

MALTA

ATT Nru. v TA'1-1991

ACT No. V of 1991

ATT mahrug b'ligi mill-Parlament ta'Malta

AN ACT enacted by the Parliament of MALTA

ATT biex ihares l-Ambjent

AN ACT to protect the Environment.

I assent.

CENSU TABONE
President

26th February, 1991

ACT No. V of 1991

AN ACT to protect the Environment

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

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| 1. | This Act may be cited as the Environment Protection Act, 1991. | Short title |
| 2. | It shall be the duty of the Government for and on behalf for the present and future generations, to: | Duties of the Government |

- (a) take all those measures, both preventive and remedial, that may be necessary for the protection of the environment of Malta;
- (b) collaborate with other governments and entities for the protection of the world environment;
- (c) take into account the need to protect the environment when deciding on economic or social matters;
- (d) disseminate in Malta knowledge about the environment; about pollution or threats of pollution; and facilitate the help of all persons in the protection of the environment;
- (e) endeavour to apply scientific and technical knowledge and resources when deciding upon matters that affect the environment;
- (f) endeavour that food and drink, the land, the sea and the air be free of contamination from any toxic substances or from the use of any unnecessary energy or from noise;
- (g) safeguard the biological diversity of all species;
- (h) safeguard the common heritage of mankind;

3. (a) The duties mentioned in the preceding section shall be deemed to be imposed on all Ministers, provided that where in this or any particular law specific duties are charged on a Minister, such duties shall be deemed to be imposed on the named Minister, and where no particular Minister is mentioned, such charge and duty shall be deemed to be imposed on the Minister responsible for the Environment.

Ministerial
duties and
duties of the
citizen.

(b) There shall be an Official responsible for the protection of the environment and the Minister shall delegate to this official all duties and powers which the Minister may deem suitable.

(c) It shall be the duty of every person not to cause damage to the environment and to concur with the Government in all those measures, both preventive and remedial, which the Government may take to protect the environment for the present and future generations.

PART ONE

Monitoring and Information

Directives and Codes of Practice concerning the quality of the Environment

4. It shall be the duty of the Minister to:

Duties of the Minister.

- (a) establish or coordinate where extant, systems of control of the quality of the environment;
- (b) collect, process, compare and publish on a periodic basis data provided by institutions or other useful source;
- (c) order research to be conducted and studies to be made relating to the nature, transportation, dispersion and effects of environmental pollution, as well as methods for its control, reduction or abatement, as well as ensure that assistance and information is given in this regard;
- (d) study the environmental impact of development projects of an industrial or any other nature;
- (e) study and monitor changes and disturbances of eco-systems;
- (f) order research and study on the preservation of the cultural or historical heritage.

5. The Minister shall, in order to perform his duties, seek the collaboration of other governments and other national and foreign entities, and shall assist those voluntary associations which augment the awareness of the necessity of protecting the environment.

Collaboration in this field.

6. The Minister, may, by regulations:

- (a) formulate objectives which lay down, in qualitative and quantitative terms, the goals to be achieved in the effort to control the quality of the environment;
- (b) give directives with regard to particular uses of the environment;
- (c) give environmental quality guidelines concerning the maximum or minimum permissible as quantity or concentration, in the discharge and application of substances, during works, undertakings or activities, also of an industrial or agricultural nature;
- (d) establish codes of practice which determine procedures, methods and limits of discharge, applicable to works or activities, with regard both to the time of actual execution as well as to the time after the completion of the works or activity.

These objectives, directives and Codes of Practice should relate to:

- (1) the natural and cultural or historical environment;
- (2) the recycling, re-utilization, treatment, storage and disposal of materials;
- (3) all human activities which affect the environment;
- (4) the conservation of natural resources and sustainable development.

7. (1) The Minister responsible for Health may by regulations, in addition to powers under other laws, formulate objectives, directives and Codes of Practice in all areas of activity which concern human health.

(2) The Minister responsible for Ports and Maritime Affairs, may by regulations, in addition to powers under other laws, formulate objectives, directives and Codes of Practice in all matters concerning Ports and Maritime Affairs

Objectives,
directives and
Codes of
Practice.

Rights and
duties of the
Minister
responsible for
Health and of
the Minister
responsible for
Ports and
Maritime
Affairs.

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| 8. | <p>(1) The Minister responsible for Public Works may by regulations, in addition to other powers under other laws, formulate objectives, directives or Codes of Practice, in all matters concerning the execution works of a mechanical, electrical, or civil engineering nature.</p> <p>(2) The Minister responsible for Agriculture and Fisheries may by regulations, in addition to other powers under other laws, formulate objectives, directives or codes of practice, in all matters pertaining to agriculture and fisheries.</p> | <p>Rights and duties of the Minister responsible for Public Works and of the Minister responsible for Agriculture and Fisheries.</p> |
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PART TWO

Toxic Substances

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| 9. | Those substances which are directly harmful to life or human health or indirectly through causing harm to the environment shall be deemed to be toxic substances. | Toxic substances |
| 10. | The Minister may publish in the Gazette a list of toxic substances and may make regulations concerning the use and possession of these substances. | List of toxic substances. |
| 11. | Any person who considers that he should object to the inclusion or non-inclusion of any substance in the list of toxic substances may enter a notice of objection in writing to the Minister within one month from the publication in the Gazette of the list mentioned in the preceding section. | Notice of objection. |
| 12. | Every notice of objection shall be referred by the Minister to the Authority of Review established under section 44 of this Act within one month. | Authority of Review. |
| 13. | The Minister may publish a list of substances which in his discretion he deems to be potentially toxic, and may make regulations concerning their use after the lapse of three months from the date when that particular substance has been listed as potentially toxic. The provisions of sections 11 and 12 of this Act shall, <i>mutatis mutandis</i> , also apply to the list of substances published in accordance with this section, provided that the time limit for the notice of objection shall run from the publication of the list. | List of potentially toxic substances. |

14. For the purpose of determining whether a substance is actually toxic or whether there is a possibility of its becoming toxic, as well as to be able to establish the methods of control, the Minister may require from any person any information and other elements of ascertainment which the Minister may indicate in writing. Provided that whosoever may have been called upon to supply information or other elements of ascertainment, may, in supplying this information or other elements, signify that this is being done in confidence and the Minister shall not divulge such information or elements of ascertainment in any way:

Right to information.

Provided that the conclusions of a scientific nature and regulations published by the Minister on the basis of these ascertainments shall not be deemed to be in breach of this confidentiality.

15. Whosoever deems that he may assist the Minister in deciding upon the toxic nature of any substance, may, on his own initiative, apply to the Minister for the reference of any information or elements of ascertainment to the Authority of Review appointed under section 44 of this Act.

Application to ascertain.

16. (1) The Minister may in the case of toxic substances and, after the lapse of the period of time mentioned in section 13 of this Act, in the case of potentially toxic substances, make regulations to:

Power to make regulations.

- (a) prohibit the importation into these islands of these substances;
- (b) impose conditions on the importation, carriage or storage of these substances;
- (c) specify the precise manner in which these substances or their residues may be destroyed or disposed of.

(2) The Minister may also demand the giving of any guarantee in connection with the importation, use, carriage, storage, destruction or disposal of these substances or their residues.

17. When the Minister declares a substance as toxic according to section 10 of this Act or a substance as potentially toxic according to section 13 of this Act; he may act in this manner even in the absence of absolute scientific proof by adopting the precautionary criterion.

Fuels

18. No person shall produce, import, transport, keep in possession, offer for sale or sell any fuel that:

Prohibition

- (a) contains an element, component or additive in a concentration or quantity that exceeds the level indicated in regulations issued by the Minister;
- (b) has certain physical qualities prescribed by these regulations.

19. The Minister may by regulations:

Contents of regulations under previous section.

- (a) fix maximum and minimum quantities, components or additives in a fuel so as to ensure that the air is not polluted or that such pollution is lessened;
- (b) determine which physical properties in a fuel should be prohibited so as to ensure that atmospheric pollution is not increased;
- (c) require any person who produces, imports, keeps in possession, transports, offers for sale or sells a fuel, to (i) maintain registers which indicate what is done with the fuel, (ii) furnish samples when required by the Minister; (iii) furnish all useful information with regard to the production, importation, transport, possession, offer for sale or sale of the fuel.

20. Whosoever is of the opinion that a level indicated by regulations or any physical quality of a fuel, prescribed or not prescribed, either is not harmful or that harm that is being caused is not adequately protected by the regulations, may within three months of the publication thereof give notice of objection thereto the Minister who shall refer this objection within one month to the Authority of Review appointed under section 44 of this Act.

Notice of objection.

Harmful even if not toxic Substances

21. The Minister may by notice in the Gazette, indicate that a particular substance, when used in a particular way, may be harmful to the environment, even if not toxic or potentially toxic, and may also, after the lapse of three months from publication of the notice which indicates the substance and harm, make regulations to regulate the mode of use and possession of the same substance or impose the prohibition of a particular mode of its use and possession, in order to lessen the harm or eliminate it completely.

Powers of the Minister concerning certain substances.

22. Whosoever deems it proper that he should submit arguments of proof to show that the notice of the Minister indicating that a substance used in a particular mode may be harmful is not scientifically correct or deems it proper to object to any regulation made in accordance with section 21, may submit a notice of objection in writing to the Minister within one month from the publication of the notice or of the regulations, as the case may be, and the Minister shall within one month refer the objection to the Authority of Review appointed under section 44 of this Act.

Notice of objection.

PART THREE

Noise and Energy Control

23. (1) The Minister may, by regulations, indicate permitted levels of noise by decibel in respect of particular activities and also, in the case of certain activities, methods for the protection of the environment from excessive noise.

Powers of the Minister with regard to noise.

(2) The Minister may, by regulations, determine procedures for the production, control and use of energy that is not produced through the use of any fuel.

24. (1) Whosoever considers that any regulations made under section 23 of this Act should be otherwise, may submit a notice of objection to the Minister for their revision or revocation by a notice of contestation in writing and made within one month from the publication of those regulations.

Notice of objection.

(2) The Minister shall within one month from receipt of a notice of contestation refer that notice to the Authority of Review established under section 44 of this Act.

PART FOUR

Discharges into the Sea

25. (1) No person shall discharge into the sea any substance of whatsoever nature, whether from the land, from the air or from a ship or platform or other craft, and no person shall load any substance for discharge into the sea, on a ship, airplane or other craft without a written permit from the Minister.

Prohibition of discharges into the sea.

This general prohibition does not apply to:

- (a) such discharges as are normal and necessary for the operation of the ship, platform, airplane or other craft;
- (b) such discharges as are incidental to the exploration, exploitation or processing of underwater resources;
- (c) such discharges as become necessary to save human life or for the safety of the same ship, platform, aircraft or other anthropogenic structure;

Provided that such discharges shall only be made if not prohibited by, and in accordance with, the provisions of any international treaty instrument of a global or regional nature, to which Malta is a party, as well as national legislation enacted to ensure the adequate implementation of such treaties;

Provided further that the person responsible for the ship, platform, aircraft or other craft, which has made such discharge into the sea, shall as soon as possible give notice of such fact to the Minister and indicate, as far as possible, the place of discharge.

(2) In this section and in sections 26 and 29 of this Act, the word "Minister" means the Minister responsible for Ports and Maritime Affairs, so however that the Minister responsible for the Environment shall concomitantly have the same powers entrusted on the Minister responsible for Ports and Maritime Affairs, which powers shall be exercised where they have not been exercised by the latter.

26. The prohibition as provided in section 25 of this Act shall be deemed to be imposed for all seas and not solely for the Maltese territorial waters, and the permit that may be given by any authority of other countries signatories of any international convention or any protocol relating to it regarding the prevention of marine pollution, the dumping of wastes, and other matter, shall be deemed to be equivalent to the permit given by the Minister under section 25 and the following sections of this Act:

Permits from
Foreign
Authorities.

Provided that in the case of Maltese territorial waters, only the permit granted by the Minister shall be deemed granted under section 25 of this Act.

27. The Minister may grant a permission to discharge into the sea any substance, provided he is satisfied that:

Permission by Minister.

- (a) the substance is rapidly rendered harmless by the physical, chemical or biological process of the sea, and that it does not render normally edible marine organisms in edible or impalatable or endanger human or animal health;
- (b) the substance does not contain another substance in a quantity or concentration that exceeds the quantity or concentration determined by or under the regulations;
- (c) the discharge or disposal of a certain quantity of that substance is necessary to avert an emergency that poses an unacceptable risk relating to human health and admits of no other feasible solution; or
- (d) the substance is to be transformed by incineration or other means so that the substance that results from such transformation is a substance in respect of which there does not seem to be any threat of danger to the marine environment.

28. In granting any permit as provided in the last preceding section, the Minister may:

The Minister may impose modalities.

(1) impose such conditions and terms as he considers necessary in the interest of human life, marine life or any legitimate use of the sea or to satisfy commitments imposed upon him under international conventions, and without limiting the generality of these provisions, may contain terms and conditions relating to such of the following as are applicable:-

- (a) the nature and quantity of the substance that may be loaded, dumped or disposed of;
- (b) the method and frequency of dumping or disposal authorised;
- (c) the manner of loading and stowing the substance authorised to be dumped or disposed of;
- (d) the site at which dumping or disposal may take place;
- (e) the route to be followed by the ship or aircraft transporting the substance to the site of the dumping or disposal;

- (f) any special precautions to be taken in respect of the loading, transporting, dumping or disposal of the substance;
- (g) the dates or particular period of the year for which the permit is valid.

(2) indicate under which circumstances he reserves the right to revoke the permit forthwith.

29. (1) Whosoever feels that a permit has been refused or revoked, or that the terms and conditions imposed are not reasonable, or that a permit has been granted when it should not have been granted or should have been granted under different terms and conditions, or that a permit should be withdrawn, may, within one week of the date when the permit was granted or refused or an application for revocation or amendment was refused, submit to the Minister a notice of contestation in writing for its revision or revocation.

Notice of
Contestation.

(2) The Minister shall, within one week of the receipt of a notice of contestation, refer the same to the Authority of Review set up under section 44 of this Act.

PART FIVE

Disposal and Dumping on Land

30. The Minister may, by regulations, indicate places and methods for disposing on land of certain substances, and may also grant special permits under particular conditions for the disposal and dumping on land of certain substances.

Powers of the
Minister.

31. Whosoever deems that the regulations issued in terms of the preceding section cause hardship to him and that they are not justified, and whosoever deems that a request for a special permit for the disposal of a particular substance has been unjustly refused, and whosoever deems that these regulations or some special permit do not adequately protect the health of human beings or the environment, may lodge a notice of objection with the Minister within one month from the issue of these regulations or within one week from the refusal of a special permit or the knowledge of such grant, and the Minister shall within a month from the notification of the objection to the regulations or within a week from the notification of the objection to the refusal or grant of a special permit refer this notice of objection to the Authority of Review appointed under section 44 of this Act.

Notice of
objection.

PART SIX

Protection to the Flora and Fauna

32. The Minister may, so that species of the Flora and Fauna be safeguarded, issue regulations declaring a particular species of Flora or Fauna a protected species and may also declare a specified area of these Islands or the territorial waters a Nature Reserve. Powers of the Minister.
33. (1) The Minister may, after the declaration that a particular species of Flora and Fauna is protected or after that a particular area has been declared a Nature Reserve under the last preceding section, make regulations so far as to render effective this protection. Regulations for the protection of Nature Reserves.
- (2) The Minister may, to safeguard the biological identity of these islands and their waters, make regulations concerning the import and export of flora and fauna.
34. (1) Whosoever deems that a declaration of a particular species of Flora and Fauna as a protected species or of a Nature Reserve is unjustified and whosoever deems that the regulations issued by the Minister in terms of the preceding section cause hardship to him, and whosoever deems that any regulations so issued, do not provide adequate protection to any protected species or Nature Reserve so declared in terms of section 32 of this Act, may, within a month, give notice of objection in writing to the Minister.
- (2) The Minister shall within a month from the notification of this objection submit this notification of objection to the Authority of Review appointed under section 44 of this Act.

PART SEVEN

The Historical Heritage

35. (1) The Minister may declare any building site or archaeological remains of significance as protected due to its historical architectome or artistic importance, or of exceptional beauty, or because of its interest to the study of geology, paleontology or archaeology, and may make regulations to effect this protection as well as for the restoration of building or site. Powers of the Minister.

(2) Within one month from the coming into force of this section, the Minister shall publish in the Gazette a list of buildings, sites and remains so protected, and a revised list including all the sites so protected shall be published in the Gazette every three years.

36. (1) The Minister may make special regulations for the conservation of the character of the towns and villages of Malta, and in particular but not only of Mdina, Valletta, Floriana, Cospicua, Senglea, Vittoriosa and for the Cittadella at Gozo, and may impose particular methods of restoration, maintenance and decoration of buildings within these localities. In the case of lack of conformance with regulations, he may also provide for the restoration, maintenance and decoration by Government at the owner's expense or for the compulsory acquisition by the state for the same purpose.

Other Powers.

(2) The Minister may declare that certain objects of artistic, historical or scientific importance may not be exported from these Islands, and may also make regulations for the protection or the restoration of these objects, as well as for their acquisition by the State.

(3) It shall not be lawful to conduct archaeological excavations on land or within the territorial waters of these Islands, without the written consent of the Minister who may impose special conditions for this purpose.

37. The Minister may grant special permission to exempt a site or object from the application of these regulations, but every exemption must be published in the Gazette.

Exceptions

38. (1) Whosoever deems that any place in these islands should be included or cancelled from the list of protected sites as provided in section 35 of this Act, or that any objects should or should not have been exportable from these islands, or that an exemption has been unjustly given or refused, or that any regulations made by the Minister under this Part of this Act are erroneous or inadequate, may submit a notice of objection to the Minister within one month from the publication of the list, the regulations or the exemption, as the case may be, and in the case of the refusal of an exemption from the receipt of the refusal.

Notice of objection.

(2) The Minister shall within one month of the receipt of this notice of objection refer the notice of objection to the Authority of Review appointed under section 44 of this Act.

PART EIGHT

Environmental Impact Assessments

39. Before any organ of Government grants a permit for the execution of a project which is likely to have an impact on the environment, because of its nature, extent and locality, among other considerations, the Minister shall be informed by the Authority competent to allow the permit, of the application for such permit to realise a project, of all details required for an assessment to be made, and the Minister shall, within three months from the receipt of such information, copy such an assessment to that organ of Government. No government project which will substantially change the environment shall be executed before being submitted to the Minister for an assessment of the environmental impact, and such assessment has been received, but the Minister shall have the duty to see that such an assessment is made in the shortest possible time and not later than three months from the date of submission of the project. Environmental impact.
40. The Environment Impact Assessment shall identify, describe and assess, in every case, the direct and indirect effects on the environment, but especially and separately declared: Contents of assessment.
- (a) on human being, the Fauna and the Flora;
 - (b) on the soil, water, air, climate and landscape;
 - (c) on the economy and the historical heritage;
 - (d) on the social environment.
41. (1) The Minister may exempt a project submitted for the assessment from being subjected to an Environmental Impact Assessment if in his opinion, in any case, the environmental impact would be minimal. Exemption.

(2) But any such exemption as well as every permit granted after the consideration of an Environment Impact Assessment shall be published by notice in the Gazette within one month.

42. Whosoever shall be responsible for the application for a permit to put into execution a project the environmental impact of which is to be assessed, and every head of a government department executing a project with an environmental impact, shall furnish the Minister with all requested information and especially with:

Information to be submitted to the Minister.

- (a) a description of the project, its dimensions, design and proposed site;
- (b) an explanation of the steps taken or about to be taken to diminish harmful effects;
- (c) scientific data which serve as basis for the project;
- (d) a brief explanation of the project which explains the aim thereof.

43. (1) Whosoever deems that an Environmental Impact Assessment has influenced unduly or has been the cause of the refusal of the permit to implement a project or who deems that a permit has been given under the influence of an unjustified Environmental Impact Assessment favourable to the project, may ask for a copy of the assessment under payment, and may within one month send a notice of objection to the Minister, and the Minister shall within one month of the receipt of such notice of objection, refer this objection to the Authority of Review appointed under section 44 of this Act.

Notice of objection.

(2) No organ of Government may grant a permit for the execution of a project falling under the provisions of section 39 until the lapse of one month from the date of publication in the Government Gazette of the notice of exemption or of a favourable Environment Impact Assessment and, in the case of a notice of objection under subsection (1) of this section, until the decision of the Minister under section 46.

PART NINE

Authority of Review

44. (1) The President on the advice of the Prime Minister shall by notice in the Gazette appoint an Authority of Review to hear and determine notices of objection made under any provision of this Act.

Composition of Authority of Review.

(2) The Authority shall be composed of a President and a number of assessors.

(3) The President of the Authority shall be a person who has served in a high public office while the assessors shall be persons who have specialized in one or another of those disciplines which are of relevance in the protection of the natural or historical environment.

(4) A person shall be disqualified from being appointed to serve or from continuing to be a President of the Authority or an assessor as long as he is a member of the House of Representatives.

(5) The President of the Authority and every assessor shall before entering into his office make and subscribe a declaration on oath before the President of the Republic.

(6) Every president of the Authority and every assessor shall remain in office for a period of three years.

(7) The President of the Authority shall select four assessors from amongst those specially competent to hear a particular notice of objection.

(8) The President shall have a casting vote but not an original vote.

45. (1) The Authority shall for the purpose of hearing and determining on a notice of objection convene in a place appointed for it by the Prime Minister and it shall deliver its decision after, if it so deems fit, hearing evidence *viva voce* and after having heard the submission of the Minister and of that person who had entered the notice of objection, as well as that of any other interested person.

Powers and
duties of the
Authority

(2) The Authority may hold its sittings in public or *in camera*, provided however that the hearing of any evidence tendered by a person declaring that he is so doing in a confidential manner, shall always be heard *in camera*.

(3) The Minister may make rules for the better carrying out of this part and without prejudice to the generality of the foregoing, may make rules:

- (a) prescribing the procedure to be adopted by the Authority in the hearing of cases submitted to it and the records to be kept;
- (b) prescribing the manner in which the Authority shall be convened and the times at which meetings are to be held;
- (c) prescribing fees to be paid in respect of cases brought before the Authority.

(4) All decisions of the Authority of Review shall be given openly even when evidence and submissions were given *in camera*.

46. The decision given by the Authority of Review shall not have executive force, but if the Minister shall not act according to a decision of the Authority the burden of proving, in any judicial proceedings against him for the issue of a warrant of prohibitory injunction or for damages, that he had valid reasons not to abide by the decision, shall lie on him, and such decision shall be deemed *prima facie* to have established the correct position.

Effects of the decision of the Authority of Review.

PART TEN

Civil Damages and Punishments in Criminal Law

47. Without prejudice to any action for damages caused through malice, negligence or non-observance of regulations, to Government or private property, there shall lie an action for damages caused to the natural or to the cultural and historical environment, which action can be instituted by the Minister. In any such action when the damages, which shall be payable to the Government, cannot be quantified precisely, the competent Civil Court may liquidate such damages *arbitrio boni viri*.

Civil Damage.

48. The power to make regulations, as provided in this law, shall include that of prescribing punishments for offences indicated as such but punishments restrictive of personal liberty shall be limited by a maximum of two years. Other sanctions, such as the confiscation of the means producing environmental damage, as well as the suspension and revocation of licences and the payment for the performance of particular services may also be prescribed.

Crimes and punishments under the regulations.

49. In order to investigate the commission of crimes or the verification of damages caused, the Official for the Protection of the Environment or his delegates may accede to any place, vehicle, ship, platform, airplane, or other craft, provided that should their right to entry be checked, they shall be bound to show an autorisation for the purpose issued under the signature of the Minister.

Right of
Inspection.

PART ELEVEN

Operation, Repeal, Interpretation

50. This Act shall come into effect on the date established by the Minister by notice published in Gazette, but the Minister may establish different dates for different sections or subsections and the Laws and Regulations set out in the Schedule of this Act shall cease to have effect from the date of the notice published in the Gazette, without prejudice to acts and procedures performed under those laws and regulations, provided that the Minister may appoint separate dates for the revocation of each separate law or regulation appearing in the said Schedule.

Entry into
operation and
repeal of
previous laws
and
regulations.

51. In this law the following words should be so interpreted:

Interpretations.

"additive" means an added substance;

"antiquities" means all those objects dating more than fifty years which have some relevance for the knowledge of history;

"code of practice" means a collection of norms to be adhered to by any person in the execution of a particular kind of work as indicated;

"contaminant" means any substance which harms the qualities of other substances;

"decibel" means a unit of measure with regard to sound;

"discharge" means the introduction or emission of a substance into the air or into the sea;

"dumping" means the definitive throwing away of a substance both when such a substance is mixed and covered, as well as when this is not done;

"ecosystem" means a system of integrating organisms in a natural environment;

"environment" means the whole of the elements and conditions, natural or man-made, existing on earth, and in particular:

- (a) the air, water, and land;
- (b) all the layers of the atmosphere;
- (c) all organic and inorganic matter, and all living organisms;
- (d) all ecosystems;
- (e) the landscape, taken to mean both open country, village and town aspect;
- (f) the cultural and historical element;

"fauna" means all types of animals collectively considered;

"flora" means all types of vegetation collectively considered;

"fuel" means any form of matter which is used to produce energy by combustion or oxydation;

"pollution" means the natural or artificial process resulting from the introduction of any contaminant into the environment;

"substance" means any matter, organic or inorganic, living or not, and

includes any combination of elements of a particular molecular identity, existing in nature or the result of a chemical reaction, as well as the mixture of substances of a different molecular identity.

SCHEDULE

Part 7, Part 8, Part 15 of the Code of Police Laws (Chapter 10)

Section 119 of the Code of Police Laws (Chapter 10)

Section 121(2) (3) of the Code of Police Laws (Chapter 10)

Section 227 of the Code of Police Laws (Chapter 10)

Section 228 of the Code of Police Laws (Chapter 10)

Act XI of 1925 for the Antiquities Act (Chapter 54)

Government Notice 269 of 1933

Government Notice 85 of 1932

Government Notice 206 of 1934

Legal Notice 48 of 1948 (Regulations to amend the Fisheries Regulations).

Legal Notice 19 of 1964 (Regulations to amend the Fisheries Regulations).

Legal Notice 80 of 1978 (Regulations to amend the Fisheries Regulations).

Legal Notice 58 of 1979 (Regulations to amend the Fisheries and Regulations).

Act III of 1966, Pesticides (control of importation, sale and use).

Legal Notice 22 of 1967 (Regulations to control the importation, sale and use of Pesticides 1967)

Legal Notice 81 of 1987 - Coming into Force.

Act XVIII of 1967 - Clean Air Act.

1969 Regulations on Black Smoke (Permitted Periods).

1969 Regulations on Black Smoke (Ships) (Permitted Periods).

Order on the Clean Air Board (Procedures) 1971.

Act XII of 1977 - Marine Pollution (Prevention and Control) Act.

Rules on Birds and Wild Rabbits 1980.

Legal Notice 68 of 1980.

Legal Notice 25 of 1983.

Act VIII of 1968 The Litter Act.

Passed by the House of Representatives at Sitting No. 473 of the 6th February, 1991.

LAWRENCE GONZI
Speaker

P. MUSCAT TERRIBILE
Clerk to the House of Representatives.