

L.N. 300 of 2017

**ENVIRONMENT PROTECTION ACT
(Cap. 549)**

**Majjistral Nature and History Park Site (Amendment)
Regulations, 2017**

IN EXERCISE of the powers conferred by article 54 and 55(2) of the Environment Protection Act, the Minister responsible for the Environment, Sustainable Development and Climate Change, after consultation with the Environment and Resources Authority, has made the following regulations:-

1. The title of these regulations is the Majjistral Nature and History Park Site (Amendment) Regulations, 2017 and these regulations shall be read and construed as one with the Majjistral Nature and History Park Site Regulations, hereinafter referred to as the "principal regulations".

Citation.

S.L. 549.83.

2. In regulation 2 of the principal regulations, in the definition "sand" the word "Schedule:" shall be substituted by the words "Schedule 1;".

Amends regulation 2 of the principal regulations.

3. Regulation 3 of the principal regulations, shall be substituted by the following:

Substitutes regulation 3 of the principal regulations.

"Prohibited activities and restrictions in the Park.

3. (1) No person shall:

(a) prior to two hours before sunrise and after twelve thirty in the afternoon (12.30p.m.), hunt or attempt to hunt, in any area of the Park during September, October and November and during spring hunting season, whenever a spring hunting derogation is applied:

Provided that no person shall hunt or attempt to hunt, in any area of the park, prior to two hours before sunrise and after ten o' clock in the morning (10.00a.m) on Wednesdays;

(b) prior to two hours before sunrise and after ten o' clock in the morning (10.00a.m) hunt or attempt to hunt, in any area of the Park during December and January;

(c) prior to two hours before sunrise and after ten o' clock in the morning (10.00a.m) hunt or

attempt to hunt, in any area of the Park on Public holidays between September and January and on Public holidays during spring hunting season, whenever a spring hunting derogation is applied; and

(d) prior to two hours before sunrise and after two thirty in the afternoon (2.30p.m.) during the open season, take or attempt to take any wild bird or wild rabbit, in any area of the Park.

(2) No person shall access or attempt to access the Park:

(a) whilst being in possession of a firearm or any other weapon, whether loaded or not, whether inside its cover or not or whilst being in possession of ammunition or other equipment to hunt or any other means used to facilitate hunting prior to two hours before sunrise and after twelve thirty in the afternoon (12.30p.m.) during September, October and November and during spring hunting season or prior to two hours before sunrise and after ten o'clock (10.00a.m) in the morning during December and January:

Provided that no person shall access or attempt to access the Park whilst being in possession of a firearm or any other weapon, whether loaded or not, whether inside its cover or not or whilst being in possession of ammunition or other equipment to hunt, or any other means used to facilitate hunting, prior to two hours before sunrise and after ten o'clock in the morning (10.00 am) on Wednesdays;

(b) whilst being in possession of a firearm or any other weapon, whether loaded or not, whether inside its cover or not or whilst being in possession of ammunition or other equipment to hunt or any other means used to facilitate hunting prior to two hours before sunrise and after ten o'clock (10.00a.m) in the morning on Public Holidays in between September and January and on Public Holidays during Spring hunting season, whenever a spring hunting derogation is applied; and

(c) whilst being in possession of trapping equipment or any other means used to facilitate the taking of any wild bird or wild rabbit prior to two hours before sunrise and after two thirty in the afternoon (2.30p.m.)

during open season.

(3) Any person hunting within the boundaries of the Park shall unload his firearm or any other weapon and place it inside its cover and shall collect any other equipment used to hunt or any other means used to facilitate hunting and exit the Park by:

(a) twelve thirty in the afternoon (12.30p.m.) during September, October and November and during spring hunting season and from ten o'clock (10.00a.m) in the morning till two hours before sunrise of the following day, during December and January and shall remove from the Park any weapon, ammunition or other equipment to hunt or any other means used to facilitate hunting of any wild bird or wild rabbit, by twelve thirty in the afternoon (12.30p.m.) during September, October and November and during spring hunting season, and from ten o'clock (10.00a.m) in the morning till two hours before sunrise of the following day, during December and January:

Provided that any person hunting within the boundaries of the Park shall unload his firearm or any other weapon and place it inside its cover and shall collect any other equipment used to hunt or any other means used to facilitate hunting and exit the Park, throughout the year, by ten o'clock in the morning (10.00a.m) till to two hours before sunrise on Wednesdays; and

(b) ten o'clock (10.00a.m) in the morning on Public Holidays in between September and January and on Public holidays during spring hunting season whenever a derogation for this season is applied and remove from the Park any weapon, ammunition or other equipment to hunt or any other means used to facilitate hunting of any wild bird or wild rabbit, by ten o'clock (10.00a.m) in the morning on Public Holidays in between September and January and Public Holidays during Spring hunting season whenever a derogation for this season is applied.

(4) Where a person lawfully possesses a building within the boundaries, such person may store in a locked-up compartment within such building any unloaded firearm or other weapon, ammunition, equipment or other means used by him to facilitate hunting of any wild bird or wild rabbit.

(5) Any person practicing taking within the boundaries of the Park shall collect any taking equipment or any other means used to facilitate taking of wild rabbit and exit the Park by two thirty in the afternoon (2.30p.m.) during open season, and, or, in the case of taking of birds in accordance with the provisions of the applicable Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Song Thrush and Golden Plover) Regulations, and, or, Conservation of Wild Birds (Framework for Allowing a Derogation Opening an Autumn Live-Capturing Season for Finches) Regulations shall remove all live decoys and ensure that any clap-nets are disarmed and laid completely flat on the ground by two thirty in the afternoon (2.30p.m.) and at all times during prohibited hours, and dismantled upon closure of the Autumn live-capturing season and removed from the site:

S.L.549.74.

S.L.549.93.

Provided that when the nets are disarmed and laid completely flat on the ground, the person practicing taking of birds shall take requisite measures to ensure that no accidental entanglement of any species occurs when the nets are not active:

Provided further that where a person lawfully possesses a building within the boundaries, such person may store in a locked-up compartment within such building any trapping equipment or other means used by him to facilitate the taking of any wild bird or wild rabbit.

S.L. 549.42
S.L. 549.90

(6) Without prejudice to provisions of the Conservation of Wild Birds Regulations, and the Protection of Wild Rabbit Regulations, no person shall:

(a) be in possession of a firearm or any other weapon for hunting, whether loaded or not, whether inside its cover or not or be in possession of ammunition or other equipment to hunt or any other means used to facilitate hunting of any wild bird or wild rabbit, anywhere in the Park between twelve thirty in the afternoon (12.30p.m.) and two hours before sunrise of the following day during September, October and November and during spring hunting season, and between ten o'clock (10.00a.m) in the morning and two hours before sunrise of the following day during December and January:

Provided that no person shall be in possession of a firearm or any other weapon for hunting, whether loaded or not, whether inside its cover or not or be in

possession of ammunition or other equipment to hunt or any other means used to facilitate hunting of any wild bird or wild rabbit, anywhere in the Park between ten o'clock in the morning (10.00a.m) till to two hours before sunrise of the following day on Wednesdays;

(b) be in possession of a firearm or any other weapon for hunting, whether loaded or not, whether inside its cover or not or be in possession of ammunition or other equipment to hunt or any other means used to facilitate hunting of any wild bird or wild rabbit, anywhere in the Park between ten o'clock (10.00a.m) in the morning and two hours before sunrise of the following day on Public Holidays in between September and January and on Public Holidays during Spring hunting season whenever a derogation for this season is applied;

(c) be in possession of trapping equipment or any other means used to facilitate taking of any wild bird or wild rabbit, anywhere in the Park between two thirty in the afternoon (2.30p.m.) and two hours before sunrise of the following day during open season;

(d) be in possession or control of a hunted wild bird or a wild rabbit, whether dead or alive, whether whole or in part anywhere in the Park between twelve thirty in the afternoon (12.30p.m.) and two hours before sunrise of the following day during September, October and November and during spring hunting season and between ten o'clock (10.00a.m) in the morning and two hours before sunrise of the following day during December and January:

Provided further that no person shall be in possession or control of a hunted wild bird or a wild rabbit, whether dead or alive, whether whole or in part anywhere in the Park between ten o'clock in the morning (10.00a.m) till to two hours before sunrise of the following day on Wednesdays; and

(e) be in possession or control of a hunted wild bird or a wild rabbit, whether dead or alive, whether whole or in part anywhere in the Park between ten o'clock (10.00a.m) in the morning and two hours before sunrise of the following day on Public Holidays in between September and January and on public holidays during spring hunting season. whenever a derogation for this season is applied.

S.L. 549.42

(7) Without prejudice to the provisions of the Conservation of Wild Birds Regulations no person in any part of the park shall be in possession or control of live wild birds used as decoys for taking, anywhere in the open field within the Park between two thirty in the afternoon (2.30p.m.) and two hours before sunrise of the following day during any open season for taking of birds whenever any live-capturing derogation is applied.

(8) No person shall leave inside the park any fire-arm or other weapon used for hunting, whether loaded or not, whether inside its cover or not or leave any ammunition or other equipment to hunt or any other means used to facilitate hunting of any wild bird or wild rabbit, anywhere in the Park, between:

(a) twelve thirty in the afternoon (12.30p.m.) and two hours before sunrise of the following day during September, October and November and during spring hunting season and between ten o'clock (10.00a.m) in the morning and two hours before sunrise of the following day during December and January:

Provided that no person shall leave inside the park any fire-arm or other weapon used for hunting, whether loaded or not, whether inside its cover or not or leave any ammunition or other equipment to hunt or any other means used to facilitate hunting of any wild bird or wild rabbit, anywhere in the Park, between ten o'clock in the morning (10.00a.m) till to two hours before sunrise on Wednesdays;

(b) ten o'clock (10.00a.m) in the morning and two hours before sunrise of the following day on Public Holidays in between September and January and on Public Holidays during spring hunting season whenever a derogation for this season is applied; and

(c) where a person lawfully possesses a building within the boundaries, such person may store in a locked-up compartment within such building any unloaded firearm or other weapon, ammunition, equipment or other means used by him to facilitate hunting of any wild bird or wild rabbit.

(9) Without prejudice to the provisions of any other law, and unless in possession of a valid permit or authorization issued under the direction of the Park Manager, as applicable,

no person shall within the boundaries of the Park:

(a) park, place or drive a vehicle outside designated areas as indicated from time to time by the Board, except for:

(i) the parking or driving of agricultural vehicles on existing cultivated land as reasonably required for the purpose of continued cultivation; or

(ii) the maintenance of infrastructural services and, or public works in line with the approved plans for the management of the Park, and on condition that the works and any ancillary parking, placing or driving are strictly confined to the site approved for the works; or

(iii) law enforcement and keeping of good order:

Provided that in all cases, the person shall still be liable for any direct, indirect or consequential damage to the Park;

(b) camp outside designated areas as indicated from time to time by the Board;

(c) kindle or attempt to kindle a fire for entertainment purposes, including and not limited to fireworks, bonfires, barbecues, and camp-fires outside designated areas as indicated from time to time by the Board, provided that this provision does not apply to a person who kindles:

(i) a fire directly connected with or necessary for the management of the Park, with prior approval of the Park Manager; or

(ii) a controlled fire within the confines of a private dwelling or a controlled fire on existing cultivated land for the purpose of cultivation and related maintenance insofar as these are not in conflict with the management plan provisions for the Park:

Provided further that in all cases, the person shall still be liable for any direct, indirect or consequential damage to the Park;

(d) hold an organized operation or activity or work, of a commercial nature or otherwise, other than walking and cycling on designated footpaths and educational tours organised by the Park Manager and subject to other permits needed, involving more than twenty (20) persons;

(e) effect or place any temporary installation or facility for the purpose of organized operations or activities or work;

(f) hold any organised filming activity or similar operations or activities taking place outside designated areas as indicated from time to time by the Board;

(g) remove any stones, pebbles or sand from the beach or the sand dunes except as part of the management of the Park under the direction of the Park Manager;

(h) move, remove, shift or damage any equipment used for the management of the park, including any signs, barriers, waste collection facilities, or beach safety equipment;

(i) cause damage to the Park and its biodiversity.

(10) The provisions of these regulations shall apply without prejudice to the provisions of any other related regulations, and do not exempt any person including the Park Manager from complying with any restrictions, prohibitions, and permit requirements that may be applicable. The Park Manager shall be responsible for ensuring that such regulations and requirements are duly complied with at all times to the satisfaction of the competent authorities."
