

**L.N. 36 of 2023**

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

**Abandonment, Dumping and Disposal of Waste in  
Streets and Public Places or  
Areas (Amendment) Regulations, 2023**

IN EXERCISE of the powers conferred by articles 54 and 55 of the Environment Protection Act, the Minister responsible for the environment, after consultation with the Environment and Resources Authority, has made the following regulations:-

1. (1) The title of these regulations is the Abandonment, Dumping and Disposal of Waste in Streets and Public Places or Areas (Amendment) Regulations, 2023 and these regulations shall be read and construed as one with the Abandonment, Dumping and Disposal of Waste in Streets and Public Places or Areas Regulations, hereinafter referred to as "the principal regulations".

Citation and commencement.

S.L. 549.40.

(2) These regulations shall come into force within two (2) months from their publication in the Gazette.

2. Immediately after regulation 4A of the principal regulations there shall be added the following new regulation:

Adds a new regulation to the principal regulations.

"Mandatory separation of waste.  
S.L. 549.63. 4B. (1) Every person shall separate recyclable waste in accordance with regulation 12A of the Waste Regulations.

(2) The enforcement of sub-regulation (1) shall be carried out in a phased approach as shall be prescribed by the Minister by means of a Government notice in the Gazette."

3. In sub-regulation (1) of regulation 8 of the principal regulations, the words "a bin approved" shall be substituted by the words "such number of bins as approved".

Amends regulation 8 of the principal regulations.

4. Regulation 10 of the principal regulations shall be amended as follows:

Amends regulation 10 of the principal regulations.

(a) in paragraph (d) of sub-regulation (4) thereof, the words "not exceeding six thousand euro (€6,000)." shall be substituted by the words "not exceeding six thousand euro (€6,000):" and immediately after there shall be added the following new proviso:

"Provided that the minimum fine of four hundred euro (€400) shall be applicable where the amount of waste is considered minimal."; and

(b) immediately after sub-regulation (4) thereof there shall be added the following new sub-regulation:

"(4A) Any person who contravenes regulation 4B shall be liable on the first contravention to reprimand and admonition, on the second contravention to a fine (*ammenda*) of twenty-five euro (€25) and in case of subsequent contraventions to a fine (*ammenda*) of fifty euro (€50):

Provided that in the case of waste generated from commercial activities, the contravenor shall be liable on the first contravention to reprimand and admonition, on the second contravention to a fine (*ammenda*) of seventy-five euro (€75) and in case of subsequent contraventions to a fine (*ammenda*) of one hundred and fifty (€150):

Provided further that in the case of waste generated from commercial activities, action may be taken against any person responsible for the enterprise or engaged by it."

Amends  
regulation 12 of  
the principal  
regulations.

**5.** In sub-regulation (1) of regulation 12 of the principal regulations, the words "in regulations 4, 5, 6, 7, 8 and 10(3)" shall be substituted by the words "in regulations 4, 4A, 5, 6, 7, 8 and 10(3)".

Amends  
regulation 15 of  
the principal  
regulations.

**6.** In sub-regulation (1) of regulation 15 of the principal regulations, the words "in regulations 4, 5, 6, 7, 8 and 9" shall be substituted by the words "in regulations 4, 4A, 4B, 5, 6, 7, 8 and 9".