbiltà ta' *data* jinkiseb minn din l-ekwazzjoni li ġejja:  
l-ogħla perċentwali 90 = antilog  $(\mu + 1,282\sigma)$ .

L-ogħla limitu perċentwali 95 tal-funzjoni tad-densità tal-probabbiltà ta' *data* jinkiseb minn din l-ekwazzjoni li ġejja:  
l-ogħla perċentwali 95 = antilog  $(\mu + 1,65\sigma)$ .

- (c) 'Aġħar' tfisser li jkun hemm valuri oġħla ta' konċentrazzjoni kif miktuba bhala cfu/100 ml
- (d) 'Aħjar' tfisser li jkun hemm valuri aktar baxxi ta' konċentrazzjoni kif miktuba bhala cfu/100 ml.

**SKEDA III****Profil dwar l-ilma tajjeb għall-ghawm**

1. Il-profil ta' l-ilma tajjeb għall-ghawm imsemmi fir-regolament 7 għandu jkun jikkonsisti:
  - a. f'deskrizzjoni tal-karatteristiċi fiżiċi, ġeografici u idrologiċi ta' l-ilma tajjeb għall-ghawm, u ta' ilma tal-wiċċ iehor fiż-żoni tal-*catchment* ta' dak l-ilma tajjeb għall-ghawm, li jista' jkun għajn ta' tniġġis, li jkunu rilevanti għall-fini ta' dawn ir-regolamenti u kif provdut fid-Direttiva 2000/60/KE;
  - b. f'identifikazzjoni u valutazzjoni ta' dak li jikkaguna t-tniġġis li jista' jaffettwa l-ilma tajjeb għall-ghawm u jhassar is-saħħa ta' l-ghawwiema;
  - c. f'valutazzjoni tal-potenzjal għall-proliferazzjoni ta' ċjanobatterja;
  - d. f'valutazzjoni tal-potenzjal għall-proliferazzjoni ta' makro-algae u/jew fitoplankton;
  - e. jekk il-valutazzjoni taht l-inċiż (b) tkun turi li jkun hemm riskju ta' tniġġis għal żmien qasir, din l-informazzjoni li ġejja:
    - ix-xorta u l-frekwenza antiċipati u għal kemm żmien ikun ser idum it-tniġġis għal żmien qasir li jkun hemm mistenni,
    - id-dettalji ta' kull kaġun li jifdal ta' tniġġis, inklużi l-miżuri ta' maniġġar meħudin u ż-żmien meħtieġ biex dawn jiġu eliminati,
    - il-miżuri ta' maniġġar li jittiehdu waqt it-tniġġis għal żmien qasir u l-identità u dettalji fejn il-korpi responsabbli għat-teħid ta' azzjoni bħal dik ikunu jistgħu jiġu kuntattjati,
  - f. il-post tal-limitu tal-monitoraġġ.
2. Fil-każ ta' ilma tajjeb għall-ghawm li jkun klassifikat bħala 'tajjeb', 'suffiċjenti' jew 'batut', il-profil ta' ilma tajjeb għall-ghawm għandu jiġi rivedut regolarment sabiex jiġi valutat jekk inbidlux xi aspetti mnizzlin f'paragrafu 1. Jekk ikun neċessarju, dan għandu jiġi aġġornat. Il-frekwenza u l-iskop tar-reviżjonijiet għandu jkun mahsub abbazi tax-xorta u s-severità tat-tniġġis. Madankollu, dawn għandhom mill-inqas ikunu konformi mad-disposizzjonijiet u għandhom isiru mill-inqas fil-frekwenza speċifikata kif ġej.

Klassifikazzjoni ta' l-ilma tajjeb għall-ghawm	'Tajjeb'	'Suffiċjenti'	'Batut'
Reviżjoni għandha mill-inqas issir kull	erba' snin	tliet snin	sentejn
Aspetti li għandhom jiġu riveduti (subparagrafi tal-paragrafu 1)	(a) sa (f)	(a) sa (f)	(a) sa (f)

Fil-każ ta' ilma tajjeb għall-ghawm kif kien qabel klassifikat bħala 'eċċellenti', huwa meħtieġ li l-profil ta' l-ilma tajjeb għall-ghawm għandhom jiġu riveduti u, jekk ikun meħtieġ, jiġu biss aġġornati jekk il-klassifikazzjoni tinbidel għal waħda 'tajba', 'suffiċjenti' jew 'batuta'. Ir-revizjoni għandha tkopri l-aspetti kollha msemmija f'paragrafu 1.

3. Fil-każ ta' xogħol ta' kostruzzjoni sinifikanti jew ta' tibdil sinifikanti fl-infrastruttura fl-ilma tajjeb għall-ghawm jew fil-vicinanza tiegħu, il-profil ta' l-ilma tajjeb għall-ghawm għandu jiġi aġġornat qabel ma jibda l-istaġun ta' l-ghawm li jkun imiss.
4. L-informazzjoni msemmija f'paragrafu 1(a) u (b) għandha tiġi provduta fuq mappa dettaljata kull meta dan ikun prattiku.
5. Informazzjoni rilevanti oħra tista' tiġi annessa jew inkluża jekk is-Suprintendent jaħseb li dan ikun adatt.

*SKEDA IV*

**Monitoraġġ ta' l-ilma tajjeb għall-ghawm**

1. Għandu jittiehed kampjun wiehed f'it qabel ma' jibda kull staġun ta' l-ghawm. Minbarra dan il-kampjun żejjed u skond m'hemm f'paragrafu 2, m'għandhomx f'kull staġun ta' l-ghawm jittiehdu inqas minn erba' kampjuni li mbagħad jiġu analizzati.
2. Madankollu, ikun meħtieġ li jittiehdu biss tliet kampjuni biex jiġu analizzati għal kull staġun ta' l-ghawm fil-każ ta' ilma tajjeb għall-ghawm li :
  - a. jew ikollu staġun ta' l-ghawm li ma jeċċedix tmien gimħat;
  - b. jew ikun jinsab f'reġjun li jkun soġġett għal limitazzjonijiet geografiċi speċjali.
3. Id-dati meta jittiehdu l-kampjuni għandhom jiġu mferrxa matul l-staġun ta' l-ghawm kollu, b'intervall bejn id-dati tal-kampjuni li qatt m'għandu jkun jeċċedi xahar.
4. Fil-każ ta' tniġġis għal żmien qasir, għandu jittiehed kampjun wiehed addizzjonali sabiex jiġi konfermat li ma jkunx hemm aktar tniġġis. Dan il-kampjun m'għandux ikun parti mis-sett ta' *data* dwar il-kwalità ta' ilma tajjeb għall-ghawm. Jekk ikun meħtieġ li kampjun imwarrab jiġi rimpjazzat, għandu jittiehed kampjun addizzjonali sebat ijiem wara tmiem it-tniġġis għal żmien qasir.

**SKEDA V****Regoli fuq il-manigg ta' kampjuni li jittieħdu għal analisi mikrobiologika****1. Post mnejn jittieħed il-kampjun**

Jekk ikun possibbli, il-kampjuni għandhom jittieħdu 30 ċentimetru minn taħt wiċċ l-ilma li mill-inqas ikun metru fond.

**2. Sterilizzazzjoni tal-fliexken li fihom jittieħdu l-kampjuni**

Il-fliexken li fihom jittieħdu l-kampjuni għandhom jiġu:

- sterilizzati awtoklavi għal mill-inqas 15-il minuta f'temperatura ta' 121°C, jew
- sterilizzati fin-nieħef f'temperatura ta' bejn 160°C u 170°C għal mill-inqas siegħa, jew
- irradjati f'kontenituri kampjuni li jinkisbu direttament mingħand il-manifattur.

**3. Tehid ta' kampjuni**

Il-volum tal-fliexkun/kontenitur li jkun fih il-kampjun għandu jkun jiddependi mill-kwantità ta' ilma meħtieġa għal kull parametru li għandu jiġi ttestjat. Il-kontenut minimu ġeneralment hu ta' 250ml.

Il-kontenituri li fihom jittieħdu l-kampjuni għandhom ikunu magħmulin minn materjal trasparenti u mingħajr kulur (ħġieg, *polythene* jew *polypropylene*).

Sabiex tiġi prevenuta kontaminazzjoni aċċidentali tal-kampjun, min jieħu l-kampjun għandu juża teknika aseptika li biha tibqa' tinzamm l-isterilità tal-fliexkien li fihom jitqiegħed il-kampjun. Ma jkun hemm ebda ħtieġa oħra għal tagħmir sterili (bħal ma huma ingwanti kirurġiċi sterili jew anki jew *sample pole*) meta dan isir kif imiss.

**4. Ħzin u ġarr ta' kampjuni qabel ma dawn jiġu analizzati**

Il-kampjuni għandhom jiġu protetti f'kull stadju tal-ġarr tagħhom mmilli jiġu esposti għad-dawl, partikolarment id-dawl dirett tax-xemx.

Il-kampjun għandu jiġi konservat f'temperatura ta' madwar 4°C, f'kaxxa mkessha jew f'refrigeratur (skond il-klima) sakemm dan jasal fil-laboratorju. Jekk il-ġarr lejn il-laboratorju x'aktarx li jieħu aktar minn erba' siegħat, allura jkun meħtieġ li dak il-ġarr isir f'refrigeratur.

Iż-żmien bejn it-teħid tal-kampjun u l-analisi għandu jkun wieħed kemm jista' jkun qasir. Huwa rakkomandat li l-kampjuni jiġu analizzati fl-istess ġurnata tax-xogħol. Jekk dan ma jkunx jista' jsir għal raġunijiet prattiċi, allura l-kampjuni għandhom jiġu

**L.N. 125 of 2008**

**PUBLIC HEALTH ACT  
(CAP. 465)**

**Management of Bathing Water Quality Regulations, 2008**

IN exercise of the powers conferred by article 26(d) of the Public Health Act, the Minister for Social Policy has made the following regulations:-

Citation,  
commencement and  
objective.

**1.** (1) These regulations may be cited as the Management of Bathing Water Quality Regulations, 2008.

(2) These regulations shall come into force on such date as the Minister responsible for Health may by notice in the Gazette appoint and different dates may be so appointed for different provisions and different purposes of these regulations.

(3) The purpose of these regulations is to preserve, protect and improve the quality of the environment and to protect human health by implementing Directive 2000/60/EC of the European Parliament and of the Council and to transpose the provisions of Directive 2006/7/EC of the European Parliament and of the Council.

**2.** (1) These regulations lay down provisions for:

(a) the monitoring and classification of bathing water quality;

(b) the management of bathing water quality; and

(c) the provision of information to the public on bathing water quality.

(2) These regulations shall apply to any element of surface water where the Superintendent expects a large number of people to bathe and where he has not imposed a permanent bathing prohibition, or issued permanent advice against bathing.

(3) These regulations shall not apply to:-

(a) swimming pools and spa pools;

(b) confined waters subject to treatment or used for therapeutic purposes;

(c) artificially created confined water separated from surface water and groundwater.

3. (1) In these regulations, unless the context otherwise requires:- <sup>Definitions.</sup>

“abnormal situation” means an event or combination of events impacting on bathing water at the location concerned and not expected to occur on average more than once every four years;

“authorised officer” includes environmental health officer, or any person engaged by, detailed for duty with, or in any manner whatsoever performing duties for or on behalf of the Superintendent;

“bathing season” means the period during which a large number of bathers can be expected;

“bathing water” means surface water where the Superintendent expects a large number of people to bathe and where he has not imposed a permanent bathing prohibition, or issued permanent advice against bathing;

“bathing water quality assessment” means the process of evaluating bathing water quality, using the assessment method defined in Schedule II hereof;

“cyanobacterial proliferation” means an accumulation of cyanobacteria in the form of a bloom, mat or scum;

“large number” means, in relation to bathers, a number that the Superintendent considers to be large having regard, in particular, to past trends or to any infrastructure or facilities provided, or other measures taken, to promote bathing;

“management measures” means any of the following:

- (a) establishing and maintaining a bathing water profile;
- (b) establishing a monitoring calendar;
- (c) monitoring bathing water;
- (d) assessing bathing water quality;
- (e) classifying bathing water;
- (f) identifying and assessing causes of pollution that might affect bathing waters and impair bathers’ health;
- (g) giving information to the public;

(h) taking action to prevent bathers' exposure to pollution;

(i) taking action to reduce the risk of pollution;

“permanent” means, in relation to bathing prohibition or advice against bathing, lasting for at least one whole bathing season;

“pollution” means the presence of microbiological contamination or other organisms or waste affecting bathing water quality and presenting a risk to bathers' health as referred to in regulations 13 and 14 and Schedule I, column A;

“set of bathing water quality data” means data obtained in accordance with regulation 4;

“short-term pollution” means microbiological contamination as referred to in Schedule I, column A, that has clearly identified causes, is not normally expected to affect bathing water quality for more than approximately 72 hours after the bathing water quality is first affected and for which the Superintendent has established procedures to predict and deal with as set out in regulations 7 and 8 and in Schedule II;

“the Directive” means Directive 2006/7/EC of the European Parliament and of the Council of 15 February, 2006 concerning the management of bathing water quality and repealing Directive 76/160/EEC;

“public concern” has the same meaning as in Council Directive 85/337/EEC of the 27<sup>th</sup> June 1985 on the assessment of the effects of certain public and private projects on the environment;

“the Superintendent” means the Superintendent of Public Health;

“surface water”, “groundwater”, “inland water”, “transitional waters”, “coastal water” and “river basin” have the same meaning as in Directive 2000/60/EC.

(2) For the purposes of these regulations, any reference to Directives of the European Parliament and of the Council, shall be read and construed as if reference is made to the provisions of the regulations transposing the provisions of such directive into Maltese law.

Monitoring.

**4.** (1) The Superintendent shall before the start of the first bathing season after 24<sup>th</sup> March 2008 annually identify all bathing waters and define the length of the bathing season.



(2) The Superintendent shall ensure that monitoring of the parameters set out in Schedule I, column A hereof are in accordance with Schedule IV hereof.

(3) The monitoring points shall be the location within the bathing water where:-

(a) most bathers are expected; or

(b) the greatest risk of pollution is expected, according to the bathing water profiles.

(4) A monitoring calendar for each bathing water shall be established before the start of each bathing season and for the first time before the start of the third full bathing season after entry into force of these regulations. Monitoring shall take place no later than four days after the date specified in the monitoring calendar.

(5) (a) The Superintendent may introduce monitoring of the parameters set out in Schedule I, column A hereof during the first full bathing season following the entry into force of these regulations.

(b) Such monitoring shall take place at least with the frequency specified in Schedule IV hereof and the results may be used to build up the sets of bathing water quality data referred to in regulation 5.

(c) When monitoring in virtue of these regulations commences, monitoring of parameters set out in the Schedule to Quality of Bathing Water Regulations, 2003 shall cease.

L.N. 380 of 2003.

(6) Samples taken during short-term pollution may be disregarded and shall be replaced by samples taken in accordance with Schedule IV hereof.

(7) During abnormal situations, the monitoring calendar referred to above may be suspended and shall be resumed as soon as possible after the end of such situations when new samples shall be taken.

(8) The Superintendent shall report any suspension of the monitoring calendar to the Commission, giving the reasons for the suspension and shall provide such reports on the occasion of the next annual report at the latest.

(9) (a) The Superintendent shall ensure that the analysis of bathing water quality takes place in accordance with the reference methods specified in Schedule I hereof and the rules set out in Schedule V hereof.

(b) The Superintendent may however permit the use of other methods or rules if they can demonstrate that the results obtained are equivalent to those obtained using the methods specified in the said Schedules I and V.

(c) If the alternative methods or rules referred to in paragraph (b) hereof are used, then the Superintendent shall provide the Commission with all relevant information about the methods or rules used and their equivalence.

Bathing water  
quality assessment.

**5.** (1) The Superintendent shall ensure that sets of bathing water quality data are complied with through the monitoring of the parameters set out in Schedule I, column A hereof.

(2) Bathing water quality assessment shall be carried out:

(a) in relation to each bathing water;

(b) after the end of each bathing season;

(c) on the basis of the set of bathing water quality data compiled in relation to that bathing season and the three preceding bathing seasons; and

(d) in accordance with the procedure set out in Schedule II hereof.

(3) However, the Superintendent may decide to carry out bathing water quality assessments on the basis of the set of bathing water quality data compiled in relation to the preceding three bathing seasons only. If the Superintendent so decides, he shall notify the Commission beforehand. The Superintendent shall also notify the Commission if he subsequently decides to revert to carrying out assessments on the basis of four bathing seasons. The Superintendent may not change the applicable assessment period more than once every five years.

(4) Sets of bathing water data used to carry out bathing water quality assessments shall always comprise at least 16 samples or, 12 samples in the special circumstances referred to in paragraph 2 of Schedule IV hereof.

(5) However, either the requirement of the preceding sub regulation shall be satisfied, or in the case of bathing waters with a bathing season not exceeding eight weeks, the set of bathing water data used to carry out the assessment shall comprise at least eight samples. A bathing water quality assessment may be carried out on the basis of a set of bathing water quality data relating to fewer than four bathing seasons if:-

(a) the bathing water is newly identified;

(b) any changes have occurred that are likely to affect the classification of the bathing water in accordance with regulation 6, in which case the assessment shall be carried out on the basis of a set of bathing water quality data consisting solely of the results for samples collected since the changes occurred; or

(c) the bathing water had already been assessed in accordance with Directive 76/160/EEC, in which case equivalent data gathered under that Directive shall be used and, for this purpose, parameters 2 and 3 of the Annex to Directive 76/160/EEC shall be deemed to be equivalent to parameters 2 and 1 of column A of Schedule I hereof.

(6) The Superintendent may subdivide or group together existing bathing waters in the light of bathing water quality assessments only if these waters:

(a) are contiguous;

(b) received similar assessments for the preceding four years in accordance with paragraphs 2, 3 and 4(c) of Schedule IV hereof; and

(c) have bathing water profiles all of which identify common risk factors or the absence thereof.

**6.** (1) The Superintendent shall classify bathing water, in accordance with the criteria set out in Schedule II of the Directive, as: Classification and quality status of bathing waters.

(a) 'poor';

(b) 'sufficient';

(c) 'good'; or

(d) 'excellent'.

(2) The first classification in virtue of these regulations shall be completed by the end of the 2015 bathing season.

(3) The Superintendent shall ensure that, by the end of 2015 bathing season, all bathing waters are at least 'sufficient' and shall adopt those measures deemed appropriate to increase the quantity of bathing waters classified as 'excellent' or 'good'.

(4) (1) In those cases where bathing waters are temporarily classified as 'poor', the Superintendent shall ensure that the following

conditions taken with effect from the bathing season that follows its classification are satisfied:

(a) adequate management measures, including a bathing prohibition or advice against bathing, with a view to preventing bathers' exposure to pollution;

(b) identification of the causes and reasons for the failure to achieve 'sufficient' quality status;

(c) adequate measures to prevent, reduce or eliminate the causes of pollution; and

(d) alerting the public by a clear and simple warning sign and informing them of the causes of the pollution and measures taken, on the basis of the bathing water profile.

(2) If a bathing water is classified as 'poor' for five consecutive years, a permanent bathing prohibition or permanent advice against bathing shall be introduced.

(3) However, the Superintendent may introduce a permanent bathing prohibition or permanent advice against bathing before the end of five-year period if he considers that the achievement of 'sufficient' quality would not be feasible or would be disproportionately expensive.'

Temporary closure  
of bathing areas.

7. The Superintendent shall temporarily close a particular bathing area or part thereof when:

(a) inspections by an authorised officer reveals that there is a discharge or probable discharge of substances likely to deteriorate the quality of the bathing water:

Provided that the Superintendent shall after the discharge is eliminated, collect samples for analysis of any parameter he deems fit;

(b) additional sampling results reveal that there is deterioration in the water quality;

(c) samples analysed for Intestinal enterococci counts result in more than 500 cfu/100 ml and the result is confirmed by repeat sample;

(d) samples analysed for Escherichia coli counts result in more than 1000 cfu/100 ml and is confirmed by repeat sample.

**8.** The Superintendent shall withdraw the temporarily closure of a particular bathing area or part thereof when: Withdrawal of temporary closure.

(a) at least three consecutive sample results collected daily indicate that Intestinal enterococci counts are less than 500 cfu/100 ml, and/or the Escherichia coli counts are less than 1000 cfu/100 ml;

(b) when the Superintendent determines that the water quality is within the acceptable level:

Provided that the Superintendent shall inform the public of any such withdrawal.

**9.** (1) The Superintendent shall put up and maintain warning notices at those bathing areas temporarily closed and shall additionally inform the public of any such areas by any means whatsoever: Temporary closure signs.

Provided that in the case of a private beach lying in the vicinity of an area temporarily closed by the Superintendent, it shall be the responsibility of the person in charge of such beach to affix warning notices and inform his patrons that bathing is not recommended.

(2) For the purpose of this regulation, "private beach" shall include any beach concession.

**10.** No person shall remove, alter, temper or otherwise damage in any way, any warning notice put up by the Superintendent. Warning notices.

**11.** (1) (a) The Superintendent shall ensure that bathing water profiles are established in accordance with Schedule III hereof. Bathing water profiles.

(b) Each bathing water profile may cover a single bathing water or more than one contiguous bathing waters.

(c) Bathing water profiles shall be established for the first time by 24<sup>th</sup> March 2011.

(2) Bathing water profiles shall be reviewed and updated as provided for in Schedule III hereof.

**12.** The Superintendent shall ensure that timely and adequate management measures are taken when unexpected situations that have, or could reasonably be expected to have, an adverse impact on bathing water quality and on bathers' health, occur. Such measures shall include information to the public and, if necessary, a temporary bathing prohibition as referred to in the previous regulations. Management measures in exceptional circumstances.

Cyanobacterial risks.

**13.** (1) When the bathing water profile indicates a potential for cyanobacterial proliferation, appropriate monitoring shall be carried out to enable timely identification of health risks.

(2) When cyanobacterial proliferation occurs and health risk has been identified or presumed, adequate management measures including information to the public shall be taken immediately to prevent exposure.

Other parameters.

**14.** (1) When the bathing water profile indicates a tendency for proliferation of macro-algae and, or marine phytoplankton, investigations shall be undertaken to determine the presence of any health risks and adequate management measures shall be implemented.

(2) Bathing waters shall be inspected visually for pollution and when such pollution is found, adequate management measures shall be taken, including, if necessary, information to the public.

Other parameters.

**15.** The Superintendent shall whilst encouraging public participation in the implementation of these regulations take due account of any information obtained.

Information to the public.

**16.** (1) The following shall be actively disseminated and promptly made available during the bathing season in an easily accessible place in the near vicinity of each bathing water:-

(a) the current bathing water classification and any bathing prohibition or advice against bathing referred to in this regulation by means of a clear and simple sign or symbol;

(b) a general description of the bathing water, in non-technical language, based on the bathing water profile established in accordance with Schedule III hereof;

(c) in the case of bathing waters subject to short-term pollution:-

(i) notification that the bathing water is subject to short-term pollution;

(ii) an indication of the number of days on which bathing is prohibited or advised against during the preceding bathing season because of such pollution; and

(iii) a warning whenever such pollution is predicted or present;

(d) information on the nature and expected duration of abnormal situations during such events;

(e) whenever bathing is prohibited or advised against, a notice advising the public and giving reasons;

(f) whenever a permanent bathing prohibition or permanent advice against bathing is introduced, the fact that the area concerned is no longer a bathing water and reasons for its declassification; and

(g) an indication of sources of more complete information in accordance with the following sub-regulation.

(2) The following shall be actively disseminated by the media in several languages when appropriate:-

(a) a list of bathing waters available yearly before the start of the bathing season;

(b) the classification of each bathing water over the last three years and its bathing water profile, including the results of monitoring carried out in accordance with these regulations since the last classification;

(c) in the case of bathing waters classified as being 'poor', information on the causes of pollution and measures taken with a view to preventing bathers' exposure to pollution and to tackle its causes as referred to in regulation 6(4); and

(d) (i) in the case of bathing waters subject to short-term pollution, general information on the conditions likely to lead to short-term pollution, the likelihood of such pollution and its likely duration and the causes of the pollution and measures taken with a view to preventing bathers' exposure to pollution and to tackle its causes.

(ii) The aforementioned information shall be available each year before the start of the bathing season and the results of monitoring shall be made available on the internet upon completion of the analysis and with effect from the start of the fifth bathing season after 24<sup>th</sup> March 2008.

**17.** (1) The Superintendent shall appoint a Committee, to be known as the Bathing Water Quality Management Committee, which shall be made up of stakeholders so identified by the Superintendent to form part of this Committee.

Bathing Water  
Quality  
Management  
Committee.

(2) This Committee shall be chaired by the Superintendent or his appointed representative.

(3) The main functions of this Committee shall be to foresee the requirements of the directive for the implementation of bathing water quality management as required by the Directive.

Responsibility of third parties.

**18.** (1) No person shall collect, transport or otherwise make use of seawater for any type of recreational facilities, when such water derives from any site in respect of which bathing is not recommended by the Superintendent.

(2) When any person, company or entity due to its actions is found to be discharging any foul water, sewage or any other material and, or any substance within a bathing area which may have an impact on the bathing water quality, shall be found guilty of an offence under these regulations and the court, besides awarding punishment, shall order the accused to pay the due fees for any costs suffered by the Superintendent and to order any person, company or entity to rectify any damage caused at its own expense.

(3) (a) In those cases where any person, company or entity fails to carryout the works ordered by court and the Superintendent deems a serious risk to bathers, then the Superintendent may order that the said works be carried out at the expense of such person, company or entity.

(b) The aforementioned expenses shall be deemed a civil debt.

Bathing of animals.

**19.** (1) No animals may be taken into the sea at any time within those areas indicated by the Superintendent as being bathing areas under the provisions of these regulations.

(2) Domestic pets such as dogs are not to be taken on sandy beaches at any time, however these may be taken on rocky beaches and the owner of such pets should not cause any nuisance to other bathers and to clean any fouling made by their pets.

Revokes L.N. 31 of 1960.

**20.** The Bathing of Animals Regulations, 1960 are hereby being revoked.



**SCHEDULE I****For inland waters**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>Parameter</b>	<b>Excellent quality</b>	<b>Good quality</b>	<b>Sufficient</b>	<b>Reference methods of analysis</b>
1	Intestinal enterococci (cfu/100 ml)	200 (*)	400 (*)	330 (**)	ISO 7899-1 or ISO 7899-2
2	Escherichia coli (cfu/100 ml)	500 (*)	1,000 (*)	900 (**)	ISO 9308-3 or ISO 9308-1
(*) Based upon a 95-percentile evaluation. See Schedule II. (**) Based upon a 90-percentile evaluation. See Schedule II.					

**For coastal waters and transitional waters**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>Parameter</b>	<b>Excellent quality</b>	<b>Good quality</b>	<b>Sufficient</b>	<b>Reference methods of analysis</b>
1	Intestinal enterococci (cfu/100 ml)	100 (*)	200 (*)	185 (**)	ISO 7899-1 or ISO 7899-2
2	Escherichia coli (cfu/100 ml)	250 (*)	500 (*)	500 (**)	ISO 9308-3 or ISO 9308-1
(*) Based upon a 95-percentile evaluation. See Schedule II. (**) Based upon a 90-percentile evaluation. See Schedule II.					

## ***SCHEDULE II***

### **Bathing water assessment and classification**

#### **1. Poor quality**

Bathing waters are to be classified as 'poor' if, in the set of bathing water quality data for the last assessment period <sup>(a)</sup>, the percentile values <sup>(b)</sup> for microbiological enumerations are worse <sup>(c)</sup> than the 'sufficient' values set out in Schedule I, column D.

#### **2. Sufficient quality**

Bathing waters are to be classified as 'sufficient':

1. if, in the set of bathing water quality data for the last assessment period, the percentile values for microbiological enumerations are equal to or better <sup>(d)</sup> than the 'sufficient' values set out in Schedule I, column D; and
2. if the bathing water is subject to short-term pollution, on condition that:
  - (i) adequate management measures are to being taken, including surveillance, early warning systems and monitoring, with a view to preventing bathers' exposure by means of a warning or, where necessary, a bathing prohibition;
  - (ii) adequate management measures are being taken to prevent, reduce or eliminate the causes of pollution; and
  - (iii) the number of samples disregarded in accordance with regulation 4(6) because of short-term pollution during the last period represented no more than 15% of the total number of samples provided for in the monitoring calendars established for that period, or no more than one sample per bathing season, whichever is the greater.

#### **3. Good quality**

Bathing waters are to be classified as 'good':

1. if, in the set of bathing water quality data for the last assessment period, the percentile values for microbiological enumerations are equal to or better <sup>(d)</sup> than the 'good quality' values set in Schedule I, column C; and
2. if the bathing water is subject to short-term pollution, on condition that:
  - (i) adequate management measures are being taken, including surveillance, early warning systems and monitoring, with a view to preventing bathers' exposure, by means of a warning or, where necessary, a bathing prohibition;

- (ii) adequate management measures are being taken to prevent, reduce or eliminate the causes of pollution; and
- (iii) the number of samples disregarded in accordance with regulation 4(6) because of short-term pollution during the last period represented no more than 15% of the total number of samples provided for in the monitoring calendars established for that period, or no more than one sample per bathing season, whichever is the greater.

#### 4. Excellent quality

Bathing waters are to be classified as 'excellent':

1. if, in the set of bathing water quality data for the last assessment period, the percentile values for microbiological enumerations are equal to or better than the 'excellent quality' values set out in Schedule I, column B: and
2. if the bathing water is subject to short-term pollution, on condition that:
  - (i) adequate management measures are being taken, including surveillance, early warning systems and monitoring, with a view to preventing bathers' exposure, by means of a warning or, where necessary, a bathing prohibition;
  - (ii) adequate management measures are being taken to prevent, reduce or eliminate the causes of pollution; and
  - (iii) the number of samples disregarded in accordance with regulation 4(6) because of short-term pollution during the last period represented no more than 15% of the total number of samples provided for in the monitoring calendars established for that period, or no more than one sample per bathing season, whichever is the greater.

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#### NOTES

- (<sup>a</sup>) 'Last assessment period' means the last four bathing seasons or, when applicable, the period specified in Regulation 5(2) or (4).
- (<sup>b</sup>) Based upon percentile evaluation of the  $\log_{10}$  normal probability density function of microbiological data acquired from the particular bathing water, the percentile value is derived as follows:
  - (i) Take the  $\log_{10}$  value of all bacterial enumerations in the data sequence to be evaluated. (if a zero value is obtained, take the  $\log_{10}$  value of the minimum detection limit of the analytical method used instead.)
  - (ii) Calculate the arithmetic mean of the  $\log_{10}$  value ( $\mu$ ).
  - (iii) Calculate the standard deviation of the  $\log_{10}$  values ( $\sigma$ ).

The upper 90-percentile point of the data probability density function is derived from the following equation:

$$\text{upper 90-percentile} = \text{antilog} (\mu + 1,282\sigma).$$

The upper 95-percentile point of the data probability density function is derived from the following equation:

upper 95-percentile =  $\text{antilog}(\mu + 1,65\sigma)$ .

- (<sup>c</sup>) 'Worse' means with higher concentration values expressed in cfu/100 ml.
- (<sup>d</sup>) 'Better' means with lower concentration values expressed in cfu/100 ml.

**SCHEDULE III****The bathing water profile**

1. The bathing water profile referred to in Regulation 7 is to consist of:
  - a. a description of the physical, geographical and hydrological characteristics of the bathing water, and of other surface waters in the catchment area of the bathing water concerned, that could be a source of pollution, which are relevant to the purpose of these regulations and as provided for in Directive 2000/60/EC;
  - b. an identification and assessment of causes of pollution that might affect bathing waters and impair bathers' health;
  - c. an assessment of the potential for proliferation of cyanobacteria;
  - d. an assessment of the potential for proliferation of macro-algae and/or phytoplankton;
  - e. if the assessment under point (b) shows that there is a risk of short-term pollution, the following information:
    - the anticipated nature, frequency and duration of expected short-term pollution,
    - details of any remaining causes of pollution, including management measures taken and the time schedule for their elimination,
    - management measures taken during short-term pollution and the identity and contact details of bodies responsible for taking such action,
  - f. the location of the monitoring point.
  
2. In the case of bathing waters classified as 'good', 'sufficient' or 'poor', the bathing water profile is to be reviewed regularly to assess whether any of the aspects listed in paragraph 1 have changed. If necessary, it is to be updated. The frequency and scope of reviews is to be determined on the basis of the nature and severity of the pollution. However, they are to comply with at least the provisions and to take place at least at the frequency specified in the following table.

Bathing water classification	'Good'	'Sufficient'	'Poor'
Review are to take place at least every	four years	three years	two years
Aspects to be reviewed (points of paragraph 1)	(a) to (f)	(a) to (f)	(a) to (f)

In the case of bathing waters previously classified as 'excellent', the bathing water profiles need to be reviewed and, if necessary, updated only if the classification

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changes to 'good', 'sufficient' or 'poor'. The review is to cover all aspects mentioned in paragraph 1.

3. In the event of significant construction works or significant changes in the infrastructure in or in the vicinity of the bathing water, the bathing water profile is to be updated before the start of the next bathing season.
4. The information referred to in paragraph 1(a) and (b) is to be provided on a detailed map whenever practicable.
5. Other relevant information may be attached or included if the Superintendent considers it appropriate.

***SCHEDULE IV*****Bathing water monitoring**

1. One sample is to be taken shortly before the start of each bathing season. Taking account of this extra sample and subject to paragraph 2, no fewer than four samples are to be taken and analysed per bathing season.
2. However, only three samples need to be taken and analysed per bathing season in the case of a bathing water that:
  - a. either has a bathing season not exceeding eight weeks;
  - b. or is situated in a region subject to special geographical constraints.
3. Sampling dates are to be distributed throughout the bathing season, with the interval between sampling dates never exceeding one month.
4. In the event of short-term pollution, one additional sample is to be taken to confirm that the incident has ended. This sample is not to be part of the set of bathing water quality data. If necessary to replace a disregarded sample, an additional sample is to be taken seven days after the end of the short-term pollution.

## *SCHEDULE V*

### **Rules on the handling of samples for microbiological analyses**

#### **1. Sampling point**

Where possible, samples are to be taken 30 centimetres below the water's surface and in water that is at least one metre deep.

#### **2. Sterilisation of sample bottles**

Sample bottles are:

- to undergo sterilisation in an autoclave for at least 15 minutes at 121°C, or
- to undergo dry sterilisation at between 160°C and 170°C for at least one hour, or
- to be irradiated in sample containers obtained directly from manufacturer.

#### **3. Sampling**

The volume of the sampling bottle/container is to depend on the quantity of water needed for each parameter to be tested. The minimum content is generally 250ml.

Sample containers are to be of transparent and non-coloured material (glass, polythene or polypropylene).

In order to prevent accidental contamination of the sample, the sampler is to employ an aseptic technique to maintain the sterility of the sample bottles. There is no further need for sterile equipment (such as sterile surgical gloves or tongs or sample pole) if this is done properly.

#### **4. Storage and transport of samples before analysis**

Water samples are to be protected at all stages of transport from exposure to light, in particular direct sunlight.

The sample is to be conserved at a temperature of around 4°C, in a cool box or refrigerator (depending on climate) until arrival at the laboratory. If the transport to the laboratory is likely to take more than four hours, then transport in a refrigerator is required.

The time between sampling and analysis is to be kept as short as possible. It is recommended that samples be analysed on the same working day. If this is not possible for practical reasons, then the samples shall be processed within no more than 24 hours. In the meantime they shall be stored in the dark and at a temperature of 4°C ± 3°C.