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**A.L. 262 tal-2010**

**ATT DWAR IS-SERVIZZI VETERINARJI  
(KAP. 437)**

**Regolamenti tal-2010 dwar Tnissil tal-Annimali tal-Ispeċi tal-  
Majjali (*Standards Żootekniċi*)**

BIS-SAHHA tas-setgħat mogħtija bl-artikolu 34(b) tal-Att dwar is- Servizzi Veterinarji, il-Ministru għar-Riżorsi u Affarijiet Rurali għamel dawn ir-regoli li ġejjin:-

**1.** It-titolu ta' dawn ir-regolamenti huwa r-Regolamenti tal-2010 dwar Tnissil tal-Annimali tal-Ispeċi tal-Majjali (*Standards Żootekniċi*).

Titolu u skop  
u bidu fis-seħh.

(2) L-iskop ta' dawn ir-regolamenti hu li jimplementaw id-disposizzjonijiet li jinsabu fid-Direttiva tal-Kunsill tal-Unjoni Ewropea 88/661/KEE dwar *standards* żootekniċi applikabbli għal annimali tat-tnissil tal-ispeċi tal-majjali.

**2.** (1) Kemm-il darba ma jġigix stabbilit xort'oħra f'dawn ir-regolamenti, t-tifsiriet fl-Att għandhom jibqgħu japplikaw.

Tifsir.

(2) Għall-fini ta' dawn ir-regolamenti u kemm-il darba r-rabta tal-kliem ma tkunx teħtiegħ xort'oħra:

“l-Att” tfisser l-Att dwar is-Servizzi Veterinarji;

“l-Awtorita` kompetenti” tfisser l-Awtorita` dwar is-Servizzi Veterinarji f'Malta kif imwaqqfa bl-Att;

“il-Komunita`” tfisser il-Komunita` Ewropea kif imwaqqfa bit-Trattat li jistabbilixxi l-Komunita` Ewropea;

“ktieb tal-merħla” tfisser kull ktieb, inkartament jew mezz ta' data:

(a) li jkun miżmum jew minn assoċjazzjoni ta' min ikun qiegħed irabbi uffiċjalment approvata minn Malta jew fi Stat Membru li fih dik l-assoċjazzjoni tkun stabbilita jew minn servizz uffiċjali ta' Malta jew tal-iStat Membru in kwistjoni;

(b) li jkun miżmum jew minn assoċjazzjoni għat-trobbija f' Malta iżda li tkun uffiċjalment approvata mill-Istati Membri li fih dik l-organizzazzjoni tkun giet stabbilita;

(c) li fih majjali ta' razza pura għat-tnissil li huma ta' razza speċifika ikunu mdaħħla jew reġistrati b'referenza għall-antenati tagħhom;

“kummerċ” tfisser kummerċ bejn Stati Membri jew bejn pajjiż terz u Stat Membru f'annimali u l-prodotti tagħom, negozju jew impjieg biex isir profitt jew qliegħ, b'mod partikolari f'bejgħ bl-ingrossa jew bejgħ bl-immnut u tinkludi ftehim f'xi attivita` ta' negozju partikolari;

“majjal ta' razza mħallta għat-tnissil” tfisser kull annimal tal-ispeċi tal-majjali li jsegwi l-kriterji li ġejjin:

(a) ikun prodott minn razez xjentement imħallta:

(i) bejn majjali tar-razza pura għat-tnissil ta' razez jew nisel differenti;

(ii) bejn annimali li huma stess ikunu l-frott ta' taħlit bejn razez jew nisel differenti;

(iii) jew bejn annimali tar-razza pura u annimali li jkunu jappartjenu għal xi waħda jew oħra mill-kategoriji hawn qabel; u

(b) għandu jiġi mdaħħal f'reġistru;

“majjal ta' razza pura għat-tnissil” tfisser kull annimal tal-ispeċi tal-majjali, li l-ġenituri u n-nanniet tiegħu jkunu mdaħħla jew reġistrati fi ktieb tal-merħla ta' l-istess razza u li huwa stess ikun imdaħħal jew reġistrat u eligibbli għad-dħul f'dak il-ktieb tal-merħla;

“pajjiż terz” tfisser pajjiż li ma jkunx stat membru tal-Unjoni Ewropea;

“ir-Registru” tfisser kull ktieb, inkartament jew mezz ta’ data:

(a) li jkun miżmum jew minn assoċjazzjoni ta’ min ikun qiegħed irabbi, organizzazzjoni għat-trobbija jew intrapriża privata li tkun uffiċjalment approvata minn Malta jew minn Stat Membru li fih dik l-assoċjazzjoni, organizzazzjoni jew intrapriża tkun giet stabbilita, jew minn servizz uffiċjali ta’ Malta jew tal-iStat Membru inkwistjoni; u

(b) li fih ikunu majjali ta’ razza mħallta ikunu ġew imdaħħla b’referenza għall-antenati tagħhom;

“Stat Membru” tfisser stat li jkun membru fl-Unjoni Ewropea.

**3.** F’Malta, dan li ġej m’għandux ikun projbit, ristrett jew miżmum għal raġunijiet zooteknici:

Kummerċ ma’ Stati Membri ta’ majjali ta’ razza pura għat-tnissil u stabbiliment ta’ kotba tal-merħla.

(a) kummerċ ma’ Stati Membri f’majjali ta’ razza pura għat-tnissil jew fis-semen, l-ova u l-embrijuni tagħhom;

(b) l-istabbiliment ta’ kotba tal-merħla, kemm-il darba dawn ikunu skond il-kundizzjonijiet stabbiliti skond ir-regolament 8 ta’ dawn ir-regolamenti;

(ċ) l-approvazzjoni uffiċjali ta’ assoċjazzjonijiet ta’ min ikun qiegħed irabbi jew organizzazzjonijiet għat-trobbija kif imsemmi fit-tifsira “ktieb tal-merħla” fis-subregolament (2) tar-regolament 2 ta’ dawn ir-regolamenti, li jstabilixxu jew iżommu kotba tal-merħla skond ir-regolament 8 ta’ dawn ir-regolamenti.

**4.** Id-disposizzjonijiet għall-approvazzjoni ta’ majjali ta’ razza pura għat-tnissil għat-trobbija għandhom ikunu adottati skond il-ħtigiet tal-Komunità Ewropea u skond kull proċedura stabbilita skond l-artikolu 34(b) ta’ l-Att.

Approvazzjoni ta’ majjali ta’ razza pura għat-tnissil għat-trobbija.

**5.** L-Awtorità kompetenti għandha tfassal u żżomm aġġornat lista ta’ korpi kif imsemmi fir-regolament 3 (ċ) ta’ dawn ir-regolamenti u tara li tagħmel dan disponibbli għall-Istati Membri l-oħra u għall-pubbliku. Regoli dettaljati għall-applikazzjoni uniformi ta’ dan ir-regolament jistgħu jiġu adottati skond il-proċedura msemmija fis-subregolament (1) tar-regolament 12 ta’ dawn ir-regolamenti.

Zamma ta’ lista ta’ assoċjazzjonijiet jew organizzazzjonijiet ta’ min ikun qiegħed irabbi.

Dhul fil-kotba tal-merħla ta' majjali ta' razza pura għat-tnissil minn Stati Membri.

**6.** (1) L-assoċjazzjonijiet ta' min ikun qiegħed irabbi u, jew organizzazzjonijiet għat-trobbija kif msemmi fit-tifsira "ktieb tal-merħla" fir-subregolament 2 tar-regolament 2 ta' dawn ir-regolamenti li jkunu uffiċjalment approvati minn Malta jew mis-servizz uffiċjali ta' Malta, ma jistgħux jopponu d-dhul fil-kotba tal-merħla tagħhom ta' majjali ta' razza pura għat-tnissil minn Stati Membri, kemm-il darba huma jkunu konformi mal-htigiet stabbiliti skond ir-regolament 8 ta' dawn ir-regolamenti.

(2) Malta tista' tkun teħtieġ jew tippermetti li ċerti majjali ta' razza pura għat-tnissil li jkunu mibgħuta minn Stat Membru u li jkollhom karatteristiċi speċifiċi li jkunu jidentifikawhom mill-popolazzjoni ta' l-istess razza f'Malta biex jiġu mdaħħla f'sezzjoni separata tal-ktieb tal-merħla għar-razza li jkunu jappartjenu għaliha.

Certifikati li jkunu jakkumpanjaw majjali ta' razza pura għat-tnissil fil-ħin tal-bejgħ tagħhom.

**7.** Majjali ta' razza pura għat-tnissil u s-semen, l-ova u l-embrijuni ta' dawk l-animali għandu jkollhom magħhom, fil-ħin tal-bejgħ tagħhom, ċertifikati li jkunu mfassla skond ir-regolament 8 ta' dan ir-regolament.

Metodi u kriterji skond il-proċedura fl-Att.

**8.** (1) Dan li ġej għandu jiġi stabbilit skond il-htigiet tal-Komunità Ewropea u skond kull proċedura stabbilita skond l-artikolu 34(b) ta' l-Att:

(a) metodi għat-twettiq ta' monitoraġġ u verifkar tal-valur ġenetiku ta' majjali ta' razza pura għat-tnissil;

(b) il-kriterji li jirregolaw l-istabbiliment ta' kotba tal-merħla;

(ċ) il-kriterji li jirregolaw id-dhul fil-kotba tal-merħla;

(d) il-kriterji għall-approvazzjoni u sorveljanza ta' assoċjazzjonijiet ta' min ikun qiegħed irabbi u, jew organizzazzjonijiet għat-trobbija kif imsemmi fit-tifsira "ktieb tal-merħla" fir-subregolament (2) tar-regolament 2 ta' dawn ir-regolamenti li jistabbilixxu jew iżommu kotba tal-merħla; u

(e) iċ-ċertifikat imsemmi fir-regolament 7 ta' dawn ir-regolamenti.

(2) Pendenti d-dhul fis-seħħ id-disposizzjonijiet stabbiliti fis-subregolament (1) ta' dan ir-regolament, il-monitoraġġ imsemmi fil-paragrafu (a), imwettaq uffiċjalment f'kull Stat

Membru u fil-kotba tal-merħla għandu jkun rikonoxxut minn Malta.

(3) L-Awtorita` kompetenti għandha tfassal u żzomm aġġornat lista ta' korpi kif imsemmi fir-regolament 3 (ċ) ta' dawn ir-regolamenti u tara li tagħmel dan disponibbli għall-Istati Membri l-oħra u għall-pubbliku. Regoli dettaljati għall-applikazzjoni uniformi ta' dan ir-regolament jistgħu jiġu adottati skond il-proċedura msemmija fis-subregolament (1) tar-regolament 12 ta' dawn ir-regolamenti.

**9.** F'Malta, dan li ġej m'għandux ikun projbit, ristrett jew miżmum għal raġunijiet zootečniċi:

Kummerċ ma' Stati Membri f'majjali ta' razza mħallta għat-tnissil u stabbiliment ta' registri.

(a) kummerċ ma' Stati Membri f'majjali ta' razza mħallta għat-tnissil jew is-semen, l-ova u l-embrijuni ta' daww l-annimali;

(b) l-istabbiliment ta' registri, kemm-il darba huma jkunu konformi mal-kundizzjonijiet stabbiliti skond ir-regolament 12 ta' dawn ir-regolamenti;

(ċ) l-approvazzjoni uffiċjali ta' assoċjazzjonijiet ta' min ikun qiegħed irabbi u, jew organizzazzjonijiet għat-trobbija u, jew intrapriži privati kif imsemmi fit-tifsira "ir-Registru" fis-subregolament (2) tar-regolament 2 tar-regolamenti prinċipali li jstabbilixxu jew iżommu registri skond ir-regolament 12 ta' dawn ir-regolamenti.

**10.** Id-disposizzjonijiet għall-approvazzjoni ta' majjali ta' razza mħallta għat-tnissil għandhom ikunu adottati skond il-ħtiġiet tal-Komunità Ewropea u skond kull proċedura stabbilita skond l-artikolu 34(b) ta' l-Att.

Adozzjoni ta' dispozizzjonijiet ta' majjali ta' razza mħallta għat-tnissil.

**11.** Majjali ta' razza mħallta għat-tnissil u s-semen, l-ova u l-embrijuni ta' daww l-annimali għandu jkollhom magħhom fil-ħin tal-bejgħ tagħhom ċertifikati mfassla skond il-ħtiġiet tal-Komunità Ewropea u skond kull proċedura stabbilita skond l-artikolu 34(b) ta' l-Att.

Ċertifikati li jkunu jakkumpanjaw majjali ta' razza pura għat-tnissil fil-ħin tal-bejgħ tagħhom.

**12.** (1) Dan li ġej għandu jiġi stabbilit skond il-ħtiġiet tal-Komunità Ewropea u skond kull proċedura stabbilita skond l-artikolu 34(b) ta' l-Att:

Proċedura skond l-Att.

(a) metodi għat-twettiq ta' monitoraġġ u verifikar tal-valur ġenetiku ta' majjali ta' razza mħallta għat-tnissil;

(b) il-kriterji li jirregolaw l-istabbiliment ta' reġistri;

(ċ) il-kriterji li jirregolaw id-dhul fir-reġistri;

(d) il-kriterji għall-approvazzjoni u monitoraġġ ta' assoċjazzjonijiet ta' min ikun qiegħed irabbi u, jew organizzazzjonijiet għat-trobbija kif imsemmi fit-tifsira "ir-Reġistru" fir-subregolament (2) tar-regolament 2 ta' dawn ir-regolamenti li jistabbilixxu jew iżommu reġistri; u

(e) iċ-ċertifikat imsemmi fir-regolament 11 ta' dawn ir-regolamenti.

(2) Pendenti d-dhul fis-seħħ tad-disposizzjonijiet stabbiliti fis-subregolament (1) ta' dan ir-regolament, il-monitoraġġ imsemmi fil-paragrafu (a), imwettaq uffiċjalment f'kull Stat Membru u fir-reġistri għandu jkun rikonoxxut minn Malta.

Ordnijiet li  
jistgħu jingħataw  
mill-Qorti.

**13.** Il-Qorti tista' wkoll tordna kull persuna li tkun haġja għat-twettiq ta' reat taħt dawn ir-regolamenti, biex tħallas l-ispejjeż li jkunu ntnefqu mill-Awtorita` kompetenti bħala riżultat ta' l-imsemmi reat, ir-revoka tal-permess li jkun inħareġ taħt dawn ir-regolamenti u l-konfiskazzjoni, iż-żamma u tneħħija tal-*corpus delicti* skond l-artikolu 61 tal-Att.

Jirrevoka  
A.L. 287 tal-2003.

**14.** Ir-Regolamenti tal-2003 dwar Standards Żootekniċi Applikabbli għal Annimali tat-Tnissil tal-Ispeċi tal-Majjali, qegħdin b'dawn jiġu revokati.

**L.N. 262 of 2010**

**MALTA VETERINARY SERVICES ACT  
(CAP. 437)**

**Breeding Animals of the Porcine Species (Zootechnical  
Standards) Regulations, 2010**

IN EXERCISE of the powers conferred by article 34(b) of the Veterinary Services Act, the Minister for Resources and Rural Affairs has made the following regulations:-

**1.** (1) The title of these regulations is the Breeding Animals of the Porcine Species (Zootechnical Standards) Regulations, 2010. Title, scope and commencement.

(2) The scope of these regulations is to implement the provisions found under European Union Council Directive 88/661/EEC on the zootechnical standards applicable to breeding animals of the porcine species.

(1) Unless otherwise stated in these regulations, the definitions in the Act shall continue to apply.

**2.** For the purpose of these regulations and unless the context otherwise requires: Definitions.

“the Act” means the Veterinary Services Act;

“the Community” means the European Community as established under the Treaty establishing the European Community;

“the Competent Authority” means the Veterinary Services Authority of Malta as established by the Act;

“herd-book” means any book, file or data medium:

(i) which is maintained either by a breeders’ association officially approved by Malta or a Member State in which that association is established or by an official service of Malta or Member State in question;

(ii) which is maintained by a breeding organisation in Malta, however officially approved by the Member State in which that organisation is established; and

(iii) in which pure-bred breeding pigs of a specified breed are entered or registered with reference to their ancestors;

“hybrid breeding pig” means any animal of the porcine species which fulfils the following criteria:

(a) it is produced by deliberate crossbreeding –

(i) between pure-bred breeding pigs of different breeds or lines;

(ii) between animals which are themselves the outcome of a cross between different breeds or lines; or

(iii) between pure-bred animals and animals belonging to one or other of the above categories; and

(b) it must be entered in a register;

“Member State” means a state which is a member of the European Union;

“pure-bred breeding pig” means any animal of the porcine species, the parents and grandparents of which are entered or registered in a herd-book of the same breed and which is itself entered or registered and eligible for entry in such a herd-book;



“the Register” means any book, file or data medium –

(i) which is maintained either by a breeders’ association, a breeding organisation or a private undertaking officially approved by Malta or a Member State in which that association, organisation or undertaking is established, or by an official service of Malta or Member State in question; and

(ii) in which hybrid breeding pigs are entered with reference to their ancestors;

“third country” means a country which is not a member state of the European Union;

“trade” means trade between Member States or between a third country and a Member State in animals and their products, a business or occupation to make profit or gain, particularly in wholesale or retail sales and includes dealings in a particular business activity.

**3.** In Malta, the following shall not be prohibited, restricted or impeded on zootechnical grounds:

Trade with Member States of pure-bred breeding pigs and establishment of herd books.

(a) trade with Member States in pure-bred breeding pigs or in their semen, ova and embryos;

(b) the establishment of herd-books, provided that they meet the conditions laid down pursuant to regulation 8 of these regulations; and

(c) the official approval of breeders’ associations or breeding organisations as referred to in the definition “herd-book” in regulation 2(2) hereof, which establish or maintain herd-books in accordance with regulation 8 of these regulations.

**4.** Provisions for the approval of pure-bred breeding pigs for breeding shall be adopted in accordance with the requirements of the European Community and according to any procedures laid down in accordance with article 34(b) of the Act.

Approval of pure-bred breeding pigs for breeding.

**5.** The competent Authority shall draw up and keep up to date a list of bodies as referred to in regulation 3(c) of these regulations, and make it available to the other Member States

Keeping of list of breeders’ associations or organisations.

and to the public. Detailed rules for the uniform application of this regulation may be adopted in accordance with the procedure referred to in regulation 12(1) of these regulations.

Entry in herdbooks of pure-bred breeding pigs from Member States.

**6.** (1) Breeders' associations and, or breeding organisations as referred to in the definition "herd-book" in regulation 2(2) of these regulations which are officially approved by Malta or the official service of Malta may not oppose the entry in their herdbooks of pure-bred breeding pigs from Member States, provided that they satisfy the requirements laid down in accordance with regulation 8 of these regulations.

(2) Malta may require or allow certain pure-bred breeding pigs dispatched from a Member State and having specific characteristics identifying them from the population of the same breed in Malta to be entered in a separate section of the herd-book for the breed to which they belong.

Certificates accompanying pure-bred pigs at the time of marketing.

**7.** Pure-bred breeding pigs and the semen, ova and embryos of such animals shall be accompanied at the time of their marketing by certificates drawn up in accordance with regulation 8 of these regulations.

Methods and criteria in accordance with the procedure in the Act.

**8.** (1) The following shall be determined in accordance with requirements of the European Community and in accordance with any procedures laid down in accordance with article 34(b) the Act:

(a) methods for monitoring performance and assessing the genetic value of pure-bred breeding pigs;

(b) the criteria governing the establishment of herdbooks;

(c) the criteria governing entry in herdbooks;

(d) the criteria for approval and supervision of breeders' associations and, or breeding organisations as referred to in the definition "herd-book" in regulation 2(2) of these regulations which establish or maintain herdbooks; and

(e) the certificate mentioned in regulation 7 hereof.

(2) Pending entry into force of the provisions provided

for in sub-regulation (1) hereof, the monitoring referred to in paragraph (a) officially carried out in each Member State and the herd-books shall be recognised in Malta.

(3) The competent Authority shall draw up and keep up to date a list of bodies as referred to in regulation 3(c) of these regulations, and make it available to the other Member States and to the public. Detailed rules for the uniform application of this regulation may be adopted in accordance with the procedure referred to in regulation 12(1) of these regulations.

**9.** In Malta, the following shall not be prohibited, restricted or impeded on zootechnical grounds:

Trade with Member States in hybrid breeding pigs and establishment of registers.

(a) trade with Member States in hybrid breeding pigs or the semen, ova and embryos of such animals;

(b) the establishment of registers, provided that they meet the conditions laid down pursuant to regulation 12 of these regulations; and

(c) the official approval of breeders' associations and, or breeding organisations and, or private undertakings as referred to in the definition "the Register" in regulation 2(2) of these regulations which establish or maintain registers in accordance with regulation 12 of these regulations.

**10.** Provisions for the approval of hybrid breeding pigs for breeding shall be adopted in accordance with the requirements of the European Community and according to any procedures laid down in accordance with article 34(b) of the Act.

Adoption of provisions of hybrid breeding pigs.

**11.** Hybrid breeding pigs and the semen, ova and embryos of such animals shall be accompanied at the time of their marketing by certificates drawn up in accordance with requirements of the European Community and in accordance with any procedures laid down in accordance with article 34(b) of the Act.

Certificates accompanying hybrid breeding pigs at the time of marketing.

**12.** (1) The following shall be determined in accordance with requirements of European Community and in accordance with any procedures laid down in accordance with article 34(b) of the Act:

Procedure in terms of the Act.

(a) methods for monitoring performance and assessing the genetic value of hybrid breeding pigs;

- (b) the criteria governing the establishment of registers;
- (c) the criteria governing entry in registers;
- (d) the criteria governing the approval and monitoring of breeders' associations and breeding organisations or private undertakings as referred to in the definition "the Register" in regulation 2(2) of these regulations, establishing or maintaining registers; and
- (e) the certificate mentioned in regulation 11 of these regulations.

(2) Pending entry into force of the provisions provided for in sub-regulation (1) hereof, the monitoring referred to in paragraph (a), officially carried out in each Member State and the registers shall be recognised in Malta.

Orders  
which may  
be given  
by the Court.

**13.** The Court may order any person who is found guilty of committing an offence under these regulations, to pay for the expenses incurred by the Competent Authority as a result of the said offence, the revocation of the permit issued under these regulations and the confiscation, retention and disposal of the *corpus delicti* in terms of article 61 of the Act.

Revokes  
L.N. 287 of 2003.

**14.** The Zootechnical Standards for Breeding Animals of the Porcine Species Regulations, 2003 are hereby being revoked.

