

A.L. 255 ta' 1-2008

**ATT DWAR L-AWTORITÀ TA' MALTA DWAR
IR-RIŻORSI (KAP. 423)**

**Regolamenti ta' 1-2008 dwar in-Notifika ta'
Sorsi ta' l-Ilma ta' taht l-Art**

BIS-SAHHA tas-setghat moghtija bl-artikolu 28 ta' l-Att dwar l-Awtorità ta' Malta dwar ir-Riżorsi, il-Ministru għar-Riżorsi u Affarijiet Rurali, wara konsultazzjoni ma' l-Awtorità ta' Malta dwar ir-Riżorsi, għamel dawn ir-regolamenti li ġejjin:

1. (1) It-titolu ta' dawn ir-regolamenti hu **Regolamenti ta' 1-2008 dwar in-Notifika ta' Sorsi ta' l-Ilma ta' taht l-Art.** Titolu u bidu fis-sehh.

(2) Dawn ir-regolamenti għandhom jidhlu fis-sehh fis-7 ta' Ottubru, 2008.

2. (1) F'dawn ir-regolamenti, kemm –il darba r-rabta tal-kliem ma tkunx tehtieg xort'ohra: Tifsir.

“l-Att” tfisser l-Att dwar l-Awtorità ta' Malta dwar ir-Riżorsi; Kap. 423.

“l-Awtorità” tfisser l-Awtorità ta' Malta dwar ir-Riżorsi;

“dritt għan-notifika” tfisser id-dritt imhallas fuq in-notifika ta' sors ta' ilma ta' taht l-art skond dawn ir-regolamenti;

“dritt għar-registrazzjoni” tfisser id-dritt imhallas fuq ir-registrazzjoni ta' sors ta' ilma ta' taht l-art skond ir-Regolamenti ta' 1-1997 dwar ir-Registrazzjoni ta' Sorsi ta' Ilma ta' taht l-Art; A.L. 120 ta' 1-1997.

“ilma ta' taht l-art” tfisser l-ilma kollu li jinsab taht il-wiċċ ta' l-art fiż-żona ta' saturazzjoni u f'kuntatt dirett ma' l-art jew mal-hamrija ta' taht;

“sors ta' l-ilma ta' taht l-art” jew “sors” tfisser kull xaft, mina, ftuħ, toqba, miżra jew bir imhaffer fl-art jew imkabbar b'mezz artifiċjali, li jwassal sa l-ilma ta' taht l-art jew li hu vertikament iktar fond minn nofs id-distanza bejn il-wiċċ tal-bir u l-eqreb ilma ta' taht l-art f'dak il-post, iżda ma tinkludix ġiebjia;

“uffiċjal” tfisser u tinkludi kull persuna impjegata, allokata fuq dmirijiet, jew li b’xi mod, li jkun, taqdi dmirijiet għal jew f’isem l-Awtorità;

“utent” tfisser il-persuna li, waħedha jew flimkien ma’ oħrajn, ikollha l-kontroll effettiv ta’ l-użu tal-proprjetà fejn ikun jinsab sors ta’ l-ilma ta’ taħt l-art.

(2) It-tifsiriet li hemm fl-Att għandhom ukoll japplikaw f’dawn ir-regolamenti, sakemm ir-rabta tal-kliem ma tkunx teħtieġ xort’oħra.

Notifika ta’ sors ta’ l-ilma ta’ taħt l-art.

A.L. 120 ta’ l-1997.

3. (1) Kull sors ta’ l-ilma ta’ taħt l-art li ma jkunx ġie rreġistrat skond ir-Regolamenti ta’ l-1997 dwar ir-Registrazzjoni ta’ Sorsi ta’ l-Ilma ta’ taħt l-Art, għandu jiġi notifikat lill-Awtorità minn kull utent ta’ dak is-sors ta’ l-ilma ta’ taħt l-art, sas-6 ta’ Novembru.

(2) L-informazzjoni meħtieġa fis-subregolament (1) għandha tingħata fuq il-formola murija fl-Iskeda, u għandha tinkludi l-partikolaritajiet kollha u r-rekwiziti kollha hemm indikati.

(3) Il-formola indikata fis-subregolament (2) tista’ tinkiseb minn kull post li l-Awtorità tista’ ssemmi jew inkella tista’ tinkiseb mill-*website* ta’ l-Awtorità.

(4) Sors ta’ l-ilma rreġistrat mal-Korporazzjoni tas-Servizzi ta’ l-Ilma taħt ir-Regolamenti ta’ l-1997 dwar ir-Registrazzjoni ta’ Sorsi ta’ l-Ilma ta’ taħt l-Art wara it-3 ta’ Settembru 1997 għandhom jiġu meqjusa li ġew irreġistrati taħt dawn ir-regolamenti.

Dritt għan-notifika.

4. (1) Meta ssir n-notifika ta’ sors ta’ l-ilma ta’ taħt l-art, għandu jithallas lill-Awtorità dritt għan-notifika ta’ mitejn u tletin euro (€230):

Iżda, fil-każ ta’ sors ta’ ilma ta’ taħt l-art li jkun ġie mhaffer jew imkabbar qabel is-sena 1955, m’għandu jithallas ebda dritt għan-notifika.

(2) Sors ta’ l-ilma ta’ taħt l-art m’għandux jitqies li jkun ġie notifikat għall-finijiet ta’ dawn ir-regolamenti, hlief wara li jithallas id-dritt għan-notifika relattiv.

(3) Jekk sors ta’ l-ilma ta’ taħt l-art jintuża minn aktar minn persuna waħda, għandha tiġi ipprezentata notifika waħda biss għal dak is-sors ta’ ilma ta’ taħt l-art u għandu jithallas dritt wiehed biss għan-notifika ta’ dak is-sors ta’ ilma ta’ taħt l-art.

5. L-Awtorità tista' tahtar lil xi uffijjal taghha jew lil xi persuna ohra li taġixxi f'isimha biex jeżegwixxu d-dmirijiet li għandhom x'jaqsmu ma', jew li johorġu minn, dawn ir-regolamenti. Eżekuzzjoni ta' dmirijiet.

6. (1) In-notifika ta' sors ta' l-ilma ta' taht l-art skond dawn ir-regolamenti ma taghti b'ebda mod xi dritt lil xi persuna li tinnotifika sors ta' l-ilma ta' taht l-art skond dawn ir-regolamenti, jew lil xi utent iehor li jtella' l-ilma minn dak is-sors, jew li jiddisponi minn xi materjal, sew likwidu sew solidu, f'dak is-sors, jew li jzomm dak is-sors miftuh, u l-Awtorità tista' f'kull żmien tordna lil dik il-persuna jew utent li jagħlqu dak is-sors ta' l-ilma ta' taht l-art, minkejja illi dak is-sors ikun ġie notifikat u d-dritt għan-notifika jkun ġie mhallas skond dawn ir-regolamenti. Drittijiet ta' użu.

(2) Jekk l-Awtorità tordna lil xi persuna jew utent biex jagħlaq sors ta' l-ilma ta' taht l-art, id-dritt għar-registrazzjoni jew id-dritt għan-notifika li jkunu thallsu fir-rigward ta' dak is-sors ma jinghatawx lura.

(3) Id-dispożizzjonijiet ta' dan ir-regolament għandhom ikunu japplikaw *mutatis mutandis* għal kull utent jew sors ta' l-ilma ta' taht l-art registrat skond ir-Regolamenti ta' l-1997 dwar ir-Registrazzjoni ta' Sorsi ta' l-Ilma ta' taht l-Art.

7. In-notifika ta' sors ta' l-ilma ta' taht l-art li ssir minn xi utent ta' sors ta' l-ilma ta' taht l-art skond dawn ir-regolamenti, m'għandha bl-ebda mod tippreġudika xi dritt jew pretensjoni li jista' jkollhom terzi persuni fuq dak is-sors. Drittijiet mhux preġudikati.

8. (1) Meta utent ta' sors ta' l-ilma ta' taht l-art jonqos milli jinnotifika lill-Awtorità fiż-żmien stabbilit fir-regolament 3 jew jippreżenta informazzjoni żbaljata, mhux kompluta jew falza fil-formola tan-notifika, huwa jkun hati ta' reat u jista', meta jinstab hati, jehel multa ta' mhux inqas minn disat elef u tliet mitt euro (€9,300) iżda mhux iżjed minn tmintax-il elf u sitt mitt euro (€18,600) u l-konfiska ta' l-apparat użat fl-istess sors ta' l-ilma ta' taht l-art. Reati u pieni.

(2) Dik il-multa għandha tithallas f'dak iż-żmien li l-Qorti tordna fis-sentenza taghha.

(3) Kemm il-multa kemm il-konfiska għandhom ikunu mingħajr preġudizzju għal kull piena ohra li l-utent jista' jehel taht xi liġi ohra jew xi regolament iehor.

9. Ir-Regolamenti ta' l-1997 dwar Sorsi ta' l-Ilma ta' taht l-Art, qeghdin b'dawn jiġu mhassra. Thassir ta' A.L. 120 ta' l-1997.

Skeda

(Regolament 3)



MALTA RESOURCES AUTHORITY

APPLIKAZZJONI GHAN-NOTIFIKA TA' SORS
TA' L-ILMA TA' TAHT L-ART

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Għall-Użu Ifficijali Biss	
Numru tan-Notifika	
Data meta gjet riċevuta	

Is-sezzjonijiet kollha f'din l-applikazzjoni għandhom jiġu mimlija u jkunu jinqraw sew. (Applikazzjonijiet mhux kompluti, li ma jinqrawx sew, jew li mhux mimlija kif support jiġu mizmuma jew irritornati).

SEZZJONI A - INFORMAZZJONI ĠENERALI

A1. Informazzjoni dwar l-Applikant

<i>Għandha tiġi mimlija jekk l-applikazzjoni tkun magħmula minn individwu</i>			
Titolu		Isem u kunjom sħiħ	
Numru tal-Karta ta' l-Identità / Passaport:	Numru ta' VAT (jekk ikun il-każ):	Numru ta' liċenza tan-Negozju (jekk ikun il-każ):	
Indirizz ta' l-Applikant:			
Numru tat-telefon:	Numru tal-mobile:	Numru tal-fax:	Indirizz ta' l-E-mail:

<i>Għandha tiġi mimlija jekk l-applikazzjoni tkun magħmula f'isem Kumpannija / Organizzazzjoni Ġuridika</i>			
Isem tal-Kumpannija / Organizzazzjoni Ġuridika			
Numru ta' Reġistrazzjoni tal-Kumpannija		Numru tal-VAT	
Numru ta' Liċenzja ta' Negozju (jekk ikun il-każ):			
Tip ta' Kumpannija: LTD <input type="checkbox"/> PLC <input type="checkbox"/> Korporazzjoni <input type="checkbox"/> Gvern <input type="checkbox"/> Organizzazzjoni <input type="checkbox"/> Oħrajn <input type="checkbox"/> (Speċifika) _____			
Il-Kumpannija hija parti minn Grupp? IVA <input type="checkbox"/> (Speċifika) _____ LE <input type="checkbox"/>			
<i>Partikolaritajiet tar-Rappreżentant tal-Kumpannija (jekk ikun il-każ)</i>			
Titolu		Isem u kunjom sħiħ	
Numru ta' Karta ta' l-Identita / Passaport	Kariga li jkollu:		
Indirizz fejn ikun jista' jinsab:			
Numru. tat-telefon:	Numru tal-mobile:	Numru tal-fax:	Indirizz ta' l-E-mail:

A2. Utenti ta' Sorsi ta' l-Ilma ta' taħt l-Art*(Jekk ikun hemm bżonn imla kopji addizzjonali ta' din il-paġna bil-partikolaritajiet skond il-każ)***Sehem ta' użu mogħti
bħala perċentwali.**

UTENT 1 (Applikant Prinċipali)	Isem u Kunjom		
	Indirizz		
	Dokument I.D / Passaport		

UTENT 2	Isem u Kunjom		
	Indirizz		
	Dokument I.D / Passaport		

UTENT 3	Isem u Kunjom		
	Indirizz		
	Dokument I.D / Passaport		

UTENT 4	Isem u Kunjom		
	Indirizz		
	Dokument I.D / Passaport		

SEZZJONI B - DETTALJI TAS-SORS**B1. Lokalità u dettalji dwar is-sit tas-sors**

Indirizz tas-sors ta' l-ilma ta' taħt l-art:	
Isem ta' l-art fejn jinsab is-sors:	
Limiti ta':	

B2. Klassifikazzjoni tas-Sors

Klassifikazzjoni tas-Sors (ara t-tifsiriet)	(immarka ✕ kif meħtieġ)	Noti
Spiera		Referenza Sezzjoni B3.1
Xaft (spiera) bil-mini jew mingħajr mini		Referenza Sezzjoni B3.2
Nixxieġha (mini orizzontali)		Referenza Sezzjoni B3.3

B3. Dettalji Speċifiċi ta' Sors

B3.1	Spiera	Dijametru (D) f' centimetri	
		<i>Nothing</i> (UTM) (WGS84)	
		<i>Easting</i> (UTM) (WGS84)	
		Fond Totali ta' spiera f'metri	
		Fond ta' ilma ta' taħt l-art f'metri	
		Data meta tħaffret l-ispiera	

B3.2	Spiera mħaffra bl-idejn		
	Xaft	Dijametru (D) f' centimetri	
		<i>Nothing</i> (UTM) (WGS84)	
		<i>Easting</i> (UTM) (WGS84)	
		Fond Totali ta' xaft f'metri	
		Fond ta' ilma ta' taħt l-art f'metri	
		Data meta tħaffer ix-xaft	
	Mini (Jekk hemm bżonn imla kopji addizzjonali ta' din il-paġna bid-dettalji skond kif japplikaw)	Numru ta' mini orizzontali	
		Tul f'metri tal-mini #1	
		Direzzjoni mit- Tramuntana tal-mini #1 (gradi)	
		Data meta tħaffru l-mini #1	
		Tul f'metri ta' mini #2	
		Direzzjoni mit-Tramuntana tal-mini #2 (gradi)	
		Data meta tħaffru l-mini #2	
		Tul f'metri tal-mini #3	
		Direzzjoni mit-Tramuntana tal-mini #3 (gradi)	
		Data meta tħaffru l-mini #3	

B3.3	Nixxieġha (Mini Orizzontali)	Tul f'metri	
		Direzzjoni mit-Tramuntana (gradi)	
		Fluġ m ³ /siegħa	
		Data meta tħaffru l-mini orizzontali	
		<i>Nothing</i> (UTM) (WGS84)	
		<i>Easting</i> (UTM) (WGS84)	

SEZZJONI Ċ. GĦAN TA' L- UŻU

	Għan ta' Użu (immarka skond kif ikun meħtieġ)				
	<i>Tisqija</i>	<i>Agrikultura / Trobbija ta' l- Annimali</i>	<i>Industrijali</i>	<i>Ikel u Xorb</i>	<i>Oħrajn (jekk jogħġbok speċifika)</i>
Dettalji għal kull utent elenkati f'Sezzjoni 2 (Jekk hemm bżonn imla kopji addizzjonali ta' din il-paġna ta' l-applikazzjoni bid-dettalji kif ikunu meħtieġa)					
Utent 1 (Applikant Prinċipali)					
Utent 2					
Utent 3					
Utent 4					

SEZZJONI D: DOKUMENTI LI GĦANDHOM JIĠU IPPREŻENTATI MAN-NOTIFIKA

1.	Kopja ta' pjanta: A4 meħuda mill-aħħar <i>Survey Sheet</i> fuq Skala ta' 1:2500:	
	<ul style="list-style-type: none"> Immarka bl-aħmar il-konfini tas-sit fuq il-pjanti kollha. Immarka l-pożizzjoni mnejn ġie meħud ir-ritratt fuq il-pjanta. Inkludi it-truf fuq is-sit, iħarsu lejn it-Tramuntana u d-distanza mill-eqreb kantuniera ta' bini li jinsab fuq il-pjanta. 	<input type="checkbox"/>
2.	Ritratt li juri s-sit fejn jinsab is-sors, il-konfini tiegħu u l-pożizzjoni tas-sors, bil-marka minn fejn ġie meħud ir-ritratt muri fuq il-pjanta. Dan ir-ritratt u l-pjanta għandhom jiġu iffirmati u ċertifikati minn Perit.	<input type="checkbox"/>
3.	<i>Bank draft</i> jew ċekk personali li jammonta għal € 230 u li jinħarġu fuq l-Awtorita` ta' Malta dwar ir-Rizorsi.	<input type="checkbox"/>

SEZZJONI E: DIKJARAZZJONI MILL-APPLIKANT PRINCIPALI U UTENTI OĦRA

Jiena / Aĥna (*ħassar fejn mhux meħtieġ*) niddikjara/w (*ħassar fejn mhux meħtieġ*) illi din il-formola ta' notifika sħiħa, id-dikjarazzjonijiet kollha, dokumenti u l-informazzjoni l-oħra pprezentati in konnessjoni ma' din in-notifika huma veri, korretti u kompluti f'kull ma jirrikjedu, bl-aħjar ħila u taġħrif tiegħi, filwaqt li naf li kull għoti ta' informazzjoni żbaljata jew nuqqas ta' turija ta' informazzjoni mitluba jista' jitqies bħala kawża suffiċjenti biex japplikaw il-pieni stabbiliti mil-liġi.

Jiena / Aĥna (*ħassar fejn mhux meħtieġ*) nifhem / nifhmu (*ħassar fejn mhux meħtieġ*) li l-Awtorita` ta' Malta dwar ir-Riżorsi tista' tmexxi investigazzjonijiet kompluti u komprensivi biex tiddetermina l-eżattezza ta' kull informazzjoni provduta f'din-notifika jew magħha.

Jiena / Aĥna (*ħassar fejn mhux meħtieġ*) nawtorizza/w (*ħassar fejn mhux meħtieġ*) lill-Awtorita` ta' Malta dwar ir-Riżorsi biex taġmel dawn l-investigazzjonijiet.

Jiena / Aĥna (*ħassar fejn mhux meħtieġ*) nawtorizza/w (*ħassar fejn mhux meħtieġ*) ukoll lill-persuna / persuni li jaġixxu f'isem u għall-Awtorita` ta' Malta dwar ir-Riżorsi biex jidhlu, jispezzjonaw u jivverifikaw is-sors ta' l-ilma ta' taħt l-art u s-sit notifikat b'din l-applikazzjoni. Jiena / Aĥna (*ħassar fejn mhux meħtieġ*) nawtorizza/w (*ħassar fejn mhux meħtieġ*) lill-persuna / persuni li jaġixxu f'isem u għall-Awtorita` ta' Malta dwar ir-Riżorsi biex jiġbru u jirreġistrasaw informazzjoni għar-rigward ta' s-sors ta' l-ilma ta' taħt l-art u s-sit notifikat, inkluż permezz ta' mezzi fotografici jew elettronici.

Jiena / Aĥna (*ħassar fejn mhux meħtieġ*) hawnhekk nawtorizza/w (*ħassar fejn mhux meħtieġ*) lil kull persuna jew entita` awtorizzata mill-Awtorita` biex jipprovdu kull informazzjoni li tista' tkun raġonevolment mitluba mill-Awtorita` in konnessjoni ma' din in-notifika.

Applikant Principali:

Firmat: _____ Data: _____ Isem u Kunjom sħiħ: _____

Utenti oħra: (Jekk hemm bżonn imla kopji addizzjonali ta' din il-paġna bil-partikolaritajiet u l-firem kif meħtieġ)

Firmat: _____ Data: _____ Isem u Kunjom sħiħ: _____

Firmat: _____ Data: _____ Isem u Kunjom sħiħ: _____

Firmat: _____ Data: _____ Isem u Kunjom sħiħ: _____

SECTION F: DIKJARAZZJONI MILL-PERIT

Jiena, il-Perit hawn taħt iffirmit, niddikjara bl-aħjar ħila tiegħi illi kull kontenut tekniku inkluż f'din l-applikazzjoni u fuq il-pjanti, ritratti u disinni huma veri, korretti u kompluti.

Firmat: _____ Data: _____

Isem sħiħ u timbru uffiċjali: _____ Numru tad-Dok. Id Elettroniku _____

**JEKK JOGĦĠBOK AQRA IL-KLAWSOLI LI ĠEJJIN QABEL TIFFIRMA
KLAWSOLI DWAR IL-PROTEZZJONI TAD-DATA**

Skond l-Att dwar il-Protezzjoni u l-Privatezza tad-Data (Kapitlu 440 ta-Liġijiet ta' Malta), aħna se niproċessaw kull *data* personali u / jew sensitiva provduta fuq / f'din il-formola ta' applikazzjoni, talba jew notifika jew sussegwentament provduta minnek, sew jekk verbalment sew jekk bil-miktub, għal kull jew xi waħda minn dawn li ġejjin:

1. Il-proċessar kif suppost ta' l-applikazzjoni, talba u, jew notifika tiegħek kif ipprezentata;
2. Tfixkil, identifikazzjoni u / jew prosekuzzjoni ta' frodi u kull attivita` kriminali oħra li l-Awtorita` hija marbuta li tirrapporta u / jew tipproċedi fuqhom waqt il-harsien ta' xi obbligazzjonijiet oħrajn speċifiċi legali jew regolatorji;
3. Stabbiliment, eżerċitar jew difiża ta' xi azzjoni legali;
4. Immaniġar intern, riċerka u statistika, amministrazzjoni ta' sistemi, l-iżvilupp u t-titjib tas-servizzi tagħna;
5. il-protezzjoni u l-promozzjoni ta' l-interessi legittimi tagħna u l-kondotta proprja ta' l-obbligazzjonijiet tagħna mahruġa taħt xi liġi jew strument regolatorju; u
6. biex taġmel pubblika l-informazzjoni neċessarja kif speċifikat f'xi liġi rilevanti u / jew strument.

Data relevanti se tkun murija u mqassma mal-haddiema kollha tagħna u ma' partijiet terzi kemm il-darba pertinenti għal xi wieħed mill-għanijiet imsemmi hawn fuq. Il-mili ta' kull kaxxa fil-formola huwa obligatorju. Kemm il-darba tonqos milli timla fil-kaxxa obligatorja, aħna nriservaw id-dritt li nirrifjutaw l-applikazzjoni. Jekk xi kaxxa ma tkunx tapplika għaċ-ċirkostanzi partikolari tiegħek, immarka dik il-kaxxa bl-ittri "N/A". Inti għandek id-dritt li tlob li aħna niprovduleċ aċċess għad-*data* personali tiegħek kif ukoll id-dritt li tirranġa, jew, fiċ-ċirkostanzi adatti, tħassar kull *data* personali li mhux korretta, kompluta jew immaterjali li tkun qed tiġi proċessata. Iżda inti mitlub tinformana immedjatament b'xi tibdil relatat mad-*data* tiegħek li aħna nkunu qed niproċessaw.

Billi tiffirma din il-formola, inti tikkonferma li qiegħed taġhti kunsens espliċitu skond l-Att dwar il-Protezzjoni u l-Privatezza tad-*Data*, f'ismek u f'isem il-persuni speċifikati f'din il-formola, biex l-Awtorita` tiproċessa l-informazzjoni personali rispettiva tiegħek kif indikat hawn fuq u inti tikkonferma li għidit l-attenzjoni ta' dawn il-persuni l-oħra dwar din in-notifika dwar il-Protezzjoni u l-Privatezza tad-*Data* u akkwistajt il-kunsens rispettiv tagħhom.

Aħna nobbligaw rwieħna li nswettqu il-miżuri ta' protezzjoni bil-għan li tiġi protetta il-kunfidenzjalità, l-integrità u l-aċċessibilità³⁹⁹ tad-*data* kollha proċessata.

L.N. 255 of 2008

**MALTA RESOURCES AUTHORITY ACT
(CAP. 423)**

Notification of Groundwater Sources Regulations, 2008

IN EXERCISE of the powers conferred by Article 28 of the Malta Resources Authority Act, the Minister for Resources and Rural Affairs after consultation with the Malta Resources Authority, has made the following regulations:

Title and commencement.

1. (1) The title of these regulations is the Notification of Groundwater Sources Regulations, 2008.

(2) These regulations shall enter into force on the 7th October, 2008.

Interpretation.

2. (1) In these regulations, unless the context otherwise requires:

Cap. 423.

“the Act” means the Malta Resources Authority Act;

“the Authority” means the Malta Resources Authority;

“groundwater” means all water which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil;

“groundwater source” or “source” means any shaft, adit, opening, hole, spring outlet or well artificially dug in the ground or artificially enlarged, which has access to groundwater or from which groundwater is abstracted or can be abstracted or is vertically deeper than half the distance between the well head and the nearest water table at that point, but it does not include a water retaining cistern;

“notification fee” means the fee paid in respect of the notification of a groundwater source in accordance with these regulations;

“officer” means and includes any person engaged by, detailed for duty with, or in any manner whatsoever performing duties for or on behalf of the Authority;

“registration fee” means the fee paid in respect of the registration of a groundwater source in accordance with the Registration of Groundwater Sources Regulations, 1997.

“user” means the person who, solely or jointly with others, has the effective control of use over the property in which a groundwater source is situated;

(2) The definitions in the Act shall also be applicable to these regulations, unless the context requires otherwise.

3. (1) Any groundwater source which has not been registered in accordance with the Registration of Groundwater Sources Regulations, 1997, shall be notified to the Authority by all users of such groundwater source until the 6th November, 2008. Notification of a groundwater source.

(2) The information required in sub-regulation (1) thereof shall be given on the form shown in the Schedule, and shall include all the particulars and shall meet all the requirements therein.

(3) The form indicated in sub-regulation (2) thereof may be collected from any place which the Authority may designate or may be downloaded from the Authority’s website.

(4) A groundwater source registered with the Water Services Corporation under the Registration of Groundwater Sources Regulations, 1997 after the 3rd of September 1997 shall be deemed to have been notified under these regulations.

4. (1) There shall be paid to the Authority, upon the notification of a groundwater source, a notification fee of two hundred and thirty euro (€230): Notification fee

Provided that, in the case of a groundwater source which was dug or enlarged prior to the year 1955, no notification fee shall be paid.

(2) A groundwater source shall not be deemed to have been notified for the purposes of these regulations unless and until the relative notification fee has been paid.

(3) If a groundwater source is used by more than one person, only one notification for such groundwater source shall be required to be submitted to the Authority and one notification fee shall be due with respect to such groundwater source.

Execution of duties.

5. The Authority may designate any of its officers thereof or any other person acting on its behalf to carry out duties in connection with, or arising from, these regulations.

Rights of use.

6. (1) The notification of a groundwater source in terms of these regulations does not in any way give any right to any person notifying a groundwater source in terms of these regulations, or to any user, to draw water from such source, or to dispose of any material, whether liquid or solid, in such source, or to keep open such source, and the Authority may at any time order such person or user to close such groundwater source, notwithstanding that such source has been notified and the notification fee paid in accordance with these regulations.

(2) If the Authority orders any person or user to close a groundwater source, the registration fee or the notification fee which would have been paid in respect of such source shall not be refunded.

(3) The provisions of this regulation shall *mutatis mutandis* apply to any user or groundwater source registered in terms of the Registration of Groundwater Sources Regulations, 1997.

Claims not prejudiced.

7. The notification of a groundwater source made by any user in terms of these regulations shall in no way prejudice any rights or claims which third parties may have over such source.

Offences and penalties.

8. (1) Any user of a groundwater source who fails to notify the Authority within the period established in regulation 3 or submits incorrect, incomplete or false information in the notification form, shall be guilty of an offence and shall be liable to a fine (*multa*) of not less than nine thousand and three hundred euro (€9,300) but not exceeding eighteen thousand and six hundred euro (€18,600) and to the confiscation of the equipment used in the same groundwater source.

(2) Such fine shall be payable within period of time as the Court in passing sentence shall direct.

(3) Such fine and confiscation of equipment shall be without prejudice to any other punishment for which the user would be liable under any other law or regulation.

9. The Registration of Groundwater Sources Regulations, 1997 are hereby being repealed. Repeal of L.N. 120 of 1997.

**Schedule
(Regulation 3)**



MALTA RESOURCES AUTHORITY

**APPLICATION FOR NOTIFICATION OF A
GROUNDWATER SOURCE**

Malta Resources Authority
Millennia Complex
Triq Aldo Moro
Marsa, MRS 9065
MALTA

Tel. : +356 2295 5101
Fax.: +356 2295 5200
Email: enquiry@mra.org.mt
www.mra.org.mt

For Office Use Only	
Notification No.	
Date Received	

All sections of this application should be filled in and legible. (Incomplete, illegible or improperly filled in applications will be delayed or returned).

SECTION A - GENERAL INFORMATION

A1. Applicant's Information

<i>To be filled if application is made by an individual</i>			
Title	Full Name and Surname		
I.D. No./ Passport No:	VAT No (if applicable):	Trading Licence No: (if applicable):	
Contact Address:			
Tel. No.:	Mobile No.	Fax No.	E-mail address:

<i>To be filled if application is made on behalf of a Company / Legal Organisation</i>			
Name of Company / Legal Organisation			
Company Registration No.		VAT. No	
Trading Licence No. (if applicable)			
Type of Company: LTD <input type="checkbox"/> PLC <input type="checkbox"/> Corporation <input type="checkbox"/> Government <input type="checkbox"/> Organisation <input type="checkbox"/>			
Other <input type="checkbox"/> (Specify) _____			
Is Company Part of a Holding? YES <input type="checkbox"/> (Specify) _____ NO <input type="checkbox"/>			
Details of Legal Representative (where applicable)			
Title	Full Name and Surname:		
I.D. No./ Passport No	Position Held:		
Contact Address:			
Tel. No.:	Mobile No.	Fax No.	E-mail address:

A2. Users of Groundwater Source

(If necessary submit additional copies of this sheet with details as applicable)

Share of use expressed as a percentage

USER 1 (Main Applicant)	Name & Surname		
	Address		
ID Number / Passport No			

USER 2	Name & Surname		
	Address		
ID Number / Passport No			

USER 3	Name & Surname		
	Address		
ID Number / Passport No			

USER 4	Name & Surname		
	Address		
ID Number / Passport No			

SECTION B - DETAILS OF SOURCE

B1. Location and site details of the source

Address of groundwater source:	
Name of land where source is located:	
Limits of:	

B2. Source Classification

Source classification (see definitions)	(cross x where applicable)	Notes
Borehole		Refer Section B3.1
Shaft (spiera) with or with galleries		Refer Section B3.2
Spring (Horizontal gallery)		Refer Section B3.3

B3. Specific Details of Source

B3.1	Borehole	Diameter (D) in cm	
		Northing (UTM) (WGS84)	
		Easting (UTM) (WGS84)	
		Total Depth of borehole in m	
		Depth to groundwater in m	
		Date of drilling of borehole	

B3.2	Hand-dug borehole (Spiera)	Shaft	Diameter (D) in cm	
			Northing (UTM) (WGS84)	
			Easting (UTM) (WGS84)	
			Total Depth of shaft in m	
			Depth to groundwater in m	
			Date of drilling of shaft	
	Galleries <i>(If necessary submit additional copies of this sheet with details as applicable)</i>	Number of horizontal galleries		
		Length in m of gallery #1		
		Bearing from N of gallery #1 (degrees)		
		Date of drilling of gallery #1		
		Length in m of gallery #2		
		Bearing from N of gallery #2 (degrees)		
		Date of drilling of gallery #2		
		Length in m of gallery #3		
		Bearing from N of gallery #3 (degrees)		
Date of drilling of gallery #3				

B3.3	Spring (Horizontal gallery)	Length in m	
		Bearing from N (degrees)	
		Discharge m ³ /hr	
		Date of drilling of horizontal gallery	
		Northing (UTM) (WGS84)	
		Easting (UTM) (WGS84)	

SECTION C. PURPOSE OF USE

	Purpose of Use (tick as applicable)				
	<i>Irrigation</i>	<i>Agriculture / Animal Husbandry</i>	<i>Industrial</i>	<i>Food & Beverage</i>	<i>Other (please specify)</i>
Details per user detailed in Section 2 (If necessary submit additional copies of this sheet with details as applicable)					
User 1 (Main Applicant)					
User 2					
User 3					
User 4					

SECTION D: DOCUMENTS TO BE SUBMITTED WITH NOTIFICATION

1. A copy of site plan: A4 extract from the latest Survey Sheet on a Scale of 1:2500: <ul style="list-style-type: none"> • Outline the site boundaries in red on the site plan. • Indicate the position from which the photograph was taken on the site plan. • Include the co-ordinates of the site, north point and distance from the nearest corner of an existing building on all the site plan. 	<input type="checkbox"/>
2. One photo showing the site where source is located, its surroundings and the location of the source, with the point from which the photo was taken shown on the site plan. Such photo and site plan shall be signed and certified by a <i>Perit</i> .	<input type="checkbox"/>
3. Bank draft or personal cheque for the amount of €230 and payable to: Malta Resources Authority	<input type="checkbox"/>

SECTION E: DECLARATIONS BY THE MAIN APPLICANT AND OTHER USERS

I / We (*delete where not applicable*), the undersigned, hereby declare that this entire notification form, all statements, attachments and the other information submitted in connection with this notification are true, correct and complete in all respects to the best of my knowledge and belief and that this declaration is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the applicable penalties established by law.

I / We (*delete where not applicable*), understand that the Malta Resources Authority may conduct complete and comprehensive investigations to determine the accuracy of all information provided in / with this notification.

I / We (*delete where not applicable*), authorise the Malta Resources Authority to make such investigations.

I / we (*delete where not applicable*) also authorise person / s acting on behalf of the Malta Resources Authority to enter, inspect and verify any groundwater source and its site notified by this application. I / We (*delete where not applicable*) also authorise person / s acting for and on behalf of the Malta Resources Authority to gather and record information regarding such groundwater source, including by photographic or electronic means.

I / We (*delete where not applicable*), hereby authorise any person or entity contacted by the Authority to provide any information as may be reasonably requested by the Authority in connection with this notification.

Main Applicant:

Signed: _____ Date: _____ Full Name and Surname: _____

Other Users: (If necessary submit additional copies of this sheet with details and signatures as applicable)

Signed: _____ Date: _____ Full Name and Surname _____

Signed: _____ Date: _____ Full Name and Surname _____

Signed: _____ Date: _____ Full Name and Surname _____

SECTION F: DECLARATION BY PERIT

I, the undersigned Perit, hereby declare that to the best of my knowledge all the technical content contained in this application and on the submitted plans, photos and drawings is true, correct and complete.

Signed: _____ Date: _____

Full Name and Official Stamp: _____ Electronic ID Number _____

**PLEASE READ THE FOLLOWING CLAUSE BEFORE SIGNING
DATA PROTECTION CLAUSE**

In terms of the Data Protection Act (Chapter 440 of the Laws of Malta), we will process any personal and/ or sensitive data supplied on/ in this application, request or notification form or subsequently supplied by yourself, whether orally or in writing, for all or any of the following:

1. The proper processing of your application, request and/or notice as submitted;
2. Preventing, detecting and/or prosecuting fraud and any other criminal activity which the Authority is bound to report and/or act upon whilst meeting any other specific legal or regulatory obligations;
3. Establishing, exercising or defending any legal action;
4. Internal management, research and statistics, systems administration, the development and improvement of our services;
5. the protection and promotion of our legitimate interests and the proper conduct of our obligations arising under any law or statutory instrument; and
6. to make public the necessary information as specified in the relevant law and/or instrument.

Relevant data will be disclosed or shared as appropriate with all our employees and with other third parties if pertinent to any of the purposes listed above. Every field on the form is mandatory. Should you fail to fill in any mandatory field, we reserve the right to refuse the application. Should any field be inapplicable to your particular circumstances please mark that field with the letters "N/A". You have the right to require that we provide you with access to your personal data as well as the right to rectify, or, in appropriate circumstances, erase any inaccurate, incomplete or immaterial personal data which is being processed. However, you are required to inform us immediately of any alterations relating to your personal data which we are processing.

By signing this form, you confirm that you are giving your explicit consent, in terms of the Data Protection Act, on behalf of yourself and all the other persons specified in this form for the Authority to process your respective personal information as outlined above and you confirm that you have brought this Data Protection notice to the attention of these other persons and obtained their respective consents.

We undertake to implement appropriate measures and safeguards for the purpose of protecting the confidentiality, integrity and availability of all data processed.

