

**A.L. 261 tal-2010****ATT DWAR IS-SERVIZZI VETERINARJI  
(KAP. 437)****Regolamenti tal-2010 dwar Nagħaġ u Mogħoż tar-Razza Pura  
għat-Tgħammir**

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

**1.** (1) It-titolu ta' dawn ir-regolamenti hu **Regolamenti tal-2010** dwar Nagħaġ u Mogħoż tar-Razza Pura għat-Tgħammir. Titolu u skop, u bidu fis-sehh.

(2) L-iskop ta' dawn ir-regolamenti hu li jimplimentaw id-disposizzjonijiet li jinsabu taħt id-Direttiva tal-Kunsill ta' l-Unjoni Ewropea 89/361/KEE dwar nagħaġ u mogħoż tar-razza pura għat-tgħammir. Dawn ir-regolamenti jkopru problemi żootekniċi li jistgħu jitfaċċaw fil-kummerċ ma' Stati Membri f'nagħaġ u mogħoż tar-razza pura għat-tgħammir u s-semen, l-ova u l-embrijuni tagħhom. A.L. 291 tal-2003.

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

(2) Għal fini ta' dawn ir-regolamenti u kemm-il darba r-rabta tal-kliem ma tkunx teħtieġ 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 jstabbilixxi l-Komunita` Ewropea;

“ktieb tal-merħla” tfisser kull ktieb, registru 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 fih nagħaġ ta' razza pura għat-tnissil jew mogħoż ta' razza speċifika ikunu mdaħħla jew ikunu registrati 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 impjeg biex isir profitt jew qlieġ, b'mod partikolari f'bejgħ bl-ingrossa jew bejgħ bl-immut u tinkludi ftehim f'xi attivita` ta' negozju partikolari;

“nagħaġ u mogħoż ta' razza pura għat-tnissil” tfisser kull nagħga jew mogħza, li l-ġenituri u n-nanniet tagħhom ikunu mdaħħla jew registrati fi ktieb tal-merħla ta' l-istess razza u li huma stess ikunu mdaħħla jew registrati u eliġibbli għad-dħul;

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

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

Kummerċ ma' Stati Membri f'nagħaġ u mogħoż ta' razza pura għat-tghammir.

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

(a) kummerċ ma' Stati Membri f'nagħaġ u mogħoż ta' razza pura għat-tnissil u s-semen, l-ova u l-embrijuni tagħhom;

(b) l-approvazzjoni uffiċjali ta' organizzazzjonijiet ta' min ikun qiegħed irabbi jew assoċjazzjonijiet għat-trobbija skond ir-regolament 4 ta' dawn ir-regolamenti.

Metodi u kriterji skond il-proċedura fl-Att.

**4.** Skond il-htigiet tal-Komunità Ewropea u l-proċedura stabbilita fl-artikolu 34(c) tal-Att, dan li ġej għandu jigi stabbilit -

(a) il-kriterji għall-approvazzjoni ta' organizzazzjonijiet u assoċjazzjonijiet ta' min ikun qiegħed irabbi li jzommu u jstabbilixxu kotba tal-merħla;

(b) il-kriterji li jirregolaw id-dhul jew registrazzjoni fil-kotba tal-merħla;

(ċ) metodi għat-twettiq ta' monitoraġġ u verifikar tal-valur ġenetiku ta' nagħaġ u mogħoż ta' razza pura għat-tnissil; u

(d) il-kriterji għall-approvazzjoni ta' xi animal għat-tgħammir għall-fini ta' użu tas-semen, l-ova jew l-embrijo tiegħu.

**5.** L-Awtorita` kompetenti għandha tfassal u żżomm aġġornat lista ta' korpi kif imsemmi fir-regolament 3(b) ta' dawn ir-regolamenti, li jkunu uffiċjalment approvati għall-fini ta' żamma jew stabbiliment ta' kotba tal-merħla u li jkunu konformi mal-kriterji stabbiliti skond ir-regolament 4(a) 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 fir-regolament 6 ta' dawn ir-regolamenti.

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

**6.** Nagħaġ u mogħoż ta' razza pura għat-tnissil u s-semen, l-ova u l-embrijuni ta' dawk l-annimali għandhom ikunu akkumpanjati, fil-hin tal-bejgħ tagħhom, minn ċertifikat żootekniku li jkunu mfassla skond il-mudell stabbilit skond il-ħtiġiet tal-Komunita` Ewropea u kull proċedura stabbilita skond l-artikolu 34(ċ) tal-Att.

Ċertifikati li jkunu jakkumpanjaw nagħaġ u mogħoż ta' razza pura għat-tgħammir fil-hin tal-bejgħ tagħhom.

**7.** (1) Kull persuna li tonqos milli tkun konformi ma' dawn ir-regolamenti tkun ħatja ta' reat skond l-Att u l-applikazzjoni ta' piena amministrattiva skond l-artikolu 61 tal-Att għandha tapplika għall-persuna li tkun ħatja.

Reati u pieni.

(2) Kull dritt mogħti lill-Awtorita` kompetenti taħt dawn ir-regolamenti biex tapplika dawk il-miżuri kollha neċessarji skond l-artikolu 61 tal-Att, għandu jkun mogħti lill-Awtorita` mingħajr preġudizzju għal proċeduri kriminali oħrajn li jistgħu jittieħdu taħt l-Att jew kull liġi oħra meta persuna twettaq xi reat billi tonqos milli tkun konformi ma' dawn ir-regolamenti.

**8.** Ir-Regolamenti tal-2003 dwar Nagħaġ u Mogħoż għat-Tgħammir tar-Razza Pura qegħdin b'dawn jiġu revokati.

Jirrevoka A.L. 291 tal-2003.

L.N. 261 of 2010

**MALTA VETERINARY SERVICES ACT  
(CAP. 437)****Pure-Bred Breeding Sheep and Goats Regulations, 2010**

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

Title, scope and commencement.

**1.** The title of these regulations is the Pure-Bred Breeding Sheep and Goats Regulations, 2010.

(2) The scope of these regulations is to implement the provisions found under European Union Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats. These regulations cover zootechnical problems which may arise in trade with Member States in pure-bred breeding sheep and goats and the semen, ova and embryos thereof.

Definitions.

**2.** (1) Unless it is stated otherwise 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:

“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;

“flock book” means any book, register, file or data medium –

(a) which is maintained by a breeders’ organisation or association officially approved by Malta or a Member State in which such breeders’ organisation or association is established, or by an official agency in Malta or Member State in question; and

(b) in which pure-bred breeding sheep or goats of a given breed are entered or registered with reference to their ancestors;

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

“pure-bred breeding sheep and goat” means any sheep or goat the parents and grandparents of which are entered or registered in a flock book of the same breed and which are themselves entered or registered and eligible for entry;

“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 in pure-bred breeding sheep and goats.

(a) trade with Member States in pure-bred breeding sheep and goats and the semen, ova and embryos thereof; and

(b) the official approval of breeders’ organisations or associations which maintain or establish flock books in accordance with regulation 4 hereof.

**4.** In accordance with the requirements of the European Community and the procedure laid down in article 34(c) of the Act, the following shall be determined -

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

(a) the criteria for the approval of breeders’ organisations and associations which maintain or establish flock books;

(b) the criteria for entry or registration in flock books;

(c) methods for monitoring performance and assessing the genetic value of pure-bred breeding sheep and goats; and

(d) the criteria for the approval of a breeding animal for the purpose of using its semen, ova or embryos.

Keeping of  
list of breeders'  
organisations  
and associations.

**5.** The competent Authority shall draw up and keep up to date a list of bodies as referred to in regulation 3(b) of these regulations, which are officially approved for the purpose of maintaining or establishing flock books and which meet the criteria determined in accordance with regulation 4(a) 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 6 of these regulations.

Certificate  
accompanying  
pure-bred breeding  
sheep and goats at  
the time of marketing.

**6.** Pure-bred breeding sheep and goats and the semen, ova and embryos of such animals shall be accompanied at the time of their marketing by a zootechnical certificate drawn up in accordance with the specimen established under European Community requirements and any procedures laid down in accordance with article 34(c) of the Act.

Offences and  
penalties.

**7.** (1) Any person who fails to abide by these regulations shall be guilty of an offence in terms of the Act and the application of an administrative penalty in terms of article 61 of the Act shall apply to the offender.

(2) Any right given to the competent Authority under these regulations to apply all such necessary measures in terms of article 61, shall be given to the Authority without prejudice to other criminal procedures which may be taken under the Act or any other law when a person commits an offence by failing to abide by these regulations.

Revokes  
L.N. 291 of 2003.

**8.** The Pure-Bred Breeding Sheep and Goats Regulations, 2003 are hereby being revoked.

