

L.N. 188 of 2020

**FISHERIES CONSERVATION AND MANAGEMENT ACT
(CAP. 425)**

Aquaculture Operations (Amendment) Regulations, 2020

IN EXERCISE of the powers conferred by article 38 of the Fisheries Conservation and Management Act, the Minister for Agriculture, Fisheries and Animal Rights, has made the following regulations:-

1. The title of these regulations is the Aquaculture Operations (Amendment) Regulations, 2020 and these regulations shall be read and construed as one with the Aquaculture Operations Regulations, hereinafter referred to as "the principal regulations". Citation.
S.L. 425.12.
 2. Regulations 8 to 11 of the principal regulations shall be renumbered as regulations 9 to 12 respectively. Renumbering of regulations of the principal regulations.
 3. Immediately after regulation 7 of the principal regulations there shall be added the following new regulation: Adds new regulation to the principal regulations.
- "Powers of the Director relating to live fish.
8. (1) Without prejudice to any other power and, or proceeding according to law, the Director may order the release into the sea of any live fish held by or for a maritime aquaculture establishment, and he may do so from wherever such fish is found, when he deems that such fish is being held by someone or for someone in breach of the Act or of these regulations.
 - (2) For the purposes of this regulation, in each and every case, including those in which no offence against the Act or these regulations has been committed, when any legal provision of the European Union is to be given legal effect or be used in Malta which without further enactment, such legal provision shall be deemed to be part of these regulations and if in virtue thereof or for compliance thereto it is necessary for the Director to order a release, then the Director shall order such a release:

Provided that the provisions of this sub-regulation shall also apply in relation to obligations, recommendations or objectives as found in a convention which Malta and, or the European Union have ratified and which Malta is obliged to implement under its jurisdiction in accordance with international law or European Union law."

Transitory
provision.

4. These regulations shall apply in full in relation to live fish which on the date of the coming into force of these regulations are held in breach of regulation 8 of the principal regulations as brought into force by these regulations.
