

**L.N. 149 of 2023**

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

**VETERINARY SERVICES ACT  
(CAP. 437)**

**FOOD SAFETY ACT  
(CAP. 449)**

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

**Stony Sea Urchin Protection Regulations, 2023**

IN EXERCISE of the powers conferred by article 38 of the Fisheries Conservation and Management Act, by article 10 of the Veterinary Services Act, by article 10 of the Food Safety Act and by articles 54 and 55 of the Environment Protection Act, the Minister responsible for fisheries and aquaculture, the Minister responsible for veterinary services after consultation with the Minister responsible for public health, the Minister responsible for public health, and the Minister responsible for the environment after consultation with the Environment and Resources Authority, have made the following regulations:-

Citation, scope  
and applicability.

**1.** (1) The title of these regulations is the Stony Sea Urchin Protection Regulations, 2023.

(2) The scope of these regulations is to provide for a moratorium with respect to the stony sea urchin found in the Maltese Islands for its conservation.

(3) The Environment and Resources Authority, the Director responsible for Fisheries, the Veterinary Regulation Directorate and the Superintendent of Public Health shall collaborate and cooperate in enforcing these regulations.

(4) The provisions of these regulations shall cease to have effect within two (2) years from their coming into force.

Interpretation.

**2.** In these regulations, unless the context otherwise requires:

Cap. 549.

"Act" means the Environment Protection Act;

"competent authority" means the Environment and

Resources Authority established by article 6 of the Act;

"documentary evidence" means any relevant import licence or authorisation, health certificate, customs declaration, labelling which indicates that the specimen was sourced outside Maltese waters, invoices or receipts which indicate that the specimen was purchased outside Maltese jurisdiction, or any other comparable evidence;

"relevant authorities" means the Environment and Resources Authority, the Director responsible for Fisheries, the Veterinary Regulation Directorate and the Superintendent of Public Health;

"specimen" means any stony sea urchin in any stage of its life-cycle, whether alive or dead, whether whole or in part, whether in the original form or after having undergone any transformation and includes any part or derivative thereof, as well as any other goods which, from an accompanying document, the packaging or a mark or label or from any other circumstances, appear to be parts or derivatives of the species.

3. No person shall disturb, destroy, have in his possession, transport, sell, exchange, offer for sale or for exchange, or export any specimen or attempt to do any these actions: Regulation of activities.

Provided that this regulation shall not apply if:

(a) the person is in possession of a valid permit for *bona fide* scientific research purposes issued by the competent authority; or

(b) if the person importing, brings into Malta, transporting, storing, possessing, advertising, distributing or selling any specimen proves to the satisfaction of the relevant authorities that he has in his possession documentary evidence pertaining to its legitimate importation or transportation into Malta.

4. Permit applications for scientific research shall be carried out in line with Part XI of the Flora, Fauna and Natural Habitats Protection Regulations. Permits.  
S.L. 549.44.

5. For the purposes of these regulations and the control and enforcement activities in their regard, the relevant authorities shall *mutatis mutandis* exercise all their powers and responsibilities as provided under the applicable legislation: Control and enforcement.

Provided that any delegation of powers as allowed in

accordance with any other law shall apply in the same manner for the purposes of these regulations.

Offences and  
punishments.

6. Any person who acts in contravention of any provision of these regulations shall be guilty of an offence against these regulations and shall be liable to, on conviction by a competent criminal court:

(a) in the case of a first offence, to a fine (*multa*) of not less than five hundred euro (€500) but not exceeding five thousand euro (€5,000);

(b) in the case of a second or subsequent offence, to a fine (*multa*) of not less than one thousand euro (€1,000) but not exceeding ten thousand euro (€10,000):

Provided that any relevant authority may impose any alternative penalty or punishment as provided in the applicable legislation:

Provided further that prior to applying any penalty or punishment the relevant authority shall consult and coordinate with the other relevant authorities:

Provided further that the Executive Police may not *ex officio* institute criminal proceedings under these regulations without a complaint by a relevant authority.

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